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Legislative Journal.

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SENATE

TUESDAY, January 2, 1923, 12 o'clock M.

This being the day and hour fixed by the Constitution for the meeting of the General Assembly, the members of the Senate, together with the Senators-elect chosen at the last general election held on November 7, 1922, and at the special election held on November 7, 1922, assembled in the Senate Chamber.

The PRESIDENT (Lieutenant-Governor Edward E. Beidleman) called the Senate to order at 12 o'clock noon.

PRAYER.

The Chaplain, Rev. Benjamin F. Bungard, offered the following prayer:

Our Father who art in Heaven, we humbly bow before Thee this morning and acknowledge Thee as the Giver of every good and perfect gift. We thank Thee for this beautiful day, we thank Thee for these beautiful flowers, and that back of them there is the blessed hope of an everlasting immortality. And our Father as we are ushered into the new year and about to begin the business and affairs of the Commonwealth there are those who have in years past dropped from the arena of activity and of life, and we pray this morning that there may come to us a voice from beyond calling us to higher service and duty and that we may pause in memory of those whom we have loved long since and lost a while, those magnetic personalities, those warm hearts, those guiding stars with their master leadership. We pray, our Father, that Thou wilt help us this morning that in memory of them we shall dedicate ourselves anew to the work they have so nobly begun, but before their ambitions and ideals were fully and completely realized, had dropped and left the work to us. We pray Thee this morning that Thou wilt help us to realize that they are just on the outside, in the other room, and that Thou wilt help us, our Father, to realize that when we pass from this scene of life we shall be ushered there, and we thank Thee for the glorious hope of the blessed immortality that again shall call us together where we shall meet in eternal bliss. May Thy blessing be upon this body, upon those who have come here for the first time, and upon all we ask that Thy guiding hand and wisdom may be upon us, and as we are here amidst these beautiful flowers, which seems to be a paradise this morning, help us to realize that back of all these material things there is the will of our Heavenly Father. Hear us, we beseech Thee, in this our most humble prayer. Amen.

RESIGNATION OF MR. WILLIAM E. CROW, SENATOR FROM THE THIRTY-SECOND SENATORIAL DISTRICT.

The Chair laid before the Senate the following communication:

Honorable Edward E. Beidleman, Lieutenant Governor and President of the Senate.

Sir: I hereby tender my resignation as State Senator representing 32nd District of Pennsylvania, the same to become effective as of October 24th, 1921.

WILLIAM E. CROW.

RESIGNATION OF MR. W. C. McCONNELL, SENATOR, FROM THE TWENTY-SEVENTH SENATORIAL DISTRICT.

The Chair laid before the Senate the following communications:

Commonwealth of Pennsylvania.
Harrisburg, November 8, 1921.

Honorable W. Harry Baker, Secretary of the Senate, Harrisburg, Pa.

My dear Sir: I hand you herewith resignation of Honorable W. C. McConnell as Senator from the Twenty-seventh District, which resignation, in accordance with the Senator's request, is effective as of July 15th, 1921.

I shall be obliged if you will see that the same is properly filed among the records of the Senate.

Yours sincerely.

E. E. BEIDLEMAN,
President of the Senate.

Hon. E. E. Beidleman, President of the Senate of Pennsylvania, Harrisburg, Penna.

Sir: In view of my appointment as Federal Prohibition Director for the State of Pennsylvania, I hereby tender my resignation as a member of the Senate of Pennsylvania, Twenty-seventh District, to take effect as of July 15, 1921.

Yours very truly,
WM. C. McCONNELL.

Commonwealth of Pennsylvania.
Harrisburg, January 28, 1922.

Mr. W. Harry Baker, Secretary of the Senate, Harrisburg, Penna.

Dear Sir: I hand you herewith a letter from Honorable W. C. McConnell addressed to me as Lieutenant-Governor, wherein he requests the return of his resignation as a Member of the Senate, which was sent me sometime ago and was, in turn, forwarded to you to be filed among the records of the Senate.

I forward this communication to you in order that it may become properly a part of the Senate records.

Yours very truly,
E. E. BEIDLEMAN.

Shamokin, Pa., Jan. 27, 1922.

Hon. E. E. Beidleman, Lieutenant-Governor, State of Pennsylvania, Harrisburg, Pa.

My dear Sir: Having tendered my resignation as Federal Prohibition Director of the State of Pennsylvania, and as the same has been accepted, I take this opportunity to request the return of my resignation as a member of the Senate of Pennsylvania, for the reason that this latter resignation was forwarded you by reason of my having at that

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time a Federal position, but as I am no longer in this Federal position, feel justified in requesting the withdrawal of my resignation from the Senate of Pennsylvania, which is still in your hands. I beg to remain

Very respectfully yours,
W. C. McCONNELL.

Senate of Pennsylvania,
Harrisburg, Pa., February 11, 1922.

Hon. George E. Alter, Attorney General, Commonwealth of Pennsylvania, Harrisburg, Penna.

My dear Sir: On November 8, 1921, Lieutenant Governor Beidleman, as President of the Senate, received a communication from Hon. William C. McConnell, tendering his resignation as a member of the Senate of Pennsylvania, to take effect as of July 15, 1921. Lieutenant Governor Beidleman acknowledged receipt of the resignation and filed the same with me, as Secretary of the Senate, on November 8, 1921.

Lieutenant Governor Beidleman received another letter from Senator McConnell, January 28, 1922, requesting him to return his resignation as a member of the Senate, for the reason that he was no longer holding a Federal position. This letter was forwarded by the Lieutenant Governor to me.

I have examined the records of the Senate but fail to find a similar case, and I am writing this letter to you in the hope that you, as the Attorney General of the State, will advise me the right and proper course to pursue in the premises. You no doubt know that under the Constitution, if a vacancy exists in a Senatorial District the Lieutenant Governor, as President of the Senate, issues a writ for a special election. Under the circumstances, are you of the opinion that a vacancy exists, or is this a matter that must be submitted to the Senate at the beginning of the next session for its consideration.

A prompt reply will be greatly appreciated for the reason that if a vacancy does exist it will be necessary for the Lieutenant Governor to issue a writ at once, so that candidates can be nominated at the primary election in May of this year.

Very truly yours,
W. HARRY BAKER,
Secretary of the Senate.

Commonwealth of Pennsylvania,
Department of the Attorney General,
Harrisburg, February 16, 1922.

W. Harry Baker, Esq., Secretary of the Senate, Harrisburg, Pa.

Dear Mr. Baker: I have your letter of February 11th relating to the resignation of Senator William C. McConnell, in which you state the facts and ask for an opinion as to whether the Senator is now a member of the Senate and as to the duty of the Lieutenant Governor.

As Attorney General I cannot give an official opinion to an officer of the Senate, as my jurisdiction does not extend to the legistlative branch of the State Government. But if my personal opinion will be of any assistance to you or to the Lieutenant Governor I am very glad to give it.

I understand the reason Senator McConnell sent his resignation to the Lieutenant Governor, to take effect as of July 15th, 1921, was that on that date he assumed an important office under the Government of the United States. The Lieutenant Governor was the proper person to receive the resignation, he being the officer charged with the duty of calling special elections to fill vacancies in the Senate.

I do not think the resignation was essential to the vacation of the office, but it was in any event a proper thing, making clear the Senator's attitude and giving the Lieutenant Governor official knowledge of the situation. Section 6 of Article II of the Constitution of Pennsylvania provides that no person holding any office under the United States shall be at the same time a member of the Senate or House. No provision of our Constitution or statutes could prevent Senator McConnell from accepting and holding an office under the United States, but when he assumed that office it would seem clear that his membership in the Senate was terminated by operation of the Constitution. Otherwise a situation would have existed which under the Constitution cannot exist—an officer of the United States holding membership in the Senate of Pennsylvania. The Senator's resignation indicated his recognition of the impossibility of such a situation.

It follows very clearly that the letter sent by Senator McConnell to the Lieutenant Governor on January 28th, requesting the return of the resignation, can in no way affect the situation. Once the senatorship is vacant it requires no reasoning to show that it cannot be resumed. The Constitution provides that vacancies shall be filled by election and they can be filled in no other way.

Simple as these legal questions seem to be it must be remembered, of course, that under the Constitution the Senate is the sole judge of the election and qualifications of its members. If, upon being reconvened, that body, taking a different view, should decide to recognize Senator McConnell as still a member and refuse to seat anyone in his stead, it has the power to do so and its action cannot be reviewed.

Consequently the question of calling a special election this year or waiting until after the meeting of the Senate involves some elements of expediency upon which different persons might entertain different views. I can only suggest that if the Lieutenant Governor is convinced that the legal situation is clear, he is justified in assuming that it will be equally clear to the Senate. As I view it the existence of the vacancy seems quiet free from doubt.

Sincerely yours,
GEO. E. ALTER.

COMMUNICATION FROM THE SECRETARY OF THE COMMONWEALTH.

The Chair laid before the Senate the following cummunication:

Office of the Secretary of the Commonwealth,
Harrisburg, Pennsylvania, February 24, 1922.

Honorable Edward E. Beidleman, Lieutenant Governor and President of the Senate, Harrisburg, Pennsylvania.

Sir: It becomes my duty, as Secretary of the Commonwealth, to advise the county commissioners of the several counties of the Commonwealth of the offices to be filled at the November election (Act 1913, Section 4, P. L. 722), and the nominations, petitions for which must be filed in the office, as required by law. I, therefore, have the honor to request that you advise me at your earliest convenience as to whether any vacancies exist, and for which special elections are to be held, for the office of Senator in the General Assembly for unexpired terms and for which nominations under the law must be made at the primary election, to be held on May 16, 1922. This, of course, includes only vacancies occurring sixty days before that date and of which you have official notice at this time.

Very truly yours,
BERNARD J. MYERS,
Secretary of the Commonwealth.

SPECIAL ELECTION FOR SENATOR IN THE FIRST SENATORIAL DISTRICT.

The President announced that he had issued a writ for a special election for Senator in the First Senatorial District to fill the vacancy caused by the death of Honorable Edwin H. Vare.

Commonwealth of Pennsylvania.

To the Sheriff of the County of Philadelphia:

Greetings: Whereas, a vacancy exists in the office of Senator of the State of Pennsylvania, for the First Senatorial District, composed of the first, twenty-sixth, thirty-sixth, thirty-ninth, and forty-eighth wards of the city of Philadelphia, in said County, by reason of the death on October 16, 1922, of Honorable Edwin H. Vare, Senator from said Senatorial District.

Now, therefore, I, Edward E. Beidleman, President of the Senate, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania, and by the Act of Assembly, in such case made and provided, do hereby command you: That you cause an election to be held in the said First Senatorial District of the State of Pennsylvania, on Tuesday, November seventh, A. D. one thousand nine hundred and twenty-two, to choose a person to represent said First Senatorial District in the Senate of Pennsylvania, for the remainder of the term, expiring November thirtieth, one thousand nine hundred and twenty-four, and that you give due and public notice of said election through-

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out said First Senatorial District in form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this 20th day of October, A. D. one thousand nine hundred and twenty-two.

E. E. BEIDLEMAN,
President of the Senate.

RETURN OF THE SERGEANT-AT-ARMS IN SERVING WRIT.

The Chair laid before the Senate the returns of the Sergeant-at-Arms, Charles S. Salin, in serving the writ for a special election in the First Senatorial District, as follows:

State of Pennsylvania, County of Philadelphia, ss:

Charles S. Salin, being duly sworn according to law, says that he resides at Ridley Park, Delaware County, Pennsylvania, that he is Sergeant-at-Arms of the Senate of Pennsylvania:

That he served on the Honorable Robert E. Lamberton, High Sheriff of the County of Philadelphia on October 20th, 1922, at 5:45 o'clock P. M., at the office of said Sheriff in Philadelphia, Philadelphia County, Pennsylvania, a special writ of election for the First Senatorial District, composed of the first, twenty-sixth, thirty-sixth, thirty-ninth, and forty-eighth wards of the city of Philadelphia, in said county, a copy of which is hereto affixed, by command of Honorable Edward E. Beidleman, Lieutenant-Governor of the Commonwealth and President of the Senate.

CHAS. S. SALIN,
Sergeant-at-Arms.

Sworn and subscribed to this 21st day of October, A. D. 1922.

ABEL K. CASSEL,
Notary Public.

Commission expires February 10, 1923.

SPECIAL ELECTION FOR SENATOR IN THE TWENTY-SEVENTH SENATORIAL DISTRICT.

The President announced that he had issued writs for a special election for Senator in the Twenty-seventh Senatorial District to fill the vacancy caused by the resignation of Honorable William C. McConnell.

Commonwealth of Pennsylvania.

To the Sheriff of the County of Northumberland:

Greetings: Whereas, a vacancy exists in the office of Senator of the State of Pennsylvania, for the Twenty-seventh Senatorial District, composed of the counties of Northumberland, Snyder and Union, by reason of the resignation on July 25, 1922. of Honorable William C. McConnell, Senator from said Senatorial District.

Now, therefore, I, Edward E. Beidleman, President of the Senate, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania, and by the Act of Assembly, in such case made and provided, do hereby command you: That you cause an election to be held in the said Twenty-seventh Senatorial District of the State of Pennsylvania, on Tuesday, November Seventh, A. D. one thousand nine hundred and twenty-two, to choose a person to represent said Twenty-seventh Senatorial District in the Senate of Pennsylvania, for the remainder of the term, expiring November thirtieth, one thousand nine hundred and twenty-four, and that you give due and public notice of said election throughout said Twenty-seventh Senatorial District in form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this twenty-first day of March, A. D. one thousand nine hundred and twenty-two.

(Seal.)

EDWARD E. BEIDLEMAN,
President of the Senate.

Commonwealth of Pennsylvania.

To the Sheriff of the County of Snyder:

Greetings: Whereas, a vacancy exists in the office of Senator of the State of Pennsylvania, for one Twenty-seventh Senatorial District, composed of the Counties of Northumberland, Snyder and Union, by reason of the resignation on July 15, 1921, of Honorable William C. McConnell, Senator from said Senatorial District.

Now, therefore, I, Edward E. Beidleman, President of the Senate, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania, and by the Act of Assembly, in such case made and provided, do hereby command you: That you cause an election to be held in the said Twenty-seventh Senatorial District of the State of Pennsylvania, on Tuesday, November Seventh, A. D. one thousand nine hundred and twenty-two, to choose a person to represent said Twenty-seventh Senatorial District in the Senate of Pennsylvania, for the remainder of the term, expiring November thirtieth, one thousand nine hundred and twenty-four, and that you give due and public notice of said election throughout said Twenty-seventh Seatorial District in form and manner by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this Twenty-first day of March, A. D. one thousand nine hundred and twenty-two.

(Seal.)

EDWARD E. BEIDLEMAN,
President of the Senate.

Commonwealth of Pennsylvania.

To the Sheriff of the County of Snyder:

Greetings: Whereas, a vacancy exists in the office of Senator of the State of Pennsylvania, for the Twenty-seventh Senatorial District, composed of the Counties of Northumberland, Snyder and Union, by reason of the resignation on July 15, 1921, of Honorable William C. McConnell, Senator from said Senatorial District.

Now, therefore, I, Edward E. Beidleman, President of the Senate, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania, and by the Act of Assembly, in such case made and provided, do hereby command you: That you cause an election to be held in the said Twenty-seventh Senatorial District of the State of Pennsylvania, on Tuesday, November seventh, A. D. one thousand nine hundred and twenty-two, to choose a person to represent said Twenty-seventh Senatorial District in the Senate of Pennsylvania, for the remainder of the term, expiring November thirtieth, one thousand nine hundred and twenty-four, and that you give due and public notice of said election throughout said Twenty-seventh Senatorial District in form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this twenty-first day of March, A. D. one thousand nine hundred and twenty-two.

(Seal.)

EDWARD E. BEIDLEMAN,
President of the Senate.

RETURNS OF THE SERGEANT-AT-ARMS IN SERVING WRITS.

The Chair laid before the Senate the returns of the Sergeant-at-Arms, Charles S. Salin, in serving the writs for a special election in the Twenty-seventh Senatorial District, as follows:

State of Pennsylvania, County of Dauphin, ss:

Charles S. Salin, being duly sworn according to law, says that he resides at Ridley Park, Delaware County, Pennsylvania, that he is Sergeant-at-Arms of the Senate of Pennsylvania:

That he served on the Honorable Clarence K. Martz, High Sheriff of the County of Northumberland, on March 21st, 1922, at 1:25 o'clock P. M., at the office of said Sheriff in Sunbury, Northumberland County, Pennsylvania, a special writ of election for the Twenty-seventh Senatorial District, composed of the Counties of Northumberland, Snyder and Union, a copy of which is hereto affixed, by command of the Honorable Edward E. Beidleman, Lieutenant-Governor of the Commonwealth and President of the Senate.

CHAS. S. SALIN,
Sergeant-at-Arms.

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Sworn and subscribed to this 22nd day of March, A. D. 1922.

Francis H. Hoy, Jr.,
Notary Public.

Commission expires March 7, 1925.

State of Pennsylvania, County of Dauphin, ss:

Charles S. Salin, being duly sworn according to law, says that he resides at Ridley Park, Delaware County, Pennsylvania, that he is Sergeant-at-Arms of the Senate of Pennsylvania:

That he served on the Honorable J. Frank Reitz, High Sheriff of the County of Snyder on March 21st 1922, at 3:45 o'clock P. M., at the office of said Sheriff in Middleburg, Snyder County, Pennsylvania, a special writ of election for the Twenty-seventh Senatorial District, composed of the counties of Northumberland, Snyder and Union, a copy of which is hereto affixed, by command of the Honorable Edward E. Beidleman, Lieutenant-Governor of the Commonwealth and President of the Senate.

CHAS. S. SALIN,
Sergeant-at-Arms.

Sworn and subscribed to this 22nd day of March, A. D. 1922.

Francis H. Hoy, Jr.,
Notary Public.

Commission expires March 7, 1925.

State of Pennsylvania, County of Dauphin, ss:

Charles S. Salin, being duly sworn according to law, says that he resides at Ridley Park, Delaware County, Pennsylvania, that he is Sergeant-at-Arms of the Senate of Pennsylvania:

That he served on the Honorable John F. Hackenburg, High Sheriff of the County of Union, on March 21st 1922, at 6:30 o'clock P. M., at the office of said Sheriff in Lewisburg, Union County, Pennsylvania, a special writ of election for the Twenty-seventh Senatorial District, composed of the Counties of Northumberland, Snyder and Union, a copy of which is hereto affixed, by command of the Honorable Edward E. Beidleman, Lieutenant-Governor of the Commonwealth and President of the Senate.

CHAS. S. SALIN,
Sergeant-at-Arms.

Sworn and subscribed to this 22nd day of March, A. D. 1922.

Francis H. Hoy, Jr.,
Notary Public.

Commission expires March 7, 1925.

SPECIAL ELECTION FOR SENATOR IN THE FORTY-FIFTH SENATORIAL DISTRICT.

The President announced that he had issued writ for a special election for Senator in the Forty-fifth Senatorial District to fill the vacancy caused by the death of Honorable Norman A. Whitten.

Commonwealth of Pennsylvania.

To the Sheriff of the County of Allegheny.

Greetings: Whereas, A vacancy exists in the office of Senator in the General Assembly of the Commonwealth of Pennsylvania for the Forty-fifth Senatorial District, composed of all the boroughs and townships in that portion of Allegheny County lying south of the Ohio and Monongahela Rivers and the Twentieth Ward of the City of Pittsburgh, in said County, caused by reason of the death on March 17, 1922, of Honorable Norman A. Whitten, Senator from said District.

Now, Therefore, I, Edward E. Beidleman, President of the Senate, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania, and the Act of Assembly, in such case made and provided, do hereby command you: That you cause an election to be held in the said Forty-fifth Senatorial District of the State of Pennsylvania, on Tuesday November seventh, A. D. one thousand nine hundred and twenty-two, to choose a person to represent said Forty-fifth Senatorial District in the Senate of Pennsylvania, for the remainder of the term, expiring November thirtieth, one thousand nine hundred and twenty-four, and that you give due and public notice of said election throughout said Forty-fifth Senatorial District in form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this twenty-first day of March, A. D. one thousand nine hundred and twenty-two.

EDWARD E. BEIDLEMAN,
President of the Senate.

(Seal.)

RETURN OF THE SERGEANT-AT-ARMS IN SERVING WRIT.

The Chair laid before the Senate the return of the Sergeant-at-Arms, Charles S. Salin, in serving the writ for a special election in the Forty-fifth Senatorial District as follows:

State of Pennsylvania, County of Dauphin, ss:

Charles S. Salin, being duly sworn according to law, says that he resides at Ridley Park, Delaware County, Pennsylvania, that he is Sergeant-at-Arms of the Senate of Pennsylvania:

That he served on the Honorable R. G. Woodside, High Sheriff of the County of Allegheny on March 22, 1922 at 7:30 o'clock P. M. at the office of said Sheriff in Pittsburgh, Allegheny County, Pennsylvania, a special writ of election for the Forty-fifth District, composed of all the boroughs and townships in that portion of Allegheny County lying south of the Ohio and Monongahela Rivers and the Twentieth Ward in the City of Pittsburgh in said County, a copy of which is hereto affixed, by command of the Honorable Edward E. Beidleman, Lieutenant-Governor of the Commonwealth and President of the Senate.

CHAS. S. SALIN,
Sergeant-at-Arms.

Sworn and subscribed to this 23rd day of March, A. D. 1922.

Francis H. Hoy,
Notary Public.

Commission expires March 7, 1925.

SPECIAL ELECTION FOR SENATOR IN THE FORTY-SIXTH SENATORIAL DISTRICT.

The President announced that he had issued writs for a special election for Senator in the Forty-sixth Senatorial District to fill the vacancy caused by the casting of a tie vote for the two candidates for said office having the largest number of votes at the general election in the year one thousand nine hundred and twenty-two.

Commonwealth of Pennsylvania.

To Otto Luellen, Esq., Sheriff of the County of Washington:

Greetings: Whereas, A vacancy exists in the office of Senator in the General Assembly of the Commonwealth of Pennsylvania for the Forty-sixth Senatorial District, composed of the counties of Greene and Washington, caused by the casting of a tie vote for the two candidates for said office having the largest number of votes at the general election in the year one thousand nine hundred and twenty-two, as appears from the returns filed by the return judges with the prothonotary of Washington County, and to me certified by the prothonotary.

Now, therefore, I, Edward E. Beidleman, President of the Senate, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania, and by the Act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in that part of the Forty-sixth Senatorial District, composed of the County of Washington, on the eighteenth day of January, A. D. one thousand nine hundred and twenty-three, to choose a person to represent said Forty-sixth Senatorial District in the Senate of Pennsylvania for the remainder of the term expiring December first, one thousand nine hundred

and twenty-six, and that you give due and public notice of said election throughout said County of Washington composing part of the Forty-sixth Senatorial District of Pennsylvania, and to at least one of the inspectors of each election district therein, in the form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this nineteenth day of December, A. D. one thousand nine hundred and twenty-two.

EDWARD E. BEIDLEMAN,
President of the Senate.

Commonwealth of Pennsylvania.

To Dan. W. Phillips, Esq., Sheriff of the County of Greene:

Greetings: Whereas, A vacancy exists in the office of Senator in the General Assembly of the Commonwealth of Pennsylvania for the Forty-sixth Senatorial District, composed of the Counties of Greene and Washington, caused by the casting of a tie vote for the two candidates for said office having the largest number of votes at the general election in the year one thousand nine hundred and twenty-two, as appears from the returns filed by the return judges with the prothonotary of Washington County, and to me certified by said prothonotary.

Now, therefore, I, Edward E. Beidleman, President of the Senate, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania, and by the Act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in that part of the Forty-sixth Senatorial District, composed of the County of Greene on the eighteenth day of January, A. D. one thousand nine hundred and twenty-three, to choose a person to represent said Forty-sixth Senatorial District in the Senate of Pennsylvania for the remainder of the term expiring December first, one thousand nine hundred and twenty-six, and that you give due and public notice of said election throughout said County of Greene, composing part of the Forty-sixth Senatorial District of Pennsylvania, and to at least one of the inspectors of each election district therein in the form and manner directed by law.

Given under my hand and seal at Harrisburg, Pennsylvania, this nineteenth day of December, A. D. one thousand nine hundred and twenty-two.

EDWARD E. BEIDLEMAN,
President of the Senate.

RETURN OF THE SERGEANT-AT-ARMS IN SERVING WRITS.

The Chair laid before the Senate the returns of the Sergeant-at-Arms, Charles S. Salin, in serving the writs for a special election in the Forty-sixth Senatorial District, as follows:

State of Pennsylvania, County of Dauphin, ss:

David P. Dunlap, being duly sworn according to law, says that he resides at Harrisburg, Pennsylvania, and that he was deputized to make service of writs of election for the Forty-sixth Senatorial District.

That he served on the Honorable Otto Luellyn, High Sheriff of the County of Washington on 20th of December, 1922, at 8:40 o'clock A. M., at the office of said Sheriff in Washington, Washington County, Pennsylvania, a special writ of election for the Forty-sixth Senatorial District, composed of the Counties of Washington and Greene, a copy of which is hereto affixed, by command of the Honorable Edward E. Beidleman, Lieutenant-Governor of the Commonwealth and President of the Senate.

DAVID P. DUNLAP,
Deputy Sergeant-at-Arms.

Sworn and subscribed to this 21st day of December, A. D. 1922.

FRANCIS H. HOY,
Notary Public.

Commission expires March 7, 1925.

State of Pennsylvania, County of Dauphin, ss:

David P. Dunlap, being duly sworn according to law, says that he resides at Harrisburg, Pennsylvania, and that he was deputized to make service of writs of election for the Forty-sixth Senatorial District.

That he served on the Honorable Dan. W. Phillips High Sheriff of the County of Greene on 20th of December, 1922, at 2:15 o'clock P. M., at the office of said Sheriff in Waynesburg, Greene County, Pennsylvania, a special writ of election for the Forty-sixth Senatorial District, composed of the Counties of Washington and Greene, a copy of which is hereto affixed, by command of the Honorable Edward E. Beidleman, Lieutenant-Governor of the Commonwealth and President of the Senate.

DAVID P. DUNLAP,
Deputy Sergeant-at-Arms.

Sworn and subscribed to this 21st day of December, A. D. 1922.

FRANCIS H. HOY,
Notary Public.

Commission expires March 7, 1925.

The PRESIDENT: The Chair desires to announce that this is the Senatorial District in which there was a tie vote. It was impossible, in order that the legal requirements might be met, to call the election before the 18th day of January, 1923, and for that reason no Senator from the Forty-sixth District can qualify to-day.

PRESENTATION OF RETURNS OF ELECTION OF SENATORS.

The Secretary of the Commonwealth being introduced, stated that pursuant to the provisions of the 87th Section of the Act of July 2, 1839, entitled "An Act relative to elections in this Commonwealth," he presented to the Senate the returns of the election for Senators on November 7, 1922, and the returns of the special elections for Senators held in the First Senatorial District, Twenty-seventh Senatorial District, and Forty-fifth Senatorial District on November 7, 1922, which were laid upon the table.

OPENING OF RETURNS.

Mr. SONES. Mr President, I move that the Clerk proceed to open and read the returns presented.

Mr. SISSON. Mr. President, I second the motion.

The motion was agreed to and the said returns were opened and read as follows:

SENATORS IN THE GENERAL ASSEMBLY.

FIRST DISTRICT.

(To supply vacancy.)

	William S. Vare, R.	William L. Rooney, D.	Scattering.
Philadelphia county (part)	35,578	7,505	2

Vare's majority, 28,071.

SECOND DISTRICT.

	Samuel W. Salus, R.	Edward P. Baker, D.	L. E. Greenberg, S.	Scattering.
Philadelphia county (part), ...	25,696	1,957	98	3

Salus' majority, 23,638.

FOURTH DISTRICT.

	Edward W. Patton, R.	Edward W. Patton, P.	James S. McKeon, D.	Andrew S. Hall, S.
Philadelphia county (part), ...	44,082	862	13,252	1,085

Patton's majority, 30,607.

SIXTH DISTRICT.

	George Woodward, R.	George Woodward, P.	Henry C. Kline, D.	Henry C. Kline, V. L.	Frank Stoertz, S.
Philadelphia county (part), ..	33,251	464	9,457	131	796

Woodward's majority, 23,331.

EIGHTH DISTRICT.

	Thaddeus S. Krause, R.	William Naylor, D.	Gustave Rother, S.	Eleanor Brooks, P.	William J. Burke, Welfare.	Scattering.
Phila. county (part), ..	32,175	8,623	1,454	456	794	4

Krause's majority, 20,844.

TENTH DISTRICT.

	Clarence J. Buckman, R.	Clarence J. Buckman, P.	Jesse C. Everitt, D.	Scattering.
Bucks County, ...	9,428	157	7,499	5

Buckman's majority, 2,081.

TWELFTH DISTRICT.

	Fletcher W. Stites, R.	Irwin W. Kehs, D.	John D. Ortlip, S.	Annie Vanskite, P.	Scattering.
Montgomery county, ...	22,878	10,744	560	386	2

Stites majority, 11,186.

FOURTEENTH DISTRICT.

	Albert G. Rutherford, R.	Albert G. Rutherford, P.	Harvey Huffman, D.	Edward Evans, S.
Carbon county, ...	5,253	95	7,603	318
Monroe county, ...	1,999	130	4,764	45
Pike county, ...	1,016	15	1,564	23
Wayne county, ...	3,278	184	3,129	63
	11,546	424	17,060	449

Huffman's majority, 4,641.

SIXTEENTH DISTRICT.

	Horace W. Schantz, R.	Jonas F. Moyer, D.	Charles Young, S.	Scattering
Lehigh county, ...	13,050	11,345	548	2

Shantz's majority, 1,155.

EIGHTEENTH DISTRICT.

	Floyd B. McAlee, R.	Harry D. Kutz, D.	Robert L. Wilson, S.	Benjamin E. Bender, P.
Northampton county, ...	10,668	11,796	356	592

Kutz's majority, 180.

TWENTIETH DISTRICT.

	Crawford C. Smith, R.	Crawford C. Smith, P.	Asa K. Dewitt, D.	Asa K. Dewitt, S.	Asa K. Dewitt, U. L.
Luzerne county (part), ...	13,846	513	13,010	1,516	781

DeWitt's majority, 948.

TWENTY-SECOND DISTRICT.

	Albert Davis, R.	S. Augustus Davis, D.	S. Augustus Davis, P.
Lackawanna county,	28,364	16,524	861

Albert Davis' majority, 10,979.

TWENTY-FOURTH DISTRICT.

	Charles W. Sones, R.	Charles W. Sones, D.	Charles W. Sones, S.	Charles W. Sones, P.
Columbia county,	3,420	5,990	77	396
Lycoming county,	5,734	5,706	376	1,030
Montour county,	963	2,071	21	31
Sullivan county,	1,377	1,234	5	126
	11,494	15,003	479	1,583

Sones' total vote, 28,559.

TWENTY-SIXTH DISTRICT.

	Richard S. Quigley, R.	Richard S. Quigley, S.	Richard S. Quigley, P.	Thomas B. Bridgens, D.	Scattering.
Cameron county,	840	22	54	527	..
Clarion county,	2,878	170	218	3,803	1
Clinton county,	2,808	218	218	2,653	..
Elk county,	4,273	122	165	1,152	4
Forest county,	725	45	141	419	..
	11,524	577	796	8,554	5

Quigley's majority, 4,338.

TWENTY-SEVENTH DISTRICT.

(To Supply Vacancy.)

	Charles Steele, R.	Charles Steele, S.	Charles Steele, P.	Ralph Shipman, D.
Northumberland county,	9,193	925	423	10,984
Snyder county,	2,368	78	31	1,335
Union county,	2,359	84	89	1,284
	13,920	1,087	543	13,603

Steele's majority, 1,947.

TWENTY-EIGHTH DISTRICT.

	Thomas E. Brooks, R.	Thomas E. Brooks, P.	Henry E. Lanius, D.	Morris Gottlieb, S.	Scattering.
York county,	13,507	550	18,103	882	24

Lanius's majority, 3,140.

THIRTIETH DISTRICT.

	Plymouth W. Snyder, R.	Plymouth W. Snyder, P.	Jacob E. Miller, D.	Walter P. Weller, S.	Walter P. Weller, Labor.	W. Graffius Miller.
Blair county,	8,426	438	7,263	458	2,317	..
Huntingdon county,	3,476	123	2,628	118	166	1
	11,902	561	9,891	576	2,483	1

Snyder's plurality over Miller, 2,572.

THIRTY-SECOND DISTRICT.

	Guy W. Brown, R.	Guy W. Brown, P.	Harry A. Cottom, D.	Michael D. Clifford, S.	Lewis S. Mellinger.	Emmett Sipe, Union Ind.
Fayette county,	11,835	371	10,863	1,083	382	186

Brown's plurality over Cottom, 1,343.

THIRTY-FOURTH DISTRICT.

	Harry B. Scott, R.	William I. Betts, D.	William I. Betts,
Centre county,	5,298	5,738	..
Clearfield county,	6,272	8,102	39
	11,570	13,840	39

Betts' majority, 2,309.

THIRTY-SIXTH DISTRICT.

	George W. Derrick, R.	Milton U. McIntyre, D.	Eber Cockley, S.	John S. Miller, P.	Alice Derrick.
Bedford county,	5,063	3,109	141	139	1
Fulton county,	1,146	1,744	6	11	..
Somerset county,	5,418	2,715	492	659	..
	11,627	7,568	639	809	1

Derrick's majority, 2,610.

THIRTY-EIGHTH DISTRICT.

	M. G. Leslie, R.	John Sullivan, D.	Ben Creathers, S.	George Briggs. P.	Scattering.
Allegheny county, (part), ...	11,472	4,283	987	899	3

Leslie's majority, 5,300.

FORTIETH DISTRICT.

	Cadwallader M. Barr, R.	Cadwallader M. Barr, D.	Cadwallader M. Barr, P.	Fred Fiegenbaum, S.	Scattering.
Allegheny county (part), ...	12,614	4,418	686	1,705	5

Barr's majority, 16,008.

FORTY-SECOND DISTRICT.

	Morris Einstein, R.	George E. Evans, D.	Lawrence A. Wolf, S.	F. Randa, Workers.	C. M. Barr.
Allegheny county (part), ...	10,184	3,964	793	168	1

Einstein's majority, 5,258.

FORTY-FOURTH DISTRICT.

	William D. Mansfield, R.	Carl D. Smith, D.	Sidney Stark, S.	J. Ren Wylie, R.	Scattering.
Allegheny county (part), ...	19,396	6,363	1,623	2,874	9

Mansfield's majority, 8,527.

FORTY-FIFTH DISTRICT.
(To Supply Vacancy.)

	John P. Harris, R.	John P. Harris, S.	John Murphy, D.	Edward G. Roberts, P.	W. N. Bright.
Allegheny county (part), ..	15,185	1,674	5,859	3,257	1

Harris' majority, 7,742.

FORTY-SIXTH DISTRICT.

	James E. Barnett, R.	James E. Barnett, P.	Geo. B. Sprowls, D.
Greene county, ...			
Washington county, ...			

No election. Tie vote.

FORTY-EIGHTH DISTRICT.

	Marshall Phipps, R.	Marshall Phipps, S.	Marshall Phipps, P.	Bleucher H. McPherson, D.
Venango county, ...	4,555	261	565	2,529
Warren county, ...	4,407	139	682	2,326
	8,962	400	1,247	4,855

Phipps' majority, 5,754.

FIFTIETH DISTRICT.

	Frank P. Miller, R.	Frank P. Miller, P.	Guy Thorne, D.	Harry A. Zimmerman, S.	Scattering.
Crawford county, ...	6,405	1,043	4,493	304	3
Mercer county, ...	7,152	1,328	4,882	485	..
	13,557	2,371	9,375	789	3

Miller's majority, 5,761.

Whereupon the following named persons were declared duly elected Senators in the General Assembly of the Commonwealth of Pennsylvania, viz:

First District—William S. Vare.
Second District—Samuel W. Salus.
Fourth District—Edward W. Patton.
Sixth District—George Woodward.
Eighth District—Thaddeus S. Krause.
Tenth District—Clarence J. Buckman.
Twelfth District—Fletcher W. Stites.
Fourteenth District—Harvey Huffman.
Sixteenth District—Horace W. Schantz.
Eighteenth District—Harry D. Kutz.
Twentieth District—Asa K. DeWitt.
Twenty-second District—Albert Davis.
Twenty-fourth District—Charles W. Sones.
Twenty-sixth District—Richard S. Quigley.
Twenty-seventh District—Charles Steele.
Twenty-eighth District—Henry E. Lanius.
Thirtieth District—Plymouth W. Snyder.
Thirty-second District—Guy W. Brown.
Thirty-fourth District—William I. Betts.
Thirty-sixth District—George W. Derrick.
Thirty-eighth District—M. G. Leslie.
Fortieth District—Cadwallader M. Barr.
Forty-second District—Morris Einstein.
Forty-fourth District—William D. Mansfield.
Forty-fifth District—John P. Harris.
Forty-eighth District—Marshall L. Phipps.
Fiftieth District—Frank P. Miller.

ADMINISTRATION OF OATH OF OFFICE TO SENATORS-ELECT.

The PRESIDENT. The newly elected Senators will present themselves before the bar of the Senate, where the oath of office, as required by law, will be administered to them by the Honorable John E. Fox, Additional Law Judge of the Twelfth Judicial District.

The oath of office was then administered to the Senators-elect.

ROLL CALL.

The PRESIDENT. The Chief Clerk will call the roll.

The Chief Clerk called the roll and the following Senators were present:

First District—William S. Vare.
Second District—Samuel W. Salus.
Fourth District—Edward W. Patton.
Fifth District—Max Aron.
Sixth District—George Woodward.
Seventh District—Augustus F. Daix, Jr.
Eighth District—Thaddeus S. Krause.
Ninth District—Albert Dutton MacDade.
Tenth District—Clarence J. Buckman.
Eleventh District—James E. Norton.
Twelfth District—Fletcher W. Stites.
Thirteenth District—John G. Homsher.
Fourteenth District—Harvey Huffman.
Fifteenth District—Frank A. Smith.
Sixteenth District—Horace W. Schantz.
Seventeeth District—Cleon N. Berntheizel.
Eighteenth District—Harry D. Kutz.
Nineteenth District—T. L. Eyre.
Twentieth District—Asa K. DeWitt.
Twenty-first District—P. F. Joyce.
Twenty-second District—Albert Davis.
Twenty-third District—Edward E. Jones.
Twenty-fourth District—Charles W. Sones.
Twenty-fifth District—Frank E. Baldwin.
Twenty-sixth District—Richard S. Quigley.
Twenty-seventh District—Charles Steele.
Twenty-eighth District—Henry E. Lanius.
Twenty-ninth District—Robert D. Heaton.
Thirtieth District—Plymouth W. Snyder.
Thirty-first District—Frederick W. Culbertson.
Thirty-second District—Guy W. Brown.
Thirty-third District—D. Edward Long.
Thirty-fourth District—William I. Betts.
Thirty-fifth District—W. I. Stineman.
Thirty-sixth District—George W. Derrick.
Thirty-seventh District—Joseph O. Clark.
Thirty-eighth District—M. G. Leslie.
Thirty-ninth District—James B. Weaver.
Fortieth District—Cadwallader M. Barr.
Forty-first District—Alfred M. Christley.
Forty-third District—Wilson S. McClintock.
Forty-fourth District—William D. Mansfield.
Forty-fifth District—John P. Harris.
Forty-seventh District—William David Craig.
Forty-eighth District—Marshall L. Phipps.
Forty-ninth District—A. E. Sisson.
Fiftieth District—Frank P. Miller.

ABSENT.

Third District—William J. McNichol.
Forty-second District—Morris Einstein.

The PRESIDENT. Forty-seven Senators having answered to their names, a quorum is present.

LEAVES OF ABSENCE.

Mr. LESLIE asked and obtained leave of absence for Mr. Einstein on account of illness.

Mr. VARE asked and obtained leave of absence for Mr. McNichol on account of illness.

ELECTION OF PRESIDENT PRO TEMPORE.

Mr. HOMSHER. Mr. President, I move that the Senate do now proceed to the election of one of its members to serve as President pro tempore of the Senate for the legislative session of 1923.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

Mr. HOMSHER. Mr. President, I am directed by the caucus of the Republican members of the Senate to place in nomination for the office of President pro tempore of the Senate the Senator from Chester, the Honorable T. Lawrence Eyre.

Mr. SONES. Mr. President, I am directed by the caucus of the Democratic members of the Senate to place in nomination for the office of President pro tempore of the Senate the Senator from Luzerne, the Honorable Asa K. DeWitt.

Mr. PHIPPS. Mr. President, I move that the nominations close.

Mr. CRAIG. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The roll will be called by the Chief Clerk, and the Clerks of the Senate will act as tellers.

The roll was then called and resulted as follows:

FOR MR. EYRE.

Aron,	Davis,	Long,	Schantz,
Baldwin,	Derrick,	MacDade,	Sisson,
Barr,	DeWitt,	Mansfield,	Smith,
Berntheizel,	Harris,	McClintock,	Snyder,
Brown,	Heaton,	Miller,	Steele,
Buckman,	Homsher,	Norton,	Stineman,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Curbertson,	Leslie,	Salus,	Woodward,
Daix,			

FOR MR. DeWITT.

Betts,	Huffman,	Lanius,	Sones.
Eyre,	Kutz,		

The PRESIDENT. The Clerks agree in their tally. The Honorable T. Lawrence Eyre, having received forty-one votes and the Honorable Asa K. DeWitt six votes, I declare that the Honorable T. Lawrence Eyre, has been duly elected President pro tempore of the Senate for the session of 1923, and appoint the Senator from Lancaster, Mr. Homsher, and the Senator from Luzerne, Mr. DeWitt, a committee to escort the President pro tempore-elect to the bar of the Senate to take the oath of office.

Mr. HOMSHER. Mr. President, your Committee has the honor of presenting the President pro tempore-elect of the Senate, the Honorable T. Lawrence Eyre, prepared to take the oath of office.

ADMINISTRATION OF OATH TO PRESIDENT PRO TEMPORE.

The PRESIDENT. The oath of office will be administered to the newly elected President pro tempore by the Honorable William M. Hargest, President Judge of the Twelfth Judicial District.

The oath of office was accordingly administered.

The PRESIDENT. It gives me great pleasure to present to the Senate your newly elected President pro tempore for the session of 1923, the Honorable T. Lawrence Eyre.

ADDRESS OF PRESIDENT PRO TEMPORE.

Mr. EYRE. From the depths of my heart I thank you for the honor you have conferred upon me today by electing

me to preside over this, the highest and most honorable lawmaking body in the world, with possibly one exception. It is an honor of great distinction to be singled out by my associates when I feel there are many members of this body better qualified than myself to perform the duties devolving upon the President pro tempore.

In assuming the responsibilities of the office, I fully realize and appreciate that I can only succeed to a moderate degree through your generous cooperation and support and this I ask and seek of you, knowing full well that I will make mistakes, but they will be of the head and not of the heart. My greatest ambition leads me to hope that the same feeling of friendship and good fellowship will exist on the final day of the session that exists at the opening between all of the members of this body toward myself as your President pro tempore.

The administration of one of the former members of this Senate and a former President pro tem of this body in the person of Governor Sproul is drawing to a close, and I am sure that those of you who served with Governor Sproul in the Senate and who have assisted in making his administration a success will join with me in felicitations and congratulations to him on the successful administration he has given to the citizenship of Pennsylvania and the accomplishments of his four years in office.

The highest tribute that could be paid to any Governor are the reports that have been made to Governor Elect Pinchot through Prof. Clyde King of the University of Pennsylvania, as Chairman of a Committee of Eighteen formed for the purpose of studying the Pennsylvania Government with a view of making suggestions in relation to the defects existing therein.

This Committee has reported on the Educational, Highway and Welfare Departments of the State showing that great progress has been made in each of the Departments and that they have been managed economically, efficiently and for the best interests of the Commonwealth. This condition is due to the wisdom of Governor Sproul in the selection of Department heads of broad vision and wide experience. The accomplishments of the Sproul administration speak for themselves, and when we consider they were secured under adverse conditions during the war period, it must occur to all of us that history must record them as the achievements of one of the greatest Executives that any state of the Union has ever had.

During the Sproul Administration death has removed from public activities a number of our most prominent and useful public servants, among whom we might mention United States Senators Knox, Penrose and Crow; State Senators Vare and Whitten; Highway Commissioner Sadler and Chief Engineer of the Highway Department Uhler. For many years Senators Crow and Vare largely guided the destinies of this Body and we will especially miss their wise advice and leadership.

Let us give to Governor Elect Pinchot the same loyal support we have given to his predecessor. Mr. Pinchot was elected Governor of this State on the Republican ticket by a majority of a quarter of a million. During the campaign Mr. Pinchot made plain his views on a number of public questions laying especial emphasis upon three.

The first was a strict enforcement of the Eighteenth Amendment to the Federal Constitution. We must concede that the Eighteenth Amendment is now as much a part of the Constitution as any other provision thereof, and should have the same obedience as any other law on our Statute books. No matter what our personal views may be, we should take a firm stand as law abiding citizens and law makers sworn to uphold the Constitution of the United States and the State of Pennsylvania to prevent, so far as we are able, the illegal sale or consumption of intoxicants, excepting as provided for by the law, and under no conditions should we permit the use of intoxicants in Committee rooms or about other parts of the Capitol buildings of the State.

Mr. Pinchot's second proposition declares for a reorganization of the State Government along economical business lines. To this I think we all can subscribe. We all voted two years ago for a Joint Resolution providing for a Commission to study this question and make recommendations to the present Legislature of their findings. Since 1917 when as a member of a Sub Committee of the Appropriations Committee of this body, I sat through almost the entire session investigating Departmental expenditures, I have been of the opinion that considerable money could be saved to the Commonwealth through consolidation of some of the Departments.

The third proposition favors a Budget System. I for one am in hearty accord with this movement and believe that beneficial results will follow the enactment of legislation of this character. Private corporations and private business enterprises that are successful are conducted along these lines and there is even greater necessity for the preservation of the credit of the Commonwealth than there is for the preservation of corporate or personal credit.

Money should be available for the payment of all appropriations the day they are due. School Districts should not be compelled to borrow money for the payment of salaries and other expenses when money is due them from the Commonwealth through appropriations. Trustees of State and Charitable institutions should not be called upon to use personal credit to pay bills of the State of Pennsylvania because of a shortage of money in the General Fund of the State Treasury. Deficiency bills at the opening of each session of the Legislature should not be necessary. These are a few of the conditions that in my judgment will be remedied through the passage of proper budget legislation.

I might proceed at great length to discuss revenue and other important legislation that may reach us for consideration, but for lack of time will refrain and in conclusion ask you one and all for hearty cooperation and support in making this a genuine businesslike session of the Senate filled with accomplishment and lacking in discord.

The PRESIDENT PRO TEMPORE (Mr T. L. Eyre) in the chair.

PRESENTATION OF RETURNS OF ELECTION OF GOVERNOR, LIEUTENANT GOVERNOR AND SECRETARY OF INTERNAL AFFAIRS.

The Secretary of the Commonwealth, being introduced, presented to the Senate the returns of the general election for Governor, Lieutenant-Governor and Secretary of Internal Affairs, held November 7, 1922, which were laid upon the table.

AUTHORIZING APPOINTMENT OF COMMITTEES.

Mr. DAIX offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the President pro tempore of the Senate be authorized to appoint all special and standing committees of the Senate, and shall be ex-officio a member of all special and standing committees.

NOTIFICATION TO THE HOUSE.

Mr. STINEMAN offered the following resolution, which was twice read, considered and agreed to:

Resolved, That a committee of three be appointed to notify the House of Representatives that the Senate is duly organized and ready to proceed with its business.

The PRESIDENT. The Chair appoints as said committee the Senator from Cambria, Mr. Stineman, the Senator from Allegheny, Mr. Harris, and the Senator from Monroe, Mr. Huffman.

NOTIFICATION TO THE GOVERNOR.

Mr. SCHANTZ offered the following resolution, which was twice read, considered and agreed to:

Resolved, That a committee of three be appointed to set in conjunction with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee) to wait on his Excellency, the Governor, and inform him that the General Assembly is organized and ready to receive any communications he may be pleased to make.

The PRESIDENT. The Chair appoints as said committee the Senator from Lehigh, Mr. Schantz, the Senator from Beaver, Mr. Craig, and the Senator from Lycoming, Mr. Sones.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

WHEN BILLS AND JOINT RESOLUTIONS MAY BE INTRODUCED.

Mr. LESLIE offered the following resolution, which was twice read, considered and agreed to:

Resolved, That no bills or joint resolutions shall be presented to the Senate until after the appointment of the standing committees of the Senate.

INAUGURAL COMMITTEE.

Mr. SMITH offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the President pro tempore of the Senate be and he is hereby authorized to appoint a committee of twelve Senators to act in conjunction with a committee of fifteen members of the House of Representatives (if the House shall appoint such committee) to make the necessary arrangements for the inauguration, to wait upon his Excellency, the Governor-elect, and conduct him in a suitable manner to the Capitol for the purpose of having the oath of office administered to him; and

Resolved, That the inaugural ceremonies take place at twelve o'clock M. on the third Tuesday of January, the sixteenth instant, on the west side of the Capitol, should the weather prove favorable, otherwise, in the Hall of the House of Representatives; and

Be it further Resolved, That said committee be and is hereby authorized to expend a sum not exceeding five thousand dollars ($5,000) in the making and carrying out said arrangements, the same to be provided for in the Appropriation Bill.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

ADOPTION OF RULES.

Mr. CHRISTLEY offered the following resolution, which was twice read, as follows:

Resolved, That the standing rules of the Senate during the session of one thousand nine hundred and twenty-one be adopted for the government of the Senate at the present session.

On the question,

Will the Senate agree to the resolution?

Mr. BARR. Mr President, as a matter of courtesy and as a matter of study, I would like to ask that this resolution be put over until after the inauguration of the new Governor. The new Senators here have had no opportunity to study the rules that govern the Senate, and the manual that has been the guiding parliamentary standard, so far as I am able to learn, is not in existence. I would like to have the Senator who presented the resolution withdraw it and bring it back to the Senate after the 16th for further consideration.

Mr. CRAIG. Mr. President, may I inquire by what rules we are to be governed until the sixteenth of January?

The PRESIDENT. The Chair does not believe there will be any.

Mr. BARR. Mr. President, I have no objection that the rules of the Senate shall be those that governed the action of the Senate of 1921 up until a specified date, at which time consideration of the present rules shall come up for consideration before the Senate.

The PRESIDENT. The Chair does not think that the Senate will suffer for want of rules, because it will not be in session again until the sixteenth.

Mr. CRAIG. Mr. President, I just wondered if it would be a free for all.

Mr. BARR. Mr. President, I will have no objection if the resolution is amended that the present rules of the Senate stand until a definite date, at which time the rules shall be considered by a proper committee.

The PRESIDENT. Does the Senator from Butler, Mr. Christley, agree to a specified time, January seventeenth?

Mr. CHRISTLEY. Mr. President, that will be perfectly satisfactory.

The resolution as amended was read as follows:

Resolved, That the standing rules of the Senate during the session of One thousand nine hundred and twenty-one be adopted for the government of the Senate at the present session until January seventeenth, 1923.

On the question,

Will the Senate agree to the resolution as amended?

It was agreed to.

POSTAGE ON LEGISLATIVE JOURNAL.

Mr. NORTON offered the following resolution, which was twice read, considered and agreed to:

Whereas, The Post Office Department has decided that the Legislative Journal must be third class matter and has so instructed the Postmaster at Harrisburg, therefore be it

Resolved, (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department and that the payment of the postage for the Legislative Journal, also for the bills, Calendars and Histories be provided for in the appropriation bill.

Ordered, That the Clerk present the same to the House of Representatives for concurence.

PRINTING OF GOVERNOR'S APPOINTMENTS.

Mr. SNYDER offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the list of appointments which may be sent to the Senate by the Governor, as having been made during the recess, be printed for the use of the Senate under the direction of the Chief Clerk.

THANKING JUDGES FOX AND HARGEST FOR ADMINISTERING OATHS.

Mr. SALUS offered the following resolution, which was twice read, considered and agreed to.

Resolved, That the thanks of the Senate are hereby tendered to Honorable John E. Fox, Additional Law Judge of the Twelfth Judicial District, for his services in qualifying the newly elected Senators, and to Honorable William M. Hargest, President Judge of the Twelfth Judicial District for his services in qualifying the President pro tempore of the Senate.

JOINT CONVENTION TO COMPUTE AND COUNT VOTE FOR GOVERNOR, LIEUTENANT-GOVERNOR AND SECRETARY OF INTERNAL AFFAIRS.

Mr. PHIPPS offered the following resolution, which was twice read, considered and agreed to:

Resolved, (if the House of Representatives concur) That the Senate and House of Representatives will meet in joint convention Tuesday, January second, at two o'clock P. M., for the purpose of witnessing the opening, computing and counting the vote for Governor, Lieutenant-Governor and Secretary of Internal Affairs, and that Honorable Clarence J. Buckman, of Bucks County, be appointed teller on the part of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PRESENTATIONS OF PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. BERNTHEIZEL offered the following resolution, which was twice read, considered and agreed to:

Resolved, That all petitions, memorials and remonstrances be presented by handing the same to the Chief Clerk, properly endorsed with the date thereon, in accordance with the practice of the last session.

OFFICERS OF THE SENATE.

Mr. WEAVER offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the following persons be elected officers of the Senate, as is provided for by Act of Assembly:

SECRETARY.

W. Harry Baker, Harrisburg, Dauphin County.

CHIEF CLERK.

William P. Gallagher, Wilkes-Barre, Luzerne County.

SENATE LIBRARIAN.

Herman P. Miller, Harrisburg, Dauphin County.

The PRESIDENT. I therefore declare the following named persons elected as officers of the Senate: W. Harry Baker, of Harrisburg, Dauphin County, Secretary of the Senate; William P. Gallagher, of Wilkes-Barre, Luzerne County, Chief Clerk, and Herman P. Miller, of Harrisburg, Dauphin County, Librarian of the Senate.

TIME OF NEXT MEETING.

Mr. JONES offered the following resolution, which was twice read, considered and agreed to:

Resolved, (if the House of Representatives concur), That when the Legislature adjourns today it reconvene on Monday evening, January fifteenth, at nine o'clock.

Oredred, That the Clerk present the same to the House of Representatives for concurrence.

RECESS.

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT (Lieutenant-Governor Edward E. Beidleman) in the Chair.

The PRESIDENT. The time for recess having elapsed, the Senate will be in order.

REPORT OF COMMITTEE OF NOTIFICATION TO THE HOUSE.

Mr. STINEMAN. Mr. President, the Committee appointed by the Senate to notify the House of Representatives that the Senate is duly organized and ready to proceed with its business desires to report that it has performed that duty.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

NOTIFICATION FROM HOUSE.

Mr. Heffernan, Miss MacKinney, and Mr. Posey, a committee of the House of Representatives, being introduced, informed the Senate that the House is duly organized and ready to proceed with business.

HOUSE MESSAGES.

HOUSE CONCURS IN RESOLUTION FOR JOINT CONVENTION.

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from Senate, as follows:

In the Senate, January 2, 1923.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives will meet in joint convention Tuesday, January second, at two o'clock P. M., for the purpose of witnessing the opening, computing and counting the vote for Governor, Lieutenant-Governor and Secretary of Internal Affairs, and that Honorable Clarence J. Buckman, of Bucks County, be appointed teller on the part of the Senate.

And has appointed as teller on the part of the House of Representatives, Mr. James A. Dunn.

NOTIFICATION TO THE GOVERNOR.

He also informed the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, January 2, 1923.

Resolved, That a Committee of three be appointed to act in conjunction with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee) to wait upon his Excellency, the Governor, and inform him that the General Assembly is organized and ready to receive any communications he may be pleased to make.

And has appointed Mr. Williams, Miss Grimes and Mr. Rhodes as such Committee on the part of the House of Representatives.

REPORT OF COMMITTEE TO WAIT UPON THE GOVERNOR.

Mr. SCHANTZ. Mr. President, the Committee appointed by the Senate to act in conjunction with a similar committee of the House of Representatives to inform the Governor

that the General Assembly is organized and ready to receive any communications he might be pleased to make, has performed its duty, and the Governor has informed the Committee that he will submit communications in writing and would like to meet in joint session the Senators and Members of the House to-day.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

SENATE PROCEEDS TO HOUSE TO HEAR GOVERNOR'S MESSAGE AND COUNT VOTE FOR STATE OFFICERS.

The hour of two o'clock P. M. having arrived, Mr. Hefernan, Miss MacKinney and Mr. Posey, a Committee from the House of Representatives, being introduced, informed the Senate that the House of Representatives was ready for the reception of the President and Members of the Senate for the purpose of listening to the reading of his Excellency, the Governor, of his final message and witnessing the opening, counting and publishing of the official returns of the votes cast on the first Tuesday of November, A. D. 1922, for Governor, Lieutenant-Governor, and Secretary of Internal Affairs.

Whereupon,

The President and members of the Senate proceeded to the hall of the House of Representatives.

SENATE RETURNS FROM HOUSE.

After some time, the President and Senators returned to the Senate Chamber.

TELLERS' REPORT OF PROCEEDINGS OF JOINT SESSION OF SENATE AND HOUSE OF REPRESENATIVES FOR THE OPENING, COUNTING AND PUBLISHING OF VOTES FOR GOVERNOR, LIEUTENANT-GOVERNOR AND SECRETARY OF INTERNAL AFFAIRS.

Mr. BUCKMAN, teller on the part of the Senate, made a report which was read as follows:

That the President and members of the Senate and the Speaker and members of the House of Representatives, met in the hall of the House of Representatives at two o'clock, P. M. this day, and the Honorable Edward E. Beidleman, President of the Senate, in pursuance of the Constitution and laws of the Commonwealth, did then and there proceed to open and count and publish the official returns of the election for Governor, Lieutenant-Governor and Secretary of Internal Affairs, held on the first Tuesday after the first Monday of November last, being the seventh day of November Anno Domini, one thousand nine hundred and twenty-two, in the City of Philadelphia, and the several counties of the Commonwealth, as follows:

FOR GOVERNOR.

1922

Counties.	Republican, Gifford Pinchot.	Democratic, John A. McSparran.	Socialist, Lilith Martin Wilson.	Prohibition, William Repp.	Industrialist, William H. Thomas.	Single Tax, John W. Dix.
Adams,	3,210	5,540	37	29	1	4
Allegheny,	79,418	43,584	5,662	1,464	602	401
Armstrong,	5,082	3,905	101	145	14	11
Beaver,	7,040	5,012	419	230	29	22
Bedford,	3,991	4,495	90	37	6	11
Berks,	13,766	22,793	3,660	127	38	32
Blair,	9,612	8,523	233	247	94	71
Bradford,	7,384	4,316	40	262	16	16
Bucks,	9,612	7,537	144	88	12	11
Butler,	6,351	4,955	117	365	18	17
Cambria,	15,175	11,804	669	299	86	97
Cameron,	967	564	5	21	2	4
Carbon,	5,621	7,576	289	36	26	10
Centre,	5,180	5,945	76	122	2	9
Chester,	12,351	10,738	91	92	4	11
Clarion,	2,865	4,350	75	116	8	5
Clearfield,	7,348	6,011	311	414	22	25
Clinton,	2,753	3,268	80	76	22	5
Columbia,	3,813	6,531	35	225	13	10
Crawford,	5,953	6,204	198	339	44	13
Cumberland,	6,944	11,421	47	116	6	7
Dauphin,	17,958	17,221	494	174	29	20
Delaware,	19,214	7,248	283	178	22	51
Elk,	4,271	1,497	88	130	11	7
Erie,	12,977	6,132	722	520	89	67
Fayette,	11,922	10,978	1,461	306	60	22
Forest,	804	496	31	113	4	2
Franklin,	5,618	7,522	58	82	6	9
Fulton,	933	2,068	3	8	1	1
Greene,	2,457	4,907	32	39	4	4
Huntingdon,	3,176	3,542	42	62	8	5
Indiana,	4,985	3,963	188	425	6	14
Jefferson,	5,139	4,561	226	119	78	9
Juniata,	1,308	2,099	13	22	3	0
Lackawanna,	25,328	19,667	431	487	129	66
Lancaster,	33,577	28,167	193	166	17	52
Lawrence,	5,685	4,156	295	310	59	20
Lebanon,	4,673	4,408	139	63	10	10
Lehigh,	11,817	12,618	479	122	46	31
Luzerne,	32,709	30,719	1,171	379	455	205
Lycoming,	6,050	7,919	338	423	18	19
McKean,	5,057	2,551	116	411	15	12
Mercer,	7,052	6,200	357	507	19	16
Mifflin,	1,957	2,351	60	35	2	0
Monroe,	2,126	4,939	23	37	5	8
Montgomery,	22,205	12,094	489	149	17	41
Montour,	1,494	2,146	12	17	3	4
Northampton,	10,244	12,893	272	163	42	39
Northumberland,	9,601	11,848	621	186	57	19
Perry,	2,859	4,138	6	14	6	4
Philadelphia,	245,312	65,111	5,858	811	476	458
Pike,	1,260	1,400	19	4	2	1
Potter,	1,956	2,983	53	55	7	4
Schuylkill,	21,237	21,944	742	128	73	55
Snyder,	1,822	2,055	15	16	3	8
Somerset,	5,661	3,526	220	243	33	20
Sullivan,	1,412	1,463	4	53	1	2
Susquehanna,	3,943	3,280	67	102	19	5
Tioga,	3,952	1,569	22	177	3	6
Union,	1,930	2,343	15	21	4	5
Venango,	4,696	2,992	97	337	32	8
Warren,	4,379	2,998	94	418	12	9
Washington,	10,234	8,281	633	232	48	43
Wayne,	3,944	2,626	64	92	8	6
Westmoreland,	16,762	13,110	2,197	625	113	53
Wyoming,	1,972	1,985	14	48	2	3
York,	13,592	18,939	612	292	15	11
	831,696	581,625	31,748	14,151	3,137	2,246

(Scattering Votes, 69.)

FOR LIEUTENANT GOVERNOR.

1922

Counties.	Republican, David J. Davis.	Democratic, Robert E. Pattison, Jr.	Socialist, Geo. A. Coleman.	Prohibition, R. E. English.	Industrialist, William Krumm.	Single Tax, Hugo W. Noren.
Adams,	3,480	5,039	43	59	2	7
Allegheny,	79,360	33,505	7,058	5,146	573	630
Armstrong,	5,203	3,146	157	304	27	18
Beaver,	6,827	4,274	532	545	35	39
Bedford,	4,369	3,556	156	108	10	15
Berks,	13,510	21,313	3,973	324	39	41
Blair,	9,742	6,911	507	601	131	206
Bradford,	7,011	3,333	78	795	16	30
Bucks,	9,820	6,987	172	180	12	17
Butler,	6,338	3,781	160	886	31	30
Cambria,	14,299	10,728	917	702	113	161
Cameron,	876	520	7	61	1	4
Carbon,	5,758	7,004	323	79	29	48
Centre,	5,229	5,398	112	272	10	9
Chester,	12,597	9,559	113	323	14	18
Clarion,	2,867	3,915	109	304	5	11
Clearfield,	6,892	6,308	472	783	45	43
Clinton,	2,686	2,742	180	231	33	20
Columbia,	3,626	6,185	51	376	15	15
Crawford,	5,993	5,040	296	799	43	20
Cumberland,	7,143	10,947	90	273	6	9
Dauphin,	17,559	16,503	692	398	41	28
Delaware,	18,996	6,568	322	491	14	66
Elk,	4,090	1,259	112	241	19	13
Erie,	12,260	5,070	871	1,059	93	82
Fayette,	11,904	10,093	1,587	550	54	34
Forest,	765	396	42	159	6	3
Franklin,	5,954	6,771	94	208	3	14
Fulton,	1,053	1,842	6	8	1	0
Greene,	2,463	4,558	31	76	4	1
Huntingdon,	3,587	2,535	92	166	18	25
Indiana,	4,988	2,742	322	893	18	28
Jefferson,	5,136	3,729	347	325	39	37
Juniata,	1,450	1,837	17	36	5	3
Lackawanna,	28,018	18,161	503	561	99	75
Lancaster,	34,013	25,829	230	383	20	62
Lawrence,	5,707	2,833	416	904	52	40
Lebanon,	5,093	3,594	153	139	11	11
Lehigh,	11,942	11,743	581	249	64	32
Luzerne,	30,335	28,039	1,422	744	351	262
Lycoming,	5,876	6,544	486	889	46	31
McKean,	4,630	2,264	167	693	23	23
Mercer,	6,585	4,839	449	1,792	22	24
Mifflin,	2,133	2,003	92	60	3	4
Monroe,	1,944	4,663	32	85	11	10
Montgomery,	21,962	11,853	523	293	20	48
Montour,	1,361	1,926	23	47	5	7
Northampton,	10,002	12,208	423	335	49	56
Northumberland,	9,115	10,566	680	541	47	44
Perry,	3,196	3,457	22	41	7	10
Philadelphia,	243,727	61,824	5,813	1,719	347	381
Pike,	1,085	1,428	27	24	1	4
Potter,	2,321	2,079	89	165	13	12
Schuylkill,	20,910	19,243	1,020	487	153	76
Snyder,	2,043	1,464	32	38	4	10
Somerset,	5,691	2,814	307	415	20	44
Sullivan,	1,394	1,218	11	122	0	3
Susquehanna,	4,018	2,731	92	210	6	4
Tioga,	3,756	973	32	383	4	12
Union,	2,239	1,686	25	81	10	5
Venango,	4,530	2,568	133	622	38	19
Warren,	4,359	2,529	122	664	13	15
Washington,	10,079	7,240	786	597	56	60
Wayne	3,666	2,387	86	205	9	9
Westmoreland,	16,314	11,794	2,452	1,207	92	83
Wyoming,	2,089	1,494	24	116	1	6
York,	13,841	17,801	682	513	30	22
	827,806	515,889	37,976	33,085	3,132	3,229

(Scattering votes, 38.)

FOR SECRETARY OF INTERNAL AFFAIRS.

1922

Counties.	Republican, James Fleming Woodward.	Democratic, A. Marshall Thompson.	Socialist, Mary Winsor.	Prohibition, Ella Bromell.	Industrialist, Thomas F. North.	Progressive, Charles I. Dunbar.	Single Tax, Lewis Ryan.
Adams,	3,533	4,796	47	147	4	24	11
Allegheny,	75,928	29,447	6,359	4,995	429	5,850	875
Armstrong,	5,118	2,884	161	411	30	204	15
Beaver,	6,611	3,967	538	692	34	303	48
Bedford,	4,475	3,275	155	164	9	106	20
Berks,	13,593	20,445	3,932	531	41	435	53
Blair,	9,429	5,837	382	669	86	1,454	208
Bradford,	6,439	2,898	82	1,062	8	522	44
Bucks,	9,823	6,666	177	329	12	144	21
Butler,	6,291	3,344	163	862	20	536	29
Cambria,	13,787	10,080	894	1,053	85	713	240
Cameron,	832	424	10	94	0	99	7
Carbon,	5,385	6,412	301	113	22	985	30
Centre,	5,240	5,142	101	429	5	72	14
Chester,	12,850	8,511	128	785	29	136	49
Clarion,	2,799	3,745	102	367	10	172	13
Clearfield,	6,772	5,795	490	1,030	53	411	50
Clinton,	2,526	2,215	129	261	10	878	18
Columbia,	3,538	5,879	63	552	12	92	41
Crawford,	5,971	4,586	261	1,077	28	449	33
Cumberland,	7,170	10,202	92	399	3	318	20
Dauphin,	17,958	14,272	629	668	32	1,368	64
Delaware,	19,051	5,763	360	850	14	200	83
Elk,	3,943	1,220	115	279	13	167	22
Erie,	11,726	4,420	850	1,365	64	787	100
Fayette,	11,604	9,395	1,523	634	23	1,062	47
Forest,	730	369	45	202	5	22	4
Franklin,	6,134	6,340	88	308	4	123	17
Fulton,	1,080	1,801	7	23	2	0	0
Greene,	2,467	4,446	37	119	4	11	4
Huntingdon,	3,632	2,154	115	229	14	202	29
Indiana,	4,950	2,282	115	229	14	202	29
Jefferson,	4,968	3,333	327	432	55	472	72
Juniata,	1,472	1,723	19	49	5	39	7
Lackawanna,	23,701	16,679	496	749	743	2,340	184
Lancaster,	34,196	24,708	235	498	18	660	63
Lawrence,	5,419	2,125	335	1,110	28	663	36
Lebanon,	5,154	3,172	164	214	9	138	18
Lehigh,	11,832	11,113	575	353	33	598	60
Luzerne,	29,389	22,794	1,140	975	324	6,267	531
Lycoming,	5,759	5,792	463	1,142	23	633	52
McKean,	4,252	2,006	180	949	22	318	46
Mercer,	6,964	4,397	471	1,462	27	403	45
Mifflin,	2,127	1,903	85	90	5	41	5
Monroe,	1,893	4,436	29	171	3	126	14
Montgomery,	22,441	10,740	542	429	12	246	67
Montour,	1,295	1,858	24	106	5	21	6
Northampton,	9,297	11,699	346	663	37	572	68
Northumberland,	8,665	9,979	670	759	34	695	65
Perry,	3,278	3,189	23	60	8	94	11
Philadelphia,	244,167	55,848	5,806	2,287	325	3,336	751
Pike,	1,017	1,400	30	34	1	51	4
Potter,	2,363	1,703	94	239	3	350	16
Schuylkill,	19,730	18,027	967	759	59	2,365	207
Snyder,	2,028	1,269	25	78	1	16	15
Somerset,	5,541	2,367	282	456	19	441	41
Sullivan,	1,379	1,176	14	142	3	11	6
Susquehanna,	3,837	2,311	86	275	9	588	10
Tioga,	3,577	810	44	566	6	73	23
Union,	2,236	1,465	33	139	3	71	9
Venango,	4,434	2,179	133	770	18	368	32
Warren,	4,332	2,310	136	762	12	89	19
Washington,	9,849	6,582	766	796	41	437	74
Wayne,	3,572	2,240	74	316	12	93	0
Westmoreland,	16,046	10,566	2,417	1,511	87	1,191	101
Wyoming,	2,044	1,354	28	184	5	40	11
York,	14,049	17,074	708	679	12	191	42
	813,718	469,339	36,444	41,933	3,140	42,110	4,949

(Scattering votes, 32.)

SUMMARY OF VOTES FOR GOVERNOR.

Gifford Pinchot, Republican,	831,696
John A. McSparran, Democratic,	581,625
Lilith Martin Wilson, Socialist,	31,748
William Repp, Prohibition,	14,151
William H. Thomas, Industrialist,	3,137
John W. Dix, Single Tax,	2,246
Scattering,	69
Total,	1,464,672

Pinchot's plurality over McSparran, 250,071.
Pinchot's majority over all, 198,720.
(Total number of votes cast at Primary for Governor 1,207,920)

SUMMARY OF VOTES FOR LIEUTENANT GOVERNOR.

David J. Davis, Republican,	827,806
Robert E. Pattison, Jr., Democratic,	515,889
Geo. A. Coleman, Socialist,	37,976
R. E. English, Prohibition,	33,085
William Krumm, Industrialist,	3,132
Hugo W. Noren, Single Tax,	3,229
Scattering,	38
Total,	1,421,155

Davis' plurality over Pattison, 311,917.
Davis' majority over all, 134,457.

SUMMARY OF VOTES FOR SECRETARY OF INTERNAL AFFAIRS.

James Fleming Woodward, Republican,	813,718
A. Marshall Thompson, Democratic,	469,339
Mary Winsor, Socialist,	36,444
Ella Broomell, Prohibition,	41,933
Thomas E. North, Industrialist,	3,140
Charles I. Dunbar, Progressive,	42,110
Lewis Ryan, Single Tax,	4,949
Scattering,	32
Total,	1,411,655

Woodward's plurality over Thompson, 344,379.
Woodward's majority over all 215,771.

Whereupon, the President pro tempore announced that Gifford Pinchot, having received the highest number of votes, was duly elected Governor for the term of four years from the third Tuesday in January, A. D. 1923, and that David J. Davis, having received the highest number of votes, was duly elected Lieutenant-Governor for the term of four years from the third Tuesday in January, A. D. 1923, and that James Fleming Woodward having received the highest number of votes, was duly elected Secretary of Internal Affairs for the term of four years from the first Tuesday in May, A. D. 1923.

Four certificates were signed in each case, as follows:

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the second day of January, A. D. one thousand nine hundred and twenty-three, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Governor of this Commonwealth, and publish the same in the presence of both Houses of the Legislature, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon counting the votes by teller appointed on the part of each House, it appeared that Gifford Pinchot had the highest number of votes; whereupon the said Gifford Pinchot was declared to have been duly elected Governor of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

EDWARD E. BEIDLEMAN,
President of the Senate.

C. J. GOODNOUGH,
Speaker of the House of Representatives.

CLARENCE J. BUCKMAN,
Teller on the part of the Senate.

JAMES A. DUNN,
Teller on the part of the House of Representatives.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the second day of January, A. D. one thousand nine hundred and twenty-three, in the House of Representatives at the State Capitol, open the returns of the election for Lieutenant-Governor of this Commonwealth, and publish the same in the presence of both Houses of the Legislature, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon counting the votes by a teller appointed on the part of each House, it appeared that David J. Davis had the highest number of votes; whereupon the said David J. Davis was declared to have been duly elected Lieutenant-Governor of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

EDWARD E. BEIDLEMAN,
President of the Senate.

C. J. GOODNOUGH,
Speaker of the House of Representatives.

CLARENCE J. BUCKMAN,
Teller on the part of the Senate.

JAMES A. DUNN,
Teller on the part of the House of Representatives.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the second day of January, A. D. one thousand nine hundred and twenty-three, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Secretary of Internal Affairs of this Commonwealth, and publish the same in the presence of both Houses of the Legislature, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon counting the votes by a teller appointed on the part of each House, it appeared that James Fleming Woodward had the highest number of votes; whereupon the said James Fleming Woodward was declared to have been duly elected Secretary of Internal Affairs of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

EDWARD E. BEIDLEMAN,
President of the Senate.

C. J. GOODNOUGH,
Speaker of the House of Representatives.

CLARENCE J. BUCKMAN,
Teller on the part of the Senate.

JAMES A. DUNN,
Teller on the part of the House of Representatives.

The PRESIDENT. The report of the tellers will be entered at length on the Journal of the Senate.

HOUSE MESSAGES.

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, as follows:

POSTAGE ON LEGISLATIVE JOURNAL.

In the Senate January 2, 1923.

Whereas, The Post Office Department has decided that the Legislative Journal must be third class matter and has so instructed the Postmaster at Harrisburg, therefore be it

Resolved, (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department and that the payment of the postage for the Legislative Journal, also for the bills, Calendars and Histories be provided for in the appropriation bill.

INAUGURAL COMMITTEE.

He also informed the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate January 2, 1923.

Resolved, That the President pro tempore of the Senate be and he is hereby authorized to appoint a committee of twelve Senators to act in conjunction with a committee of fifteen members of the House of Representatives (if the House shall appoint such committee) to make the necessary arrangements for the inauguration, to wait upon his Excellency, the Governor-elect, and conduct him in a suitable manner to the Capitol for the purpose of having the oath of office administered to him; and

Resolved, That the inaugural ceremonies take place at twelve o'clock M. on the third Tuesday of January, the sixteenth instant, on the west side of the Capital, should the weather prove favorable, otherwise, in the Hall of the House of Representatives; and

Be it Further Resolved, That said committee be and is hereby authorized to expend a sum not exceeding five thousand dollars ($5,000) in the making and carrying out said arrangements, the same to be provided for in the Appropriation Bill.

TIME OF NEXT MEETING.

He also informed the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, January 2, 1923.

Resolved (if the House of Representatives concur), That when the Legislature adjourns today it reconvene on Monday evening, January 15, at nine o'clock.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Roy M. Farber, Pittsburgh.
Thos. J. Gray, Pittsburgh.
W. D. Mansfield, McKeesport.

CHESTER COUNTY.

George W. Mullen, Parkesburg.

DELAWARE COUNTY.

Walter S. Rambo, Chester.
M. C. Walker, Marcus Hook.

INDIANA COUNTY.

P. V. Reilly, Claghorn.
P. Kinports Wilson, Cherry Tree.

JEFFERSON COUNTY.

Harry Truman, Sigel.

LACKAWANNA COUNTY.

W. C. Eshelman, Dunmore.
Miss Annie L. Price, Scranton.

LANCASTER COUNTY.

Miss Laura Marrocuin, Lancaster.

LEHIGH COUNTY.

Frank P. Schantz, Allentown.

MONTGOMERY COUNTY.

Harry Goebel, Rockledge.

PHILADELPHIA COUNTY.

Jacob W. Allen, Philadelphia.
Peter F. Devereux, Philadelphia.
John Henry Doherty, Philadelphia.
Miss Helen Gillingham, Philadelphia.
Horace J. Hibbert, Phiadelphia.
George W. Mitchell, Philadelphia.
Miss Mary M. Pitcher, Philadelphia.
William L. Rooney, Philadelphia.
Thomas F. Ryan, Philadelphia.
William J. Torrens, Philadelphia.
Vernon Worthington, Philadelphia.
Raymond M. Callahan, Philadelphia.
Miss Helen L. Day, Philadelphia.
William Mallin, Philadelphia.
Alex. C. Mowbray, Philadelphia.
Walter A. Rzepski, Philadelphia.
Samuel Walch, Philadelphia.

BLAIR COUNTY.

J. E. Ake, Williamsburg.

FAYETTE COUNTY.

Paul Whyel, Uniontown.

VENANGO COUNTY.

Joseph Halporn, Franklin.

WM. C. SPROUL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration:

ALLEGHENY COUNTY.

William L. Callahan, Braddock, January 21, 1923.
Miss Martha L. England, Pittsburgh, January 21, 1923.
B. Bryon Forney, McKeesport, January 7, 1923.
A. S. Harrold Pittsburgh, January 20, 1923.
Wm. McC. Herron, Pittsburgh, January 16, 1923.
Edwin Logan, Pittsburgh, January 15, 1923.
Francesco Lonetti, Pittsburgh, January 15, 1923.
Miss Dorothy C. Paulin, Pittsburgh, January 7, 1923.
A. D. Sharpe, Pittsburgh, January 27, 1923.
A. G. Sharra, Pittsburgh, January 16, 1923.
G. E. F. Gray, North Braddock, January 24, 1923.

BEAVER COUNTY.

W. H. Harper, Beaver, January 27, 1923.

BERKS COUNTY.

Daniel B. Blankenbiller, West Reading, January 25, 1923.
Wood M. Schwartz, Reading, January 25, 1923.
John H. Sponagle, Birdsboro, January 21, 1923.
Cameron E. Strauss, Reading, January 25, 1923.
J. Benton Whitman, Reading, January 23, 1923.
Charles R. Werner, Reading, January 19, 1923.

CAMBRIA COUNTY.

William Hinkel, Johnstown, January 23, 1923.

CHESTER COUNTY.

George L. Anderson, Avondale, January 18, 1923.
D. A. Stubbs, Oxford, January 21, 1923.

COLUMBIA COUNTY.

Henry F. Traugh, Berwick, January 21, 1923.

CRAWFORD COUNTY.

Miss Bernice McGinnett, Titusville, January 16, 1923.

DAUPHIN COUNTY.

Edward M. Winters, Harrisburg, January 19, 1923.

ERIE COUNTY.

Miss Nellie E. Riley, Erie, January 20, 1923.
Robert L. Rodgers, Erie, January 7, 1923.

GREENE COUNTY.

Miss Edna A. Pryor, Waynesburg, January 23, 1923.

INDIANA COUNTY.

M. S. Mitchell, Indiana, January 7, 1923.

LACKAWANNA COUNTY.

William N. Curry, Scranton, January 21, 1923.
John R. Wilson, Scranton, January 7, 1923.

FAYETTE COUNTY.

Charles T. Cramer, Uniontown, January 11, 1923.

LEBANON COUNTY.

Mrs. E. Blanche Gingrich, Lebanon, January 7, 1923.

LUZERNE COUNTY.

Winfield L. Parsons, Wilkes-Barre, January 21, 1923.

McKEAN COUNTY.

N. B. Parker, Bradford, January 20, 1923.

MERCER COUNTY.

David Garfunkel, Farrell, January 1, 1923.

MONTGOMERY COUNTY.

Ralph N. Campbell, Conshohocken, January 7, 1923.
Miss Susanna L. Walton, Horsham, January 7, 1923.

NORTHAMPTON COUNTY.

Morris J. Dimmick, Bethlehem, January 7, 1923.
Michael E. Falcons, Roseto, January 16, 1923.

NORTHUMBERLAND COUNTY.

Joseph F. Cummings, Sunbury, January 19, 1923.
P. L. Tressler Dalmatia, January 7, 1923.

PHILADELPHIA COUNTY.

Domenick D'Alfonso, Philadelphia, January 7, 1923.
Clarence M. Dudley, Philadelphia, January 21, 1923.
Eugene M. Jeannisson, Philadelphia, January 16, 1923.
Chas. F. Myers, Philadelphia, January 21, 1923.
Walter C. Tracy, Philadelphia, January 7, 1923.
Miss Anna E. Bisler, Philadelphia, January 21, 1923.
Oscar C. A. Covvey, Philadelphia, January 7, 1923.
John J. Guerin, Philadelphia, January 28, 1923.
Charles E. Johnston, Philadelhpia, January 7, 1923.
Miss Frances K. Maher, Philadelphia, January 23, 1923.
J. Howard Rhoads, Philadelphia, January 21, 1923.
Miss Ruth D. Rosenfeldt, Philadelphia, January 20, 1923.
Joseph H. Sundheim, Philadelphia, January 25, 1923.
Nicholas A. Zehren, Philadelphia, January 18, 1923.

WASHINGTON COUNTY.

R. James Knox, Washington, January 20, 1923.
T. P. Smith, Washington, January 7, 1923.

WAYNE COUNTY.

George W. Lobb, Hawley, January 7, 1923.

WESTMORELAND COUNTY.

Edward E. DeWitt, Scottdale, January 23, 1923.

CLARION COUNTY.

Miss Camilla E. Wilson, Clarion, January 21, 1923.

LANCASTER COUNTY.

Martin E. Musser, Lancaster, January 21, 1923.

WYOMING COUNTY.

Jos. Wood Piatt, Tunkhannock, January 21, 1923.

YORK COUNTY.

Robert E. Glenn, Red Lion, January 21, 1923.

WM. C. SPROUL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named person to be a Notary Public, for the term of four years, to compute from the date of confirmation.

LANCASTER COUNTY.

J. B. Herr, Lititz, January 7, 1923.

WM. C. SPROUL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor herby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation.

ALLEGHENY COUNTY.

S. B. Alexander, Dormont.
J. W. Anderson, Pittsburgh.
Walter Leon Austin, Pittsburgh.
James P. Beech, Coraopolis.
Fred J. Ditzinger, Pitcairn.
Wm. Boyd Duff, Pittsburgh.
Miss Ada L. Duganne, Pittsburgh.
Harry Fink, Pittsburgh.
Cyril J. Kletzly, Oakmont.
George Martin, Pittsburgh.
Gorman R. McDonald, Turtle Creek.
C. B. McElheny, Pittsburgh.
Mrs. Anna W. Godfrey, Pittsburgh.
F. W. Meyer, Pittsburgh.
Miss Anna F. Skolsky, Pittsburgh.
Austin B. Sullivan, Wilkinsburg.
Jas. L. Towell, Pittsburgh.
George A. Uhlinger, Springdale.
Miss Louise G. Walker, Pittsburgh.
C. A. Wilson, Pittsburgh.
Mrs. Elvira Irene Woolslayer, Pittsburgh.

ARMSTRONG COUNTY.

Geo. C. Painter, Kittanning.

BERKS COUNTY.

Miss Ida R. Edelman, Reading.

BLAIR COUNTY.

John J. R. Williams, Altoona.
Miss Stella M. Coll, Logan.

CAMBRIA COUNTY.

Miss Freda E. Evans, Johnstown.
Peter S. Mobilian, Johnstown.
Harry E. Rugh, East Conemaugh.

DAUPHIN COUNTY.

Charles A. Groff, Steelton.
Vincent J. Smarsh, Harrisburg.
Chester A. Sprenkle, Harrisburg.

DELAWARE COUNTY.

H. Blair Cooke, Upper Darby.
Wayne Donahoo, Collingdale.
John M. Finn, East Lansdowne.
Henry M. Fussell, Jr., Chester.
Wm. M. Mallon, Upper Darby.
Harvey G. Pennington, Upper Chichester.

ERIE COUNTY.

Harry E. Wagner, Wesleyville.

LANCASTER COUNTY.

Miss. M. Elizabeth Glick, Lancaster.
Miss Ursula E. Yeager, Lancaster.

LUZERNE COUNTY.

Miss Kathryn Coutts, Forty Fort.

LYCOMING COUNTY.

W. C. Horn, Williamsport.

McKEAN COUNTY.

R. J. Brennan, Bradford.
Miss Finetta E. McFadden, Bradford.

MONTGOMERY COUNTY.

Miss Alice M. McDowell, Norristown.

MONROE COUNTY.

Miss Ella Mae Miller, East Stroudsburg, R. D.

NORTHAMPTON COUNTY.

E. M. Peters, Bethlehem.

NORTHUMBERLAND COUNTY.

Ely Biow, Sunbury.

PHILADELPRIA COUNTY.

Mrs. Gertrude B. Alrich, Philadelphia.
Antonino Arcuri, Philadelphia.
Max M. Axel, Philadelphia.
William R. M. Baldwin, Philadelphia.
Aaron Berman, Philadelphia.
Max Blumberg, Philadelphia.
Edward E. Brown, Philadelphia.
Miss Blanche Carty, Philadelphia.
E. Lawrence Cobb, Philadelphia.
H. Lee Craig, Philadelphia.
Harold L. Croizer, Philadelphia.
Harry A. Dawson, Philadelphia.
Irving Goldman, Philadelphia.
Jacob R. Goldsmith, Philadelphia.
Joseph Greenberg, Philadelphia.
Miss Gladys Hindley, Philadelphia.
Harry Hoffmeister, Philadelphia.
Adolf H. J. Kellner, Philadelphia.
Joseph H. Krouse, Jr., Philadelphia.
Miss Le Leibowitz, Philadelphia.
Maurice Levan, Philadelphia.
B. Leyin, Philadelphia.
Morris Lieberman, Philadelphia.
Miss Mary C. Madison, Philadelphia.
Edward McHugh, Philadelphia.
Ernest Mercer, Philadelphia.
Benjamin Naren, Philadelphia.
Miss Elizabeth F. Neiman, Philadelphia.
A. Arthur C. Penton, Philadelphia.
Samuel Satinsky, Philadelphia.
Harry S. Schmid, Philadelphia.
G. Frank H. Senderling, Philadelphia.
David Shulman, Philadelphia.
Herman Schuman, Philadelphia.
Charles H. Simon, Philadelphia.
Miss Helen Barnes Singleton, Philadelphia.
Miss Mary V. Sinnott, Philadelphia.
Maurice A. Spielman, Philadelphia.
Paul R. Steiner, Philadelphia.
Richard W. Thorington, Philadelphia.
Miss Frances E. Tomlinson, Philadelphia.
Anthony V. Varallo, Philadelphia.
Leo E. Weiss, Philadelphia.
Ethan G. Zuber, Philadelphia.

POTTER COUNTY.

R. T. Martin, Galeton.

SCHUYLKILL COUNTY.

John H. Betz, Cressona.
A. Howard Glick, Frackville.

SOMERSET COUNTY.

Mrs. Daryle R. Heckman, Somerset.

VENANGO COUNTY.

J. C. Powell, Oil City.
Miss Helen Smiley, Franklin.

WASHINGTON COUNTY.

Harry M. Kelso, McDonald.
Harry A. Masquelier, McDonald.
Mrs. Garnett D. Young, Washington.

WESTMORELAND COUNTY.

John L. Conway, New Kensington.
William F. Coughenour, Latrobe.
J. L. Kolling, Unity.
Judd B. Story, Latrobe.

YORK COUNTY.

Miss Violet Kerchner, Hanover.
O. H. Shepp, York Haven.

WM. C. SPROUL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration:

ALLEGHENY COUNTY.

John T. Baker, Clairton, Jan. 21, 1923.
Harry Bernstein, Pittsburgh, Jan. 16, 1923.
J. K. Crownover, Pittsburgh, January 7, 1923.
A. L. Floto, Pittsburgh, Jan. 20, 1923.
Samuel Glick, Clairton, Jan. 16, 1923.
Thomas B. Helper, Harrison, Jan 23, 1923.
E. A. Hess, Pittsburgh, Jan. 19, 1923.
Clarence F. Hilty, Pittsburgh, Jan. 18, 1923.
Geo. J. J. Hoelsche, Pittsburgh, Jan. 7, 1923.

J. G. Kaiser, Pittsburgh, Jan. 21, 1923.
Chas. W. McChesney, Pittsburgh, Jan. 16, 1923.
Miss Mildred McCrossin, Pittsburgh, Jan. 7, 1923.
W. A. McDevitt, Braddock, Jan. 19, 1923.
Miss Gertrude R. Mitchell, Pittsburgh, Jan. 20, 1923.
James G. Nevin, Pittsburgh, Jan. 20, 1923.
Miss Gertrude Ohl, Pittsburgh, Jan. 7, 1923.
H. G. Raymond, Pittsburgh, Jan. 7, 1923.
W. McC. Reynolds, Pittsburgh, Jan. 20, 1923.
Theo. Schleid, Bellevue, Jan. 7, 1923.
Chas. B. Stewart, Pittsburgh, Jan. 7, 1923.
C. W. Sypniewski, Pittsburgh, Jan. 21, 1923.
E. Ward Tillotson, Pittsburgh, Jan. 7, 1923.
Miss Wilhelmina M. Townsend, Swissvale, Jan. 7, 1923.
W. Herbert Walter, Pittsburgh, Jan. 7, 1923.
Howard C. Watson, Pittsburgh, Jan. 7, 1923.
James L. Wible, Morgan, Jan. 7, 1923.

BERKS COUNTY.

Horace P. Fetter, Reading, Jan. 16, 1923.
Miss Mabel T. Frederick, Reading, Jan. 7, 1923.
Miss Mary R. Freed, Boyertown, Jan. 7, 1923.
T. W. Minner, Bally, Jan. 7, 1923.
Leonard G. Yoder, Reading, Jan. 16, 1923.

BEAVER COUNTY.

Joseph H. Grandey, Rochester, Jan. 5, 1923.

BLAIR COUNTY.

Alex. Weir, Altoona, Jan. 16, 1923.

CAMBRIA COUNTY.

James Mellon, Patton, Jan. 21, 1923.
Miss Clara M. Staehr, Johnstown, Jan. 18, 1923.

CENTRE COUNTY.

S. D. Gettig, Bellefonte, Jan. 21, 1923.

CHESTER COUNTY.

Edgar C. Austin, West Grove, Jan. 19, 1923.
Miss Mary H. Davis, West Chester, Jan. 7, 1923.
Wm. H. Rogers, Spring City, Jan. 23, 1923.

COLUMBIA COUNTY.

Lewis C. Mensch, Catawissa, Jan. 21. 1923.

CRAWFORD COUNTY.

Miss Maude Harper, Meadville, Jan. 21, 1923.

DAUPHIN COUNTY.

Clinton M. Hershey, Harrisburg, Jan. 25, 1923.
Miss Margaret M. Reichert, Harrisburg, Jan. 16, 1923.
Miss Mabel P. Wilbar, Harrisburg, Jan. 20, 1923.

DELAWARE COUNTY.

Ralph L. Aman, Wayne, Jan. 7, 1923.
Albert N. Garrett, Swarthmore, Jan. 16, 1923.
Miss Clara L. Priest, Lansdowne, Jan. 6, 1923.
Wm. H. Tricker, Media, Jan. 19, 1923.

ERIE COUNTY.

Charles A. Mertens, Erie, Jan. 21, 1923.
Miss Anna Tierney, Union City, Jan. 23, 1923.

GREENE COUNTY.

E. D. Patterson, Waynesburg, Jan. 18, 1923.

INDIANA COUNTY.

Mrs. Mareia M. Healy, Blairsville, Jan. 21, 1923.

LACKAWANNA COUNTY.

F. H. Coughlin, Dunmore, Jan. 19, 1923.
David Landau, Scranton, Jan. 21, 1923.
Chas. H. Wells, Jr., Scranton, Jan. 19, 1923.

LANCASTER COUNTY.

Christian G. Engle, Lancaster, Jan. 21, 1923.
J. Guy Eshleman, Lancaster, Jan. 21, 1923.
Summer V. Hosterman, Lancaster, Jan. 28, 1923.
William H. Kready, Lancaster, Jan. 21, 1923.
Walter A. Miller, Lancaster, Jan. 21, 1923.

LAWRENCE COUNTY.

Hiram G. Miller, New Castle, Jan. 19, 1923.

LUZERNE COUNTY.

Michael Capece, Freeland, Jan. 21, 1923.
Chas. W. Danna, Wilkes-Barre, Jan. 21, 1923.
Michael Drosdick, Hazleton, Jan. 7, 1923.
C. W. Honeywell, Plymouth, Jan. 21, 1923.
Geo. H. McDonnell, Wilkes-Barre, Jan. 7, 1923.
Arthur L. Turner, Wilkes-Barre, Jan. 20, 1923.

LYCOMING COUNTY.

Ermin F. Hill, Hughesville, Jan. 21, 1923.

MERCER COUNTY.

G. R. Grosscope, Farrell, Jan. 7, 1923.

McKEAN COUNTY.

Charles G. Hubbard, Kane, Jan. 13, 1923.
Camillo Rizzuto, Bradford, Jan. 20, 1923.

MONTGOMERY COUNTY.

Leon Kohl, Norristown, Jan. 20, 1923.
Miss Nina S. Ritter, Norristown, Jan. 18, 1923.

NORTHAMPTON COUNTY.

William Henry Stahlnecker, Bethlehem, Jan. 7, 1923.

NORTHUMBERLAND COUNTY.

Joseph R. Housel, Watsontown, Jan. 31, 1923.
E. Elmer John, Mount Carmel, Jan. 16, 1923.
H. O. Moser, Mt. Carmel, Jan. 16, 1923.
Guy L. Young, Delaware, Jan. 7, 1923.

PHILADELPHIA COUNTY.

Edward Abrams, Philadelphia, Jan. 1, 1923.
Walter Acuff, Philadelphia, Jan. 16. 1923.
Benjamin J. Aitken, Philadelphia, Jan. 20, 1923.
Bernard J. Arndt, Philadelphia, Jan. 11, 1923.
Mrs. Florence W. Baldwin, Philadelphia, Jan. 7, 1923.
Wm. A. Barr, Philadelphia, Jan. 16, 1923.
H. Bepperling, Philadelphia, Jan. 15, 1923.
Harry C. Blase, Philadelphia, Jan. 21, 1923.
Jacob S. Blumberg, Philadelphia, Jan. 29, 1923.
John Bravinskas, Philadelphia, Jan. 7, 1923.
William F. Brennan, Philadelphia, Jan. 28, 1923.
Stanley W. Bruce, Philadelphia, Jan. 18, 1923.
Clifford K. Cassel, Philadelphia, Jan. 16, 1923.
Lewis Cohen, 2nd, Philadelphia, Jan. 19, 1923.
Reuben Cohen, Sr., Philadelphia, Jan. 19, 1923.
Raymond A. Collins, Philadelphia, Jan. 30, 1923.
John H. Craven, Philadelphia, Jan. 18, 1923.
John N. Davis, Philadelphia, Jan. 7, 1923.
Reed B. DeHorsey, Philadelphia, Jan. 18, 1923.
Miss Elizabeth M. Dougherty, Philadelphia, Jan. 7, 1923.
Charles F. Eggleston, Philadelphia, Jan. 28, 1923.
Mrs. Florence W. Elliott, Philadelphia, Jan. 7, 1923.
Samuel Feinstein, Philadelphia, Jan. 7, 1923.
Ambrose F. Fow, Philadelphia, Jan. 7, 1923.
Raymond G. Frick, Philadelphia, Jan. 7, 1923.
W. S. Furst, Philadelphia, Jan. 21, 1923.
Michael J. Geraghty, Philadelphia, Jan. 16, 1923.
Miss Sara T. Hall, Philadelphia, Jan. 24, 1923.
Miss Mary E. Hamer, Philadelphia, Jan. 25, 1923.
Charles F. Heyer, Philadelphia, Jan. 26, 1923.
Thos. J. Hunt, Philadelphia, Jan. 21, 1923.
Aaron Imber, Philadelphia, Jan. 18, 1923.

Miss Stella Irwin, Philadelphia, Jan. 31, 1923.
Maurice B. Jones, Philadelphia, Jan. 20, 1923.
Miss Rose Marie Kelly, Philadelphia, Jan. 19, 1923.
Winfield S. H. Knopf, Philadelphia, Jan. 16, 1923.
Fedinand S. Knowles, Philadelphia, Jan. 20, 1923.
Abraham Kolsky, Philadelphia, Jan. 21, 1923.
Chester A. Kratz, Philadelphia, Jan. 7, 1923.
Miss Ellen R. Kroneberger, Philadelphia, Jan. 21, 1923.
E. N. Legg, Philadelphia, Jan. 20, 1923.
Raymond L. Lofland, Philadelphia, Jan. 21, 1923.
James A. Lynd, Philadelphia, Jan. 7, 1923.
Henry W. Marston, Philadelphia, Jan. 21, 1923.
David McBurney, Philadelphia, Jan. 18, 1923.
Rose E. McCarthy, Philadelphia, Jan. 7, 1923.
Clayton McElroy, Philadelphia, Jan. 19, 1923.
Solomon Meisach, Philadelphia, Jan. 18, 1923.
Francis C. Menamin, Philadelphia, Jan. 23, 1923.
James A. Moran, Philadelphia, Jan. 7, 1923.
Joseph Newman, Philadelphia, Jan. 7, 1923.
Theodore E. Nickles, Philadelphia, Jan. 11, 1923.
Rocco Prete, Philadelphia, Jan. 7, 1923.
Joseph P. Prindable, Philadelphia, Jan. 7, 1923.
Arthur Purssell, Philadelphia, Jan. 16, 1923.
Miss Martha H. Quinn, Philadelphia, Jan. 16, 1923.
Theodore Richardson, Philadelphia, Jan. 21, 1923.
C. Wilson Roberts, Philadelphia, Jan. 20, 1923.
S. J. Rodgers, Philadelphia, Jan. 20, 1923.
Miss Florence Rothenburger, Phialdelphia, Jan. 7, 1923.
John J. Rutherford, Philadelphia, Jan. 22, 1923.
George E. Sattler, Philadelphia, Jan. 27, 1923.
Andrew Schimmel, Jr., Philadelphia, Jan. 19, 1923.
Wm. C. Selsor, Philadelphia, Jan. 7, 1923.
Edgar F. Shinehouse, Philadelphia, Jan. 18, 1923.
Joseph Silverman, Philadelphia, Jan. 20, 1923.
C. Ralph Sorber, Philadelphia, Jan. 20, 1923.
Henry T. Sterling, Philadelphia, Jan. 7, 1923.
William C. Stoever, Philadelphia, Jan. 19. 1923.
Miss Kathryn A. Summers, Philadelphia, Jan. 19, 1923.
Mrs. A. R. Sweeney, Philadelphia, Jan. 7, 1923.
Miss Maude F. Tittermary, Philadelphia, Jan. 20, 1923.
John L. Vandiver, Philadelphia, Jan. 23, 1923.
Henry J. Walter, Philadelphia, Jan. 21, 1923.
Walker B. Webb, Philadelphia, Jan. 7, 1923.
Frederick G. Webel, Philadelphia, Jan. 7, 1923.
Frederick H. Weber, Philadelphia, Jan. 16, 1923.
Guilliaem A. Wells, Philadelphia, Jan. 7, 1923.
Roland G. C. Young, Philadelphia, Jan. 7, 1923.

SOMERSET COUNTY.

Ralph R. Straub, Boswell, Jan. 7, 1923.

SUSQUEHANNA COUNTY.

Miss Harriet M. Johnston, Susquehanna Depot, Jan. 27, 1923.

SULLIVAN COUNTY.

John G. Scouton, Jr., Dushore, Jan. 7, 1923.

VENANGO COUNTY.

Miss Mary S. Eckert, Franklin, Jan. 16. 1923.
Wm. M. Parker, Oil City, Jan. 20, 1923.

WASHINGTON COUNTY.

C. T. Lewis, Donora, Jan. 16, 1923.
Miss N. J. Hammond, Monongahela City, Jan. 16, 1923.
John W. McDowell, Washington, Jan. 20, 1923.

WAYNE COUNTY.

Miss Rena S. Edgett, Honesdale, Jan. 19, 1923.

WESTMORELAND COUNTY.

Russell St. Clair, New Florence, Jan. 20, 1923.
Jesse S. Cook, Scottdale, Jan. 21, 1923.
A. M. Dick, West Newton, Jan. 21, 1923.
N. Halyama, New Kensington, Jan. 7, 1923.
Peter H. Naley, Manor, Jan. 19, 1923.
George Slaine, Greensburg, Jan. 19, 1923.
James B. Smail, Southwest Greensburg, Jan. 16, 1923.
Jeffery W. Taylor, Greensburg, Jan. 16, 1923.

WYOMING COUNTY.

Mrs. Eulalie Piatt Ogden, Tunkhannock, Jan. 18, 1923.

YORK COUNTY.

William F. Fry, York, Jan. 21, 1923.

WM. C. SPROUL.

ALDERMEN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Robert C. Calhoun, of McKeesport, as Alderman, Fourth Ward, City of McKeesport, Allegheny County, vice W. D. Mansfield, resigned.

WM. C. SPROUL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate S. T. Price, of No. 6 Washington Place, Pittsburgh, as Alderman in the Third Ward, City of Pittsburgh, Allegheny County, vice Somer Sommerman, deceased.

WM. C. SPROUL.

JUSTICES-OF-THE-PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert C. Brown, to be Justice of the Peace in and for the Borough of Manorville, Armstrong County, vice Thomas Cooper, resigned.

WM. C. SPROUL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following:

William T. Levis, of Beaver Falls, as Justice of the Peace, in and for the Borough of Beaver Falls, Beaver County, vice Lorenzo J. Lovis, deceased.

Harry R. Nuss, Jr., of Norristown, as Justice of the Peace, in and for the Sixth Ward of the Borough of Norristown, Montgomery County.

WM. C. SPROUL.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires all nominations made by the Governor to be referred to committee, be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Leslie,	Sisson,
Barr,	DeWitt,	Long,	Smith,
Berntheizel,	Eyre,	MacDade,	Snyder,
Betts,	Harris,	Mansfield,	Sones,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culbertson,	Krause,	Quigley,	Woodward,
Daix,	Kutz,	Salus,	

NAYS—0.

Two-thirds of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered,That the Governor be informed accordingly.

Mr. HOMSHER. Mr. President, I move that the Executive Session do now rise.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

NOMINATIONS BY THE GOVERNOR.

The Secrtary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows; and referred to the Committee on Executive Nominations, when appointed.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

SECRETARY OF THE COMMONWEALTH.

Bernard J. Meyers, Lancaster, from July 20, 1921, until superseded.

FIRST DEPUTY ATTORNEY GENERAL.

George Ross Hull, Harrisburg, from June 1, 1922, until superseded.

DEPUTY ATTORNEYS GENERAL.

Sterling G. McNees, Kittanning, from May 12, 1921, until superseded.

Frederick Taylor Pusey, Lima, from July 29, 1921, until superseded.

John William Brown, Lancaster, from October 4, 1922, until superseded.

Paul J. Sherwood, Wilkes-Barre, from December 13, 1922, until superseded.

ADJUTANT GENERAL, PENNSYLVANIA NATIONAL GUARD.

Frank D. Beary, Allentown, for the trem of four years from October 4, 1921.

BRIGADIER GENERAL, PENNSYLVANIA NATIONAL GUARD.

Edward Martin, Washington, Pa., for the term of five years from August 17, 1922, to rank from August 17, 1922.

STATE LIBRARIAN AND DIRECTOR OF THE MUSEUM.

George P. Donehoo, Coudersport, for the term of four years from December 1, 1921.

COMMISSIONER OF BANKING.

Peter G. Cameron, Wellsboro, for the term of four years from June 7, 1922.

COMMISSIONER OF FORESTRY.

Robert Y. Stuart, Harrisburg, for the term of four years from April 18, 1922.

COMMISSIONER OF FISHERIES FOR PENNSYLVANIA.

Nathan R. Buller, Pleasant Mount, for the term of four years from July 7, 1921.

MEMBER OF THE ARMORY BOARD OF THE STATE OF PENNSYLVANIA.

Edward Martin, Waynesburg, for the term of five years from July 25, 1921.

MEMBERS OF THE ADVISORY BOARD OF THE STATE DEPARTMENT OF HEALTH.

Adolph Koenig, M. D., Pittsburgh, for the term of four years from June 15, 1921.

Charles B. Penrose, M. D., Philadelphia, for the term of four years from June 15, 1921.

Lee Masterton, C. E., Johnstown, for the term of four years from June 15, 1921.

MEMBERS OF THE STATE BOARD TO EXAMINE EXPERT ACCOUNTANTS.

Frank Wilbur Main, Acct., Pittsburgh, for the term of three years from July 1, 1921.

Hale Hill, Lawyer, Pittsburgh, for the term of three years from July 1, 1921.

Horace P. Griffith, Acct., Philadelphia, for the term of three years from July 1, 1922.

Caleb S. Brinton, Lawyer, Carlisle, for the term of three years from September 7, 1922.

MEMBERS OF THE BOARD OF DENTAL EXAMINERS OF THE COMMONWEALTH OF PENNSYLVANIA.

Alfred P. Lee, Philadelphia, for the term of three years from September 1, 1921.

Alexander H. Reynolds, Philadelphia, for the term of three years from September 1, 1921.

T. A. Hogan, Pittsburgh, for the term of three years from September 1, 1922.

William A. McCready, Pittsburgh, for the term of three years from September 1, 1922.

MEMBERS OF THE STATE BOARD OF EXAMINERS FOR REGISTRATION OF NURSES.

(Miss) Ida F. Giles, Nurse, Washington, Pa., for the term of five years from October 15, 1921.

Esther J. Tinsley, Nurse, Pittston, from October 24, 1922 until October 15, 1927.

MEMBERS OF THE STATE COUNCIL OF EDUCATION.

Ernest LaPlace, Philadelphia, from July 26, 1921 until first Monday of July 1923.

Marcus Aaron, Pittsburgh, from July 26, 1921 until first Monday of July 1924.

(Mrs.) Isabel McIlhenney Nichols, Philadelphia, from July 26, 1921 until first Monday of July 1925.

(Mrs.) E. Grace McCauley, Beaver, from July 26, 1921 until first Monday of July 1926.

Morris L. Clothier, Villanova, from July 26, 1921 until first Monday of July 1926.

Homer D. Williams, Pittsburgh, from July 26, 1921, until first Monday of July 1927.

E. S. Templeton, Greenville, for the term of six years from first Monday of July 1922.

Edgar F. Smith, Philadelphia, for the term of six years from first Monday of July 1922.

MEMBERS OF THE BUREAU OF MEDICAL EDUCATION AND LICENSURE OF THE DEPARTMENT OF PUBLIC INSTRUCTION OF THE COMMONWEALTH OF PENNSYLVANIA.

W. Estell Lee, Med. So., Philadelphia, for the term of three years from September 1, 1921.

William M. Hillegas, Homeo. So., Philadelphia, for the term of three years from September 1, 1921.

I. D. Metzger, Homeo. So., Pittsburgh, for the term of three years from September 1, 1922.

C. L. Johnstonbaugh, Ecl. So., Bethlehem, Lehigh County, for the term of three years from September 1, 1922.

MEMBERS OF THE PENNSYLVANIA BOARD OF PHARMACY.

Lucius L. Walton, Williamsport, for the term of five years from December 1, 1921.
Samuel M. Evans, West Pittston, for the term of five years from August 31, 1922.

MEMBERS OF THE PENNSYLVANIA STATE BOARD OF CENSORS OF MOVING PICTURES, ETC.

Harry L. Knapp, Chairman, Philadelphia, from June 1, 1921 until May 18, 1924.
(Mrs.) Katherine A. Niver, Vice-Chairman, Charleroi, for the term of three years from May 18, 1922.

MEMBERS OF THE STATE BOARD OF UNDERTAKERS.

Samuel R. Foster, Philadelphia, for the term of three years from October 16, 1921.
George W. Karmany, Hummelstown, for the term of three years from October 16, 1921.
Joseph E. Quinby, Media, for the term of three years from October 16, 1922.

MEMBERS OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS.

F. H. McCarthy, Pottsville, from July 28, 1921 until first Monday of September 1923.
Harry B. Cox, Philadelphia, for the term of four years from first Monday of September 1921.
Harry W. Barnard, Lancaster, for the term of four years from first Monday of September 1921.

MEMBERS OF THE INDUSTRIAL BOARD IN THE DEPARTMENT OF LABOR AND INDUSTRY OF PENNSYLVANIA.

Harry A. Nye, Erie, from August 10, 1922 until January 1, 1924.
Otto T. Mallery, Philadelphia, for the term of four years from January 1, 1922.

MEMBERS OF THE WORKMEN'S COMPENSATION BOARD, DEPARTMENT OF LABOR AND INDUSTRY.

Harry A. Mackey, Chairman, Philadelphia, from June 1, 1921 until June 1, 1924.
Benjamin Jarrett, Farrell, for the term of five years from June 1, 1922.

MEMBERS OF THE LAKE ERIE AND OHIO RIVER CANAL BOARD OF PENNSYLVANIA.

William H. Stevenson, President, Pittsburgh, for the term of six years from October 15, 1921.
William C. Reitz, Pittsburgh, for the term of six years from October 15, 1921.
Frederick N. Beegle, Beaver Falls, for the term of six years from October 15, 1921.

MEMBERS OF THE BOARD OF OPTOMETRICAL EDUCATION EXAMINATION AND LICENSURE OF THE COMMONWEALTH OF PENNSYLVANIA.

Samuel C. Chessman, Pittsburgh for the term of three years from August 7, 1921.
Harry M. Cook, Meyersdale, for the term of three years from August 7, 1921.
J. F. Neill, Jr., Philadelphia, for the term of three years from August 7, 1922.
B. F. Mulhern, Pittsburgh, for the term of three years from August 7, 1922.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE COLLEGE.

E. S. Bayard, Pittsburgh, for the term of three years from July 1, 1921.
Edgar R. Kiess, Williamsport, for the term of three years from July 1, 1921.
Milton W. Lowry, Scranton, for the term of three years from July 1, 1922.
Hiester V. White, Bloomsburg, for the term of three years from July 1, 1922.

MEMBER OF THE BOARD OF REGISTRATION OF COMMISSIONERS IN AND FOR THE CITY OF PITTSBURGH, IN THE COMMONWEALTH OF PENNSYLVANIA.

James F. Greene, Pittsburgh, from October 4, 1922 until June 15, 1924.

MEMBERS OF THE BOARD OF GAME COMMISSIONERS OF PENNSYLVANIA.

Charles B. Penrose, Philadelphia, for the term of three years from November 17, 1921.
Henry J. Donaldson, Williamsport, for the term of three years from November 17, 1921.
William B. McCaleb, Philadelphia, for the term of three years from November 17, 1922.
William Struthers Ellis, Radnor, for the term of three years from November 17, 1922.

MEMBERS OF THE BOARD OF OSTEOPATHIC EXAMINERS FOR PENNSYLVANIA.

O. J. Snyder, Philadelphia, for the term of three years from August 1, 1921.
F. B. Kann, Harrisburg, for the term of three years from August 1, 1922.

MEMBERS OF THE STATE BOARD OF EXAMINERS OF ARCHITECTS.

John Hall Rankin, Philadelphia, for the term of five years from October 15, 1921.
M. I. Kast, Harrisburg, for the term of five years from October 15, 1922.

MEMBERS OF THE ANTHRACITE MINE INSPECTORS' EXAMINING BOARD.

George M. Keiser, M. E., Pottsville, for the term of four years from May 28, 1921.
Thomas Thomas, M. E., Dorranceton, for the term of four years from May 28, 1921.
George Morrell, Miner, Coaldale, for the term of four years from May 28, 1921.
John Griffiths, Miner, Scranton, for the term of four years from May 28, 1921.
M. H. Quinnan, Miner, Pittston, for the term of four years from May 28, 1921.

MEMBERS OF THE STATE FOREST COMMISSION.

Edward Bailey, Harrisburg, for the term of four years from May 7, 1921.
Henry S. Drinker, Cynwyd, for the term of four years from June 21, 1922.
Henry W. Shoemaker, McElhattan, for the term of four years from November 8, 1922.

MEMBERS OF THE STATE FISHERIES COMMISSION.

M. A. Riley, Ellwood City, for the term of four years from October 4, 1921.
D. Fred Williams, Scranton, for the term of four years from October 4, 1921.
August Kiel, Milford, for the term of four years from October 4, 1921.

MEMBERS OF THE PUBLIC SERVICE COMMISSION OF THE COMMONWEALTH OF PENNSYLVANIA.

Milton J. Brecht, Lancaster, for the term of ten years from July 1, 1921.
John S. Rilling, Erie, for the term of ten years from July 1, 1922.

WATER SUPPLY COMMISSIONER OF PENNSYLVANIA.

Thomas J. Lynch, Bethlehem, for the term of four years from December 1, 1922.

MEMBERS OF THE PENNSYLVANIA HISTORICAL COMMISSION.

Charlemagne Tower, Philadelphia, for the term of four years from October 14, 1921.
William H. Stevenson, Pittsburgh, for the term of four years from November 26, 1921,
George P. Donehoo, Coudersport, for the term of four years from November 26, 1921.

MEMBERS OF THE CAMP CURTIN COMMISSION.

L. Calder Clemson, Harrisburg, from March 18, 1922 until annulled.
Francis H. Hoy, Harrisburg, from May 24, 1922 until annulled.

MEMBERS OF THE WASHINGTON CROSSING PARK COMMISSION.

Harman Yerkes, Doylestown, for the term of five years from October 23, 1922.
Samuel C. Eastburn, Langhorne, for the term of five years from October 23, 1922.
Allen W. Hagenbach, Allentown, for the term of five years from October 23, 1922.
C. C. A. Baldi, Philadelphia, for the term of five years from October 23, 1922.
Clarence J. Buckman, Langhorne, for the term of five years from October 23, 1922.
W. Clayton Hackett, Easton, for the term of five years from October 23, 1922.
William C. Ryan, Doylestown, for the term of five years from October 23, 1922.
B. Frank Fackentall, Jr., Riegelsville, from October 25, 1922 until October 23, 1927.
John A. Frick, Fountain Hill, from November 24, 1922 until October 23, 1927.
Carroll R. Williams, Philadelphia, for the term of five years from October 23, 1922.

COMMISSIONERS OF VALLEY FORGE.

William A. Patton, Wayne, for the term of five years from June 2, 1921.
Richmond L. Jones, Reading, for the term of five years from June 2, 1921.
George J. Elliott, Philadelphia, for the term of five years from June 2, 1921.
Edward F. Beale, Strafford, for the term of five years from June 2, 1921.
James R. Tindle, Valley Forge, for the term of five years from June 2, 1921.
Gabriel H. Moyer, Lebanon, for the term of five years from June 2, 1921.
William Provost, Jr., Chester, for the term of five years from June 2, 1921.
Hervey C. Gresh, Norristown, for the term of five years from June 2, 1921.
Theodore Lane Bean, Norristown, from May 11, 1922 until June 2, 1926.

MEMBERS OF THE STATE ART COMMISSION, DEPARTMENT OF PUBLIC GROUNDS AND BUILDINGS.

Clarence C. Zantzinger, President, Philadelphia, for the term of three years from October 15, 1922.
John A. Dempwolf, County of York, for the term of three years from October 15, 1922.
Benno Jamssen, Pittsburgh, for the term of three years from October 15, 1922.
Edward B. Temple, Swarthmore, for the term of three years from November 20, 1922.
Nicola d'Ascenzo, Secretary, Philadelphia, for the term of three years from November 20, 1922.

COMMISSIONER OF THE PENNSYLVANIA SOLDIERS' ORPHANS INDUSTRIAL SCHOOL.

Raymond K. Denworth, Philadelphia, from October 4, 1922 until first Wednesday of January 1924.

COMMISSIONER OF PUBLIC WELFARE.

John M. Baldy, M. D., Devon, for the term of four years from August 1, 1921.

DEPUTY COMMISSIONER OF PUBLIC WELFARE.

Clement W. Hunt, Camp Hill, from September 27, 1921 until annulled.

MEMBERS OF THE COMMISSION OF PUBLIC WELFARE.

Rollin R. Bleakley, Franklin, for the term of two years from August 1, 1921.
John N. Conyngham, Wilkes-Barre, for the term of two years from August 1, 1921.
Ignatius J. Horstmann, Philadelphia, for the term of four years from August 1, 1921.
(Mrs.) Elizabeth Price Martin, Philadelphia, for the term of four years from August 1, 1921.
(Mrs.) Elisabeth Hensel Nauman, Lancaster, for the term of four years from August 1, 1921.
(Mrs.) Laura Smith Oliver, Pittsburgh, from May 24, 1922 until August 1, 1923.

MEMBERS OF THE PENNSYLVANIA STATE ANTHRACITE MINE CAVE COMMISSION.

James B. Smith, Chairman, Scranton, from November 23, 1921 until annulled.
Philip Bevan, Wilkes-Barre, from November 23, 1921, until annulled.

INSPECTOR OF STEAM ENGINES AND STEAM BOILERS IN AND FOR THE COUNTY OF ALLEGHENY, PENNSYLVANIA.

Andrew J. Bell, Pittsburgh, for the term of two years from September 15, 1922.

INSPECTORS OF THE STATE PENITENTIARY FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

E. J. Lafferty, Philadelphia, for the term of four years from May 26, 1921.
Edwin Wolfe, Philadelphia, for the term of four years from May 26, 1921.
J. Washington Logue, Philadelphia, from August 3, 1921 until May 26, 1925.
C. C. A. Baldi, Philadelphia, from December 12, 1921 until May 26, 1925.
Horace E. Smith, Philadelphia, from March 11, 1922 until May 26, 1925.

INSPECTORS OF THE STATE PENITENTIARY FOR THE WESTERN DISTRICT OF PENNSYLVANIA.

Charles A. Rook, Pittsburgh, for the term of four years from June 1, 1921.
Irvin K. Campbell, Pittsburgh, for the term of four years from June 1, 1921.
John B. Montgomery, Aspinwall, for the term of four years from June 1, 1921.
James F. Keenan, Pittsburgh, from July 19, 1922 until March 22, 1924.

TRUSTEES OF THE STATE ASYLUM FOR THE CHRONIC INSANE OF PENNSYLVANIA, AT WERNERSVILLE.

Joseph L. Lemberger, Lebanon, for the term of three years from June 12, 1921.
Edward E. Beidleman, Harrisburg, for the term of three years from June 12, 1921.
J. Howell Cummings, Philadelphia, for the term of three years from June 12, 1921.

TRUSTEE OF THE HARRISBURG STATE HOSPITAL.

B. F. Blough, Harrisburg, from September 13, 1922 until March 9, 1924.

TRUSTEES OF THE HOMEOPATHIC STATE HOSPITAL FOR THE INSANE, AT ALLENTOWN.

Harry C. Trexler, Allentown, for the term of three years from January 27, 1922.
E. M. Young, Allentown, for the term of three years from January 27, 1922.
Archibald Johnston, Bethlehem, for the term of three years from January 27, 1922.

TRUSTEES OF THE WESTERN STATE HOSPITAL FOR THE INSANE, AT FARVIEW.

E. B. Jermyn, Scranton, for the term of three years from June 1, 1921.
Joseph H. Graves, Stroudsburg, for the term of three years from June 1, 1921.
Fred T. Gelder, Forest City, for the term of three years from June 1, 1922.
Charles Kline, Allentown, for the term of three years from June 1, 1922.
James S. McAnulty, Scranton, for the term of three years from June 1, 1922.
Daniel R. Reese, Scranton, from July 3, 1922 until June 1, 1925.

TRUSTEES OF THE STATE HOSPITAL FOR THE INSANE OF THE SOUTHEASTERN DISTRICT OF PENNSYLVANIA, AT NORRISTOWN.

Clayton D. Fretz, Sellersville, for the term of three years from July 7, 1922.

TRUSTEES OF THE WESTERN STATE HOSPITAL FOR THE INSANE, NEAR BLAIRSVILLE.

Charles L. Snowden, Brownsville, for the term of three years from July 24, 1921.
Walter F. Stauffer, Scottdale, for the term of three years from July 24, 1921.
Henry M. Brackenridge, Pittsburgh, for the term of three years from July 24, 1921.
David McNaugher, Pittsburgh, for the term of three years from July 24, 1922.
John D. Walker, Johnstown, for the term of three years from July 24, 1922.
Grant Dibert, Pittsburgh, for the term of three years from July 24, 1922.

MEMBERS OF THE STATE BOARD FOR THE REGISTRATION OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

A. B. Clemens, Scranton, for the term of two years from August 10, 1921.
William C. McClellan, Philadelphia, for the term of three years from August 10, 1921.
Henry S. Drinker, Merion Station, Montg. Co., for the term of four years from August 10, 1921.
Richard L. Humphrey, Philadelphia, for the term of five years from August 10, 1921.
Samuel D. Foster, Pittsburgh, for the term of five years from August 10, 1922.

TRUSTEES OF THE STATE HOSPITAL FOR THE INSANE, AT DANVILLE.

Alexander Foster, Danville, for the term of three years from May 10, 1921.
Herbert T. Hecht, Danville, for the term of three years from June 4, 1921.
James L. Brennan, Exchange, for the term of three years from January 12, 1922.
Fred M. Sprout, Muncy, for the term of three years from September 4, 1922.

TRUSTEES OF THE STATE HOSPITAL FOR THE INSANE, AT WARREN.

B. H. Osborne, Franklin, for the term of three years from April 28, 1921.
A. M. Lowentritt, Oil City, for the term of three years from April 28, 1921.
A. Lincoln Bell, Ridgway, for the term of three years from April 28, 1921.
R. B. Stone, Bradford, for the term of three years from April 28, 1921.
Charles R. Galbraith, Franklin, for the term of three years from April 28, 1921.
George A. Reed, Erie, for the term of three years from April 28, 1921.
L. E. Chapman, Warren, from July 18, 1922 until April 28, 1924.
Nelson P. Wheeler, Endeavor, from July 26, 1922 until April 28, 1924.
Ralph W. Stone, Warren, from November 29, 1922 until April 28, 1924.

MANAGERS OF THE PENNSYLVANIA VILLAGE FOR FEEBLE MINDED WOMEN, AT LAURELTON.

Philip B. Linn, Lewisburg, for the term of three years from January 2, 1922.
(Mrs.) Elizabeth C. Birney, Philadelphia, for the term of three years from January 2, 1922.
(Mrs.) Margaret F. McClure, Lewisburg, for the term of three years from January 2, 1922.

TRUSTEES OF THE STATE INSTITUTION FOR FEEBLE MINDED OF EASTERN PENNSYLVANIA, AT SPRING CITY.

J. Hibbs Buckman, Philadelphia, for the term of three years from August 1, 1921.
J. Milton Lutz, Llanerch, for the term of three years from August 1, 1921.
J. Comly Hall, West Chester, for the term of three years from August 1, 1921.
J. Whitaker Thompson, Mont Clare, for the term of four years from August 1, 1922.
George W. French, Pottstown, for the term of three years from August 1, 1922.
Richard S. Dewees, Haverford, (Del. Co.,) for the term of three years from Auguust 1, 1922.

TRUSTEES OF THE STATE INSTITUTION FOR FEEBLE MINDED WESTERN PENNSYLVANIA. AT POLK.

Marshall Phipps, Franklin, for the term of three years from May 1, 1921.
F. H. Coursin, McKeesport, for the term of three years from May 1, 1921.
O. D. Bleakley, Franklin, for the term of three years from May 1, 1922.
Thomas J. Blair, Pittsburgh, for the term of three years from May 1, 1922.

TRUSTEE OF THE COTTAGE STATE HOSPITAL FOR INJURED PERSONS OF THE BITUMINOUS AND SEMI-BITUMINOUS COAL REGIONS OF PENNSYLVANIA, AT BLOSSBURG.

Joseph Eberlee, Westfield, from December 14, 1921 until annulled.

TRUSTEES OF THE COTTAGE STATE HOSPITAL FOR INJURED PERSONS OF THE BITUMINOUS AND SEMI-BITUMINOUS COAL REGIONS OF PENNSYLVANIA, AT PHILIPSBURG.

William Burns, Houtzdale, from December 6, 1921, until annulled.
Wm. R. Gallagher, Houtzdale, from July 15, 1922 until annulled.

TRUSTEE OF THE STATE HOSPITAL OF COALDALE, SCHUYLKILL COUNTY.

Jesse B. Warriner, Lansford, from June 29, 1921 until January 29, 1924.

TRUSTEES OF THE STATE HOSPITAL OF THE TREVORTON, SHAMOKIN AND MT. CARMEL COAL FIELDS OF PENNSYLVANIA.

Alexander Cooper, Trevorton, from May 20, 1921 until annulled.
Albert R. Harris, Mt. Carmel, from May 20, 1921 until annulled.

TRUSTEES OF THADDEUS STEVENS INDUSTRIAL SCHOOL OF PENNSYLVANIA.

Charles I. Landis, Lancaster, for the term of three years from June 12, 1921.
Frank B. McClain, Lancaster, for the term of three years from June 12, 1921.
Horace E. Kennedy, Lancaster, for the term of three years from June 12, 1921.
Graybill B. Long, Lancaster, for the term of three years from June 12, 1922.
A. C. Welchans, Lancaster, for the term of three years from June 12, 1922.
Charles F. Miller, Lancaster, for the term of three years from June 12, 1922.

MANAGER OF THE STATE INDUSTRIAL REFORMATORY AT HUNTINGDON.

M. H. Canan, Altoona, for the term of ten years from May 15, 1922.

MANAGERS OF THE STATE INDUSTRIAL HOME FOR WOMEN, AT MUNCY.

W. F. Brittain, Muncy, for the term of three years from March 3, 1922.
(Mrs.) Minnie E. Pepperman, Williamsport, from May 4, 1922 until March 3, 1925.
Charles L. Brown, Philadelphia, for the term of three years from March 3, 1922.

MEMBERS OF THE BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS.

William H. Staake, Philadelphia, the term of four years from May 28, 1921.
William M. Hargest, Harrisburg, for the term of four years from May 28, 1921.
Walter George Smith, Philadelphia, for the term of four years from May 28 ,1921.

MEMBER OF THE GENERAL GEORGE GORDON MEADE STATUE COMMISSION.

John E. Baker, York, from June 1, 1921 until annulled.

MEMBERS OF THE PENNSYLVANIA COMMISSION TO CONSTRUCT BRIDGE OVER DELAWARE RIVER CONNECTING PHILADELPHIA AND CAMDEN.

Richard Weglein, Philadelphia, from May 31, 1921 until annulled.
Samuel M. Vauclain, (Del. Co.), Philadelphia, from May 31, 1921 until annulled.
Clement B. Newbold, Jenkintown, from April 20, 1922 until annulled.

MEMBERS OF JOINT COMMISSION FOR THE ACQUISITION OF THE VARIOUS TOLL BRIDGES OVER THE DELAWARE RIVER BETWEEN PENNSYLVANIA AND NEW JERSEY.

Clarence J. Buchman, Langhorne, from May 31, 1921 until annulled.
Leon Schanno, Milford, from May 31, 1921 until annulled.

MEMBER OF THE SOLDIERS' BONUS COMMISSION.

Edward J. Stackpole, Jr., Harrisburg, from January 12, 1922 until annulled.

MEMBERS OF THE INDEPENDENCE CELEBRATION COMMISSION.

T. Larry Eyre, West Chester, from January 26, 1922 until annulled.
M. G. Leslie, Pittsburgh, from January 26, 1922 until annulled.
Charles W. Sones, Williamsport, from January 26, 1922 until annulled.
Samuel A. Whitaker, Phoenixville, from January 26, 1922 until annulled.
Hugh A. Dawson, Scranton, from January 26, 1922 until annulled.
J. Add Sprowls, Donora, from January 26, 1922 until annulled.
Thomas Robins, Philadelphia, from January 26, 1922 until annulled. (resigned).
Harry C. Trexler, Allentown, from January 26, 1922 until annulled .
B. Frank Jones, Pittsburgh, from January 26, 1922 until annulled.
F. M. Kirby, Wilkes-Barre, from January 26, 1922 until annulled.
Charles A. Ernst, Marcus Hook, from January 26, 1922 until annulled.
Mortimer B. Fuller, Scranton, from January 26, 1922 until annulled.
A. N. Diehl, Duquesne, from January 26, 1922 until annulled.
George R. Scull, Somerset, from January 26, 1922 until annulled.
Richard Wetherill, Chester, from January 26, 1922 until annulled.
Eugene Grace, Bethlehem, from January 26, 1922, until annulled.
R. B. Greer, Butler, from January 26, 1922 until annulled.
A. A. Corey, Jr., Johnstown, from January 26, 1922 until annulled.
George LeBoutillier, Harrisburg, from January 26, 1922 until annulled.
George McFadden, Philadelphia, from January 26, 1922 until annulled.
B. Dawson Coleman, Lebanon, from January 26, 1922 until annulled.
George F. Tyler, Philadelphia, from January 26, 1922 until annulled. (resigned).
Gabriella C. Gilbert, Harrisburg, from January 26, 1922 until annulled.

MEMBERS OF THE COMMISSION TO INVESTIGATE BATTLE FIELDS OF FRANCE AND BELGIUM AND TO SELECT POINTS FOR MONUMENTS, ETC.

Major General William G. Price, Jr., Chester, from August 17, 1921 until annulled.
Col. David J. Davis, Scranton, from April 17, 1921 until annulled.
Lieut. George H. Stewart, Jr., Shippensburg, from April 17, 1921 until annulled.
Major Timothy O. VanAlen, Northumberland, from August 17, 1921 until annulled.
Lt. Col. Samuel W. Fleming, Jr., Harrisburg, from August 17, 1921 until annulled.

MEMBERS OF THE COMMISSION FOR THE REORGANIZATION OF THE STATE GOVERNMENT.

George Woodward, Philadelphia, from November 23, 1921 until annulled.
Frank A. Smith, Harrisburg, from November 23, 1921 until annulled.
William J. McCaig, Pittsburgh, from November 23, 1921 until annulled.
John M. Flynn, Ridgway, from November 23, 1921 until annulled.
Lucy K. Miller, Pittsburgh, from November 23, 1921 until annulled.
Leonard P. Fox, Harrisburg, from November 23, 1921 until annulled.
Harry S. McDevitt, Philadelphia, from November 23, 1921 until annulled.

MEMBERS OF THE SNYDER-MIDDLESWARTH PARK COMMISSION.

Charles B. Witmer, Sunbury, from January 27, 1922 until annulled.
W. C. McConnell, Shamokin, from January 27, 1922 until annulled.
John I. Woodruff, Selinsgrove, from January 27, 1922 until annulled.
Isaac G. Seiler, Selinsgrove, from January 27, 1922 until annulled.
Thomas H. Harter, Bellefonte, from January 27, 1922 until annulled.
A. M. Aurand, Jr., Beaver Springs, from January 27, 1922 until annulled.
James Middlesworth, Troxelville, from January 27, 1922 until annulled.
George M. Shindle, Middleburg, from January 27, 1922 until annulled.
George W. Wagenseller, Middleburg, from January 27, 1922, until annulled.

MEMBERS OF THE PENNSYLVANIA STATE PARK AND HARBOR COMMISSION OF ERIE.

Marvin E. Griswold, Erie, for the term of four years from July 19, 1921.
Mrs. Charles H. Strong, Erie, for the term of four years from July 19, 1921.
William L. Morrison, Erie, from November 25, 1921 until July 19, 1925.

MEMBERS OF THE STATE FAIR COMMISSION.

S. S. Lewis, York, for the term of two years from August 11, 1921.

Charles G. Jordan, Volant, for the term of two years from August 11, 1921.

John A. Bell, Jr., Carnegie, for the term of three years from August 11, 1921.

John A. McSparran, Furniss, for the term of three years from August 11, 1921.

P. M. Sharples, West Chester, for the term of four years from August 11, 1921.

Harry F. Bovard, Greensburg, for the term of four years from August 11, 1921.

C. F. Fendrick, Mercersburg, for the term of four years from August 11, 1921.

MEMBER OF THE BOARD OF GAME COMMISSIONERS OF PENNSYLVANIA.

Henry Coulter, Greensburg, from December 21, 1922, until November 17, 1924.

WM. C. SPROUL.

MEMBERS BOARD OF MANAGERS PENNSYLVANIA VILLAGE FOR FEEBLE MINDED WOMEN, AT LAURELTON.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following:

O. W. H. Glover of Laurelton, Pa., as a member of the Board of Managers of the Pennsylvania Village for Feeble Minded Women, at Laurelton.

J. M. Murdock of Polk, Pa., as a member of the Board of Managers of the Pennsylvania Village for Feeble Minded Women, at Laurelton.

WM. C. SPROUL.

MEMBER BOARD OF TRUSTEES OF BLOSSBURG HOSPITAL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Frank H. Marvin, of Mansfield, Tioga County, for appointment as a Member of the Board of Trustees of the Blossburg State Hospital, vice Edward H. Ross, deceased.

WM. C. SPROUL.

RECESS.

Mr. BUCKMAN. Mr. President, I move that the Senate do not take a recess for ten minutes.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT PRO-TEMPORE (Mr. T. L. Eyre) in the chair. The time of recess having elapsed the Senate will be in order.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented communications in writing from his excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF RESOLUTION FOR APPOINTMENT OF INAUGURAL COMMITTEE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives, authorizing the President pro tempore of the Senate to appoint a committee of twelve Senators to act in conjunction with a committee of fifteen members of the House of Representatives to make the necessary arrangements for the inauguration, etc.

WM. C. SPROUL.

REASONS FOR PARDONS.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor to present the reasons for pardons granted by me from January 1, 1921 to January 1, 1923.

Respectfully yours,
WM. C. SPROUL.

(For reasons see Appendix.)

REPORT OF THE PENNSYLVANIA RAILROAD COMPANY.

The Chair cleared his table and laid before the Senate the seventy-fifth annual report of The Pennsylvania Railroad Company.

(For report see Appendix.)

STATEMENT OF THE SAVING FUND SOCIETY OF GERMANTOWN AND ITS VICINITY.

Also, sixty-seventh annual statement of the Saving Fund Society of Germantown and its vicinity.

(For report see Appendix.)

REPORT OF THE PHILADELPHIA SAVING FUND SOCIETY.

Also the report of The Philadelphia Saving Fund Society for the year 1921.

(For report see Appendix.)

REPORT OF THE LEHIGH COAL AND NAVIGATION COMPANY.

Also, the report of The Lehigh Coal and Navigation Company for the year 1921.

(For report see Appendix.)

INAUGURAL COMMITTEE.

The PRESIDENT. The Chair announces the following Inaugural Committee: The Senator from Dauphin, Mr. Smith, the Senator from Franklin, Mr. Long, the Senator from Philadelphia, Mr. Patton, the Senator from Allegheny, Mr. McClintock, the Senator from Delaware, Mr. MacDade, the Senator from Berks, Mr. Norton, the Senator from Luzerne, Mr. Joyce, the Senator from Westmoreland, Mr. Weaver, the Senator from Beaver, Mr. Craig, the Senator from Schuylkill, Mr. Heaton, the Senator from Mifflin, Mr. Culbertson, and the Senator from Lycoming, Mr. Sones.

ADJOURNMENT.

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn.

Mr. VARE. Mr. President, I second the motion,

The motion was agreed to.

The Senate adjourned at 3:33 P. M. until 9:00 o'clock, Monday evening, January 15, 1923.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 2, 1923.

The hour of twelve o'clock having arrived, Hon. Thomas H. Garvin, Chief Clerk of the House of Representatives, called the members-elect to order and announced, that

This being the day fixed by the Constitution for the meeting of the General Assembly, and a number of ladies and gentlemen elected members of the House of Representatives sufficient to constitute a quorum being present, the body will come to order.

PRAYER.

The Chaplain, Rev. W. H. Feldmann, offered the following prayer:

O God of love, liberty and light, unto Thee would we ascribe all the majesty, honor, power and might. To Thee do we come acknowledging that every good and perfect gift must flow from Thy beneficient hand and unto Thee with whom there is no variableness or shadow of turning do we come at the opening of this legislative session and ask Thee to pour down upon those who will here assume such high and sacred trusts, blessings, power, courage and wisdom; likewise, wisdom and tenacity of purpose, and that everything that may be wholesome and good and everything that may be useful and wise may be enacted for the blessings of the people of this Commonwealth. We ask Thee that Thou wilt so lead and guide and order the affairs of men that in all cases or circumstances they will bring to us the glory and the honor and the blessings that we need so much. Look Thou down, we pray Thee, upon our land. Let it be favored by Thee and may those faults which we possess be chastened and removed and may the virtues with which Thou hast endowed us be accentuated and more pronounced than ever before. Look down, we pray Thee, in blessing upon the Chief Executive of this land. Let Thy blessing rest upon him who is at the head of this Commonwealth; look Thee down upon all the peoples of all the earth and from Thee may there come a better day and a better spirit of love and fraternity which shall make the earth to blossom as a rose. Amen.

THE SECRETARY OF THE COMMONWEALTH PRESENTS RETURNS OF ELECTION OF MEMBERS.

The Secretary of the Commonwealth, being introduced, stated that, pursuant to the provisions of the eighty-eighth section of the Act of July 2, 1839, entitled, "An Act relative to elections in this Commonwealth," he presented to the House of Representatives the returns of the election for members held on November 7, 1922.

OPENING OF RETURNS.

Mr. ARMSTRONG a member-elect offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the returns of the election be opened and read.

The said returns were opened and read as follows:

REPRESENTATIVES IN THE GENERAL ASSEMBLY.

ADAMS COUNTY.

M. E. Knouse, R., ... 3,916
Grover C. Myers, D., .. 4,811
Scattering, ... 1

ALLEGHENY COUNTY.

1st Dist.—
Joseph R. Lynch, R., 3,636
Joseph C. Marcus, R., 3,378
W. Frank Hull, D., .. 1,226
James J. Powell, D., 692
James V. Alcott, S., .. 236
Max Lutsky, S., ... 128
I. Haltman, Workers, 43
I. Harris, Workers, .. 55
Scattering, ... 6

2nd Dist.—
William J. McCaig, R., 5,566
William F. McCann, R., ... 5,418
Francis A. Vogel, D., 1,611
Lawrence A. Wiseman, D., ... 1,564
Julius Demar, S., ... 295
Harry Miller, S., ... 286
W. M. DeVinney, P., 215
H. Rea Garber, P., 182
M. Goss, ... 1

3d Dist.—
James J. Coyne, R., 3,657
Lawrence P. Keenan, D., ... 1,775
Louis Finn, S., ... 247
Scattering, ... 2

4th Dist.—
Edward B. Goehring, R., ... 6,249
William Loxterman, D., ... 1,669
A. F. Martin, S., ... 179
W. B. Lauten, P., ... 314
Wilson McClintock, . 1

5th Dist.—
William I. Goss, R., ...5,986
William I. Goss, P., ... 484
6,470
Clarence R. Strothers, D., ... 2,366
M. Dardaux, S., ... 294
Scattering, ... 3

6th Dist.—
William T. Bell, R., 8,775
William J. Mangan, R., ... 8,198
George H. Soffel, R., 8,687
John C. Davis, D., .. 3,218
John P. Hanley, D., 3,417
Daniel E. Hogan, D., 4,070
Jacob Maust, S., ... 790
H. E. Springer, S., .. 823
Frank Van Essen, S., 995
J. W. Fulman, P., .. 804
Emma N. Rendleman, P., ... 718
Samuel Seriff, P., .. 588
Scattering, ... 5

7th Dist.—
Daniel A. Malie, R., 5,326
James Wettach, R., 5,230
F. M. Adrian, D., .. 1,304
Christ J. Estel, D., 1,290
Emil Limbach, S., .. 389
Reinhold Werner, S., 338
Earl Altvater, Workers, ... 96
L. Novak, Workers., 78

8th Dist.—
Harry A. Little, R., 5,792
William Wirt Stoner, R., ... 5,133
Peter J. DeMuth, D., 1,634
Joseph G. Richardson, D., ... 1,544
Alfred Leach, S., ... 391
John C. Sunday, S., 340
Anton Horvat, Workers, ... 84
Wm. I. Goss, ... 1

9th Dist.—
Clifton L. Kelly, R., ... 3,095
Clifton L. Kelly, S., ... 339
Clifton L. Kelly, P., ... 210
3,644
Edward J. McGinness, D., ... 1,000
Thos. R. Dixon, Ind., 736
Scattering 2

10th Dist.—
James H. McClure, R., 9,767
Samuel J. McKim, R., ... 9,588
Samuel J. McKim, P., ... 1,341
10,929
B. H. Patterson, R., 8,605
Arthur Storer, R., 8,813
Arthur Storer, P., 1,261
10,074
J. H. Anderson, D., 4,033
John P. Tarr, D., .. 3,518
William H. Waugaman, D., ... 4,249
Walter G. Winnenberg, D., ... 3,190
Morris Adler, S., .. 1,591
George W. Bush, S., 1,594
Charles A. Fike, S., 1,463
John T. Lees, S., .. 1,362
Joseph N. Huston, P., 2,814
James R. Laughlin, P., ... 1,504
Scattering, ... 5

11th Dist.—
C. J. McBride, R., 3,921
C. J. McBride, S., 540
4,461
Jerry M. Williams, R., ... 2,911
William H. Bright, D., ... 2,863
Roy A. Kaufman, S., 999
Scattering, ... 18

12th Dist.—
Helen Grimes, R., .. 9,658
Frank H. Kennedy, R., ... 9,111
Frank H. Kennedy, P., ... 773
9,884
Gwilym A. Price, R., ... 8,254
Gwilym A. Price, P., ... 675
8,929
Joseph G. Steedle, R., 8,828
John Bourke, D., ... 3,812
Thomas J. Higgins, D., ... 3,198
John C. McMichael, D., ... 3,158
Charles C. Ward, D., 2,962
Rose Coleman, S., .. 1,281
Albert M. Rauber, S., 1,143
William Rinkhoff, S., 1,063
Frederick Thompson, S., ... 1,097
William Armstrong, P., ... 1,706
Garnet R. Speer, P., 1,969
Scattering, ... 6

13th Dist.—
Nelson McVicar, P., ... 10,841
Nelson McVicar R., ... 556
11,397
John W. Vickerman, R., ...10,461
John W. Vickerman, P., ... 643
11,104
Martin F. Howley, D., 3,731
Charles P. Shenot, D., 3,349
Andreas C. Graul, S., 775
Pierre M. Leisch, S., 686
Scattering, ... 7

ARMSTRONG COUNTY.

Charles F. Armstrong, R., ... 5,232
Charles F. Armstrong, P., ... 308 — 5,540
Harry E. Himes, R., 5,312
Harry E. Himes, P., 343 — 5,655
A. O. Lessig, D., ... 2,641
Edwin C. Snyder, D., 2,623
Samuel F. Booher, S., .. 233
Homer Pool, S., ... 216

BEAVER COUNTY.

1st Dist.—
Allen B. Dunn, R., ... 2,370
Allen B. Dunn, S., ... 190 — 2,560
Edward J. Schleiter, D., ... 2,671
George Sewell, P., .. 285
2nd Dist.—
Clarence D. Frazier, R., ... 3,933
Clarence D. Frazier, S., ... 303
Clarence D. Frazier, P., ... 302 — 4,538
John G. Marshall, R., ... 3,825
John G. Marshall, P., ... 343
John G. Marshall, ... 1 — 4,169
Joseph W. Bryan, D., ... 2,092
Henry H. Wilson, D., ... 2,238
Harry B. Richardson, S., ... 483

BEDFORD COUNTY.

J. Anson Wright, R., .. 4,559
John T. Matt, D., 3,834
John T. Matt, P., 123 — 3,957
Allan Eichelberger, S., 93

BERKS COUNTY.

1st Dist.—
Paris E. Eaches, R., 6,915
Ernest B. Posey, R., 6,727
J. Milton Miller, D., 5,697
John A. Rieser, D., 6,201
Walter R. Hollinger, S., ... 4,817
James H. Maurer, S., 5,266
2d Dist.—
William K. Young, R., 3,250
Orville C. Eshelman, D., ... 3,579
Elwood Leffler, S., 372
Margaret Mae Mohn, P., ... 110
3d Dist.—
Ralph E. Schoener, R., ... 1,379
Ralph E. Schoener, D., ... 4,686 — 6,065
David W. Kline, S., .. 91
B. Morris Strauss, P., ... 70
Jeremiah R. Rothermel, ... 21
4th Dist.—
Wilson G. Sarig, R., ...1,823
Wilson G. Sarig, D., ... 5,770 — 7,593
Charles R. Yerger, S., ... 343

BLAIR COUNTY.

1st Dist.—
Fred A. Bell, R., 4,108
Fred A. Bell, P., 143 — 4,251
Walter I. Ettleman, D., ... 2,854
H. F. Fleck, S., ... 147
Frank J. Schmidhamer, L., ... 1,432
2nd Dist.—
Samuel McCurdy, R., ... 4,381
Samuel McCurdy, D., ... 2,373
Samuel McCurdy, S., ... 444
Samuel McCurdy, P., ... 279
Samuel McCurdy, L., ... 626 — 8,553
Simon F. Zook, R., ... 4,763
Simon F. Zook, P., ... 350 — 5,113
Richard Rinn, D., ... 2,724
Richard Rinn, S., ... 415
Richard Rinn, L., ... 1,099 — 4,238

BRADFORD COUNTY.

Louis Piollet, R., ... 4,689
Charles M. Driggs, D., 4,771
Charles P. Dewey, P., 2,530

BUCKS COUNTY.

W. Albertson Haines, R., ... 9,900
William H. Weamer, R., ... 9,641
A. Frederick Scheetz, D., 6,990
W. Jacob Wyant, D., 6,697

BUTLER COUNTY.

Gertrude MacKinney, R., ... 5,408
Gertrude MacKinney, S., ... 374
Gertrude MacKinney, P., ... 696 — 6,478
George I. Woner, R., ... 5,398
George I. Woner, P., ... 758 — 6,156
Floyd Hartzell, D., ... 5,503
Henry B. Keister, D., .. 3,299

CAMBRIA COUNTY.

1st Dist.—
J. Ross Horne, R., ... 4,574
J. Ross Horne, P., ... 209 — 4,783
M. Z. Smith, R., 4,418
M. Z. Smith, P., 194 — 4,612
William J. Gompers, D., ... 3,984
William J. Gompers, S., ... 364
William J. Gompers, U., ... 47 — 4,395
Frank E. Korns, D., ... 4,417
Frank D. Korns, S., ... 374
Frank D. Korns, U., ... 58 — 4,849
Scattering, ... 2
2d Dist.—
Isaac M. Chaplin, R., 8,936
Sarah M. Gallaher, R., ... 8,162
Sarah M. Gallaher, P., ... 656 — 8,818
William H. Smith, R., 8,296
William H. Smith, P., 470 — 8,766
William A. Callan, D., ... 6,166
William A. Callan, U., ... 280 — 6,446
Patrick McDermott, D., ... 5,696
Patrick McDermott, S., ... 732
Patrick McDermott, L., ... 2,315
Patrick McDermott, U., ... 102 — 8,845
Joseph Washington, D., ... 5,573
Joseph Washington, S., ... 678
Joseph Washington, L., ... 2,246
Joseph Washington, U., ... 93 — 8,590
Anselm B. Kirsch, S., ... 716
Anselm B. Kirsch, L., ... 2,211 — 2,927
William G. Griffith, P., 1,168
Scattering, ... 3

CAMERON COUNTY.

C. Jay Goodnough, R., ... 834
C. Jay Goodnough, P., ... 64 — 898
William F. Schweikart, D., ... 719

CARBON COUNTY.

William J. Hatrick, R., 5,997
William D. Hontz, D., 7,238
Charles P. O'Donnell, S., ... 252

CENTRE COUNTY.

Thomas B. Beaver, R., ... 5,463
Thomas B. Beaver, P., ... 126 — 5,589
Zoe Meek, D., ... 5,400

CHESTER COUNTY.

1st Dist.—
William W. Long, R., 3,898
J. Hays Turner, D., 3,360
William Long, P., 146
2d Dist.—
Martha G. Thomas, R., ... 8,452
Martha G. Thomas, P., ... 406 — 8,858
Samuel A. Whitaker, R., 7,997
Jean Kane Foulke Browne, D., ... 6,477
Eugene McCabe, D., ... 5,136
Frank R. Glisson, P., ... 623

CLARION COUNTY.

Joseph G. MacMillan, R., 3,056
W. F. Marshall, D., ... 3,880
W. F. Marshall, S., 94 — 3,974
James F. Beattie, Jr., P., 257

CLEARFIELD COUNTY.

1st Dist.—
Charles B. Jones, R., ... 3,840
Charles B. Jones, S., ... 157 — 3,997
Alex McMullen, D., .. 3,662
G. Albert Stewart, P., 650
2d Dist.—
Donald D. Miller, R., ... 2,522
Donald D. Miller, S., ... 254
Donald D. Miller, P., ... 391 — 3,167
W. Haley Betts, D., ... 3,179
W. H. Betts, ... 2

CLINTON COUNTY.

Edward P. Jones, R., 2,617
Edward P. Jones, S., 346
Edward P. Jones, P., ... 220
3,183
Albert C. Teyling, D., 2,911

COLUMBIA COUNTY.

Clarence E. Kreisher, R., 4,206
T. C. Harter, D., ... 5,341
Chas. A. Shaffer, P., ... 1,055

CRAWFORD COUNTY.

Alice M. Bentley, R., ... 5,699
Alice M. Bentley, P., ... 871
6,570
C. W. Williams, D., ... 5,615
William F. Euler, S., .. 305
Scattering, ... 2

CUMBERLAND COUNTY.

George H. Stewart, Jr., R., ... 7,190
George H. Stewart, Jr., P., ... 285
7,475
Allen J. Stevens, D., ... 10,794
Allen J. Stevens, S., ... 120
10,914

DAUPHIN COUNTY.

1st Dist.—
Herman A. Earley, R., 9,624
John A. F. Hall, R., 9,999
David E. Brightbill, D., ... 7,997
David E. Brightbill, P., ... 418
8,415
J. Douglass M. Royal, D., ... 8,568
J. Douglass M. Royal, P., ... 503
9,071
Amos C. Groff, S., ... 247
William C. Toomey, S., ... 238
Scattering, ... 2

2d Dist.—
Charles C. Baker, R., ... 7,300
Charles C. Baker, P., ... 229
7,529
Lawrence A. Hetrick, R., ... 6,825
Lawrence A. Hetrick, P., ... 235
7,060
James J. Coleman, D., 6,962
Charles E. Whitman, D., 6,586
Fred E. Boddorff, S., 511
Philip Crawley, S., .. 1,793
Paul A. Strickler, ... 1

DELAWARE COUNTY.

1st Dist.—
Walter H. Craig, R., 3,713
John E. McDonough, D., ... 1,398
Clara A. Hendrick, P., 229
2d Dist.—
William C. Alexander, R., ... 14,046
Harry H. Heyburn, R., ... 13,344
W. Howard Metcalf, R., ... 14,705

Florence L. Dornblaser, D., ... 6,408
Arthur B. Griffith, D., 4,636
Albert B. Maris, D., ... 4,948
DeHaven Baker, S., ... 345
S. D. Kreger, S., ... 313
Thomas Magee, S., ... 291
Hannah B. Hannum, P., 939
M. Bertha Lyster, P., .. 641
Edwin L. Palmer, P., .. 725

ELK COUNTY.

John M. Flynn, P., 148
John M. Flynn, D., 1,169
John M. Flynn, S., 90

John M. Flynn, P., ... 148
5,297
Scattering, ... 28

ERIE COUNTY.

1st Dist.—
William L. Morrison, R., ... 3,631
William L. Morrison, P., ... 163
3,794
J. Reed Craig, D., ... 1,671
W. J. Jerman, S., ... 359
2d Dist.—
Joseph M. Schilling, R., ... 2,153
Joseph M. Schilling, D., ... 1,365
3,518
Wm. Jerman, S., ... 352
Carlton M. Randall, P., ... 620
Scattering, ... 2

3d Dist.—
Laverne H. Raymond, R., ... 3,038
Laverne H. Raymond, P., ... 552
3,590
Cassius L. Alexander, D., ... 1,108
Laverne Raymond, S., ... 91
4th Dist.—
Frederick W. Blair, R., ... 3,233
Frederick W. Blair, P., ... 346
3,579
Charles P. Heintz, D., ... 976
Charles P. Heintz, S., ... 159
1,135

FAYETTE COUNTY.

1st Dist.—
William J. Burchinal, R., ... 3,510
William J. Burchinal, P., ... 153
3,663
Ephraim S. Tyler, D., ... 3,259
Ephraim S. Tyler, S., ... 360
3,619
2d Dist.—
Joseph K. Bush, R., 8,415
Joseph B. Henderson, R., ... 8,510
Joseph B. Henderson, P., ... 359
8,869

Emmitt J. McDaniel, R., ... 7,911
Willis D. Colborn, D., ... 6,428
Willis D. Colborn, P., ... 311
6,739
Reuben Howard, D., ... 6,485
Bente S. Luce, D., ... 6,859
Martha Coldren Croushore, S., ... 1,124
Charles S. Gause, S., .. 1,148
Frank Lape, S., ... 1,133
William H. Bryan, P., 562
John J. Linney, U. I., .. 295
Wilbur R. Sherrer, U.I., 189
John A. Shutsy, U. I., 185

FOREST COUNTY.

Alexander R. Wheeler, R., ... 764
Alexander R. Wheeler, S., ... 34
Alexander R. Wheeler, ... 8
806
William H. Taylor, D., ... 476
William H. Taylor, P., ... 198
674

FRANKLIN COUNTY.

Benjamin F. Blubaugh, R., ... 6,297
Charles D. Minehart D., 6,790
Amos B. Lehman, S., .. 82

FULTON COUNTY.

Geo. A. Comerer, R., 1,159
Norris E. Hoover, D., 1,854
Scattering, ... 1

GREENE COUNTY.

C. W. Parkinson, R., 3,857
Floyd W. Patterson, D., 3,479
Floyd Patterson, P., ... 68

HUNTINGDON COUNTY.

Charles C. Brewster, R., ... 3,798
Charles C. Brewster, P., ... 135
3,933
G. W. Seiber, D., ... 2,249
Harry M. Putt, I., ... 170
Clifford McCartney, L., 274
Scattering, ... 1

INDIANA COUNTY.

Charles R. Griffith, R., ... 4,845
Charles R. Griffith, S., ... 267
5,112
Elder Peelor, R., ... 5,471
Walter M. Blose, D., ... 2,131
Ernest Kinsey, D., ... 2,938
Harry E. Allison, S., .. 470
Will A. Dible, P., ... 808
C. L. Graff, P., ... 652

JEFFERSON COUNTY.

Charles H. Irvin, R., ... 5,020
Charles H. Irvin, D., ... 3,130
Charles H. Irvin, P., ... 260
Charles H. Irvin, 239
8,649
F. S. Goldthwaite, S., 1,005
Scattering, ... 6

JUNIATA COUNTY.

James T. Sterrett, R., 1,537
Henry I. Lauver, D., 1,860
Henry Lauver, P., ... 35

LACKAWANNA COUNTY.

1st Dist.—
David Fowler, R., ... 4,818
David Fowler, P., ... 53
4,871
Andrew Hagerty, D., 2,248
2d Dist.—
A. I. Fowler, R., ... 3,914
A. I. Fowler, P., ... 150
4,064
Thomas Joseph Cavanaugh, D., ... 3,362
3d Dist.—
W. Edwin Huber, R., 4,499
Edward J. Maloney, D., 2,213

4th Dist.—
Elmer E. Slocum, R., 3,439
Thomas F. O'Boyle, D., 5,366
5th Dist.—
Andrew Mitchell, Jr., R., ... 4,649
Andrew Mitchell, Jr., P., ... 131
4,780
William Munley, D., 5,472
6th Dist.—
Walter W. Kohler, R., ... 4,785
Walter W. Kohler, D., ... 507
5,292
David F. Davis, P., 532

LANCASTER COUNTY.

1st Dist.—
Scott W. Baker, R., 10,094
Charles M. Howell, D., 9,797
Charles M. Howell, L., 1,216
11,013
Berdina Trout, S., 51
2d Dist.—
Thomas J. Brown, R., 23,343
G. Graybill Diehm, R., 23,350
Norman Wood, R., 23,061
Walter N. Keylor, D., 15,321
Walter N. Keylor, L., 2,460
17,781
John H. Ostertag, D., 15,327
John H. Ostertag, L., 2,445
17,772
Harry E. Trout, D., 15,204
Harry E. Trout, L., 2,498
17,702

LAWRENCE COUNTY.

1st Dist.—
William J. Moffat, R., 3,209
William J. Moffat, P., 249
3,458
Sarah Steen, D., 1,106
George Lewis, S., 371
2nd Dist.—
David J. Jones, R., 3,116
David J. Jones, P., 636
3,752
Norman A. Craig, D., 1,418

LEBANON COUNTY.

Ralph H. Behney, R., 4,783
John H. Bennetch, D., 4,320
Geo. Steiner, S., 161

LEHIGH COUNTY.

1st Dist.—
Robert E. Haas, R., 6,216
Harry J. Smith, R., 6,143
Frank A. Michael, D., 5,000
Oliver T. Weaber, D., 4,366
Henry W. Schlegel, S., 408
Wayne R. Witmer, S., 250
O. T. Weaber, P., 175
2nd Dist.—
Howard E. Mantz, R., 6,278
Albert E. Rinn, D., 6,469
Henry C. Handwerk, S., 361
Scattering, 4

LUZERNE COUNTY.

1st Dist.—
Christian Miller, R., 4,514
Christian Miller, D., 3,215
Christian Miller, S., 232
Christian Miller, P., 78
8,039
2nd Dist.—
J. R. Fox, R., 3,012
Michael J. Gorham, D., 4,333
Charles J. Morris, P., 164
Charles J. Morris, S., 206
370
3d Dist.—
William H. Martin, R., 4,515
Thomas Sheridan, D., 5,266
Roy A. Mead, S., 235
4th Dist.—
Lyman J. Vandermark, R., 3,678
Lyman J. Vandermark, S., 280
Lyman J. Vandermark, P., 103
4,061
John E. Stavitski, D., 5,221
5th Dist.—
Joseph H. Schwartz, R., 3,446
Joseph H. Schwartz, D., 2,717
Joseph H. Schwartz, S., 125
6,288
William G. Pauxtis, P., 840
6th Dist.—
Lorenzo D. Thomas, R., 4,714
Lorenzo D. Thomas, P., 472
5,186
Martin Gordon, D., 2,520
Henry E. Miller, S., 348
7th Dist.—
Richard Aston, R., 6,239
Richard Aston, P., 108
6,347
James Gibbon, R., 5,586
James Gibbon, D., 3,108
James Gibbon, S., 99
8,793
James W. Brislin, D., 4,242
William A. Mann, S., 1,314
William A. Mann, Prog. F. L., 1,314
2,628
Irvin S. Gloman, P., 617

LYCOMING COUNTY.

Charles F. Bidelspacher, R., 5,927
Charles F. Bidelspacher, P., 1,106
7,033
Warren Clyde Harer, R., 5,647
Warren Clyde Harer, P., 1,105
6,752
Wilson A. Evert, D., 6,357
Samuel W. H. Waltz, D., 5,553
Harry R. Billman, S., 594
W. A. Hall, S., 467

McKEAN COUNTY.

Oscar E. Gustafson, R., 3,802
Maxwell J. Moore, D., 3,227
Maxwell J. Moore, P., 931
4,158
Oscar Gustafson, S., 147
Scattering, 1

MERCER COUNTY.

H. LeRoy Anderson, R., 6,629
H. LeRoy Anderson, P., 1,135
7,764
William D. Sample, R., 6,283
William D. Sample, S., 361
6,644
Charles M. Miller, D., 4,558
W. G. Smith, D., 4,463
W. G. Smith, P., 1,224
5,687
Irwin F. Stoyer, S., 454

MIFFLIN COUNTY.

Joseph H. Hollis, R., 2,295
Joseph H Hollis, S., 78
2,373
B. P. Steele, D., 1,869
James W. Mitchell, P., 132

MONROE COUNTY.

Alvin O. Sieg, R., 2,047
Chester H. Rhodes, D., 4,934
Leo Achterman, P., 127

MONTGOMERY COUNTY.

1st Dist.—
Benjamin H. Ludlow, R., 4,862
Anton E. Wohlert, D., 1,639
Scattering, 1
2nd Dist.—
George M. Fratt, R., 4,773
George M. Fratt, P., 12
4,785
Albert K. Kneule, D., 2,063
Scattering, 1
3d Dist.—
Burd P. Evans, R., 13,017
David Orr, R., 12,734
John W. Storb, R., 12,658
Clinton S. Dougherty, D., 7,257
Frank F. Sowers, D., 7,394
John W. Wolfgang, D., 7,226
Frank Q. Beam, S., 459
Thomas W. Fryer, S., 444
Edwin S. Orr, S., 479
Minnie S. Just, P., 484
Ellwood Land, P., 286
Annie Richards, P., 305
Scattering, 6

MONTOUR COUNTY.

J. Beaver Gearhart, R., 1,550
J. Beaver Gearhart, P., 35
1,585
Sharpless M. Dietz, D., 2,146
Sharpless M. Dietz, S., 14
2,160

NORTHAMPTON COUNTY.

1st Dist.—
Daniel J. Randall, R., 1,843
F. J. Donahoe, D., 2,324
Horace Houtz, S., 103
2nd Dist.—
John N. Hoffman, R., 8,468
Irwin P. Richards, R., 7,794
Titus M. Ruch, R., 7,757
Wilmer Albert, D., 9,705
Irwin N. Johnson, D., 9,590
Robert A. Stofflet, D., 9,422

NORTHUMBERLAND COUNTY.

1st Dist.—
Timothy O. Van Alen, R., 3,954
Charles C. Bauman, D., 3,795
O. O. St. Clair, S., 130
Eva M. Knauer, P., 414
2nd Dist.—
Thomas G. Rasbridge, R., 5,687
William W. Robertson, R., 5,231
John J. Boback, D., 7,162
John N. Mack, D., 6,634
James Mansfield, S., 456
J. C. Snyder, S., 449

PERRY COUNTY.

James L. Snyder, R., 2,715
James L. Snyder, P., 37
2,752
J. G. H. Rippman, D., 2,969
Charles L. Johnson, Ind. Protest, 1,276
Scattering, 4

PHILADELPHIA COUNTY.

1st Dist.—
Thomas F. McGowan, R., 16,062
Martha G. Speiser, R., 15,884
Lois C. Byrne, D., 2,196
Stephen Ianzito, D., 2,170
Samuel Auerbach, S., 414
Michael Mazer, S., 393
Geo. Crease, 11
2nd Dist.—
Charles C. A. Baldi, Jr., R., 4,983
Frank P. J. Malone, D., 180
J. Lessman, S., 27
3rd Dist.—
Arnold M. Blumberg, R., 8,681

PHILADELPHIA COUNTY, (Continued.)

Arnold M. Blumberg, D., ... 8,987 — 17,668
Henry R. Nolte, R., 8,587
Max D. Leiber, D., 401

4th Dist.—
James V. Lafferty, R., ... 4,129
Virginia M. Elder, D., ... 835

5th Dist.—
Alfred F. Allman, R., 19,399
C. Walter Glasgow, R., ... 19,285
John J. Guerin, R., 19,156
William P. Carrigan, D., ... 4,977
Edward J. Henry, D., 4,895
Agnes Williams, D., 4,790
Leon Gains, S., ... 403
Wilhelmine Nelson, S., 353
Herbert Wood, S., .. 325

6th Dist.—
Andrew F. Stevens, R., ... 6,252
B. Henry, D., ... 268
George Cohen, S., .. 25

7th Dist.—
John C. Asbury, R., .. 4,765
Sarah A. McGovern, D., ... 954
Alfred E. Scott, S., 21

8th Dist.—
Joshua Evans, R., .. 10,467
Jefferson W. Smith, R., 10,584
Frank M. O'Brien, D., 827
James F. Roney, D., .. 603
Israel Coltinas, S., .. 64
Philip J. Hameter, S., 54

9th Dist.—
Herman Dilsheimer, Sr., R., ... 3,808
Herman Dilsheimer, Sr., D., ... 289 — 4,097

10th Dist.—
Richard D. Burns, R., ... 6,207
Alexander Colville, R., ... 5,988
Mary C. Eagan, D., 1,673
John J. O'Toole, D., 1,906
Temple S. Bates, S., 101
John J. McDermott S., 124

11th Dist.—
Philip M. Myers, R., 5,894
William Sheridan, D., 1,564
Louis Eichom, S., 131

12th Dist.—
John E. Arthur, R., .. 7,429
Harry Keene, R., ... 7,383
Joseph B. Green, D., 2,117
Robert Riley, D., ... 2,016
Mary Ollruck, S., .. 267
Christian Sauer, S., 254

13th Dist.—
Joseph Marcus, R., .. 9,508
Clinton A. Sowers, R., 9,480
Christopher Hoellein, D., ... 1,077
Harry E. Somers, D., 945
Clara R. Patterson, S., ... 262
Isidore Polstein, S., .. 222

14th Dist.—
Wallace Bromley, R., 4,422
Thomas Martin, D., .. 1,721
Henry Thomas, S., .. 94
Wm. Hamilton, ... 1

15th Dist.—
Franklin Spencer, Edmonds, R., ... 21,388
Franklin Spencer, Edmonds, P., ... 319 — 21,707
Howard Smith, R., 20,243
Mary E. Hunsicker, D., .. 4,917
Mary E. Hunsicker, Voters League, ... 250 — 5,167
Paul Reilly, D., 4,324
Paul Reilly, Voters League, 82 — 4,406
Charles E. Develin, S., ... 511
Thomas F. Lester, S., ... 464
John V. Cummins, P., 374

16th Dist.—
James A. Dunn, R., ... 8,788
James A. Dunn, P., ... 132 — 8,920
John Zimmerman, D., 2,496
Harry Doerfel, S., .. 260
Charles Burgin, Voters League, ... 236
Eugene McGill, Welfare, ... 35
Scattering, ... 3

17th Dist.—
Rosa S. de Young, R., ... 19,927
Benjamin H. Fields, R., ... 21,200
James J. Heffernan,
Theodore F. Bergerson, D., ... 6,307
John J. Brogan, D., .. 7,544
John S. Dwyer, D., .. 6,579
Barnet Kerman, S., .. 513
Miriam Savitski, S., .. 450
Marie W. Wannemacher, S., ... 481
Catherine D. Ealer, P., ... 949
W. C. Haughleton, P., 520
William T. Wallace, P., ... 1,016
Scattering, ... 4

18th Dist.—
Harry Greeby, R., .. 10,181
Samuel J. Perry, R., 10,106
Edward Effert, D., .. 2,239
James T. Rogan, D., 2,180
Fred Bubeck, S., ... 299
William Huplitz, S., 256
A. Millen, ... 1

19th Dist.—
Edward Haws, R., .. 9,110
Samuel Lucas, R., .. 8,776
Sarah Hildwine, D., .. 3,037
Martin L. Martin, D., 3,112
John A. Hauckenselfer, S., ... 441
Abraham A. Kantor, S., ... 429
Arthur R. B. Fox, P., 286
Lena A. Meener, P., .. 159

20th Dist.—
Patrick Conner, R., ... 10,072
Patrick Conner, D., ... 1,669 — 11,741
John H. Drinkhouse, R., ... 10,007
Michael J. Power, D., 2,069
Milton Aronson, S., .. 201
Wm. Rush, S., ... 170
A. R. Cunningham, . 1

21st Dist.—
Jacob Mathay, R., .. 22,627
Lillie H. Pitts, R., .. 21,937
Edward J. Davis, D., . 6,752
Abraham E. Hurshman, D., ... 6,283
Isaac Lindsett, S., .. 530
Charles Lippke, S., .. 477
George W. Coyle, P., . 758
Rudolph Kornbau, P., 413
Franklin Edmonds, . 1

22d Dist.—
Benjamin L. Golder, R., ... 5,382
James T. Walsh, D., .. 1,787
Wm. Cohen, S., ... 149
Scattering, ... 2

23d Dist.—
Albert S. C. Millar, R., 7,594
David B. Hamilton, D., 2,632
Leo Keim, S., ... 254
John M. Ledlie, ... 1

24th Dist.—
Christian Sautter, R., 7,500
Daniel O'Donnell, D., 2,005
Paul Bilfuss, S., ... 491

25th Dist.—
Thomas Bluett, R., .. 6,110
William S. Apple, D., 2,253
John Miller, S., ... 470
A. Coley, ... 1

26th Dist.—
Philip Sterling, R., .. 4,255
Henry L. Quiring, D., 1,703

PIKE COUNTY.

Walter R. Shannon, R., 991
Edward B. Labar, D., .. 1,650
Julius W. Kiesel, S., ... 30

POTTER COUNTY.

J. Walter Wells, R., .. 2,531
William C. White, D., .. 2,197
William H. Curtis, S., . 107
James G. Covey, P., ... 191

SCHUYLKILL COUNTY.

1st Dist.—
Adam C. Schaeffer, R., 5,937
Patrick O'Brien, D., . 5,544
Philip Posessky, S., . 410

2d Dist.—
Charles W. Staudenmeier, R., ... 4,061
Daniel H. Brennan, D., 3,907

3d Dist.—
Jacob Berger, R., ... 4,235
John Macaluso, D., .. 2,733

4th Dist.—
Joseph M. Denning, R., 8,045
Clarence A. Whitehouse, R., ... 8,110
Ralph M. Bashore, D., 7,727
Roy E. Brownmiller, D., ... 8,324
Frank R. Candee, S., . 252

SNYDER COUNTY.

Thomas F. Shambach, R., ... 2,106
Jacob Bulick, D., ... 1,731
Harvey Adam Surface, Ind., ... 76

SOMERSET COUNTY.

Paul D. Clutton, R., ... 5,169
Paul D. Clutton, P., ... 587 — 5,756
John G. Ogle, R., 4,895
John G. Ogle, P., 532 — 5,427
John Kircher, D., ... 2,316
Milton L. Weighley, D., 2,657
C. A. Lohr, S., ... 335
Clara Resh, S., ... 216
James Gibson, U., ... 674
William A. Ramsell, U., 605

SULLIVAN COUNTY.

V. B. Holcomb, R., 1,499
V. B. Holcomb, P., 123 — 1,622
Harvey Taylor, D., ... 1,366

SUSQUEHANNA COUNTY.

'rederick T. Gelder, R., ... 4,226
Frederick T. Gelder, P., ... 264 — 4,490
Ed. Ainey, D., ... 2,653

TIOGA COUNTY.

George W. Williams, R., ... 3,986
Philip H. Dewey, D., ... 1,079
Philip H. Dewey, S., ... 60
Philip H. Dewey, P., ... 506 — 1,645

UNION COUNTY.

Henry S. Stetler, R., .. 1,820
John M. Gundy, D., ... 2,461

VENANGO COUNTY.

Brooks Haslett, R., ... 4,548
Earl C. McFate, D., .. 2,689
George Rowland, S., .. 130
Cleveland Y. Donnell, P., 685

WARREN COUNTY.

Villiston P. Wood, R., ... 4,498
Williston P. Wood, P., ... 720 — 5,218
John B. Taggart, D., .. 2,409
Scattering, ... 1

WASHINGTON COUNTY.

1st Dist.—
David M. Curran, R., ... 4,518
David M. Curran, S., ... 208 — 4,726
Geo. T. Walker, R., ... 5,001
Geo. T. Walker, S., ... 392
Geo. T. Walker, P., ... 233 — 5,626
John L. Post, D., ... 4,831

WASHINGTON COUNTY (Continued.)

Andrew C. Proudfit, D., 3,742
D. Glenn Moore, P., . 1,020
Thomas Ray, Workers, 152
James C. Strong, Workers, ... 106
2d Dist.—
James T. Heffran, R., ... 4,168
James T. Heffran, P., ... 198 — 4,366
J. Add Sprowls, R., .. 3,814
Cornelius Carson, D., 3,530
J. Albert Reed, D., .. 2,946
David Flagle, S., ... 445
Louis Leber, S., ... 400
Wesley Rodgers, P., . 486

WAYNE COUNTY.

George E. Gilchrist, R., ... 3,520
George E. Gilchrist, P., ... 220 — 3,740
William B. Guinnip, D., 2,855

WESTMORELAND COUNTY.

1st Dist.—
John B. Coldsmith, R., 5,169
George A. Smith, R., 3,955
Thomas M. Whiteman, R., ... 4,049
George B. Bryson, D., 3,521
Victor B. Stader, D., 3,902
Eugene Warden, D., . 2,834
G. B. Bryson, S., ... 493
Henry C. Schroding, S., ... 494
Hugh Toal, S., ... 523
J. W. Ballantye, P., . 310
Rob't. S. McKee, P., .. 241
C. B. Rugh, P., ... 222
2d Dist.—
John E. Kunkle, R., . 12,798
Roger Richards, R., . 11,417
E. Howard Thompson, R., ... 11,396
J. W. Armbrust, D., . 7,726
J. Clarke Bell, D., ... 7,625
J. Clarke Bell, S., ... 1,800 — 9,425
Vance E. Booher, D., 6,941
John G. Means, S., .. 2,062
William H. Temme, S., ... 1,893
J. P. Miller, P., ... 1,266
Laura V. Murphy, P., 1,314
B. E. P. Prugh, P., .. 1,090

WYOMING COUNTY.

Oscar D. Stark, R., ... 2,249
James A. DeWitt, D., .. 1,702
M. M. Evans, S., ... 21
O. D. Stark, P., ... 81

YORK COUNTY.

1st Dist.—
Rob't. S. Spangler, R., ... 5,748
Rob't. S. Spangler, ... 190 — 5,938
George A. Strine, D., 4,473
Marcus C. Moorehead, S., ... 553
Scattering, ... 10
2d Dist
C. E. Cook, R., 4,895
C. E. Cook, P., 243 — 5,138
B. I. Brenneman, D., ... 7,484
B. I. Brenneman, S., ... 199 — 7,683
Scattering, ... 5
3d Dist
B. M. Hanigan, R., ... 3,701
B. M. Hanigan, P., ... 158 — 3,859
J. M. Flinchbaugh, D., 5,315
Scattering, ... 4

MEMBERS OF THE HOUSE OF REPRESENTATIVES, SESSION OF 1923.

Whereupon, the following named persons were declared duly elected members in the General Assembly of the Commonwealth of Pennsylvania, viz:

ADAMS COUNTY.

Grover C. Myers.

ALLEGHENY COUNTY.

1st District.
Joseph R. Lynch.
Joseph C. Marcus.
2d District.
William J. McCaig.
William F. McCann.
3d District.
James J. Coyne.
4th District.
Edward B. Goehring.
5th District.
William I. Goss.
6th District.
William T. Bell.
William J. Mangan.
George H. Soffel.
7th District.
Daniel A. Malie.
James Wettach.
8th District.
Harry A. Little.
William Wirt Stoner.
9th District.
Clifton L. Kelly.
10th District.
James H. McClure.
Samuel J. McKim.
Benjamin H. Patterson.
Arthur Storer.
11th District.
Cornelius J. McBride.
Jerry M. Williams.
12th District.
Miss Helen Grimes.
Frank H. Kennedy.
Gwilym A. Price.
Joseph G. Steedle.
13th District.
Nelson McVicar.
John W. Vickerman.

ARMSTRONG COUNTY.

Charles F. Armstrong. Harry E. Himes.

BEAVER COUNTY.

1st District.
Edward J. Schleiter.
2d District.
Clarence D. Frazier.
John G. Marshall.

BEDFORD COUNTY.

J. Anson Wright.

BERKS COUNTY.

1st District.
Paris E. Eaches.
Ernest B. Posey.
2d District.
Orville C. Eshelman.
3d District.
Ralph E. Schoener.
4th District.
Wilson G. Sarig.

BLAIR COUNTY.

1st District.
Frederick A. Bell.
2d District.
Samuel McCurdy.
Simon F. Zook.

BRADFORD COUNTY.

Charles M. Driggs.

BUCKS COUNTY.

W. Albertson Haines. William H. Weamer.

BUTLER COUNTY.

Miss Gertrude MacKinney. George I. Woner.

CAMBRIA COUNTY.

1st District.
J. Ross Horne.
Frank E. Korns.
2d District.
Isaac M. Chaplin.
Miss Sarah M. Gallaher.
Patrick McDermott.

CAMERON COUNTY.

C. Jay Goodnough.

CARBON COUNTY.

William D. Hontz.

CENTRE COUNTY.

Thomas B. Beaver.

CHESTER COUNTY.

1st District.
William W. Long.
2d District.
Miss Martha G. Thomas.
Samuel A. Whitaker.

CLARION COUNTY.

William F. Marshall.

CLEARFIELD COUNTY.

1st District.
Charles B. Jones.
2d District.
W. Haley Betts.

CLINTON COUNTY.

Edward P. Jones.

COLUMBIA COUNTY.

Theodore C. Harter.

CRAWFORD COUNTY.

Miss Alice M. Bentley.

CUMBERLAND COUNTY.

Allen J. Stevens.

DAUPHIN COUNTY.

1st District.
Herman A. Earley.
John A. F. Hall.
2d District.
Charles C. Baker.
Lawrence A. Hettrick.

DELAWARE COUNTY.

1st District.
Walter H. Craig.

2d District.
William C. Alexander.
W. Howard Metcalf.
Harry H. Heyburn.

ELK COUNTY.

John M. Flynn.

ERIE COUNTY.

1st District.
William L. Morrison.

2d District.
Joseph M. Schilling.

3d District.
Laverne H. Raymond.

4th District.
Frederick W. Blair.

FAYETTE COUNTY.

1st District.
William J. Burchinal.

2d District.
Joseph K. Bush.
Joseph B. Henderson.
Emmitt J. McDaniel.

FOREST COUNTY.

Alexander R. Wheeler.

FRANKLIN COUNTY.

Charles D. Minehart.

FULTON COUNTY.

Norris E. Hoover.

GREENE COUNTY.

Chauncey W. Parkinson.

HUNTINGDON COUNTY.

Charles C. Brewster.

INDIANA COUNTY.

Charles R. Griffith. Elder Peelor.

JEFFERSON COUNTY.

Charles H. Irvin.

JUNIATA COUNTY.

Henry I. Lauver.

LACKAWANNA COUNTY.

1st District.
David Fowler.

2d District.
Alfred Irving Fowler.

3d District.
W. Edwin Huber.

4th District.
Thomas F. O'Boyle.

5th District.
William Munley.

6th District.
Walter W. Kohler.

LANCASTER COUNTY.

1st District.
Charles M. Howell.

2d District.
Thomas J. Brown.
G. Graybill Diehm.
Norman Wood.

LAWRENCE COUNTY.

1st District.
William J. Moffatt.

2d District.
David J. Jones.

LEBANON COUNTY.

Ralph H. Behney.

LEHIGH COUNTY.

1st District.
Robert E. Haas.
Harry J. Smith.

2d District.
Albert E. Rinn.

LUZERNE COUNTY.

1st District.
Christian Miller.

2d District.
Michael J. Gorham.

3d District.
Thomas Sheridan.

4th District.
John E. Stavitski.

5th District.
Joseph H. Schwartz.

6th District.
Lorenzo D. Thomas.

7th District.
Richard Aston.
James Gibbon.

LYCOMING COUNTY.

Charles F. Bidelspacher. Warren Clyde Harer.

McKEAN COUNTY.

Maxwell J. Moore.

MERCER COUNTY.

H. LeRoy Anderson. William D. Sample.

MIFFLIN COUNTY.

Joseph H. Hollis.

MONROE COUNTY.

Chester H. Rhodes.

MONTGOMERY COUNTY.

1st District.
Benjamin H. Ludlow.

2d District.
George M. Pratt.

3d District.
Burd P. Evans.
David Orr.
John W. Storb.

MONTOUR COUNTY.

Sharpless M. Dietz.

NORTHAMPTON COUNTY.

1st District.
F. J. Donahoe.

2d District.
Wilmer Albert.
Irwin N. Johnson.
Robert A. Stofflet.

NORTHUMBERLAND COUNTY.

1st District.
Timothy O. Van Alen.

2d District.
John J. Boback.
John N. Mack.

PERRY COUNTY.

J. G. Harry Rippman.

PHILADELPHIA COUNTY.

1st District.
Thomas F. McGowan.
Mrs. Martha G. Speiser.

2d District.
Charles C. A. Baldi.

3d District.
Arnold M. Blumberg.
Henry R. Nolte.

4th District.
James V. Lafferty.

5th District.
Alfred F. Allman.
C. Walter Glasglow.
John J. Guerin.

6th District.
Andrew F. Stevens.

7th District.
John C. Asbury.

8th District.
Joshua Evans.
Jefferson W. Smith.

9th District.
Herman Dilsheimer.

10th District.
Richard D. Burns.
Alexander Colville.

11th District.
Philip M. Myers.

12th District.
John E. Arthur.
Harry Keene.

13th District.
Joseph Marcus.
Clinton A. Sowers.

14th District.
Wallace Bromley.

15th District.
Frank Spencer Edmonds.
Howard Smith.

16th District.
James A. Dunn.

17th District.
Mrs. Rosa S. de Young.
Benjamin H. Fields.
James J. Heffernan.

18th District.
Harry Greeby.
Samuel J. Perry.

19th District.
Edward Haws.
Samuel Lucas.

20th District.
Patrick Conner.
John H. Drinkhouse.

21st District.
Jacob Mathay.
Mrs. Lillie H. Pitts.

22d District.
Benjamin M. Golder.

23d District.
Albert S. C. Millar.

PHILADELPHIA COUNTY (Continued.)

24th District.
Christian Sautter.
25th District.
Thomas Bluett.
26th District.
Philip Sterling.

PIKE COUNTY.

Edward B. Labar.

POTTER COUNTY.

J. Walter Wells.

SCHUYLKILL COUNTY.

1st District.
Adam C. Schaeffer.
2d District.
Charles W. Staudenmeier.
3d District.
Jacob Berger.
4th District.
Roy E. Brownmiller.
Clarence A. Whitehouse.

SNYDER COUNTY.

Thomas F. Shambach.

SOMERSET COUNTY.

Paul D. Clutton.
John G. Ogle.

SULLIVAN COUNTY.

Vell Burr Holcombe.

SUSQUEHANNA COUNTY.

Frederick T. Gelder.

TIOGA COUNTY.

George W. Williams.

UNION COUNTY.

John M. Gundy.

VENANGO COUNTY.

Brooks Haslett.

WARREN COUNTY.

Williston P. Wood.

WASHINGTON COUNTY.

1st District.
John L. Post.
George T. Walker.
2d District.
James T. Heffran.
J. Add Sprowls.

WAYNE COUNTY.

George E. Gilchrist.

WESTMORELAND COUNTY.

1st District.
John B. Coldsmith.
Thomas M. Whiteman.
George A. Smith.
2d District.
John E. Kunkle.
Roger Richards.
E. Howard Thompson.

WYOMING COUNTY.

Oscar D. Stark.

YORK COUNTY.

1st District.
Robert S. Spangler.
2d District.
Bert L. Brenneman.
3d District.
Jacob M. Flinchbaugh.

ROLL CALL

The CHIEF CLERK. The roll will now be called.

The roll being called, the following members were present:

MEMBERS PRESENT:

Albert,	Fields,	Kunkle,	Richards,
Alexander,	Flinchbaugh,	Labar,	Rinn,
Allman,	Flynn,	Lafferty,	Rippman,
Anderson,	Fowler, Alfred	Lauver,	Sample,
Armstrong,	Fowler, David,	Little,	Sarig,
Arthur,	Fratt,	Long,	Sautter,
Asbury,	Frazier,	Lucas,	Schaeffer,
Aston,	Gallagher,	Ludlow,	Schilling,
Baker,	Gelder,	Lynch,	Schleiter,
Baldi,	Gibbon,	Mack,	Schoener,
Beaver,	Gilchrist,	MacKinney,	Schwartz,
Behney,	Glasgow,	Malie,	Shambach,
Bell, F. A.,	Goehring,	Mangan,	Sheridan,
Bell, W. T.,	Golder,	Marcus, J.,	Smith, H. J.,
Bentley,	Goodnough,	Marcus, J. C.,	Smith, H.,
Berger,	Gorham,	Marshall, J. G.,	Smith, J. W.,
Betts,	Goss,	Marshall, W. E.,	Soffel,
Bidelspacher,	Greeby,	Mathay,	Sowers,
Blair,	Griffith,	McBride,	Spangler,
Bluett,	Grimes,	McCaig,	Speiser,
Blumberg,	Guerin,	McCann,	Sprowls,
Boback,	Gundy,	McClure,	Stark,
Brenneman,	Haas,	McCurdy,	Staudenmeier,
Brewster,	Haines,	McDaniel,	Staviski,
Bromley,	Hall,	McDermott,	Steedle,
Brown,	Harer,	McGowan,	Sterling,
Brownmiller,	Harter,	McKim,	Stevens, A. J.,
Burchinal,	Haslett,	Metcalf,	Stevens, A. F.,
Burns,	Haws,	Myers, G. C.,	Stofflet,
Bush,	Heffernan,	Myers, P. M.,	Stoner,
Chaplin,	Heffran,	Millar,	Storb,
Clutton,	Henderson,	Miller,	Storer,
Coldsmith,	Hetrick,	Minehart,	Thomas, L. D.,
Colville,	Heyburn,	Moffatt,	Thomas, M. G.,
Conner,	Himes,	Moore,	Thompson,
Coyne,	Holcombe,	Morrison,	Van Alen,
Craig,	Hollis,	Munley,	Vickerman,
de Young,	Hontz,	Nolte,	Walker,
Diehm,	Hoover,	O'Boyle,	Weamer,
Dietz,	Horne,	Ogle,	Wells,
Dilsheimer,	Howell,	Orr,	Wettach,
Donahoe,	Huber,	Parkinson,	Wheeler,
Driggs,	Irvin,	Patterson,	Whitehouse,
Drinkhouse,	Jones, C. B.,	Peelor,	Whiteman,
Dunn,	Jones, D. J.,	Perry,	Williams, G. W.,
Eaches,	Jones, E. P.,	Pitts,	Williams, J. M.,
Earley,	Keene,	Posey,	Woner,
Edmonds,	Kelly,	Post,	Wood, N.,
Eshelman,	Kennedy,	Price,	Wood, W. P.,
Evans, Burd P.,	Kohler,	Raymond,	Wright,
Evans, Joshua,	Korns,	Rhodes,	Zook,

MEMBERS ABSENT:

Johnson,	McVicar,	Smith, G. A.,	Whitaker,

The CHIEF CLERK: Two hundred and four members-elect answered to their names, a quorum is present. The House is now ready to proceed to business.

JUDGE TO ADMINISTER OATH OF OFFICE

Mr. HALL, a member-elect, offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the Honorable Frank B. Wickersham, a judge of the Court of Common Pleas of Dauphin County, learned in the law, be requested to administer the oath required to be taken by the members of the House of Representatives.

ADMINISTRATION OF OATH OF OFFICE TO MEMBERS-ELECT.

The CHIEF CLERK. The members-elect will present themselves before the bar of the House, where the oath of office, as required by law, will be administered to them by the Honorable Frank B. Wickersham, a Judge of the Court of Common Pleas of Dauphin County.

The oath of office was then administered to all the members-elect, except Messrs. Johnson, McVicar, George A. Smith and Whitaker.

ELECTION OF SPEAKER

Mr. F. A. BELL offered the following resolution, which was twice read, considered and agreed to:

Resolved, That in accordance with the provisions of article 2, section 9, of the Constitution, the House now proceed to the election of a Speaker, and that the Clerks act as tellers.

NOMINATION FOR SPEAKER.

Mr. HARER. Mr. Chief Clerk and members of the House, it is my privilege at this time to place in nomination the name of the man who is the unanimous choice of the Republican members of this House; a successful business man, a good legislator, with four terms of experience, and one who will treat every member of this body fairly and impartially; a man who will keep the office of Speaker on the high plane where it has always been. We are here to work and no man is better fitted to keep us working than the man selected. It gives me great pleasure to nominate the Hon. C. Jay Goodnough of Cameron County for the office of Speaker of this House, and to ask for him your support, not only for the election but for the entire term of his office.

Mr. EDMONDS. Mr. Chief Clerk and members of the House, it is with very great pleasure that I second the nomination of the gentleman from Cameron to serve as Speaker for this year. Mr. Goodnough is known to those who have been in the House before as a man of fair spirit, of judicious temperament, of good balance, poise and character, a real guiding force. This is the type of man that we need to preside over our deliberations. Therefore, it is with very great pleasure that I second the nomination that the gentleman from Lycoming has made and ask for Mr. Goodnough the support of every member of the House.

Mr. STERLING. Mr. Chief Clerk and members of the House, the Speaker of this House should be, in my judgment, a man who, because of his experience and because of his study of legislation and the various branches of our government will well be able as the Speaker and presidal leader of this House to preserve to it those duties and those functions that the legislative branch of the state government must always maintain for itself. He must be a courageous man; he must be a man who can deal impartially with all legislative subjects, no matter who may appear to be interested, no matter what party or what faction may be interested. He should always have courage to fairly and honestly and impartially treat every group who may appear interested in legislation. He must be a man who, because of his experience here and outside of this legislative hall has the capacity to treat and deal with men; he too must be a man who will lead this House with a firmness that will always give to it that sustaining dignity to which it is justly entitled. It gives me great pleasure at this time to second the nomination for Speaker of the Honorable C. J. Goodnough of Cameron County, because I feel, and the Republican members of this House feel, that he best qualifies for that office.

Mr. SCHOENER. Mr. Chief Clerk and members of the House, as has been said, there is required for the Speaker here a man of ability, a man of affairs and also a man of legislative experience. I feel that we have a man of that type. I feel that we have among us here a man who has stood for great taings, a man of great dynamic force, a man who has won the admiration of his constituents, and the respect even, of his enemies; a man who has stood for clean government, a man who I am sure, will be impartial and will show justice to everybody; a man with a high sense of honor and integrity, and a man who has executive ability and has ability for leadership. His weekly disertations that appear, in one of the papers upon economics and political problems are begining to attract the attention of the reading public over a great part of this state, and I am sure that I am voicing the sentiments of most of his constituents when I take great pleasure in nominating Mr. Wilson G. Sarig of Berks County.

Mr. RHODES. Mr. Chief Clerk and members of the House, it gives me great pleasure to second the nomination of the gentleman from Berks. I am very well acquainted with Mr. Sarig, and I can truthfully say that he is a man with experience, a man of ability and a man of the necessary qualifications to fill the Chair. It, therefore, gives me great pleasure to second the nomination of Wilson G. Sarig of Berks County.

The CHIEF CLERK. Are there any other nominations?

Mr. EDMONDS. Mr. Chief Clerk, I move that the nominations do now close.

The motion was seconded and agreed to.

ROLL CALL.

The CHIEF CLERK. The Clerk will call the roll.

The vote was as follows:

FOR MR. GOODNOUGH.

Alexander,	Evans, Joshua,	Kennedy,	Richards,
Allman,	Fields,	Kohler,	Sample,
Anderson,	Fowler, Alfred	Kunkle,	Sarig,
Armstrong,	Fowler, David,	Lafferty,	Sautter,
Arthur,	Fratt,	Little,	Schaeffer,
Asbury,	Frazier,	Long,	Schwartz,
Aston,	Gallagher,	Lucas,	Shambach,
Baker,	Gelder,	Ludlow,	Sheridan,
Baldi,	Gibbon,	Lynch,	Smith, H. J.,
Beaver,	Gilchrist,	MacKinney,	Smith, H.,
Behney,	Glasgow,	Malie,	Smith, J. W.,
Bell, F. A.,	Goehring,	Mangan,	Soffel,
Bell, W. T.,	Golder,	Marcus, J.,	Sowers,
Bentley,	Gorham,	Marcus, J. C.,	Spangler,
Berger,	Goss,	Marshall, J. G.,	Speiser,
Bidelspacher,	Greeby,	Mathay,	Sprowls,
Blair,	Griffith,	McBride,	Stark,
Bluett,	Grimes,	McCaig,	Staudenmeier,
Blumberg,	Guerin,	McCann,	Staviski,
Brewster,	Haas,	McCurdy,	Steedle,
Bromley,	Haines,	McDaniel,	Sterling,
Brown,	Hall,	McGowan,	Stevens, A. F.,
Burchinal,	Harer,	McKim,	Stoner,
Burns,	Haslett,	Metcalf,	Storb,
Bush,	Haws,	Millar,	Storer,
Chaplin,	Heffernan,	Miller,	Thomas, L. D.,
Clutton,	Heffran,	Moffatt,	Thomas, M. G.,
Coldsmith,	Henderson,	Morrison,	Thompson,
Colville,	Hetrick,	Myers, G. C.,	Van Alen,
Conner,	Heyburn,	Myers, P. M.,	Vickerman,
Coyne,	Himes,	Nolte,	Walker,
Craig,	Holcombe,	Ogle,	Weamer,
de Young,	Hollis,	Orr,	Wells,
Diehm,	Horne,	Parkinson,	Wettach,
Dilsheimer,	Huber,	Patterson,	Wheeler,
Drinkhouse,	Irvin,	Peelor,	Whitehouse,
Dunn,	Jones, C. B.,	Perry,	Whiteman,
Eaches,	Jones, D. J.,	Pitts,	Williams, G. W.
Earley,	Jones, E. P.,	Posey,	Woner,
Edmonds,	Keene,	Price,	Wood, N.,
Evans, Burd P.,	Kelly,	Raymond,	Wood, W. P.,
			Wright,
			Zook,

FOR MR. SARIG.

Albert,	Flinchbaugh,	Labar,	Post,
Betts,	Flynn,	Lauver,	Rhodes,
Boback,	Goodnough,	Mack,	Rinn,
Brenneman,	Gundy,	Marshall, W. F.,	Rippman,
Brownmiller,	Harter,	McDermott,	Schilling,
Dietz,	Hontz,	Minehart,	Schleiter,
Donahoe,	Hoover,	Moore,	Schoener,
Driggs,	Howell,	Munley,	Stevens, A. J.,
Eshelman,	Korns,	O'Boyle,	Stofflet,

The CHIEF CLERK. The Tellers agree in their count, and the vote cast by members is as follows:

Honorable C. Jay Goodnough received 168 votes; Honorable Wilson G. Sarig received 36 votes.

Honorable C. Jay Goodnough, having received a majority of all the votes cast, is declared the Speaker of the House of Representatives of Pennsylvania for the session of 1923.

The CHIEF CLERK. I will appoint the gentleman from Lycoming, Mr. Harer, the gentleman from Philadelphia, Mr. Edmonds, and the gentleman from Berks, Mr. Sarig, to escort the newly-elected Speaker to the Chair.

Mr. HARER. Members of the House, it gives me great pleasure to present to you your choice for Speaker of the House, the Honorable C. Jay Goodnough of Cameron County.

The CHIEF CLERK. The oath of office will now be administered to the Speaker-elect.

SWEARING IN THE SPEAKER.

The oath of office was then administered to Honorable C. Jay Goodnough, Speaker-elect of the House of Representatives, by the Honorable Frank B. Wickersham, Judge of the Court of Common Pleas of Dauphin County.

ADDRESS OF THE SPEAKER.

The SPEAKER.

Fellow members of the House of Representatives of the Legislature of Pennsylvania, were I past master in the art of using every language ever spoken I should find difficulty to-day in finding words with which to express my appreciation of the great honor you have conferred in selecting me to preside over your delberations during the session of 1923. I do thank you most sincerely and my greatest ambition is that at the end of the session I may retain at least as much of your respect and confidence as I appear to have at this time and I am persuaded that I will forfeit more of your regard by one act of unfairness or discourtesy than I can win by months of patient endeavor. You may therefor be assured of the fairest treatment and greatest courtesy that I can extend. While I am very appreciative of the honor conferred I am not unmindful of the responsibilities that go with it. And when I consider the distinguished gentlemen who have occupied this position and compare myself with them I confess that I am appalled for no one knows my limitations better than myself, but I am strong in the faith that He who doeth all things well will guide our footsteps along the paths of safety; strong in the belief that an honest desire to do right will achieve satisfactory results. I am looking to the mountain from which cometh our strength. I have said that I favor the constructive measures and civic righteousness advocated by the distinguished gentleman who is soon to become Governor and this I reaffirm. I want the help of the Executive. I believe in organization. Of my personal knowledge there are those active in party affairs who are unstintedly giving their talent, time and their resources for the good of the Commonwealth, and I want their help. I want the help of all good men and women. There is one in my mind and I think I may with propriety speak his name, John Wanamaker is dead, but his great spirit will live on and on down through the years shedding its beauty and lustre along our pathways as we tread the measures from day to day and babes yet unborn will be better because he lived. He is the prototype of men and women all over this land who are honestly trying to do in their small way what he did in his great way. But most of all I want your help for without that I am helpless, yet working all altogether we may with confidence press forward toward the mark of our high calling, remembering that we are legislating for a great empire of nine millions of people, and upon our actions, in a measure at least, depends the weal or woe of this great Commonwealth that we love so well. I am going to play fair with you and I have a right to expect and I do expect and believe that you are going to play fair with me. Again I thank you for your kindly consideration.

PRESENTATION OF CITIZENS OF CAMERON COUNTY.

Mr. WILLIAMS. Mr. Speaker, I ask for the consent of the House at this time to present a delegation of the citizens of your home county of Cameron.

The SPEAKER. If there is no objection, the permission is extended.

Mr. WILLIAMS. It is my privilege to present H. B. Mutterbaugh, chairman of the Cambria County Republican Committee and twenty-five others of your friends and neighbors from Emporium.

Mr. H. B. MUTTERBAUGH. Mr. Speaker, We represent your friends and neighbors of Cameron County, and we come to congratulate you and wish you God-speed. We have known you long, and have no fear of the record you will make in your new position.

We beg that you will accept this Chairmen's gavel as a token of our affection and confidence in you, and we know that it will never be used as a hammer. We trust that it may help you to rule with truth and justice for the peace, prosperity, commercial and industrial growth of our beloved State. With Pinchot and Goodnough may the Commonwealth continue to grow.

We congratulate you and congratulate the members of the Legislature. May God be with you now and evermore.

The SPEAKER. After all, there are no friends like old friends, and there are no friends like home friends. I recognize in this gavel a token of worth. I recognize that it was shaped and moulded by the hand of a master craftsman, but greater, far greater than the intrinsic value of this token, more beautiful than the lines and angles of the object is the spirit which comes with its presentation. I am most grateful to my friends of Cameron County.

NOTIFICATION TO THE SENATE.

Mr. HEFFERNAN, offered the following resolution, which was twice read, considered and agreed to:

Resolved, That a committee of three be appointed to wait upon the Senate and inform that body that the House of Representatives is now organized and ready to proceed to business and invite the Senate to proceed to the Hall of the House of Representatives for the purpose of receiving the message of the Honorable William C. Sproul, Governor of Pennsylvania, and transact such other business as may come before the Joint Assembly.

APPOINTMENT OF COMMITTEE.

The SPEAKER. The Chair appoints Mr. Heffernan, Miss MacKinney, and Mr. Posey, as said committee.

ELECTION OF CHIEF CLERK AND RESIDENT CLERK.

Mr. GOLDER, offered the following resolution which was twice read, considered and agreed to.

Resolved, That the following persons be elected officers of the House of Representatives, as is provided for by Act of Assembly.

Thomas H. Garvin, Chief Clerk House of Representatives.
Milton K. Burgner, Resident Clerk House of Representatives.

Mr. DUNN. Mr. Speaker, is it not necessary for us to elect these two candidates to office? The resolution was merely the nomination, and I would suggest that we go into the election.

The SPEAKER. The Chair states for the information of the House that the resolution is, "Resolved that the following persons be elected officers of the House of Representative as is provided by Act of Assembly."

Mr. ALEXANDER. Mr. Speaker, a question of order. Is it not necessary to elect all the officers by vote of the House on roll call?

The SPEAKER. No one but the Speaker is elected by a roll call, and the Chair so rules.

The SPEAKER. The Honorable Thomas H. Garvin and the Honorable Milton K. Burgner will present themselves to be sworn.

THE SWEARING IN OF THE CHIEF CLERK AND RESIDENT CLERK.

The oath of office was then administered to Honorable Thomas H. Garvin, Chief Clerk-elect of the House of Representatives and the Honorable Milton K. Burgner, Resident Clerk-elect of the House of Representatives by the Honorable Frank B. Wickersham, Judge of the Court of Common Pleas of Dauphin County.

APPOINTMENT OF ASSISTANT RESIDENT CLERK.

Honorable Milton K. Burgner, Resident Clerk, announced the appointment of Mr. I. Dale Meals as Assistant Resident Clerk.

COMMITTEE TO REVISE RULES.

Mr. DIEHM offered the following resolution which was twice read, considered and agreed to:

Resolved, That the Chair appoint a Committee of six of which the Speaker shall be ex-officio Chairman, for the purpose of amending and revising the rules for the governing of the House, during the Session of 1923, or until otherwise ordered. The said Committee shall report a set of rules so revised to the House of Representatives on Monday evening, the fifteenth day of January, one thousand nine hundred and twenty-three.

APPOINTMENT OF COMMITTEE.

The SPEAKER. The Chair appoints as this committee, Messrs. Diehm, Whitaker, Coldsmith, Miss Grimes and Mr. Rinn.

TIME OF MEETING.

Mr. FLYNN offered the following resolution, which was twice read, considered and agreed to:

Resolved, That until otherwise ordered the sessions of the House shall commence at ten o'clock ante meridian.

THANKING JUDGE WICKERSHAM FOR ADMINISTERING OATH.

Mr. EARLEY offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the Members of the House of Representatives of Pennsylvania hereby extend their thanks to the Honorable Frank B. Wickersham, a Judge of the Court of Common Pleas of Dauphin County, for his services in administering the oath of office to its members.

SENATE MESSAGE.

NOTIFICATION OF THE GOVERNOR.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

Resolved, That a committee of three be appointed to act in conjunction with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee) to wait on His Excellency, the Governor, and inform him that the General Assembly is organized and ready to receive any communications he may be pleased to make and has appointed Messrs. Schantz, Craig and Sones as said committee on the part of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Said resolution was twice read, considered and agreed to.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF COMMITTEE.

The SPEAKER. The Chair appoints as this committee on the part of the House, Mr. Williams, Miss Bentley and Mr. Rhodes.

SENATE MESSAGE.

POSTAGE ON LEGISLATIVE JOURNAL.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate which was read as follows:

In the Senate, January 2, 1923.

Whereas, The Post Office Department has decided that the Legislative Journal must be third class matter and has so instructed the Postmaster at Harrisburg, therefore be it

Resolved, (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department and that the payment of the postage for the Legislative Journal, also for the Bills, Calendars and Histories be provided for in the appropriation bill.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

APPOINTMENT OF INAUGURAL COMMITTEE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate, January 2, 1923.

Resolved, That the President Pro Tempore of the Senate be and is hereby authorized to appoint a committee of twelve Senators to act in conjunction with a committee of fifteen members of the House of Representatives (if the House shall appoint such committee) to make the necessary arrangements for the inauguration, to wait upon His Excellency, the Governor-elect, and to conduct him in suitable manner to the Capitol for the purpose of having the oath of office administered to him; and,

Resolved, That the inaugural ceremonies shall take place at 12:00 o'clock noon on the third Tuesday of January, the sixteenth instant, on the west side of the Capitol, should the weather prove favorable, otherwise, in the Hall of the House of Representatives; and, be it further resolved, that the said committee be and is hereby authorized to expend the sum of not to exceed five thousand dollars in the making and

carrying out of said arrangements, the same to be provided for in the appropriation bill.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Speaker. The Chair will appoint the Committee later in the day.

SENATE MESSAGE.

JOINT CONVENTION TO COUNT VOTE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, January 2, 1923.

Resolved (if the House of Representatives concur) That the Senate and House of Representatives will meet in joint convention Tuesday, January second, at two o'clock P. M., for the purpose of witnessing the opening, computing and counting the vote for Governor, Lieutenant-Governor and Secretary of Internal Affairs, and that Honorable Clarence J. Buckman, of Bucks County, be appointed teller on the part of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ELECTION OF TELLER.

Mr. COLVILLE. Mr. Speaker, I move that the Honorable James A. Dunn be elected teller on the part of the House of Representatives in conjunction with the resolution just passed.

Mr. LAFFERTY. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

TIME OF NEXT MEETING.

The Clerk of the Senate being introduced presented the following extract from the Journal of the Senate which was read as follows:

In the Senate, January 2, 1923.

Resolved (if the House of Representatives concur) that when the Legislature adjourns to day it reconvene Monday evening January 15, 1923, at 9 P. M.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

On the question,

Will the House concur in the resolution?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced presented a communication from the Governor in writing which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 2, 1923.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: The following acts of the General Assembly passed at the Session of 1921 were approved and signed by me within thirty days after the final adjournment of the Legislature on the twenty-eighth of April, A. D. 1921.

WM. C. SPROUL.

The SPEAKER. The communication will be noted in the Journal and printed in the appendix to the Legislative Journal.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced presented a communication from the Governor in writing which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 1, 1923.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor herewith to transmit the reasons for the granting of pardons from January 1st, 1921, to January 1st, 1923, inclusive.

WM. C. SPROUL.

The SPEAKER. The communication will be noted in the Journal and printed in the appendix to the Legislative Journal.

RECESS.

The SPEAKER. The House will be at ease for a few moments.

AFTER RECESS.

The SPEAKER. The House will be in order.

Mr. WILLIAMS. Mr. Speaker, your Committee appointed to wait upon His Excellency the Governor, to advise him that the House was organized and prepared to proceed with the work of the Session desires to report that we have met with the Governor and were informed by him that he asks the consent of the House to appear in person to deliver at least a part of his address.

The SPEAKER. Permission is extended and the Committee is discharged with the thanks of the House.

SENATE RECEIVED BY HOUSE TO MEET IN JOINT SESSION.

The Sergeant-at-arms announced the return to Hall of the House the Committee appointed on the part of the House escorting the members of the Senate to the Hall of the House.

Mr. HEFFERNAN. Mr. Speaker, we have been appointed as a committee to go to the Senate and report that the House has been duly organized and is ready for the transaction of all business that will come before it. We have also requested and invited the members of the Senate to come to the House in a body for the purpose of receiving a message from the Governor of this Commonwealth, the Honorable William C. Sproul, and to attend to all other business that may come before us. We have transacted that business and we have here the Senate as a body ready to take their seats.

The SPEAKER. The Committee is discharged with thanks. The Senators will be seated. The President of the Senate is invited to preside over the joint session and the President Pro tempore is invited to the seat at the desk.

JOINT SESSION.

LIEUTENANT E. E. BEIDLEMAN PRESIDING.

LIEUTENANT GOVERNOR BEIDLEMAN. The Assembly will be in order.

THE SERGEANT-AT-ARMS OF THE SENATE. Mr. President, I have the honor to present to you His Excellency, The Governor of the Commonwealth, the Honorable William C. Sproul.

LIEUTENANT GOVERNOR BEIDLEMAN. Members of the General Assembly, the Chair desires to present His Excellency, the Governor of the Commonwealth, Honorable William C. Sproul.

ADDRESS OF GOVERNOR WILLIAM C. SPROUL TO THE GENERAL ASSEMBLY OF PENNSYLVANIA.

GOVERNOR WM. C. SPROUL. Mr. President, Mr. Speaker and ladies and gentlemen of the General Assembly:

I feel particularly privileged to appear before this session, for I realize it is historic in the annals of the State in that, for the first time, the women citizens of Pennsylvania sit here as members of the legislative body. This is the consummation of the hope that some of us have long entertained, and I want to congratulate those who have been so fortunate as to have the distinction of coming into this session, for that fact will long be remembered in the history of the state. I have no doubt that it will also be beneficial and reflect some glory upon the male members of this particular session and will be remembered in their biographies also. At any rate, it is a privilege and pleasure to be here upon this historic occasion.

In coming before you to present my final message to you, I am unable to separate entirely the personal element in my relationship with you from the official report of a retiring executive to the legislative branch of the State Government. I have therefore, divided my address into two parts, the first of which in the shape of a brief review of the state of the Commonwealth, with my own observations a.. opinions, I shall take the privilege of reading to you in person. The second part, containing a more detailed summing-up of the work of the various departments, will be left with you for such use as you may desire to make of it.

Beginning with the session of 1897, and including the special session of 1906, this is the fifteenth General Assembly of Pennsylvania with which I have been associated as a Senator and as Governor. In looking back over this unusual experience, it seems to me that the most interesting and outstanding feature of it all is the marvelous development of the State from a mere vehicle for the transfer of powers and privileges from the people through the Legislature to the municipal sub-divisions and corporate agencies, into a great creative, constructive and protective organization for the equalization of opportunity and the general welfare of all of its citizens.

Through a process which some folks like to call "centralization", the State has taken back to itself some of the powers and assumed some of the duties to its people which had been delegated to the localities, has organized departments of its government to care for those things which, if done at all were imperfectly and unequally performed by local authority, and has created new branches to meet the needs of the times. Such major activities of the Commonwealth as the Department of Health, the Highway Department, the Department of Labor and Industry, the Workmen's Compensation Board, the Public Service Commission, the State Police Force, the Forestry Department and the Department of Public Welfare, are the result of this policy of expansion, while the useful functions of the Department of Education, the Department of Agriculture, the Adjutant General's Office, the Banking and Insurance Departments, the Department of Mines and the Department of Internal Affairs, have been greatly extended.

That a reasonably large share of all of this, and especially in bringing the beneficient work of the government nearer to the people whom it is designed to serve, has been accomplished in the past four years, is a source of great satisfaction to those of us who have been in authority during that time. It is particularly reassuring to know that the executive office is to pass into the hands of a high-minded, progressive and earnestly patriotic citizen, whom I had the honor of calling into the State's service, and under whose direction the orderly development of the public business will be maintained and amplified.

AN EVENTFUL PERIOD.

The past four years have been the most eventful. In the world, the nation and in the State, happenings of extraordinary importance have followed one another in rapid succession. Social, political, industrial and administrative problems have arisen, unprecedented in number and gravity. Death and the changing times have removed many of our land-marks, individual and institutional. Executive decisions growing out of economic readjustments in commerce and government, and exercise of the appointive power as a result of the necrology of the period, have been required to an unparallelled extent. It has been a strenuous and difficult time to have been at the helm of the Ship of State, and it fills me with gratitude that I am able, at the close of my term, to report back to you that, thanks to the co-operation of the General Assembly and the devoted services of the splendid men and women whom I have been allowed to call upon to aid in our undertakings, we have made great progress and have journeyed far toward that ideal of comprehensive and efficient public service which is the goal for us all.

It has been our great good fortune to have been able to assemble in the State's service a remarkable group of citizens whose leadership in the major activities of the government has been noteworthy in its progressive efficiency. The names of Schaffer and Alter, Woods and Myers, Finegan, Martin, Sadler and Biles and Uhler, Fisher and Cameron, Donaldson, Connelley and Mackey, Rasmussen, Pinchot and Stuart, Beary and Price, Groome and Adams, Ainey, Penrose and Baldy, and others associated with them, will be recalled whenever notable administrative achievements in the government of this Commonwealth are recounted. To these department directors, and the elective officers with whom I have had the privilege of working, I take pleasure in assigning credit for most of whatever worthwhile accomplishment history may attribute to the administration which I have had the honor of leading.

A RECORD OF ACHIEVEMENT.

Some of the outstanding things which have been done are:

The re-organization of Pennsylvania's school system and placing it in the first rank by increasing teachers' salaries and qualifications, improving facilities, assuring attendance, consolidating schools for rural pupils, practically doubling the State's contribution to school costs and building the most complete school organization in the nation.

Built over 1,800 miles of concrete highways, 1,000 miles of other permanent highways, constructed over 800 modern highway bridges, conducted the greatest plan of public road maintenance ever undertaken, freed every mile of toll road on State highway routes, organized county and township highway construction units, and made the Pennsylvania State Highway Department concededly the most complete organization of the kind.

Carried out a constructive program involving more than $120,000,000 in highways, and $10,000,000 in other undertakings, or more than had been expended in permanent work in one hundred years in the State's history, without any charge of favoritism or mis-appropriation.

Increased the inventory of the State's property, if permanent State highways be included, three-fold in four years.

Got the Delaware river bridge at Philadelphia started and well under way after a century of talk about it.

Purchased and freed ten of the most important toll bridges between Pennsylvania and New Jersey and New York.

Secured cooperation of railroads in eliminating over one hundred dangerous grade crossings.

Placed Pennsylvania on record early for equal suffrage and adapted our laws and governmental operations to the new conditions.

Re-organized the National Guard of Pennsylvania and preserved the splended traditions of the old guard and the Twenty-eighth Division; recruited over 12,000 men,—an entire division,—and secured for them equipment of the highest efficiency; doubled the area of Mt. Gretna Military Reservation and made permanent improvements which make it one of the finest military posts in America; many armories built and others improved. Did away with Governors' Staff and Honorary Colonels.

Reorganized and recruited the State Police to a new plane of morale and excellence; established a bureau to help the municipalities and counties in law enforcement and the apprehension of criminals.

Maintained good order throughout a long series of industrial disturbances of the first magnitude.

Broadened our workmen's compensation laws to a high standard of liberality and usefulness.

Established the Bureau of Rehabilitation which has fitted hundreds of our industrial cripples for useful occupations.

Maintained and developed to a higher position of value the life-saving and health protecting agencies of the State, bringing about the lowest death rate in our history.

Reorganized the Department of Agriculture and established valuable adjuncts which have been most helpful to Pennsylvania's farmers.

Established the Welfare Department to take over the loosely-joined boards and commissions in charge of the penal, charitable and philanthropic institutions of the State, and have taken a long step toward systematizing, simplifying and bettering conditions affecting these divisions of the public work.

Abolished useless Boards and sinecures, including Philadelphia Quarantine Board, and thus saved enough money to establish Pennsylvania Nautical Training School.

Organized efficient forest protection and in the most perilous season in a generation have been successful in preventing disastrous fires.

Strengthened the laws and improved the facilities for the propogation and protection of fish and game.

Reorganized the Banking and Insurance departments and placed them upon a basis of strict business management.

Erected new office building in Capitol Park plan.

Maintained state institutions at high standard through most difficult conditions known in a generation.

Established State Art Commission for aesthetic improvement of public structures and memorials.

Organized Examining and Licensing Boards for Professional Architects, Engineers and Surveyors.

Advanced constitutional reform by the studies of the fundamental law made by the Commission upon Constitutional Revision and Amendment.

Established State Fuel Commission, whose work has aided entire country, and won great praise from Federal authorities.

Secured the passage of tax laws which will provide adequate revenue for the State government.

Most of these matters are discussed more fully in the other part of my message. There are a few subjects however, which I desire to bring personally to your attention.

PROHIBITION AND ENFORCEMENT.

It is a patent fact that the prohibition enforcement laws, Federal and State, are not working well in Pennsylvania. Some people are inclined to blame this condition upon our own enforcement law, and yet the fact remains that in other States, which have the kind of laws which these critics demand, the results are no better. In New York and New Jersey, where the type of laws which are desired here have been enacted, the disregard for prohibition is certainly fully as much in evidence as it is in Pennsylvania. Even in States which have had prohibition for years, there has been much more illicit trade in intoxicating liquors than before the passage of the Federal enforcement act. Here in Pennsylvania our law has worked very well where local prosecuting officers are in sympathy with it. In many counties excellent results have been obtained, but in others little has been accomplished. In all sections, however, convictions have been most difficult to secure and public sentiment seems strangely inert and indifferent.

This is a most discouraging and dangerous situation. Disregard for any law and especially for a constitutional provision, is particularly menacing in a free land. Finding it easy to evade one law, the thoughtless and wicked will become bolder in their contempt for others. Bootlegging has become a business of astounding proportions and undoubtedly much of the banditry and other crimes which are now harassing the country have their genesis in the school of outlawry fostered by the illegal trade in intoxicants. We are rearing a fine brood of criminals which it will require stern measures to suppress.

Whether we have gone too far or too fast in attempting to abolish the age-old indulgence in alcoholic stimulants at one fell swoop, time alone will tell. Many of us thought that the prohibition enactment would be readily enforceable and would eliminate for all time this bothersome question from our politics. In neither of these judgments were we correct. The law hasn't been effective and it is becoming more and more a matter of bitter political disagreement. Education and patience may bring a cure, but meanwhile we are suffering grave damage to our fundamental institutions. The only way out that is now in sight is a careful and conscientious enforcement of the law by the authorities, under severe penalties for disregard of duty upon the part of officials, and an awakened public appreciation of the peril by our people which will make law-breaking disreputable. Until the sentiment of the people earnestly supports the "dry laws," their enforcement will be extremely difficult and their general effect more harmful than beneficial.

THE MINE CAVE SITUATION.

The Supreme Court of the United States, with but one dissenting vote, has set aside one of the acts of Assembly dealing with the mine cave situation in our anthracite mining region. The decision forbade the operation of the law which would prevent mining where there was surface danger. The right of the public to appropriate by eminent domain with due compensation for the mining rights was not denied or

abridged, however, nor was the power of the State to levy taxes upon its products. A way to meet the situation was thus clearly defined and surely means will be found to mitigate and finally end the great nuisance which menaces the safety and hampers the prosperity of one of the most important sections of the State.

REORGANIZATION PLANS.

A great deal has been said about re-organizing the State Government and much study has been given to various suggestions of the kind by the Reorganization Commission authorized by the last Legislature and by volunteer bodies of good citizens. Undoubtedly helpful ideas will be presented, some of which may lead to practical results in the line of economy and efficiency. Having had considerable experience in several undertakings of the kind during the past quarter-century, and having more than once approached the task with the zeal and enthusiasm of youth and high purpose, I trust I may not be misunderstood when I say that too much should not be expected at once. The Government of Pennsylvania is very well framed under the limitations of our Constitution. It functions as well, if not better, than any State government in this nation, and I have looked over a great many of them and have studied most of the others. We get along with less direct taxation than any other important State, and no State has excelled us in constructive service to our people. There is some overlapping of activities, some lost motion and some obsolete units, no doubt, but we must be careful to remedy these things without impairing a fine governmental structure by illy-considered changes which may do infinite harm by disorganization and confusion.

The personnel is, I believe better than in many extensive business establishments. I wonder sometimes that the standard of morale is so high, considering the scale of compensation for State employes, the uncertainties of tenure and the lack of appreciation often shown. Of course, the people here are not all A. M.'s.—or Ph. D's—the average man and woman enters into the calculation in the state service as elsewhere, but the results are very satisfactory on the whole.

THE STATE FINANCES.

During the late campaign exaggerated reports were widely circulated regarding the financial condition of the Commonwealth, and many who find pleasure in belittling their State and misrepresenting its institutions, endeavored to make political capital through the dissemination of misinformation.

As a matter of fact the State has been poor, as a result of the abnormal conditions which could not be foreseen and led to deficits in the maintenance of our charitable and penal institutions and our schools. Every other governmental unit has had a similar experience, but they may make temporary loans and raise the tax rate to meet such conditions. The United States Government, despite the utmost efforts at economy, has registered a deficit running into hundreds of millions. In Pennsylvania, thanks to the operation of our revenue laws and the efficient work of our fiscal officers, together with economies we have been able to inaugurate, we are rapidly working out of our troubles.

At the present writing, the current accounts are practically up to date in payments, and despite the greatly increased distribution to the schools, the districts are more nearly paid than they have been in several years. The "great deficit" which was foreseen a few months ago, will have been reduced to very inconsiderable proportions by the end of the fiscal year.

Two years ago, after reducing by about $24,000,000 the appropriation bills left to me by the Legislature, I approved appropriations aggregating roundly $118,000,000. In view of a miscalculation of the amount of overlapping appropriations remaining from previous years, and a lack of information as to the anticipated revenues, this figure was undoubtedly somewhat too high for conservative practice. When it became apparent that we had over-appropriated and that our expected revenues, tied up in litigation and decreased by the business depression of 1921, would not be realized in time, we arranged to defer all expenditures which could be postponed and cut down our plans in many directions. This was particularly the case in the Highway Department, where all expenditures from current funds were postponed and projects for other improvements were laid aside. About $4,000,000 from the Road Bond Fund, which we had planned to use in primary route construction, had to be used in completing other roads, and while this use is perfectly within the intent and purpose of the laws governing the matter, it prevented us from building many miles of primary highways during the period.

With the return of corporate activity throughout the State and the collection of back taxes, including the overdue coal tax, our plans are working out in a most gratifying way, and at the end of the fiscal period there will not remain a greater proportionate amount of appropriation liability than has been the case at the end of the several previous appropriation periods. The Legislature may, by lapsing unexpended appropriations, cancel nearly all of this, but the State government is a going concern, and I doubt the wisdom of such a step.

The Auditor General advises me that there remained $58,197,000 of 1921 appropriations unexpended on November 30th last. He estimated that general fund collections, including $8,000,000 expected from the anthracite tax, will amount to $35,000,000, leaving appropriations of about $23,000,000 still to be drawn upon. Of this latter amount about $12,000,000 have been deferred, and much of this will never be required, so that the active overlapping balance will be as low as it has been in many years. As an illustration of this, we have paid, in the past biennium, over $18,000,000 on account of appropriations made previous to 1921.

Careful appropriations made under the budget system which my successor proposes to instal, and with the dependable information now at hand, should bring us back on an even keel within the year.

PROSPECTIVE REVENUES.

The Auditor General, in an official communication which is appended, estimates that the General Fund revenues for the ensuing biennium will amount to $115,000,000. This estimate is, I believe, most conservative, and is concurred in by the State Treasurer. It shows that our revenue plans of two years ago are working according to calculation, and this sum should provide for the ordinary expenditures of the State government. Permanent projects like the building of roads the acquisition of forest lands, the construction of the Delaware river bridge and the purchase of toll bridges, should be financed from loans, if need be, as is the case with other States and the larger cities. Unfortunately our Constitution makes this difficult.

Provision will have to be made for approximately two million dollars for the State's share of the Teacher's Retirement fund to bring it up to date. This fund has been more popular than was anticipated and practically all of our teachers are now enjoying its provisions. It has been impossible

to calculate, with any degree of accuracy, the requirements of this fund until the present time. The Edmunds Act, fixing the State's share of teachers' salaries, will also entail a sizeable deficit, it having been an unknown quantity until it was tried out.

The diversion of the remainder of the tax on foreign fire insurance premiums from the State Insurance Fund was, I am convinced, a mistaken policy. This fund has been considerably depleted by the extensive fire losses at the Western Penitentiary and at other State institutions, and the income from the securities belonging to it will not be sufficient to meet the average fire losses on State property. The use to which this income is now devoted does not, in my judgment, serve so good a public purpose as its appropriation to the fire insurance fund. Some provision will have to be made to recoup this fund if the State is to continue to carry its own insurance.

THE SCHOOL PROGRAM.

No greater public service has ever been rendered Pennsylvania than that given by the devoted men and women who have reorganized and developed our system of public education of the State, with the inspired plan of giving to our boys and girls the very best opportunities to fit themselves for their duties as citizens of the Republic and as useful members of society. I may make this claim with propriety, for my personal and official contribution to this great work has been confined to choosing its leaders, approving its scope and policies and in standing firmly in its support.

Building upon the substantial foundations laid in years of patient work by those who have gone before, an organization has been reared and specifications have been made and worked out, with infinite success, which have already brought results amazing to those who have contemplated them, and to authorities upon education here and elsewhere.

Pennsylvania's public schools are operated by a great body of teachers who are enthusiastically devoted to their profession, which now offers them respectable and encouraging rewards for the tedious years of preparation; the standards have been raised so that our boys and girls may receive the best and most advanced training for broad and constructive lives; the advantages of thorough education have been carried into the less-favored sections of the State, and those things essential to the finest development of American citizenship have been brought within reach of all our people.

It has been well said that every forward movement in education in Pennsylvania has been vigorously fought, but a step once taken in this direction has never been retraced. The present program has been made an issue by those who fail to realize that public education is an investment and not an expense to the State, and who hold the tax dollar so close to their eyes that they allow it to obscure the light of reason and the spiritual hope of the times.

I have every confidence that the splendid educational program, from which we are already beginning to receive immeasurable benefits, that will become more and more apparent as the years pass on, will not only be sustained but will be strengthened and amplified through the expressed approval of the people of the Commonwealth by this and succeeding Legislatures. There is no feature of our work in which we may take more pride than what has been done to place this imperial Commonwealth in the front rank, where she belongs, in the provision which is being made for her future in the line of universal education.

HIGHER EDUCATION.

In the realm of higher education, not only the three great institutions in the east, in the west and in the center of the State, which receive support from public funds, but practically all of the forty or more schools of collegiate grade in the State, were forced, this year, to refuse admission to many youths of Pennsylvania who sought to take advantage of their facilities. It is estimated that fully ten thousand young men and young women, who were prepared to enter the colleges of this State last autumn, were unable to do so through lack of facilities to receive and care for them. There is much argument just now, due to this condition, as to whether it is advisable to provide for widely diffused higher education. Some authorities urge the selection of a preferred intellectual class, and the culling out of all who do not attain the most rigid standards. I should not consider this to be in line with the spirit of our institutions, and I greatly lament the situation which does not permit the provision of the higher education for all those who are prepared and worthy. Surely if a college and university training is desirable for the few, it will benefit the many.

Continued support must be given the University of Pennsylvania, the University of Pittsburgh and Pennsylvania State College, so that Pennsylvania's work in true culture may not be abridged or impaired.

THE HIGHWAY PROGRAM.

The expenditure of the fifty million dollars road loan, with other sums received from direct appropriation, from Federal co-operation and from county contributions, has in four years worked a transformation in the highway conditions in Pennsylvania. Over three thousand miles of durable roads have been added to our State system, while several hundred additional miles have been constructed under State supervision by counties and townships. Hundreds of modern highway bridges have been built, all toll roads on State highways freed and every county in the Commonwealth given access to the primary highways leading to the commercial and social centers of the State and nation. Our maintenance system has covered over eleven thousand miles and many permanent improvements have been made by maintenance forces.

Pennsylvania's road system is noted all over the nation and our plans and methods are accepted as standards everywhere. Remote sections of the State have been made accessible and the beauties and advantages of our God-favored land have been brought within reach of all. The whole aspect of life has been changed for the better in our rural counties and the farm has been made more attractive for hundreds of thousands of our best people. Taken altogether, probably no investment the people of the State could have made could bring them greater results than the money which has been expended in building the splendid highways which now distinguish Pennsylvania.

The State's bonded debt, which provided the basis of this work, is so small, as compared with our great wealth and with the benefits attained, that it is to be hoped the Legislature and the people will approve further loans to continue the program of improvement. The present indebtedness represents but one-half of one per cent. of the value of taxable property in the State. In other words, a levy of five mills would wipe it out in a single year, if such a step were required.

As showing what a great business institution the State has become, it is interesting to note that the receipts from automobile licenses alone aggregated about twelve million dollars last year, a sum approximating the total revenues of the

State when I entered the Senate twenty-six years ago this month. Over eight-hundred thousand automobiles of one kind or another were licensed in the State last year, a striking evidence of the use that is being made of our roads.

That all of this vast undertaking has been carried on, and over $125,000,000 has been handled in one of the greatest public construction undertakings in history, without a shade of suspicion or a breath of scandal, is, we feel a matter for especial pride and satisfaction.

INDEPENDENCE CELEBRATION COMMISSION.

In accordance with the Act giving me authority to appoint a Commission to co-operate with the authorities of our city of Philadelphia in arranging for a proper observance in 1926 of the one hundred and fiftieth anniversary of the independence of the United States, a Commission of representative citizens was named to fulfill this duty. There is such a wide divergence of view among the people of Philadelphia as to the scope and plan of the celebration that nothing has yet been accomplished in the way of definite organization and our State Commission has found little opportunity to co-operate in any way. Several members of the Commission, including the Chairman, have tendered their resignations, believing it to be better that my successor be given an opportunity to recast the organization for service in case Philadelphia should finally adopt some tangible scheme for the proposed sesqui-centenary.

SAVING OUR STREAMS.

Pennsylvania has made relatively little progress in the matter of protecting her beautiful and useful streams from pollution as the result of sewage and industrial waste.

All over our favored area may be found evidences of this lack of care for the first principle of conservation. Numerous waterways, which once running clear and pure served not only to beautify the landscape but afforded a supply of wholesome water for farms and communities, are now reeking with filth or are contaminated by poisonous waste from mines and factories.

The Department of Health and the Department of Fisheries, which have some jurisdiction in these matters, have neither the power nor the force to render thorough service in preventing this flagrant abuse of one of the finest of our natural resources. The Fisheries Department, with its few inspectors, is unable to cope with the situation, and when arrests are made and convictions secured, the penalties are ridiculously low. The fines which are imposed are trifling as compared with the damage done.

A great public good will have been accomplished when really stringent and enforceable laws have been enacted to save our streams for public use and enjoyment.

CONCLUSION.

We may not, in justice to our people or in fairness to ourselves, my colleagues, take any backward steps. We must carry on and strengthen the good things we have undertaken. We must subordinate selfishness and vanity, local interests and neighborhood prejudices to the common good. Pennsylvania is a great State. Surely, "God hath not dealt so with any nation." He has favored us with the best place in the world in which to live and to attain our full stature,—mental, physical and moral. Let us make the best of His blessings and keep our State as fair as the land He has given us. Let us see to it that our children, the hope of our Republic, are the best prepared in all the nation for their work in the future; that our afflicted and unfortunate have the most merciful and beneficial care; that the material comforts and facilities of our citizenship are the most complete that may be provided; that the humblest of our people may receive just and generous consideration in working out their life problems; that the bounteous natural resources of our unequalled area may be cherished and utilized for the benefit of all who are entitled to share in them, by forward-looking legislation and wise administration. No country on earth has been endowed with more of the essential elements for the development of the highest civilization and most thorough culture. We can afford these things,—let us have the will to acquire them.

In conclusion, allow me to thank you for the generous co-operation which the Legislature has given me in my work here and to bespeak for my distinguished successor the same broad-minded and helpful association of effort, that he may carry out, promptly and completely, the plans he has made for the good of Pennsylvania.

With renewed assurances of my appreciation,

WILLIAM C. SPROUL.

Harrisburg, January 2, 1923.

AUDITOR GENERAL'S ESTIMATE OF STATE REVENUE.

Office of the Auditor General,
Harrisburg, December 20th, 1922.

Hon. William C. Sproul,
Harrisburg, Pa.

Dear Governor: I have the honor to inform you that I have conservatively estimated that the revenues for the two fiscal years from December 1st, 1922, to November 30th, 1924, from sources provided by revenue acts now on the statute books, will be approximately $112,000,000.00.

To this amount, however, should be added approximately $3,000,000.00, representing anthracite coal tax assessed under the Act of May 11, 1921, and which should have been paid into the Treasury and become a part of the revenues for the fiscal year ended November 30, 1922, but which was held up by litigation; thus making available for General Fund purposes $115,000,000.00.

Yours very truly,

S. S. LEWIS,
Auditor General.

REVIEWS OF DEPARTMENTAL REPORTS.

PUBLIC EDUCATION.

The broad constructive program authorized in the school legislation of the 1919 and 1921 sessions of the General Assembly, has been carried out with a decree of success beyond our expectations or those of the devoted men and women who have planned and executed this great work. The fine progress made in Pennsylvania has attracted attention throughout the Union and in school circles everywhere. This State, within a few years, has attained a leading place among all the States in the completeness of its educational organization, and the thoroughness and efficiency of its teaching forces and equipment.

There is only opportunity here to outline a few of the things which have been worked out by the remarkable organization which Superintendent Thomas E. Finegan has gathered about him.

In the first place, the prime necessity of a successful school system is to have all of the eligible boys and girls in school, and through the effective enforcement of the compulsory laws, attendance at school has been so increased that, out

of each one hundred pupils in the State, an average of ten more are in the schools daily than was the case only two years ago. This alone represents a return upon an annual school expenditure of ten million dollars, based upon the average cost of education throughout the country.

Pennsylvania has adopted a plan which will ultimately provide equal educational opportunities to the boys and girls of the farms, and the most remote townships, with those living in more favored communities. The average rural school term has been increased twenty days in each year; seventeen hundred one-room schools, where teachers taught all grades, have been closed, and the children are now transported to two hundred modernly constructed consolidated schools, where they have a finer environment, a richer curriculum and more effective teaching.

Through the agency of the junior high schools, the records show that forty-five per cent, more students now complete the high school work than was the case only four years ago. One hundred and two junior high schools are now operating in the State, and thirty-five of these are in rural communities. There is a total enrollment of sixty thousand pupils in these schools alone.

HEALTH WORK.

A sound program of health education is being carried out in the schools. There have been organized and developed over two hundred classes for those children who require special care, and remarkable results have been achieved in the elimination of defects in speech and in other handicaps which would have otherwise hampered the mental and physical development of Pennsylvanians of the coming generation.

LEADING IN MUSIC AND VOCATIONAL TEACHING.

There has been organized in the schools of the State a progressive and advanced program of musical instruction. This feature of the work has been co-ordinated with the organized agencies in the cities and school districts on a plan which contemplates making effective in community life the power and influence of music.

Vocational education—the training of boys and girls in useful occupations—has been most highly developed in Pennsylvania. We have more federally aided agricultural, trade, industrial and home-economics schools than any other state.

The detailed statistics of this department of our educational activities are inspiring, and the interest taken in the communities and the benefits accruing are, indeed, most encouraging.

BETTER BUILDINGS.

Through the advice given to school boards and architects by the bureau in charge of that department in the State organization, not only have modern, comfortable and sanitary school buildings been erected in all sections of the State, but vast sums of money have been saved to the school districts. Consulting architectural services have been rendered on plans and specifications for 1035 building projects, calling for an expenditure of $27,000,000. This service, if paid for by the districts at the usual fee, would have cost $270,000.

COMPLETE COURSE OF STUDY

The entire school curriculum has been revised and expanded, and has become a standard for similar work throughout the country. The public school children of Pennsylvania now have a course of study comparable with the most advanced educational thought.

ADVANCE IN TEACHING

Perhaps, the outstanding educational achievement of the State during the past four years has been the advancement of the standard of teaching; the salary schedules now in effect are retaining our best teachers. As showing the interest and enthusiasm with which our instructors have engaged in these plans for betterment, it is interesting to note that 13,000 of them were enrolled in extension classes last year and over 25,000 gave their vacations to study in summer schools, an unparallelled record in educational history. No State has adopted a higher standard of qualifications for her teachers than Pennsylvania, and by 1927 every public school teacher in the State will have an education equivalent to normal school or college pedagogic degree.

The development of the normal schools has been most gratifying, and instead of there being a great scarcity of teachers, such as was the case a few years ago due to the poor opportunities which were offered teachers in Pennsylvania, there are now two thousand more students taking the normal courses in preparation for the teachers vocation.

FISCAL PLANS FOR SCHOOLS

The efficient and economical administration of the Department of Public Instruction has been effected by a complete reorganization of the department, with thorough facilities for the prompt accounting, auditing and approval of expenditures; the close supervision of the schools throughout the State, and the comprehensive provision of advisers and consultants for the handling of school problems in the State at large and in the individual districts.

A State-wide plan for financing public education has been developed, which will provide adequate contributions to the districts least able to carry burdens of taxation, with proportionately generous allotments to the first, second and third class districts. These plans provide for the budgeting of the finances of the local school districts so that adequate revenues may be anticipated to meet expenses, and the fullest measure of return assured for every dollar expended, with a simplicity of detail so that each board may know in advance the amount which it will be entitled to receive from the State.

All in all, the progress in public education is an inspiring feature of the Commonwealth's work for its people, and should be a source of pride to every loyal Pennsylvanian.

HIGHWAYS.

One of our greatest undertakings has been the re-construction and maintenance of the State highway system under the very able management of Highway Commissioner Lewis S. Sadler, with his assistants, George H. Biles and Chief Engineer, W. D. Uhler, and with the experienced Joseph W. Hunter in charge of the Township Division. An extraordinary constructive program has been carried out with great success.

The death of Commissioner Sadler, in January, 1922, was a great loss to the State. The Department was so completely organized that it has functioned just as he left it, under the direction of Mr. Biles who has since been Acting Highway Commissioner.

Colonel Uhler was claimed by death later in the year, and his place will be extremely difficult to fill.

During this administration the passage of laws vitally affecting the organization and operation of the State Highway Department and the carrying out of a comprehensive plan of roadbuilding in the State has been accomplished, including provisions for the manner of the issuance and sale of the fifty million dollars of State Road Bonds; a complete reorganization of the State Highway Department along up-to-date business lines; the State was authorized to acquire lands containing road materials and to manufacture any other material used in the construction and maintenance of highways; to erect buildings and machinery essentials for the proper prosecution of the work, and to improve any highway with its own forces; counties were authorized to expend moneys and incur indebtedness and issue bonds for the improvement and maintenance of highways in cooperation with the State; the State Highway Commissioner was empowered to widen public highways to accommodate the rapidly increasing traffic, and a modern code of registration and licensing of automobiles and drivers was placed upon the statute books.

HIGHWAY EXPENDITURES.

In addition to the fifty million dollar State Road Bond Fund, the United States Government has credited during this period $13,822,077.22 Federal aid to this State, all of which has been obligated for use in the construction of the primary system of highways.

The summary below will give the expenditures for State Highway improvement and maintenance performed during this administration.

CONSTRUCTION

January 1, 1919, to September 30, 1922.

Funds	Expenditures
General Appropriations, ...	$10,016,366 27
State Aid Highway Construction, ...	4,088,594 07
Bond Fund, Plus Federal and Local Funds,	59,668,463 13
Total, ...	73,773,423 47

MAINTENANCE

	Motor License Fees Plus Receipts From Agreements	Expenditures
1919	$5,316,614 51	$5,316,614 51
1920	8,091,845 65	8,070,224 95
1921	9,537,353 92	9,413,466 58
1922	13,634,419 33	*13,449,940 62
Total, ...	$36,580,233 41	$36,250,246 66

* Authorized.

HIGHWAY ORGANIZATION

The Pennsylvania Highway Department has developed the theory of organization to the point where economy and efficiency, instead of being resounding phrases, are realities. The overhead expense of this department covering all its activities, in spite of the abnormal period of high prices, shortage of materials and labor through which it has passed, was less than seven per cent., which, by comparison with any large business corporation, is remarkable.

During this administration Pennsylvania has led all other states in combined mileage of roads constructed and those intensively maintained.

It is common knowledge that this extensive program has been accomplished with less friction and more speed than prevails in many States where expenditures are not one-tenth as large, and without a breath of scandal.

This organization is recognized by the United States Government, leading technical journals and authorities in highway construction as unsurpassed and as the most comprehensive in existence.

POLICIES

This administration performed the monumental task of establishing a main trunk line system of highways for improvement and adhering strictly to it, this system being built wholly at the expense of the Commonwealth; the lateral roads, or highways of secondary importance, being constructed by the counties, with such assistance from the State as has been possible from the appropriations.

Thousands of trees have been planted along important sections of the State Highway system which will give added beauty to the roads of this State.

Hundreds of miles of modern protection in the form of cable wire guard railing have been erected for the safety of the traveling public.

The important arteries of travel have been marked with suitable durable signs, giving the distance and direction to important towns en route, and legible markings and signs have been erected to indicate sharp curves or dangerous points along the highways.

Rapid strides have been made in the elimination of dangerous grade crossings, the State's share in orders issued by the Public Service Commission at the present time involving over $1,000,000.

DURABLE ROAD SPECIFICATIONS

The Pennsylvania specifications for modern highways have been adopted as standard by many states in the Union. They have also been used extensively by the United States Bureau of Public Roads in preparing standards governing Federal-aid work.

The highways built in Pennsylvania during this period have been recognized as representative of the best workmanship and engineering skill to be found anywhere.

The administration staked its reputation on the modern durable types of road. These types have been selected on the theory that, with reasonable maintenance, they should be in existence at the maturity of the bonds issued for their construction.

Pennsylvania has built for the future, capitalizing high maintenance cost and putting this into the road.

PROPOSALS AND CONTRACTS

Contracts were awarded after competitive bidding. The award was always made to the lowest bidder, and if such bidder, in the judgment of the department, did not have the capacity to perform the work, bids were rejected and the project readvertised.

TOLL ROADS

At the beginning of this administration Pennsylvania was covered with an elaborate network of toll roads, but with the assistance of the several counties 191.68 miles of turnpike were condemned or purchased at a cost to the Commonwealth of $563,866.50. This action has removed the last toll road from State Highway routes in the state.

ROAD COSTS

The road, as all other necessities, has to be bought at the market. Pennsylvania is building highways as economically as any other State where physical and other conditions are comparable. Forty per cent. of our average road cost is in grading and drainage. It costs more, therefore, to build roads in a hilly or mountainous region than on the level lands of the Middle West. Our specifications, too, are much heavier than the average.

NEW CONSTRUCTION

In the following table is shown the mileage of permanent concrete on concrete base highways constructed in each of the last four years:

1919—253.1	Miles
1920—413.88	"
1921—678.61	"
1922—500	" (Approximate)
Total 1845.59	Miles

During the last seventeen years since the passage of the Sproul Road Bill, the Highway Department of Pennsylvania has placed under contract over 2300 miles of roadway, and more than 65 per cent of this mileage has been completed or contracted for during the past four years.

MAINTENANCE

About 11,000 miles of State Highways and 488 miles of State-aid roads are being intensively maintained at the present time with the receipts from the motor vehicle license fees. Maintenance will continue to be the governing task of the Highway Department, and even with the new construction program we have carried on in Pennsylvania, the largest maintenance schedule in this country has been developed.

BOROUGH REPAIRS

This administration recognized early the necessity for helping the boroughs located on the primary system of roads, where local highways were being subjected to exceedingly heavy through traffic which brought little local advantage and added a severe burden of expense upon the communities for upkeep. In the session of 1919 the first appropriation of $800,000 was made for the purpose of aiding the smaller municipalities in the repair of these highways. Again, in 1921, a further appropriation was made in the amount of $500,000 for the same purpose. Through the aid given by this plan, road improvements were made continuous, where in the past the improved roads led only to municipal limits.

COUNTY COOPERATION

In addition to the large program of State Highway and State-aid construction and maintenance, the State Highway Department has made surveys and prepared and approved plans for counties involving 391.39 miles of modern improvement, representing an expenditure out of county funds of approximately $18,000,000.

Road building is a science and a skilled organization has been developed that with its greater experience and training has been made available to the counties and townships. A

network of substantial local highways has been the result. It is through such cooperation that the comprehensive idea of the State's system of main primary roads has been extended to the counties on the secondary system, or highways of local importance which tie in with the main trunk lines, with the ultimate satisfaction of seeing roads built, not for any selfish interest or for other expediencies, but to meet the demands of traffic, starting somewhere and ending somewhere, and creating a system of uniformly good roads.

TOWNSHIP SUPERVISORY WORK

The largest mileage of public highways within the Commonwealth is located within the Townships of the second class. There are approximately 79,300 miles of public roads of this class, about 8000 miles of which have solid surfaces of various types.

Through the township reward plan valuable assistance has been given many of the townships with their road improvements, resulting in better construction on the less important highways.

A summary of the aid given by the State since 1919 and the amount of work accomplished follows:

	1919	1920	1921	1922	Total
Total Number of Projects Prepared,		1080	202	678	1960
Total Cost of Projects Prepared,		$2,376,920 80	$240,615 95	$1,384,313 28	$4,001,850 03
Total State Reward from State,		$569,630 00	$74,593 37	$343,857 81	$988,081 18
Number of Miles Roads Built,		419.10	62.1	46.77	527.97
Number of Township Bridges Built,		281	37	120	438
Number of Miles Pipe Installed,		20.1	5.1	11.50	36.70
Township Bridges Number of Surveys Made,	238	614	437	140	1429
Number of Plans Furnished,	237	614	445	144	1440
Cash Tax Bonus Paid.					$1,142,049 38

DEPARTMENT OF PUBLIC WELFARE

The new Department of Public Welfare, created by the Act of Assembly of May 25, 1921, the passage of which was so vigorously opposed by those committed to the old system of "catch as catch can" in appropriations and management of the State's welfare agencies, reports great progress during the little more than one year since it was organized. While much has already been accomplished, attention is called by Dr. John Montgomery Baldy principally to the program which the Department is engaged in carrying out.

With a staff of trained men and women, selected entirely because of particular qualifications for the work laid out, the four bureaus were organized, each defined to function in a distinct field.

The Bureau of Assistance was given supervision over the medical and surgical hospitals, the almshouses and homes for adults; to the Bureau of Children was assigned the development of the State's active interest in child welfare, with supervision over institutions and agencies caring for children; the Bureau of Mental Health has oversight over hospitals and institutions for the care and treatment of the insane, feeble-minded and epiletic, and the Bureau of Restoration was created to supervise the penal institutions and to manage the industries operated by prison labor.

A complete survey of the institutions and agencies under its jurisdiction was the first step taken by the new department. A mere inspection did not suffice to give an adequate understanding, but a thoroughly comprehensive written study was made of the buildings, equipment and management of each institution and agency. Such matters as fire protection, sanitation, clothing, food, facilities for recreation and improvement were gone into, and following each survey an essentially important service was rendered by sending to the officials of each individual institution the recommendations of the department.

A NEW CONCEPTION

Quite the most important work undertaken by the department has been the developement of a new conception in the minds of institutional managers, and the public at large, relative to the care and treatment of their wards. This idea is that hospitals, homes and correctional institutions must be something more than places of custody. Insane asylums are now known as our "State Mental Hospitals" and the term "lunacy" has given place to "mental disease." Efforts are being made to make all such institutions homelike and comfortable, so that the environment of the patient may be conducive to recovery. Our penitentiaries are being thought of as training schools, wherein the convict is not only to be punished for his wrong doing, but given every opportunity to prepare himself to discharge the responsibilities of citizenship. The orphan asylum is becoming a home, wherein children will only be temporarily placed awaiting an opportunity to join some carefully chosen family.

It is not to be inferred that the department found an absolutely new field. Many of the heads of our institutions had already caught the spirit of the new day. Pennsylvania has hospitals and homes comparable with the best in the country, but many others fell far short of the best in plant, equipment, management and surroundings. This has been particularly noticeable in the institutions and agencies caring for children.

A thorough study of the prisons, reformatories and county jails in the State has developed plans for the gradual elimination of present conditions in many of them. The question of employment for prisoners is one of the most important matters to be considered in any plan for prison reform in Pennsylvania. The great economic waste in addition to the inhumanity of keeping prisoners in idleness has been receiving particular attention with the result that much progress has been made in devising plans for placing the inmates of our institutions at work in useful and profitable lines.

The manufacturing being done in the prisons is producing good results, and the head of the Restoration Bureau tells me that a profit of over $50,000 was realized in the past three months by the operations of that department. This gratifying result is in addition to the improvement of the morale of the prisoners, and the alleviation of the distress caused by the tedious hours of idleness.

Pennsylvania must work out a broad plan for improving her county prisons, and the best suggestion yet made, it appears to me, is that centrally located rural farms where prisoners may have light, air and fruitful outdoor occupation with a chance to mend themselves mentally, morally and physically, would be a solution of the problem.

AGRICULTURE

The Department of Agriculture, by Act of the Legislature of 1919, was reorganized under the leadership of Secretary Fred Rasmussen, and the different activities coordinated into the following six Bureaus: Animal Industry, Plant Industry, Markets, Statistics, Chemistry and Foods.

The work of the different bureaus has been organized on a basis to make possible the fullest cooperation with the United States Department of Agriculture, with a view toward establishing definite fields of work for the Pennsylvania State College and the Department, and providing for

the closest cooperation of all existing agencies, dealing with agricultural problems.

The activities of the Bureau of Animal Industry have mainly been concerned with the prevention and eradication of animal diseases. The State and Federal Government in cooperation with the cattle owners have tested for tuberculosis 10,821 herds of cattle comprising 155,790 head, with the result that 11,562 diseased cattle have been removed from the herds of the State. In an effort to prevent a further spread of tuberculosis, 53,698 animals shipped into the State for purposes other than immediate slaughter have been tested for tuberculosis. In addition, 7,180 inspections were made of meat establishments, ante-mortem examination was made of 19,360,000 food animals and inspection was made of over 24,000 tons of meat, of which over 500 tons were condemned.

The Bureau of Animal Industry has also by the manufacture and distribution of vaccine prevented loss to the livestock industry from anthrax, blackleg and hemorrhagic septicemia. A great deal of work has been done along the line of prevention and control of cholera in hogs, scabies in sheep and parasites in sheep and poultry.

Through the improvement of the Stallion Registration Law and the Dog Law valuable service has been rendered to the livestock industry and in the protection of human life from rabies which is altogether too common in the State. The Services of this Bureau have a twofold purpose, that of protecting and encouraging the livestock industry and that of protecting citizens of the State from such animal diseases as are communicable to man.

PLANT INDUSTRY

One of the outstanding activities of the Bureau of Plant Industry is the work in the control of European potato wart disease. A survey of practically the entire State revealed the presence of this disease in more than fifty places. By quarantine it has been possible to prevent further spread of this disease until, by experimental and research work, satisfactory immune varieties of potatoes can be developed for use in infested regions. Another dangerous plant pest which is threatening the agriculture of the State is the Japanese beetle, which has come into the State from New Jersey during the last three years and is now known to infest approximately 170 square miles, extending north from Philadelphia along the Delaware river. Every effort has been made to delay the spread of this insect and protect the millions of dollars invested in the nursery and florist business near Philadelphia.

The State Seed Inspection Service for purity and germination qualities was inaugurated by legislative act in 1921. This act requires seed houses and distributors to attach labels giving the quality of seed offered for sale, thus protecting the buyer and preventing loss from impure seed of low germination and often containing noxious weed seeds.

FARM MARKETS

During the last four years especial attention has been given to organizing a Bureau of Markets which can render such service in the marketing of our farm products as is beyond control of the individual and the community. A number of important Acts were passed in 1919 and 1921 defining the duties and powers of this bureau. Since 1920 the State in cooperation with the Federal Government has maintained a telegraphic market reporting service. A leased wire is maintained in Harrisburg and Lancaster, over which prices, supply and demand of farm products are received daily and this information distributed daily through local papers and throughout farmers' organizations. This service has been of inestimable value to the farmers and the dealers in the State.

Standardization and grading of farm products has been an important part of the work of the Bureau of Markets. Grades have been established for apples and potatoes. For over a year cooperative work with the United States Department of Agriculture has been carried on in Pennsylvania on the grading of tobacco, and tenative grades have been proposed.

A most important piece of work has been done in the study of the wheat and flour markets of the State. In August, 1922, an important conference of bakers, millers and wheat growers was held under the auspices of the Department of Agriculture in which the excellent quality of Pennsylvania flour through baking tests and by other means was demonstrated. At that time there was a wide difference in the value of Pennsylvania flour and the patent flour in favor of the western flour. By the middle of November the difference had decreased about fifty per cent. The increase in the price of our flour can be traced largely to the information presented and facts established by the Pennsylvania Agricultural Department.

Recently the Federal Government has established grades for hay and demonstrations of these grades are being given in hay shipping sections in the State.

A beginning has been made in the standardizing of containers for farm produce. The standard barrel, climax baskets of two, four and twelve quart size, berry basket, thirty-two quart crates for berries and six basket carriers for peaches and tomatoes have been made the standard sizes for these packages in Pennsylvania.

The Legislature of 1921 passed an Act authorizing the Bureau of Markets, upon request, to render inspection of farm produce both at place of origin and destination. This service is paid for by the applicants and is meeting with great favor both by the shipper and purchaser.

In 1919 the Legislature passed the Agricultural Cooperative Association Act. That this law has filled a need and met with favor with the agricultural people is testified to by the fact that already over 300 cooperative associations are incorporated under the Act.

Valuable marketing statistics have been collected. A record of the shipment of fruits and vegetables from Pennsylvania shipping points has been prepared covering the years since 1916. In addition, the commercial fruit and vegetable supply for 1921 of our fifteen largest cities has been secured from the railroads and prepared for distribution. The data is of great value to producers in judging the local requirement of such product.

The marketing of the products of the farm is a complicated, difficult task. By fostering activities such as outlined, great economy and more orderly marketing is possible and is a line of work which is very much in the public interest.

PROTECTING FARM SUPPLIES

Most efficient and valuable work has been done by the Bureau of Chemistry in the enforcement of the feed, fertilizer, lime, insecticide and paint and oil laws of the State. Over 19,291 samples of the different products have been analyzed. The number of prosecutions is decreasing from year to year, as the Bureau has had the cooperation and confidence of the trade in securing compliance with the law.

FOOD LAWS

During the last four years there has been no weakening of any of the food laws of the State. On the other hand a number of important laws for the further protection of the health of people have been passed. Among these are the new Cold Storage Act, the Butter Act limiting the water in butter to 16 per cent., the Sanitary Bottling Act and the Fresh Egg Act. Pennsylvania is recognized as having food laws equal to or better than any other State in the Union. The collection of fines and licenses in this Department are a big item in State revenue.

Of general activities there should be mentioned the beginning of a series of publications of Pennsylvania Agriculture, Bulletins on the apple and tobacco industry are in the hands of the printer and material is in preparation for publication on the swine and vegetable industries. These publications will prove of value in calling to the attention of the people the extent of Pennsylvania agriculture and in making an exact record of the industry during a given period.

THE NATIONAL GUARD

Four years ago, the National Guard of Pennsylvania, largely constituting the 28th Division of the United States Army, was still in Europe, and the military force of the State was represented by the Pennsylvania Reserve Militia. In May, 1919, the 28th Division having returned from overseas, preparations were immediately made for the reorganization of the National Guard. With this in view, I commissioned Brigadier General William G. Price, Jr., as Major

General, in command of the National Guard, and ordered him upon active duty in charge of the training and discipline of the military units to be rebuilt. Brigadier General Richard Coulter, Colonel George C. Rickards and Colonel Edward C. Shannon were appointed Brigadier Generals in command of the several brigades of Infantry planned for our reorganization.

Owing to the delay upon the part of the Federal Government in deciding as to the type of the new organization of the federal National Guard of the several States, we decided that Pennsylvania would proceed with the reorganization. In June, 1920, Congress, by amendments to the National Defense Act, finally reorganized the Guard, and authorized us to use the designation which has been applied to our organizations as a part of the 28th Division in the World War.

The Division, therefore, became known as the 28th Division, and the regiments as the 109th, 110th, 111th and 112th Infantry; the 103rd Engineers; the 103rd and 104th Cavalry; the 107th and 109th Artillery and a newly organized 103rd Medical Regiment. Our old 2nd Artillery became the 108th Artillery, and the Infantry was converted into the 176th Artillery, and these are now known as Motorized Heavy Artillery Regiments. The three separate battalions of the former 4th Infantry became an anti craft regiment, known as the 213th Artillery. The two Cavalry regiments were organized as a brigade, known as the 52nd Cavalry Brigade, Colonel John Wood was commissioned as a Brigadier General and given command of this organization. Colonel Asher Miner was commissioned a Brigadier General of Artillery, and placed in command of the 53rd Field Artillery Brigade.

During 1920 active recruiting was started, and sufficient organizations had been formed, equipped and received Federal recognition by August 1, of that year to enable us to hold a camp at Mt. Gretna with over ten thousand men ready for training.

The National Guard having now been recruited, armed and equipped in sufficient numbers to perform their usual function of defense for the State, the Pennsylvania Reserve Militia, which had been organized in 1918, was demobilized in accordance with the Act of Assembly creating it. This organization rendered splendid service, and brought a feeling of security to our people while our troops were abroad on active duty with the Federal Army.

FORCES MUCH INCREASED

By the time for the 1922 encampment, the National Guard of Pennsylvania consisted of 12,630 officers and men, a force fifty per cent. greater than the average force of the National Guard prior to the War.

During the tour of the 55th Infantry Brigade at Mt. Gretna last year, I had the great pleasure of commissioning on the field Colonel Edward Martin of the 110th Infantry, as a Brigadier General in command of the 55th Infantry Brigade.

It is also a satisfaction to us to be able to record that General George C. Rickards, of our National Guard, was appointed by the President a Chief of the Militia Bureau of the United States War Department, with the rank of Major General.

TROOPS IN ACTIVE SERVICE

The history of industrial conditions throughout the country led us, in July, 1922, to fear that the gathering of large crowds of people might be followed by violence and loss of life and property, and with a view of preventing occurences similar to those which were recorded in the coal regions of West Virginia and Illinois and for the preservation of public peace and order, I directed that a regiment of Cavalry be moved to the disturbed region and that Cavalry troops be stationed at various strategic places to reinforce and supplement the activities of the State Police in case of need. It is a pleasure to relate that my proclamation calling upon our citizens generally to maintain law and order was well observed, and that the vigilance of our State Police and the Cavalry, in conjunction with the duly authorized peace officers of the various counties, saved us from any outbreaks of moment. This is particularly notable in view of the fact that approximately one-half of all of the coal miners in the United States are employed in Pennsylvania.

Credit must be given to the leaders of the strikers for peaceful counsel and constant efforts to keep their followers from untoward actions.

The distribution of the troops and the facilities employed for their rapid transportation to various places over an area of five thousand square miles, have afforded valuable lessons to our military authorities.

Our highly efficient Adjutant General, Frank D. Beary, has made some interesting studies of the relative mobility of the troops equipped with motor transportation as shown in our recent troop movements as compared with those upon previous occasions when it was necessary to order the National Guard into active service.

DEPARTMENT OF STATE POLICE

It would be difficult to give too much praise to that excellent arm of public protection, the Pennsylvania State Police. We re-organized the force in 1919 under the Act which provided for the abolition of the office of the State Fire Marshal and the addition of this phase of public work to the functions of the State Police under a Bureau of Fire Protection, and also brought about the addition of a Division of Criminal Identification and information to the department.

CRIMINAL RECORDS

This latter division of the department has been fully equipped with the best systems for the filing of records of criminal investigations, stolen automobiles, lost property, missing persons, fugitives from justice and statistics concerning the motives and methods of criminals and personal records of criminals, including fingerprints and intimate descriptions. This division of the State Police Department has provided the rural counties of this Commonwealth and the smaller cities, towns and boroughs with facilities for criminal identification and information equal to the best city police department in the United States. It is in communication and co-operation with all of the important identification bureaus in North America, and it has been the means of identifying many habitual criminals and bringing them from other States and from abroad to serve sentences for offenses committed in this State, as well as of apprehending and returning criminals from other States who had come here and were caught before they had an opportunity to do damage in Pennsylvania.

FIRE PROTECTION

The Bureau of Fire Protection is undertaking the investigation of every suspicious fire within its jurisdiction; the inspection of fire hazards, the removal of dilapidated buildings and the elimination of incendiarism as far as possible, especially in those districts of the State which are not covered by the operation of a city fire department. Local fire chiefs have been appointed as assistants to the bureau in every community where a fire department is established. This gives an element of home rule, and although it is continued with very little expense has resulted in much benefit to the department as well as to the communities of the State.

The consolidation of the Fire Marshal's work with the State Police Department has given those employed in the Bureau the necessary police power, and has been followed by an increased number of arrests for arson and other crimes. As many as one hundred and eighty-one arrests for the crime of arson have been made since the establishment of this bureau, a little over two years ago.

CO-OPERATIVE WORK

In line with the general policies of the administration to bring about a closer co-operation with the various departments, the State Police have assisted in the maintenance of quarantine and the apprehension of persons affected with infectious or contagious diseases as well as in other violations of the laws or regulations of the Department of Health; have assisted the State Veterinarian in the detection of infected cattle or horses, under the direction of the Department of Agriculture; have assisted the Highway Department very materially in the enforcement of the motor vehicle laws and in investigating accidents caused by careless or intoxicated drivers; have assisted the State Game Commission by co-operating with its wardens in the protection of game; as authorized Fish Wardens the State Police have investigated violations of the fish laws of the State; have assisted the Department of Forestry in the investigation of incendiary forest fires, and as ex-officio fire wardens have

deputized citizens to assist in extinguishing forest fires; have aided the authorities of the Department of Public Instruction in cases where parents are wilfully negligent or obstinate in refusing to send their children to the public schools, and have assisted the Public Service Commission in reporting persons operating common carriers in violation of the laws of the State and rules of the Commission.

It is interesting to note that during the year 1922, approximately fifteen thousand requests for assistance have been received by the State Police Department; thirty-five thousand investigations have been made; the patrols have covered two million miles; over twelve thousand arrests have been made; $300,000 in fines have been collected and over $600,000 worth of stolen property has been recovered.

RECORD OF FINE SERVICE

But the particular business of the State Police Force is not only to apprehend criminals but to prevent crime. Its record has been to help our citizens rather than to arrest them.

In the great steel strike of 1919 and the coal strikes of that year, and the more extensive one of the past year, by a judicious distribution of men throughout the threatened districts, much disorder was prevented and many serious disturbances were stopped in their incipiency.

THE POLICE SCHOOL

I believe that the State Police Force, now under the direction of Major Lynn G. Adams, in its morale, in its equipment and in its efficiency is at the highest point in its history. The establishment of the school at Newville for the preliminary instruction of recruits and advanced instructions for men of the force who aspire to promotion to the higher grades, has been a great factor in reaching this satisfactory result. It has served to prevent the introduction of men into the force who lack the qualifications necessary to meet its talents, and has saved a great deal in money and time. The course of instruction covers the criminal law, criminal procedure; the motor, game, fish and forestry laws; the investigation and reporting of crimes, police methods; traffic crowd and mob control; geography of Pennsylvania, with especial reference to the highway system and the industrial features of the State; first aid to the injured; horsemanship, including cavalry drill, care of horses and stable hygiene, and self-defense, including the use of weapons, jui-jitsu, wrestling and boxing.

The State Police Force now consists of six captains, seven lieutenants, five first sergeants, twenty-six sergeants, fifty-two corporals and two hundred and twenty-seven privates, making an aggregate of three hundred and twenty-three men.

THE ATTORNEY GENERAL'S OFFICE

The various items of new legislation with reference to taxation, public welfare, prohibition enforcement and the erection or purchase of bridges over the Delaware River, as well as the ordinary questions affecting the operation of the various departments of the State Government, have kept the Attorney General's office, under Attorneys General William I. Schaffer, whom I had the honor to appoint to a vacancy in the Supreme Court of the Commonwealth, in 1920, and George E. Alter, whom I was fortunate enough to be able to call into the public service as his successor. The conduct of the office has been notably efficient and successful.

There have been a number of cases of state-wide and even nation-wide importance which have been handled by the Attorney General and his deputies. It has been the policy of the department to have all matters placed in charge of members of the Attorney General's staff rather than to employ outside counsel.

LEGAL TRIUMPHS

It is a matter of particular satisfaction to record the fact that all of our laws, drawn by the Attorney General's department as representative of the views of the administration, have been sustained in the courts of the State and in the United States Supreme Court, where appeals have been taken. The Attorney General has gone to the defense of Pennsylvania's statutes in all cases of state-wide moment where they have been assailed, and his record to use the common expression, has been one hundred per cent.

The only failure of one of our laws to hold has been in the mine cave case, and this legislation was not drawn nor submitted by our own legal department. In this case, which we are discussing elsewhere, the decision of the United States Supreme Court suggests a way out of the difficulty, and does not prohibit the State from devising a plan to protect the safety of our citizens and their property.

ENFORCEMENT PROBLEMS

The Attorney General invited the District Attorneys of the various counties and the United States District Attorneys of the several districts in Pennsylvania to meet him to discuss matters relating to the enforcement of prohibition laws, and two such conferences have been held at Harrisburg. At the meeting in November, the District Attorneys formed a permanent organization and planned to meet again this month. We feel that the creation of this organization is a matter of much importance, and it should have excellent results in bringing the prosecuting officers of the various counties in contact for the interchange of views and for the purpose of giving the Legislature the benefit of their experience wherever changes are contemplated in the laws relating to crimes and criminal procedure. Changes in the criminal law are usually made at the instance of persons who view the question from the standpoint of the accused, and have little or no knowledge of the problems of the officers on whom rests the responsibility for the enforcement of the law.

The Attorney General has designated one of his deputies to attend to all legal matters in connection with the Delaware River Bridge, at Philadelphia. The law provides that condemnations of real estate which become necessary on part of the Pennsylvania Commission shall be conducted through the Attorney General of Pennsylvania, and the Deputy Attorney General designated for this work has, up to this time, co-operated with the preparation of contracts for the Commission involving an expenditure of over $5,000,000. As showing the importance of the work being done, the properties acquired, up to the time this was written, have an assessed value of $391,400, and yet the claimants are demanding over $1,500,000 as recompense, indicating the substantial possibilities of disputes in arriving at the final adjustments.

The Attorney General's Office has also intervened in important litigation involving the contamination of streams; in the action against the State of West Virginia, to restrain the enforcement of a statute to restrict the exportation of natural gas, which is one of the most interesting contests now before the Supreme Court of the United States.

The decision of the Supreme Court of the United States sustaining all the questions at issue in the anthracite tax case was of the utmost importance to the fiscal policy of this Commonwealth, and the decision of the court was regarded as a great victory for our legal department.

The appeal of the State against what was regarded as an exorbitant judgement given in the case of the County of Philadelphia versus the Commonwealth for election expenses under the old law, by which the Commonwealth paid for the expenses of primary elections, is before the Supreme Court. The judgment in this case is over $600,000. I vetoed the bill passed in the 1921 session making an appropriation to take care of this claim, as it is considered that many of the charges included in it are unwarranted.

The Attorney General sat in the hearing ordered by the Auditor General in matters involved in the audit of the Treasury Department, and felt compelled to cause a prosecution to be entered as a result of the investigation. The Attorney General expresses particular appreciation for the assistance rendered by former Justice of the Supreme Court, Edward J. Fox, whose co-operation in this matter we must consider as a public service of the highest character.

MONEYS COLLECTED

During the past four years the total collection of the Bureau of Escheats in the Attorney General's Office has amounted to the tidy sum of $661,501.20, and the Bureau of Maintenance collections for the care of patients in the insane asylum have reached $311,392.06 during the past two years, showing the very substantial returns the Treasury receives from items which were long neglected.

The business of the Attorney General's Office is up to the minute, and all matters referred to it have received prompt attention.

DEPARTMENT OF HEALTH

Our Department of Health, under the splendid leadership of Colonel Edward Martin, has maintained its pre-eminent position. It has encouraged and supported local health administration; has organized an association including all municipal health boards, with a school of instruction for their better functioning; has conducted a correspondence course reaching more than a million citizens; has enrolled medical, church, school, business, labor and volunteer agencies in a concerted drive for a better public health.

With records showing a doubling of its activities this department, under a budget system which it established in 1919, has had no deficit, though its last direct appropriation was $34,369.24 less than was given in 1917.

Without enabling legislation it has secured complete protection against milk-borne infections for at least a million people; has made 127,474 inspections of food handlers, including those serving at country fairs; has secured 3,820 abatements of insanitary tenement house conditions, while annual inspections were made of 525,000 school children, with permanent records for each. 315,733 defects were found and corrected, and 113,876 scholars, educationally retarded more than three years, were listed.

Practical demonstrations of the means by which teeth may be kept sound have resulted in applying the methods shown to more than 50,000 children.

Narcotic soothing medicines for babies have been eliminated. Four hundred drug peddlers have been apprehended and convicted and fifteen hundred addicts have been cured. The total quantity of narcotics used in the State has been reduced seventy per cent.

In the purchase and distribution of 236,662 packages of antitoxin, vaccines and other biological supplies, lessened personnel competitive bidding and systematic control of wastage have resulted in a saving of $130,000.

Efforts to wipe out diphtheria have resulted in one thousand less cases in 1922 than in 1917, the case fatality rate being reduced from twelve in 1917 to nine in 1922.

217,185 laboratory examinations were made, a quantity increase of four hundred per cent. and a cost reduction of one hundred per cent.

There were 285,000 patient visits to the one hundred and nine tuberculosis clinics, and 13,392 patients were treated in the three sanatoria. Deaths from tuberculosis have been reduced from an average of one hundred and thirty-six per 100,000 before 1918, to 91.6 in 1921, representing a yearly salvage of 3600 lives and a probable prevention of 30,000 fresh infections.

In the last three years State nurses made 341,398 house visits; attended four hundred and nine clinics, to which there were 800,000 patient visits; provided for 14,579 undernourished children; raised $239,172.74 in public gifts, which was spent for food, rent, clothing, fuel where it was most needed.

224,957 patient visits were made to State venereal disease clinics; hundreds of places of commercialized vice were closed; 4,480 public health menaces were quarantined, and there were 80,717 administrations of salvarsan without accident.

There are in Pennsylvania four hundred and seventy health centers for babies. In two hundred and fifty of these, in one month, 13,950 babies were examined. Since 1917 the infant death rate has been reduced twenty per cent; a present annual salvage of 4,600 baby lives.

The death rate in Pennsylvania in 1921 was 12.3 per 1,000 population, the lowest in the history of the State. Compared with the death rate of sixteen in 1,000 in 1906, when applied to the State as a whole, this means an annual saving of more than 30,000 lives.

LABOR AND INDUSTRY

While the Department of Labor and Industry is a comparatively new organization in the State Government, its activities have become so widely diversified that it now seems remarkable that we were able to get along without it. The fact of the matter is that we did not get along; we simply existed without care or thought of the workers, who are the mainspring of the State's great industrial development.

Although hampered by insufficient funds to carry on thoroughly the work which it should do, this great department, under the leadership of Commissioner Clifford B. Connelley, has performed extraordinarily useful service.

The progress of our factory inspection, of the study of safety devices, of the care for women and children in industry, of investigations of industrial relations and conditions throughout the State, in the promotion of employment understandings and in protecting the health of workers under all sorts of conditions, has been fully in keeping with the spirit of the times. Industrial inspections, for instance, have increased from ninety thousand to one hundred and twenty thousand a year, and the cost per visit of an inspector has been reduced from fifty-seven cents to thirty-seven cents.

The new bureau for the rehabilitation of those injured in industry has worked most successfully, and several hundred Pennsylvanians are now engaged in useful employment, who, but for the intervention of this agency, would be idle and unhappy.

WORKMEN'S COMPENSATION

The Workmen's Compensation Bureau, under the direction of Chairman Harry A. Mackey and his associates, Paul W. Houck and Benjamin Jarrett, has during three and one-half years, for which statistics are available, handled no fewer than 533,977 accident reports, and excellent service has been rendered in making prompt settlements and following up each individual case to see that entire justice is done and that both parties are satisfied according to the provisions of the law.

Much has been accomplished in the standardization of accident statistics and the increased protection to workers. During our time, our laws have been greatly liberalized by increasing the percentages of compensation, and bringing relief to the injured worker quickly and fully.

The Pennsylvania Compensation Law guarantees benefits to a larger group of employes than the laws of any other State. Approximately two hundred and fifty thousand employers are bound by its terms, while three million five hundred thousand men and women are possible beneficiaries of its merciful provisions.

Our Compensation Board and its employees take the service to the people who need it, and the operations of this Bureau have been administered in a broad-gauge way which has won the commendation of employers and employees alike.

THE OFFICE OF THE SECRETARY OF THE COMMONWEALTH

The extraordinary growth of the State's business within the past few years is shown in the report of the Office of the Secretary of the Commonwealth, which has been completely reorganized and its operations simplified and systematized under the direction of Secretary Cyrus E. Woods and his successor, Bernard J. Myers.

For instance, the amount of fees and bonus collected by this office during the four years covered by the administration of my predecessor aggregate $3,033,135.98, while during the past four years collections from the same sources amounted to $5,998,448.33, an increase of nearly one hundred per cent.

This important department of the State Government, where all papers requiring action by the Governor are recorded, all commissions issued, legislation verified, requisitions and warrants issued, election details handled and corporate papers issued and filed, has been admirably managed, and its operations are a credit to the State Government.

PUBLIC GROUNDS AND BUILDINGS

The activities of the Board of Public Grounds and Buildings during the past four years have been of great importance. In addition to the maintenance and upkeep of the State's property, the provisions of supplies for all departments of the government and the acquisition and rental of property for the necessary departmental offices throughout the State, the Board has carried out a notable program of buildings and improvements at Harrisburg, and has erected twelve bridges in various sections of the State.

Under the provisions of the Act of 1917, providing for the widening of streets and improvements of the Capitol grounds, the Board, in conjunction with the City of Harrisburg, has well under way a comprehensive improvement of the Capitol surroundings under the plans prepared by Arnold W. Brunner, the distinguished architect. This work has cost to date, $162,829.20.

In accordance with the Act of 1919, the Board has undertaken the erection of the first of the four office buildings in the plans for the Capitol Park improvements. The result is that the south office building, which is one of the most beautiful structures in the country, is now about two-thirds completed, the lower or terrace portion is about ready for occupancy, and the entire building can be completed within a year. The expenditures upon this building, to date, including the contract authorizations, will amount to about $1,800,000.

The Soldiers' and Sailors' Memorial Bridge, the construction of which was authorized by the Act of 1919, has not been started further than that the engineering and architectural plans have been secured and certain property has been acquired at a cost of $172,676. It is to be hoped that provisions can be made for carrying on this work, as well as for the starting of another building unit in the general development of the Capitol Park plan. The completion of this great project will make our capital city one of the most beautiful in the world.

To meet the need for space for the various State offices the Board authorized the erection of three temporary office buildings with floor space of approximately sixty-six thousand square feet, at a total cost of $180,000. This amount represents less than two years' rental for equal accomodations, not so desirably located, and the buildings will thus have paid for themselves within this year.

The following important bridges have been erected under the authority given the Board by various Acts of Assembly: Over the Susquehanna River, at Falls Station, Wyoming County, cost $223,532.83; over the west branch of the Susquehanna River, at Lock Haven, cost $146,800; over Aughwick Creek, in Huntingdon county, cost $33,000; over the Susquehanna River, at Laceyville, cost $54,645; over Penn's Creek, at Monroe Mills, Snyder county, cost $32,895; over Tionesta Creek, Forest county, cost $64,965; over Wapaseening Creek, Windham Township, Bradford county, cost $36,996; over Raystown Branch, Bedford county, cost $30,235; over the west branch of the Susquehanna River, Clearfield county, cost $23,475, and over the Allegheny River, at Freeport, Armstrong county, cost $109,400. Repairs to Knoxville Bridge, over the Cowansque river, Tioga county, cost $12,650.

The members of the Board being also members of the Joint Commissions for the acquisition and maintenance of toll bridges over the Delaware River with the States of New Jersey and New York, the Board has supervised the acquisition of the various bridges which have been purchased under this authority.

THE DELAWARE RIVER BRIDGES

After its having been discussed for more than one hundred years, the State of Pennsylvania, in conjunction with the City of Philadelphia, has joined the State of New Jersey in undertaking the construction of a great bridge over the Delaware River, connecting the cities of Philadelphia and Camden.

The action recommended in my message of 1919, and authorized by the Legislature of that year, has resulted in the active operations leading to the acquisition of property and the construction of the bridge. The plans call for a splendid structure, and the work has already been advanced to a point where the pier foundations and the stone work for the piers have been completed, and the contracts given for the superstructure which will carry the great suspension devices. The State has already appropriated about $1,750,000 in the undertaking; all told, probably $10,000,000 more will be required from the State to complete the bridge. The contribution of the State of New Jersey will be almost twice this amount, and that of the City of Philadelphia will match the contribution of the Commonwealth.

It is hoped, if appropriations are forthcoming, to have the bridge ready to be dedicated at the time of the celebration of the one hundred and fiftieth anniversary of American Independence.

Under the provisions of the Acts authorizing the acquisition of the toll bridges over the Delaware River, the Joint commission representing the States of Pennsylvania and New Jersey has taken title for the respective States to the following bridges:

Morrisville and Trenton, cost $240,000; Point Pleasant and Bryan, cost $30,000; New Hope and Lambertville, cost $225,000; Easton and Philipsburg, cost $300,000; Taylorsville and Washington's Crossing, cost $40,000; Milford and Montague, cost $31,500.

Arrangements have been completed to purchase the bridges between Yardley and Ewing for $67,500, and between Riegiesville and Riegelsville Station, for $50,000.

There are nine other toll bridges over the Delaware River between Pennsylvania and New Jersey. Some of these should be acquired, and others are in such a state of dilapidation that they are of doubtful value.

The Commission for the Joint Acquisition and Maintenance of Toll Bridges over the Delaware River, between the State of Pennsylvania and the State of New York, has purchased the bridge between Matamoras and Port Jervis, for $153,250, and the bridge between Buckingham and Hancock, for $10,186.78.

The Joint Commission has completed arrangements to buy the bridges between Shohola and Highland, for $22,789.11; between Milanville and Skinners Falls, for $19,542.21; between Damascus and Callicoon, for $35,000, and the Cochetton bridge for $25,000.

There are five additional bridges over that section of the Delaware River forming the boundary between Pennsylvania and New York, which it may be advisable to buy if satisfactory terms can be arranged.

All of these bridges have been acquired at prices which have been approved by competent engineers as representing their reasonable replacement values.

BANKING DEPARTMENT

The Department of Banking, under the direction of Commissioner John S. Fisher, and his successor, Commissioner Peter G. Cameron, has functioned admirably since its reorganization under the laws passed in 1919.

As showing the wonderful growth of Pennsylvania, it is only necessary to review the progress which has been made since the organization of the Banking Department in 1895. During this period the banking assets of State institutions have increased from $340,000,000 to $2,232,000,000, or nearly seven fold.

Banking assets and trust funds have grown in like proportion, while the assets of building and loan associations have reached the imposing figure of approximately of $650,000,000.

During the past four years, the force of Examiners has been very largely increased, and much trouble and loss have been saved to the State while confidence in our banking system has been greatly strengthened.

It is believed that the general condition of the banks of the State is now better than at any previous time in our history, but constant supervision is necessary to maintain this agreeable situation.

During the past two years, our attention has been drawn to the efforts of professional promoters to organize banking institutions, oftentimes in places where there is no necessity for banking facilities and where there is little opportunity to build up dependable institutions. In some instances, heavy fees have been exacted from the stockholders for the services of these promoters, and we cannot but feel that this practice is not only reprehensible but dangerous. With these facts in mind, I have required specific reports from Bank Examiners and, in many cases, hearings before the Banking Commissioner, the Secretary of the Commonwealth and the Attorney General before approving applications for charters for new banks.

Legislation should be passed giving the Banking Department some discretion in the matter of approving banking charters. Some effective plan, too, must be devised for the regulation of the issue or sale of securities within the State. Pennsylvania is becoming notorious as a dumping ground for all sorts of spurious and worthless issues, owing to the lack of effective laws which will make it an unhealthy place for fraudulent promotion.

INSURANCE DEPARTMENT

The Insurance Department was reorganized under the Act of June 12, 1919, and, under the direction of Commissioner Thomas B. Donaldson, it has attained an efficiency notable among similar organizations throughout the country and a record of service unequaled in the history of the State.

The detailed report of Commissioner Donaldson shows a thoroughness of inspection and a care for the interests of policy-holders in all branches of the very important protective enterprises of fire insurance, life insurance and various other forms of this great business that is most gratifying. It is most difficult for the Insurance Department to offer tangible proof of its accomplishments. It is not a department which does much in an aggressive way, most of its work being in the nature of restrictions—a comprehensive series of "donts". Its examinations and warnings, which prevent failures and consequent losses to patrons, rarely gain publicity. Its work in liquidation and the distribution of assets to sufferers from bankruptcy seldom reaches the public notice. Ten hundred and seventy insurance organizations report annually to this department. Its encouragement of lawful enterprises and its efforts to justly regulate rates and secure justice in settlements, are likewise known only to the individuals directly affected.

We may take great pride in the present standard of service in the Insurance Department, and it is to be hoped that the present absolute segregation of this fine organization from the influences of so-called "practical politics" may be continued.

The ramifications of the insurance business and its relation to the people in so many directions are of vast importance, and it is necessary to have officials in charge of the State supervision who are so competent that it will not seem impudent for them to tell business organizations how to conduct their affairs.

STATE WORKMEN'S INSURANCE FUND

The Legislature of 1915 made an appropriation of $300,000 for the purpose of starting the State Workmen's Insurance Fund in business. This was supplemented by the Legislature of 1917 granting a further appropriation of $200,000 for the same purpose. The moneys thus appropriated were exhausted November 30, 1918, and since that time the State Workmen's Insurance Fund has been entirely self-supporting, using the premiums collected from policyholders for the purpose of putting aside proper reserves and paying claims and expenses. On February 17, 1921, the $500,000 advanced by the State, was returned to the State Treasury in cash, by William J. Roney, Manager of the Fund.

The records of the fund show its business has been constantly increasing, although during the years 1921 and 1922 premiums collected were not so large as during the year 1920, for the reason that in 1921 business conditions were unsettled and the great coal strike in 1922 was reflected in the decreased premiums. Below is a tabulation showing the premiums collected during the past four years:

	Commercial Premium	Coal Premium	Total Premium
1919	$1,356,836	$1,246,744	$2,603,580
1920	1,417,393	1,769,275	3,186,668
1921	1,006,796	1,183,215	2,190,011
1922 (9 mo.)	913,784	984,538	1,898,322

The number of policies issued each year has been as follows:

1919	1920	1921	1922
16,491	16,834	19,553	21,806

The total surplus after charging up all possible liabilities on December 31, 1921, was $2,704,266.

After the return of the $500,000 to the State Treasury, and the surplus of $2,700,000 being considered amply sufficient to meet any possible contingencies that might arise, it was decided that excess earnings, instead of being added to the surplus, should be distributed each year to our policyholders. The following table shows dividends to policyholders during the various years:

1919	1920	1921	1922 to Sept. 30th
$280,885	$282,527	$811,711	$340,364

Each year that the State Fund has been in existence a regular dividend of 15 per cent. has been returned to the commercial policyholders, and a regular dividend of 10 per cent. to coal policyholders, except during the year 1917, when it was deemed advisable to pay a dividend of only 5 per cent. to coal policyholders.

When, as stated above, it was deemed proper to return all surplus earnings to policy holders in the shape of dividends, in the year 1920 an extra dividend of 15 per cent. was paid all policyholders, and extra dividend of 10 per cent. was paid to all policyholders in the year 1921.

A complete examination of the operations and resources of the State Workmen's Insurance Fund was made by direction of the Governor in 1922. Insurance Fund officials from the States of New York, Massachusetts and Maryland made the examination, the cost of which was paid from the Governor's contingent fund. The reports made reported credit upon the management of the Fund.

The business of the State Fund has been, we think, efficiently handled; the policyholders are satisfied; there has never been a year since the fund was established that it has not given the service at as low cost as any other compensation carrier in the Commonwealth. As a matter of fact, there is only one other carrier that has given its policyholders insurance at so low a cost.

DEPARTMENT OF MINES

In Pennsylvania one-half of all the coal miners in the United States find employment, and this State has always led in providing laws and the necessary inspection to safeguard the lives and health of mine employes. The Pennsylvania system of inspection has been a model for many other States as well as for foreign countries.

In 1920 a redistricting of the activities of the department was made, and the work of the inspectors has been more evenly divided. In 1921 the method of selecting Mine Inspectors in the anthracite region was changed, and the Inspectors are now appointed by the Governor instead of being elective in the districts. The result of this change has already been apparent in the increased efficiency of inspection.

The introduction of modern methods and close inspection of the mines and the conditions of employment have resulted in a greater safety for employees. Nevertheless, two great disasters have occurred; one in June, 1919, at the Baltimore No. 5 colliery, 11th Anthracite District, in which ninety-two men were killed by an explosion of powder, and one in November, 1922, at the Reilly No. 1 mine, in the 15th Bituminous District, in which seventy-seven men were killed by an explosion of gas.

These explosions and the causes leading to them were promptly investigated, and the lessons and warnings given are being used to the best advantage in the prevention of similar occurrences.

PUBLIC PRINTING AND BINDING

A review of the operation of the Printing Department since 1919 contains few outstanding features which we can claim as meritorious. The reason for this lies in the antiquated laws and constitutional provisions which hamper the department, in the manner in which appropriations are made to the Printing Department, and the custom which permits unlimited latitude in ordering by the various departments as well as to extraordinary causes entirely beyond the control of Superintendent Robert C. Miller.

We found a haphazard condition in the handling of paper and supplies, but by act of Legislature have been enabled to establish a system by which the State retains control of all of its paper, issuing it in exact quantities to the public printer and thereby eliminating a waste which amounted to a substantial evil.

Efficient operation was seriously interfered with in the earlier period by war-time conditions, which, in the paper trade, reached a peak in 1919 and 1920, and was later further aggravated by a strike of printers from the effects of which we are just now fairly emerging.

We have encountered an enormous increase in the volume of printing, caused to some extent by the creation of new departments, boards and commissions, and by necessary publications, which were not contemplated when our appropriations were made.

The State should own and operate its own printing plant, to insure better work and more efficient service. This can be accomplished without any materially increased cost. If that cannot be done, then each department should be held

rigidly to an amount to be expended for printing, and a smaller general appropriation made for contingencies to be handled by the Printing Department. There should be an official or board with ample authority to pass upon the great mass of material now offered for printing, and determine its value to the public before it is printed. Standardization of qualities would also mean much in the way of saving to the State. It could only be accomplished by giving the Superintendent of Printing absolute authority which could not be contested by every official ordering printing who follows his own particular taste as to quantities, qualities and details of execution.

THE PUBLIC SERVICE COMMISSION

The wide-spread activities of the Public Service Commission have much important bearing upon the administration of the affairs of the Commonwealth. The responsibilities placed by the Legislature upon the Pennsylvania Commission are so great that, in volume of work and extent of jurisdiction, it is beyond all comparison the largest and most important State Commission dealing with public utilities in the United States. Throughout the country it is properly ranked second only to the Interstate Commerce Commission at Washington in the scope of its labors and the amount of public business transacted.

For instance, the Pennsylvania Commission has regulatory control over nearly twice as many public utilities as the two commissions of New York State, and over as many utilities as are under the jurisdiction of any three or four commissions of the larger states in the Union combined. The conducting of over four thousand hearings annually is but a small fraction of the labor in adjustment of issue coming before the Commission and its highly efficient technical bureaus, all of which is performed for the Commonwealth at much less per capita cost than by any other State Commission having comparable jurisdiction or responsibilities.

GRADE CROSSING ELIMINATION

In one of the respects in which the work of the Commission comes intimately in touch with executive administration—that of grade crossing elimination, particularly affecting the new highway systems of the Commonwealth—the results achieved are noteworthy. Through the Commission's efforts and findings, nearly $20,000,000, the principal part of which was contributed by railroad corporations, has been expended in grade crossing elimination without which it would be impossible to construct improved highways practically free of the dangers of the railroad intersections at grade. Although very modest in the amount, the biennial appropriation by the Legislature to the Commission for grade crossing elimination has proven one of the best and most productive investments that has even been of the State's funds.

FORESTRY

During this administration under the direction of Commissioner Pinchot and his successor, Commissioner Stuart, Pennsylvania has made greatest advance in forestry ever experienced in any State, and has attained a position of leadership. Such impetus has been given to the whole forestry movement in Pennsylvania that its good effect has been reflected in increased activities in other States. The underlying reasons for the remarkable progress are the vitalization, of the Department of reorganization, the immediate and favorable public response to the Department's appeal for more and better forestry, and an appropriation for forest protection commensurate with the needs of the situation. For the first time in the history of the Commonwealth the people know the real forest situation in the State and they are participating in carrying out plans necessary to meet it.

The entire state has been divided into twenty-four forest districts for the effective handling of the forest business. There is a technical forester in charge of each district, who, with his assistants, is able to promptly and effectively meet local forest problems and render service to local agencies who wish advice or assistance in any phase of forest work. There has followed a closer and more substantial cooperation with owners of forest land, wood-using industries, railroads, forest protective associations, and other organizations than ever before. Practical results are being secured.

FOREST PROTECTION.

First importance has been given by the Department to forest protection, because without protection the forest is not secure. To produce timber, fires must be kept out of the woods. For the first time forest protection has been extended over the entire state. A forest protective organization has been put in operation which is pronounced by National authorities to be the best State organization and is being emulated by other states. The outstanding features of the Department's work in protection have been:

1—The practical completion of a primary fire observation tower system, with telephone communication and coordinated local detection and suppression organizations to make the system effective.

2—Establishing and maintaining direct contact with over 2500 forest fire wardens and equipping them with necessary forest fire fighting tools.

3—Cooperation with railroads in the burning of safety strips along their rights-of-way and the service of railroad men as special forest fire wardens.

4—The organization of Forest Guides, registered Boy Scouts who are pledged to assist in forest protection, and the enrollment as Forest Guides of 20,000 scouts, or one-half the enrollment in Pennsylvania.

5—The beneficial effects secured in forest fire prevention from the Department's intensive investigations of the fires, its plan of prosecution where circumstances warrant such action, and its policy of recovering the cost of fire extinction to the State from those responsible for the fire.

6—The creation of a public opinion which appreciates the needlessness of forest fires and supports action taken to prevent and suppress them.

The forest protective system now provided will, under further development, give the highest type of service. It has met the extremely severe forest fire seasons of 1921 and 1922 in a highly creditable way. Notwithstanding the fact that more fires were reported, the size of the average fire was much less during these seasons than during any previous period in the Department's history.

BETTER METHODS

While emphasis has been placed on forest protection, the past four years have shown a marked advance also in the introduction of better forest methods and practices. Timberland owners have been encouraged and assisted in adopting improved cutting methods and in practicing closer utilization of timber products. The increased interest taken in sound forest practices is being reflected in improved forest conditions throughout the State. This fall the first municipal forest in Pennsylvania was created and approved under the Act of Assembly of April 22, 1909. The Borough of Coudersport, with the approval of the Department of Forestry, established a forest of 100 acres. It may reasonably be expected that the precedent set by Coudersport will be followed by other municipalities in the State owning land adapted to this use.

The department now operates three large and one small forest tree nursery and maintains 12 additional forest tree nurseries, established in 1921, in cooperation with State Institutions. There are now in these nurseries 25,000,000 seedlings and transplants, of which 7,000,000 will be available for planting in the spring of 1923. They will reach their maximum production in 1925, when they will have an annual output of 20,000,000 trees. Fifteen million trees were distributed during the past four years to private planters for reforestation. This number constitutes 83 of the entire number of trees distributed by the Department during the past thirteen years.

A cooperative program in roadside tree planting was effected in 1920 between the Department of Forestry and the Highway Department, under which there were set out along the highways of the State in 1921 and 1922 a total of 10,534 trees. The Department cooperated also with American Legion posts and other organizations in roadside tree planting projects and in other forms of commemorative tree planting.

FORESTS FOR THE PEOPLE

The State Forests have been made more accessible for protection and available for wider use and better service to the public. Additional buildings needed for protection and administration have been provided, forest roads and trails have been opened up and improved, many miles of telephone line have been erected, and recreational facilities for the individual and general public provided. These forests, purchased at an average price of $2.27 per acre, constitute an increasingly valuable asset to the State. They comprise 1,129,095 acres of which 96,862 acres were acquired during this administration. While all the benefits derived from them cannot be measured in monetary terms, it is interesting to know that the receipts from them now total $350,000, of which almost one-half ($171,000) have been received during the last four years. Of the total net State Forest receipts ($261,966.99) $103,579.39 or 40% were deposited during the past four years in the State School Fund. Beyond valuation are the benefits of the State Forests to the public for watershed protection, health, recreation, and sport, and the satisfaction given that this measure of provision for the future timber supply of the State has been taken.

As an adjunct of the Department, the State Forest Academy continues to fill a highly important place. Its curriculum has been revised and enlarged so that a high standard four-year course in forestry under the most favorable environment for forest instruction is now in operation. The qualifications of its graduates for State Service are increasingly apparent.

The forest is essential to the people. No State has derived greater benefits from her forests than Pennsylvania, and none is better endowed naturally with land suited to the purpose. Pennsylvania can raise sufficient timber to meet her needs. If she does not do so it is inevitable that she continue dependent upon other rapidly diminishing supplies. The progress made in forest protection and restoration has been most gratifying but it can be considered merely a start in the upbuilding of one of the greatest resources of the Commonwealth.

THE GAME COMMISSION

The activities of the Board of Game Commissioners afford a most interesting study. I have already spoken of the remarkable practical value of the care of the game animals and birds in the State, and the record which it holds among all of the States of the Union as a resort for lovers of hunting.

The revenue of the Game Commission now amounts to about $500,000 a year, which provides for an increased number of Game Protectors; for a better field organization, enabling the Commission to educate the people relative to the laws and the work of the department, and for an increase of over thirty per cent. in the number of State Game Refuges which have been acquired.

Game is being purchased and restocked in much larger quantities than heretofore, and I believe that the laws are being more thoroughly enforced and consequently much better observed.

The amount received in fines during 1921 was over three times the amount received in 1918.

The operation of the bounty system has also been entirely satisfactory, and it is generally considered that Pennsylvania now has the best bounty law in the United States.

Very close to a half million hunters' licenses were issued in the State last year, and in spite of this great increase in the number of hunters, game was reported as more plentiful than at any prior time since records have been kept.

It is with great regret that I have received the resignation of Dr. Charles B. Penrose of Philadelphia, the President of the Game Commission, and who, probably more than any one man, has been responsible for the progressive and effective policies which have characterized its administration. His place will be a hard one to fill, and the courage and devotion which he has shown to the public service not only in this department but in the Department of Health and in medical education, has been most noteworthy.

DEPARTMENT OF FISHERIES

The Department of Fisheries has operated during the past year, under the provisions of the fisherman's license law, passed at the last session of the Legislature. The results have been quite satisfactory and over $200,000 has been received for licenses. This assures the self-support of the department, but Commissioner Nathan R. Buller feels that the law should be amended so that licenses shall be required of all fishermen over sixteen years of age rather than the present limit of twenty-one. This would give the department a much larger revenue, and would avoid much trouble in the detection of violators of the law.

There is a great demand for fish and fry for planting purposes, and last year about four hundred million fish and fry were distributed throughout the State.

The hatchery properties are in excellent shape, but much good could be done by an increase in facilities.

One excellent effect of the license law, which the Commissioner has noted, has been the interest the fishermen, as the result of their having to take out a license, have in the care of the streams and their protection from pollution.

Much should be done in Pennsylvania in the prevention of the destruction and defiling of our natural waterways by sewage and industrial waste. The present laws are entirely inadequate, and I trust that my successor, in his well-known interest in such subject, will give particular attention to saving the beauty and usefulness of our streams for the people of this generation.

WATER SUPPLY COMMISSION

The Water Supply Commision has continued and extended its hydrographic work; has inspected all dams, and has pushed the work upon the Pymatuning Swamp project as far as the appropriation in hand would permit.

Considerations of the future require that the State should enact legislation for the control and use of Pennsylvania streams to the end that water, the great natural resource remaining under the control of the Commonwealth may be further conserved for and in the interest of all the people.

A comprehensive survey should be made of all the water resources of the State. This enterprise has been undertaken and some progress has been made, but adequate funds have never been provided for the work contemplated.

MOVING PICTURE CENSORS

The Board of Censors of Moving Pictures has during the past four years secured a material reduction in travelling expenses in connection with inspection work, by redistricting the State and selecting field inspectors living in the respective districts.

It has discontinued what were considered needless publications, and has eliminated the necessity of shipping duplicate copies of films previously examined and approved from the eastern to the western district, thus saving at least $10,000 annually.

In arranging for certificates of approval on affidavit, copies of subjects previously examined and approved, a great saving to the industry both in time and money has been made.

The Board has driven entirely from the screen in Pennsylvania the "hero crook", and has eliminated the glorification of crime. It has been the practice of some producers to depict the crook in an attractive form. The crook today on the Pennsylvania screen is a crook, nothing more or less.

Despite move to the contrary, the necessity for censorship is still very apparent. For example, the board has found it necessary to make 29,868 eliminations out of 18,366 reels examined during the past year.

STATE LIBRARY AND MUSEUM

There are at present in the State Library 203,111 volumes, 20,479 of which have been added during the past four years.

The Department of Archives has been kept unusually busy in arranging and classifying the rich store of material in the Library. The priceless records and papers of the early government of Pennsylvania are in good condition, and are being studied and made available for public use as rapidly as possible.

About 5,000 genealogical inquiries are received each year by the department, and the research work is constantly growing.

In the Museum, an increasing number of visitors are enjoying and being benefitted by the exhibits. Under Dr.

Donehoo's direction, the Indian relics purchased by the Historical Commission are being displayed so as to be readily understandable. Hundreds of letters seeking information regarding birds, animals and flowers of the State are being sent out.

The department has issued nearly 500,000 lantern slides for the use of colleges, schools, churches and other organizations in every part of the State. As showing the increase in this use of the facilities of the Museum, the annual issue of lantern slides has increased from 84,000 in 1919, to over 200,000 in 1922.

THE PENNSYLVANIA HISTORICAL COMMISSION

The Pennsylvania Historical Commission has, during the past four years, erected eleven historical markers in various parts of the State, and has purchased the site of Fort Morris, at Shippensburg, and the site of the historical powder magazine of Fort Augusta, at Sunbury. Three large collections of Indian art facts have been purchased and added to the archaeological collection in the State Museum, to illustrate the various cultures of the Delaware, Susquehanna and Ohio Rivers Indians.

A number of historic celebrations have been held, and many visitations have been made to historic places.

The Commission has taken over the care and trusteeship of the property of the Harmony Society, on the Ohio River, at the site of Economy, this land having been given to the Commission by the Commonwealth which obtained it by the process of escheat.

The Historical Commission is fulfilling its function of fostering historical interest and study among the people of Pennsylvania.

LEGISLATIVE REFERENCE BUREAU

The Legislative Reference Bureau, during the past four years, has handled in some form or another legislative bills to the number of 3,538. This work was done for members of the Senate and House of Representatives and the heads of the different departments.

The bureau also worked with and rendered assistance to the Constitutional Amendment and Revision Commission; the Insurance Law Commission; the Tax Law Commission; the Poor Law Commission and the Commission for the Reorganization of the State Government, and has drafted the codes which were adopted for reorganizing various departments of the State Government and have revised many of the other departmental codes.

This bureau has filled a place of great usefulness.

SOLDIERS' ORPHANS' SCHOOL COMMISSION

At the present time there is only one school being operated by the Commission of the Soldiers' Orphans' Schools in Pennsylvania. The institution at Scotland, Franklin County, is well-managed and is in excellent shape.

The recent action of the Legislature in admitting the children of soldiers who served in the World War will probably result in a largely increased membership in the soldiers' orphans' school within a short time, and probably additional provisions will have to be made for the accomodation of the children of our later veterans.

The necessity of the maintenance of an office by this Commission at Harrisburg is not apparent. It is a useless expense which might be avoided by enabling legislation.

ANTHRACITE MINE CAVE COMMISSION

The Pennsylvania Anthracite Mine Cave Commission was organized by the appointment of its members in November, 1921. Since that time, the acts creating the commission have been in litigation, and due to this and the antagonistic attitude of some of the mining companies the commission has been unable to function.

The recent decision of the Supreme Court of the United States having failed to sustain the so-called Kohler Act, and the Fowler Act still being in litigation, steps should be taken by the Legislature to meet the legal questions which have been adversely decided and to readjust the conditions governing the operation of this commission.

STATE ART COMMISSION

The work of the State Art Commission which was created by an Act of Assembly passed in 1919, has been developed in a sane and practical manner with great benefit to the State. Pennsylvania has reached a point where its public structures should be considered from an aesthetic standpoint, and the Art Commission has already accomplished great good in this direction. For instance, in the past year eighty bridges, one hundred and sixty-six schools, a public park, four memorials and various other projects have been submitted and passed upon by the Commission.

As time goes on and the necessity and value of the work of the Commission is more appreciated, its benefits will become more and more apparent.

LAKE ERIE AND OHIO RIVER CANAL

During the year 1922 the Lake Erie and Ohio River Canal Board has continued its activities in the way of securing the construction of the canal by the United States Government and has made substantial progress. The recent session of Congress appropriated $75,000 for the surveys of the three proposed canal routes between the Ohio River and Lake Erie, and the remaining $150.000 required will likely be appropriated at this session of Congress.

Three routes are under consideration, but the one from the mouth of the Beaver river to the mouth of Indian creek at Lake Erie, otherwise known as the Pittsburgh-Ashtabula line, has such great advantages in being shorter and much less costly, that the board has no doubt but that it will be selected.

The board has made much progress in removing what the Federal Chief of Engineers declared to be the one great obstacle to a favorable report on the Pittsburgh-Ashtabula canal route—the failure of the Allegheny county and Pittsburgh city authorities to comply with the War Department's order for the raising of the Allegheny river bridges. During the year the Sixteenth street bridge in Pittsburgh has been reconstructed in accordance with the War Department's order, and plans are ready for the new Fortieth street bridge and an agreement has been reached as to the Sixth, Seventh, Ninth and Thirteenth street bridges. The Union Bridge and the railroad bridges were raised some time ago.

STATE BOARD OF EXAMINERS OF ARCHITECTS

The State Board of Examiners of Architects has very well justified the law authorizing the creation of the board.

During the past two years, this board has held eighteen meetings in Harrisburg, Philadelphia, Pittsburgh and Scranton. Five hundred and fifty applicants have been granted registration as architects of whom sixty-seven were non-residents of Pennsylvania.

The board has worked out general plans for its operation and has established definite rules which have received the sanction of the Attorney General.

STATE BOARD FOR REGISTRATION OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

The Board for Registration of Professional Engineers and of Land Surveyors, created under the enactment passed in the 1921 session of the Legislature, has been completely organized, and its members have spent many weeks in examining applicants for registration as professional engineers in Pennsylvania.

The necessity and value of this work becomes more and more manifest, as its examinations and investigations have shown that the requirements for the ordinarily successful practice of the engineering profession were lacking in a great many of those who were accepting fees for such work.

MONUMENTS AND MEMORIALS

The most important memorial which is now being constructed by the State is the monument to General George Gordon Meade.

This striking tribute to our great Civil War leader, the victory in the great battle of Gettysburg fought upon the

soil of his native State, is being erected in a most favorable location upon the Mall at Washington. Its situation in the great open avenue between the Capitol and the mighty memorial to Washington and Lincoln will make it one of the most notable undertakings of the kind in the National Capital.

Ground was broken last year in the presence of the President of the United States, the Chief Justice of the United States Supreme Court, the Secretary of War, the General of the Armies, the Governor of Pennsylvania and descendants of General Meade.

The work on the base is in progress, and Mr. Charles Grafly, the sculptor expects to have his work finished within the next year. Probably $75,000 additional will be required to finish this undertaking.

During the past year the monument at Reading to General David McMurtrie Gregg, was completed and dedicated; Camp Curtin at Harrisburg with the monument to the former Governor in the Capitol rotunda were also completed, and the statue of former Senator George T. Oliver, has been put in place.

THE PENNSYLVANIA MEMORIAL AT GETTYSBURG

Only one survivor of the veteran soldiers of the Civil War who comprised the original membership of the Pennsylvania-Gettysburg Memorial Commission remains.

This splendid monument, the finest, as it should be, among all of the monuments to the gallant dead on that historic field, has been completed except for two statues which are needed to finish out the plan.

The question of the future care of the memorial is an important one, as it requires constant inspection and supervision.

It is suggested that, its work having been done. the Commission be discharged by suitable enactment, and the custody of the monument turned over either to the National Commission or to the Board of Public Grounds and Buildings. Legislation to carry out this plan should be provided at the present session.

THE DEPARTMENT OF INTERNAL AFFAIRS

The following report from the Department of Internal Affairs is appended for public information. While the Secretary of Internal Affairs is an elective officer of the Commonwealth, Secretary Woodward has worked so closely with the Governor's Office and in such complete harmony with the executive, that it is felt to be proper to incorporate his report with that of the Governor:

Harrisburg, November 10, 1922.

Sir:

In your letter of the 11th ultimo you ask that I furnish you, tersely and briefly, with the most outstanding achievments of the Department of Internal Affairs for the past three and one-half years since I have been Secretary, and which is nearly contemporaneous with your administration as Governor of the Commonwealth.

The most outstanding achievement is the complete and through re-organization of the Department in the above named period. When I assumed office on May 6, 1919, I concluded that radical changes were needed to meet the increasing demands of the time. I appealed to you for assistance and I wish here to acknowledge the generous aid rendered by you in all my efforts for the upbuilding of the Department. I have every reason to believe, from the vast volume of friendly comment in the daily press and trade journals, that the work of the Department has met with almost universal approval and commendation.

Through the cooperation of yourself and the Legislature in the sessions of 1919 and 1921 several Acts of Assembly were passed which enhanced greatly the efficiency of existing bureaus and added three bureaus to the Department, namely, the Bureau of Statistics and Information, the Bureau of Municipalities, and the Bureau of Topographic and Geological Survey.

BUREAU OF STATISTICS AND INFORMATION

The Bureau of Statistics and Information was transferred from the Department of Labor and Industry, and the most outstanding accomplishment in respect to this Bureau was the consolidation of it with two existing bureaus in the Department, namely, the Bureau of Railways and the Bureau of Taxes and Assessments. Both of these bureaus dealt chiefly with statistics and the object has been to centralize in this Bureau all the statistical work of the Commonwealth, to effect greater efficiency and economy and to avoid duplication. Considerable progress has been made in this direction and it is my belief that Pennsylvania is second to no state in the Union to-day in the completeness and accuracy of its statistical work and the promptness which the results of the work are given publicity.

BUREAU OF MUNICIPALITIES

Since the Bureau of Municipalities became a part of the Department of Internal Affairs it has attracted not merely state-wide, but also national attention. Pennsylvania is the only state which maintains a Bureau employing experts in a number of branches of municipal government, whose advice upon municipal problems is always available. This Bureau has performed notable service. Demands made upon it which taxed its capacity of performance justify its creation and prove its popularity with those entrusted with the responsibilities of municipal government.

Annual statistics have been issued in the form of lists and comparative charts showing methods and costs of different phases of local government, such as fire, garbage, parks and playgrounds, paving, police, sewers, street lighting, taxation, bonded indebtedness, salaries and wages. The request for aid and information has increased from about two hundred when the Bureau was first established to one thousand for the present year. Comprehensive plans for the future development of two of the largest third class cities in the state have been made. Advice and assistance of the landscape architectural force was extended to eighty-four projects in fifteen cities, forty-five boroughs and fourteen state and public institutions. This service comprised, the inspection of the sites and the preparation of plans outlining carefully studied recommendations for the development of the respective projects, either as a whole or in part. An accounting system was arranged which was theoretically in accord with the opinions advanced by recognized authorities of municipal matters. The following municipalities have recently availed themselves of this service: Butler, Lebanon, Sharon, Clairton, Erie, West Chester, Apollo, North Braddock, Carlisle, Forest Hills, South Coatesville and Farrell.

In one hundred and three boroughs of the Commonwealth, having a population of four thousand and upward, in which a survey was made, it was shown that sixty-nine of these municipalities have deficiencies in their sinking funds aggregating over $2,302,000. This proves conclusively the need of better methods of bookkeeping and a more modern plan of issuing bonds than are used by many of the municipalities.

BUREAU OF TOPOGRAPHIC AND GEOLOGIC SURVEY

This Bureau is a great constructive measure of your administration, as it was proposed by you in your first message to the Legislature. The following is a brief summary of what has been accomplished:

The Bureau of Topographic and Geological Survey was established June 7, 1919. It began operations September 1, 1919, with a two-year appropriation of $100,000. For 1921-1923 it received $150,000. One-half of the first appropriation and one-third of the second has been devoted to the topographic surveying—The United States Geological Survey alloting equal amounts to the work. Under these allotments 5500 square miles have been surveyed in detail, and control work completed on as much more. Engraving and printing has been completed on 500 square miles; practically completed on 1500 square miles, and progress made on 1750 square miles.

Preliminary reconnaissance surveys of the State leading to introductory reports have been completed on coal, oil and gas, oil shales, limestone, ganister and iron. The oil and gas report is printed. Detailed aereal geologic surveys of about 1500 square miles have been completed, but not yet published. One County Report has been prepared. Detailed estimates of the bituminous coal reserves of the State have been made. Seven hundred and fifty five coal samples have been cut and analyzed, from mines scattered all over

the coal fields. Fifty eight advance mimeograph bulletins, totalling 440 pages, have been issued in lieu of printed reports; a large number of special articles have been contributed to the newspapers and technical journals.

As a bureau of information, the Survey has answered over 12,000 written inquiries; nearly 3000 inquiries made in person; has distributed about 25,000 bulletins and reports; has examined and reported, often adversely, on many supposed mineral finds, and oil and gas "booms," and has undoubtedly saved the citizens of the State in this manner many millions of dollars.

The Survey has been of special service to the Highway and other departments, involving in some instances special field examinations and reports. It has established active cooperation with three Federal Bureaus, with other state departments and bureaus, and with college departments, in order to avoid duplication of effort and expense.

THE BUREAU OF STANDARDS

The Bureau of Standards has been thoroughly reorganized and its activities enlarged, and it is now on a plane of efficiency second to no other bureau of like character in any of the states. It secured the passage of a law in the Legislature of 1921 which provides that no scale or measure shall be sold in Pennsylvania until it has been approved by the Bureau and awarded a serial number, which serial number shall be marked by the manufacturer upon every scale or measure sold in the state. This is a pioneer movement upon the part of Pennsylvania, as no other state in the Union has a similar law. It is confidently expected that the results of this law will be to rid the state of cheap and flimsily constructed scales and of defective and fraudulent measures. The outcome of this legislation will be watched with interest by those concerned in the subject of honest weights and measures throughout the entire country.

The Bureau has also collected and organized one of the finest exhibits of weighing and measuring devices to be seen anywhere, as it contains scales and measures of almost every character used in Pennsylvania.

GENERAL

I have referred to the above mentioned bureaus particularly because they were the special subjects of re-organization and have effected great progressive changes. The Department as a whole has functioned very satisfactorily to me. Some other achievements are as follows:

(1) A very large part in the creation and organization of the Erie Park and Harbor Commission.

(2) Collecting, indexing and recording in the Land Office Bureau all deeds and title papers relating to property owned by the Commonwealth.

(3) The making of a complete inventory of property owned by the state.

(4) The making of a survey and map of the boundary line between Pennsylvania and Delaware known as The New Castle Circle.

I have tried to make this review to you as brief as possible and hope I have not exceeded your expectations.

Respectfully submitted,

JAMES F. WOODWARD,
Secretary of Internal Affairs.

To His Excellency,
WILLIAM C. SPROUL,
Governor of Pennsylvania.

RECESS

LIEUTENANT-GOVERNOR BEIDLEMAN. The Chair wishes to express the thanks of the General Assembly to His Excellency, the Governor of the Commonwealth, for this splendid message which he has presented to us to-day. Appreciating and knowing his twenty-six years of service to the State, which is now coming to a close, I think it but fitting, since personal contact is one of the best ways in which we can know one another, that the Assembly should recess for ten minutes in order that the members might have an opportunity to personally speak to him. I therefore declare a recess for ten minutes.

AFTER RECESS

LIEUTENANT-GOVERNOR BEIDLEMAN. The time for recess having elapsed, the joint assembly will be in order. By the provisions of the Constitution it becomes the duty of the President of the Senate to open and publish in the presence of the members of both Houses the official returns of the elections for Governor, Lieutenant-Governor and Secretary of Internal Affairs held on Tuesday, November 7, 1922, in the several counties of the Commonwealth. I will now proceed to perform that duty and the election returns will be opened and read by the Clerk.

The teller on the part of the Senate is the Senator from Bucks, Mr. Buckman, and the teller on the part of the House is the gentleman from Philadelphia, Mr. Dunn. They will come to the desk and proceed in the performance of their duties.

The said returns were accordingly opened and read by the Clerks of the respective Houses, as follows:

(For tables showing returns see today's Senate proceedings)

Whereupon, the President of the Senate announced that Gifford Pinchot having received the highest number of votes was duly elected Governor for the term of four years from the third Tuesday of January, Anno Domini one thousand nine hundred twenty-three, and that David J. Davis, having received the highest number of votes, was duly elected Lieutenant Governor for the term of four years from the third Tuesday of January, Anno Domini one thousand nine hundred and twenty-three, and that James F. Woodward, having received the highest number of votes, was duly elected Secretary of Internal Affairs for the term of four years from the first Tuesday in May, Anno Domini one thousand nine hundred and twenty-three.

Four certificates were signed in each case, as follows, viz:

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the second day of January, A. D. one thousand nine hundred and twenty-three, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Governor of this Commonwealth, and publish the same in the presence of both Houses of the Legislature, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon counting the votes by a teller appointed on the part of each House, it appeared that Gifford Pinchot had the highest number of votes; whereupon the said Gifford Pinchot was declared to have been duly elected Governor of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

E. E. BEIDLEMAN,
President of the Senate.

C. J. GOODNOUGH,
Speaker of the House of Representatives.

CLARENCE J. BUCKMAN,
Teller on the part of the Senate.

JAMES A. DUNN,
Teller on the part of the House of Representatives.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the second day of January, A. D. one thousand nine hundred and twenty-three, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Lieutenant Governor of this Commonwealth, and publish the same in the presence of both Houses of the Legislature, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon counting the votes by a teller appointed on the part of each House, it appeared that David J. Davis had the highest number of votes; where-

upon the said David J. Davis was declared to have been duly elected Lieutenant Governor of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

E. E. BEIDLEMAN,
President of the Senate.
C. J. GOODNOUGH,
Speaker of the House of Representatives.
CLARENCE J. BUCKMAN,
Teller on the part of the Senate.
JAMES A. DUNN,
Teller on the part of the House of Representatives.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the second day of January, A. D. one thousand nine hundred and twenty-three, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Secretary of Internal Affairs of this Commonwealth, and publish the same in the presence of both Houses of the Legislature, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon counting the votes by a teller appointed on the part of each House, it appeared that James F. Woodward had the highest number of votes; whereupon the said James F. Woodward was declared to have been duly elected Secretary of Internal Affairs of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

E. E. BEIDLEMAN,
President of the Senate.
C. J. GOODNOUGH,
Speaker of the House of Representatives.
CLARENCE J. BUCKMAN,
Teller on the part of the Senate.
JAMES A. DUNN,
Teller on the part of the House of Representatives.

ADJOURNMENT OF JOINT SESSION

Mr. NORTON. Mr. President, I move that the Joint Session of the Assembly be now adjourned.

Mr. HARER. Mr. President, I second the motion.

The motion was agreed to.

SPEAKER GOODNOUGH IN THE CHAIR.

The SPEAKER. The Chair will declare a recess until 3:15 o'clock P. M.

AFTER RECESS

The SPEAKER. The time for which recess was taken having elapsed, the House will be in order.

APPOINTMENT OF INAUGURAL COMMITTEE ON THE PART OF THE HOUSE OF REPRESENTATIVES.

The SPEAKER. In accordance with the resolution of the Senate, concurred in by the House of Representatives, the Chair appoints the following Inaugural Committee: Mr. John G. Marshall, Mr. McCurdy, Mr. Haines, Mr. Chaplin, Miss Thomas, Mr. Alexander, Mr. Flynn, Mr. David Fowler, Mr. Conner, Mr. Edmonds, Mr. Schaeffer, Mr. Clutton, Mr. Stark, Mr. Steedle, and Mr. Vickerman. They are requested to meet with the Chairman of the Inaugural Committee in the Senate Caucus Room at 3:45 o'clock to-day.

ADJOURNMENT

The SPEAKER. In pursuance with the resolution passed by the House, this House now stands adjourned until Monday, January 15, 1923, at 9:00 o'clock P. M.

Whereupon, (at 3:35 o'clock P. M.) the House adjourned until Monday, January 15, 1923, at 9:00 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1923 — 125th of the General Assembly

Vol. 7. HARRISBURG, PA., MONDAY, JANUARY 15, 1923. No 2.

SENATE

MONDAY, January 15, 1923.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Edward E. Beidleman) in the Chair.

PRAYER.

The Chaplain, Rev. Benjamin F. Bungard, offered the following prayer:

O God, our Heavenly Father, we invoke Thy blessing upon our gathering, and thank Thee that Thou hast preserved us in life and health since we last met. If sickness or sorrow has entered the home of any here, we pray that Heaven's richest blessing may be upon them. Guide us in all the deliberations of the hour. We ask it for Thy sake. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

AGAINST LEGISLATION REPEALING THE PUBLIC SCHOOL LEGISLATION OF THE SESSION OF 1921.

Mr. MacDADE presented petition of the friends of the public schools of Delaware County protesting against legislation repealing the public school legislation of the Session of 1921.

Which was referred to the Committee on Education when appointed.

He also presented petition of the Drexel Hill Home and School Association protesting against legislation repealing the public school legislation of the Session of 1921.

Which was referred to the Committee on Education when appointed.

AGAINST THE ABOLITION OF THE OFFICE OF STATE FIRE MARSHALL AND THE TWO PER CENT ALLOWED ON INSURANCE WRITTEN TO THE FIREMAN'S RELIEF ASSOCIATION.

He also presented petition of Felton Fire Co. No. 3. of Chester, Pennsylvania protesting against the abolition of the office of State Fire Marshall and the two per cent allowed on insurance written to the Firemen's Relief Association.

Which was referred to the committee on Insurance when appointed.

He also presented petition of the Tinicum Firemen's Relief Association protesting against the abolition af the office of State Fire Marshall.

Which was referred to the committee on Insurance when appointed.

He also presented the petition of the Viscose Fire Department of Marcus Hook, Delaware County, Pennsylvania, protesting against the abolition of the office of state Fire Marshall and the two per cent allowed on insurance written to the Fireman's Relief Association.

Which was referred to the Committee on Insurance when appointed.

AGAINST THE INCREASE OF THE PRESENT TAXES ON INDUSTRY OR THE LEVYING OF ANY NEW TAXATION.

He also presented petition of the manufacturers' Association of Delaware County, protesting against the increase of the present taxes on Industry or the levying of any new taxation.

Which was referred to the Committee on Judiciary General when appointed.

TIME FOR SENATE TO MEET INAUGURAL COMMITTEE.

The Chair cleared his table and laid before the Senate the following communication:

SENATE OF PENNSYLVANIA.

Harrisburg, Penna., January 15, 1923.

Hon. T. L. Eyre, Senate of Pennsylvania, Harrisburg, Penna.

My dear Senator: Will you please have announced to the Members of the Senate, that they will meet the Inaugural Committee at eleven fifty, (11:50) A. M., in the main corridor, center door of the Capitol Building, prepared to go to the Inaugural Stand.

Kindly impress upon the Members the necessity of being there promptly at that hour.

Yours very truly,
FRANK A. SMITH,
Chairman, Inaugural Committee.

RELATING TO GOVERNOR'S RECEPTION.

He also laid before the Senate the following communication:

TO THE HEADS OF THE DEPARTMENTS, BOARDS AND COMMISSION AND CHIEF CLERKS OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE COMMONWEALTH OF PENNSYLVANIA.

Dear Sir: For the Governor's reception on the afternoon of Tuesday, January 16, 1923, the members of the Senate and the House will assemble in their respective chambers. Heads of Departments and guests will assemble in the House Caucus room, leaving a passageway in order that the members of the Senate and House may pass through the Caucus room.

The members of the Senate and the House, led by their respective officers, will leave their chambers, passing to the main floor by the House elevator and stairs, entering the House Caucus room from the door next to the elevator in such time as to be marshalled so that they may be presented to the Governor promptly at 3.30 P. M. They will pass from the House Caucus room to the south corridor and from there through to the main stairway in rotunda, where they will be presented to the Governor and the receiving party. They will then pass to the north of the stairway and return to their respective chambers via the Senate elevator and stairs.

Immediately following the Assembly, the Heads of Departments with their guests will move north through the south corridor to be presented to the Governor. The doors will then be opened for the general public who will enter by the southwest entrance, passing north through the south corridor to the rotunda and then out by the north entrance.

FRANK S. SMITH,
Chairman of Inaugural Committee.

REPORT OF THE ATTORNEY GENERAL.

He also laid before the Senate the following communication:

Commonwealth of Pennsylvania,
Department of the Attorney General,
Harrisburg, January 10, 1923.

Hon. T. L. Eyre, President pro tem, Senate of Pennsylvania.

Dear Sir: I have the honor to send you herewith for the files of the Senate, the Report of the Attorney General for the two year period ending December 31, 1922, as required by law.

Very truly yours,
GEO. E. ALTER,
Attorney General.

(For report see Appendix.)

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and laid upon the table:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 15, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation.

ALLEGHENY COUNTY.

Paul J. Bleichner, Pittsburgh.
Miss Ethel Cox, Pittsburgh.
Mrs. Mattie F. Davis, Pittsburgh.
Joseph F. Devlin, Pittsburgh.
Chisholm Garland, Edgewood.
C. J. Goetz, Pittsburgh.
W. A. Hattmen, Jr., McKees Rocks.
G. R. Kinderman, Pittsburgh.
H. D. Magorien, Pittsburgh.
Arthur G. Mattes, Bellevue.
Mrs. Hyacinth Mogan, Pittsburgh.
Miss Eva B. Power, Pittsburgh.
George E. Schindler, Pittsburgh.

BEAVER COUNTY.

H. J. Beck, South Heights.

BLAIR COUNTY.

Mrs. Elsie Watkins, Altoona.

BUTLER COUNTY.

C. A. S. Campbell, Petrolia.
W. B. Ferguson, Chicora.

CAMBRIA COUNTY.

Kalmen Book, Nanty Glo.
Harry V. Kuntz, Johnstown.
Charles W. Miller, Portage.

CHESTER COUNTY.

William M. Hulmo, Chester.

CLEARFIELD COUNTY.

Miss Claudia M. Rokosky, DuBois.

DAUPHIN COUNTY.

Miss Miriam H. Caton, Harrisburg.
W. H. Cruse, Harrisburg.
William V. Davies, Harrisburg.
Richard F. Hamer, Harrisburg.
George V. Hoover, Harrisburg.
Miss Annette E. Romberger, Elizabethville.

DELAWARE COUNTY.

Peter Hausmann, Darby.

ERIE COUNTY.

Raymond P. Leemhuis, Erie.
Dan Le Salomie, Erie.
C. E. Royer, Erie.

FAYETTE COUNTY.

Jas. H. Jefferis, Uniontown.
Donald O'Neal, Uniontown.
Thomas. E. Matigan, Connellsville.
James L. Peigh, Connellsville.
R. R. Roberts, Dawson.
Miss Cornelia M. Shipley, Uniontown.

FRANKLIN COUNTY.

William G. Grove, Mercersburg.

LACKAWANNA COUNTY.

J. Mathias Davis, Scranton.
Miss Laura M. Gately, Scranton.
Miss Helen L. Hartzell, Scranton.

LANCASTER COUNTY.

Harry C. Myers, Holtwood.

LEBANON COUNTY.

Benjamin G. Dornbach, Richland.

LEHIGH COUNTY.

Erwin M. Freed, Allentown.
Grimley E. Hauck, Allentown.
Jesse W. Miller, Vera Cruz.
Miss Anita M. Perlman, Allentown.
Miss Ruth C. Ricker, Allentown.

LUZERNE COUNTY.

G. C. Breckenridge, Kingston Corners.
Miss Helen Raudenbush, Wilkes-Barre.

LYCOMING COUNTY.

Miss Emma C. Campbell, Williamsport.

MIFFLIN COUNTY.

J. R. Wickersham, Burnham.

NORTHAMPTON COUNTY.

John C. Fenol, Bethlehem.
Stephen H. Ruyak, Bethlehem.

NORTHUMBERLAND COUNTY.

H. F. Topper, Milton.

PHILADELPHIA COUNTY.

Mrs. Anna C. Baum, Philadelphia.
Nathan Benedict, Philadelphia.
Miss Nellie I. Bice, Philadelphia.
George Bree, Philadelphia.
Benjamin Canter, Philadelphia.
Paul V. Chandler, Philadelphia.
Miss Mary E. Clayton, Philadelphia.
James E. Crawford, Philadelphia.
Thomas Currin, Philadelphia.
Miss Maud Elliott, Philadelphia.
Miss Esther Friedman, Philadelphia.
Raymond A. Gilden, Philadelphia.
Miss B. D. Gross, Philadelphia.
Robert R. Grubb, Philadelphia.
Austin J. Hatfield, Philadelphia.
Steward C. Holman, Philadelphia.
S. Craig Kane, Jr., Philadelphia.
Miss Florence M. Kane, Philadelphia.
Streeper Karr, Philadelphia.
Miss Elizabeth M. Kane, Philadelphia.
Jacob G. Keller, Philadelphia.
John W. Martin, Philadelpiha.
Francis E. Martin, Philadelphia.
Earl B. Mathers, Philadelphia.
J. Norman McDowell, Philadelphia.
Wm. B. McKaraher, Philadelphia.
Harry R. McKeon, Philadelphia.
Frank A. Molter, Philadelphia.
John B. J. Reardon, Philadelphia.
Thomas L. Russell, Philadelphia.
Miss Mary A. Santman, Philadelphia.
Louis Sax, Philadelphia.
Miss Leora A. Santman, Philadelphia.
Elmer D. Simon, Philadelphia.
Edward J. Smith, Philadelphia.
Louis Soncini, Philadelphia.
Howard G. Spahmer, Philadelphia.
Camillo Tobassi, Philadelphia.
Felix A. Tomalino, Philadelphia.
Benjamin Weinroth, Philadelphia.
Frank S. Young, Philadelphia.

SCHUYLKILL COUNTY.

William L. McLaren, Cressona.

VENANGO COUNTY.

Joseph E. Oyer, Pleasantville.

WESTMORELAND COUNTY.

William W. Bortz, Greensburg.
Miss Hazel Joanne Dick, Greensburg.
Miss Mary F. Hill, Youngwood.
L. Malcolm Hamilton, Irwin.
Walter R. Hutchins, Latrobe.
Mathew Solomon, Herminie.
James B. White, Monessen.
Miss Minnie S. Wineman, Greensburg.

WASHINGTON COUNTY.

James S. Crall, Monongahela.
Miss M. Eloise Yorke, Washington.

WM. C. SPROUL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 15, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration:

ALLEGHENY COUNTY.

Henry W. Armstrong, Pittsburgh, January 21, 1923.
Paul F. Bealsfeld, Verona, January 20, 1923.
A. B. Behrenberg, Pittsburgh, January 19, 1923.
Charles Bernhard, Pittsburgh, January 20, 1923.
Henry L. Born, Mt. Oliver, January 21, 1923.
S. F. Boyer, Library, January 26, 1923.
J. L. Campbell, Pittsburgh, January 7, 1923.
George N. Coleman, Pittsburgh, January 28, 1923.
Lee J. Coyle, Pittsburgh, January 21, 1923.
E. D. Cree, Pittsburgh, January 21, 1923.
Louis Dauenhauer, Pittsburgh, January 19, 1923.
Miss Laura E. Ferree, McKeesport, January 18, 1923.
Paul J. Friday, Pittsburgh, January 20, 1923.
Miss Katherine K. George, Pittsburgh, January 20, 1923.
J. Irwin Green, Pittsburgh, January 23, 1923.
Ira Gribbon, Pittsburgh, January 19, 1923.
Wm. J. Haslett, Pittsburgh, January 30, 1923.
C. J. Hoffman, Pittsburgh, January 21, 1923.
John Jenkins, Pittsburgh, January 21, 1923.
George A. Jones, Pittsburgh, January 21, 1923.
H. Floyd Kirkpatrick, Sharpsburg, January 23, 1923.
Charles A. Locke, Pittsburgh, January 18, 1923.
M. Mandelbaum, Pittsburgh, January 7, 1923.
L. M. McCabe, Pittsburgh, January 19, 1923.
W. L. McDaniel, Swissvale, January 21, 1923.
J. F. McKenna, Pittsburgh, January 21, 1923.
Harry Edward Merz, Rankin, January 8, 1923.
James F. Montgomery, Pittsburgh, January 18, 1923.
R. B. Petty Jr., Pittsburgh, January 21, 1923.
Clyde N. Shaw, McKeesport, January 21, 1923.
Harry M. Stein, Pittsburgh, January 25, 1923.
Herman Stratman, Pittsburgh, January 20, 1923.
George L. Sutter, Pittsburgh, January 19, 1923.
Kosto Unkovich, Pittsburgh, January 21, 1923.
Jas. S. Weldon, Wilkinsburg, January 19, 1923.
Courtney L. Whitaker, Dravosburg, January 21, 1923.
Charles A. Woods, Pittsburgh, January 23, 1923.

ARMSTRONG COUNTY.

Albert P. Roberts, Leechburg, January 16, 1923.

BEAVER COUNTY.

Paul H. Baldwin, Rochester, January 28, 1923.

BERKS COUNTY.

Philip A. Bushong, Reading, January 21, 1923.

BLAIR COUNTY.

Miss Sara R. Hess, Williamsburg, January 20, 1923.
John M. Snyder, Hollidaysburg, January 30, 1923.

BRADFORD COUNTY.

George E. Billings, LeRaysville, January 20, 1923.
J. Andrew Wilt, Towanda, January 19, 1923.

BUCKS COUNTY.

Amos J. Kirk, Wycombie, January 20, 1923.
Saverio Aita, Bristol, January 23, 1923.
Harvey D. Fellman, Richland, January 20, 1923.
Henry A. James, Doylestown, January 23, 1923.

CARBON COUNTY.

Thomas D. Lewis, Lansford, January 5, 1923.
Ira E. Seidle, Lehighton, January 29, 1923.

CENTRE COUNTY.

W. Harrison Walker, Bellefonte, January 21, 1923.

CHESTER COUNTY.

Edgar I. Griffith, Downingtown, January 20, 1923.
Mrs. Caroline L. McFarlan, West Chester, January 11, 1923.
Channing Way, West Chester, January 21, 1923.

CLEARFIELD COUNTY.

Clarence R. Kramer, Clearfield, January 20, 1923.

CRAWFORD COUNTY.

John Schuler, Meadville, January 21, 1923.

DELAWARE COUNTY.

Frank E. De Furia, Chester, January 23, 1923.
Miss Nancy P. Hinkson, Chester, January 7, 1923.
Thomas M. Meloy, Upper Darby, January 20, 1923.
Samuel B. Pennington, Chester, January 7, 1923.
Mrs. Anne Gray Taylor, Chester, January 19, 1923.

ERIE COUNTY.

George K. Frank, Erie, January 21, 1923.
G. A. Hampson, Erie, January 21, 1923.
Miss Mildred Rauscher, Erie, January 20, 1923.
William G. Seabrook, Erie, January 18, 1923.
Miss Mae Silsby, Erie, January 16, 1923.

FAYETTE COUNTY.

Miss Edith Harris, Connellsville, January 31, 1923.
R. E. McLaughlin, Vanderbilt, January 21, 1923.
Charles Snider, South Brownsville, January 20, 1923.

FRANKLIN COUNTY.

Miss Lydia M. Kump, Chambersburg, January 20, 1923.
Alf. N. Russell, Waynesboro, January 20, 1923.
H. H. Spangler, Mercersburg, January 20, 1923.

LACKAWANNA COUNTY.

Walter Briggs, Scranton, January 21, 1923.
Miss Jeannette M. Bushnell, Scranton, January 7, 1923.
Samuel H. Chihak, Scranton, January 7, 1923.
C. Comegys, Scranton, January 21, 1923.
William H. Davis, Scranton, January 20, 1923.
Thomas A. Donahoe, Scranton, January 21, 1923.
W. H. Dixon, Scranton, January 20, 1923.

LANCASTER COUNTY.

F. P. D. Miller, Columbia, January 18, 1923.

LAWRENCE COUNTY.

Jas. L. Cole, New Castle, January 20, 1923.
W. R. Thompson, New Wilmington, January 19, 1923.
W. J. Uber, New Castle, January 16, 1923.

LEHIGH COUNTY.

Austin A. Glick, Catasauqua, January 31, 1923.
James A. Miller, New Tripoli, January 25, 1923.
Charles D. Peters, Slatington, January 21, 1923.
Harry F. Smith, Allentown, January 20, 1923.
M. S. Weidner, Allentown, January 21, 1923.

LUZERNE COUNTY.

R. L. Bigelow, Hazleton, January 20, 1923.
W. H. Chapin, Kingston, January 20, 1923.
George L. Fenner, Wilkes-Barre, January 21, 1923.
Harry L. Freeman, Wilkes-Barre, January 21, 1923.
Miss Lillian Saunders, Hazleton, January 16, 1923.

LYCOMING COUNTY.

John T. Hyatt, Jersey Shore, January 19, 1923.
John C. Rogers, Williamsport, January 21, 1923.

McKEAN COUNTY.

H. S. Rogers, Mount Jewett, January 21, 1923.

MERCER COUNTY.

Miss Mary Adams, Sharon, January 19, 1923.

MONTGOMERY COUNTY.

Theodore M. Delany, Jenkintown, January 16, 1923.
Miss Katherine H. Fox, Norristown, January 31, 1923.
Muscoe. M. Gibson, Norristown, January 21, 1923.
G. Herbert Jenkins, Norristown, January 20, 1923.
Harold G. Knight, Ambler, January 21, 1923.
Miss Margaret Potter, Norristown, January 21, 1923.
A. L. Saxton, North Wales, January 20, 1923.
Eugene W. Scholl, Pennsburg, January 20, 1923.

NORTHAMPTON COUNTY.

Mrs. Elizabeth B. Caum, Bethlehem, January 20, 1923.
George V. Danner, Northampton, January 31, 1923.

NORTHUMBERLAND COUNTY.

Franklin A. Lahr, Herndon, January 21, 1923.

PHILADELPHIA COUNTY.

John W. Armstrong, Philadelphia, January 21, 1923.
Wm. W. Bacon, Philadelphia, January 20, 1923.
Samuel B. S. Barth, Philadelphia, January 23, 1923.
Miss Mabel E. Baner, Philadelphia, January 20, 1923.
John Baxter, Philadelphia, January 21, 1923.
J. Franklin Bennett, Philadelphia, January 20, 1923.
O. M. Bosbyshell, Philadelphia, January 21, 1923.
Manning D. Brick, Philadelphia, January 21, 1923.
C. Henry Corliss, Philadelphia, January 7, 1923.
Miss Margaret Crawford, Philadelphia, January 20, 1923.
Michael F. Donelly, Philadelphia, January 31, 1923.
William A. Dornan, Philadelphia, January 19, 1923.
James J. Doyle, Philadelphia, January 16, 1923.
Joseph R. Embery, Philadelphia, January 25, 1923.
John Ennis, Jr., Philadelphia, January 7, 1923.
Wm. S. Fenerty, Philadelphia. January 7, 1923.
I. Irwin Fisher, Philadelphia, January 7, 1923.
Clarence E. Fox, Philadelphia, January 21, 1923.
Mrs. Lucy S. Frenzel, Philadelphia, January 7, 1923.
Wm. J. A. Gallen, Philadelphia, January 20, 1923.
Wm. Gebhardtsbauer, Philadelphia, January 21, 1923.
Wm. H. G. Gould, Philadelphia, January 20, 1923.
Harvey Gourley, Philadelphia, January 19, 1923.
Willard A. Gray, Philadelphia, January 20, 1923.
Jay R. Grier, Philadelphia, January 31, 1923.
Herman T. Gruninger, Philadelphia, January 25, 1923.
John P. Hafer, Philadelphia, January 20, 1923.
David H. Hall, Philadelphia, January 7, 1923.
Jens Hansen, Jr., Philadelphia, January 20, 1923.
Herman Harvey, Philadelphia, January 16, 1923.
Willis B. Heidinger, Philadelphia, January 7, 1923.
Roger S. Henderson, Philadelphia, January 19, 1923.
Louis H. Hollis, Philadelphia, January 20, 1923.
Miss A. A. Jones, Philadelphia, January 18, 1923.
Paul Killinger, Philadelphia, January 31, 1923.
William A. Lechler, Philadelphia, January 19, 1923.
Miss Amelia E. Lembert, Philadelphia, January 16, 1923.
Harry Chester Little, Philadelphia, Jaunary 20, 1923.
J. Wylie Macallister, Philadelphia, January 20, 1923.
James A. Martin, Philadelphia, January 21, 1923.
Harry M. McBurney, Philadelphia, January 18, 1923.
Miss Mary McCalla, Philadelphia, January 28, 1923.
Edmund L. McCurdy, Philadelphia, January 21, 1923.
A. Rothwell Meehan, Philadelphia, January 16, 1923.
John E. McCully, Philadelphia, January 20, 1923.
Fenton H. Middleton, Philadelphia, January 21, 1923.
Charles M. Miller, Philadelphia, January 18, 1923.
A. Neaton Minnick, Philadelphia, January 28, 1923.
Arthur S. Minster, Philadelphia, January 21, 1923.
Robert H. Morrow, Philadelphia, January 20, 1923.
Peter E. O'Connor, Philadelphia, January 20, 1923.
Victor Paul, Philadelphia, January 21, 1923.
Herbert U. Porter, Tacony, January 18, 1923.
George W. Presker, Philadelphia, January 19, 1923.
Mrs. Carrie Redeker, Philadelphia, January 21, 1923.
Max Schormer, Philadelphia, January 18, 1923.
Fred E. Schmidt, Philadelphia, Jaunary 20, 1923.
Marmaduke D. Smith, Philadelphia, January 28, 1923.
Charles W. Snyder, Jr., Philadelphia, January 20, 1923.
Geo. M. Taggart, Philadelphia, January 21, 1923.
John Thiel, Philadelphia, January 23, 1923.
Alfred Vogel, Philadelphia, January 21, 1923.
Wm. D. Vreeland, Philadelphia, January 18, 1923.
J. Harry Wagner, Philadelphia, January 21, 1923.
Miss Rachel Weir, Philadelphia, January 20, 1923.

POTTER COUNTY.

Miss Fannie A. Perkins, Coudersport, January 19, 1923.

SCHUYLKILL COUNTY.

J. Wilson Barto, Pine Grove, January 25, 1923.
P. W. Bierstein, Shenandoah, January 21, 1923.
James H. Hagenbuch, Mahanoy City, January 23, 1923.
Frank K. Laubenstein, Ashland, January 20, 1923.

SUSQUEHANNA COUNTY.

Miss Sue M. Strous, Montrose, January 18, 1923.

TIOGA COUNTY.

Chester A. Ashton, Knoxville, January 21, 1923.

VENANGO COUNTY.

Alvin A. Anderson, Emlenton, January 21, 1923.
S. R. Ball, Oil City, January 30, 1923.
John M. McGill, Oil City, January 21, 1923.
Robert N. Speer, Franklin, January 22, 1923.

WARREN COUNTY.

H. A. Pinney, Sheffield, January 19, 1923.

WASHINGTON COUNTY.

Miss Mary L. Patterson, Washington, January 28, 1923.

WESTMORELAND COUNTY.

S. C. Stevenson, Mt. Pleasant, January 25, 1923.
Samuel B. Foight, Greensburg, January 25, 1923.
Henry Fusarini, Monessen, January 20, 1923.
Chas. M. Johnston, Bolivar, January 23, 1923.
Rabe F. Marsh, Greensburg, January 25, 1923.
Milton E. Uncapher, Vandergrift, January 25, 1923.
Harry C. Walley, New Kensington, January 25, 1923.

YORK COUNTY.

James C. Overmiller, Spring Grove, January 18, 1923.
Miss Ellen M. Wellensiek, York, January 25, 1923.

WM. C. SPROUL.

ALDERMEN, JUSTICES OF THE PEACE, MEMBER OF THE BOARD OF MANAGERS FOR THE PENNSYLVANIA VILLAGE FOR FEEBLE MINDED WOMEN AT LAURELTON, MEMBERS OF COMMISSION TO ESTABLISH A CEMETERY FOR THE BURIAL OF DECEASED SOLDIERS, SAILORS, ETC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 15, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following:

Paul S. Ulrich, of Lebanon, for appointment as Alderman, in and for the First Ward of the City of Lebanon, Lebanon County.

Robert T. Angwin, of Scranton, for appointment as Alderman, in and for the Fifth Ward of the City of Scranton, Lackawanna County.

Elmer B. Dickinson, of Burlington, for appointment as Justice of the Peace, in and for the Borough of Burlington, Bradford County.

B. Blake Myers, of Manns Choice, for appointment as Justice of the Peace, in and for the Township of Harrison, Bedford County.

John W. Smeltzer, of Columbia, for appointment as Justice of the Peace, in and for the Fifth Ward of the Borough of Columbia, Lancaster County.

William H. Robinson, of Norwood, for appointment as Justice of the Peace, in and for the Borough of Norwood, Delaware County.

Charles Steele, of Northumberland, for appointment as a Member of the Board of Managers for the Pennsylvania Village for Feeble Minded Women at Laurelton.

Harry I. Yohn, of Philadelphia, Pierce I. Hulley, of Glenside, Robert G. Woodside, of Pittsburgh, and Jonas K. Reist, of Steelton, for appointment as Members of the Commission to establish a Cemetery for the Burial of deceased Soldiers, Sailors, and etc.

WM. C. SPROUL.

RECESS.

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to,

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. SNYDER,

That Rule 38. which requires nominations made by the Governor to be referred to proper committees, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the nominations, which were laid upon the table at todays session.

Which was agreed to.

Whereupon,

A motion was made by Mr. SNYDER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,	Davis,	Leslie,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	DeWitt,	MacDade,	Smith,
Berntheizel,	Eyre,	Mansfield,	Snyder,
Betts,	Harris,	McClintock,	Sones,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Patton,	Vare,
Craig,	Krause,	Phipps,	Weaver,
Culbertson,	Kutz,	Quigley,	Woodward,
Daix,	Lanius,	Salus,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SNYDER. Mr. President, I move that the Executive Session do now rise.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. EYRE. Mr. President, I move that the Senate do now adjourn until 10:30 o'clock to-morrow morning.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:05 o'clock P. M. until 10:30 o'clock, Tuesday morning, January 16, 1923.

HOUSE OF REPRESENTATIVES

MONDAY, January 15, 1923.

The House met at 9 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

PRAYER.

The Chaplain, Rev. W. H. Feldmann, offered the following prayer:

Oh God, Thou Rock of Ages, the same yesterday, today and forever, unto Thee do we come, Thou who hast seen impious crashing dynasties go, and ask Thee to look down graciously upon this, our land, at this time, when the great deeps are breaking up, and the courses of civilization are being perverted. Look down graciously, we pray Thee from on high, and let that wisdom which is pure, peaceful and per-

suasive, be with us. Let not the efforts of those who have gone before, who have sealed their fate with blood on many battlefields and in many places, those who have stood for high and noble things, grant, O God, that in the maelstrom all of these may not be swept away. Purge us of our sins; cleanse us of our iniquities; make us humble that Thou mayest speak unto us and give unto us the true fibre in the making of men that we may hold on high and hold sacred the blessings which we have inherited from those who have gone before. God bless this, our native land and all that it stands for, now and forever. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Tuesday, January 2, 1923.

The Clerk proceeded to read the proceedings of Tuesday, January 2, 1923, when, on motion of Mr. Dunn, the further reading was dispensed with, and the Journal was approved.

THE SECRETARY OF THE COMMONWEALTH PRESENTS THE OPINION AND DECREE OF THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA.

The Secretary of the Commonwealth being introduced presented the opinion and decree of the Court of Common Pleas of Westmoreland County, Pennsylvania in re petition contesting the election of George A. Smith from the First Legislative District of Westmoreland County, Pennsylvania.

The opinion and decree was read as follows:

IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA.

In Re-Petition contesting the election of George A. Smith from First Legislative District of Westmoreland County, Pennsylvania.	No. 220 February Term, 1923.

OPINION AND DECREE

By the Court: December 4th, 1922, certain qualified electors of the First Legislative District of Westmoreland County, Pa., presented their petition to the Court setting forth:

(a) That George B. Bryson was at the election held on November 7th, 1922, the Democratic and Socialist candidate for representative in the General Assembly from said District, his name appearing on the ballot as "George B. Bryson, Democrat" and as "G. B. Bryson, Socialist."

(b). That at the said election, held in said Legislative District, (there being three to elect from said District), the vote cast for Representatives in the General Assembly in said District was, inter alia, as follows:

J. B. Coldsmith, Republican, ...	5169 votes.
Thomas M. Whiteman, Republican, ..	4049 votes.
George A. Smith, Republican, ...	3955 votes.
George B. Bryson, Democrat, ...	3521 votes.
G. B. Bryson, Socialist, ...	493 votes.

(c). That the Return Election Board for the County of Westmoreland has certified to the Secretary of the Commonwealth the name of George A. Smith as one of the three candidates who received the highest number of votes in said District, and as one of the three persons elected from said District to the office of Representative in the General Assembly.

(d). That the said George B. Bryson, Democrat, and the said G. B. Bryson, Socialist, both names being printed upon the ballot are one and the same person; that George B. Bryson was commonly known as G. B. Bryson among the Electors of said District, and that there was no other person in said District bearing the name of George B. or G. B. Bryson.

(e). That said George B. Bryson, alias G. B. Bryson, received a total of 4014 votes for said office in said District, and that said George B. Bryson received the third highest number of votes for said office in said district, being 59 more votes for said office than were received by said George A. Smith, and averring that said George B. Bryson is legally entitled to have cumulated the votes cast for him as G. B. Bryson with those cast for him as George B. Bryson.

The petition prayed the Court that a hearing be had for the purpose of verifying the facts set forth in the petition, to have the said votes for Bryson cumulated and for a decree vacating the certificate of election issued to George A. Smith, etc.

December 13th, 1922, George A. Smith filed his answer to the above petition in which he averred that he received more than 3955 votes at said election and averring that he received more votes at said election than George B. Bryson, Democrat and G. B. Bryson, Socialist, and that said Bryson received a less number of votes than those stated in the general return of election officers as having been cast for him at said election.

The said answer did not admit that George B. Bryson, Democrat, and G. B. Bryson, Socialist, were the same person, or that there was no other person in said Legislative District bearing the name George B. or G. B. Bryson. The said answer also denies that said Bryson received 4014 votes or that he received more votes than the said G. A. Smith.

The said answer also denies the right of George B. Bryson, Democrat, to have his vote cast for him as such, cumulated with the vote cast for G. B. Bryson, Socialist.

The said answer also avers that in certain designated election precincts in the said Legislative District, certain votes were marked and counted for both George B. Bryson, Democrat, and also for G. B. Bryson, Socialist, and that none such votes can be counted for either George B. Bryson, Democrat, or G. B. Bryson, Socialist. Demand was made that the ballots in such election districts be recounted.

The said answer further avers that in certain other designated election precincts in said Legislative Districts, certain persons not legally qualified to vote were permited to cast votes for said George B. Bryson, Democrat, and for G. B. Bryson, Socialist, which illegal votes were counted by the election officers for said Bryson and demanding that the same be rejected.

When the Court sat as a Return Election Board, said Bryson presented his petition to have the vote cast for him as a Democrat and as a Socialist cumulated. In view of the direction of the Acts of Assembly, the presumption from a mere inspection of the ballot was that George B. Bryson and G. B. Bryson were different persons. The Court refused to cumulate the vote while sitting as such Return Election Board because it had not then authority to go back of the return, and the Court was, therefore, without jurisdiction to cumulate the votes thus cast for Bryson.

The Act of 1903, P. L. 338, provides:

> "Whenever any candidate shall receive more than one nomination, for the same office, his name shall be printed once, and the name of each political party so nominating him shall be printed to the right of the name. * * * at the right of every party name * * * shall be a square of sufficient size for the convenient insertion of a cross mark."

Upon the official ballot used in said Legislative District there was printed above the names of the candidates for the General Assembly the words "Vote for three."

By reason of the premises there arises principally two questions of law, to-wit:

First: Assuming that George B. Bryson, Democrat, and G. B. Bryson, Socialist, are one and the same person; that said George B. Bryson was commonly known among the electors of said Legislatiye District as G. B. Bryson; and that there was no other person in said Legislative District bearing the name of George B. Bryson or G. B. Bryson—MAY THE VOTE SO CAST FOR GEORGE B. BRYSON, DEMOCRAT, BE CUMULATED WITH THE VOTE CAST FOR G. B. BRYSON, SOCIALIST?

Second: May the ballots marked both for George B. Bryson, Democrat, and for G. B. Bryson, Socialist, be counted at all?

We shall discuss these questions in the order above named.

The respondent contends that the votes so cast may not be cumulated, because the statute provides that when a candidate is nominated by more than one political party, his name

shall be printed once on the ballot. Is this provision of the statute mandatory or directory only?

In Snodgrass' case, 267 Pa., 494, the question was raised, but the Supreme Court did not find it necessary to decide the question and did not decide it.

> "If a statute declares that a specified irregularity shall be fatal to the vote in an election district, the court will follow the legislative command, irrespective of its own views as to the wisdom of the requirement; but if the statute does not so declare, the court will endeavor to ascertain whether the deviation from the prescribed forms of law had or had not so vital an influence on the proceedings as to probably prevent a full and free expression of the popular will; if it is found they had not, the deviation will be considered immaterial." Fish's Election, 273 Pa., 410.

In Fairview Borough Election, 4 J. L. R. 61, Judge Walling held that where there was but one man by the name of Knight in the Borough, a vote cast for Louie Knight should be counted as for L. A. Knight, he being equally well known by each name.

In East Taylor Township Supervisors' Election, 5 D. R. 393, Judge Barker held that votes cast for John Keiper, J. B. Keiper and J. Keiper, should all be counted for John Keiper, he being the only man in the Township by the name of Keiper.

In Marburger's case, 5 W. N. C. 379, votes cast for Simon Marburger and Samuel Marburger were all counted for one man known by both names.

In Re-Judge of Election 12 Philada. 631, votes cast for P. L. Thompson and T. L. Thompson were counted for one man, there being no other man of that name in the election district a candidate.

In Homestead Borough Election, 64 P. L. J. 106, votes cast for Frank Seiss and Frank Leiss for School Director were counted for Frank Seiss, it being admitted that they were the same man and that no man by the name of Frank Leiss was resident within the Borough.

In Twelfth Ward Election, 17 W. N. C. 373, votes cast for Richard Reighter and Richard Rider, were cumulated as cast for one man, it being established that there was no Richard Rider either a candidate or resident within the ward.

In Watson's Contested Election, 2 Chester County Reports, 123, votes for J. Marshall Watson and Marshall Watson were all counted for the former on proof that he was often called Marshall Watson, and that no other person of that name resided within the Borough.

In Quinn's Contested Election, 14 D. R. 386, votes cast for William D. Bahr, and for William Bahr, were counted for William Bahr, it being admitted that there was only one William Bahr, residing within the Township.

On the other hand, in Re-Carothers Election Contest, 25 D. R. 1151, the court refused to cumulate the votes cast for a candidate who appeared as the nominee of more than one political party.

Thus it appears that the various Courts of Common Pleas in the Commonwealth have almost uniformly decided that the votes cast for a candidate whose name appears upon the ballot more than once as the candidate of different political parties may be cumulated, if the identity of the person is established, and it also satisfactorily appears that the candidate was generally known by both names in the election district, and that no other person of that name resided in such election districts. Our conclusion is that in such a case the votes should be cumulated.

Second: May a ballot marked both for George B. Bryson, Democrat, and for G. B. Bryson, Socialist, be counted for either?

In Fairchance Borough Contested Election, 22 County Court, 451, Judge Mestrezat decided that where one ticket contains the names of candidates for all the offices and the other ticket contains the names of candidates for all the offices except two, and the voter makes a cross in the circle at the head of both columns, the ballot cannot be counted, even if the two candidates should appear only in one of the columns.

> In the opinion in the above case, the Court say:
>
> "The intention of the voter can be obtained only from his ballot, and the court is not at liberty to conjecture such intention from a defectively marked ballot."
>
> "When the voter makes a cross mark in the square of each of two parties, the ballot is vitiated, although the candidates are the same in each party."
>
> In Re-Contested Election Seventh Ward Lancaster, 16 D. R. 262.
>
> "Where the ballots were marked with a cross in each of the squares following the words "Democrat" and "Independent", describing the respective political parties, opposite the name of the candidate thereon, they were properly rejected."
>
> Lerch's Election, 21 D. R. 692.
>
> "Insofar as the act specifically prescribes the mode of voting, it by necessary implication forbids all other modes; and hence if a voter has marked his ballot in disregard of the mode so prescribed, it is vitiated notwithstanding it may be possible to reach a conclusion as to what his actual intention was.
>
> An elector is authorized to vote for a candidate who has been nominated by two political parties in one of two ways, to-wit: (1) by marking in the straight party square of one of said parties, and (2) by marking in 'a square' (that is to say, in one of the squares) at the right of the candidate's name. He must cast his vote for the candidate under one and only one party designation.
>
> When a voter, instead of expressing his choice between two parties has, by his markings, said that he wishes to vote as a Democrat and also as a Keystoner, the election officers or the court cannot make a choice for the voter between these two things that he has not made himself. And it cannot be certified."
>
> Lewis' Election, 40 C. C., 103.
>
> "Where a person is a candidate at a general election under more than one political party, a ballot marked opposite his name in more than one column is illegal."
>
> Stokes' Petition, 23 D. R., 526.

In Redman's Election, 173 Pa., 59, a voter placed a cross mark in the square to the right of the name of John S. Lowry whose name was printed on the ballot as the candidate of the Citizens' party; and also wrote the name John S. Lowry in the blank space under the title to the same office. The Supreme Court held that the ballot could not be counted. In the opinion, page 64, the Court say:

> "Under the new Ballot Law it is not enough that the intention of the voter may possibly be ascertained, or is irregular or equivocal and as explained by evidence ded hors the ballot. The purpose of the Legislature in prescribing the form of the ballot and specifically directing how it should be prepared and used by the voter, was to avoid all such inquiries and the consequences likely to result therefrom. It was intended that the ballot when prepared by the voter and delivered to the proper election officers, should be per se self-explanatory."

See also Rogers' Contested Election, 234 Pa., 512.

In Snodgrass' Case 267 Pa., 494, the court refused to cumulate the votes cast for H. B. Cutshall, Democrat, with those cast for H. Cutshall, Prohibitionist. However, in that case it was admitted that it was understood by many of the voters of the county that H. B. Cutshall and H. Cutshall were different persons. The proofs showed that H. B. Cutshall and H. Cutshall was one and the same person, and that many of the electors knew that fact. The Supreme Court held that under such circumstances the voters were probably confused and misled by reason of the form of the ballot, and ordered a new election.

In Re-count of Votes, 64 P. L. J. 106, Judge Carpenter counted three ballots marked with a cross opposite the name of Frank Seiss and also opposite the name of Frank Leiss, it appearing that Leiss and Seiss represented the same person. So far as we can discover, the above is the only case where a double cross ballot has been counted by any court. The current of authority is almost unanimous against counting a ballot so marked.

If it is right to cumulate the vote, and the petitioners have earnestly urged us to do so, and we have decided to do so, because George B. Bryson, Democrat, and G. B. Bryson, Socialist, are one and the same persons, that he was commonly known both as George B. and G. B. Bryson among the electors of the Legislative District, that there was no

other person in the district bearing the same name,—then, it is undoubtedly inconsistent for the petitioners, in the next breath, to argue that the few duplicate votes cast for Mr. Bryson should be counted, for an inspection of the few ballots on which there was duplication unquestionably discloses that the few who thus voted were either misled and deceived or intentionally voted twice for the same candidate.

What was the intention of the few voters who marked a cross opposite the name of George B. Bryson, Democrat, and also marked a cross opposite the name of G. B. Bryson, Socialist? Did they intend to vote twice for the one candidate? If so, they should not complain if their ballots be rejected. If they were misled and deceived, how shall the Court determine for whom such votes should be counted?

Taking either horn of the dilemma, do not the above questions, unanswered as they must necessarily be, show the necessity for applying the rule that the Court is not at liberty to guess what the voter meant from a defectively marked ballot?

The learned counsel for the contestant contend that the Act of 1919, P. L. 831, has so changed the law that thereafter the voter's choice must in some way be discerned and counted, even if the ballot be defectively marked. This statute was passed to meet a specific purpose. That purpose is clearly expressed in the Act. The statute has no application to the facts of this case.

For the reasons already given, we are of opinion that all ballots where the voter made a cross mark opposite the name of George B. Bryson, Democrat, and also opposite the name of G. B. Bryson, Socialist, must be rejected.

NON-REGISTERED VOTERS.

Many of the affidavits made by non-registered voters were defective. In other cases the non-registered voters made no affidavit.

The rules announced by the Supreme Court in Cusick's Election, 136 Pa., 459, relative to the proofs to be made by non-registered voters, have been materially changed by the Legislature. The Act of 1909, P. L. 254, provides:

> "In case any person is allowed to vote at an election, who is not registered, but makes an affidavit which by reason of the failure to fully observe the requirements of this section is insufficient, in any contest growing out of said election, it shall be lawful to correct any mistakes or supply any deficiencies in such affidavit, so as to show that the said person was in fact a qualified voter; but this shall not apply to non-registered voters who make no affidavits, or one which makes no attempt to comply with the law."

The Court is of opinion that this statute should be construed liberally where the evidence shows that there has been an attempt to comply with the law where it is shown that the voter was in fact a qualified voter.

Bearing in mind the legal principles above stated the Court December 21st, proceeded to hear the testimony of witnesses. The hearing of testimony was concluded on January 3rd. On the 6th of January the case was argued by Counsel for the respective parties. Before any testimony was taken Counsel for the Petitioner moved the Court to strike from the Answer of the Respondent all averments therein alleging illegal votes cast for Bryson one of the Petitioners for the reason that the said Answer in that regard was not responsive to the petition The Court refused this motion for the reason that the Petitioner having asked the Court to cumulate the votes cast for George B. Bryson, democrat, with the votes cast as G. B. Bryson, socialist, was only entitled to have legal votes cumulated; that the Petitioner had no right to ask the Court to cumulate and count any votes which were not legal.

The evidence on the part of the Petitioner fully established the Petitioner's contention that George B. Bryson, whose name appeared on the ballot as the democratic candidate for said office and G. B. Bryson, whose name, also, appeared on the ballot as the socialist candidate for the same office, is one and the same person; that the said George B. Bryson was commonly known as G. B. Bryson among the residents and electors of the said Legislative District, and that there was no other person in said Legislative District bearing the name of George B. Bryson or G. B. Bryson. The testimony in this respect was full and satisfactory. There was proof that Bryson one of the Petitioners, an employee of the Pennsylvania Railroad Company, signed his time cards as George B. Bryson and signed the car reports as G. B. Bryson, and that he was sometimes called George B. Bryson and G. B. Bryson by all who knew him.

The Petitioners having rested the Respondent proceeded to offer his proofs. In response to the Answer of the Respondent the Court opened the ballot boxes of the eight (8) election precincts mentioned in the Answer and re-counted the ballots therein, and, also, heard testimony of witnesses called by the Respondent to prove certain electors were not legal voters and that they voted for George B. Bryson or G. B. Bryson at the said election. From such testimony the Court finds the following facts:

FIRST WARD, DERRY BOROUGH.

A tabulation of all the ballots, except fourteen (14) gives:

Smith, republican, ...	101 votes
Bryson, democrat, ...	160 votes
Bryson, socialist, ...	5 votes

Each of the ten (10) of the fourteen (14) ballots aforesaid give a vote for both George B. Bryson, democrat, and G. B. Bryson, socialist, and each vote is rejected as to Bryson because of the duplication.

Four (4) of the ten (10) ballots aforesaid are properly marked for Smith, republican, and these four (4) votes are added to his one hundred and one (101) votes aforesaid.

Each of the remaining four (4) ballots of the fourteen (14) are marked for four candidates instead of three and are rejected on that account.

RECAPITULATION.

Smith, republican, 101 plus 4, total 105 votes.

Bryson, democrat, 160 plus Bryson, socialist 5, total 165 votes.

SECOND WARD, DERRY BOROUGH.

A tabulation of all the ballots, except sixteen (16) gives:

Smith, republican, ...	96 votes
Bryson, democrat, ...	233 votes
Bryson, socialist, ...	16 votes

Each of the ten of the sixteen ballots aforesaid give a vote for both Bryson, democrat, and Bryson, socialist, and each vote is rejected because of the duplication.

One of the ten ballots aforesaid is properly marked for Smith, republican, and this one vote is added to his ninety-six votes aforesaid.

One of the remaining ballots is marked straight republican and straight prohibition and is rejected.

Four of remaining ballots are marked for four candidates instead of three and are rejected on that account.

The last of remaining ballots was apparently marked for Bryson by mistake and is erased and is rejected.

RECAPITULATION.

Smith, republican, 96 plus 1, ...	total 97 votes
Bryson, democrat, 233 plus Bryson, socialist 16	total 249 votes

THIRD WARD, DERRY BOROUGH.

A tabulation of all the ballots, except twelve, gives:

Smith, republican	105 votes
Bryson, democrat	140 votes
Bryson, socialist	13 votes

Each of the eight of the twelve ballots aforesaid give a vote for both Bryson, democrat, and Bryson, Socialist, and each vote is rejected because of the duplication.

Three of the eight ballots aforesaid are properly marked for Smith, republican, and these three votes are added to his 105 votes aforesaid.

Two of the remaining ballots are marked for four candidates instead of three and are rejected on that account.

One of the remaining ballots is mutilated as to Smith, no marks as to Bryson, and is rejected.

The last remaining ballot has an erasure as to Warden and is counted one vote for Bryson.

Fred S. Baird voted for Bryson, democrat, but had paid no tax within two years, and one (1) vote is deducted from Bryson on that account.

Alfred W. Dando voted for Bryson, democrat, but did not legally qualify, he having no legal voucher, and one (1) vote is deducted from Bryson on that account.

RECAPITULATION.

Smith, republican, 105 plus 3, total ..	108 votes
Bryson, democrat, 140 plus Bryson, socialist 13, makes 153 votes, and adding 1 and deducting 2 makes Brysons' total	152 votes

THIRD WARD, MT. PLEASANT BOROUGH.

A tabulation of all the ballots, except four (4), gives:

Smith, republican	69 votes
Bryson, democrat	95 votes
Bryson, socialist	49 votes

One of the four(4) ballots aforesaid gives a vote for both Bryson, democrat, and Bryson, socialist, and is rejected because of the duplication.

One is marked straight democrat and for Coldsmith, republican, and is rejected.

One is marked straight republican but is erased and is rejected.

One is marked straight prohibition, straight democrat and straight industrialist, and is rejected.

The following twelve persons voted for Bryson, democrat, were not registered and made no affidavits:—

Mike Deluca	Tony Macaluso
Anthony Kopczak	Joseph Eberhart
Joseph Kopczak	J. C. Keeler
John Mullaney	Domineck Isola
J. J. Hitchman	Matilda Grosser
Fritz Hanse	Agnes Grosser

and twelve (12) votes are accordingly deducted from the ninety-five (95) votes of Bryson, democrat, leaving Bryson eighty-three (83) votes.

Mike Isola voted for Bryson, socialist, but made no affidavit and one (1) vote is accordingly deducted from the forty-nine (49) votes of Bryson, socialist, leaving Bryson forty-eight (48) socialist votes.

The following three persons voted for Smith, republican, but made no affidavits:—

Liborio Gagliano
Pasquale Macaluse
Joseph Skergan

and three (3) votes are accordingly deducted from the sixty-nine (69) votes of Smith, republican, leaving Smith sixty-six (66) votes.

RECAPITULATION.

Smith, republican, 69 less 3, total	66 votes
Bryson, democrat, 95 less 12, total ...	83 votes
Bryson, socialist, 49 less 1, total	48 votes
Bryson, democrat, 83, plus Bryson, socialist 48, total	131 votes

WHITNEY DISTRICT.

A tabulation of all the ballots, except one (1), gives:

Smith, republican	35 votes
Bryson, democrat	113 votes
Bryson, socialist	9 votes

The one ballot aforesaid gives a vote to both Bryson, democrat, and Bryson, socialist, and is rejected because of the duplication.

Tony Sowansky voted for Bryson, democrat, but no evidence of taxes paid, and one (1) vote is deducted.

John Roseman voted for Smith, republican, but no evidence of taxes paid, and one (1) vote is deducted.

John Sobinsky voted for Bryson but made no affidavit, and one (1) vote is deducted.

RECAPITULATION.

Smith, republican, 35 less 1, total	34 votes
Bryson, democrat, 113 plus Bryson, socialist, 9, total	122 votes
Bryson, 122 less 2, total	120 votes

MILLWOOD DISTRICT.

A tabulation of all the ballots, except six (6), gives:

Smith, republican, ...	40 votes
Bryson, democrat, ...	52 votes
Bryson, socialist, ...	8 votes

Five of the six ballots aforesaid give a vote for both Bryson, democrat, and Bryson, socialist, and each vote is rejected as to Bryson because of the duplication.

One of the ballots of the five aforesaid is properly marked for Smith, republican, and is counted one (1) vote for Smith.

The remaining ballot is marked for four candidates, including Bryson, democrat, and Bryson, socialist, and discloses and attempted erasure of Bryson, socialist, leaving a ballot marked for three, and one (1) vote is accordingly counted for Bryson, democrat.

RECAPITULATION.

Smith, republican, 40 plus 1, total, ..	41 votes
Bryson, democrat, 52 plus 1, total, ..	53 votes
Bryson, democrat, 53 plus Bryson, socialist, 8, total, ...	61 votes

SCALP LEVEL DISTRICT.

A tabulation of all the ballots, except ten (10) gives:

Smith, republican	105 votes
Bryson, democrat, ...	182 votes
Bryson, socialist, ...	8 votes

Each of nine of the ten ballots aforesaid give a vote for both Bryson, democrat, and Bryson, socialist, and each vote is rejected because of the duplication.

The remaining ballot of the ten is marked for four candidates instead of three and is rejected on that account.

RECAPITULATION.

Smith, republican, total, ...	105 votes
Bryson, democrat, 182, plus Bryson, socialist, 8, total, ...	190 votes

MAMOTH DISTRICT.

A tabulation of all ballots, except one, gives;

Smith, republican	57 votes
Bryson, democrat	56 votes
Bryson, socialist	12 votes

The one ballot is marked for four candidates, to wit: Coldsmith, Smith, Whiteman, Warden, instead of three and is rejected on that account.

RECAPITULATION.

Smith, republican, total	57 votes
Bryson, democrat, 56, plus Bryson, socialist, 12, total	68 votes

A recapitulation of the aforesaid districts, to wit:

First Ward, Derry Borough,
Second Ward, Derry Borough,
Third Ward, Derry Borough,
Third Ward, Mt. Pleasant Borough,
Whitney District,
Millwood District,
Scalp Level District,
Mamoth District,

gives Smith, republican, ...	613 votes
and Bryson, democrat and socialist, ...	1136 votes

The following illegal votes were cast for Bryson:

SIXTH WARD, LATROBE BOROUGH.

1. Catharine Koczwsky, no sufficient proof of naturalization, not registered.

PLEASANT UNITY DISTRICT.

2. Nettie Holzer, not registered, no affidavit.
3. Joseph Stasia, not registered, no affidavit.

HECLA DISTRICT.

4. Alex Wojic, not registered, no affidavit.
5. George Roberts, not registered, no affidavit.

These five (5) votes deducted from his total aforesaid leaves 1131 votes, Bryson.

The following illegal vote was cast for Smith:

HECLA DISTRICT.

1. Charles Kalp, not registered, no affidavit.

This one vote deducted from his total aforesaid leaves 612 votes, Smith.

The vote for members of the House of Representatives of the First Legislative District as computed by the Court of Common Pleas sitting as a Return Election Board, gave

Smith, Republican, ... 3955 votes
Bryson, Democrat, 3521
Bryson, Socialist, 493
and the Bryson vote cumulated totals, 4014 votes

From this vote is deducted the vote of the eight districts as tabulated by the Return Election Board, to wit:

	Smith, R.	Bryson, D.	Bryson, S.
1st Ward, Derry, ...	103	164	7
2nd Ward, Derry, ...	95	250	14
3rd Ward, Derry, ...	108	156	10
3rd Ward, Mt. Pleasant,	71	94	54
Whitney, ...	35	120	9
Millwood, ...	41	56	12
Scalp Level, ...	105	193	6
Mammoth, ...	58	56	12
Totals, ...	616	1089	124

Bryson, democrat and socialist, cumulated, 1213.

Deduction: Smith	3955	total
Smith	616	Eight districts
	3339	
Bryson, D. S.	4014	total
Bryson, D. S.	1213	Eight districts
	2801	

To this net vote, as tabulated by the Court sitting as a Return Election Board, is added the vote as computed by the Court in this contest, as follows:—

Smith, republican,	3339		
Corrected vote,	612	Total	3951
Bryson, democrat, socialist,	2801		
Corrected vote,	1131	Total	3932

It thus appears that Smith, republican, has a majority, of the legal votes cast as determined by this contest, over the cumulated vote of Bryson, democrat, and Bryson, socialist, of nineteen (19) votes.

When the issue was framed in this case by the filing of the respondent's answer, the Court, in obedience to the requirements of the Act of 1874, P. L. 208, proceeded without delay, practically postponing all other business to the hearing and determining of this case. The said Act empowers the Court to appoint commissioners to take testimony in such cases. However, in order to save time and to limit the expense of the proceeding to the least possible figure, the Court did not appoint a commissioner, but heard the parties and their witnesses, and with the assistance of the regularly appointed officers of such Court, recounted ballots when necessary in open Court.

After the ballots in eight election precincts had been recounted, the respondent presented a petition for leave to amend his answer by requesting the Court to recount the ballots in every other election precinct in the said First Legislative District of Westmoreland County where both Democratic and Socialist votes have been cast. The only reason alleged for such recount of additional ballots was that in seven of the eight precincts where a recount had been made, there had been found one or more ballots marked both for George B. Bryson, Democrat, and for G. B. Bryson, Socialist. The Court refused this amendment, unless the respondent should specify—as he has done in his original answer—the precincts wherein it should be alleged that one or more ballots had been marked both for George B. Bryson, Democrat, and for G. B. Bryson, Socialist. The respondent, although granted additional time so to do, failed to so amend his answer and the amendment was thereupon refused, the Court holding that, in an election contest, ballot boxes not to be opened and a recount of ballots made merely upon suspicion that illegal ballots might there be found.

COSTS.

Before the petition was filed in this case, the Court, sitting as Return Judges to count the returns from the various election precincts in said First Legislative District, had found that the said George A. Smith, Republican, had received 3955 votes; that George B. Bryson, Democrat, had received 3521 votes; and that G. B. Bryson, Socialist, had received 493 votes.

We have found as a fact that George B. Bryson, Democrat and G. B. Bryson, Socialist, is one and the same person; that the said Bryson was generally known in the said First Legislative District among the electors therein as George B. Bryson or G. B. Bryson; and that there was no other person residing in said Legislative District bearing the name of either George B. Bryson or G. B. Bryson. The proof of the above was full and convincing. Indeed, there was no evidence to the contrary.

While the Supreme Court of this State has not decided whether or not such votes may be cumulated, the Courts of Common Pleas have almost unanimously held that such votes should be cumulated under the circumstances proved in this case.

The Court is of opinion that the complainants had probable cause to present a petition to have cumulated the votes so as aforesaid returned to have been cast for Bryson. Nor can we say upon the evidence produced, that the petitioner either knew, or should have anticipated, that a recount of ballots in certain districts would deprive him of the majority which a cumulation of the votes returned would otherwise have given Bryson.

The Court, therefore, is constrained to decide that in this case the complainants had probable cause to institute this proceeding; and that, though unsuccessful in the end, the Commonwealth should be liable for all costs of this proceeding.

The Act of 1899 P. L. 118, provides, inter alia, as follows:

> "In contested elections of *** members of the House of Representatives, if the Court of judge shall decide that the complaint is without probable cause, the petitioners and every one of them shall be jointly and severally liable for all the costs. *** In contested elections of *** members of the House of Representatives, as aforesaid, in which the Court or judge shall not decide that the complaint is without probable cause, the Commonwealth shall be liable for all costs, and the same shall be paid by the State Treasurer out of any moneys not otherwise appropriated, on bills certified to be correct by the proper court or judge, upon examination and approval of the Auditor General."

"The petitioners in an election contest which has proved unsuccessful, cannot be charged with stenographer's fees or for the fees of various court officers such as criers and tipstaves."

Patton's Election 47 S. C. 584.

"The usual costs incident to the investigation such as clerks' fees and stenographers' fees are paid by the county."

Patton's Election, supra.

Somerset Primary Election Contest, 26 D. R. 526.

The costs payable by the Commonwealth in this proceeding will be confined to the fees of witnesses, serving subpoenas, and docket costs. The officers who performed services in Court in this proceeding receive stated salaries as compensation and are not entitled to additional costs.

> "The Supreme Court does not have jurisdiction to review the judgments or decrees of the Court of Common Pleas in contested elections of Senators or Representatives.
>
> The power conferred on the respective houses of the Legislature by Art. II., Sec. 9 of the Constitution of the State, Vix., that 'each house shall judge of the election and qualification of its members,' is not taken away by Art. VLII., Sec. 17, of the said Constitution which provides that, 'The trial and determination of contested elections * * * of all public officers * * * shall be by the courts of law, or by one or more of the law judges thereof.' The purpose of this section is merely to provide a method for procuring and presenting to the respective house the evidence necessary for an intelligent decision, and to secure early action.

The Act of 19th May, 1874, provides a complete method for speedily determining which candidate received the greatest number of legal votes and is entitled to the certificate of election, but it does not authorize the court to enter any judgments or make any decree declaring which claimant is entitled to the office.

One aggrieved by the decision of the court in his case must present his petition to the proper house. If the correctness of the findings of the court be questioned, the whole case is sent to the proper committee for hearing, which is not restrained as to what evidence it shall hear and consider, nor from what source it shall be obtained; the committee then reports 'for the consideration of the house.'"

In Re-Contested Election of McNeill, 111 Pa. 235.

In the above case, the Court (Opinion page 241) say:

"This Act does not authorize the Common Pleas to enter any judgment or make any decree declaring which claimant is entitled to the office, but merely that it shall decide which candidate received the greatest number of legal votes and is entitled to the certificate of election. This language appears to have been purposely used so as not to impinge on the power of the respective house to ultimately judge and determine. The same Act provides for the trial before the courts of contested elections of divers other officers, and declares that the person who by the decision of the court shall appear to have received the largest number of votes 'shall be entitled to the office.' and be commissioned accordingly. In contested elections of senators and members the Act does not give any such power to the Court, nor any such effect to its decision.

Neither the facts found by the court, nor its opinion as to who is entitled to the certificate of election, are to control the judgment of the respective house. The legal effect thereof on the House is no greater than the report of one of its own committees. If the correctness of the finding be questioned, the house sends the whole case to its standing committee on elections, which must hear the claims of the contestant and respondent, and report the facts as if finds them to be, and a resolution expressing the decision of the committee, The Act imposed no restriction on the committee as to what evidence it shall hear and consider, nor from what source it shall be obtained. Whatever it reports is only 'for the consideration of the house.'

Every fact and every conclusion of law found by the court and by the committee may be disregarded by the House, and its decision, expressed by its votes, as to which is entitled to the office, is final and conclusive."

Section 14 of the Act of 1874, P. L. 208, provides:

"After the hearing as aforesaid, the court shall, without unnecessary delay, decide which of the candidates have received the greatest number of legal votes and is entitled to the certificate of election."

Thus it appears from the statute, and the interpretation thereof by the Supreme Court, that this Court in this proceeding has no authority to cancel the certificate of election already issued to the successful candidate, or to issue a new certificate to the candidate who is shown to have received the greatest number of legal votes. The only power and duty of the Court in this proceeding is to determine "which of the candidates voted for received the greatest number of legal votes and is entitled to the certificate of election"; and to certify to the Secretary of the Commonwealth a copy of the decision of the Court in such proceeding. Thereafter the House of Representatives ultimately judge and determine who shall be entitled to the office. Since the legal effect of our finding has no greater effect in the House of Representatives than the report of one of its own committees, and since the statute imposes no restriction on the committee of the House as to what evidence it shall hear and consider, nor from what source it shall be obtained, but every fact and every conclusion of law found by the Court may be disregarded by the House, the Court deemed it proper and necessary to render its decision without unnecessary delay, to the end that any party dissatisfied therewith may present his claims to the tribunal of last resort before the transaction of the business of the House of Representatives should be commenced.

DECREE.

And now, January 11, 1923, after hearing the witnesses for both parties, and the arguments of counsel, and upon due consideration, it is ordered, adjudged and decrees as follows:

First: That George A. Smith, a candidate at the election held November 7th, 1922, in the First Legislative District, in and for Westmoreland County, received at the said election 3951 legal votes, and that at the same election, George B. Bryson, Democrat, and G. B. Bryson, Socialist, being one and the same person, received 3932 legal votes, and that the said George A. Smith, Republican, having received the greatest number of legal votes at said election, is entitled to a certificate of election as a member of the House of Representatives, from the First Legislative District of Westmoreland County.

Second: That the complaint embraced in the petition in this proceeding was not without probable cause, but that, under the proofs in this case, there was probably cause for the institution of this proceeding and therefore, the Commonwealth of Pennsylvania should be and is hereby decreed to be liable for the payment of all costs, in accordance with the Act of Assembly approved April 28th, 1899, P. L. 118.

Third: That the bills of costs hereto attached are hereby certified to be correct. No costs are taxed for witnesses whose votes were shown to be illegal.

Fourth: The Prothonotary shall properly certify and forward to the Secretary of the Commonwealth, a certified copy of the opinion, findings of fact and decree of the Court filed in this case.

January 11, 1923, Certified from the record.
(Signed) J. Arthur Thomas.
Prothonotary.

ATTEST:
(Signed) J. ARTHUR THOMAS.
Prothonotary.

ADMINISTRATION OF OATH OF OFFICE TO MEMBERS ELECT.

The SPEAKER. The members elect who have not been sworn will now present themselves before the bar of the House, where the oath of office, as required by law, will be administered to them by the Honorable Frank B. Wickersham, a Judge of the Court of Common Pleas of Dauphin County.

The oath of office was then administered to members elect Messrs. Johnson, McVicar, and George A. Smith.

REPORT OF THE COMMITTEE TO REVISE AND AMEND THE RULES.

Mr. DIEHM from the Committee to Revise and Amend the Rules offered the following resolution:

Resolved, That the Rules of the House of Representatives as printed in Smull's Handbook, edition of 1921-22, be adopted for the government of the House for the session of 1923, with the following amendments and additions:

First: Amend Rule 10 by adding at the end thereof the following: "If the Speaker shall neglect or refuse to refer any bill or bills (whether House or Senate) within two days, after presentation, in which the House is in session, it shall be in order for any member to move for the reference of said bill or bills to the appropriate committee. Upon instruction so given the bill or bills shall be immediately referred to said committee."

Second: Amend Rule 31 after the words "of what consisting" as follows: The several committees shall consist of not less than twenty-five members, except the Committee on Appropriations, which shall consist of not less than forty members, and the Committees on

Education,
Electric railways,
Municipal corporations,
Public Health and Sanitation,
Public Roads, and
Ways and Means

which shall consist of not less than thirty-five members. Each of said committee shall keep a record or minute of all proceedings before them, which said record or minute shall be open at any time for examination by any member of the House or Senate, or upon leave granted by the respective committee, to anyone."

Third: Amend Rule 57 by striking out on the second line "the majority of all the members elect shall be required" and insert the following:
"a vote of sixty members shall be sufficient".

Fourth: Add to the Rules, a new rule as follows:

"DISPOSITION OF BILLS IN THE HANDS OF MEMBERS OF THE COMMITTEE FOR REPORT."

69. When a committee has directed that a bill be reported to the House, it shall be the duty of the member assigned to report the same to make report thereof promptly; and in no event shall such report be delayed longer than two days in which the House is in session. If the member assigned to report any bill shall fail to report the same within two days as aforesaid, the Chairman of the Committee or the Secretary of the Committee, if he be a member, or either of them, is authorized to report a duly certified copy of said bill, or the Committee may authorize another member to make report of said copy or the original bill."

These rules to govern until otherwise ordered.

G. GRAYBILL DIEHM,
HELEN GRIMES,
J. B. COLDSMITH,
ALBERT E. RINN,
C. J. GOODNOUGH,
ex officio.

On the question,

Will the House adopt the resolution?

Mr. RHODES. Mr. Speaker, I move that the report together with the Resolution lie over for printing.

Mr. FLYNN. Mr. Speaker I second the motion.

On the question,

Will the House agree to the motion?

Mr. GOLDER. Mr. Speaker, it seems to me inasmuch as a great many members of the House who have come here for the first time, that in all fairness to these men unacquainted with the Rules of this House as they now are, that action on this resolution should be deferred for the present. It occurs to me that the motion offered by my colleague Mr. Rhodes is entirely proper and in fairness to those men who are not acquainted with rules of the House as they now are, we should defer any action at this time. I am heartily in favor of the motion offered by Mr. Rhodes.

Mr. EDMONDS. Mr. Speaker, ordinarily I would be much in favor of any proposition which would give us a longer period of time to consider such a matter as this, but unfortunately we are in the situation that we cannot legislate until we have rules providing for the appointment of committees, rules providing for the members of committees, and rules providing for the procedure and the introduction and reference of bills, and until we do get some rules we are in the position of not being able to proceed with the business for which we have been elected.

Now, the rules that are proposed here are based in a large measure upon the rules that are found in Smull's Legislative Hand Book, page 1269. I think the gentleman from Philadelphia, Mr. Golder, is right that there is a large number of new members in the House that are entitled to a very full explanation as to just what those changes may involve. What is proposed here is to take those rules which have been built up during the past fifty or hundred years and make them the basis of our new rules with four changes. The first change has to do with rule number 10, the introduction of new bills, and merely provides a time limit within which the Speaker must refer a bill, that has been laid on the table for that purpose whether a House or a Senate bill.

The second amendment relates to rule 31, as to appointments of committees and merely provides for an increase in the membership of committees, concerning which there is more than usual interest or desires that all parts of the State shall be represented thereon.

The third amendment relates to rule 57, the discharge of a committee from the consideration of a bill. Until last session it was the rule of the House that when sixty members wished to discharge a committee from the consideration of a bill after the committee had had that bill for ten days by a vote of sixty members that might be done. Then in the session of 1921 that was changed from sixty to a majority of the members of the House. That change did not seem to result successfully, and this is merely a change back again to the rule which existed for a very long time. What it means is this: That if a committee gets a bill and for ten days does not report upon it then it is possible by a vote of sixty members on the floor of the House to take that bill out of the committee, putting it in the control of the House, so that if the bill shall be killed it shall be killed on the open floor with the majority of members of the House voting on it.

The last change is to rule 69. Rule 69 provides that when a committee has directed that a bill shall be reported out to the House and the member has been assigned with the duty of reporting the bill to the House, he must perform that duty within two legislative days, or if not an alternative method is provided whereby the committee may see that a duplicate of that bill shall be reported to the House.

Now, that Mr. Speaker, as I understand it are all of the changes contemplated here and in order that we may be ready to start upon business and upon the consideration of the real important matters that may come before us, it seems to me that it would be well for us to adopt the rules now. These particular rules are not final because they can be amended by a majority vote at any time, but we ought to have some rules before us to start in an orderly manner.

Mr. GOLDER. Mr. Speaker,, I desire to interrogate the gentleman from Philadelphia, Mr. Edmonds.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Edmonds, permit himself to be interrogated?

Mr. EDMONDS. With pleasure, Mr. Speaker.

Mr. GOLDER. Mr. Speaker, I desire to ask the gentleman from Philadelphia, Mr. Edmonds, whether he had heard before of the proposed changes to the rule, heard them or read them?

Mr. EDMONDS. Yes, sir, Mr. Golder.

Mr. GOLDER. Mr. Speaker, may I ask when the gentleman from Philadelphia received the information as to the changes proposed to the rules?

Mr. EDMONDS. About a half hour ago, I asked Mr. Diehm to let me see the report.

Mr. GOLDER. It seems to me, Mr. Speaker, that if the gentleman from Philadelphia, a lawyer and a man of the standing of Mr. Edmonds requires at least a half hour's preparation or a half hour's time to inspect these changes, that the great majority of the members here, many of them not lawyers, certainly would require more time to understand the changes to the rules which, as I understand from the newspapers, the gentleman from Philadelphia has been working upon for weeks and weeks. There are not merely three or four rules, there are 68 other rules. Mr. Edmonds speaks about the changes, but are you men familiar with the

68 other rules which he asks you to adopt? It is my understanding, sir, that in the absence of our adopting tonight the rules of the House, that the rules which we had heretofore would govern, and if that is not the fact, rather would I adjourn tonight than for this House to adopt 68 or 69 rules with which the members are not acquainted. I do not suppose there is much work to be done tonight, but even if there was, I do not think the members of this House would want to do any work under rules which they do not understand. We certainly cannot lose anything by agreeing to the motion of Mr. Rhodes. By the next day we can act intelligently upon those rules. It don't seem to me to be any sense of fairness at all in trying to get men to adopt 69 rules with which they are unacquainted. Mr. Edmonds agrees that two or three of the rules should be amended, and I am in favor of the motion offered by Mr. Rhodes.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

RECONSIDERATION OF VOTE.

Mr. RHODES. Mr. Speaker, I move that the vote by which the resolution of the Rules Committee was laid upon the table be reconsidered.

Mr. SCHILLING. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House adopt the resolution of the Rules Committee?

Mr. EDMONDS. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read as follows:

Resolved, That the rules of the House of Representatives as printed in Smull's Handbook, edition of 1921-1922, be adopted for the government of the House for the session of 1923, with the amendment to Rule 31, as recommended by the committee, and that the amendments to Rules 10, 57 and 69 lie over for printing.

Mr. GOLDER. Mr. Speaker, as I understand the amendment, which is intended to be adopted by this resolution it is only an amendment enlarging the membership of the various committees. That amendment is offered in view of the fact that the Speaker has already arranged his committees. The other amendments will lie over, as suggested in the previous motion of the gentleman from Monroe, Mr. Rhodes. Personally, I cannot see any objection to this amendment.

Mr. EDMONDS. Mr. Speaker, may I say that the gentleman from Philadelphia has interpreted this resolution correctly. It is my opinion that this amendment should be unanimously adopted and we can get down to work. It takes the rules of last year's session, 1921, and merely adopts the proposed amendment relative to the size of certain committees which, it is desired, should be enlarged. The other changes which relate to the procedure in the House lie over for printing and will be considered after the printed forms have arrived. Therefore, it seems to me that we can afford to adopt this resolution now and get started to work.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

REPORT OF THE ATTORNEY GENERAL

The Chair laid before the House the report of the Attorney General.

The SPEAKER. The report will be noted in the Journal and printed in the appendix to the Legislative Journal.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER. There will be a meeting of the Inaugural Committee at 11:55 A. M., Tuesday, in the main corridor, center door, of the Capitol Building, to prepare to go to the inaugural stand.

ADJOURNMENT IN MEMORY OF HON. SAMUEL A. WHITAKER.

Mr. LONG. Mr. Speaker, it is with deep sorrow and great regret that I announce the death of my colleague, Major Samuel A. Whitaker, on Tuesday, January 2nd, 1923. I move when this House adjourns, that such adjournment be taken in respect and honor to his memory.

Mr. DUNN. Mr. Speaker, I second the motion.

By a rising vote the motion was unanimously agreed to.

Mr. McVICAR. In pursuance of the motion of the gentleman from Chester, Mr. Long, I move that this House do now adjourn out of respect to the memory of the late Hon. Samuel A. Whitaker.

The motion was agreed to.

Whereupon, (at 10:00 o'clock P. M.) the House adjourned until Tuesday, January 16, 1923, at 11:00 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

Session 1923 — 125th of the General Assembly

Vol. 7. HARRISBURG, PA., TUESDAY, JANUARY 16, 1923. No. 3.

SENATE

TUESDAY, January 16, 1923.

The Senate met at 10.30 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Edward E. Beidleman) in the Chair.

PRAYER.

The Chaplain, Rev. Benjamin F. Bungard, offered the following prayer:

Our Father, Who art in Heaven, we thank Thee for this beautiful day, for life and health. We pray that we be guided and led in wisdom in thought and in action. We pray Thy blessing upon our gathering this morning. Bless His Excellency, the Governor, who is about to retire, and he who shall come in to take the reigns of the Commonwealth. We pray that Thou wilt bless our judicial body and that Thou wilt grant to us Thy wisdom, favor and blessing. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

TIME OF NEXT MEETING.

Mr. PHIPPS offered the following resolution, which was twice read, considered and agreed to.

Resolved (If the House of Representatives concur) That when the Legislature adjourns today it reconvene on Monday evening, January twenty-second, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REQUEST TO JUDGE HARGEST TO ADMINISTER OATH OF OFFICE.

Mr. CRAIG offered the following resolution, which was twice read, considered and agreed to.

Resolved, That Honorable William M. Hargest, President Judge of the Twelfth Judicial District, be requested to administer the oath required to be taken by the Lieutenant-Governor-elect.

COMMITTEE TO WAIT UPON THE LIEUTENANT-GOVERNOR-ELECT.

Mr. DAVIS offered the following resolution, which was twice read, considered and agreed to.

Resolved, That a committee of three Senators be appointed to wait upon Honorable David J. Davis, Lieutenant-Governor-elect, and escort him to the Senate Chamber to take the oath and assume the duties of the office.

The PRESIDENT. The Chair appoints as said Committee, the Senator from Lackawanna, Mr. Davis; the Senator from Beaver, Mr. Craig, and the Senator from Luzerne, Mr. DeWitt.

COMMITTEE TO WAIT UPON JUDGE HARGEST.

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to.

Resolved, That a committee of three Senators be appointed to wait on Honorable William M. Hargest, President Judge of the Twelfth Judicial District, and escort him to the Senate Chamber for the purpose of administering the oath of office to Honorable David J. Davis, Lieutenant-Governor-elect.

The PRESIDENT. The Chair appoints as said committee the Senator from Bucks, Mr. Buckman, the Senator from Cambria, Mr. Stineman, and the Senator from Clearfield, Mr. Betts.

COMMITTEE TO NOTIFY HOUSE THAT THE SENATE IS READY TO PROCEED TO INAUGURAL CEREMONIES.

Mr. VARE offered the following resolution, which was twice read, considered and agreed to:

Resolved, That a committee of three be appointed to wait upon the House of Representatives and inform that body that the Senate will be ready at eleven-forty to proceed to the front of the Capitol to attend the inaugural ceremonies.

The PRESIDENT. The Chair appoints as said Committee, the Senator from Philadelphia, Mr. Vare, the Senator from Allegheny, Mr. McClintock, and the Senator from Lycoming, Mr. Sones.

REPORT OF COMMITTEE TO WAIT ON JUDGE HARGEST.

Mr. VARE, Chairman of the Committee to wait upon the Honorable William M. Hargest, President Judge of the Twelfth Judicial District, reported that they had discharged the duty devolving on them and had the honor to report the presence of the Honorable William M. Hargest.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

REPORT OF COMMITTEE TO WAIT ON LIEUTENANT-GOVERNOR-ELECT DAVIS.

Mr. DAVIS, Chairman of the Committee appointed to wait upon the Honorable David J. Davis and escort him to the Senate Chamber, reported that they had discharged the duty devolving upon them, and had the honor to report the presence of the Honorable David J. Davis, Lieutenant-Governor-elect.

The Lieutenant-Governor-elect was then escorted to the space in front of the Clerk's desk.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

ADDRESS OF THE PRESIDENT.

The PRESIDENT. In retiring from the office of Lieutenant-Governor I desire to express my thanks for the many courtesies that have been extended by the present body to me, not only during my term as Lieutenant-Governor, but during the ten years of my connection with this most august body, and I bespeak for my successor in office the same courtesy and co-operation which is always given to the presiding officer of this Senate. The people of Pennsylvania have done well in selecting a distinguished lawyer, a brave soldier and a splendid citizen to be the Lieutenant-Governor of this Commonwealth during the next four years, and it is with extreme honor and decided pleasure that I at this time introduce to the members of the Senate and present as the presiding officer during the next four years, the Honorable David J. Davis, of Scranton, Lackawanna County, Pennsylvania.

CERTIFICATE OF ELECTION OF LIEUTENANT-GOVERNOR.

Whereupon,

The certificate of the election of the Honorable David J. Davis, of Lackawanna County, as Lieutenant-Governor, was read by the Chief Clerk of the Senate as follows:

Commonwealth of Pennsylvania,
Harrisburg, January 2, 1923.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the second day of January, A. D. one thousand nine hundred and twenty-three, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Lieutenant-Governor of this Commonwealth, and publish the same in the presence of both Houses of the Legislature, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon counting the votes by a teller appointed on the part of each House, it appeared that David J. Davis had the highest number of votes; whereupon the said David J. Davis was declared to have been duly elected Lieutenant-Governor of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

EDWARD E. BEIDLEMAN,
President of the Senate.

C. J. GOODNOUGH,
Speaker of the House of Representatives.

CLARENCE J. BUCKMAN,
Teller on the part of the Senate.

JAMES A. DUNN,
Teller on the part of the House of Representatives.

ADMINISTRATION OF OATH TO LIEUTENANT-GOVERNOR-ELECT.

After which the oath of office was duly administered to the Honorable David J. Davis, Lieutenant-Governor-elect by the Honorable William M. Hargest, President Judge of the Twelfth Judicial District.

INAUGURAL ADDRESS OF THE LIEUTENANT-GOVERNOR.

THE LIEUTENANT-GOVERNOR. Gentlemen of the Senate; Keenly appreciating the honor conferred upon me by my election as Lieutenant-Governor, I take this opportunity to express my thanks to the people of Pennsylvania for the confidence they have reposed in me, with the hope I may continue to warrant their confidence during my tenure of office.

In assuming the office it will be my earnest endeavor to maintain and advance so far as it may be within my power so to do the honor and good name of the Keystone State.

As a member of the Board of Pardons I am aware of the important functions the Board has to perform in the administration of justice. The Board should extend mercy when mercy is merited and is compatible with the public interest. It should withhold clemency when clemency has no claim other than personal favor. The Board of Pardons should be an agency of law and order and justice and never an avenue of escape for the habitual criminal and the intentionally lawless and depraved.

With the knowledge that it is not my duty to suggest or in any way influence legislation, I shall at all times endeavor to be fair and impartial to all members, and most earnestly solicit your co-operation and support, with a friendly tolerence for my lack of experience, in order that legislation may be expedited.

Realizing the greatness of Pennsylvania and what a membership in its Senate stands for, and how important you are in the government of the State, I take it for granted you are concerned only in the enactment of such legislation as is necessary for the best interest of the Commonwealth.

The people of Pennsylvania have in no uncertain terms indicated their desire to go back to the Constitution and its organized forces of law and order, under which they lived and prospered for so many years, and it is time for us who represent them to sit down calmly and do a little straight thinking.

In accordance with the duty imposed upon him by the Constitution and his pledge repeatedly given to the people, I anticipate the Governor will from time to time make recommendations to the General Assembly with reference to legislation effecting the efficient, wise and just administration of the State's affairs.

Needless to say such recommendations should not only meet with the approval of the Assembly, but receive its hearty support.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

MEMBER COMMISSION TO ESTABLISH CEMETERY FOR BURIAL OF DECEASED SOLDIERS, SALORS, ETC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate James A. Dunn, of Frankford, Philadelphia County, Pa., for appointment as a Member of the Commission to establish a Cemetery for the Burial of Deceased Soldiers, Sailors, etc.

WM. C. SPROUL.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration:

ALLEGHENY COUNTY.

Wm. F. Brunner, Pittsburgh, January 19, 1923.
Jas. J. McAfee, Pittsburgh, January 20, 1923.

BERKS COUNTY.

Miss Adelaide Culp, Reading, January 20, 1923.

CAMBRIA COUNTY.

J. V. Maucher, Carrolltown, January 31, 1923.

LANCASTER COUNTY.

H. R. Bassler, Lancaster, January 31, 1923.
George L. Keith, Lititz, January 20, 1923.

PHILADELPHIA COUNTY.

Charles E. O'Halloran, Philadelphia, January 20, 1923.
Miss Williametta Wallace, Philadelphia, January 18, 1923.

TIOGA COUNTY.

Walter Sherwood, Wellsboro, January 21, 1923.

Wm. C. SPROUL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Miss Margaret M. White, Clairton.

BERKS COUNTY.

Walter H. Noll, Fleetwood.
John L. Roller, Reading.

CLARION COUNTY.

Wallace C. Weaver, Knox.

DELAWARE COUNTY.

Robert G. Thompson, Ridley Park.

FAYETTE COUNTY.

Miss Mary G. Newcomer, McClellandtown.

LYCOMING COUNTY.

B. B. Danley, Williamsport.
Ralph F. Harbach, Williamsport.

MERCER COUNTY.

Harry L. Prentice, Farrell.

PHILADELPHIA COUNTY.

Miss Nan M. Aldworth, Philadedphia.
C. Wayne Castiglone, Philadelphia.
Miss Loretto A. Costello, Philadelphia.
Charles F. Harer, Philadelphia.
James F. Martin, Jr., Philadelphia.
W. Weller Shoemaker, Philadelphia.

VENANGO COUNTY.

Miss Isabel Seaton, Franklin.
W. H. Weingard, Oil City.

Wm. C. SPROUL.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. CRAIG.

That Rule 38, which requires nominations made by the Governor to be referred to proper committees, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. CRAIG.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—47.

Aron,	Davis,	Leslie,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	DeWitt,	MacDade,	Smith,
Berntheizel,	Eyre,	Mansfield,	Snyder,
Betts,	Harris,	McClintock,	Sones,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Patton,	Vare,
Craig,	Krause,	Phipps,	Weaver,
Culbertson,	Kutz,	Quigley,	Woodward,
Daix,	Lanius,	Salus,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. CRAIG. Mr. President, I move that the Executive Session do now rise.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

RECESS.

Mr. DAVIS. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. WEAVER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORT OF COMMITTEE TO NOTIFY HOUSE THAT SENATE IS READY TO PROCEED TO INAUGURAL CEREMONIES.

Mr. VARE, Chairman of the Committee appointed to notify the House that the Senate is ready to proceed to the inaugural ceremonies, reported that they had discharged the duties devolving upon them.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

INAUGURATION OF GOVERNOR-ELECT GIFFORD PINCHOT.

Whereupon

The President and members of the Senate proceeded to the platform on the west side of the Capitol, where, in the presence of the President and President Pro Tempore, and members of the Senate and Speaker and members of the House of Representatives, the certificate of election of Gifford Pinchot of Milford, Pike County, as Governor of the Commonwealth for the ensuing four years, was read by the Chief Clerk of the Senate, as follows:

CERTIFICATE OF ELECTION OF GOVERNOR.

Commonwealth of Pennsylvania,
Harrisburg, January 2, 1923.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the second day of January, A. D. one thousand nine hundred and twenty-three, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Governor of this Commonwealth, and publish the same in the presence of both Houses of the Legislature, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon counting the votes by a teller appointed on the part

of each House, it appeared that Gifford Pinchot had the highest number of votes, whereupon the said Gifford Pinchot was declared to have been duly elected Governor of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

EDWARD E. BEIDLEMAN,
President of the Senate.

C. J. GOODNOUGH,
Speaker of the House of Representatives.

CLARENCE J. BUCKMAN,
Teller on the part of the Senate.

JAMES A. DUNN,
Teller on the part of the House of Representatives.

After which the oath of office was administered to the Governor-elect by the Honorable Robert Von Moschzisker, Chief Justice of the Supreme Court of Pennsylvania.

Whereupon David J. Davis, Lieutenant-Governor and President of the Senate, proclaimed Gifford Pinchot to be duly elected and qualified as Governor of the Commonwealth for the ensuing four years.

The Senate returned to its Chamber, where the President announced that after the Governor had finished the delivery of his inaugural address he placed in his hands a copy thereof, which is now submitted to the Senate, as follows:

(For inaugural address see to-day's House proceedings.)

RECESS.

Mr. BUCKMAN. Mr. Prsident, I move that the Senate do now take a recess until 4 o'clock this afternoon.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as folows:

In the Senate, January 16, 1923.

Resolved (If the House of Representatives concur) That when the Legislature adjourns today it reconvene on Monday evening, January twenty-second, at nine o'clock.

COMMUNICATION FROM THE GOVERNOR.

The Clerk to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

SECRETARY TO THE GOVERNOR.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have appointed P. Stephen Stahlnecker, of Philadelphia, to be Secretary to the Governor.

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented communication in writing from his Excellency, the Governor of the Commonwealth, which was read as follows:

NOMINATIONS OF JANUARY 2, 1923 RECALLED BY THE GOVERNOR.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall all nominations made to your honorable body by my predecessor in office under date of January 2, 1923, except those for the office of Justice of the Peace, Alderman and Notary Public.

I respectfully request the return to me of the official message or messages of nominations in the premises.

GIFFORD PINCHOT.

Mr. BUCKMAN, Mr. President, I move that the nominations referred to in the communication just read be returned to his Excellency the Governor of the Commonwealth.

Mr. SNYDER, Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following:

Clyde L. King, of Springfield, Delaware County, Pa., for appointment as Secretary of the Commonwealth to serve until superseded.

George W. Woodruff, of Philadelphia, Philadelphia County, Pa., for appointment as Attorney General of Pennsylvania to serve until superseded.

James O. Campbell, of Butler, Butler County, Pa., for appointment as First Deputy Attorney General of Pennsylvania to serve until superseded.

Robert L. Wallace, of New Castle, Lawrence County, Pa., for appointment as Deputy Attorney General vice Fred Taylor Pusey, resigned, to serve until superseded.

John N. English, of Pitsburgh, Allegheny County, Pa., for appointment as Deputy Attorney General vice Sterling G. McNees, resigned, to serve until superseded.

Paul D. Wright, Erie, Erie County, Pa., for appointment as State Highway Commissioner for a term of four years from date of confirmation.

Dr. Ellen Culver Potter, of Harrisburg, Dauphin County, Pa., for appointment as Commissioner of Public Welfare for a term of four years from date of confirmation.

Frank D. Beary, of Allentown, Lehigh County, Pa., for appointment as Adjutant General for a term of four years from October 4, 1921.

Robert Y. Stuart, of Carlisle, Cumberland County, Pa., for appointment as Commissioner of Forestry for a term of four years from April 18, 1922.

Nathan R. Buller, of Pleasant Mount, Wayne County, Pa., for appointment as Commissioner of Fisheries for a term of four years from July 7, 1921.

Peter G. Cameron, of Wellsboro, Tioga County, Pa., for appointment as Commissioner of Banking for a term of four years from June 7, 1922.

A. Nevin Detrich, of Philadelphia, Philadelphia County, Pa., for appointment as Superintendent of Public Printing and Binding to serve until March 21, 1925.

Joseph J. Walsh, of Wilkes-Barre, Luzerne County, Pa., for appointment as Chief of the Department of Mines to serve until April 16, 1923.

Frank P. Willits, of Concordville, Delaware County, Pa., for appointment as Secretary of Agriculture for a term of four years from date of confirmation.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. DAIX,

That Rule 38, which requires nominations made by the Governor to be referred to proper committees, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. DAIX,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—47.

Aron,	Davis,	Long,	Sisson,
Baldwin,	Derrick,	MacDade,	Smith,
Barr,	DeWitt,	Mansfield,	Snyder,
Berntheizel,	Harris,	McClintock,	Sones,
Betts,	Heaton,	McNichol,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Jones,	Norton,	Stites,
Christley,	Joyce,	Patton,	Vare,
Clark,	Krause,	Phipps,	Weaver,
Craig,	Kutz,	Quigley,	Woodward,
Culbertson,	Lanius,	Salus,	Eyre,
Daix,	Leslie,	Schantz,	Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. Daix. Mr. President, I move that the Executive Session do now rise.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

RESOLUTION RELATIVE TO APPOINTMENT OF RULES COMMITTEE.

Mr. BARR. Mr. President, I ask unanimous consent to offer a resolution at this time.

THE PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR offered the following resolution, which was twice read, considered and agreed to.

In the Senate of Pennsylvania, January 15, 1923.

Resolved: That the President of the Senate appoint a Rules Committee, consisting of five Senators, to prepare a new edition of the Senate Rules and to recommend a standard Parlimentary Manual for use in the Senate as a guide and authority on parlimentary proceedings, not covered by the rules of the Senate, to be prepared and submitted to the Senate by said Committee.

Be it further resolved that the rules of the Senate in force during the 1921 Session be continued until this Committee makes its report to the Senate.

LUNCH ROOMS IN STATE CAPITOL.

Mr. BARR offered the following resolution, which was twice read:

In the Senate of Pennsylvania, January 15, 1923.

Resolved, (if the House of Representatives concur), that the Board of Commissioners of Public Grounds and Buildings be requested to allot in one of the Capitol Buildings such room or rooms as may be necessary to provide lunches for the members and officers of the Legislature and the officials and employees of the several Departments of the State Government, and to rent said rooms to a reputable caterer who will be permitted to charge for the food furnished, it being understood that no wines nor liquors will be permitted in said lunch rooms and that the caterer must provide substantial and well cooked foods.

On the question,

Will the Senate agree to the resolution?

A division being called for 19 Senators voted in the affirmative and 11 in the negative, whereupon the question was determined in the affirmative .

Mr. LESLIE. Mr. President, I call for the yeas and nays.

The PRESIDENT. The Chair withdraws his decision. Is the call for the yeas and nays seconded?

Mr. BARR. Mr. President, I second the motion.

The yeas and nays were required by Mr. Leslie and Mr. Barr and were as follows, viz:

YEAS—19.

Barr,	Davis,	Kutz,	Phipps,
Berntheizel,	Derrick,	Long,	Snyder,
Buckman,	Harris,	Mansfield,	Stites,
Clark,	Heaton,	McClintock,	Woodward,
Craig,	Homsher,	Miller,	

NAYS—18.

Baldwin,	Jones,	MacDade,	Steele,
Betts,	Joyce,	Norton,	Vare,
Brown,	Krause,	Schantz,	Eyre,
Culbertson,	Lanius,	Sisson,	Pres. Pro Tem.
Daix,	Leslie,	Sones,	

So the question was determined in the affirmative.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION THANKING SENATOR SMITH FOR SERVICES AS CHAIRMAN OF INAGURAL COMMITTEE.

Mr. CRAIG offered the following resolution, which was twice read:

Whereas, The entire arrangements for the inauguration of Honorable Gifford Pinchot as Governor of Pennsylvania were under the direct supervision of Honorable Frank A. Smith, Member of this Body from the Fifteenth District and Chairman of the Inaugural Committee; and

Whereas, The work of Senator Smith in his capacity as Chairman of said Committee was such as to warrant the approbation of the Members of this Senate as well as all other citizens of Pennsylvania interested in the success of the inauguration; and

Whereas, The amount of appropriation set aside for the inauguration was less by many thousands of dollars than the amounts appropriated for inaugurations in past years; and

Whereas, Chairman Smith not only kept the expense of the inauguration within the amount appropriated but has an unexpended balance to be returned to the State Treasury; therefore be it

Resolved, That the thanks of this Senate be extended to our fellow Member, the Honorable Frank A. Smith; that he is entitled to our congratulations for the efficiency he demonstrated, the economy he practiced and the generally painstaking manner he supervised the details necessary to make the inauguration a success.

On the question,

Will the Senate agree to the resolution?

Mr. CRAIG. Mr. President, I am moved to offer this resolution by a sincere appreciation of the real service that Senator Smith has rendered to the Commonwealth in his capacity as Chairman of the Inaugural Committee. I have had the somewhat empty honor of being a member of

the Inaugural Committee, but am free to confess to my fellow-members of the Senate that I had nothing whatever to do with the success of the Inaugural ceremonies, and I think I can say for the remaining members of the Inaugural Committee that they had nothing to do with it either. I trust we made an imposing appearance upon the stand out there and that is the limit of the engery that we expended in making the inauguration a success. The entire work of the whole inaugural program was performed by Senator Smith. Knowing that the custom for a great many years had been that the Chairman of the Inaugural Committee be the Senator from Dauphin County, in which the Capitol is located, Senator Smith took charge of the matter long before the convening of the General Assembly and by the time we came here, in January, practically all of the work had been done. Mr. President, his labors were not light. He had a great deal of work to do and did it well. He was hampered also by reason of the fact that the expenditures under the direction of the Legislature had to be kept to a maximum of five thousand dollars. It is my opinion that we had at least fifty thousand dollars worth of inaugural ceremony for our five thousand dollars and the credit for it belongs to Senator Smith.

I introduce this resolution and am making these remarks in order that no one may suspect that the splendid ceremony that we witnessed to-day was due to the efforts of the Inaugural Committee; it was due entirely and solely to the efforts of the Chairman, Senator Smith, who has handled it with most consummate skill. He has hardly spent enough money to count, in fact he is going to return to the State a very considerable portion of the amount we advised him to spend. The resolution is offered, and I am sure will be adopted, in order that we may give the credit where it belongs, and express to Senator Smith what we really feel, our debt of obligation for the work that he has done in the many hours of painstaking effort he has given to it.

The PRESIDENT. The Chair would like to subscribe to every word that has been said by the Senator from Beaver, Mr. Craig.

Mr. VARE. Mr. President, it has been my duty and pleasure to attend inaugurations in connection with the installation into office of the last five Governors, I have had the pleasure of being one of the paraders that helped to swell the ranks, and I want to join with Senator Craig in saying to this Senate that the business of the Committee was conducted with dispatch and very well handled, and I join with him in expressing to Senator Smith the thanks of myself and my Philadelphia friends.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

RECESS.

Mr. DAIX. Mr. President, I move that the Senate do now take a recess until 5.30 o'clock P. M.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

APPOINTMENT OF THE STANDING COMMITTEES OF THE SENATE.

The PRESIDENT. The President Pro Tempore announces the appointment of the following standing committees of the Senate of Pennsylvania for the session of 1923.

The Committees were read by the Clerk as follows:

AGRICULTURE.

Messrs. Sisson, Chairman,
Homsher,
Jones,
Snyder,
Schantz,
Phipps,
Buckman,
Christley,
Clark,
Culbertson,
Long,
Norton,
Quigley,
Derrick,
Miller,
Lanius,
Eyre, ex-officio.

APPROPRIATIONS.

Messrs. Schantz, Chairman,
Daix,
Homsher,
Salus,
Baldwin,
Leslie,
Buckman,
Phipps,
Patton,
Snyder,
Jones,
Weaver,
Craig,
Barr,
Davis,
Einstein,
Heaton,
Smith,
McNichol,
Woodward,
Sisson,
Clark,
MacDade,
Stineman,
Culbertson,
Joyce,
Long,
Aron,
Berntheizel,
Christley,
Vare,
Krause,
McClintock,
Norton,
Quigley,
Stites,
Sones,
DeWitt,
Huffman,
Lanius,
Eyre, ex-officio.

BANKS AND BUILDINGS AND LOAN ASSOCIATIONS.

Messrs. Craig, Chairman,
Snyder,
Baldwin,
Daix,
Homsher,
Salus,
Patton,
Culbertson,
Barr,
Einstein,
Heaton,
Stineman,
Smith,
Clark,
McNichol,
Phipps,
Long,
McClintock,
Stites,
Harris,
Brown,
Derrick,
Steele,
DeWitt,
Sones,
Huffman,
Betts,
Eyre, ex-officio.

CANALS AND INLAND NAVIGATION.

Messrs. Christley, Chairman,
Phipps,
Stineman,
Miller,
Harris,
Derrick,
Huffman,
Betts,
Eyre, ex-officio.

CORPORATIONS.

Messrs. Buckman, Chairman,
Baldwin,
Patton,
Weaver,
Einstein,
Heaton,
McNichol,
Smith,
Sisson,
Berntheizel,
Clark,
Joyce,
Vare,
MacDade,
McClintock,
Culbertson,
Brown,
Krause,
Steele,
Stites,
Sones,
Eyre, ex-officio.

CONGRESSIONAL APPORTIONMENT.

Messrs. McNichol, Chairman,
Homsher,
Weaver,
Leslie,
Einstein,
Davis,
Craig,
Jones,
Schantz,
Smith,
Snyder,
Vare,
Sisson,
Christley,
Stineman,
Quigley,
Sones,
Betts,
Lanius,
Eyre, ex-officio.

CITY PASSENGER RAILWAYS.

Messrs. Einstein, Chairman,
Heaton,
McNichol,
Homsher,
Patton,
Daix,
McClintock,
Berntheizel,
Salus,
Vare,
Aron,
Joyce,
Krause,
DeWitt,
Kutz,
Eyre, ex-officio.

EXPOSITION AFFAIRS.

Messrs. MacDade, Chairman,
Barr,
Patton,
Salus,
Weaver,
Woodward,
Aron,
Joyce,
Long,
McClintock,
Stineman,
Krause,
Harris,
Mansfield,
Brown,
Steele,
DeWitt,
Bett-,
Lanius,
Eyre, ex-officio.

ELECTIONS.

Messrs. Homsher, Chairman,
Einstein,
Salus,
McNichol,
Woodward,
Leslie,
Schantz,
McClintock,
Smith,
Joyce,
Berntheizel,
Long,
Vare,
Norton,
Harris,
Miller,
Sones,
Eyre, ex-officio.

EDUCATION.

Messrs. Barr, Chairman,
Sisson,
Weaver,
Snyder,
Schantz,
Jones,
Craig,
Homsher,
Aron,
Clark,
Long,
MacDade,
Stites,
Brown,
Derrick,
Harris,
Mansfield,
Miller,
Steele,
Betts,
Eyre, ex-officio.

FEDERAL RELATIONS.

Messrs. Derrick, Chairman,
Heaton,
Snyder,
Aron,
Norton,
McClintock,
MacDade,
Christley,
Krause,
Eyre, ex-officio.

FINANCE.

Messrs. Baldwin, Chairman,
Buckman,
Daix,
Barr,
Craig,
Culbertson,
Leslie,
Homsher,
Sisson,
Smith,
Joyce,
Vare,
Sones,
DeWitt,
Eyre, ex-officio.

FORESTRY.

Messrs. Stineman, Chairman,
Craig,
Phipps,
Jones,
Davis,
Baldwin,
Woodward,
Culbertson,
Long,
Smith,
MacDade,
Clark,
Berntheizel,
Quigley,
Brown,
Krause,
Steele,
Sones,
Huffman,
Betts,
Eyre, ex-officio.

GAME AND FISHERIES.

Messrs. Clark, Chairman,
Jones,
Baldwin,
Stineman,
Davis,
Heaton,
Buckman,
Craig,
Sisson,
Berntheizel,
Long,
MacDade,
Norton,
Christley,
Derrick,
Quigley,
Steele,
Sones,
Betts,
Kutz,
Lanius,
Eyre, ex-officio.

INSURANCE.

Messrs. Aron, Chairman,
Homsher,
Daix,
Baldwin,
Weaver,
Culbertson,
Einstein,
Barr,
Vare,
McNichol,
Buckman,
Phipps,
McClintock,
Norton,
Brown,
Stites,
DeWitt,
Eyre, ex-officio.

JUDICIAL APPORTIONMENT.

Messrs. McClintock, Chairman,
Craig,
Jones,
Daix,
Salus,
Schantz,
Woodward,
Clark,
Stineman,
Krause,
Huffman,
Eyre, ex-officio.

JUDICIARY GENERAL.

Messrs. Weaver, Chairman,
Salus,
Schantz,
Daix,
Buckman,
Patton,
Phipps,
Baldwin,
Craig,
Leslie,
Woodward,
Homsher,
Sisson,
MacDade,
Long,
Barr,
Aron,
Berntheizel,
Christley,
Culbertson,
Joyce,
Krause,
Stites,
Huffman,
Kutz,
Eyre, ex-officio.

JUDICIARY SPECIAL.

Messrs. Daix, Chairman,
Baldwin,
Patton,
Buckman,
Weaver,
Heaton,
Einstein,
Smith,
Sisson,
Stites,
Brown,
Harris,
DeWitt,
Sones,
Eyre, ex-officio.

LAW AND ORDER.

Messrs. Snyder, Chairman,
Barr,
Schantz,
Christley,
Berntheizel,
Clark,
Vare,
Quigley,
Miller,
Stites,
DeWitt,
Lanius,
Eyre, ex-officio.

LEGISLATIVE APPORTIONMENT.

Messrs. Norton, Chairman,
Schantz,
Buckman,
Leslie,
Phipps,
Weaver,
Sisson,
Berntheizel,
Culbertson,
Davis,
Joyce,
McClintock,
Mansfield,
Brown,
Derrick,
Harris,
Kutz,
Eyre, ex-officio.

LIBRARY.

Messrs. Quigley, Chairman, Craig, Einstein, Snyder, Aron, Culbertson, Joyce, Long, Norton, Derrick, Mansfield, DeWitt, Lanius, Eyre, ex-officio.

MILITARY AFFAIRS.

Messrs. Phipps, Chairman, Weaver, Barr, Heaton, Jones, Norton, Berntheizel, Christley, Quigley, Miller, Kutz, Eyre, ex-officio.

MINES AND MINING.

Messrs. Davis, Chairman, Sisson, Baldwin, Leslie, Buckman, Homsher, Stineman, McClintock, Christley, MacDade, Phipps, Harris, Mansfield, Krause, Sones, Huffman, Eyre, ex-officio.

MUNICIPAL AFFAIRS.

Messrs. Salus, Chairman, Vare, Schantz, Patton, Daix, Baldwin, Leslie, Woodward, McNichol, Heaton, Einstein, Davis, Sisson, MacDade, Smith, Stineman, Aron, Berntheizel, Christley, McClintock, Norton, Krause, Harris, Mansfield, Sones, Kutz, Eyre, ex-officio.

NEW COUNTY AND COUNTY SEATS.

Messrs. Joyce, Chairman, Einstein, Heaton, Davis, Stineman, Culbertson, Steele, Kutz, Eyre, ex-officio.

PENSIONS AND GRATUITIES.

Messrs. Woodward, Chairman, Phipps, Aron, Berntheizel, Patton, Craig, Weaver, Christley, Long, Derrick, Huffman, Lanius, Eyre, ex-officio.

PUBLIC GROUNDS AND BUILDINGS,

Messrs. Patton, Chairman. Woodward, Barr, Culbertson, Smith, MacDade, Brown, Mansfield, Steele, Lanius, Kutz, Eyre, ex-officio.

PUBLIC HEALTH AND SANITATION.

Messrs. Smith, Chairman, Snyder, Daix, Jones, Heaton, Leslie, Woodward, Barr, Einstein, McNichol, Sisson, Aron, Miller, Mansfield, Harris, Brown, Stites, Sones, Betts, Eyre, ex-officio.

PUBLIC PRINTING.

Messrs. Long, Chairman, Smith, Aron, Salus, Norton, Miller, Mansfield, Derrick, Steele, Kutz, Eyre, ex-officio.

PUBLIC ROADS AND HIGHWAYS.

Messrs. Jones, Chairman, Baldwin, Buckman, Snyder, Phipps, Schantz, Homsher, Weaver, Barr, Craig, Leslie, Davis, McNichol, Sisson, MacDade, Stineman, Christley, Joyce, Clark, Culbertson. Stites, Krause, Vare, Miller, Brown, Harris, Mansfield, Quigley, Steele, DeWitt, Sones, Betts, Huffman, Eyre, ex-officio.

PUBLIC SUPPLY OF LIGHT, HEAT AND WATER.

Messrs. Culbertson, Chairman, Daix, Snyder, Woodward, Davis, Salus, Aron, Stineman, Berntheizel, Clark, Long, MacDade, McClintock, Quigley, Miller, Betts, Kutz, Lanius, Eyre, ex-officio.

RAILROADS.

Messrs. Vare, Chairman, Homsher, Davis, Schantz, Barr, McNichol, Heaton, Salus, Einstein, Norton, Clark, Joyce, MacDade, Smith, Derrick, Sones, Huffman, Eyre, ex-officio.

OFFICERS AND EMPLOYEES OF THE SENATE.

Mr. HOMSHER: Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER offered the following resolution, which was twice read, considered and agreed to.

Resolved, That the following persons be elected officers and employes of the Senate, as is provided for by Act of Assembly.

ASSISTANT CLERK.

William A. Hillgrove, 257 Thirty-seventh Street, Pittsburgh, Allegheny County.

JOURNAL CLERK.

Arthur J. Lyons, Corry, Erie County.

ASSISTANT JOURNAL CLERK.

Thomas Connor, 1438 Dickinson Street, Philadelphia.

EXECUTIVE CLERK.

Clark P. Brown, Fayette City, Fayette County.

MESSAGE CLERK.

J. Hauer Reinoehl, Lebanon, Lebanon County.

TRANSCRIBING CLERKS.

B. Frank Isenberger, Huntingdon, Huntingdon County.
Charles Wagner, Broadway, McKees Rocks, Allegheny County.
J. Harrison Newlin, 401 Ninth Avenue, McKeesport, Allegheny County.
L. W. Barton, Bradford, McKean County.
James A. Stretch, Narberth, Montgomery County.

SERGEANT-AT-ARMS.

Charles S. Salin, Ridley Park, Delaware County.

CHIEF ASSISTANT SERGEANT-AT-ARMS.

Nathaniel W. Sweeney, 4427 Osage Avenue, Philadelphia.

ASSISTANT SERGEANTS-AT-ARMS.

William A. Nitsche, Lock Haven, Clinton County.
Edward Pierson, Parkland, Bucks County.
J. W. McElheney, Woodlawn, Beaver County.
Howard Young, 535 Weiser Street, Reading, Berks County.
John W. Lord, 803 Medary Avenue, Philadelphia.
Charles Bader, 139 West Huntingdon Street, Philadelphia.
Arthur A. Johnston, Spring Run, Franklin County.
A. F. Brenner, Safe Harbor, R. D., Lancaster County.

POSTMASTER.

James M. McCollough, Karns City, Butler County.

ASSISTANT POSTMASTER.

Elmer Davis, Shenandoah, Schuylkill County.

MESSENGER.

Charles W. Hykes, Aspers, Adams County.

ASSISTANT MESSENGER.

John Huston, 51 Mahon Street, Pittsburgh, Allegheny County.

SUPERINTENDENT OF FOLDING ROOM.

Gruber H. Bell, Lewistown, Mifflin County.

PASTERS AND FOLDERS.

John Mooney, 183 East Wishart Street, Philadelphia.
Louis Shistle, St. Nicholas, Schuylkill County.
John F. Finley, 1162 South Thirteenth Street, Philadelphia.
Emanuel James, Johnstown, Cambria County.

DAY WATCHMAN.

Alexander C. Davy, 1730 Rodman Street, Philadelphia.

NIGHT WATCHMAN.

Charles Murphy, 1009 Frankford Avenue, Philadelphia.

CLERKS TO COMMITTEES.

Frank P. McCloskey, 119 Van Braam Street, Pittsburgh, Allegheny County.
Edward B. Watson, Mechanicsville, Bucks County.
Marmaduke G. Miller, Mercer, Mercer County.
William T. Reynolds, Academy Street, Scranton, Lackawanna County.
Warren W. Jones, Turtle Creek, Allegheny County.
Ervin Shields, Marietta, Lancaster County.
Fred O. Miller, New Milford, Susquehanna County.
David R. Helfrey, 1655 Perrysville Avenue, Pittsburgh, Allegheny County.
D. Coveney, Everett, Bedford County.
Thomas H. Stanmier, 37 West Willow Street, Germantown, Philadelphia County.
Richard W. Watson, Indiana, Indiana County.

CUSTODIAN OF THE SENATE CHAMBER.

Thomas E. Higgins, Rock Run, Coatesville, Chester County.

CUSTODIANS, COMMITTEE ROOMS.

A. S. Rhoads, Milton, Northumberland County.
James Thomas, Oil City, Venango County.

CUSTODIAN, WASH ROOM.

Frank C. Thompson, Harrisburg, Dauphin County.

CUSTODIAN, BASEMENT.

Samuel H. Lawyer, Harrisburg, Dauphin County.

CHIEF PAGE.

G. Alvin Hollinger, Harrisburg, Dauphin County.

PAGES.

James W. Ladd, Harrisburg, Dauphin County.
Kennard Markley, Harrisburg, Dauphin County.
Hugh Vanerman, Harrisburg, Dauphin County.
Bertram Katzman, Harrisburg, Dauphin County.
J. M. Gaffney, Harrisburg, Dauphin County.
Harry D. Stoner, Harrisburg, Dauphin County.
Solomon Levin, Harrisburg, Dauphin County.
Herman J. Higgins, Harrisburg, Dauphin County.
Gabriel Salerno, Harrisburg, Dauphin County.
Clark Hodgson, Harrisburg, Dauphin County.
David Devlin, Jr., Steelton, Dauphin County.
Alex. E. Freedman, Harrisburg, Dauphin County.
Marcus, C. Lanius, Spring Grove, R. D. 4, York County.
George W. Sangree, 1522 Vernon Street, Harrisburg, Dauphin County.

The PRESIDENT. I therefore declare the persons named in the resolution as having been duly elected officers and employes of the Senate for the session of 1923.

APPOINTMENT BY THE SECRETARY.

The PRESIDENT. The Secretary of the Senate announces the following appointments:

ASSISTANT TO SECRETARY.

Miss Anna C. Carroll, Harrisburg, Dauphin County.

CLERK, HISTORY OF LEGISLATION.

Miss Lillian C. Dorr, Middletown, Dauphin County.

APPOINTMENTS BY THE CHIEF CLERK.

The PRESIDENT, The Chief Clerk announces the following appointments:

STENOGRAPHER TO CHIEF CLERK.

John Swanberry, Wilkes-Barre, Luzerne County.

ASSISTANT CUSTODIANS; SENATE CHAMBER.

David P. Dunlap, Harrisburg, Dauphin County.
J. Edward Jenkins, Harrisburg, Dauphin County.
Elam L. Banks, Harrisburg, Dauphin County.

SUPERINTENDENT OF STORE ROOMS.

Edgar G. Hoffman, Harrisburg, Dauphin County.

STENOGRAPHERS.

Miss Mary H. Cessna, 411 Chestnut Avenue, Altoona. Blair County.
Miss Jennie Goldberg, 1628 Fulton Street, Harrisburg, Dauphin County.

LEGISLATIVE JOURNAL EMPLOYES.

COMPILING CLERK.

Bennett F. Kiehl, Greensburg, Westmoreland County.

CHIEF OFFICIAL REPORTER.

John Ruth, Lebanon, Lebanon County.

OFFICIAL REPORTERS.

Alfred Jenkins, 1838 Park Street, Harrisburg, Dauphin County.
E. Ross Ranck, Lancaster, Lancaster County.

COPYHOLDERS.

Mrs. Eleanor C. Sanderson, Harrisburg, Dauphin County.
Joseph L. Bell, 543 South Nineteenth Street, Harrisburg, Dauphin County.

PROOFREADERS.

Charles R. Shope, Halifax, Dauphin County.
George D. Sheely, New Oxford, Adams County.

APPOINTMENTS BY SENATE LIBRARIAN.

The PRESIDENT. The Senate Librarian announces the following appointments:

ASSISTANT LIBRARIAN.

Alex. S. Cooper, Harrisburg, Dauphin County.

STENOGRAPHERS TO LIBRARIAN.

Miss Hilda M. Fohl, Harrisburg, Dauphin County.
Mrs. Martha S. Caldwell, Harrisburg, Dauphin County.

MESSENGER, SENATE LIBRARY.

Elmer E. Finegan, Harrisburg, Dauphin County.

BILLS INTRODUCED.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania, authorizing the State to issue bonds to the amount of one hundred millions of dollars for the improvement of the highways of the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 2, entitled:

An act to consolidate, revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings and imposing certain costs therein upon the Commonwealth of Pennsylvania and the various counties thereof.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 3, entitled:

An act to consolidate, revise and amend the penal laws of this Commonwealth.

Which was committed to the Committee on Judiciary General.

Mr. DAVIS read in his place and presented to the Chair Senate Bill No. 4, entitled:

An act establishing a State highway in the County of Lackawanna; providing for its location, construction, improvement and maintenance by the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 5, entitled:

An act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania, of Scranton, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. Long read in his place and presented to the Chair Senate Bill No. 6, entitled:

An act to amend section two of the act approved the sixth day of July one thousand nine hundred and seventeen, (P. L. 734), entitled "An act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth, together with their solicitor, steward, or superintendent, and such other executive officer as may be designated by said directors and overseers or other officers, to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania, as part of their official duties, and providing for the payment of the expenses thereof."

Which was committed to the Committee on Judiciary General.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 7, entitled:

An act providing a method for excusing women from jury duty.

Which was committed to the Committee on Judiciary General.

Mr. Clark read in his place and presented to the Chair Senate Bill No. 8, entitled:

An act regulating the business of stock brokers and requiring them to secure permits to act as such; placing them under the supervision of the Banking Department and defining the powers and duties of the Commissioner of Banking in relation thereto; and prescribing penalties.

Which was committed to the Committee on Judiciary General.

Mr. CULBERTSON read in his place and presented to the Chair Senate Bill No. 9, entitled:

An act to repeal the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 483), entitled "An act relating to practice in the courts of common pleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the courts power to enforce its provisions."

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 10, entitled:

An act to amend section two of the act approved the twentieth day of June, one thousand nine hundred and nineteen, (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death; and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 11, entitled:

An act authorizing the Governor to appoint a commission to provide for the construction, erection and dedication of a memorial to Joseph T. Rothrock; and making an appropriation.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 12, entitled:

An act authorizing the Governor to appoint a commission to provide for the construction, erection and dedication of a monument to Thomas Mifflin; and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 13, entitled:

An act enlarging the jurisdiction of the Superior Court of Pennsylvania by providing for appeals to it from certain orders, judgments and sentences of the county court of Allegheny County, of the Municipal Court of Philadelphia and of all similar courts hereafter created.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 14, entitled:

An act to amend "An act (approved May 5, 1899, P. L. 248) supplementing and amending an act entitled 'An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction powers, practice, and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers, and the practice and costs on appeals from its judgments,' approved June 24, 1895" (P. L. 212)

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 15, entitled:

An act relating to the retirement of certain officers and employes of the State Government and their compensation, including officers and employes heretofore retired.

Which was committed to the Committee on Judiciary General.

Mr. CULBERTSON read in his place and presented to the Chair Senate Bill No. 16, entitled:

An act to amend Clause 5 of Section 3 of an Act entitled, "An Act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," approved the 13th day of May A. D. 1909, Pamphlet Laws Page 520.

Which was committed to the Committee on Public Health and Sanitation.

ADJOURMENT.

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until Monday evening, January 22, 1923, at nine o'clock.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:20 o'clock P. M. until Monday evening, January 22, 1923, at nine o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, January 16, 1923.

The House met at 11:00 o'clock A. M.

The Speaker (C. J. Goodnough) in the Chair.

PRAYER.

The Chaplain, Rev. W. H. Feldmann, offered the following prayer:

O Thou fount of every blessing, look down graciously, we bessech Thee, and give Thy morning benediction upon all mankind here and everywhere; and let Thy special favor come to us as a State this day, when now, at this special time, one who has been chosen from our midst shall assume the high and holy office of the Governor of this Commonwealth. May he bid a fond farewell to all of his personal affairs and personal preferences and give his undivided attention, body, mind and soul, to the high interests of the people of this State. Grant unto him that he may absolutely be a stranger to fear; may he dedicate all his powers to the service of the people; make him wise in the choice of his counsellors that shall surround him; let no personal preference of pique in any way interfere with those things that shall make for the general welfare; grant unto him that labor shall be his delight;make him stand ready to make sacrifice; give unto him a vision as to what is needed in these trying times; give unto him a sense of fairness, of judgment, and may there be continually in his thought the entire welfare of all the people. Grant then we beseech Thee that the days that shall come shall be rich in blessings, and may he at the end of his labors find himself at least with the respect of his enemies, the love of his friends, and above all, that inward satisfaction that he has labored and wrought to the best of his ability under Thy divine guidance. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Alexander, the further reading was dispensed with and the Journal was approved.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GROVER C. MYERS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GROVER C. MYERS. Mr. Speaker, in the vote that was tallied for the Speakership in the House I arose and at that time voted for Sarig. My vote, I understood afterwards, was tallied for Goodnough, and I wish to have the same corrected as voting for Sarig on the House record.

The SPEAKER. The remarks of the gentleman will be noted in the Journal.

SENATE NOTIFIES HOUSE IT IS READY TO PROCEED TO THE INAUGURAL STAND.

Messrs. Vare, McClintock and Sones, the Committee on the part of the Senate informed the House that the Senate is ready to proceed, at 11.40 A. M., to the front of the Capitol to attend the inaugural ceremonies.

The SPEAKER. The Committee is extended the thanks of the House, and the House will meet the Senate and proceed to the inaugural ceremonies.

SENATE MESSAGE.

TIME OF NEXT MEETING.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate which was read as follows:

In the Senate, January 16, 1923.

Resolved, (If the House of Representatives concur), that when the Legislature adjourns today it reconvenes on Monday evening, January 22, 1923, at 9.00 o'clock.

Ordered, that the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution?

It was concurred in.

Ordered, that the Clerk inform the Senate accordingly.

RECESS.

Mr. LONG. Mr. Speaker, I move you that this House now take a recess until 4.00 o'clock this afternoon.

Mr. HEFFERNAN. Mr. Speaker, I second the motion.

The motion was agreed to.

AFTER RECESS.

The SPEAKER. The time for recess having elapsed, the House will be in order.

RECESS.

Mr. McCaig. Mr. Speaker, I move that the House take a recess for thirty inutes in order that the Slate Committee may meet at once in the House Caucus Room.

Mr. HEFFERNAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. McCAIG. As Chairman of the Slate Committee, I call a meeting of it immediately in the House Caucus Room.

AFTER RECESS.

The SPEAKER. The time for the recess having elapsed, the House will be in order.

RESOLUTION.

ELECTION OF OFFICERS AND EMPLOYES.

Mr. McCAIG offered a resolution which was read by the Clerk as follows:

Resolved: That the following persons be declared elected for the respective positions herein indicated for the House of Representatives, Session of 1923:

ASSISTANT CLERK.

David W. Thomas, 65 S. Wells Street, Wilkes-Barre, Luzerne County.

JOURNAL CLERK.

Thomas C. Kelly, Highland Park, Delaware County.

READING CLERK

Quay R. Hewitt, 127 Beyers St., Punxsutawney, Jefferson County.

DESK CLERKS.

Mrs. Anna Howe Shafer, 218 Augusta St., Pittsburgh, Allegheny County.

R. A. Freiler, 628 N. Center St., Pottsville, Schuylkill County.

ASSISTANT READING CLERK.

O. E. Martin, Smithville, Lancaster County.

ASSISTANT JOURNAL CLERK.

David Davies, Pittsburgh, Allegheny County.

MESSAGE CLERK.

George Offenbacher, North East, Erie County.

SERGEANT AT ARMS.

Frank Lamb, 724 E. Chelten Ave., Philadelphia, Philadelphia County.

TRANSCRIBING CLERKS.

John E. Ritchey, Franklin, Venango County.

Herbert E. Burchfield, 1202 16th St., Blair County.

Clifford Harbridge, 768 Union St., Philadelphia, Philadelphia County.

Frank Graybill, Paxtonville, Snyder County.

Joseph L. Myers, 48 E. Prospect Ave., Washington, Washington County.

Fred W. Spreen, 49 S. 10th St., Pittsburgh, Allegheny County.

F. D. Wrighter, Thompson, Susquehanna County.

John Eberle, 5424 Webster St., Philadelphia, Philadelphia County.

Charles J. Reisfer, 814 S. Negley Ave., Pittsburgh, Allegheny County.

CLERKS TO COMMITTEE.

Frank Graham, 2006 N. 22nd St., Philadelphia, Philadelphia County.

Charles Orr, Wellsboro, R. D., Tioga County.

Charles S. Van Voorhis, Charleroi, Washington County.

Bernard Kenna, 2115 Penn Ave., Pittsburgh, Allegheny County.

S. J. Topley, East McKeesport, Allegheny County.

R. V. Anderson, Homestead, Allegheny County.

John Burke, Library, Allegheny County.

Harry Heyl, Monticello St., Pittsburgh, Allegheny County.

Charles Slaw, 333 Wildey St., Philadelphia, Philadelphia County.

William Leddy, 611 Kingsley St., Philadelphia, Philadelphia County.

Wesley Mulnix, Forksville, Sullivan County.

Harold Myers, Archbald, Lackawanna County.

Mary K. Marshall, Karns City, R. D., Butler County.

Howard E. Mantz, Saegerville, Lehigh County.

Eugene W. Harvey, Parkesburg, Chester County.

POSTMASTER.

William C. Ritchie, 515 Second St., South Brownsville, Fayette County.

SUPERINTENDENT OF FOLDING ROOM.

James F. O'Rouke, 925 N. 47th St., Philadelphia, Philadelphia County.

CHIEF ASSISTANT SERGEANT AT ARMS.

Joseph Kilkeary, 267 Dinwiddie St., Pittsburgh, Allegheny County.

ASSISTANT SERGEANTS AT ARMS.

Charles Barrett, 3041 Amber St., Philadelphia, Philadelphia County.

William F. Collier, 3259 Bainton St., Pittsburgh, Allegheny County.

James McGuinness, 1527 Fairmount Ave., Philadelphia, Philadelphia County.

George James, Bellevue, Allegheny County.

A. F. Nichols, Shinglehouse, Potter County.

Jerome B. Stufft, Stoyestown, Somerset County.

Harvey Allen, Edinboro, Erie County.

Nicholas Troilo, 1135 Tasker St., Philadelphia, Philadelphia County.

Tallie Griffiths, Taylor, Lackawanna County.

Charles S. Sands, Royersford, Montgomery County.

Henry Douglass, Uniontown, Fayette County.

J. R. McGivern, Kittanning, Armstrong County.

John J. Simmers, 110 South Shamokin St., Shamokin, Northumberland County.
William G. Griffith, R. D. No. 3, Johnstown, Cambria County.
John W. Eich, 446 East Market St., York, York County.
C. E. Hall, West Newton, Westmoreland County.

ASSISTANT POSTMASTER.

W. H. Heath, Greenock, Allegheny County.

MESSENGER, POST OFFICE.

Harry Dunsworth, 514 Manning St., Philadelphia, Philadelphia Count.

ASSISTANT MESSENGERS, POST OFFICE.

Joseph C. Conely, 1626 N. 21st St., Philadelphia, Philadelphia County.
Peter Thompson, 1456 E. Ohio St., Pittsburgh, Allegheny County.
John H. Snowden, 3340 Amber St., Philadelphia, Philadelphia County.

PASTERS & FOLDERS.

Peter J. Kane, 1338 Shunk St., Philadelphia, Philadelphia County.
Solomon Silverstein, 1005 S. 6th St., Philadelphia, Philadelphia County.
David Kughlemier, Lorengo Ave., Pittsburgh, Allegheny County.
Joseph McCuean, 1528 Whiston St., Pittsburgh, Allegheny County.
James Culbertson, Warren, Warren County.
Sidney Van Gorder, Ellwood City, R. D., Lawrence County.
Edward Pierson, Doylestown, Bucks County.
S. L. Anderson, Latrobe, Westmoreland County.

CUSTODIANS OF COMMITTEE ROOMS.

Harry H. MacKeehan, Monument Avenue, Wyoming.
James R. Arpino, 813 S. 13th St., Philadelphia, Philadelphia County.

CUSTODIAN OF WASH ROOM.

Harry E. Podensky, 1602 S. Beulah St., Philadelphia, Philadelphia County.

CUSTODIAN OF HALL OF HOUSE.

David Hopkins, Shaft, Schuylkill County.

DAY WATCHMAN.

John W. Albright, Harrisburg, Dauphin County.

NIGHT WATCHMAN.

Milton Kevitch, 236 N. Darien St., Philadelphia, Philadelphia County.

CUSTODIAN OF BASEMENT.

Henry A. Campfield, Meadville, Crawford County.

CHIEF PAGE.

Clarence E. Seiler, 410 Spring St., Harrisburg, Dauphin County.

PAGES.

Harry Michlovitz, 18 N. 13th St., Harrisburg, Dauphin County.
Norman C. Fisher, 421 Boas St., Harrisburg, Dauphin County.
Frank Mercurio, 123 Washington St., Harrisburg, Dauphin County.
Willard F. Keiser, Jr., Lower Paxton Twp., Dauphin County.
Leslie Fry, 1000 N. 7th St., Harrisburg, Dauphin County.
Edward Cohen, 812 N. 6th St., Harrisburg, Dauphin County.
Hyman Williams, 1600 N. 5th St., Harrisburg, Dauphin County.
Stephan Boland, 2119 Penn St., Harrisburg, Dauphin County.
Arthur L. Davies, 514 North St., Harrisburg, Dauphin County.
Theodore Ambrose, 1418 Market St., Harrisburg, Dauphin County.
Harry E. Looker, 66 N. 12th St., Harrisburg, Dauphin County.
Gilbert Pike, 1012 N. 3rd St., Harrisburg, Dauphin County.
Benjamin Heckert, 349 Crescent St., Harrisburg, Dauphin County.
Jacob Grand, 438 Cumberland St., Harrisburg, Dauphin County.
A. J. Herr, Jr., 23 Linden St., Harrisburg, Dauphin County.
Armand Morett, 6th & Maclay St., Harrisburg, Dauphin County.
Howard R. Roades, Harrisburg, Dauphin County.

CHAPLAIN.

Rev. W. B. Cox, Mechanicsburg, Cumberland County.

(Signed) Congressional District.

First———
Second—Clinton A. Sowers.
Third—Charles C. A. Baldi, Jr.
Fourth—Patrick Conner.
Fifth—Samuel J. Perry.
Sixth—James J. Heffernan.
Seventh—Howard Smith.
Eighth—William C. Alexander.
Ninth—Burd P. Evans.
Tenth—G. G. Diehm.
Eleventh—David Fowler.
Twelfth—Richard Aston.
Thirteenth—H. J. Smith.
Fourteenth———
Fifteenth—O. D. Stark.
Sixteenth—J. Walter Wells.
Seventeenth—T. O. Van Alen.
Eighteenth—Thomas F. Shambach.
Nineteenth—Charles C. Baker.
Twentieth—J. Ross Horne.
Twenty-first—Samuel McCurdy.
Twenty-second———
Twenty-third—Thomas Beaver.
Twenty-fourth—John G. Ogle.
Twenty-fifth—J. Add Sprowls.
Twenty-sixth—John G. Marshall.
Twenty-seventh—Charles F. Armstrong.
Twenty-eighth—Williston P. Wood.
Twenty-ninth—Frederick W. Blair.
Thirtieth———
Thirty-first—J. B. Coldsmith.
Thirty-second—Daniel Malie.
Thirty-third—C. F. Kelly.
Thirty-fourth—Wm. J. McCaig.
Thirty-fifth—E. B. Goehring.
Thirty-sixth—Joseph G. Steedle.

On the question,
Will the House adopt the resolution?

Mr. McCAIG, Mr. Speaker, I move the election of the persons nominated in the resolution.

Mr. HEFFERNAN. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The speaker declares as duly elected employes of the House of Representatives the persons whose names were contained in the resolution.

OATH OF OFFICE ADMINISTERED TO EMPLOYES AND OFFICERS.

At the request of the Speaker the persons present who were elected and appointed as officers and employes of the House presented themselves at the bar of the House and the oath of office, as required by law, was administered to them by the Speaker.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from his Excellency, the Governor of the Commonwealth, which was read as follows:

APPOINTMENT OF SECRETARY TO THE GOVERNOR.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 16, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have appointed F. Stephen Stahlnecker, of Philadelphia, to be Secretary to the Governor.

GIFFORD PINCHOT.

INAUGURAL ADDRESS

The SPEAKER. The Chair has upon his desk the Inaugural Address of the Governor of Pennsylvania, which will be spread upon the Journal of the House.

INAUGURAL ADDRESS OF GIFFORD PINCHOT.

The people of Pennsylvania have declared for a new order in the government of their commonwealth. Their decision was forecast in the primary and confirmed in the general election. Their mandate is binding and final. It has become the duty of all their public servants to carry that mandate into effect.

The decision of the people to establish a new order was made concrete in form and direction by the approval of the Republican majority given to the platform upon which I ran in the primary campaign. The program thus adopted as sound Republican policy was my public pledge, if elected, to use every power of the Governorship in an honest effort:

To drive all saloons out of Pennsylvania.

To prevent and punish bootlegging.

To maintain and secure good laws for the protection of working children, women,and men.

To safeguard the industries of Pennsylvania and promote the prosperity of the State.

To advance the interests of the farmers, who feed us all.

To give our children the best schools in America.

To check centralization and give more home rule to cities, counties, townships, and school districts.

To maintain the direct primary and protect the rights of women voters.

To meet the just needs of those who served in the World War.

To revise and equalize taxes, establish a budget system, and reorganize the State Government on a business basis.

To keep the expenses of the State within its income.

To get a dollar's worth of service for every dollar spent.

In addition I said that as Governor I would appoint no one to public office whom I knew to be unfit, I would move to Harrisburg and be on the job, and I would earnestly strive to give due consideration and a Roosevelt square deal to every man, woman ,and child in the State.

The same platform, without change of any sort, became the program which the Republican Party submitted for the approval of all the voters at the general election. It was approved by the largest vote ever given to a Governor in Pennsylvania. It has thereby become the declared policy of the Commonwealth and the chart of the new order upon which the Government of this State is about to enter.

As I undertake the duties of the great office to which the people of Pennsylvania have elected me, I here solemnly repeat to them the pledge made in the primary campaign and reasserted in the general election. That pledge is not a promise to accomplish all things that are necessary or desirable for the advantage of our people. It is a solemn undertaking to use in good faith, and use to the utmost, every legitimate means to accomplish the purposes of the Republican Party and the people of Pennsylvania as they were adopted and declared by them in the recent elections.

In addition to my platform pledge, I repeat in this presence in like manner every other pledge or promise made in either campaign. I have made no pledge or promise of any sort except in pubilc. I enter upon the Governorship completely unhampered by any private or personal engagement, understanding, or undertaking whatsoever, and wholly free to serve the Commonwealth according to the will of the people and the dictates of my own conscience.

I was elected to carry out the program briefly set forth above. That is my first duty. It has become evident, from the number of courteous and attractive invitations to speak which are daily received, that I must choose between doing that duty and talking about doing it. However hard it may be, however much I may regret to decline, there is but one choice to make. I must stick to my work and let the talking go.

The discussion of many questions which might well be considered here must be deferred to future messages to the Legislature, but there are three matters of prime importance which require brief mention.

The first is the financial condition of the State Government.

Appropriations in Pennsylvania have exceeded revenues in the last few years. Therefore we have accumulated liabilities amounting to many millions which must be paid off before the State can meet its bills as they fall due. Neither sound business principles nor the honor of the State will permit us to delay the necessary readjustment, however uncomfortable that readjustment may be. We must return to the healthy basis of pay-as-you-go at the earliest possible moment.

In accordance with my campaign pledge, I shall submit a budget to the Legislature in the near future, and shall refuse to approve any appropriation bill, or any item in any appropriation bill, that does not fall squarely within the estimated revenues of the Commonwealth. We are going to live within our income, as every family should.

The second question is the reorganization of the State Government.

Much of the machinery by means of which the Commonwealth serves its people has become antiquated, ineffective, and wasteful of the people's money. It needs to be recast into a form that will make possible a dollar's worth of service for every dollar spent. That is impossible now. Such recasting, to be successful, will require extended study, and prolonged practical attention. It cannot be done hastily if it is to be done well. For that reason it will not be possible, in the time we have, to prepare and submit for legislative action a plan completely worked out, but only an outline by Departments, leaving the lesser parts to be filled in by the Executive. That outline is in preparation.

The third question relates to the liquor traffic.

Power and responsibility for enforcing the Volstead Law rest in the Nation and also in the State. Under the Eighteenth Amendment the two have concurrent jurisdiction. Both are at fault for the intolerable situation which confronts us.

A general conviction exists throughout this Commonwealth not only that the Volstead Act is not enforced but that no vigorous effort has ever been made to enforce it. Our people have seen men known to be opposed to the enforcement of the law selected to compel obedience to it on the part of others. They are told that appointments to the position of enforcement agent are treated as political spoils, and that politicians opposed to all that the law stands for are permitted to name such agents. They believe that persons high in official place are constantly and openly violating the spirit if not the letter of the law, and winking at its violation by others. They understand that liquor is sold almost as freely and openly as it was before the passage of the Eighteenth Amendment.

With such beliefs in mind the people are necessarily led to conclude that the law is systematically disregarded by those whose peculiar duty is to respect or enforce it, and in consequence the general disregard for all law grows steadily worse.

I regard the present flagrant failure to enforce the Volstead Law as a blot on the good name of Pennsylvania and the United States. If allowed to continue it will amount to a serious charge against the fitness of our people for genuine self-government. I share in the belief that no determined concerted effort to enforce the law has yet been made, and I propose not only to press with all my power for the abolition of the saloon but also to make sure that the Government of this State takes its full and effective part in such an effort.

Pennsylvania must either control the criminals who are openly breaking the law or be controlled by them. With all good citizens I believe that this Commonwealth is greater and more powerful than any band of law-breakers whatsoever, and I intend to act on that belief.

This administration will be dry. The Executive Mansion will be dry, and the personal practice of the Governor and his family will continue to be dry, in conformity to the spirit and letter of the Eighteenth Amendment.

The law is the law. It is the foundation of order, safety, and prosperity, and of the Commonwealth itself. Every State official takes oath, and is in honor bound, to obey it. I shall expect and demand from every public servant appointed by me, or subject to removal by me, from the highest to the lowest, entire and ungrudging obedience to the Eighteenth Amendment and the Volstead Law. They are part of the law of the land.

I was a follower of Roosevelt while he was living. I am his follower no less today, as his great soul still leads this people on the road to better things. The movement which resulted in my election is the direct descendant of the Roosevelt Progressive movement of 1912. The point of view was the same, the specific platform planks were largely identical, and the popular support came mainly from similar sources. Both were based squarely on the proposition that the public good comes first. This administration has taken that proposition as its foundation stone, and upon it hopes and intends to erect a structure of honest and effective service to all the people, without distinction of race, creed, sex, or political complexion.

The breakdown of law enforcement is proof enough, if other proof were lacking, that Pennsylvania needs a new birth of political righteousness. The responsibility lies not alone at the door of the politicians. It lies also at the door of the people, who for years have tolerated in their public servants standards of conduct known to be indefensible, and under which no private business could survive. The people have suffered the Commonwealth to be badly served. This is the essential evil, and here must be the fundamental change.

Pennsylvania is too great a Commonwealth to be permanently satisfied with less than the best. Her people are too sound at heart, her resources and her industries too commanding, her place in the sisterhood of States too high, to permit us to consider for a moment the acceptance of any standards but the highest, any procedure but the most thoroughly approved. The Government of Pennsylvania must be in detail what the Commonwealth is in general—the leader and exemplar of the Nation. Nothing inferior is good enough for the Keystone State.

My sole ambition is to help toward making our State Government what it ought to be, to serve the people honestly and with intelligence, to contribute at least by a little to the safety, honor, and welfare of our Commonwealth. I desire and earnestly entreat the good will, the co-operation, and the support of all well disposed citizens, men and women alike. With their assistance, and above all with the blessing of Him in whose hands are the plans of men and the fate of Nations, I shall approach my task with eagerness to be useful, with determination to be fair, and with strong confidence in ultimate success.

ANNOUNCEMENT OF STANDING COMMITTEES.

The SPEAKER. The Chair announces the standing committees of the House for the session of 1923.

STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES OF PENNSYLVANIA, SESSION OF 1923.

ACCOUNTS.

Messrs. Wells, Chairman,
McCurdy,
Alexander,
Armstrong,
Bell, W. T.,
Malie,
Price,
Gibbon,
Craig,
Weamer,
Miller,
Metcalf,
Richards,
Parkinson,
Patterson,
Shambach,
McDermott,
Stevens, A. J.,
Hontz,
Johnson,
Burns,
Hetrick,
McGowan.
Lauver,
Stofflet,

AGRICULTURE.

Messrs. Haines, Chairman,
Stark,
Deihm,
Wood, W. P.,
Blair,
Beaver,
Gelder,
Heyburn,
Williams, G. W.,
Walker,
Anderson,
Burchinal,
Evans, B. P.,
Frazier,
Griffith,
Holcombe,
Irvin,
Parkinson,
Wood, N.,
Hetrick,
Raymond,
Sample,
Gilchrist,
Sarig,
Stevens, A. J.,
Brownmiller,
Deitz,
Myers, G. C.,
Schoener,
Post.

APPROPRIATIONS.

Messrs. Harer, Chairman,
McCaig,
Spangler,
Dunn,
Vickerman,
Lafferty,
Conner,
Stark,
Perry,
Schaeffer,
Heffernan,
Whiteman,
Dilsheimer,
Wettach,
Sprowls,
Williams, G. W.,
Baldi,
Aston,
Woner,
Drinkhouse,
Alexander,
Soffel,
Bidelspacher,
Bentley,
Smith, J. W.,
Zook,
Armstrong,
Stevens, A. F.,
Edmonds,
Gelder,
Baker, C. C.,
Fowler, D.,
Bluett,
Haws,
Beaver,
Haines,
Bell, F. A.,
Long,
Clutton,
Millar, A. S. G.,
Deihm,
Posey,
Wells,
Wood, W. P.,
Weamer,
McKim,
Flynn,
Sarig,
Rinn,
Schilling,
Brenneman.

BANKS AND BANKING.

Messrs. Baldi, Chairman,
Sprowls,
Millar,
Sterling,
Spangler,
Edmonds,
Guerin,
Ludlow,
Marshall, J. G.,
Stevens, A. F.,
Smith, Howard,
Price,
Morrison,
Williams, J. M.,
Storer,
Bromley,
Bell, F. A.,
Henderson,
Drinkhouse,
Griffith,
Lucas,
Mathay,
Storb,
Weamer,
Wright,
Marcus, J. C.,
Schwartz,
Myers, G. C.,
Labar,
Hontz,
Stavitski,
Schleiter.

BUREAU OF STATISTICS.

Messrs. Schaeffer, Chairman
Aston,
Colville,
Thomas, L. D.,
Sterling,
Jones, E. P.,
Hall,
Bidelspacher,
Bluett,
Alexander,
Williams, J. M.,
Blair,
Staudenmeir,
Craig,
Baker,
Richards,
Allman,
Lucas,
Patterson,
Berger,
Stevens, A. J.,
Schleiter,
Hoover,
Johnson,
Lauver,
Flinchbaugh.

CENTENNIAL AFFAIRS.

Messrs. Howard, Chairman,
Goehring,
Whitehouse,
Fields,
Blumberg,
Fowler, A. I.,
McCann,
Bell, W. T.,
Storer,
Haas,
Morrison,
Lucas,
Hetrick,
McGowan,
Glasgow,
Myers, P. M.,
Wood, N.,
Brewster,
Bromley,
Anderson,
Stofflet,
Betts,
Driggs,
Howell,
OBoyle,

COMPARE BILLS.

Messrs. Beaver, Chairman,
Ogle,
McCurdy,
Clutton,
Goldsmith,
Colville,
Kennedy,
Coyne,
Blair,
Kunkle,
Evans, J.,
Soffel,
Arthur,
Earley,
Glasgow,
Huber,
Lucas,
Anderson,
Sample,
Marshall, W. F.,
Bell, F. A.,
Schilling,
McDermott,
Driggs,
Howell,
Mack,

CONGRESSIONAL APPORTIONMENT.

Messrs. Wood, W. P. Wood, Chairman,
Deihm,
Kohler,
DeYoung,
Fields,
Jones, E. P.,
Parkinson,
Baldi,
Conner,
Drinkhouse,
Eaches,
Blumberg,
Hollis,
Haas,
Storer,
Greeby,
Brown,
Behney,
McDaniel,
Stoner,
Eshelman,
Boback,
Flinchbaugh,
Korns,
Munley,

CONSTITUTIONAL REFORM.

Messrs. Haslett, Chairman,
McVicar,
Gallaher,
MacKinney,
Thomas, M. G.,
Bentley,
Marcus, Jos.
Zook,
Miller,
Morrison,
Goss,
Thompson,
Schwartz,
Orr,
McDaniel,
Speiser,
Evans, J.,
Fowler, A. I.,
Frazier,
Gibbon,
Betts,
Boback,
Gundy,
Hontz,
O'Boyle,
Stofflet,

CORPORATIONS.

Messrs. Clutton, Chairman,
Wettach,
Bromley,
Posey,
Thomas, L. D.
Weamer,
Mangan,
Marcus, J. C.,
Malie,
Kennedy,
Bluett.
Morrison,
Guerin,
Gibbon,
Mathay,
Peelor,
Lucas,
Brewster,
Bush,
Hall,
Sautter,
Shambach,
Miller,
Sarig,
Driggs,
Minehart,
Stavitski,

COUNTIES AND TOWNSHIPS.

Messrs. McCurdy, Chairman,
Bidelspacher,
Chaplin,
Gelder,
Heyburn,
Marshall, J. G.,
Baldi,
McBride,
Williams, J. M.,
Bell, W. T.,
Berger,
Conner,
Frazier,
Heffran,
Haws,
Harer,
Himes,
Jones, C. B.,
Ludlow,
Metcalf,
Walker,
Keene,
Shambach,
Haslett,
Gorham,
Flinchbaugh,
Mack,
Moore,
Stavitski,

EDUCATION.

Messrs. Horne, Chairman,
Sterling,
Woner,
Dunn,
Sprowls,
McKim,
Clutton,
Whiteman,
Edmonds,
McCurdy,
Holcombe,
Vickerman,
Marshall, J. G.,
McBride,
Peelor,
Kennedy,
Grimes,
Stark,
Bromley,
Thomas, M. G.,
Walker,
Eaches,
Wright,
Wood, W. P.,
Evans, B. P.,
Spangler,
Himes,
Ludlow,
Long,
Moffatt,
Metcalf,
Thomas, L. D.,
Bush,
Sarig,
Albert,
Labar,
Rippman,
Johnson,

ELECTIONS.

Messrs. Vickerman, Chairman,
Wettach,
Soffel,
Sowers,
Smith, Howard,
McBride,
Smith, H. J.,
McKim,
Lynch,
Goss,
Williams, J. M.,
Grimes,
Kelly,
Coyne,
Dunn,
Edmonds,
Jones, C. B.,
Thomas, M. G.,
Zook,
Wright,
Colville,
Little,
Arthur,
Allman,
McClure,
Ogle,
Brewster,
Hollis,
Irvin,
Millar, A. S. C.,
Bromley,
Thomas, L.,
Haslett,
Rhoads,
Flynn,
Rinn,
Schleiter,
Stevens, A. J.,
Mack,
Albert,

ELECTRIC RAILWAYS.

Messrs. Conner, Chairman,
Dunn,
Soffel,
Whitehouse,
Sowers,
Dilsheimer,
Marcus, Jos.,
Nolte,
Coldsmith,
Posey,
Sprowls,
Staudenmeier,
Greeby,
Stoner,
Morrison,
Metcalf,
Storb,
Pitts,
Van Alen,
Haas,
Burns,
McGowan,
Stevens, A. F.,
Behney,
Earley,
Raymond,
Speiser,
Aston,
Coyne,
Smith, G. H.,
Jones, D. J.,
Allman,
Sarig,
Betts,
Flinchbaugh,
Howell,
Mack,

FEDERAL RELATIONS.

Messrs. Blair, Chairman,
Bluett,
Drinkhouse,
Moffatt,
Asbury,
Aston,
Heyburn,
Goehring,
Malie,
Williams, J. M.,

FEDERAL RELATIONS (Continued.)

Coyne, Orr,
Miller, Eshelman,
Gilchrist, Post,
Glasgow, Driggs,
Nolte, Johnson,
Sample, Stavitski,
Sautter, Gorham,
Greeby,

FISHERIES.

Messrs. Deihm, Chairman, Baker,
Stark, Brewster,
Chaplin, Jones, E. P.,
Beaver, Raymond,
Horne, Shambach,
Wells, Wheeler,
McCurdy, Wright,
Brown, Schilling,
Eaches, Eshelman,
Himes, Labar,
Irvin, Rippman,
Jones, C. B., Minehart,
Parkinson,

FORESTRY.

Messrs. Stark, Chairman, Wright,
Holcombe, Baker,
Wells, Hetrick,
Bidelspacher, Jones, E. P.,
Horne, Anderson,
Irvin, Burchinal,
Williams, G. W., Gilchrist,
Eaches, Shambach,
Haws, Haslett,
Hollis, Myers, G. C.,
Jones, C. B., Korns,
Peeler, Lauver,
Craig, Minehart,
Wood, N.,

GAME.

Messrs. Beaver, Chairman, Zook,
Whiteman, Wood, N.,
Deihm, Evans, J.,
Eaches, Hetrick,
Chaplin, Orr,
Long, Early,
Kelly, Gilchrist,
Haines, Rhodes,
Holcombe, Eshelman,
Wood, W. P., Hoover,
Walker, Myers, G. C.,
Burchinal, Stevens, A. J.,
Hollis, Gorham
Irvin,

GEOLOGICAL SURVEYS.

Messrs. Perry, Chairman, Fowler, D.,
Blumberg, Henderson,
Woner, Little,
Jones, D. J., Lynch,
Fields, Nolte,
Stevens, A. F., Raymond,
Van Alen, Himes,
Irvin, McDermott,
Blair, Boback,
Guerin, Driggs,
Heffran, Howell,
Thompson, Moore,
Baker, Eshelman,

INSURANCE.

Messrs. Sterling, Chairman, Gelder,
Schaeffer, Smith, J. W.,
Horne, Bentley,
Golder, Speiser,
Miller, Anderson,
Deihm, Greeby,
Haws, Griffith,
Millar, A. S. C., Hollis,
Pitts, Huber,
Stark, Flynn,
Burchinal, Betts,
Richards, Gundy,
Bush, Schoener,
Earley, Schleiter,

IRON AND COAL.

Messrs. Fowler, D. Chairman, Fratt,
Ogle, Guerin,
Baldi, McDaniel,
Jones, D. J., Myers, P. M.,
Mangan, Storb,
Allman, Gorham,
Fields, Rinn,
Wettach, Albert,
Thompson, Brownmiller,
Behney, Hontz,
Brewster, Munley,
Earley, Stavitski,
Gilchrist,

JUDICIARY GENERAL.

Messrs. Golder, Chairman, Marcus, Jos.,
McVicar, Bluett,
Sterling, Kohler,
Marshall, J. G., Kunkle,
McKim, Ludlow,
Alexander, Moffatt,
Goehring, MacKinney,
Spangler, Mathay,
Whiteman, Peelor,
Edmonds, Sowers,
Blumberg, Stoner,
Millar, A. S. C., Evans, J.,
Wells, Brenneman,
Bidelspacher, Rhodes,
Whitehouse, Boback,
McDaniel, Stofflet,
Kennedy,

JUDICIARY SPECIAL.

Messrs. Marshall, J. G., Chairman, Behney,
Allman,
Smith, Howard, Staudenmeier,
Aston, Henderson,
Posey, Keene,
Jones, D. J., Arthur,
Haslett, Brown,
Asbury, Fields,
Evans, B. P., Smith, G. A.,
Frazier, Post,
Pitts, Howell,
McGowan, O'Boyle,
Greeby,

JUDICIARY SPECIAL.

Messrs. Sowers, Chairman, Craig,
Bluett, Brewster,
Goehring, Glasgow,
Ogle, Hall,
Van Alen, Nolte,
Bromley, Lynch,
Smith, H. J., Kohler,
Colville, McClure,
DeYoung, Schoener,
Speiser, Donahoe,
Marcus, J. C., Rippman,
Price, Munley,
Coyne, Flinchbaugh,
Hollis,

JUDICIAL APPORTIONMENT.

Messrs. Goehring, Chairman, Brown,
McKim, Huber,
McVicar, Keene,
Burchinal, Sample,
Smith, H. J., Storb,
Asbury, Gelder,
Evans, J., Smith, G. A.,
Fowler, D., Ogle,
Mangan, Perry,

JUDICIAL APPORTIONMENT (Continued.)

Posey, Korns,
Brenneman, Labar,
Donahoe, Minehart,
Harter,

LABOR AND INDUSTRY.

Messrs. Mangan, Chairman, Heffran,
Fowler, D., Long,
Sprowls, Orr,
Schaeffer, Richards,
Malie, Behney,
Haslett, Smith, G. A.,
Dunn, Price,
Dilsheimer, Raymond,
Eaches, Albert,
Kohler, Korns,
Fowler, A. I., Dietz,
McCurdy, McDermott,
Drinkhouse,

LAW AND ORDER.

Messrs. Armstrong, Chairman, Jones, D. J.,
Vickerman, Sowers,
Horne, Wood, W. P.,
Marshall, J. G., Kunkle,
Woner, Ludlow,
McCaig, MacKinney,
Lafferty, Zook,
Perry, Rhodes,
Conner, Schilling,
Dilsheimer, Post,
Steedle, Moore,
Kelly, Sheridan,
Gallaher,

LEGISLATIVE APPORTIONMENT.

Messrs. Thomas, L. D., Chairman, Raymond,
Baker, Sautter,
Marcus, Jos., Wheeler,
Zook, Asbury,
Colville, Fratt,
Harer, Glasgow,
Blair, Goss,
Clutton, Haas,
Deihm, Brenneman,
Hall, Post,
Morrison, Harter,
Little, Lauver,
Lucas, Sheridan,

LIBRARY.

Messrs. Smith, H. J., Chairman, Miller,
Grimes, Schwartz,
Thomas, L. D., McClure,
McGowan, Myers, P. M.,
Marcus, J. C., Nolte,
Bentley, Smith, G. A.,
Haws, Berger,
Heffran, Hoover,
Hetrick, Boback,
Guerin, Gundy,
Moffat, Korns,
Millar, O'Boyle,
Smith, J. W., Gorham,

MANUFACTURES.

Messrs. Chaplin, Chairman, Little,
Spangler, McDaniel,
McCaig, Kunkle,
Coldsmith, Marshall, W. F.,
Blair, Mathay,
Haws, Pitts,
Haines, Perry,
Lafferty, Craig,
Thomas, L. D., Thompson,
Orr, Haas,
Bromley, Smith, H. J.,
Brown, Soffel,
Greeby, Wheeler,
Flynn, Sheridan,
Rinn, Brenneman,
Rippman,

MILITARY.

Messrs. Van Allen, Chairman, Bush,
Coldsmith, Thomas, M. G.,
Bell, F. A., Patterson,
Whitehouse, Storer,
Whiteman, Huber,
Golder, Smith, G. A.,
Heyburn, Lynch,
Holcombe, Myers, P. M.,
McCann, Rinn,
Frazier, Stevens, A. J.,
Wheeler, Hontz,
Stevens, A. F., Munley,
Arthur, Brownmiller,

MINES AND MINING.

Messrs. Whiteman, Chairman, Marshall, W. F.,
Harer, Parkinson,
Fowler, D., Smith, H. J.,
Alexander, Baldi,
McBride, Armstrong,
Bell, W. T., Fowler, A. I.,
Storer, Richards,
Beaver, Brewster,
Coldsmith, Henderson,
Conner, Brownmiller,
Heffran, Dietz,
Heffernan, McDermott,
Holcombe, Rhodes,
Himes, Gorham,
Kohler,

MUNICIPAL CORPORATIONS.

Messrs. Jones, D. J., Chairman, Dilsheimer,
Mangan, Little,
Golder, Stoner,
Sowers, Gibbon,
McCaig, Glasgow,
Edmonds, Heffran,
Spangler, Lynch,
Sterling, Harer,
McCann, Heffernan,
Whitehouse, Mathay,
Chaplin, Posey,
Malie, Craig,
McKim, Pratt,
McBride, Haas,
Goss, Burns,
McClure, Schilling,
Price, Rinn,
Coyne, Donahoe,
Marcus, J. C., Schoener,
Korns,

PENSIONS AND GRATUITIES.

Messrs. Gelder, Chairman, Kohler,
Vickerman, Stoner,
Grimes, Fratt,
MacKinney, Huber,
McCann, Jones, C. B.,
Gallaher, Kelly,
Moffat, Kunkle,
Bentley, Brownmiller,
Brown, Hoover,
Arthur, Harter,
Bush, Minehart,
Kennedy, Schleiter,
Sautter,

PRINTING.

Messrs. Lafferty, Chairman, Berger,
Woner, Griffith,
Vickerman, Kunkle,
Ashbury, Staudenmeier,
Blumberg, Schwartz,
DeYoung, Hall,
Long, Keene,

PRINTING (Continued.)

McClure, McBride,
Sample, Schoener,
Storb, Gundy,
Peelor, Moore,
Ludlow, Sheridan,

PUBLIC BUILDINGS.

Messrs. Heffernan, Chairman, Myers, P. M.,
Steedle, Nolte,
Goehring, Stoner,
Kohler, Griffith,
Smith, Howard, Sample,
Orr, Schaeffer,
Bell, F. A., Schwartz
Richards, Betts,
Aston, Donahoe,
Burns, Harter,
Behney, Sheridan,
Fields, Schleiter,
Henderson,

PUBLIC HEALTH AND SANITATION.

Messrs. Steedle, Chairman. Arthur,
McVicar, Storer,
Drinkhouse, Evans, B. P.,
Dunn, Kelly,
Dilsheimer, Baker,
Gallaher, Blumberg,
Speiser, Burns,
Grimes, Smith, Howard,
Pitts, Soffel,
Thomas, M. G., Patterson,
Bentley, Bush,
DeYoung, Brenneman,
Haines, Rippman,
McCann, Lauver,
Sprowls, Munley,
Allman, Mack,
Earley, O'Boyle,
Wettach,

PUBLIC ROADS.

Messrs. Williams, G. W., Chairman, Gelder,
McClure,
Bidelspacher, Jones, E. P.,
Clutton, Griffith,
Gallaher, Wheeler,
Heyburn, Jones, C. B.,
Irvin, Metcalf,
Kelly, Marshall, W. F.,
MacKinney, Haslett,
Parkinson, Staudenmeier,
Stark, Thomas, L. D.,
Zook, Smith, H. J.,
Wells, Wood, N.,
Armstrong, Wright,
Anderson, Sarig,
Weamer, Deitz,
Evans, B. P., Donahoe,
Fowler, A. I., Stavitski,
Frazier, Myers, G. C.,
Fratt, Rippman,

RAILROADS.

Messrs. Sprowls, Chairman, Golder,
Beaver, Schwartz,
Coldsmith, Armstrong,
Heyburn, Bell, W. T.,
Harer, Berger,
Heffernan, Little,
Lafferty, Bell, F. A.,
Ogle, Evans, J.,
Perry, Burns,
Sowers, Huber,
Smith, J. W., Flynn,
Schaeffer, Labar,
Williams, G. W., Harter,
Whiteman, Albert,
Asbury, Deitz,

RETRENCHMENT AND REFORM.

Messrs. Goss, Chairman, Marshall, W. F.,
Marcus, Jos., Staudenmeier,
Colville, Gilchrist,
DeYoung, Keene,
Walker, Patterson,
Fratt, Sautter,
Smith, J. W., Moffatt,
Steedle, Hoover,
Sterling, Stofflet,
Williams, Gundy,
Marcus, J. C., Johnson,
Berger, Minehart,
Gibbon,

WAYS AND MEANS.

Messrs. Woner, Chairman, McDaniel,
Williams, G. W., Gibbon,
Steedle, Chaplin,
McVicar, Wheeler,
Wood, W. P., Heffernan,
McCaig, Himes,
McKim, Lafferty,
Clutton, Mathay,
Harer, Ogle,
Weamer, Fowler, A. I.,
Wells, Staudenmeier,
Alexander, Shambach,
Smith, J. W., Flinchbaugh,
Goss, Blumberg,
Thompson, Earley,
Kennedy, Long,
Price, Rinn,
Van Alen, Glynn,
Conner, Post,
Bell, W. T., Moore,
Perry, Donahoe,
Evans, B. P., Gundy,

The SPEAKER. The Chair announces that the chairman of the Committee of Compare Bills is an error and is withdrawn, and that the Chairman of that Committee will be announced at a later date.

APPOINTMENT OF SPEAKER'S CLERK AND STENOGRAPHER.

The SPEAKER. The Chair announces the appointment of Alton W. Lick, of Marysville, Perry County, as Speaker's Clerk, and Miss Cecil Rogers, of Emporium, Cameron County, as Speaker's Stenographer, the appointment of the stenographer to date as of January 8th, and of Clerk as of January 17th.

APPOINTMENTS BY THE CHIEF CLERK.

The SPEAKER. The Chief Clerk announces the following appointments.

The appointments were read by the Clerk as follows:

STENOGRAPHER TO CHIEF CLERK.

M. O. Barnett, Hillside, Westmoreland County.

HISTORY CLERK.

E. E. Moore, Harrisburg, Dauphin.

SUPERINTENDENT STORE ROOM.

F. D. Bowman, Norristown, Montgomery County.

ASSISTANT CUSTODIAN HALL OF HOUSE.

Elmer Howard, Harrisburg, Dauphin County.
John A. Berge, Harrisburg, Dauphin County.
Charles H. Hill, Harrisburg, Dauphin County.
Rossiter B. Landis, Harrisburg, Dauphin County.

CHIEF OFFICIAL REPORTER.

B. O. Locke, Pittsburgh, Allegheny County.

OFFICIAL REPORTERS.

James M. Lingle, Philadelphia, Philadelphia County.
E. E. Moyer, Lebanon, Lebanon County.
M. H. Garvin, Sharon Hill, Delaware County.

EXPERT TYPEWRITER.

Harry A. Wagenheim, 854 S. Cameron St., Harrisburg, Dauphin County.

COPY HOLDERS & PROOFREADERS.

John J. Husick, 242 Main St., Steelton, Dauphin County.
John M. Shaffner, 122 N. 17th St., Harrisburg, Dauphin County.
Ammon M. Aurand, Beaver Springs, Snyder County.
Charles S. Segelbaum, R. F. D. 2, Harrisburg, Dauphin County.
William Zumbo, 58 N. 13th St., Harrisburg, Dauphin County.
Paul M. Richards, 1003 S. 22nd St., Harrisburg, Dauphin County.

FILING CLERKS.

Lewis F. Camp, Tunkhannock, Wyoming County.
J. W. Jamison, Tionesta, Forest County.

COMPILING CLERKS.

John W. Ewing, Rochester, Beaver County.
S. L. Williams, Williamsport, Lycoming County.

STENOGRAPHERS TO MEMBERS.

Della Kent, 1501 Regina St., Harrisburg, Dauphin County.
Justine O'Brasky, 1818 Penn St., Harrisburg, Dauphin County.
Mary Emerson, 629 Harris St., Harrisburg, Dauphin County.
Janet Larimer, York, York County.

APPOINTMENTS BY RESIDENT CLERK.

M. K. Burgner, Resident Clerk, House of Representatives, announced the apointments of Herman C. Wagner, Stenographer and J. Robert Kaufman, Messenger, in the office of Resident Clerk.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER. Bills may be filed with the Chief Clerk under the rules.

ADJOURNMENT.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to, and (at 5:50 o'clock P. M.) the House adjourned until Monday, January 22, 1923, at 9:00 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1923 — 125th of the General Assembly

Vol. 7. HARRISBURG, PA., MONDAY, JANUARY 22, 1923. No. 4.

SENATE

MONDAY, JANUARY 22, 1923.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Benjamin F. Bungard, offered the following prayer:

O God! Thou Eternal One! we humbly bow in Thy presence this evening in recognition of Thy goodness and invoke Thy blessing upon this assembly. We ask Thy guidance and wisdom in all the deliberations of the hour, and that Thou wilt help us that we shall do that which will redound to Thy glory and honor. We ask it in the name of our Lord and Saviour Jesus Christ. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. DAVIS the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE.

Mr. CRAIG asked and obtained leave of absence for the Senator from Venango, Mr. Phipps, on account of illness.

Mr. LESLIE asked and obtained leave of absence for the Senator from Allegheny, Mr. Einstein, on account of illness.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were laid upon the table.

BILLS INTRODUCED.

Mr. CRAIG read in his place and presented to the Chair Senate Bill No. 17, entitled:

A Joint Resolution proposing an amendment to article three (III) of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Judiciary General.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 18, entitled:

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and nineteen, (P. L. 461), entitled "An act to provide for the removal or retirement of judges of the Supreme, Superior, Common Pleas, Orphans', Municipal and County Court, permanently disqualified by reason of physical or mental disability to perform their regular judicial functions or duties, and providing for the payment of compensation to them during the balance of the term for which they may have been elected, and, in certain cases, for the remainder of their lives after resignation or retirement, and for filling the vacancies caused thereby; providing for judges who have been retired or who may have retired or resigned under provisions of previous acts or otherwise; and repealing certain acts."

Which was committed to the Committee on Pensions and Gratuities.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 19, entitled:

An Act for the protection of public health; and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, including coated ice cream and the coating thereof; fixing a standard of butter fat for ice cream; providing penalties for the violation thereof; and providing for the enforcement thereof.

Which was committed to the Committee on Public Health and Sanitation.

Mr. STEELE read in his place and presented to the Chair Senate Bill No. 20, entitled:

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies, and the compensation of deputies and clerks.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 21, entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin and Mount Carmel Coal Fields, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MacDADE read in his place and presented to the Chair Senate Bill No. 22, entitled:

An Act to amend route one hundred and thirty-five of section six of an act approved the thirty first day of May, 1911, (P. L. 468), entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, Two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the

several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of townships or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, County, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to cary out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 23, entitled:

An Act to establish as a State Highway a certain section of public road in the County of Delaware.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 24, entitled:

An Act providing for an industrial State Highway from the City of Chester to the City of Philadelphia.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 25, entitled:

An Act to amend route 180 of section six of the act approved May 31, 1911 (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, County, Township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 26, entitled:

An Act to amend Section Ten, as amended, and section eleven of the act approved June 30, 1919, (P. L. 678), entitled "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof, providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles, limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," so as to require a personal examination of all persons applying for license to operate motor vehicles.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 27, entitled:

An Act to further amend section twenty-three of the act approved the 30th day of June, 1919, (P. L. 678), entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended; fixing penalties for the operation of motor vehicles by persons under the influence of intoxicating liquors.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 28, entitled:

An Act to amend part of section three, as amended, and section eleven of the act approved June 30, 1919 (P. L. 678), entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, borough, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violation thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," requiring the photograph of all persons licensed to operate motor vehicles to be attached to such license.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 29, entitled:

An Act to amend section one of an act approved June 19, 1913, (P. L. 528), entitled "An Act fixing the penalty for murder of the first degree; regulating the procedure incident to the infliction thereof; prescribing and providing for a place and manner of inflicting said penalty on the grounds of the new Western Penitentiary of this Commonwealth, in Centre County; making an appropriation therefor; repealing inconsistent legislation; and providing that neither this act nor said repeal shall apply to any case in which it shall appear that said crime was committed prior to the date of the approval of this act;" by providing that the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be; and providing that this amendment shall not apply to any case in which it shall appear that said crime was committed prior to its approval.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 30, entitled:

An Act to amend an act approved the fifth day of May, 1921 (P. L. 379), entitled "An act to amend an act, approved June 19, 1911, (P. L. 1059), entitled 'An act extending the powers of judges of courts of quarter sessions of oyer and terminer, in relation to releasing prisoners in jails and workhouses on parole,' by extending said act to include houses of correction, conferring similar powers on other courts of record, and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law;" providing the procedure in cases of parole; conferring power to parole upon the several courts instead of judges thereof; and fixing the time when petitions for parole may be first presented.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 31, entitled:

An Act authorizing the Governor to appoint a commission to provide for the construction, erection and dedication in the city of Chester of a monument to the memory of John Morton; and making an appropriation.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 32, entitled:

An Act making an appropriation to the Chester Day Nursery and Children's Home, at Chester, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 33, entitled:

An Act to amend section seven of the act approved June 10, 1893, (P. L. 419), entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 34, entitled:

An Act to validate tax liens filed since the twenty-first day of May, one thousand nine hundred and thirteen, or which may be filed within six months after the approval of this Act, under the provisions of an act, approved June 4, 1901, entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; and the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," and providing for their collection.

Which was committed to the Committee on Judiciary General.

Mr. DERRICK read in his place and presented to the Chair Senate Bill No. 35, entitled:

An Act regulating the sale of certain securities and classifying the same; providing for the registration and the regulation of persons, corporations, associations, copartnerships selling securities; creating a Securities Commission for the purpose of enforcing the provisions of this act; prescribing and defining the powers and duties of such commission; and providing penalties.

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 36, entitled:

An Act imposing a State license tax upon outdoor advertising; providing for the collection thereof; prohibiting the licensing of bill-boards constituting a hazard to traffic; and prescribing penalties.

Which was committed to the Committee on Judiciary Special.

Mr. CULBERTSON read in his place and presented to the Chair Senate Bill No. 37, entitled:

An Act limiting the charges of public service corporations and companies to services actually furnished or rendered, and prohibiting all other charges.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 38, entitled:

An Act to amend section two of the act approved the twentieth day of June, one thousand nine hundred and nineteen, (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein,

to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended; discontinuing the tax on transfers to direct heirs.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 39, entitled:

An Act fixing the salary of sheriffs and deputy sheriffs in counties of the seventh class; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 40, entitled:

An Act fixing the salary of the prothonotary in counties of the eighth class; and providing for the payment of all fees and commissions into the county treasury.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 41, entitled:

An Act fixing the salary of sheriffs in counties of the eighth class; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 42 entitled:

An Act to amend an act approved the sixteenth day of June, one thousand nine hundred and nineteen (P. L. 482), entitled "An act creating a Board of Commissioners of Public Grounds and Buildings; providing for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers and employes, and fixing their salaries; defining the powers and duties of the board and the superintendent with regard to contracts for and the furnishing of furniture, furnishings, stationery, supplies, paper, and fuel for the executive and legislative branches of the State Government and the Executive Mansion, the supervision of the Capitol grounds and buildings, the State Arsenal, and Executive Mansion, and repairs, alterations, and improvements thereto, and to other buildings, land and property of the State, the disposal of unserviceable personal property of the Commonwealth, the renting of office rooms outside of the Capitol, the bonding of officers and employes of the Commonwealth, and the supervision of the erection of, and repairs and additions to, State institutions, and the expenditure of funds therefor; and repealing supplied and inconsistent laws."

Which was referred to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 43, entitled:

An Act making an appropriation to the Lewistown Hospital, of Lewistown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 44, entitled:

An Act providing for the registration of portable acetylene torches; requiring reports of unauthorized and unlawful use thereof; imposing certain duties on constables and local police officers and on the Secretary of Internal Affairs; and providing penalties.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 45, entitled:

An Act to amend section three of the act approved the first day of May, one thousand nine hundred and nine, (P. L. 346), entitled "An act regulating, requiring, and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines; regulating, requiring, and defining, certain general specifications for the use and construction of portable booths or enclosures for operation therein moving-picture machines; and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania; and providing penalties for the violation of the provisions thereof; and providing that the provisions thereof shall not apply to cities of the first and second classes;" as amended, by providing for the licensing of motion picture machine operators.

Which was committed to the Committee on Judiciary General.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 46, entitled:

An Act making an appropriation to carry into effect the provisions of an act approved the ninth day of July one thousand nine hundred and nineteen (P. L. 814), entitled "An act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River, connecting the city of Philadelphia and the city of Camden, and the approaches thereto; providing for a joint commission for that purpose, and defining its powers and duties; providing for an independent commission in this Commonwealth in relation thereto, and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadelphia; and providing for the acquiring, taking, and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridge upon completion; and making an appropriation for the purposes of this act," and its amendments.

Which was committed to the Committee on Appropriations.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 47, entitled:

An Act to amend section eleven of the act approved the thirteenth day of June, one thousand eight hundred and forty (P. L. 683), entitled "A supplement to an act entitled 'an act, relating to the elections of this Commonwealth,' passed the second day of July, Anno Domini, one thousand eight hundred and thirty-nine, and for other purposes;" allowing constables mileage for advertising elections, and compensation for advertising elections where there is more than one polling place in a district. Said mileage and compensation to be paid by counties.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 48, entitled:

An Act to repeal an act approved the second day of May, one thousand eight hundred and ninety-nine, (P. L. 184), entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," and the amendments and supplements thereto.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 49, entitled:

An Act to amend section three, four, five, six and seven and to repeal sections eight and ten of an act approved the seventh day of May, one thousand nine hundred and seven (P. L. 175) entitled "An act to provide revenue by imposing a license-tax on all stock brokers, bill brokers, note brokers, exchange brokers, merchandise brokers, factors or commission merchants, real estate brokers and agents, and pawnbrokers, whether persons, firms, limited partnerships, or corporations; providing for the collection of said tax, and imposing certain duties on county treasurers and mercantile appraisers;" providing for the collection of said tax by the Auditor General instead of the county treasurers and mercantile appraisers.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 50, entitled:

An Act to amend sections one, three and five, and to repeal section four of the act approved the twenty-fifth day of May, one thousand nine hundred and seven (P. L. 244), entitled "An act to provide revenue by imposing a license-tax on the keepers of all shooting-galleries, shuffle-board-rooms, billiard or pool rooms, for purpose of profit, or any other place in which any game is played on a table with the use of balls and cues; and bowling-alleys, ninepin-alleys, tenpin-alleys, or other alleys or places in which any game is played with the use of balls or pins, or other objects; providing for the collection of said tax, and imposing certain duties upon mercantile appraisers and county treasurers;" providing for the collection of said tax by the Auditor General, and providing a penalty for failure to secure a license and to pay the tax.

Which was committed to the Committee on Finance.

Mr. BETTS read in his place and presented to the Chair Senate Bill No. 51, entitled:

An Act regulating the sale of securities in the Commonwealth of Pennsylvania, by any person, dealer, firm, company, association or corporation, foreign or domestic, by requiring an inspection of such stock bonds or other securities and an inspection of the business of such persons, firms, companies, associations or corporations, including dealers and agents, and such regulation and supervision of the business of said persons, firms, companies, associations or corporations, including dealers and agents, as may be deemed necessary in the sale within this Commonwealth of any stocks, bonds or other securities; and the registration of brokers and salesmen engaged in the sale of such securities; and restraining the sale of certain securities thereunder; and to provide a penalty for the violation thereof; and placing the supervision and enforcement of the law in the hands of the Commissioner of banking.

Which was committed to the Committee on Banks and Building and Loan Associations.

Also read in his place and presented to the Chair Senate Bill No. 52, entitled:

To repeal an act entitled, "An act for the imposition and collection of certain inheritance taxes," passed July eleventh, one thousand nine hundred and seventeen.

Which was committed to the Committee on Finance.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 53, entitled:

An Act fixing the per diem compensation of registry or assistant assessors in townships of the first class for the performance of election duties; and the method of ascertaining the number of days employed.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 54, entitled:

An Act creating a Department of Motor Vehicles; providing a system of regulation for the use and operation of motor vehicles; revising, amending, and consolidating the law relating to motor vehicles and vehicles propelled by, or trailing after, motor vehicles, and traction engines, and providing penalties.

Which was committed to the Committee on Public Roads and Highways.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 55, entitled:

An Act to protect bituminous coal miners in the determination of the amount of coal to be used as a basis for calculating wages, providing that payment shall be made for the quantity mined irrespective of size, requiring mine cars to be of uniform capacity, granting the miners the right to employ check-weighmen, or check-measurers and prescribing their powers and duties, imposing certain duties on mine inspectors and providing penalties.

Which was committed to the Committee on Mines and Mining.

Also read in his place and presented to the Chair Senate Bill No. 56, entitled:

A Joint Resolution creating a commission to investigate the transportation facilities of the Pennsylvania Railroad Company and its compliance with its corporate charter; providing the powers of said commission; and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. HEATON read in his place and presented to the Chair Senate Bill No. 57, entitled:

An Act authorizing boroughs to provide by ordinance for the payment for public work or improvements heretofore made for and accepted by such boroughs where no legal or valid contract was entered into as required by law.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 58, entitled:

An Act making a deficiency appropriation to the State Hospital for Injured persons of the Anthracite Coal Region of Pennsylvania, at Ashland, Schuylkill County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BERNTHEIZEL read in his place and presented to the Chair Senate Bill No. 59, entitled:

An Act to repeal an act, entitled "An act to regulate the practice of the profession of engineering and of land surveying; creating a State Board for the Registration of Professional Engineers and Land Surveyors; defining its powers and duties; imposing certain duties upon the Commonwealth and political subdivision thereof in connection with public work; and providing penalties.

Which was committed to the Committee on Judiciary General.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 60, entitled:

An Act relating to motor vehicles and requiring the owner of any motor vehicle to be insured against liability for damages for injuries in person or property sustained through the negligent or illegal operation thereof in this Commonmonwealth and providing a penalty.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 61, entitled.

An Act to carry into effect section eleven of article one of the Constitution of Pennsylvania, by designating the manner of courts and the cases in which suits my be brought against the Commonwealth, defining the procedure in such cases, and providing for the payment of judgments, interest and costs by the Commonwealth.

Which was committed to the Committee on Judiciary General.

Mr. BALDWIN read in his place and presented to the Chair Senate Bill No. 62, entitled:

An Act relating to the distribution of the proceeds of judicial sales among lien creditors, regulating the payment of interest on the liens, and imposing certain duties on sheriffs, trustees, executors, administrators, and other fiduciaries making such sales.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 63, entitled:

An Act to amend part of section nine of the act approved the twenty-first day of May, one thousand nine hundred and nineteen, (P. L. 209), entitled "An act relating to the organization, maintenance, and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing certain acts;" changing the charges to be paid by building and loan associations for examinations.

Which was committed to the Committee on Banks and Buildings and Loan Associations.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 64, entitled:

An Act providing for the construction of certain bridges on State Highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State, the county and any railroad company or companies whose tracks are crossed by such bridge.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 65, entitled:

An Act making an appropriation to the Sewickley Valley Hospital Association, Incorporated, of Allegheny County, Pennsylvania.

Which was committed to the Committee on Appropriations.

COMMUNICATION FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communication in writing from his Excellency the Governor of the Commonwealth, which was read as follows:

JOINT SESSION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 22, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: If it meets with the approval of the General Assembly, I should like to address the members in joint session on Tuesday, January Twenty-third, Nineteen hundred Twenty-three, at Twelve o'clock noon.

If for any reason this can not conveniently be arranged, I would be glad to address you at some other time.

GIFFORD PINCHOT.

RESOLUTION, RELATING TO JOINT SESSION FOR PURPOSE OF HEARING ADDRESS OF THE GOVERNOR ON THE SUBJECT OF THE BUDGET.

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows considered and agreed to.

In the House of Representatives, January 22, 1923.

Resolved, That the Senate of Pennsylvania be and are hereby invited to attend a joint session of the House and Senate, to be held in the House of Representatives at twelve o'clock noon on January twenty-third, for the purpose of hearing the address of the Governor on the subject of the Budget, and that the Speaker of the House appoint a committee of two to wait upon the Senate and conduct them to the Hall of Representatives for said joint session.

Resolved further, That a committee of three Members of the House, to be appointed by the Speaker, and two Members of the Senate, to be appointed by the President Pro tem of the Senate, be appointed to wait upon the Governor and escort him to the Hall of the House for said joint meeting.

Ordered, That the Clerk inform the House of Representatives accordingly.

NOMINATIONS BY THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 22, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ADAMS COUNTY.

Felix V. Topper, McSherrystown, January 25, 1923.

ALLEGHENY COUNTY.

J. Norman Black, Duquesne, January 16, 1923.
Elins J. John, Pittsburgh, February 2, 1923.
G. William Jones, Jr., Pittsburgh, January 20, 1923.
J. M. Hall, McKees Rocks, January 27, 1923.
R. J. Macoubray, McKees Rocks, January 25, 1923.
Robert A. Scott, Pittsburgh, January 16, 1923.
Miss Bertha Troth, Pittsburgh, February 2, 1923.

BERKS COUNTY.

J. Hain Mengel, Reading, February 1, 1923.

BUCKS COUNTY.

J. Freeman Hendricks, Doylestown, January 21, 1923.

CENTRE COUNTY.

Mrs. Ada E. Musser, Millheim, January 30, 1923.

CLEARFIELD COUNTY.

H. A. Moore, DuBois, January 26, 1923.

INDIANA COUNTY.

J. W. Wilson, Indiana, January 21, 1923.

LACKAWANNA COUNTY.

Eugene Diehl, Scranton, January 20, 1923.

LANCASTER COUNTY.

Amos E. Burkholder, Lancaster, January 21, 1923.
Willard Blaine Hoar, Lancaster, February 1, 1923.

LEBANON COUNTY.

William S. Poorman, Palmyra, January 21, 1923.

LUZERNE COUNTY.

J. P. Gorman, Hazleton, January 31, 1923.

MONROE COUNTY.

Vinton S. Loder, E. Stroudsburg, February 2, 1923.

MONTGOMERY COUNTY.

George M. Diemer, Pottstown, January 25, 1923.

NORTHAMPTON COUNTY.

John S. Noble, Easton, January 21, 1923.

PHILADELPHIA COUNTY.

Clifford P. Allen, Jr., Philadelphia, February 2, 1923.
Samuel A. Belsito, Philadelphia, February, 1923.
William H. Craven, Philadelphia, February 1, 1923.
Samuel J. Fisher, Philadelphia, January 21, 1923.
Samuel J. Houston, Philadelphia, January 25, 1923.
Edwin A. Kramer, Philadelphia, January 20, 1923.
Robert J. Lehman, Philadelphia, February 1, 1923.
Norman L. Sendmoyer, Philadelphia, January 20, 1923.
Winfield S. Sheard, Philadelphia, February 1, 1923.
Allen M. Stearne, Philadelphia, January 30, 1923.
Jesse Williams, Philadelphia, January 21, 1923.

WARREN COUNTY.

Karl A. Krantz, Warren, January 20, 1923.

WESTMORELAND COUNTY.

I. K. Barbaker, Vandergrift, February 2, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 22, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four year, to compute from the date of confirmation:

ALLEGHENY COUNTY.

P. M. Donohue, Pittsburgh.
Frank F. Dapp, Pittsburgh.
C. A. Heffernan, Pittsburgh.
G. M. Hirning, Pittsburgh.
Miss Margaret Macrum, Pittsburgh.
Miss Margaret C. McQuade, Pittsburgh.
R. D. Paul, Glassport.

BEAVER COUNTY.

James A. C. Puffner, Jr., Woodlawn.

CAMBRIA COUNTY.

Miss E. M. Finlon, Johnstown.
O. A. Holsinger, Johnstown.
H. A. Martin, Johnstown.

CARBON COUNTY.

Miss Kathryn Culley, Mauch Chunk.
William D. McCay, Junedale.

GREENE COUNTY.

C. Floyd Ficklas, Waynesburg.

LEHIGH COUNTY.

Miss Catherine F. Houck, Fullerton.

LUZERNE COUNTY.

E. R. Bound, Wilkes-Barre.

MERCER COUNTY.

A. R. Martin, Sharon.

MONTGOMERY COUNTY.

Mrs. Elizabeth E. Flounders, Willow Grove.

NORTHAMPTON COUNTY.

Harry E. Bayden, Easton.

PHILADELPHIA COUNTY.

Harry Green, Philadelphia.
Samuel L. Green, Philadelphia.
Phillip Herman, Philadelphia.
John R. Knickerbocker, Jr., Philadelphia.
Frank G. McGurk, Philadelphia.
Mrs. Charlotte M. Millor, Philadelphia.
Louis L. Rothberg, Philadelphia.
Fred'k W. Ruppenthal, Philadelphia.
Walter C. White, Philadelphia.

SCHUYLKILL COUNTY.

Carby J. Stack, Shenandoah.

SOMERSET COUNTY.

Phillip B. Gore, Windber.

WESTMORELAND COUNTY.

Miss Lillian M. Barber, Greensburg.
Lawrence M. Pfeadt, Mt. Pleasant.
A. Graften Sullivan, New Kensington.

WYOMING COUNTY.

Mrs. Bertha B. Reynolds, Nicholson.
Lee F. Reynolds, Nicholson.

GIFFORD PINCHOT.

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 22, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, Robert J. McBride, of Collingdale, for appointment as Justice of the Peace, in and for the Borough of Collingdale, Delaware County.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 22, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, A. Frank MacKennon, of Osceola Mills, Clearfield County, for appointment as Justice of the Peace, in and for the Borough of Osceola Mills, Clearfield County, vice F. H. McCully, resigned.

GIFFORD PINCHOT.

DEPUTY COMMISSIONER OF PUBLIC WELFARE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 22, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, Clement W. Hunt, of Camp Hill, Cumberland County, for appointment as Deputy Commissioner of Public Welfare, to compute from September 27, 1921, to serve until superseded.

GIFFORD PINCHOT.

COMMISSIONER OF DEEDS, DEPUTY COMMISSIONER OF FORESTRY, DEPUTY ATTORNEY GENERAL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 22, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following:

Arthur B. Hiefaber, of Philadelphia, Philadelphia County, Pa., for appointment as Commissioner of Deeds for Pennsylvania with residence in New Jersey.

Lewis N. Staley, of Camp Hill, Cumberland County, Pa., for appointment as Deputy Commissioner of Forestry, to serve until superseded.

John Robert Jones, of Pottsville, Schuylkill County, Pa., for appointment as Deputy Attorney General, vice Emerson Collins, resigned, to compute from February 1, 1923.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Leslie,	Sisson,
Barr,	DeWitt,	Long,	Smith,
Berntheizel,	Eyre,	MacDade,	Snyder,
Betts,	Harris,	Mansfield,	Sones,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	McNichol,	Stineman,
Christley,	Huffman,	Miller,	Stites,
Clark,	Jones,	Norton,	Vare,
Craig,	Joyce,	Patton,	Weaver,
Culbertson,	Krause,	Quigley,	Woodward,
Daix,	Kutz,	Salus,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN, Mr. President, I move that the Executive Session do now rise.

Mr. BALDWIN, Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE OF REPRESENTATIVES FOR JOINT SESSION.

The PRESIDENT. On behalf of the President Pro Tempore the Chair desires to announce the following Committee on the part of the Senate to escort the Governor to the Hall of the House of Representatives for the joint session tomorrow at 12 o'clock noon: The Senator from Philadelphia, Mr. Patton, the Senator from Schuylkill, Mr. Heaton, and the Senator from Luzerne, Mr. DeWitt.

COMMITTEE ON RULES.

The PRESIDENT. On behalf of the President Pro Tempore, the Chair desires to announce the following Committee to revise the rules of the Senate: The Senator from Allegheny, Mr. Barr, the Senator from Butler, Mr. Christley, the Senator from Allegheny, Mr. Leslie, the Senator from Beaver, Mr. Craig, and the Senator from Lycoming, Mr. Sones.

ADJOURNMENT.

Mr. EYRE. Mr. President, I move that the Senate do now adjourn until 10.30 o'clock to-morrow morning.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10.02 o'clock P. M. until Tuesday morning, January 23, 1923, at ten thirty o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 22, 1923.

The House met at 9:00 o'clock P. M.

The Speaker (C. J. Goodnough) in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty and eternal God, we come to Thee in the opening hours of this General Assembly, conscious of Thy great goodness, of untold and unmerited blessings which Thou hast bestowed upon us, and that Thou hast multiplied Thy goodness toward us in all things. Our being as well as our well-being, cometh from Thee. Mindful of these great blessings, we pray this hour that Thou wouldst bless the membership of this House with every qualification of mind and heart for the discharge of the obligations that rest upon them. May they come to their several tasks furnished with that nobility of character, that sincerity of purpose, that clarity of thought that will enable them to discharge their obligations and find a solution of the problems that are awaiting them.

We pray in a very special manner that Thy divine blessing rest upon the Speaker of this House. May he be so guided in thought, so discriminative in judgment that he shall be enabled to discharge the obligations and the arduous tasks associated with the functions of his office. Bless the chief executive, the Governor of this great Commonwealth; pour upon him endowment of power in mind and heart for the task to which Thou hast called him. May he have through Thee a hearing heart; may he be thoroughly furnished with every good word and work in the discharge of his obligations to the State as well as to the nation. Remember the President of these United States and his counsellors; guide us all to Thy praise. Bless us not only here but in the home and the field. We ask it in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Tuesday, January 16, 1923.

The Clerk proceeded to read the Journal of the proceedings of Tuesday, January 16, 1923, when on motion of Mr. Goehring, the further reading was dispensed with and the Journal was approved.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1923 — 125th of the General Assembly

Vol. 7 — HARRISBURG, PA., TUESDAY, JANUARY 23, 1923. — No. 5.

SENATE

TUESDAY, JANUARY 23, 1923.

The Senate met at 10.30 o'clock A. M.

The President (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. L. D. Thomas, offered the following prayer:

We come to Thee at this time, our Father and our God, in the name of the One who has taught us every virtue and every grace. We would ask that Thou wouldst give of Thy abundance so that we may not be so conscious of our weakness. Enable us to know that we can do all things as we are lead and guided by the proper spirit. Bless unto us the activities of this day and make us meet to enjoy the things that Thou hast prepared for all those who honor Thee with their service and their substance. In Christ's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

PETITION.

REQUESTING APPORTIONMENT AND PAYMENT TO THE BOROUGHS OF THE COMMONWEALTH OF PART OF THE LICENSE MONEY FOR AUTOMOBILE LICENSE.

Mr. MacDADE presented the petition of the Burgess and town Council of the Borough of Darby, requesting apportionment and payment to the Boroughs of the Commonwealth of part of the license money for automobile license.

Which was referred to the Committee on Public Roads and Highways.

LEAVES OF ABSENCE.

The CHAIR asked and obtained leave of absence for the Senator from Erie, Mr. Sisson.

Mr. DeWITT asked and obtained leave of absence for the Senator from Monroe, Mr. Kauffman.

BILLS INTRODUCED.

Mr. SMITH, read in his place and presented to the Chair Senate Bill No. 66, entitled:

An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth.

Which was committed to the Committee on Appropriations.

Mr. CRAIG read in his place and presented to the Chair Senate Bill No. 67, entitled:

An Act to further amend section four of the act approved the third day of May, one thousand nine hundred and nine, (P. L. 395), entitled "An act regulating the sale of concentrated commercial feeding-stuffs, also of condimental stock and poultry-food, and patented, proprietary or trade-mark stock and poultry-food, possessing nutritive value combined with medicinal properties; defining concentrated commercial feeding-stuffs; prohibiting the adulteration of any feeding-stuff, sold, offered, or exposed for sale, in this State, with oat hulls, ground corn cobs, flax plant refuse, elevator chaff, cotton-seed hulls, ground corn stalks, rice hulls, peanut hulls, weed seeds, or other similar adulterant; providing for the collection of samples and analysis thereof by the Department of Agriculture, and the publication of information concerning the same; providing also for the expense of the enforcement of the law, fixing penalties for its violation, and repealing act number two hundred and eleven, (Pamphlet Laws, one thousand nine hundred and seven, page two hundred and seventy-three), entitled 'An act regulating the sale of wheat, rye, corn, and buckwheat-bran and middlings, or any admixture thereof,' et cetera, approved the twenty-eighth day of May, one thousand nine hundred and seven," as amended; fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs.

TIME OF NEXT MEETING.

Mr. CRAIG offered the following resolution, which was twice read, considered and agreed to.

Resolved (If the House of Representatives concur) That when the Legislature adjourns today it reconvene on Monday evening, January twenty-ninth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MILLER. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Crawford, Mr. Miller, will state his question of personal privilege.

Mr. MILLER. I would ask that the members of the Senate who are Rotarians, meet this evening at 6:30 for dinner at the Penn-Harris Hotel, together with the Rotarians from the House, for the purpose of forming a State House Auxiliary.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 23, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, C. J. Cullen, Coraopolis, Pa., to be Justice of the Peace in and for the Borough of Coraopolis, Allegheny County, vice John B. Hamilton, deceased, to serve until the first Monday in January, 1924.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 23, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public ,for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

J. Clyde Miller, Jr., Homestead.

BERKS COUNTY.

Miss Ada E. High, Reading.

DAUPHIN COUNTY.

Miss Laura E. Brought, Harrisburg.

LAWRENCE COUNTY.

A. Clyde Shoaf, New Castle.

PHILADELPHIA COUNTY.

Miss Sadie Crosland, Philadelphia.
William Sanders, Philadelphia.
Leon A. Wylen, Philadelphia.

WESTMORELAND COUNTY.

William C. Davis, Jr., New Kensington.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 23, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

LAWRENCE COUNTY.

L. M. Buchanan, New Castle, January 20, 1923.

WASHINGTON COUNTY.

Miss Margaret McCue, Washington, January 25, 1923.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to,

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—45.

Aron,	Davis,	Lanius,	Salus,
Baldwin,	Derrick,	Leslie,	Schantz,
Barr,	DeWitt,	Long,	Smith,
Berntheizel,	Eyre,	MacDade,	Snyder,
Betts,	Harris,	Mansfield,	Sones,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	McNichol,	Stineman,
Christley,	Jones,	Miller,	Stites,
Clark,	Joyce,	Norton,	Vare,
Craig,	Krause,	Patton,	Weaver,
Culbertson,	Kutz,	Quigley,	Woodward,
Daix,			

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to report a bill from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on Appropriations, reported, as committed, Senate Bill No. 66, entitled:

An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth.

MOTION TO READ BILL FIRST TIME.

Mr. SCHANTZ, Mr. President, I move that Senate Bill No. 66, the bill just reported from Committee be read the first time.

Mr. DAIX, Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 66, entitled:

An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECESS.

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until 11.45 o'clock A. M.

The motion was agree to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced, presented communication from the House of Repre-

sentatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, January 23, 1923.

Resolved (If the House of Representatives concur), That when the Legislature adjourns today it reconvene on Monday evening, January twenty-ninth, at nine o'clock.

SENATE PROCEEDS TO HOUSE TO HEAR GOVERNOR'S ADDRESS ON BUDGET.

The hour of twelve o'clock noon having arrived, Mr. George W. Williams and Mr. Zook, a Committee from the House of Representatives, being introduced, informed the Senate that the House of Representatives was ready for the reception of the President and Members of the Senate to listen to the address of His Excellency, the Governor of the Commonwealth, on the subject of the budget.

Whereupon,

The President and Members of the Senate proceeded to the hall of the House of Representatives.

SENATE RETURNS FROM HOUSE.

After some time, the President and Senators returned to the Senate Chamber.

BILLS INTRODUCED.

Mr. SNYDER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 68, entitled:

An Act to prevent fraud and deceit by regulating and inspecting investment companies and dealers in certain stocks, bonds or other securities; providing for the regulation and registration of such companies and dealers; creating and establishing a Securities Commission for the purpose of enforcing the provisions of this act; prescribing and defining the powers and duties of such commission; and providing penalties.

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. DeWITT. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DeWITT read in his place and presented to the Chair Senate Bill No. 69, entitled:

An Act relating to the incorporation of banks and trust companies.

Which was committed to the Committee on Banks and Building and Loan Associations.

RECESS.

Mr. EYRE. Mr. President, I move that the Senate do now take a recess until four o'clock this afternoon.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS INTRODUCED.

Mr. EYRE. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EYRE read in his place and presented to the Chair Senate Bill No. 70, entitled:

An Act making an appropriation to the Trustees of the Phoenixville Hospital.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 71, entitled:

An Act making an appropriation to the Chester County Hospital, at West Chester, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 72, entitled:

An Act making an appropriation to the Trustees of the State Institution for Feeble-Minded of Eastern Pennsylvania at Spring City.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 73, entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 74, entitled:

An Act making an appropriation to the Homeopathic Hospital of Chester County, located at West Chester, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 75, entitled:

An Act to amend section seventy-five of an act approved March 31, 1860 (P. L. 382,) entitled "An act to consolidate, Revise and Amend the Penal Laws of this Commonwealth"; by providing that the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be.

Which was committed to the Committee on Judiciary General.

MEMBER OF THE BOARD OF TRUSTEES OF THE SOLDIERS AND SAILORS HOME, ERIE.

The PRESIDENT. By virtue of the authority conferred upon him by the Act of Assembly, the President Pro Tempore appoints as Member of the Board of Trustees of the Soldiers' and Sailors' Home, Erie, the Senator from Venango, Mr. Phipps.

MEMBERS OF BOARD OF TRUSTEES OF THE SOLDIERS' ORPHANS' INDUSTRIAL SCHOOL SCOTLAND

Also, in accordance with the authority conferred upon him he appoints as members of the Board of Trustees of the Soldiers' Orphans' Industrial School, Scotland, the Senator from Lancaster, Mr. Berntheizel, and the Senator from Philadelphia, Mr. Patton.

REPORT OF SLATE COMMITTEE.

Mr. HOMSHER. Mr. President, I am instructed by the Slate Committee to report the following nominations of employees of the Senate, and move their election:

ASSISTANT SERGEANT-AT-ARMS.

James S. Sackville, Bristol, Bucks County, vice Edward Pierson, Parkland, Bucks County, resigned.

CLERK TO COMMITTEE.

Edward J. Cook, 128 South Ninth street, Philadelphia.

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, before that vote is taken I would like to say that the Slate Committee considered only the Chaplain this morning.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

The PRESIDENT. I therefore declare the persons named in the motion as having been duly elected employees of the Senate for the Session of 1923.

APPOINTMENTS BY THE LIEUTENANT- GOVERNOR.

The PRESIDENT. The Lieutenant-Governor announces the following appointments:

CLERK.

Mrs. Mary T. Earl, Scranton, Lackawanna County.

PAGE.

Robert E. Woodside, Jr., Millersburg, Dauphin County.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE.

The PRESIDENT. The President Pro Tempore announces the following appointments:

CLERK.

William S. Armstrong, Phoenixville, Chester County.

STENOGRAPHER.

John Davis, Wellsboro, Tioga County.

APPOINTMENT BY THE CHIEF CLERK.

The PRESIDENT. The Chief Clerk announces the following appointment:

OFFICIAL REPORTER.

Alvin E. Dillman, Millvale, Allegheny County, vice E. Ross Ranck, Lancaster, Lancaster County, resigned, effective January 29, 1923.

NOMINATION BY THE GOVERNOR.

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 23, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, Fred C. Shiner, of Monroe, for appointment as Justice of the Peace, in and for the Borough of Monroe, Bradford County, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by BUCKMAN,

That the Senate do now advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Daix,	Kutz,	Salus,
Baldwin,	Davis,	Lanius,	Schantz,
Barr,	Derrick,	Long,	Smith,
Berntheizel,	DeWitt,	MacDade,	Snyder,
Betts,	Eyre,	Mansfield,	Sones,
Brown,	Harris,	McClintock,	Steele,
Buckman,	Heaton,	McNichol,	Stineman,
Christley,	Homsher,	Miller,	Stites,
Clark,	Jones,	Norton,	Vare,
Craig,	Joyce,	Patton,	Weaver,
Culbertson,	Krause,	Quigley,	Woodward,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

REPORT OF SLATE COMMITTEE.

Mr. HOMSHER. Mr. President, I am instructed by the Slate Committee to nominate for Chaplain of the Senate the Reverend Edwin S. Ninde, West Chester, Chester County.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. I therefore, declare the Rev. Edwin S. Ninde, as having been duly elected Chaplain of the Senate for the Session of 1923.

ADJOURNMENT.

Mr. BALDWIN. Mr. President, I move that the Senate do not adjourn until Monday evening, January 29, 1923, at nine o'clock.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:39 o'clock P. M. until Monday evening, January 29, 1923, at nine o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 23, 1923.

The House met at 11:00 o'clock A. M.
The SPEAKER (C. J. Goodnough) in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Thou that rulest in the heavens and executeth judgment upon the earth, we would pause in the opening hour of this day, in the rush and hurry to speak with Thee concerning the things with which we have to do; and while we thus enjoy the blessings of heaven peoples and nations other than ourselves are in the midst and throes of unrest, political, commercial, social and domestic, we are enjoying all the blessings of fellowship of our fireside, the intercourse and fellowship of our fellowmen, rest and quietude in our commercial life, and the fruitage of our industries.

We bless Thee this morning for these blessings, and we pray heaven's richest benedictions upon the membership of this House, that they may be so fitted in mind and heart that they shall find their best selves and bring to a full expression that contribution which shall make our State a better state in which to live. To this end may Thy blessing rest upon the Governor of this State and his advisors, upon the Speaker of this House in the direction of the affairs thereof. We ask it in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mrs. Speiser, the further reading was dispensed with and the Journal was approved.

LEAVES OF ABSENCE.

Mr. McKIM asked and obtained leave of absence for Mr. Storer, on account of sickness.

Mr. BLAIR asked and obtained leave of absence for Mr. Raymond, on account of fire.

Mr. RHODES asked and obtained leave of absence for Mr. Johnson.

Mr. HEFFERNAN asked and obtained leave of absence for Mrs. de Young, on acount of sickness.

BILLS INTRODUCED AND REFERRED.

By Mrs. SPEISER. HOUSE BILL NO. 16.

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary, county prison or house of detention in this Commonwealth, and providing penalties for the violation of this act.

Referred to the Committee on Judiciary Special.

By Mrs. SPEISER. HOUSE BILL No. 17.

An Act to define solitary confinement as a cruel and barbarous punishment and to provide for the abolishment of the same.

Referred to the Committee on Judiciary Special.

By Mrs. SPEISER. HOUSE BILL No. 18.

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary, county prison or house of detention in this Commonwealth and to provide penalties for the violation of this act.

Referred to the Committee on Judiciary Special.

By Mrs. SPEISER. HOUSE BILL No. 19.

An Act to provide for the physical welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary, county prison or house of detention in this Commonwealth, and to provide penalties for the violation of this act.

Referred to the Committee on Judiciary Special.

By Mr. EDMONDS. HOUSE BILL No. 20.

An Act to provide for the establishment and government of four correctional institutions to be known as the Pennsylvania State Farm of the First, Second, Third and Fourth Districts Respectively; providing for the care and confinement of prisoners therein and their transfer thereto, imposing certain liabilities on counties and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. EDMONDS. HOUSE BILL No. 21.

An Act relating to procedure in suits wherein it is pleaded that two or more defendants are liable for a specified cause of action.

Referred to Committee on Judiciary General.

By Mr. SPANGLER. HOUSE BILL No. 22.

An Act concerning conditional sales of chattels attached or to be attached to realty and regulating the recording and effect thereof and providing remedies and penalties.

Referred to Committee on Judiciary General.

By Mr. BLUETT. HOUSE BILL No. 23.

An Act requiring the prothonotary of the court of common pleas to indicate on the proper index notice of the settlement, satisfaction, discontinuance or dismissal of any suit or proceeding in equity affecting the title to real estate.

Referred to Committee on Judiciary Special.

By Mr. HALL. HOUSE BILL No. 24.

An Act making an appropriation to Charles E. Coppedge of Harrisburg, for damages to a Peerless automobile, caused by a trailer of the State Highway Department.

Referred to Committee on Appropriations.

By Mr. WHITEHOUSE. HOUSE BILL No. 25.

An Act to validate deeds, mortgages, and other instruments of writing which have been defectively acknowledged by husband and wife, prior to the fourth day of January, one thousand nine hundred and twenty-three.

Referred to the Committee on Judiciary General.

By Mr. WHITEHOUSE. HOUSE BILL NO. 26.

An Act to amend section twenty-four of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," providing for the sale of the real and personal property of a decedent without known heirs, kindred or surviving spouse, and the payment of the net proceeds of such sale into the State Treasury.

Referred to the Committee on Judiciary General.

By Mr. F. A. BELL. HOUSE BILL No. 27.

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and nineteen, (P. L. 461),

entitled "An act to provide for the removal or retirement of judges of the Supreme, Superior, common pleas, orphans', municipal, and county court, permanently disqualified by reason of physical or mental disability to perform their regular judicial functions or duties, and providing for the payment of compensation to them during the balance of the term for which they may have been elected, and in certain cases, for the remainder of their lives after resignation or retirement, and for filling the vacancies caused thereby; providing for judges who have been retired or who may have retired or resigned under provisions of previous acts or otherwise; and repealing certain acts."

Referred to the Committee on Judiciary Local.

By Mr. WONER. HOUSE BILL No. 28.

An Act fixing the salary of the county treasurer in counties of the sixth class, and providing that such salary shall be in lieu of all commissions and fees, and in full compensation of their services.

Referred to Committee on Counties and Townships.

By Mr. WONER. HOUSE BILL No. 29.

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Referred to Committee on Constitutional Reform.

By Mr. KOHLER. HOUSE BILL No. 30.

An Act to amend section five of an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 483), entitled "An act relating to practice in the courts of common pleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the courts power to enforce its provisions."

Referred to Committee on Judiciary Special.

By Mr. WONER. HOUSE BILL No. 31.

An Act to amend the first paragraph of section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships, or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships describing the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repair to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act;" providing for the maintenance and improvement of State highways in boroughs.

Referred to Committee on Public Roads.

By Mr. GOSS. HOUSE BILL No. 32.

An Act making an appropriation to the Belvedere General Hospital, at Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Miss BENTLEY. HOUSE BILL No. 33.

An Act to provide for the payment of moneys by the Commonwealth to counties and townships, the tax funds of which are diminished by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions.

Referred to the Committee on Ways and Means.

By Mr. BLAIR. HOUSE BILL No. 34.

An Act to amend clause two of section three hundred and eighty-six of an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto;" by extending the power to tax property for lighting purposes in second class townships.

Referred to the Committee on Counties and Townships.

By Mr. DUNN. HOUSE BILL No. 35.

An Act relating to actions for rent for premises occupied for dwelling purposes; requiring certain allegations and proof, permitting certain defences, establishing certain presumptions of fact and changing the procedure in such actions; and exempting certain properties from the provisions of this act.

Referred to the Committee on Judiciary General.

By Mr. DUNN. HOUSE BILL No. 36.

An Act to regulate the practice of chiropractic and to provide for the appointment and maintenance of the board of chiropractic examiners; to define the powers and duties of said board of chiropractic examiners: to provide for the examining and licensing of chiropractors in this State: and to provide penalties for the violation of this act.

Referred to the Committee on Public Health and Sanitation.

By Mr. DUNN. HOUSE BILL No. 37.

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Reform.

By Mr. VAN ALEN. HOUSE BILL No. 38.

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies, and the compensation of deputies and clerks.

Referred to the Committee on Counties and Townships.

By Mr. VAN ALEN. HOUSE BILL No. 39.

An Act making an appropriation to the Mary M. Packer Hospital, Sunbury, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. GOEHRING. HOUSE BILL No. 40.

An Act to amend section twenty-five of an act approved the thirtieth day of June, one thousand nine hundred and nineteen, (P. L. 678), entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles: requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner; and on proprietors of public garages; providing procedure and penalties for violating thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle.

Referred to the Committee on Public Roads.

By Mr. MILLER. HOUSE BILL No. 41.

An Act making an appropriation to the trustees of the State Hospital for Injured Persons of the Middle Coal Field.

Referred to the Committee on Appropriations.

By Mr. WONER. HOUSE BILL No. 42.

An Act to amend section one and two of an act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 1021), entitled "An Act imposing a state tax on gasoline, and on all other liquids containing any derivative of petroleum or natural gas, produced, prepared, or compounded, or usable for the purpose of generating power by means of internal combustion and sold in this Commonwealth, except for the purpose of resale; providing for the collection of such tax and for the distribution and use of the revenues derived therefrom; making an appropriation; and fixing penalties;" dedicating the State's portion of said tax for the payment of township rewards.

Referred to the Committee on Ways and Means.

By Mr. STAUDENMEIER. HOUSE BILL No. 43.

An Act making a deficiency appropriation to the State Hospital for injured persons of the anthracite coal region of Pennsylvania, at Ashland, Schuylkill County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WONER. HOUSE BILL No. 44.

A Joint Resolution proposing an amendment to section seven of article fourteen of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Reform.

By Mr. WONER. HOUSE BILL No. 45.

An Act providing a system whereby persons absent from their regular polling places may cast their votes, imposing certain powers and duties upon the county commissioners, prothonotaries, return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto, and providing penalties.

Referred to Committee on Elections.

By Mr. WONER. HOUSE BILL No. 46.

An Act to amend section two hundred and seventy-one of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto."

Referred to Committee on Counties and Townships.

By Mr. LONG. HOUSE BILL No. 47.

An Act making an appropriation to the Coatesville Hospital, Coatesville, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 48.

An Act relating to public service companies; limiting their charges to services actually rendered or furnished; requiring such companies to supply all instruments and devices necessary and incidental to their service; prohibiting the discontinuance of service as a means of collecting charges in certain cases; and prescribing penalties.

Referred to Committee on Judiciary General.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 49.

An Act making an appropriation to the Roselia Foundling Asylum and Maternity Hospital of the City of Pittsburgh.

Referred to the Committee on Appropriations.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 50.

An Act amending section six of an act approved the sixteenth day of May, one thousand eight hundred and ninety-one (P. L. 75) entitled "An act in relation to the laying out, opening, widening, straightening, extending or vacating streets and alleys, and the construction of bridges in the several municipalities of this Commonwealth, the grading, paving, macadamizing or otherwise improving streets and alleys, providing for ascertaining the damages to private property resulting thereof upon the property benefitted, and the construction of sewers and payment of the damages, costs and expenses thereof, including damages to private property resulting therefrom," as amended.

Referred to the Committee on Municipal Corporations.

By Mr. McKIM. HOUSE BILL No. 51.

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge.

Referred to the Committee on Municipal Corporations.

By Mr. ALEXANDER. HOUSE BILL No. 52.

An Act to amend an Act entitled "An act to prohibit the speeding and racing of certain motor vehicles to fires, the parking of motor vehicles in the vicinity of fires, and the driving of motor vehicles over lines of hose", Approved the 31st day of March, A. D. 1921.

Referred to the Committee on Municipal Corporations.

By Mr. DIEHM. HOUSE BILL No. 53.

An Act to repeal an Act, entitled "An Act to regulate the practice of the profession of engineering and of land surveying; creating a State Board for the Registration of Professional Engineers and Land Surveyors; defining its powers and duties; imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work; and providing penalties.

Referred to the Committee on Judiciary Local.

REPORT FROM COMMITTEE.

Mr. WHITEMAN, from the Committee on Judiciary General, reported as committed House Bill No. 15, entitled

An Act providing the method in which amendatory legislation shall be printed in the session laws; and for the interpretation thereof.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER. The Chair particularly requests that the Chairman of the Committees to which bills have been referred will call a meeting of their Committees and report

such bills as may in their judgment be advisable, so that we may have a calendar for next week. If they will do that this afternoon, we will have a session at four o'clock for the purpose of receiving reports of committees, and that may possibly save us a session tomorrow.

The bills referred this morning will be in the office of the Resident Clerk immediately after the session so that the Chairmen may receive their bills there.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, January 23, 1923.

Resolved, That the Senate of Pennsylvania be and are hereby invited to attend a joint session of the House and Senate, to be held in the House of Representatives at twelve o'clock noon on January twenty-third, for the purpose of hearing the address of the Governor on the subject of the Budget, and that the Speaker of the House appoint a committee of two to wait upon the Senate and conduct them to the Hall of the House of Representatives for said joint session.

Resolved further, That a committee of three Members of the House, to be appointed by the Speaker, and two Members of the Senate, to be appointed by the President of the Senate, be appointed to wait upon the Governor and escort him to the Hall of the House for said joint meeting;

and has appointed as such committee Messrs. Patton, Heaton and DeWitt.

Ordered, That the Clerk inform the House accordingly.

ADDITIONAL APPOINTMENTS TO STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES OF PENNSYLVANIA, SESSION OF 1923.

The SPEAKER. The Chair announces the following additional committee assignments:

Mr. Hall, to the Committee on Military.

Mr. Earley, to the Committee on Military.

Mr. Henderson, to the Committee on Public Roads.

Mr. Golder, to the Committee on Appropriations.

RESOLUTION TO INSTALL AMPLIFIERS.

Mr. GOLDER offered the following resolution which was twice read and laid over under the Rules:

In the House of Representatives, January 23, 1923.

Resolved, That the Board of Commissioners of Public Grounds and Buildings shall install at the desk of the Speaker of the House of Representatives a set of amplifiers of sufficient power to carry all actions taken, clearly to all parts of the House.

RESOLUTION EXTENDING THANKS OF HOUSE TO SENATOR FRANK A. SMITH, CHAIRMAN OF INAUGURAL COMMITTEE.

Mr. ALEXANDER offered a resolution which was twice read as follows:

In the House of Representatives, January 23, 1923.

Whereas, The entire arrangements for the inauguration of Hon. Gifford Pinchot as Governor of Pennsylvania were under the direct supervision of Hon. Frank A. Smith, member of the Senate from the Fifteenth Senatorial District, and Chairman of the Inaugural Committee, and

Whereas, The work of Senator Smith in his capacity as Chairman of said committee was such as to warrant the approbation of the members of this House as well as other citizens of Pennsylvania interested in the success of the inauguration, and

Whereas, The amount of appropriation set aside was five thousand dollars, which was fifty thousand dollars less than the amount appropriated for the inauguration of the former Governor, and

Whereas, Chairman Smith not only kept the expense of the inauguration within the amount appropriated, but has an unexpended balance of one thousand, nine hundred and eighty-four dollars and sixty-seven cents to be returned to the State Treasury; therefor

Section 1. Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the thanks of the House of Representatives be extended to the Hon. Frank A. Smith; that he is entitled to the congratulations of the House for the efficiency he demonstrated, the economy he practiced and the painstaking manner in which he supervised the details necessary to make the inauguration a great success.

On the question,

Will the House adopt the resolution?

Mr. ALEXANDER. Mr. Speaker and members of the House, as perhaps some of you don't know, while we had the honor of being members of the Inaugural Committee, the burden of practically all the preparations fell on the shoulders of Mr. Smith. We found that he was carrying out the arrangements so well that a vote of that committee was unanimously given to permit him to continue. I think that when a man does work as well as this has been done, that it is no more than right that we should go on record in some way, and I have chosen this resolution, to show our appreciation, and to show how the people who were represented also appreciated that economy and I move for its adoption.

Mr. BIDELSPACHER. Mr. Speaker, I second the motion.

The resolution was unanimously adopted.

RULE SUSPENDED.

Mr. GOLDER. Mr. Speaker, inasmuch as it seems that there will be no meeting of the House tomorrow, it is my thought to have the Board of Commissioners of Public Grounds and Buildings install the amplifiers as soon as possible. I therefore move that the rule of the House requiring that resolutions lie over for printing be dispensed with, so that I may call it up immediately.

Mr. EDMONDS. Mr. Speaker, I second the motion.

The motion was agreed to.

RESOLUTION TO INSTALL AMPLIFIERS.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk read the resolution as follows:

In the House of Representatives, January 23, 1923.

Resolved, That the Board of Commissioners of Public Grounds and Buildings shall install at the desk of the Speaker of the House of Representatives a set of amplifiers of sufficient power to carry all actions taken, clearly to all parts of the House.

On the question,

Will the House adopt the resolution?

Mr. GOLDER. Mr. Speaker, I move its adoption.

Mr. EDMONDS. Mr. Speaker, I second the motion.

The motion was agreed to.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER. The Chair desires to make a statement regarding order or rather lack of order in the House. First, we do not intend to develop into a common scold but in all our experience, we have never known such intolerable conditions as have obtained here since the organization of this House and it seems past belief that an Assembly such as this should be subjected to such disorder.

Of course we are aware that the inauguration of a popular Governor brings large crowds and allowance must be made for that, and further we believe that the confusion is in a large measure the result of thoughtlessness and long habit rather than a deliberate intention to be discourteous. That this thoughtlessness may no longer obtain, the Chair directs the Sergeant at Arms to assign four of his assistants to continuously patrol the room when the House is in Session. They are to wear a badge indicating their authority. They are to patrol the rear of the House. Crowding against or leaning upon the railing is not permitted. They will also patrol the side lines. Except by permission of the Chair, not more than one row of chairs is to be placed along the side aisles. In a courteous manner, they are to restrain loud talking and unnecessary moving around. They will also deny admission to the floor of the House to all who are not entitled to that privilege.

These remarks are not to be considered as indicating a reluctance on the part of the Speaker to receive visitors. On the contrary, we extend a specific invitation to all to meet with us in numbers as large as the capacity of the hall will permit.

Further, the confusion does not personally annoy the Speaker not particularly those seated in front, but it does annoy those on the sides and rear and not only annoys but prevents their intelligent participation in the business of the House. To them the Chair owes a duty which we are trying to fulfill and all to the end that we may concentrate on the business before us, complete our work credibly and adjourn at an early date.

The Sergeant at Arms will construe these instructions literally and see that they are carried into effect.

SENATE MESSAGE.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate which was read as follows:

TIME OF NEXT MEETING.

In the Senate, January 23, 1923.

Resolved (if the House of Representatives concur) That when the Legislature adjourns today it reconvene on Monday evening January 29, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE RECEIVED BY HOUSE TO MEET IN JOINT SESSION.

The Sergeant-at-arms announced the return to the Hall of the House of the Committee appointed on the part of the House, escorting the members of the Senate to the Hall of the House.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, your committee appointed to escort the members of the Senate to the Hall of the House has performed this duty, and the Senate is present for the Joint Session.

THE SPEAKER. The committee is discharged with thanks. The Senators will be seated. The President of the Senate is invited to preside over the joint session, and the President Pro tempore is invited to a seat at the desk.

JOINT SESSION.

LIEUTENANT-GOVERNOR DAVID J. DAVIS PRESIDING.

LIEUTENANT-GOVERNOR DAVIS. The Joint Assembly will be in order.

The SERGEANT-AT-ARMS OF THE SENATE. Mr. President, I have the honor to introduce to you his Excellency, the Governor of the Commonwealth, the Honorable Gifford Pinchot.

LIEUTENANT-GOVERNOR DAVIS. Members of the General Assembly, I have the honor to present to you at this time, to address you in a message on the Budget, his Excellency, the Governor of the Commonwealth, Honorable Gifford Pinchot.

ADDRESS.

GOVERNOR GIFFORD PINCHOT. I must say, ladies and gentlemen, and I do so with great pleasure. Members of the General Assembly,

I have the honor to present to you the first State Budget in the history of Pennsylvania. That I am able to do so is due first of all, to the arduous, unselfish, and most effective work of Clyde L. King and his associates of the Citizens' Committee on the Finances of Pennsylvania. It is due also to the invaluable co-operation of Auditor General Lewis and the numerous other public servants (especially the accountants) who have given their generous assistance. I commend the report of the Committee, which summarizes their joint labors, to your special attention.

This Budget is based on the assumption that the expenditures of the Commonwealth must be kept within its income; that Pennsylvania must be made able and kept able to pay all bills on the nail as they fall due (which cannot be done at present); and that the good name of the State requires us to return to that position at the earliest possible moment.

There is now an appropriation liability of $5,697,000 for appropriations made by Legislatures previous to 1921. Our unpaid debt on November 30, 1922, had reached a net total, after all appropriations not actually expended, encumbered, or inevitably necessary had been cut off, of $23,351,000. Add to this deficits recently reported of not less than $7,600,000 incurred or accrued beyond the amounts appropriated, and subtract from it $1,000,000, the outside limit of current appropriations made but that may not be required, and we reach the unwelcome and disquieting conclusion that, on June 1st of this year, the Commonwealth will be facing a total appropriation liability, over and above income, of about $29,951,000. In other words, we have failed to live within our means by that huge sum—we owe that much and must postpone payment. The above total deficit of $7,600,000 I estimate can be reduced by $945,000. This leaves a net liability of $29,006,000.

The Legislature of 1921 appropriated in round numbers $137,654,000, which Governor Sproul reduced by veto to $118,154,000. Of this amount, about $52,654,000 had not been paid out and was therefore a liability on November 30, 1922. Add to this $5,697,000 of liabilities from previous appropriation periods still unpaid, and also the minimum deficit of the present appropriation period of $6,655,000 and we have a total liability as of June 1st next of $65,006,000. It is believed that the total of appropriations uncalled for will be around $1,000,000. This leaves a net total appropriation liability of $64,006,000.

To meet this amount, the Auditor-General estimates that there will be a cash income to the same date of about

$35,000,000. Subtracting the money we shall have to meet our obligations from the obligations themselves—taking what we can pay from what we shall owe—we reach again the $29,006,000, the excess of expenditures over income. This is a debt which must be paid from future revenue.

The Auditor-General estimates the revenue from taxation in the general fund for the next two years at $112,000,000. Subtracting the $29,006,000 of unpaid bills, we find that $82,994,000 will, upon his estimate, be available for the expenses of the coming two years.

The Auditor-General is unable, he tells me, to submit detailed estimates of income for the coming appropriation period, but only a general estimate. In the absence of such detailed estimates, I am justified in accepting the opinion of the Committee on the Finances of Pennsylvania that, with the return of good times during the next two years, $3,000,000 more than the estimate of the Audior-Genral, or a total revenue of $115,000,000, may be counted on with safety. I accept also the judgment of the Committee that, by the most rigid economy and restraint, about $3,500,000 can be saved from existing appropriations. I have, therefore, added these two sums, or $6,500,000, to the $82,994,000 available as above, and have prepared a Budget for a total of new expenditures of $89,446,115.

It has been suggested to me not to pay up the whole $29,006,000 of appropriations beyond income in the coming two years, but to spread the return to solvency over several appropriation periods. That would be merely to prolong the present intolerable situation. If we are to get back on a cash basis, as we must, the sooner we do it the better. The process will not be pleasant. Neither is having a tooth pulled pleasant but the quicker it is done the quicker we get relief.

When you hold back from a man money that is honestly due him the result is the same as if, against his will, he were lending the money to you. It is his money, but you have the use of it. What Pennsylvania has been doing is in effect to borrow from counties, school boards, hospitals, farmers, day laborers, superannuated State employees, and others, year after year, by forced loans without interest, many millions of the money actually expended to run this State.

In other words, this great Commonwealth has been shifting its own-load on to weaker shoulders, and making them carry what under the law and in all fairness it should be carrying itself. We cannot let that go on. I believe it is better business, better morality, and easier in the end, to make one job of it and have it over.

The task of distributing the less than $90,000,000 available among organizations to which, during the present appropriation period, the sum of $118,000,000 was allotted, has been a most difficult and trying one. I have been an executive officer too long not to realize fully how the responsible executives feel when estimates upon which they have been counting are cut to the bone. But the situation is so serious that it had to be done, and it has been done, firmly, but with every effort to be just.

With the help of Doctor King and his assistants, after many months of work and weeks of consultation with the heads of the various organizations and other informed individuals and with full knowledge that economy is popular only when it is applied to the other fellow, a budget has been prepared on the principle that all must share in the sacrifice, but not all alike.

Reductions cannot be made on a uniform percentage basis, because not all functions of government are equally essential, and not all expenditures can be equally reduced. It would be foolish, for example, to reduce the money allotted to the common schools as much as that to specialized schools of design, or to cut down the force engaged in collecting revenues as much as the forces engaged in spending them.

A painstaking effort has been made so to allocate the funds available as to get from them the largest possible amount of service to all the people of the Commonwealth, recognizing that the manner and amount in which these funds have been allocated in the past must be considered also.

The average cut below present appropriations made necessary by the state of facts described above, after taking out sinking funds and other similar items not subject to reduction, and after taking out also increases for the Mother's Assistance Fund and the Delaware River Bridge, is 26½ per cent.

In the attempt to keep the expenditures of the State within its income, certain rules of procedure have of necessity been established. Among these are: (1) the best interests of the State, as a whole, have been kept in mind in distributing the necessary reductions, and hence a uniform percentage basis has not been applied; (2) no increase in salaries, but insistence on the full use of the time of employees paid for by the State; (3) elimination of all new construction or purchases except where absolutely indispensible, as in the case of the Delaware River Bridge; (4) elimination of unnecessary over-head by assembling similar duties, when practicable, under a single head (plans for reorganization will be submitted later); (5) omission of additional compensation for officials already paid for full time, as in the case of services of all elective and appointive officers on ex-officio boards; (6) localities and industries specially interested should bear their share of reductions; (7) the postponement of the erection of public monuments and the least possible outlay for the maintenance of public parks; (8) The Auditor General has been assigned the whole amount reported by him as necessary to the full collection of all the revenues due the State.

You will observe that the appropriations suggested are mainly in lump sums. Except in the case of subdivisions of the Government whose work is crystallized and remains unchanged from year to year, it is difficult or impossible in the budget to fix for two years in advance the exact number of clerks and others and their salaries, without seriously impairing efficiency. Government work, like work of every other kind, must have elasticity enough to permit adjustment to changing conditions if it is to be economical and successful.

The attempt to prescribe rules and limitations minute enough to prevent in all cases incompetent or unfaithful officials from wasting the public money always has two results: in the first place, it fails entirely to make bad men good; and, in the second place, it ties good men down so closely that they cannot do good work. The worst managed and most wasteful bureau in Washington in my time, beyond all comparison, was that one in which the largest number of rules, regulations, and limitations had been established by law.

The proposed reorganization of the State Government in itself makes impossible any rigid, statutory, detailed subdivision of expenditures in the budget for no one yet knows what the exact needs of the work in the reorganized Departments will be. Moreover, more and better work can always be done for the money available if the executive has a reasonable freedom in adjusting expenditures to the actual needs of the work as they develop. The reductions in this

budget can be made with far less inconvenience to the work of the State if a certain latitude, reasonable under all the circumstances, is granted to the Governor.

I ask that this may be done, and I promise not only that the next budget will report in detail precisely how the money has been used, but that monthly statements of expenditures already made, or proposed to be made, will be open to any member of the Legislature (or to any citizen) who may desire to see them, together with full information as to just how and why the expenditures are made.

With these safeguards, I believe the Legislature will be entirely justified in giving me more room to turn round in than I would ask for under ordinary circumstances. The present circumstances are not ordinary, and the latitude I ask for will be almost indispensable assistance in bridging over the two lean years to which this budget applies.

In vital importance to all our citizens the school question yields to none. I must call to the attention of the Legislature the necessity for declaring a public policy as to the schools of this Commonwealth. There can be no effective policies until there are funds to meet those policies. Hopes have been written into the statute books without providing the monies necessary to meet them. The Legislature will have as one of its gravest problems the establishment of a policy as to schools that will square with income.

Every effort has been made to secure the largest possible provision for public instruction. It has been assigned far larger funds in proportion than any other comparable purpose. The appropriations to normal schools for this biennium for administration and operation was $3,705,000. This sum in the budget estimates has been perforce reduced to three and a half million dollars, a reduction of six per cent. The amount appropriated by the last Legislature to meet the three payments to the common schools under the Edmonds Act was $22,583,500. I have been able to find $21,000,000 for this purpose, a reduction of only about five per cent, as contrasted with a total reduction for all purposes of the State Government of 26½ per cent. In the actual absence of funds sufficient to meet the full requirements of the Edmonds Act new provisions must be made for the subsidies to common schools. The Legislature might well consider whether the guiding principle in the school subsidy law should not be equalization on the basis of effort and ability to pay.

A declared policy as to our institutions of higher learning is likewise required. This State has lagged behind the standards set by other States in public support of higher education. There are three plans which the Legislature might consider: First, to build up a single great State University at heavy expense to the taxpayers for new buildings and equipment. Second, to use the equipment and buildings of the three colleges and universities with corporate relations to the State—the Pennsylvania State College, the University of Pennsylvania, and the University of Pittsburgh. If this second policy is to be adopted, there should be a clear understanding on the part of these three institutions that its adoption carries with it their becoming integral parts of the higher educational system of this Commonwealth. Third, to increase the subsidies to many private institutions of higher learning. Our experience with subsidies to private charities has been such as to indicate that this is not the wisest course.

The amount allotted for the National Guard is sufficient to keep the Guard up to the standard set by the National Government, and to secure all Federal aid.

The appropriation for the Department of Forestry has been cut far more heavily than is the case with any other similar Department. I offer this fact as an evidence of good faith.

The allotment for Highways is sufficient, with a reasonable contribution from the motor license fund, to secure the total possible Federal aid, to meet all existing obligations to counties and townships, and to repair and maintain the roads. In ordinary times the whole of the motor license fund would be used for road maintenance. In view of the present fiscal emergency, and considering that $83,500,000 has been spent on new construction within the last four, years, it is wholly just and proper that about one-third of the motor license fund should be used to secure the Federal aid monies, thus providing for additional new construction for the benefit of the owners and users of motor vehicles.

The allotment for the Delaware River Bridge is based on two considerations: First, that the bridge must be completed at the earliest possible date; and Second, that little or none of the two million dollars estimated for the condemnation of land will actually be required during the next two years. The present law forbids condemnation until funds have actually been appropriated. With this provision repealed, as it should be, and with all possible savings from other items in which the port of Philadelphia is interested added to the allotment for the bridge, I believe that the plans for building the bridge will go forward as contemplated and without delay.

The allotment for private charities is made in a single lump sum, and is based on the assumption that aid to such institutions should be apportioned by the Public Welfare Commission strictly on the basis of service actually rendered. Since the private charities all have sources of revenue other than the State, it is right that, in the present situation, they should receive a less percentage of previous contributions than institutions wholly dependent on the State.

The institutions budgeted under the Department of Public Welfare submitted requests for deficits totaling $908,000. Many of the letters from the responsible officials of these institutions said in substance that larger sums had been requested from the Legislature; that these sums had not been granted; and that expenditures were therefore larger than appropriations. In other words, these agencies took the responsibility for fixing their own appropriations themselves without regard to the Legislature or the law. I believe that these deficit requests of $908,000 can be reduced to essential needs of about $600,000, and I have asked the Department of Public Welfare to examine each of these requests thoroughly. Bills covering these items as approved will later be presented.

Further comment on individual items would appear to be unnecessary now, but can be supplied at any time, if desired.

I do not ask for an increase in taxation, but on the contrary am fully prepared to carry on the executive work of the State for the sum named in the Budget. The suggested reduction of one quarter in the appropriation from the General Fund does not necessarily mean a reduction in the amount or quality of the executive work of the State. If it did I would be entirely unwilling, at least in most cases, to recommend or even consent to it. But on the whole it need imply nothing of the kind. Sound economy, the elimination of waste, and better methods of administration generally can be made to bridge the gap. This statement is based on personal experience.

It is, I believe, well within the truth to say that between March, 1920, and June, 1921, the work of the Department of Forestry doubled in quantity and quality without increase in appropriation. That is the equivalent of saying that the same amount of work was accomplished for half the money.

If such a result can be obtained in one Department by establishing good business methods, it is reasonable to believe, as I do, that on the average the work of the Commonwealth as at present carried on can be done, not with a reduction of one half, as in Forestry, but for one quarter less than the current appropriations.

As already pointed out, no uniform reduction has been made, but on the contrary every effort has been put forth so to distribute the reductions as to ensure the best practicable results for the Commonwealth as a whole. I cannot hope that the individual upon whose favorite project a given reduction bears will be pleased or satisfied, but I do know that the greatest good to the greatest number has been kept steadily in mind.

In conclusion, I beg the members of the General Assembly to remember that the present Administration is in no way responsible for the difficult and uncomfortable state of facts which we are obliged to face. I reiterate my belief that it is far wiser, far easier in the end, and far more consistent with the good name of Pennsylvania to take our medicine in the coming two years and have it over, and I conclude by repeating that I do not ask for new taxes, but am entirely ready to undertake the executive work of the Commonwealth for the sum and under the conditions set forth in the Budget herewith submitted to the consideration of the General Assembly.

ADJOURNMENT OF JOINT SESSION.

Mr. ALBERT DAVIS. Mr. Speaker, I move that the Joint Session do now adjourn.

Mr. VAN ALEN. Mr. Speaker, I second the motion.

The motion was agreed to.

SPEAKER GOODNOUGH IN THE CHAIR.

RECESS.

The SPEAKER. If there are no objections the Chair declares a recess until 4:00 o'clock P. M.

Whereupon (at 12:48 P. M.) the House took a recess until 4:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

The SPEAKER. The Chair asks unanimous consent to refer bills at this time, that were introduced this morning. Are there objections? The Chair hears none.

BILLS INTRODUCED AND REFERRED.

By Mr. BRENNEMAN. HOUSE BILL No. 54.

An Act to repeal an act approved the sixteenth day of May, one thousand nine hundred and twenty-one (P. L. 559), entitled "An act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license, providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received."

Referred to the Committee on Fisheries.

By Mr. KOHLER. HOUSE BILL No. 55.

An Act to validate certain deeds, mortgages, leases, and conveyance made by executors, trustees, or administrators de bonis non cum testamento annexo, under a power to sell, mortgage, lease or conveyance, contained in any last will and testament.

Referred to the Committee on Judiciary Local.

By Mr. HEFFRAN. HOUSE BILL No. 56.

An Act making an appropriation to the Charleroi-Monessen Hospital, at Charleroi, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. FRATT. HOUSE BILL No. 57.

An Act authorizing boroughs to appropriate moneys or to levy and collect, with the assent of electors, a special tax for the purpose of purchasing fire engines and fire apparatus, and to assist existing fire companies in the purchase of fire engines and fire apparatus.

Referred to the Committee on Municipal Corporations.

By Mr. SARIG. HOUSE BILL No. 58.

An Act to amend Section one hundred and twenty-five of an act approved the twenty-eighth day of July, Anno Domini one thousand nine hundred and seventeen, (Pamphlet Laws twelve hundred fifteen) entitled "An act to revise, amend and consolidate the law relating to fish, and providing penalties."

Referred to Committee on Fisheries.

By Mr. SARIG. HOUSE BILL No. 59.

An Act to repeal an act approved the eleventh day of May, Anno Domini one thousand nine hundred and twenty-one, (Pamphlet Laws four hundred seventy nine), entitled "An Act imposing a State tax on anthracite coal, providing for the assessment and collection thereof, and providing penalties for the violation of this act."

Referred to Committee on Ways and Means.

By Mr. SARIG. HOUSE BILL No. 60.

An Act authorizing and directing the Auditor General of the Commonwealth of Pennsylvania, to examine and audit the books, accounts, showing receipts and expenditures as also records of appropriations to and contracts made by every State official who is the responsible head of any Department of the State Government charged with the receipt and handling of any State funds and disbursement of same; and directing that he shall file twice a year in his department twice a year a report setting forth the amount received and expended, and the amount appropriated for said department; and showing and reporting whether the receipts and expenditures to date of examination are within the allowance and sums fixed in the appropriation for the current term and the budget estimates for this department.

Referred to the Committee on Judiciary Special.

By Mr. GUERIN. HOUSE BILL No. 61.

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred and ninety-three, (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases;" authorizing a married women to mortgage her real property without the joinder of her husband.

Referred to Committee on Judiciary General.

By Mr. LAUVER. HOUSE BILL No. 62.

An Act to amend section twelve of the act approved the eighteenth day of June, one thousand eight hundred and ninety-five, (P. L. 203), entitled "An act to provide for the more effectual protection of the public health in the several

municipalities of this Commonwealth," as amended; exempting children of certain parents from vaccination.

Referred to Committee on Public Health and Sanitation.

Mr. STAVITSKI. HOUSE BILL No. 63.

An Act making an appropriation to the Trustees of the State Hospital of Nanticoke, Nanticoke, Luzerne County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WHITEHOUSE. HOUSE BILL No. 64.

An Act to amend section ten of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans court in all matters relating to fiduciaries concerned with the estates of decedents;" restricting the advertising required to be done by executors and administrators of decedents.

Referred to the Committee on Judiciary General.

By Mr. SARIG. HOUSE BILL No. 65.

An Act to amend Section 3 of an Act, entitled "An Act to provide for the appointment of Game Commissioners for the Commonwealth of Pennsylvania; defining the duties and empowering them to appoint game protectors, approved the twenty-fifth day of June, Anno Domini one thousand eight hundred and ninety, as amended by the Act of the fifteenth of June, Anno Domini one thousand nine hundred and eleven, (Pamphlet Laws nine hundred sixty) as further amended by the Act of the twenty-second day of April, one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixty-eight) and as further amended by the Act approved the twelfth day of July, Anno Domini one thousand nine hundred and nineteen, (Pamphlet Laws nine hundred and thirty-two).

Referred to the Committee on Game.

By Mr. BALDI. HOUSE BILL No. 66.

An Act to amend part of section nine of the Act approved the twenty-first day of May, one thousand nine hundred and nineteen, (P. L. 209), entitled "An act relating to the organization, maintenance, and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing certain acts;" changing the charges to be paid by building and loan associations for examinations.

Referred to the Committee on Banks and Banking.

By Mr. RIPPMAN. HOUSE BILL No. 67.

An Act repealing sections three, four, five, nine and ten of an act, approved the sixteenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-nine), entitled "An act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received."

Referred to Committee on Fisheries.

By Mr. RIPPMAN. HOUSE BILL No. 68.

An Act to amend sections one, two and sixteen of an act, approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred and twenty-one), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended.

Referred to Committee on Ways and Means.

By Mr. RIPPMAN. HOUSE BILL No. 69.

An Act providing that no tax shall be imposed or collected upon the transfer of property to the father, mother, husband, wife, children, lineal descendants born in lawful wedlock, legally adopted children, children of a former husband or wife, or the wife or widow of the son, of the person from whom such property is transferred, or from the mother of an illegitimate child, or from any person of whom such mother is a lineal descendant, to such child, his wife or widow, or from an illegitimate child to his mother, whether such transfer be by will or the intestate law or otherwise; and repealing certain acts; and reserving to the Commonwealth of Pennsylvania certain rights as to the collection of certain taxes upon the transfer of property to or from the said persons imposed prior to the date that this act takes effect.

Referred to the Committee on Ways and Means.

By Mr. WELLS. HOUSE BILL No. 70.

An Act to preserve historic place names, and to regulate the manner of changing and adopting new place names.

Referred to the Committee on Judiciary Local.

By Mr. STAUDENMEIER. HOUSE BILL No. 71.

An Act making an appropriation to the trustees of the State Hospital for injured persons of the anthracite coal region of Pennsylvania at Ashland, Schuylkill County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. MILLER. HOUSE BILL No. 72.

An Act to amend section two of an act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 944), entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis; providing for the management and maintenance thereof; and authorizing the incurring of indebtedness and the levy of taxes therefor."

Referred to the Committee on Public Health and Sanitation.

By Mr. SPANGLER. HOUSE BILL No. 73.

An Act to amend section one, article six, chapter seven, of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312), entitled "Providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs," as amended.

Referred to the Committee on Municipal Corporations.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and (at 4:10 P. M.) the House adjourned until Monday evening January 29, 1923, at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1923 — 125th of the General Assembly

Vol. 7. HARRISBURG, PA., MONDAY, JANUARY 29, 1923. No. 6.

SENATE

MONDAY, JANUARY 29, 1923.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edwin S. Ninde, offered the following prayer:

Almighty God, our Heavenly Father, we come to Thee tonight because we are needy and Thou art the only one who art able to meet our needs. We are ignorant but Thou art wise. We are weak but Thou art mighty. We are sinful and imperfect, but Thou art perfect and holy. We are children but Thou art the Aged of Days. All good things are in Thee and we feel so keenly our imperfection and our own utter incapacity for any large and noble service, that we turn to Thee instinctively as children turn to an earthly parent. We pray Thee that Thou wilt grant us all that we need tonight. May Thy richest blessing rest upon these Senators as they take up the business of the hour. Grant them clear minds and sound judgment, and in all that may be done and said may Thy will be carried out. Bless this wonderful Commonwealth in which we dwell, our Governor, and all in places of authority. Remember our nation and grant that our beloved America may occupy her full and rightful place in the comity of nations. Guide us day by day by Thy counsel. Hear us in our prayer, for Jesus sake. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN the further reading was dispensed with, and the Journal was approved.

PETITIONS.

AGAINST THE ABOLITION OF THE OFFICE OF STATE FIRE MARSHAL AND THE TWO PER CENT. ALLOWED ON INSURANCE WRITTEN TO THE FIREMAN'S RELIEF ASSOCIATION.

Mr. MacDADE presented petition of the Lansdowne Fire Company, protesting against the abolition of the office of State Fire Marshal and two percent. allowed on insurance written to the Fireman's Relief Association.

Which was referred to the Committee on Insurance.

He also presented petition of Prospect Park Fire Company, No. 1 against the abolition of the Office of State Fire Marshal an dthe two per cent. allowed on insurance written to the Fireman's Relief Association.

Which was referred to the Committee on Insurance.

FAVORING $50,000,000 LOAN FOR HIGHWAY CONSTRUCTION.

He also presented the petition of the Keystone Automobile Club, of Philadelphia favoring the passage of the amendment to the Constitution authorizing additional loan of $50,000,000 for highway construction purposes.

Which was referred to the Committee on Public Roads and Highways.

FAVORING APPROPIATION FOR DELAWARE RIVER BRIDGE.

He also presented the petition of the Delaware River Bridge Joint Commission requesting the Governor to approve the appropriation of $6,423,000 by the Legislature at this session.

Which was referred to the Committee on Appropriations.

He also presented the petition of the Keystone Automobile Club of Philadelphia requesting the Governor to approve the appropriation of $6,423,000 by the Legislature at this session.

Which was referred to the Committee on Appropriations.

PRESENTATION OF RETURNS OF SPECIAL ELECTION FOR SENATOR.

The Secretary of the Commonwealth being introduced, stated that pursuant to the provisions of the 87th Section of the Act of July 2, 1839, entitled "An Act relative to elections in this Commonwealth," be presented to the Senate the returns of the special election for Senator on January 18, 1923, held in the Forty-sixth Senatorial District, which were laid upon the table.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were laid upon the table.

LEAVES OF ABSENCE.

Mr. CRAIG asked and obtained leave of absence for Mr. Phipps, on account of illness.

Mr. PATTON asked and obtained leave of absence for Mr. Woodward, for the balance of the week, on account of illness.

Mr. HOMSHER asked and obtained leave of absence for Mr. Berntheizel, on account of illness.

Mr. EYRE asked and obtained leave of absence for Mr. Vare.

OPENING OF RETURNS.

Mr. BUCKMAN, Mr. President, I move that the Clerk proceed to open and read the returns presented.

Mr. BALDWIN, Mr. President, I second the motion.

The motion was agreed to and the said returns were opened and read as follows:

FORTY-SIXTH DISTRICT.

	James E. Barnett, R.	George E. Sprowls, D.	W. N. Acklin, D.	Chas. McKelvey
Greene county,	1,244	3,698		
Washington county,	10,447	9,938	1	1
	11,691	13,636	1	1

Sprowl's majority, 1,943.

ADMINISTRATION OF OATH OF OFFICE TO SENATOR-ELECT.

The PRESIDENT. The newly elected Senators will present themselves before the bar of the Senate, where the oath of office, as required by law, will be administered to them by the Honorable John E. Fox, Additional Law Judge of the Twelfth Judicial District.

The oath of office was then administered to the Senators-elect.

BILLS INTRODUCED.

Mr. DAVIS, read in his place and presented to the Chair Senate Bill No. 76, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State Oral School for the Deaf, at Scranton, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 77, entitled:

An Act authorizing the use of voting machines at any or all the elections and primary elections within the several counties of the Commonwealth; creating a State Board of Voting Machine Examiners; and defining its hours and duties; authorizing County Commissioners to purchase voting machines; providing rules and regulations for the conduct of elections and primary elections held with voting machines; and providing penalties for violation of the provisions of this act.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 78, entitled:

An Act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Mr. DeWITT read in his place and presented to the Chair Senate Bill No. 79, entitled:

An Act establishing a State Highway in the County of Luzerne providing for its construction, improvement and maintenance by the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Mr. SCHANTZ, read in his place and presented to the Chair Senate Bill No. 80, entitled:

An Act to repeal the act approved the fifth day of March, one thousand, nine hundred and six, (P. L. 63), entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," and the amendments and supplements thereto.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 81, entitled:

An Act to amend sections two, three, four and six of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, (P. L. 1043), entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences; fixing the compensation of assessors and registry assessors for making said registration and enrollment; and prescribing penalties for false registration or enrollment, and for voters voting or attempting to vote, and for the election officers wilfully permitting or conspiring to permit them to vote, at a primary, by or on any other than their own party ticket;" providing for the enrollment of electors in cities of the third class by assessors and registry assessors.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 82, entitled:

An Act providing for the detachment of territory from a city or borough divided by a county line and its annexation to a city or borough situate in the same county as the detached territory.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 83, entitled:

An Act grading coal, and making it unlawful to misrepresent the grade of coal sold or offered or advertised for sale.

Which was committed to the Committee on Mines and Mining.

Also read in his place and presented to the Chair Senate Bill No. 84, entitled:

An Act relating to the acquisition of land for park purpose by any city in this Commonwealth in sections not entirely built up limiting time for condemnation by councils, or condemnation or purchase by Park Commissioners after same has been placed on city plan for park purposes by ordinance of councils or action of park commissioners and providing for removal from city plan upon failure to condemn or purchase within time specified herein.

Which was committed to the Committee on Municipal Affairs.

Mr. MacDADE read in his place and presented to the Chair Senate Bill No. 85, entitled:

An Act authorizing cities of the third class to regulate the location of businesses trades and industries, the location, size and use of buildings and the areas of yards, courts and open spaces.

Which was committed to the Committee on Municipal Affairs.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 86, entitled:

An Act to further amend the fifth section of an act, entitled "An act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof," approved May 19th, A. D. 1874," (Pamphlet Laws 206), as amended, by fixing and determining the salaries of the assistant clerk of said court in counties of the first, second, third and fourth classes.

Which was committed to the Committee on Judiciary General.

Mr. McCLINTOCK read in his place and presented to the Chair Senate Bill No. 87, entitled:

An Act making an appropriation to the Roselia Foundling Asylum and Maternity Hospital of the City of Pittsburgh.

Which was committed to the Committee on Appropriations.

Mr. SMITH, read in his place and presented to the Chair Senate Bill No. 88, entitled:

An Act to repeal an act approved the thirtieth day of March, one thousand nine hundred and twenty-one, (P. L. 67), entitled "An act authorizing the State Treasurer to appoint a Deputy State Treasurer and Commissioner of Trusts; defining his powers and duties; providing for the care, custody, safe-keeping, and recording of stocks, bonds, mortgages, securities, and indemnity bonds, held in trust or otherwise, or owned by the Commonwealth or by any of the departments, bureaus, divisions, commissions, or agencies thereof; and fixing his salary."

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 89, entitled:

An Act authorizing the State Treasurer to procure, at the cost of the Commonwealth, bonds for State officers and employees.

Which was committed to the Committee on Judiciary General.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 90, entitled:

An Act to provide for the payment of moneys by the Commonwealth to counties and townships, the tax funds of which are diminished by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions.

Which was committed to the Committee on Judiciary General.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 91, entitled:

An Act defining and providing for the regulation, supervision and licensing of resident and non-resident real estate brokers and real estate salesmen.

Which was committed to the Committee on Judiciary Special.

Mr. EYRE read in his place and presented to the Chair Senate Bill No. 92, entitled:

An Act making an appropriation to the Paoli Memorial Association for improvements to and maintenance of the Paoli Parade Grounds.

Which was committed to the Committee on Appropriations.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 93, entitled:

An Act making an appropriation to the Frederick Douglass Memorial Hospital and Training School of Philadelphia, Pennsyvlania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 94, entitled:

An Act making an appropriation to the Home for the Homeless, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 66, as follows:

An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the sum of three thousand and fifteen dollars and thirty-three cents ($3,015.33) is hereby specifically appropriated to the committee authorized by resolution of the Senate and House of Representatives of the Commonwealth for the payment of the bills contracted by and the expenses of said commission. Payment from said appropriation shall be made by warrant of the Auditor General on the State Treasurer in the usual manner.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT OF THE WESTERN SAVINGS FUND SOCIETY.

The Chair cleared his table and laid before the Senate the 76th Annual report of the Western Saving Fund Society.

(For report see Appendix.)

NOMINATIONS BY THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows:

JUSTICE-OF-THE-PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 29, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Harry H. Killmer of Stouchsburg, Pa., to be Justice of the Peace in and for the Township of Marion, Berks County, vice Ralph E. Schoener, resigned, to served until the first Monday in January, 1924.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 29, 1923,

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ADAMS COUNTY.

G. M. Neely, Fairfield, February 10, 1923.

ALLEGHENY COUNTY.

Samuel Abernathey, Pittsburgh, February 10, 1923.
Miss Harriet M. Cole, Pittsburgh, February 4, 1923.
R. A. Coleman, Pittsburgh, February 10, 1923.
Miss Rose C. Connors, Pittsburgh, February 10, 1923.
W. B. Copeland, Pittsburgh, February 10, 1923.
Miss Alice E. Duff, Pittsburgh, February 10, 1923.
Miss Myrtle B. Fairman, Pittsburgh, February 4, 1923.
Thos. E. Finley, Pittsburgh, February 10, 1923.
Chas. A. Heckman, Pittsburgh, February 3, 1923.
J. F. Hinnebusch, Pittsburgh, February 8, 1923.
J. Warren Hunter, Pittsburgh, February 20, 1923.
William Johnson, Pittsburgh, February 10, 1923.
A. H. Kaufman, Pittsburgh, February 3, 1923.
George P. Kells, Pittsburgh, February 3, 1923.
Otto Ronstanzer, Pittsburgh, February 8, 1923.
Charles J. Koughan, McKeesport, February 3, 1923.
Philip Lippert, Pittsburgh, February 3, 1923.
Frank F. Lyon, Pittsburgh, February 3, 1923.
C. R. MacCann, Pittsburgh, February 10, 1923.
A. N. Marvin, Tarentum, February 3, 1923.
Miss M. McFarland, Pittsburgh, February 10, 1923.
Frank Y. Over, Pittsburgh, February 3, 1923.
Thomas C. Pitcairn, Pittsburgh, February 7, 1923.
Miss Mildred Rankin, Pittsburgh, February 3, 1923.
Andrew R. Seibert, McKees Rocks, January 27, 1923.
Charles David Siegle, Pittsburgh, February 10, 1923.

BEAVER COUNTY.

William S. Anderson, Beaver, February 10, 1923.

BEDFORD COUNTY.

John N. Minnich, Bedford, February 3, 1923.
Chas. R. Rhodes, Hyndman, February 3, 1923.

BERKS COUNTY.

Tobias Enoblauch, Reading, February 3, 1923.

BLAIR COUNTY.

John R. Bassler, Roaring Spring, January 7, 1923.

BUCKS COUNTY.

William H. Satterthwaite, Doylestown, February 2, 1923.

BUTLER COUNTY.

Philip Callihan, Millerstown, February 5, 1923.
John E. Kocher, Zelienople, February 3, 1923.

BRADFORD COUNTY.

F. W. Hovey, Troy, February 3, 1923.

CAMBRIA COUNTY.

J. Fred Blankenhorn, Patton, February 8, 1923.
J. Earl Ogle, Johnstown, February 8, 1923.

CHESTER COUNTY.

Arthur P. Reid, West Chester, February 3, 1923.
Albert E. Townsend, Oxford, February 3, 1923.

CLARION COUNTY.

F. C. McEwen, Sligo, February 3, 1923.

CLEARFIELD COUNTY.

Harry E. Beyer, DuBois, January 20, 1923.

CLINTON COUNTY.

Howard F. Candor, Lock Haven, January 27, 1923.
Joseph F. Reilley, Renovo, February 10, 1923.
F. R. Stout, Woolrich, February 21, 1923.

CRAWFORD COUNTY.

A. M. Fenner, Linesville, February 3, 1923.
Miss Jennie E. Elino, Cambridge Springs, February 10, 1923.

CUMBERLAND COUNTY.

John L. Shelley, Mechanicsburg, February 8, 1923.

DAUPHIN COUNTY.

Miss C. Mabelle Dobbs, Harrisburg, February 10, 1923.
John H. Holsberger, Harrisburg, February 10, 1923.
Josiah W. Kline, Harrisburg, February 3, 1923.
Paul A. Kunkel, Harrisburg, February 3, 1923.
Raymond G. Stover, Harrisburg, February 3, 1923.

DELAWARE COUNTY.

Miss Nellie M. Finegan, Chester, February 3, 1923.
Geo. B. Harvey, Chester, February 10, 1923.
Henry W. Jones, Chester, February 10, 1923.
Samuel Lyons, Chester, February 3, 1923.
Charles W. McGhee, Ridley Park, January 7, 1923.
Edwin W. Page, Upper Darby, February 10, 1923.
Charles Palmer, Chester, February 3, 1923.

ELK COUNTY.

Carl A. Fay, Ridgway, February 3, 1923.

ERIE COUNTY.

Frank T. Jackson, Erie, February 3, 1923.

FAYETTE COUNTY.

Miss Martha L. Alter, Uniontown, February 5, 1923.
Mrs. Antoinette B. Hempstead, New Salem, February 3, 1923.
Charles L. Lewellyn, Uniontown, February 8, 1923.
S. J. Weinberg, Republic, February 10, 1923.
Wm. S. Yard, Connellsville, February 4, 1923.

LACKAWANNA COUNTY.

George Chylak, Olyphant, February 3, 1923.
Edgar A. Jones, Scranton, February 3, 1923.
Irwin F. Price, Moosic, February 10, 1923.
P. Silas Walter, Scranton, February 4, 1923.

LANCASTER COUNTY.

Owen P. Bricker, Lancaster, February 4, 1923.
Harry C, Knodt, Lancaster, February, 10, 1923.
Harold G. Ripple, Lancaster, February 3, 1923.

LAWRENCE COUNTY.

J. Clyde Gilfillan, New Castle, February 3, 1923.
A. Martin Graham, New Castle, February 3, 1923.
Michael A. Ruscille, Ellwood City, February 10, 1923.

LEBANON COUNTY.

Elias E. Risser, Palmyra, February 10, 1923.

LEHIGH COUNTY.

Milton E. Gehringer, Emaus, February 4, 1923.
V. Z. Kohler, Allentown, Febuary 10, 1923.

LUZERNE COUNTY.

Luigi A. Bortone, Pittston, February 3, 1923.
W. C. Carrozza, Pittston, February 3, 1923.
A. P. Conniff, Parsons, February 4, 1923.
John S. Lloyd, Wilkes-Barre, February 3, 1923.
John Nowak, Jr., Pittston, February 3, 1923.
John R. Reap, Avoca, February 3, 1923.
Miss Gertrude C. Schwab, Ashley, February 6, 1923.

LYCOMING COUNTY.

E. W. Cole, Williamsport, February 6, 1923.

McKEAN COUNTY.

Miss Minnie Crisman, Derrick City, February 10, 1923.

MERCER COUNTY.

Eugene E. Anderson, Sharon, February 1, 1923.
O. B. Lyons, Greenville, February 3, 1923.

MIFFLIN COUNTY.

Harvey C. Burkett, Lewistown, February 3, 1923.

MONTGOMERY COUNTY.

George H. Baer, Pottstown, February 7, 1923.
Charles F. Cloud, Norristown, February 4, 1923.
Aaron S. Swartz, Jr., Norristown, February 3, 1923.
Michael Torhan, Mont Clare, February 10, 1923.

NORTHAMPTON COUNTY.

Bartolo Ficone, Easton, February 5, 1923.
A. J. Welker, Hellertown, February 3, 1923.

PHILADELPHIA COUNTY.

Harry Berman, Philadelphia, February 10, 1923.
Morris B. Campel, Philadelphia, February 10, 1923.
Abel K. Cassel, Philadelphia, February 10, 1923.
Daniel J. Connelly, Philadelphia, February 5, 1923.
Herbert Cramp, Philadelphia, February 10, 1923.
Benjamin Daniels, Philadelphia, February 3, 1923.
John Deisher, Philadelphia, February 10, 1923.
Louis de Pui Vail, Philadelphia, February 3, 1923.
Vincent Domanski, Jr., Philadelphia, February 8, 1923.
Philip Donohoe, Philadelphia, February, 3, 1923.
Allen S. Dunn, Upper Darby, February 10, 1923.
J. Henry Erbee, Philadelphia, February 4, 1923.
D. Anthony Fasconda, Jr., Philadelphia, February 7, 1923.
Joseph J. Fay, Philadelphia, February 7, 1923.
Henry H. Funk, Philadelphia, February 10, 1923.
Howard S. Goodman, Philadelphia, February 5, 1923.
William A. Gretzinger, Philadelphia, February 10, 1923.
Charles Salpern, Philadelphia, February 10, 1923.
Howard W. Hanson, Philadelphia, January 21, 1923.
Miss Rae G. Jones, Philadelphia, February 4, 1923.
Abraham A. Kaurene, Philadelphia, February 10, 1923.
Ruckman Lee, Philadelphia, February 8, 1923.
Charles R. Lucey, Philadelphia, February 10, 1923.
Frank H. Massey, Philadelphia, February 3, 1923.
Michael J. McBride, Philadelphia, February 10, 1923.
Miss May A. Mindnich, Philadelphia, February 3, 1923.
Emmet M. J. Reardon, Philadelphia, February 4, 1923.
M. Rock, Jr., Philadelphia, February 10, 1923.
George T. Schieder, Philadelphia, February 10, 1923.
John J. Sharkey, Philadelphia, February 7, 1923.
Daniel E. Shisler, Philadelphia, January 21, 1923.
Harry E. Smith, Philadelphia, February 6, 1923.
Louis J. Suess, Philadelphia, February 10, 1923.
Francis J. A. Tobey, Philadelphia, February 3, 1923.
Jacob Turnoff, Philadelphia, February 10, 1923.
Horace G. VanCourt, Philadelphia, February 3, 1923.
Wm. H. Voehl, Philadelphia, February 10, 1923.
W. Nelson L. West, Philadelphia, February 3, 1923.
Alfred H. Williams, Philadelphia, February 3, 1923.
John J. Woods, Jr., Philadelphia, February 10, 1923.

POTTER COUNTY.

Arthur B. Mann, Coudersport, February 8, 1923.

SCHUYLKILL COUNTY.

James H. Kirchner, Mahanoy City, February 5, 1923.
William H. Newell Pottsville, February 6, 1923.
B. F. Stuck, Tremont, February 10, 1923.

SNYDER COUNTY.

Charles G. Hendricks, Selinsgrove, February 3, 1923.

VENANGO COUNTY.

Haldean E. Gates, Oil City, January 25, 1923.
Edw'd J. McAlevy, Oil City, February 3, 1923.
Louis J. Roess, Oil City, January 19, 1923.

WASHINGTON COUNTY.

Frank Riva, Charleroi, February 10, 1923.

WAYNE COUNTY.

N. C. Farnham, Honesdale, February 10, 1923.

WESTMORELAND COUNTY.

C. A. Grable, Export, February 3, 1923.
S. H. Grimes, Jeannette, February 3, 1923.
G. H. McWherter, Greensburg, February 10, 1923.
Jack D. Milie, Vandergrift, February 10, 1923.

GIFFORD PINCHOT.

Commnowealth of Pennsylvania,
Executive Chamber, Harrisburg, January 29, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Mrs. Edith D. Amos, Pittsburgh.
Lewis E. Lord, Pittsburgh.
Domenico F. Panetta, McKeesport.
G. D. Schrum, Pittsburgh.
William E. Soles, McKeesport.
J. Clark Stewart, Pittsburgh.

CUMBERLAND COUNTY.

Miss M. E. Coover, Mechanicsburg.
D. N. Powell, Shippensburg.

BEAVER COUNTY.

Howard A. Simpson, Woodlawn.

CAMBRIA COUNTY.

Miss Anna M. Kirchner, Johnstown.
Owen T. Sharkey, Johnstown.
Roman C. Widmann, Johnstown.

CARBON COUNTY.

Elwood J. Rees, Lansford.

DELAWARE COUNTY.

Thomas H. Dennis, Essington.

ELK COUNTY.

Nicholas J. Campbell, St. Marys.
Bernard L. Keenen, Johnsonburg.

ERIE COUNTY.

G. B. Foster, Erie.

FAYETTE COUNTY.

Lawrence F. Beane, Brownsville.
Edgar M. Patterson, Uniontown.
J. H. Smiley, Uniontown.

LACKAWANNA COUNTY.

Miss Ann Lavello, Scranton.

LEHIGH COUNTY.

James F. Brown, Allentown.
Sigmund Spreng, Allentown.

LUZERNE COUNTY.

John P. Dailey, Pittston.

MONTGOMERY COUNTY.

Miss Mildred D. Farrow, Bryn Mawr.
Miss Mary S. Mall, Bryn Mawr.
Miss Mary A. Hammond, Conshohocken.

PHILADELPHIA COUNTY.

Miss Margaret Bates, Philadelphia.
Leopold W. Becker, Philadelphia.
George W. Boyer, Philadelphia.
Miss Mary A. Cunningham, Philadelphia.
James M. Davison, Philadelphia.
Alex J. Lepowitz, Philadelphia.
A. Gordon McConnell, Philadelphia.
Charles B. Milligan, Philadelphia.
Miss Edna G. Young, Philadelphia.

SCHUYLKILL COUNTY.

Luigi Fanelli, Pottsville.

WASHINGTON COUNTY.

T. W. Armstrong, Claysville.
Miss Mary M. Blayney, Claysville.

WESTMORELAND COUNTY.

Elmer Henderson, Trafford.
J. E. Kunkle, Jr., Greensburg.
Logan K. Wigle, Irwin.

YORK COUNTY.

Miss Margie E. Julius, York.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Derrick,	Kutz,	Salus,
Baldwin,	DeWitt,	Lanius,	Schantz,
Barr,	Einstein,	Long,	Sisson,
Betts,	Eyre,	MacDade,	Smith,
Brown,	Harris,	Mansfield,	Snyder,
Buckman,	Heaton,	McClintock,	Sones,
Christley,	Homsher,	McNichol,	Sprowls,
Clark,	Huffman,	Miller,	Steele,
Craig,	Jones,	Norton,	Stineman,
Culbertson,	Joyce,	Patton,	Stites,
Daix,	Krause,	Quigley,	Weaver,
Davis,			

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

APPOINTMENTS BY THE CHIEF CLERK.

The PRESIDENT. The Chief Clerk announces the following appointments:

LEGISLATIVE JOURNAL.

COMPILING CLERK.

Amos Ellis, 1613 North Thirty-third Street, Philadelphia.

EXPERT TYPEWRITERS.

Edward H. Smith, Annville, Lebanon County.
Katherine Irene McCalley, 213 Forster Street, Harrisburg, Dauphin County.
Pauline A. Stype, 1931 North Sixth Street, Harrisburg, Dauphin County.

STENOGRAPHERS.

Mary E. Moore, Middletown, Dauphin County.
Mary M. Lewis, 1811 Whitehall Street, Harrisburg, Dauphin County.

COMMITTEE ASSIGNMENTS.

The PRESIDENT. On behalf of the President Pro Tempore, the Chair announces that the Senator from Washington, Mr. Sprowls, has been appointed on the following Committees: Agriculture, Congressional Apportionment, Exposition Affairs, Forestry, Game and Fisheries, Library, Mines and Mining, Pensions and Gratuities, Public Grounds and Buildings, Public Supply of Light, Heat and Water.

ADJOURNMENT.

Mr. SALUS. Mr. President, I move that the Senate do now adjourn until eleven o'clock to-morrow morning.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 9:36 o'clock P. M. until Tuesday morning January 24, 1923, at eleven o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 29, 1923.

The House met at 9 o'clock P. M.

The SPEAKER (C. J. GOODNOUGH) in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Oh Thou that sitteth upon the throne on high and lifted up, whose strains filleth the temple, and Thy presence that filleth the whole earth, help us to realize that even here Thou art present. We pray that Thou wouldst save us from the loss of the sense of sacred things; forbid that the hour should ever strike in our life's history when we should lose our sense of reverence in Thy presence. Grant Almighty and Eternal God, vouchsafe to the members of this Assembly, the Speaker and all the subordinate officers thereof that wisdom and knowledge that will enable them to discharge their obligations with which they are here charged. May the blessings of the Triune God rest upon the Governor of this Commonwealth and his advisors, and may what is done here, through the cooperative efforts of these representatives of this great people redownd to Thy name's honor and glory, great, lasting and permanent good to those whom they represent. We ask all in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Tuesday, January 23, 1923.

The Clerk proceeded to read the Journal of the proceedings of Tuesday, January 23, 1923, when, upon the motion of Mr.RHODES, the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. OGLE. HOUSE BILL No. 74.

An Act limiting and regulating the duration of liens of mortgages.

Referred to Committee on Judiciary Special.

By Miss GRIMES. HOUSE BILL No. 75.

An Act to further amend section five of an act entitled "An act to establish a county court for the county of Alle-

gheny and prescribing its powers and duties, regulating the procedure therein and providing for the expenses thereof", approved the fifth day of May, one thousand nine hundred and eleven as amended by an act entitled "An act amending section five of an act entitled 'An act to establish a county court for the county of Allegheny and prescribing its powers and duties, regulating the procedure therein and providing for the expenses thereof', approved the fifth day of May, Anno Domini, one thousand nine hundred and eleven, by changing the manner of appointment and of determining the number, duties and compensation of clerks and other assistants", approved the fourteenth day of May, one thousand nine hundred and fifteen, by changing the manner of fixing the compensation of clerks and other assistants, directing same to be fixed by the salary board of which the president-judge of said court shall constitute a member when such salaries are fixed.

Referred to Committee on Municipal Corporations.

By Mr. LUDLOW. HOUSE BILL No. 76.

An Act to amend Sections 5 and 10 of the Act approved the 19th day of April, A. D. 1901, entitled "An act relating to replevin, and regulating the practice in cases where the writ of replevin is issued."

Referred to Committee on Judiciary General.

RESIGNATION OF CUSTODIAN OF COMMITTEE ROOM.

The SPEAKER. The Chair lays before the House the resignation of the custodian of the Committee Room, which the Clerk will read.

The Clerk read the resignation as follows:

Philadelphia, Pa., January 27, 1923.

Hon. C. J. Goodnough,
Speaker of House of Representatives,
Harrisburg, Pa.

Dear Sir: I herewith tender my resignation as a custodian of Committee Room during the present Legislature Session. While I appreciate my election to that position, yet I regret to have embarrassed those who befriended me.

Yours very truly,
JAMES ARPINO.

The SPEAKER. The resignation will be spread upon the Journal.

ELECTION OF CUSTODIAN OF COMMITTEE ROOM.

Mr. McCAIG. Mr Speaker, I move you that Mr. Frank Pessano, of 817 South 7th Street, Philadelphia, Pa., be declared elected by this House as Custodian of a Committee Room for the Session of 1923, vice James Arpino, resigned.

Mr. BALDI. Mr. Speaker, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. SARIG. Mr Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SARIG. Mr. Speaker, ladies and gentlemen of the House: Ever since this House has been organized, on the second day of January, there has been considerable criticism in the public press of this State in regard to the seating arrangement, and some of this criticism has reflected on me personally, as a member of this body; some of it has reflected on the minority as a delegation, some more of it has reflected on the majority party on account of this seating arrangement. I, therefore, deem it my duty as a member of this House to bring this matter before this body at this time. I feel that we have done everything that we can possibly do to have this wrong righted. I know that in past sessions it has always been the custom to place the minority party on the left hand side, and in fact in every state in the Union, so far as I am able to learn the minority party has one side and the majority party the other side. Where there are more than two parties they are divided into the right, left and center, and I think, so far as I know every legislative body in the world, even in Germany in the days of the Hohenzollern, and in Russia in the days of the Romanoffs, this practice has been preserved, and I know of no legislative body in this country or in the world anywhere that has ever gone so far as to make one the party of the back and the party of the front. I have never in all my study, in all my reading, and legislative experience, heard of a legislative body that has taken the minority and stationed it along the back rail. In other words, I feel that this seriously reflects on us as a party and as a delegation as a whole, and upon us as individual members. Now we have tried everything possible within the last three or four weeks to have this wrong corrected. From time to time members of the majority have expressed themselves as disapproving it, and I believe that a great many members of the majority in their own hearts believe it is a great wrong and reflection, not only upon me personally, but upon the rest of the members of the minority party. Now I feel that this House is the court of last resort and has jurisdiction over its own procedure. I, therefore, feel that inasmuch as I am convinced that a great many of the members of the majority party,—because I know a great many of them, I know that there are many men in this House who have always stood for what is right,—and I believe that the great majority of the members on the majority side, feel that this is a wrong, and that this wrong should be corrected in some way or other. I am not here to night to slam any mud, or anything of that sort, but I simply come to you with an honest appeal that this House take some action. My appeal is to the leaders of the majority party, whatever that action may be, whatever they may decide to do. I feel that this wrong should be righted, and I feel that this reflection should be taken from me as a member of this House; it should be taken from the rest of the minority members who have been thus placed.

As I said a moment ago there is no precedent for it anywhere in any legislative body in the world. Nowhere, not even in Russia, Germany or Austria, or any of the monarchial countries has any political party gone so far as to crowd the minority back on the rail. We are perfectly willing to take the rear seats which belong to us on our side. I for one am willing to start at the back end. I am willing to be as fair as any and yet the majority have the other side, but this arrangement, I feel is an insult not only to me as a member and to the rest of the minority members, but it is an insult to a great party. Under this American scheme of government we must have two parties, we may have more, but we must have at least two in order that we may operate properly, and knowing a great many of the members as I do in past sessions, who have always treated us courteously and who have shown us a square deal, I feel that this matter should be brought squarely before this House, and that some action should be taken. That action rests with the majority party. I feel sure that it is not only a reflection upon the members of the minority party, but it reflects on the majority as well. I cannot believe that you as members of the majority party want to write this 1923 Legislature down as being the most partisan, the most petty partisan Legislative body that Pennsylvania has ever had, or the most partisan, and the most pettily partisan legislative body that

any great country in the world has ever had. These are matters for you to think about, and I simply bring this matter up, knowing that we have no recourse; I know that we are a weak minority; I know that we have less than one fourth of the membership, and I know and feel that we cannot get this righted unless the members of the majority party themselves decide to right it. I feel furthermore that it is more of a reflection upon the majority members than it is upon the minority members, because it writes down the majority as being narrowly and pettily partisan, and that is more than I would like to say against the great majority of you. I feel, as I said, that the great majority of the members have been fair, even our Governor on inaugural day in stentorial tones, only three hundred feet away from here declared openly before the people of Pennsylvania and the people of the world that he stood for a Roosevelt square deal, that a new day was coming, a new order was coming in the political life of Pennsylvania. Our Speaker likewise, on the day of organization in his address strongly emphasized the fact that he stood for a square deal, that he stood for what was fair and right to all the members of this body, and with that in view I leave my appeal with you as members of this body, feeling that you will in some way or other get down to business and right the wrong that has been committed. I don't doubt for a moment that down in your hearts the great majority of you feel that a great wrong has been committed against us, and that a great and unjust reflection has been cast upon us. The press has taken it up, the people back home and all over the State have taken it up; the people down in my district are asking me every day, "What is the matter that you as a fourth term member are sitting back there against the brass rail." So far as I am personally concerned that does not matter a great deal, I am satisfied to be where I am. I want to be with the minority delegation, and even if you crowd us outside of the rail I will still be with them. So fas as I am personally concerned where the minority is, wherever that may be, I am perfectly willing to be. I feel that this is something that you majority members cannot afford to let go, and I canot believe that you will write this Legislature down as being the most partisan body that has ever sat in Pennsylvania, or that has ever sat in this country, or even in any great civilized country in the world.

I simply bring this up before you to hear the expression of the majority members, to hear how they feel about it, to hear what the sentiment is. I feel that it should crystalize in some action of some kind so that the wrong that has been done to the minority party, the reflection that has been cast upon it, may be removed and the stain taken from this body as a body of intelligent legislators.

The SPEAKER. The remarks of the gentleman, under his question of personal privilege, will be noted in the Legislative Journal.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER. The Chair desires to say that seventy-five or eighty bills have been referred to at least fifteen committees. The length of this Session depends in a measure, at least, upon the action of the committees in reporting their bills. We therefore specifically ask the committees that they meet and consider the bills and report such bills as in their judgment are expedient.

LEAVES OF ABSENCE.

Mr. HAWS asked and obtained leave of absence for Mr. Lucas on account of illness.

Mr. IRVIN asked and obtained leave of absence for Mr. Hollis.

Mr. LUDLOW asked and obtained leave of absence for Mr. Storb on account of illness.

Mr. ASTON asked and obtained leave of absence for Mr. Gibbon.

Mr. BROWN asked and obtained leave of absence for Mr. Norman Wood on account of illness.

The SPEAKER asked and obtained leave of absence for Mr. Eshelman on account of illness.

RESOLUTION.

RELATIVE TO SEATING OF DEMOCRATIC MEMBERS.

Mr. RHODES offered the following resolution, which was twice read and laid over under the rules:

Whereas, the Democratic members of the House of Representatives have been divided and placed in different sections thereof, and

Whereas, it is contrary to every known legislative practice to separate a political body in such a manner, and

Whereas, it is the practice in every legislative body in the United States and so far as can be learned the practice of every legislative body in the world to place a political bloc in a body either as a right or left wing or centre, or otherwise, where said legislators are in a compact group, and

Whereas, it has been the legislative practice of this House to place the minority party on the left side thereof in a compact body, extending from the front to the rear.

Be it resolved, That the Democratic members of the House of Representatives this twenty-ninth day of January, 1923, do hereby protest the present seating arrangements in the House, for the session of 1923, and demand that they be reseated in the House to confirm with correct legislative practices and in conformity with the common usage in the House; and that the resident clerk be directed and instructed by the House to reseat the Democratic members on the left side of the House from the front to the rear in a compact body in conformity with the usual practices in legislative bodies and in conformity with the practice of the House in previous sessions.

CONCURRENT RESOLUTION.

RECOMMENDING MODERN MAIL TUBE SYSTEM

Mr. BLUETT offered the following resolution, which was twice read and laid over under the rules:

Whereas, The sentiment of Philadelphia, like that of the other cities of the Country where the modern mail tube system has been tested, is emphatically in favor of it, as indicated by the press and by public expression, by the great business organizations, by City Councils and by the public generally; therefore, be it

Resolved, (if the Senate concur), That this Legislature associates itself with the public's progressive demand for the use and extension of such service as a necessity of the post office and a relief to the congestion of the already overcrowded thoroughfares of our larger cities; and be it further

Resolved, That the Secretary of the Commonwealth be requested to forward a copy of this resolution to the Vice-President of the United States and the Speaker of the Federal House of Representatives for presentation to Congress.

APPOINTMENT OF MEMBERS OF BOARD OF TRUSTEES OF THE PENNSYLVANIA SOLDIERS AND SAILORS HOME AT ERIE, PENNSYLVANIA.

The SPEAKER. The Chair has the following appointments to make which will be read by the Clerk.

In compliance with the provisions of Section 7 of the Act of 1885, P. L. 63 and 64, the Speaker appoints the gentleman from Allegheny, Mr. W. J. McCaig and the gentleman from Fayette, Mr. Jos. K. Bush, to serve during the ensuing term as members of the Board of Trustees of the Pennsylvania Soldiers and Sailors Home at Erie, Pennsylvania.

APPOINTMENT OF MEMBERS OF THE PENNSYLVANIA SOLDIERS ORPHAN SCHOOL COMMISSION.

The SPEAKER. The Chair has the following appointments to make which will be read by the Clerk.

In compliance with the provision of Section 1 of the Act of 1889, P. L. 379, the Speaker appoints the gentleman from Northumberland, Mr. Van Alen, the gentleman from Blair, Mr. Zook and the gentleman from Wyoming, Mr. Stark to serve during the ensuing term as members of the Pennsylvania Soldiers' Orphan School Commission.

REQUESTING OPINION OF ATTORNEY GENERAL ON CONSTITUTIONALITY OF APPROPRIATIONS TO INSTITUTIONS.

Mr. LUDLOW offered a resolution which was twice read as follows:

Resolved: That the Attorney General be requested to furnish to the House at his early convenience, his opinion as to the constitutionality of the proposed appropriation to institutions receiving State aid through classification of the beneficiaries.

On the question,
Will the House adopt the resolution?

Mr. LUDLOW. Mr. Speaker, I rise in support of the proposed resolution to say that on last Tuesday the Governor presented to the House a proposed budget as his recommendation as the executive of the State. Among other recommendations was one for appropriations to institutions which heretofore have received appropriations by individual or single bills covering the state aid allocated to that institution. The report of the Volunteer Committee which has reported to the Governor, upon the basis of which he has made his recommendation, is to the effect that it would be far better were the state aid allowed to the beneficiaries receiving it, by classification. That is to say, for illustration, the child aid institutions should have appropriated to them so much money in bulk, to be appropriated in such way and under such laws as the General Assembly should adopt or should approve. In the same way appropriations should be made to hospitals, appropriations as a group to adults needing them, and so on.

There has been much in the public print lately about the effect politically of these requests for appropriations upon the members of this General Assembly, and it seems to me the time is ripe right now, on this first evening following the submission by the Governor of his message to us, that we should ask the head of that department, the Attorney General, his advisor, and the advisor of the state, and therefore in this matter our advisor, as to the constitutionality of this proposition. If you will recall, sir, when the constitutional commission met in this chamber a few years ago, they proposed an alternative clause to Article III, to the appropriate section 13 of the constitution, in which in the new, or proposed constitution, they submitted a plan in lieu of the present one very similar to that which the Governor recommended to us upon last Tuesday. Consequently we should be advised now as to whether this is the correct thing, the correct method of procedure. Under our legislative practice such a resolution now may be passed upon after second reading, so that the Attorney General can report at his earliest convenience.

I just want to say a sentence or two in conclusion on the resolution. First, if we would have a little more charity in our politics and a great deal less politics in our charity we could approach this situation much more expediently. We need the advise of the Attorney General so that, if he should decide that the method of covering the appropriations,—which I understand our brother Chairman of the Appropriation Committee has embodied in the bills filed this evening and we will find if this classification is adopted,—it is wrong, and the Attorney General says it is wrong, let us see what method we should apply. If that plan in its substance is right, if it is substantially right, and the Attorney General says it is constitutional, we may desire to go ahead at once; if he says it is unconstitutional we should know now at this early stage of the session. It is for that reason, and for that reason only, and I am in entire sympathy with the report made by Mr. Prey embodied in volume three of the little booklets given out to us last week—that I press for action on the resolution.

I call your attention,sir, and the attention of the members of the House to the remark that was made, and attention that was called by our Supreme Court in the case of Collins vs. Kephart, in 201 Pennsylvania Supreme Court reports where the Supreme Court by the Chief Justice used these words, "When simple words are used in the constitution they must be read according to their plain, generally understood or popular meaning." It seems to me the course is clear. The Attorney General, we learn unofficially, believes these bills are constitutional, these proposed bills. If so under this resolution we would be getting the benefit of his professional advise. He is our advisor. I therefore ask for favorable action upon the resolution.

Mr. GOLDER. Mr Speaker, without having of course, any knowledge as to what reply may be made by the Attorney General, I suppose that it is understood by all of us that this House is not bound by an opinion which might come from the Attorney General, and with that in mind I, of course, will vote for this resolution.

On the question recurring,
Will the House adopt the resolution?
It was adopted.

The SPEAKER. The Chief Clerk will certify the resolution to the Attorney General.

BILL ON FIRST READING.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 15, entitled

An Act providing the method in which amendatory legislation shall be printed in the session laws; and for the interpretation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED.

The SPEAKER. The Chair asks unanimous consent to refer bills at this time that were introduced this evening. Are there any objections? The Chair hears none and the following bills will be referred.

By Mr. HARER. HOUSE BILL No. 80.

An Act making an appropriation to the board of trustees of the Philadelphia Museums.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 81.

An Act to provide for the ordinary expenses of the executives, judicial and legislative departments of the Commonwealth, interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-three.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 82.

A Supplement to an act entitled, "An act to provide for the ordinary expenses of the Executive, Judicial, and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and twenty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and twenty-one," as approved the twenty seventh day of May, Anno Domini one thousand nine hundred and twenty-one, providing for deficiencies in certain appropriations made to the Executive, Judicial, and Legislative Departments by the act to which this is a supplement, and for other minor expenses incurred or to be incurred to May thirty-first, one thousand nine hundred and twenty-three, by certain of the Executive, Judicial and Legislative Departments, not provided for by said act.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 83.

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for two years from June first, one thousand nine hundred and twenty-three.

Referred to Committee on Appropriation.

By Mr. HARER. HOUSE BILL No. 84.

An Act making an appropriation to the Washington Crossing Park Commission for the purpose of the acquisition of land and property and the making of improvements in accordance with the provisions of the act of July twenty-fifth, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand two hundred and nine), entitled "An act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington Crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument, and making an appropriation for the purposes of this act.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 85.

An Act making an appropriation to the Pennsylvania State Park and Harbor Commission of Erie.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 86.

An Act making an appropriation to the several fire companies of the city of Harrisburg.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 87.

An Act making a deficiency appropriation to carry into effect the provisions of an act, approved the twenty-fifth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand one hundred and ninety-five), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations, and regulating the payment thereof."

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 88.

A further supplement to an act, approved the eighteenth day of July, one thousand nine hundred and nineteen, entitled "An act authorizing the appointment of a commission to supervise the revising, amending, consolidating, and simplifying of the laws relating to the assessment, levy, and collection of taxes for all purposes; prescribing the power and duty of such commission; imposing certain duties on the Legislative Reference Bureau; and making an appropriation": continuing the commission appointed under the provisions of said act for a further period of two years and making an appropriation.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 89.

An Act making an appropriation to the Board of Commossioners of Navigation for the River Delaware and its navigable tributaries for the maintenance of a nautical school, to be located at the port of Philadelphia, for two years from June first, one thousand nine hundred and twenty-three.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 90.

A further supplement to an act, approved the first day of April, one thousand eight hundred and sixty-three (Pamphlet Laws, two hundred and thirteen, entitled "An act to accept the grant of public lands by the United States to the several States for the endowment of agricultural colleges", and making an appropriation for carrying the same into effect.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 91.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of, and purchase of equipment for, the university and for the maintenance of teaching facilities in hospitals for students in the school of medicine.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 92.

An Act Making an appropriation to the trustees of Temple University, at Philadelphia, Pa.

Referred to Committee on Appropriations.

By Mr. HARER. House Bill No. 93.

An Act making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties."

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 94.

An Act making an appropriation to the Department of Public Welfare for the education and maintenance of feebleminded children, residents of Pennsylvania, in the Pennsylvania Training School for Feeble-Minded Children at Elwyn, Delaware County.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 95.

An Act making an appropriation to the Department of Public Welfare for the education, correction and maintenance of children, residents of Pennsylvania, in the Glen Mills School, Glen Mills, Delaware County.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL NO. 96.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 97.

An Act making an appropriation to Washington and Jefferson College, Washington, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 98.

An Act making an appropriation to the Department of Public Welfare for the care, treatment and removal of indigent insane at the Dixmont Hospital.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 99.

An Act making an appropriation to the Commissioners of Valley Forge Park.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 100.

An Act making an appropriation to the Department of Public Welfare for the education and maintenance of blind children residents of Pennsylvania, at the Pennsylvania Institution for the Instruction of the Blind, Overbrook, and the Western Institution for the Blind, Pittsburgh.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 101.

An Act making an appropriation to the Department of Public Welfare for the education and maintenance of deaf children, residents of Pennsylvania, at the Pennsylvania Institution for the Deaf and Dumb, Mt. Airy, Philadelphia, and the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb, Swissvale Branch, Pittsburgh (Edgewood Park).

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 102.

An Act making an appropriation to the Lake Erie and Ohio River Canal Board of Pennsylvania for the payment of expenses incurred in printing, distributing, or otherwise making available for public use, reports, maps, documents, and records of the board, in securing the cooperation and aid of the Government of the United States and other public authorities, in the construction of the canal or water way authorized to be constructed by the board, for the payment of incidental office expenses, and for the payment of salaries, fees and expenses.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 103.

An Act making an appropriation to the Delaware River Bridge Joint Commission for and toward the construction and erection of the Delaware River Bridge between the City of Philadelphia and the City of Camden, in the State of New Jersey, and for the approaches thereto, and for the acquisition and condemnation of property required in connection therewith, and for the payment of the expenses of said commission.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 104.

An Act making an appropriation to the Department of Public Welfare for the payment of the cost, in whole or in part, of the placement of dependent children through child caring agencies.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 105.

An Act making an appropriation to the Department of Public Welfare for the payment of the cost of caring for dependent adults in certain homes and institutions.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 106.

An Act making an appropriation to the trustees of the University of Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 107.

An Act making an appropriation to the Woman's Medical College of Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 108.

An Act making an appropriation to the trustees of the Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 109.

An Act making an appropriation to the Department of Public Welfare for the payment of the cost of medical and surgical services rendered to and maintenance of indigent persons in certain hospitals.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 110.

An Act making an appropriation to the Department of Public Welfare for the payment of the removal of non-resident, dependent children and the cost of caring for dependent, delinquent and defective children in certain homes and institutions.

Referred to Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 111.

An Act making an appropriation to the Department of Public Welfare for the care, treatment and removal of the indigent insane in certain county, municipal or poor district hospitals for the insane.

Referred to Committee on Appropriations.

ADJOURNMENT.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I move that this House do now adjourn until 11:00 o'clock tomorrow morning.

The motion was agreed to, and (at 9:45 P. M.) the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1923 — 125th of the General Assembly

Vol. 7. HARRISBURG, PA., TUESDAY, JANUARY 30, 1923. No. 7.

SENATE

TUESDAY, JANUARY 30, 1923.

The Senate met at 11 o'clock A. M.

The PRESIDENT Pro Tempore, (Mr. T. L. Eyre) in the Chair.

PRAYER.

The Chaplain, Rev. Edwin S. Ninde, offered the following prayer:

Our Heavenly Father, we thank Thee for all the good things Thou hast given us in life. We are glad we are not clods of earth. We are very thankful we are not mere animals but we are men. Thou hast made us in Thine own image, we are enabled to think Thy thoughts after Thee. We have not been made for a day or a year, but we have in us the power of endless life. We thank Thee that we live in this twentieth century, the most wonderful age that the world has ever known; that our home is here in America, the greatest of all lands, where every door of opportunity is wide open. Grant that we may never forget that from us to whom so much has been given much will be required, and as we go out to our daily task, may we seek to do and to be our very best, our noblest, our truest, our bravest, our manliest, and thus to honor God and to bless our fellowman. Be with the Senate in the morning session, guide and keep us day by day, for Jesus' sake. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. MacDADE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 13, entitled:

An Act enlarging the jurisdiction of the Superior Court of Pennsylvania by providing for appeals to it from certain orders, judgments and sentences of the County Court of Allegheny County, of the Municipal Court of Philadelphia and of all similar courts hereafter created.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 14, entitled:

An Act to amend "An act (approved May 5, 1899, P. L. 248) supplementing and amending an act entitled 'An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice, and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers, and the practice and costs of appeals from its judgments,' approved June 24, 1895, " (P. L. 212).

Mr. BALDWIN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 6, entitled:

An Act to amend section two of the act approved the sixth day of July, one thousand nine hundred and seventeen, (P. L. 734), entitled "An act authorizing the director and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth, together with their solicitor, steward, or superintendent, and such other executive officer as may be designated by said directors and overseers or other officers, to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania, as part of their official duties, and providing for the payment of the expenses thereof."

Mr. DAIX, from the Committee on Judiciary General, reported as committed, Senate Bill No. 7, entitled:

An Act providing a method for excusing women from jury duty.

BILLS INTRODUCED.

Mr. JONES, read in his place and presented to the Chair Senate Bill No. 95, entitled:

An Act for the prevention of fraud and the protection of the public health relating to milk, cream or skimmed milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated, prohibiting the introduction of foreign fats into them, regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof.

Which was committed to the Committee on Public Health and Sanitation.

Mr. DAVIS, read in his place and presented to the Chair Senate Bill No. 96, entitled:

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the Deaf, at Scranton, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. PATTON, read in his place and presented to the Chair Senate Bill No. 97, entitled:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia.

Which was committed to the Committee on Appropriations.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 66, entitled:

An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Smith,
Barr,	Einstein,	Mansfield,	Snyder,
Betts,	Harris,	McClintock,	Sones,
Brown,	Heaton,	McNichol,	Sprowls,
Buckman,	Homsher,	Miller,	Steele,
Christley,	Jones,	Norton,	Stineman,
Clark,	Joyce,	Patton,	Stites,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

TIME OF NEXT MEETING.

Mr. CRAIG offered the following resolution, which was twice read, considered and agreed to:

In the Senate, Tuesday, January 30, 1923.

Resolved (if the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening, February fifth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, February fifth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

SUPERINTENDENT OF PUBLIC GROUNDS AND BUILDINGS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 30, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Berkey H. Boyd, of Greensburg, Westmoreland County, to be Superintendent of Public Grounds and Buildings, for a term of four years to compute from date of confirmation.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 30, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

BUCKS COUNTY.

T. Sidney Cadwallader, Yardley, February 3, 1923.

NORTHAMPTON COUNTY.

Erwin H. Shawde, Easton, February 3, 1923.

PHILADELPHIA COUNTY.

Henry T. Gullmann, Philadelphia, February 3, 1923.
Miss Mary B. Halpin, Philadelphia, February 3, 1923.
Clarence B. Wrigley, Philadelphia, February 3, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 30, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Hugh Fishwick, Hays.
Miss Adelaide Grove, Swissvale.
Mrs. Mary Nurnberger, Hays.
Jos. H. Winters, Wilmerding.

BLAIR COUNTY.

Miss Jane A. Lowe, Altoona.

LACKAWANNA COUNTY.

Fred J. Feltham, Scranton.

LEHIGH COUNTY.

N. C. Laudenslager, Emaus.

PHILADELPHIA COUNTY.

Miss Rose M. Cullen, 608 Wynnewood Road, Phila. Pa.
Miss Elsie R. Forrester, 1600 S. Broad St., Phila. Pa.
Arthur C. Gilmore, 303 Liberty Bldg., Phila. Pa.
Luther J. Lutz, 2842 N. 23rd St., Phila. Pa.
William J. O'Brien, 1335 North 4th St., Phila. Pa.
Andrew Pecsi, 1950 N. 4th St., Phila. Pa.

VENANGO COUNTY.

Daniel B. Goodwin, Oil City.

WASHINGTON COUNTY.

Fred W. Pieper, Charleroi.

WESTMORELAND COUNTY.

Carl H. Bischoff, Leechburg.
H. W. Kuhlman, Arnold.
Vere W. Murphy, Ligonier.

WYOMING COUNTY.

A. G. Davis, Factoryville.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Smith,
Barr,	Einstein,	Mansfield,	Snyder,
Betts,	Harris,	McClintock,	Sones,
Brown,	Heaton,	McNichol,	Sprowls,
Buckman,	Homsher,	Miller,	Steele,
Christley,	Jones,	Norton,	Stineman,
Clark,	Joyce,	Patton,	Stites,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Fyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE.

RESOLUTION RELATIVE TO MAIL TUBE SYSTEM.

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House, which was twice read, as follows:

Whereas The sentiment of Philadelphia like that of the other cities of the country where the modern mail tube system has been tested is emphatically in favor of it as indicated by the press and by public expression by the great business organizations by City Councils and by the public generally therefore be it

Resolved (if the Senate concur) That this legislature associates itself with the public's progressive demand for the use and extension of such service as a necessity of the post office and a relief to the congestion of the already overcrowded thoroughfares of our larger cities and be it further

Resolved That the Secretary of the Commonwealth be requested to forward a copy of this resolution to the Vice-President of the United States and the Speaker of the Federal House of Representatives for presentation to Congress

Mr. SCHANTZ. Mr. President, I move that the resolution be referred to the Committee on Federal Relations.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. STITES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STITES, from the Committee on Judiciary General, reported as amended, Senate Bill No. 15, entitled:

An Act relating to the retirement of certain officers and employes of the State Government and their compensation, including officers and employes heretofore retired.

Mr. BARR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR, from the Committee on Judiciary General reported as committed, Senate Bill No. 34, entitled:

An Act to validate tax liens filed since the twenty-first day of May, one thousand nine hundred and thirteen, or which may be filed within six months after the approval of this Act, under the provisions of an act, approved the fourth day of June, one thousand nine hundred and one, entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," and providing for their collection.

RECESS.

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, (Tuesday) January 30, 1923.

Resolved (if the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening, February fifth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, February fifth, at nine o'clock.

MOTION TO READ BILLS THE FIRST TIME.

Mr. WEAVER. Mr. President, I move that all bills reported from committees at to-day's session be read the first time.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order

The Senate preceeded to the first reading and consideration of Senate Bill No. 6, entitled:

An Act to amend section two of the act approved the sixth day of July, one thousand nine hundred and seventeen, (P. L. 734), entitled "An act authorizing the director and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth, together with their solicitor, steward, or superintendent, and such other executive officer as may be designated by said directors and overseers or other officers, to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania, as part of their official duties, and providing for the payment of the expenses thereof."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 7, entitled:

An Act providing a method for excusing women from jury duty.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 13, entitled:

An Act enlarging the jurisdiction of the Superior Court of Pennsylvania by Providing for appeals to it from certain

orders, judgments and sentences of the County Court of Allegheny County, of the Municipal Court of Philadelphia and of all similar courts hereafter created.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 14, entitled:

An Act to amend "An act (approved May 5, 1899, P. L. 248) supplementing and amending an act entitled 'An act to establish an intermediate court of appeal; regulating its consititution, officers, jurisdiction, powers, practice, and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers, and the practice and costs of appeals from its judgments,' approved Jun 24, 1895," (P. L. 212).

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 15, entitled:

An Act relating to the retirement of certain officers and employes of the State Government and their compensation, including officers and employes heretofore retired.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 34, entitled:

An Act to validate tax liens filed since the twenty-first day of May, one thousand nine hundred and thirteen, or which may be filed within six months after the approval of this Act, under the provisions of an act, approved the fourth day of June, one thousand nine hundred and one, entitled, "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," and providing for their collection.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. DAVIS. Mr. President, I move that the Senate do now adjourn.

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12.03 o'clock P. M. until Monday evening, February 5, 1923, at nine o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 30, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough) in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Right reverently would we approach Thee, Thou Eternal and Triune God, impelled by a sense of gratitude because of Thy fatherly care and protection exercised over and toward us, having brought us to the duties of this hour. Conscious of human limitations, we invoke Thy divine blessings of wisdom and courage upon the members of this Assembly, the Speaker of this House, the Governor of the Commonwealth and all who have to do with the affairs of the State. In this hour may Thy divine wisdom direct, Thy divine spirit lead, that all may redound to Thy glory and praise, and the everlasting good of the citizenship of this State. We ask it in the name of Jesus Christ, Thy son. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Lafferty, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. HOWELL. HOUSE BILL No. 77.

An Act amending Section 26 of the Act of June tenth, A. D. one thousand eight hundred and ninety-three, regulating assistance to voters and providing a penalty for the violation thereof.

Referred to the Committee on Elections.

By Mr. HUBER. HOUSE BILL No. 78.

An Act making an appropriation to the Hahnemann Hospital in city of Scranton, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. DAVID FOWLER. HOUSE BILL No. 79.

An Act to promote the public health by providing for one day of rest in seven for employes in certain employments.

Referred to the Committee on Labor and Industry.

By Mr. EDMONDS. HOUSE BILL No. 112.

An Act to amend section five of the act approved the seventeenth day of June, one thousand nine hundred and thirteen, (P. L. 507), entitled "An Act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes;" providing for the assessment of property and the collection of taxes, interest and penalties in cases of the refusal or failure of taxables to make return, and in the case of false or incomplete returns.

Referred to the Committee on Judiciary General.

By Mr. HALL. HOUSE BILL No. 113.

An Act to amend article fourteen of the act approved the twenty-seventh day of June, one thousand nine hundred and thirteen, (P. L. 568), entitled "An Act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending laws in relation thereto;" by adding thereto section ten; providing the method of notice to be given when private property is assessed for municipal improvements.

Referred to the Committee on Municipal Corporations.

By Mr. RINN. HOUSE BILL No. 114.

An Act fixing a maximum rate of fare for street surface railways.

Referred to the Committee on Electric Railways.

By Mr. HASLETT. HOUSE BILL No. 115.

A Joint Resolution proposing an amendment to article four of the Constitution of Pennsylvania, by adding hereto section twenty-three.

Referred to the Committee on Constitutional Reform.

By Mr. VICKERMAN. HOUSE BILL No. 116.

An Act providing for the appointment by the court of supervisors in election district in general, municipal, primary and special elections, upon petition of candidates, regulating the method of appointment and prescribing the duties and powers of such supervisors; providing for their compensation; providing penalties for violation, and repealing acts inconsistent herewith.

Referred to Committee on Elections.

By Mr. VICKERMAN. HOUSE BILL No. 117.

An Act to amend section twenty-three as amended, and section twenty-six of the act approved the tenth day of June, one thousand eight hundred and ninety-three, (P. L. 419), entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," relating to watchers at elections, by abolishing the office of watchers at elections, and changing the method of furnishing assistance to voters; providing a penalty for violation thereof.

Referred to Committee on Elections.

By Mr. VICKERMAN. HOUSE BILL No. 118.

An Act providing for the assessment of occupation or poll tax in cases where the assessor has failed to make such assessment, and the collection of the same, so that such taxes may be assessed by and paid to the county treasurer or the registration officers for the registration of voters; providing a penalty for violation thereof; and repealing acts inconsistent therewith.

Referred to Committee on Elections.

By Mr. VICKERMAN. HOUSE BILL No. 119.

An Act providing for the arrangement of names on ballot in general, municipal, primary and special elections.

Referred to Committee on Elections.

By Mr. VICKERMAN. HOUSE BILL No. 120.

An Act providing that at the close of each general, municipal, primary and special election the contents of the ballot box in each district shall be deposited as a court record with the prothonotary of the county, and providing for its preservation and inspection, and repealing acts inconsistent herewith.

Referred to the Committee on Elections.

By Mr. BERGER. HOUSE BILL No. 121.

An Act making a deficiency appropriation to the State Hospital of Coaldale.

Referred to the Committee on Appropriations.

By Mr. DUNN. HOUSE BILL No. 122.

An Act to regulate and restrain the hawking, vending and peddling of fish, fruit, and vegetables, and other merchandise, in the cities of the first class in this Commonwealth.

Referred to the Committee on Judiciary Local.

By Mr. DIEHM. HOUSE BILL NO. 123.

An Act providing that the judges of the court of common pleas shall designate the number of assistant clerks for the proper transaction of business in the courts of quarter sessions and common pleas and in the offices of the clerk of the third and fourth classes; and providing for the appointment of said assistant clerks and for their payment.

Referred to the Committee on Judiciary Special.

By Mr. ALFRED IRVING FOWLER. HOUSE BILL No. 124.

An Act making an appropriation to the Pennsylvania State Oral School for the Deaf at Scranton, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. LONG. HOUSE BILL No. 125.

An Act regulating the sale, offering for sale, barter, exchange and giving of tickets, cards or other tokens evidening the right of admission to any theatre, concert hall, circus, show, ball park, athletic hall or field or other place of amusement and providing penalties.

Referred to the Committee on Judiciary General.

By Mr. STAVITSKI. HOUSE BILL No. 126.

An Act regulating the performance of work for the State and prohibiting contracts therefor.

Referred to the Committee on Labor and Industry.

By Mr. STAVITSKI. HOUSE BILL No. 127.

An Act making it unlawful to open or conduct any employment agency for profit, excepting persons connected with the State Bureau of Employment, providing a penalty and repealing inconsistent legislation.

Referred to the Committee on Judiciary General.

By Mr. STAVITSKI. HOUSE BILL No. 128.

An Act providing for the construction of houses for resale by the Commonwealth in conjunction with cities and boroughs; creating a Municipal Housing Commission, and a Bureau of Municipal Housing in the Department of Internal Affairs, and defining their powers and duties; authorizing cities and boroughs to appropriate money and issue bonds for the construction of houses for resale; and making an appropriation for the purposes of this act.

Referred to the Committee on Appropriations.

By Mr. STAVITSKI. HOUSE BILL No. 129.

An Act regulating the renting of dwelling houses and prescribing the rights and liabilities of the lessor and lessee in connection therewith.

Referred to the Committee on Judiciary Local.

By Mr. STAVITSKI. HOUSE BILL No. 130.

An Act providing for the care and attention of employees injured in factories and manufacturing establishments, and notice to the nearest relatives of such employees.

Referred to the Committee on Labor and Industry.

By Mr. GROVER C. MYERS. HOUSE BILL No. 131.

An Act to establish as a State Highway a certain section of public road in the County of Adams.

Referred to Committee on Public Roads.

By Mr. McBRIDE. HOUSE BILL No. 132.

An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class.

Referred to Committee on Counties and Townships.

By Mr. KELLY. HOUSE BILL No. 133.

An Act regulating private detectives and detective agencies, and the licensing of the same by the Secretary of the Commonwealth; defining their powers, duties and liabilities and prescribing penalties.

Referred to Committee on Law and Order.

By Mr. STARK. HOUSE BILL No. 134.

A Joint Resolution proposing an amendment to article nine, of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section sixteen.

Referred to Committee on Forestry.

By Mr. WHITEHOUSE. HOUSE BILL No. 135.

An Act regulating the hours of labor of policemen in cities of the third class.

Referred to Committee on Municipal Corporations.

By Mr. GELDER. HOUSE BILL No. 136.

An Act requiring telephone companies operating in the same territory to make connections and to provide for the interchange of messages; regulating the rates to be charged for such interchange; and conferring certain powers and duties in connection therewith upon the Public Service Commission.

Referred to Committee on Corporations.

By Mr. BALDI. HOUSE BILL No. 137.

An Act imposing a State tax upon certain sign or billboards; providing for the collection of the same; and fixing penalties.

Referred to the Committee on Ways and Means.

By Mr. WILLISTON P. WOOD. HOUSE BILL No. 138.

An Act requiring county engineering and surveying work in counties of the fifth, sixth, seventh, and eighth classes to be performed by the county surveyor, providing for his compensation, imposing certain duties on the county commissioners, exempting the county surveyor from getting a license, and repealing inconsistent legislation.

Referred to the Committee on Counties and Townships.

By Mr. BURD P. EVANS. HOUSE BILL No. 139.

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, Chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; proving method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Referred to the Committee on Public Roads.

By Mr. STAUDENMEIER. HOUSE BILL No. 140.

An Act to amend route number one hundred and sixty-one of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, Two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State highways Commissioner decides the work be done by the State; providing aid by the State to counties and townships or county roads; defining highways and State-aid highways providing method of application for State aid in the improvement, maintenance, and repair of township or county roads; and prescribing the contents of township, county borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act;" as amended.

Referred to the Committee on Public Roads.

By Mr. MOFFATT. HOUSE BILL No. 141.

A Supplement to an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An act providing a system for government of boroughs, and revising, amending, and consolidating the law relating to boroughs," so as to provide a system of government for those parts of a borough which are located in a county adjoining the county in which the original borough is situated. Including assessment of property; levying and collection of taxes; making municipal improvements and filing and collecting of liens for the same; the jurisdiction of courts for the enforcement of borough ordinances and State laws; and primary, general, municipal and special elections, and repealing inconsistent laws.

Referred to Committee on Municipal Corporations.

By Mr. EDMONDS. HOUSE BILL No. 142.

An Act making an appropriation to the County of Philadelphia for the payment of a judgment obtained by the said county against the Commonwealth of Pennsylvania.

Referred to Committee on Appropriations.

By Mr. W. F. MARSHALL. HOUSE BILL No. 143.

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled"An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections.

Referred to Committee on Judiciary General.

By Mr. D. J. JONES. HOUSE BILL No. 144.

An Act to amend section sixteen of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof, and providing penalties," by providing for the return to the various counties of money remaining after the payment of damages and expenses.

Referred to Committee on Ways and Means.

By Mr. EDMONDS. HOUSE BILL No. 145.

A Supplement to the act approved the seventeenth day of June, one thousand nine hundred and thirteen, (P. L. 507), entitled, "An act to provide revenue for State and county purposes, and, in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes o personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes;" authorizing the payment of taxes for county and city purposes on certain investment through the use of adhesive stamps prepared by the Auditor General of the State for the use of the several counties and cities.

Referred to Committee on Ways and Means.

By Mr. MOFFATT. HOUSE BILL No. 146.

An Act to amend an act approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122), entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended.

Referred to Committee on Judiciary General.

By Mr. MOFFATT. HOUSE BILL No. 147.

An Act to amend section five of the act approved the fourth day of June, one thousand nine hundred and one, (P. L. 364), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," as amended.

Referred to the Committee on Judiciary General.

By Mr. MOFFATT. HOUSE BILL No. 148.

An Act authorizing cities, boroughs, incorporated towns, and townships of the first class to require and permit the laying and construction of gas mains or pipes, water mains or pipes, and all other mains and pipes, and sanitary sewers and sewer pipes, outside the cartway and the curblines thereof, in all streets and highways, and prescribing the uses thereof; and providing for the assessment of the costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid.

Referred to the Committee on Public Roads.

By Mr. WILLIAM F. MARSHALL. HOUSE BILL No. 149.

An Act establishing a State highway in the counties of Clarion, Forest, Elk and McKean; providing for its location, construction, improvement and maintenance by the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. MOFFATT. HOUSE BILL No. 150.

An Act absolving counties of liability for costs in cases of criminal prosecution not authorized or approved by the district attorney.

Referred to the Committee on Judiciary General.

By Mr. MOFFATT. HOUSE BILL No. 151.

An Act requiring the Commonwealth to pay to the respective counties all taxes collected on any scrip, bond or certificate of indebtedness issued by counties for road purposes.

Referred to the Committee on Ways and Means.

REPORTS FROM COMMITTEES.

Mr. JOSEPH C. MARCUS, from the Committee on Banks and banking, reported as committed, House Bill No. 66, entitled:

An Act to amend part of section nine of the Act approved the twenty-first day of May, one thousand nine hundred and nineteen, (P. L. 209), entitled "An act relating to the organization, maintenance, and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing certain acts;" changing the charges to be paid by building and loan associations for examinations.

Mr. GOEHRING, from the Committee on Judiciary Special, reported as committed, House Bill No. 23, entitled:

An Act requiring the prothonotary of the court of common pleas to indicate on the proper index notice of the settlement, satisfaction, discontinuance or dismissal of any suit or proceeding in equity affecting the title to real estate.

Mr. FRAZIER, from the Committee on Constitutional Reform reported as committed, House Bill No. 37, entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

LEAVE OF ABSENCE.

Mr. McCURDY asked and obtained leave of absence for Mr. Zook.

RESOLUTION NO. 2.

Mr. RHODES. Mr. Speaker, I desire to call up at this time for consideration, Resolution No. 2, File Folio No. 5.

The resolution was read by the Clerk as follows:

Whereas, the Democratic members of the House of Representatives have been divided and placed in different sections thereof, and

Whereas, it is contrary to every known legislative practice to separate a political body in such a manner, and

Whereas, it is the practice in every legislative body in the United States and so far as can be learned the practice of every legislative body in the world to place a political bloc in a body either as a right or left wing or centre, or otherwise, where said legislators are in a compact group, and

Whereas, it has been the legislative practice of this House to place the minority party on the left side thereof in a compact body, extending from the front to the rear.

Be it resolved, That the Democratic members of the House of Representatives this twenty-ninth day of January, 1923, do hereby protest the present seating arrangements in the House, for the session of 1923, and demand that they be reseated in the House to confirm with correct legislative practices and in conformity with the common usage in the House; and that the resident clerk be directed and instructed by the House to reseat the Democratic members on the left side of the House from the front to the rear in a compact body in conformity with the usual practices in legislative bodies and in conformity with the practice of the House in previous sessions.

On the question,

Will the House adopt the resolution?

Mr. McCURDY. Mr. Speaker, I move that this resolution be placed upon the table.

Mr. HAWS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. RHODES and Mr. FLYNN and were as follows:

YEAS—136.

Allman,	Earley,	Jones, C. B.,	Schaeffer,
Anderson,	Edmonds,	Jones, D. J.,	Schwartz,
Armstrong,	Evans, B. P.,	Jones, E. P.,	Smith, H. J.,
Arthur,	Evans, J.,	Keene,	Smith, H.,
Asbury,	Fields,	Kelly,	Smith, J. W.,
Baker,	Fowler, A. I.,	Kohler,	Sowers,
Baldi,	Fowler, D.,	Lafferty,	Speiser,
Beaver,	Fratt,	Little,	Sprowls,
Behney,	Frazier,	Long,	Stark,
Bell, F. A.,	Gallaher,	Ludlow,	Staudenmeier,
Bell, W. T.,	Gelder,	Mangan,	Steedle,
Bentley,	Gilchrist,	Marcus, J.,	Sterling,
Berger,	Glasgow,	Marcus, J. C.,	Stoner,
Bidelspacher,	Goehring,	Marshall, J. G.,	Storb,
Blair,	Golder,	Mathay,	Storer,
Bluett,	Goss,	McBride,	Thomas, L. D.,
Blumberg,	Greeby,	McCaig,	Thomas, M. G.,
Brewster,	Griffith,	McClure,	Thompson,
Bromley,	Grimes,	McCurdy,	Van Alen,
Brown,	Haas,	McDaniel,	Walker,
Burchinal,	Hall,	McKim,	Weamer,
Burns,	Harer,	McVicar,	Wells,
Bush,	Haslett,	Moffatt,	Wettach,
Chaplin,	Haws,	Morrison,	Wheeler,
Clutton,	Heffernan,	Myers,	Whitehouse,
Coldsmith,	Heffran,	Nolte,	Whiteman,
Colville,	Henderson,	Ogle,	Williams, G. W.,
Conner,	Hetrick,	Parkinson,	Williams, J. M.,
de Young,	Heyburn,	Patterson,	Woner,
Diehm,	Himes,	Pitts,	Wood, N.,
Dilsheimer,	Holcombe,	Posey,	Wood, W. P.,
Drinkhouse,	Horne,	Raymond,	Wright,
Dunn,	Huber,	Richards,	Goodnough,
Eaches,	Irvin,	Sautter,	Speaker.

NAYS—47.

Albert,	Flynn,	Mack,	Rinn,
Alexander,	Gorham,	Marshall, W. F.,	Sarig,
Aston,	Gundy,	McDermott,	Schilling,
Betts,	Harter,	Metcalf,	Schleiter,
Boback,	Hontz,	Minehart,	Schoener,
Brenneman,	Hoover,	Moore,	Shambach,
Brownmiller,	Kennedy,	Munley,	Sheridan,
Coyne,	Korns,	O'Boyle,	Staviski,
Dietz,	Kunkle,	Peelor,	Stevens, A. J.,
Donahue,	Labar,	Post,	Stevens, A. F.,
Driggs,	Lauver,	Price,	Stofflet,
Eshelman,	Lynch,	Rhodes,	Vickerman,
Flinchbaugh,			

So the question was determined in the affirmative and the motion was agreed to.

REASONS FOR VOTE.

Mr. WONER. Mr. Speaker, I believe the contention of the Democratic minority that they be assigned a definite block in the House is reasonable but that the reseating of the House, at this time, would be impracticable, as well as grossly unfair to members who would be displaced by such reseating. The position taken by the Democrats should be considered by the Resident Clerk in the future. His seating place was the natural one for this session.

Mr. SCHWARTZ. Mr. Speaker, Ladies and Gentlemen of the House:

I voted aye on Resolution No. 2 because the seating arrangement of the members of the House has been an accomplished fact from the beginning of this Session, without protest until this time, and because a change now would cause endless confusion and inconvenience. I heartily endorse the suggestion that the minority party should be seated together at the right of the Speaker in future sessions of the General Assembly.

Mr. OGLE. Mr. Speaker, my reason for voting for the motion to lay the resolution No. 2, of Mr. Rhodes, upon the table is: That it is now too late to disturb the assignment of seats made at the opening of the session by the Resident Clerk. If the motion had been made on the opening of the session, I should have voted for the original resolution to seat the minority party in a body on the left side of the chamber in conformity with the practice of all legislative bodies.

Mr. McVICAR. Mr. Speaker, my reason for voting for the motion to lay the resolution No. 2 upon the table is: That it is now too late to disturb the assignment of seats made at the opening of the session by the Resident Clerk. If the motion had been made on the opening of the session, I should have voted for the original resolution to seat the minority party in a body on the left side of the chamber in conformity with the practice of all legislative bodies.

RESOLUTION NO. 3.

RELATIVE TO MAIL TUBE SYSTEM.

Mr. BLUETT. Mr. Speaker, I desire to call up for consideration at this time Resolution No. 3, file folio 7.

The resolution was read by the Clerk as follows:

Whereas, The sentiment of Philadelphia, like that of the other cities of the Country where the modern mail tube system has been tested, is emphatically in favor of it, as indicated by the press and by public expression, by the great business organizations, by City Councils and by the public generally; therefore, be it

Resolved, (if the Senate concur), That this Legislature associates itself with the public's progressive demand for the use and extension of such service as a necessity of the post office and a relief to the congestion of the already overcrowded thoroughfares of our larger cities; and be it further

Resolved, That the Secretary of the Commonwealth be requested to forward a copy of this resolution to the Vice-President of the United States and the Speaker of the Federal House of Representatives for presentation to Congress.

On the question,

Will the House adopt the resolution?

Mr. BLUETT. Mr. Speaker, relative to this resolution I want to state that the business interests of the city of Philadelphia have gone carefully into this situation of the pneumatic mail tubes and they have all been in favor of the restoration of the mail tubes that are already in existence under our streets, leading from the central stations to the outlying districts. That action has been sanctioned also by our city council after they have very carefully gone into the matter.

The matter has also been recommended, as we understand, by a committee of Congress but for some reason or other the Postmaster General has not included this tube service in his recommendations, and so we don't yet have them restored. The tubes are underground and they only wait to be put into service, so that we are presenting this resolution in the hope that Congress will see the attitude of our State Legislature in regard to these tubes and will take some action looking to the restoration of these tubes. I want to say that similar action was taken over in New York State after the business interests had demanded the restoration of the mail tubes there and in consequence of the resolution which was passed by the New York Legislature, the pneumatic tubes were restored in the City of New York. We feel that in keeping on the streets of the city of Philadelphia a large number of mail trucks that it is only adding to the congestion that is already there, that it is endangering the lives and the property of our citizens because we all know of the reckless manner in which some of these mail trucks are driven, and in the event of any accident there is little or no redress. In addition to that I would say that our mail in Philadelphia is very often one or two hours late. I was talking to a member of our city delegation here yesterday and he said he didn't get his mail yesterday morning until ten o'clock. We feel that if this pneumatic mail service were restored that we could have more prompt delivery of our mails, and it would relieve the congestion of the street. I therefore ask favorable consideration of this resolution.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

Ordered, that the Clerk present the same to the Senate for its concurrence.

RESOLUTION RELATING TO SEATING ARRANGEMENT OF MEMBERS.

Mr. DUNN offered the following resolution which was twice read and laid over under the rules for printing:

Resolved, that it is the request of the members of the majority party of this House that the Resident Clerk hereafter so arrange the seating of the members that the members representing the minority party will be seated together in a space to the right of the Speaker.

SUSPENSION OF RULE.

Mr. GOLDER. Mr. Speaker, I move that under the provisions of Rule 33, Rule 66 be suspended for the purpose of considering the resolution relating to the seating arrangement of the members.

Mr. LAFFERTY. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read by the Clerk as follows:

Resolved, that it is the request of the members of the majority party of this House that the Resident Clerk hereafter do arrange the seating of the members that the members representing the minority party will be seated together in a space to the right of the Speaker.

On the question,

Will the House adopt the resolution?

Mr. GOLDER. Mr. Speaker, I think we all realize that the present resolution deals primarily with the seating arrangements for the future. May I, as a member of the majority party, state that this resolution is offered in absolutely good faith. There are several reasons why the seating arrangement, as we now have it, was unfortunately impossible to avoid. For the first reason, you men will recall that during the last session there were only thirteen or probably fourteen members of the minority party. I think every seat that was occupied last session by a member of the minority party was again assigned to a member of the minority party this session. This session, with at least thirty more members of that party than there were last session, the question naturally arose, or at least arises and presents itself now, where should those men be placed. The Resident Clerk of the House had a sitting in Philadelphia for the purpose of assigning seats. Unfortunately, around in Philadelphia there were not as many members of the minority party elected as in other parts of the state, and when notice was sent out to those members, they perhaps could not attend that meeting. May I assure the members of the minority party that the unfortunate seating arrangement was due in no wise and no thought of the majority party to cast any reflections upon them or to be discourteous. It is the genuine wish of every member of the majority party to whom I have spoken to rectify, if we can, this seating arrangement. I know the members of the minority party are fair enough and big enough to understand that the resident clerk had no interest in the majority party or had any thought of being discourteous or unfair. We all have our seats at this time. I do not think there is one member of the minority party here, who has a seat far from the front, who would think it fair to ask a Republican, who has a seat in the front of the House to change. I think that you yourselves would feel that unconsciously there would perhaps be a selfish reason, and I am sure that the same view would be held by a member of the majority party who has a bad seat to ask a member of the minority party to surrender to him a good seat for the sake of conformity. Several of the members of the majority party have taken up the matter with members of the minority in the hope that they could arrange with Republicans who have a relatively good seat on one side of the House to change with a Democrat who has a relatively good seat on the other side of the House. I am not stating this for the purpose of political propaganda, I feel that I am under no obligations to anybody, and the Republicans have no apology to offer for the seating arrangements, and the Democratic members are not to blame for the conditions. If we all meet the spirit of fairness in the thing, and realize that this condition was brought about without any thought of being unfair, without any thought of bias and without any thought of giving preference to the majority members but was simply an unfortunate circumstance, if we meet it in that spirit and the members of both parties get together, I feel that we can bring about some adjustment. If no adjustment is brought about, it will be because the members of the majority party think this mistake, made in good faith, cannot at this time be rectified without being unfair to both parties. That was why we have introduced this resolution and I trust that this cannot happen in the future. Let me assure the members of the minority party again, while I do not speak for the majority members, I speak for practically all the majority members to whom I have spoken, it is unfortunate. We ask you to believe us that the thing was done without any thought of bad faith and with no thought of taking advantage of the minority members.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 15, as follows:

An Act providing the method in which amendatory legislation shall be printed in the session laws and for the interpretation thereof.

Whereas the Constitution of the Commonwealth in Article three Section six provides "No law shall be revived amended or the provisions thereof extended or conferred by reference to its title only but so much thereof as is revived amended extended or conferred shall be re-enacted and published at length" and

Whereas Said section in the case of amendatory laws provides only for the re-enactment of the part of law amended and not for a recital of the part of the existing law which is amended therefore

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the Secretary of the Commonwealth in printing the session laws shall in the case of amendatory legislation cause to be printed the section or part of the law only as re-enacted and he shall not print as has been heretofore the custom a recitation of the laws as existing prior to such amendment but in the section or part of the law re-enacted the said Secretary shall cause to be printed between brackets the word phrase or provisions of the existing law if any which have been stricken out or eliminated by the adoption of the amendment and he shall cause to be printed in italics all new words phrases or provisions if any which have been inserted into or added to the law by the passage of such amendment.

Section 2. In ascertaining the correct reading status and interpretation of any amendatory law the matter inserted within brackets shall be omitted and the matter in italics shall be read and interpreted as a part of the law.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE MESSAGE.

SENATE BILL FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 66. (HOUSE BILL No. 181.)

An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth.

Referred to the Committee on Appropriations.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 30, 1923.

Resolve (if the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening, February fifth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, February fifth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER. The Chair requests that the chairmen of the several committees meet the Speaker in the House Caucus Room immediately after the recess this morning.

RECESS.

The SPEAKER. If there are no objections, the Chair will declare a recess until 4:00 o'clock this afternoon.

Whereupon (at 11:52 A. M.) the House took a recess until 4:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

BILL INTRODUCED AND REFERRED.

The SPEAKER. The Chair asks unanimous consent to refer a bill at this time, which was introduced this morning. Are there objections? The Chair hears none.

By Mr. HAINES. HOUSE BILL No. 158.

An Act to amend section sixteen of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Comonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry.

Referred to the Committee on Agriculture.

REPORTS FROM COMMITTEES.

Mr. BLUETT, from the Committee on Judiciary General, reported as committed, House Bill No. 125, entitled:

An Act regulating the sale, offering for sale, barter, exchange and giving of tickets, cards or other tokens evidencing the right of admission to any theatre, concert hall, circus, show, ball-park, athletic hall or field or other place of amusement; and providing penalties.

Mr. GOEHRING, from the Committee on Judiciary General, reported as committed, House Bill No. 61, entitled:

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred and ninety-three, (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases;" authorizing a married women to mortgage her real property without the joinder of her husband.

Mr. BIDELSPACHER, from the Committee on Judiciary General, reported as committed, House Bill No. 21, entitled: titled:

An Act relating to procedure in suits wherein it is pleaded that two or more defendants are liable for a specified cause of action.

Mr. ALEXANDER, from the Committee on Judiciary General, reported as committed, House Bill No. 25, entitled:

An Act to validate deeds, mortgages, and other instruments of writing which have been defectively acknowledged by husband and wife, prior to the fourth day of January, one thousand nine hundred and twenty-three.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1923 — 125th of the General Assembly

Vol. 7. HARRISBURG, PA., TUESDAY, JANUARY 30, 1923. No. 7.

SENATE

TUESDAY, JANUARY 30, 1923.

The Senate met at 11 o'clock A. M.

The PRESIDENT Pro Tempore, (Mr. T. L. Eyre) in the Chair.

PRAYER.

The Chaplain, Rev. Edwin S. Ninde, offered the following prayer:

Our Heavenly Father, we thank Thee for all the good things Thou hast given us in life. We are glad we are not clods of earth. We are very thankful we are not mere animals but we are men. Thou hast made us in Thine own image, we are enabled to think Thy thoughts after Thee. We have not been made for a day or a year, but we have in us the power of endless life. We thank Thee that we live in this twentieth century, the most wonderful age that the world has ever known; that our home is here in America, the greatest of all lands, where every door of opportunity is wide open. Grant that we may never forget that from us to whom so much has been given much will be required, and as we go out to our daily task, may we seek to do and to be our very best, our noblest, our truest, our bravest, our manliest, and thus to honor God and to bless our fellowman. Be with the Senate in the morning session, guide and keep us day by day, for Jesus' sake. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. MacDADE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 13, entitled:

An Act enlarging the jurisdiction of the Superior Court of Pennsylvania by providing for appeals to it from certain orders, judgments and sentences of the County Court of Allegheny County, of the Municipal Court of Philadelphia and of all similar courts hereafter created.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 14, entitled:

An Act to amend "An act (approved May 5, 1899, P. L. 248) supplementing and amending an act entitled 'An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice, and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers, and the practice and costs of appeals from its judgments,' approved June 24, 1895, " (P. L. 212).

Mr. BALDWIN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 6, entitled:

An Act to amend section two of the act approved the sixth day of July, one thousand nine hundred and seventeen, (P. L. 734), entitled "An act authorizing the director and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth, together with their solicitor, steward, or superintendent, and such other executive officer as may be designated by said directors and overseers or other officers, to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania, as part of their official duties, and providing for the payment of the expenses thereof."

Mr. DAIX, from the Committee on Judiciary General, reported as committed, Senate Bill No. 7, entitled:

An Act providing a method for excusing women from jury duty.

BILLS INTRODUCED.

Mr. JONES, read in his place and presented to the Chair Senate Bill No. 95, entitled:

An Act for the prevention of fraud and the protection of the public health relating to milk, cream or skimmed milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated, prohibiting the introduction of foreign fats into them, regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof.

Which was committed to the Committee on Public Health and Sanitation.

Mr. DAVIS, read in his place and presented to the Chair Senate Bill No. 96, entitled:

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the Deaf, at Scranton, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. PATTON, read in his place and presented to the Chair Senate Bill No. 97, entitled:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia.

Which was committed to the Committee on Appropriations.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 66, entitled:

An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Smith,
Barr,	Einstein,	Mansfield,	Snyder,
Betts,	Harris,	McClintock,	Sones,
Brown,	Heaton,	McNichol,	Sprowls,
Buckman,	Homsher,	Miller,	Steele,
Christley,	Jones,	Norton,	Stineman,
Clark,	Joyce,	Patton,	Stites,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

TIME OF NEXT MEETING.

Mr. CRAIG offered the following resolution, which was twice read, considered and agreed to.

In the Senate, Tuesday, January 30, 1923.

Resolved (if the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening, February fifth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, February fifth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

SUPERINTENDENT OF PUBLIC GROUNDS AND BUILDINGS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 30, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Berkey H. Boyd, of Greensburg, Westmoreland County, to be Superintendent of Public Grounds and Buildings, for a term of four years to compute from date of confirmation.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 30, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

BUCKS COUNTY.

T. Sidney Cadwallader, Yardley, February 3, 1923.

NORTHAMPTON COUNTY.

Erwin H. Shawde, Easton, February 3, 1923.

PHILADELPHIA COUNTY.

Henry T. Gullmann, Philadelphia, February 3, 1923.
Miss Mary B. Halpin, Philadelphia, February 3, 1923.
Clarence B. Wrigley, Philadelphia, February 3, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, January 30, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Hugh Fishwick, Hays.
Miss Adelaide Grove, Swissvale.
Mrs. Mary Nurnberger, Hays.
Jos. H. Winters, Wilmerding.

BLAIR COUNTY.

Miss Jane A. Lowe, Altoona.

LACKAWANNA COUNTY.

Fred J. Feltham, Scranton.

LEHIGH COUNTY.

N. C. Laudenslager, Emaus.

PHILADELPHIA COUNTY.

Miss Rose M. Cullen, 608 Wynnewood Road, Phila. Pa.
Miss Elsie R. Forrester, 1600 S. Broad St., Phila. Pa.
Arthur C. Gilmore, 303 Liberty Bldg., Phila. Pa.
Luther J. Lutz, 2842 N. 23rd St., Phila. Pa.
William J. O'Brien, 1335 North 4th St., Phila. Pa.
Andrew Pecsi, 1950 N. 4th St., Phila. Pa.

VENANGO COUNTY.

Daniel B. Goodwin, Oil City.

WASHINGTON COUNTY.

Fred W. Pieper, Charleroi.

WESTMORELAND COUNTY.

Carl H. Bischoff, Leechburg.
H. W. Kuhlman, Arnold.
Vere W. Murphy, Ligonier.

WYOMING COUNTY.

A. G. Davis, Factoryville.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

Mr. GORHAM, from the Committee on Counties and Townships, reported as committed House Bill No. 132, entitled:

An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class.

Mr. KUNKLE, from the Committee on Judiciary General, reported as committed House Bill No. 147, entitled:

An Act to amend section five of the act approved the fourth day of June, one thousand nine hundred and one, (P. L. 364), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," as amended.

Mr. STOFFLET, from the Committee on Judiciary General, reported as committed House Bill No. 146, entitled:

An Act to amend an act approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122), entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended.

Mr. STERLING, from the Committee on Judiciary General, reported with a negative recomendation House Bill No. 64, entitled:

An Act to amend section ten of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor; and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans court in all matters relating to fiduciaries concerned with the estates of decedents;" restricting the advertising required to be done by executors and administrators of decedents.

Mr. JOHN G. MARSHALL, from the Committee on Counties and Townships, reported with a negative recommendation House Bill No. 138, entitled:

An act requiring county engineering and surveying work in counties of the fifth, sixth, seventh, and eighth classes to be performed by the county surveyor, providing for his compensation, imposing certain duties on the county commissioners, exempting the county surveyor from getting a license, and repealing inconsistent legislation.

PETITIONS.

FAVORING APPROPRIATION FOR PAYMENT OF STATE REWARD.

Mr. SCHLEITER presented a petition from the Supervisors' Convention, favoring an appropriation to cover payment of state reward now in arrears.

Referred to Committee on Appropriations.

FAVORING PORTION OF GASOLINE TAX TO REVERT TO TOWNSHIPS.

Mr. SCHLEITER presented a petition from the Supervisors' Convention favoring the enactment of a law whereby a portion of the gasoline tax shall revert to the townships.

Referred to Committee on Appropriations.

PROTESTING AGAINST LEGISLATION LIMITING TOWNSHIP OFFICERS IN THE COLLECTION OF TAXES.

Mr. SCHLEITER presented a petition from the Supervisors' Convention, protesting against any legislation limiting township officers in the collection of taxes.

Referred to Committee on Appropriations.

FAVORING LEGISLATION COMPELLING THE REMOVAL OF WEEDS.

Mr. SCHLEITER presented a petition from the Supervisors' Convention favoring legislation compelling the removal of weeds and brush.

Referred to Committee on Appropriations.

FAVORING MAINTENANCE OF STATE HIGHWAYS BY STATE HIGHWAY DEPARTMENT.

Mr. SCHLEITER presented petition from the Supervisors' Convention, favoring maintenance of state highways by the State Highway Department and counties in which roads are located.

Referred to Committee on Appropriations.

REPORT FROM COMMITTEE ON RULES.

RULE No. 70 ADOPTED.

Mr. McVICAR. Mr. Speaker, at this time I desire to make a report from the Committee on Rules, which is in the form of a resolution.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read by the Clerk as follows:

Resolved, That the following be adopted as Rule No. 70 of the House:

All bills introduced amending sections or parts of existing laws shall set forth only the section or part of the law as re-enacted, and shall not contain any recitation of the section or portion of the existing law proposed to be amended; and in the section or part of the law to be re-enacted shall be shown, between brackets, the word, phrase or provisions of the existing law, if any, which are to be stricken out or eliminated by the proposed amendment, and all new words, phrases and provisions if any, which are to be inserted into or added to the law by the proposed amendment, shall be underscored. All amendatory bills introduced prior to the date of the adoption of this rule, shall, before final enactment, be amended accordingly.

NELSON McVICAR,
Chairman,
GEORGE W. WILLIAMS,
CHARLES F. BIDELSPACHER,
JOHN M. FLYNN,
CHESTER H. RHODES.

On the question,

Will the House adopt the resolution?

Mr. McVICAR. Mr. Speaker, I move the adoption of the resolution.

Mr. BIDELSPACHER. Mr. Speaker, I second the motion.

On the question,

Will the House adopt the resolution?

Mr. McVICAR. Mr. Speaker and members of the House, under the existing legislative practice in case of amendatory bills there is printed the section or sections of the statute which is to be amended, and likewise the same parts are re-enacted at length, so that there is almost a double printing, as the whole statute is printed insofar as it is to be amended and the same is printed again in the re-enactment as to such changes as are desired.

The objections to this practice are these: It involved a larger expenditure of money than is necessary in the printing of the pamphlet laws. It also increases the size of the book containing the pamphlet laws, and it also makes obscure, to some extent at least to the lay mind, as to just what the amendment is. Now in order to meet these objections the remedy provided for by this rule is that there shall be no recitation of the part of the act which is to be amended, but it shall be re-enacted at length, and the changes shall be underscored, and the parts which are to be omitted shall be put in brackets, so that you have a re-enactment of the former act before you, underscoring the parts of the sections which are changed, and in brackets the parts which are eliminated. In every state in the Union, and most of them have similar constitutional provisions, the practice proposed is the practice in those states. This proposed change complies with our own constitution, as was decided by our Supreme Court in the case of Wilson vs. Downing, in 200 Pennsylvania, p. l. 50. This proposed change was recommended by the officers of the Legislative Reference Bureau, endorsed, I am advised, by the Attorney General, and approved by the Governor, and as I stated before the advantages will be three: Economy, brevity and clarity. Economy,—it will cost about $40,000 less in the publication of the pamphlet laws; brevity—in that probably it will reduce the size of the pamphlet laws about one-fifth, and in clarity,—so as to make these amendatory acts more clearly understood, at least by the lay mind.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

ADJOURNMENT.

Mr. HETRICK. Mr. Speaker, I move the House do now adjourn until 10.00 o'clock tomorrow morning.

The motion was agreed to, and (at 4.22 o'clock P. M.) the House adjourned until 10.00 o'clock tomorrow morning.

Mr. GORHAM, from the Committee on Counties and Townships, reported as committed House Bill No. 132, entitled:

An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class.

Mr. KUNKLE, from the Committee on Judiciary General, reported as committed House Bill No. 147, entitled:

An Act to amend section five of the act approved the fourth day of June, one thousand nine hundred and one, (P. L. 364), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," as amended.

Mr. STOFFLET, from the Committee on Judiciary General, reported as committed House Bill No. 146, entitled:

An Act to amend an act approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122), entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended.

Mr. STERLING, from the Committee on Judiciary General, reported with a negative recomendation House Bill No. 64, entitled:

An Act to amend section ten of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor; and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans court in all matters relating to fiduciaries concerned with the estates of decedents;" restricting the advertising required to be done by executors and administrators of decedents.

Mr. JOHN G. MARSHALL, from the Committee on Counties and Townships, reported with a negative recommendation House Bill No. 138, entitled:

An act requiring county engineering and surveying work in counties of the fifth, sixth, seventh, and eighth classes to be performed by the county surveyor, providing for his compensation, imposing certain duties on the county commissioners, exempting the county surveyor from getting a license, and repealing inconsistent legislation.

PETITIONS.

FAVORING APPROPRIATION FOR PAYMENT OF STATE REWARD.

Mr. SCHLEITER presented a petition from the Supervisors' Convention, favoring an appropriation to cover payment of state reward now in arrears.

Referred to Committee on Appropriations.

FAVORING PORTION OF GASOLINE TAX TO REVERT TO TOWNSHIPS.

Mr. SCHLEITER presented a petition from the Supervisors' Convention favoring the enactment of a law whereby a portion of the gasoline tax shall revert to the townships.

Referred to Committee on Appropriations.

PROTESTING AGAINST LEGISLATION LIMITING TOWNSHIP OFFICERS IN THE COLLECTION OF TAXES.

Mr. SCHLEITER presented a petition from the Supervisors' Convention, protesting against any legislation limiting township officers in the collection of taxes.

Referred to Committee on Appropriations.

FAVORING LEGISLATION COMPELLING THE REMOVAL OF WEEDS.

Mr. SCHLEITER presented a petition from the Supervisors' Convention favoring legislation compelling the removal of weeds and brush.

Referred to Committee on Appropriations.

FAVORING MAINTENANCE OF STATE HIGHWAYS BY STATE HIGHWAY DEPARTMENT.

Mr. SCHLEITER presented petition from the Supervisors' Convention, favoring maintenance of state highways by the State Highway Department and counties in which roads are located.

Referred to Committee on Appropriations.

REPORT FROM COMMITTEE ON RULES.

RULE No. 70 ADOPTED.

Mr. McVICAR. Mr. Speaker, at this time I desire to make a report from the Committee on Rules, which is in the form of a resolution.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read by the Clerk as follows:

Resolved, That the following be adopted as Rule No. 70 of the House:

All bills introduced amending sections or parts of existing laws shall set forth only the section or part of the law as re-enacted, and shall not contain any recitation of the section or portion of the existing law proposed to be amended; and in the section or part of the law to be re-enacted shall be shown, between brackets, the word, phrase or provisions of the existing law, if any, which are to be stricken out or eliminated by the proposed amendment, and all new words, phrases and provisions if any, which are to be inserted into or added to the law by the proposed amendment, shall be underscored. All amendatory bills introduced prior to the date of the adoption of this rule, shall, before final enactment, be amended accordingly.

NELSON McVICAR,
Chairman,
GEORGE W. WILLIAMS,
CHARLES F. BIDELSPACHER,
JOHN M. FLYNN,
CHESTER H. RHODES.

collected into the State Treasury; and making an appropriation thereof; and providing penalties."

Referred to the Committee on Agriculture.

By Mr. GOLDER. HOUSE BILL No. 159.

An Act regulating the location of certain stables in cities of the first class; and providing penalties.

Referred to Committee on Municipal Corporations.

By Mr. WHITEHOUSE. HOUSE BILL No. 160.

An Act concerning counties and county officers, and revising, amending, consolidating and changing the law relating thereto.

Referred to Committee on Judiciary General.

By Mr. HALL. HOUSE BILL No. 161.

An Act authorizing the limiting of the capacity of county and township bridges; imposing a penalty; and fixing liability for damages resulting from violations of the provisions of this act.

Referred to Committee on Public Roads.

By Mr. J. G. MARSHALL. HOUSE BILL No. 162.

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local any parts thereof, that are or may be inconsistent therewith."

Referred to Committee on Education.

By Mr. STAVITSKI. HOUSE BILL No. 163.

An Act to amend section five hundred and forty-two, of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any part thereof, that are or may be inconsistent therewith," as amended.

Referred to Committee on Education.

By Mr. STAVITSKI. HOUSE BILL No. 164.

An Act making it unlawful to pollute the waters of the Commonwealth; and providing a penalty.

Referred to the Committee on Public Health and Sanitation.

By Mr. STAVITSKI. HOUSE BILL No. 165.

An Act providing for and regulating the payment of a bonus, dividend or premium by certain employers to employees.

Referred to the Committee on Labor and Industry.

By Mr. STAVITSKI. HOUSE BILL No. 166.

An Act regulating the appointment, suspension and discharge of police officers in boroughs and townships, establishing and regulating civil service boards, imposing certain expenses of such boroughs and townships, and providing penalties.

Referred to the Committee on Counties and Townships.

By Mr. VICKERMAN. HOUSE BILL NO. 167.

An Act to amend section thirteen of the act approved the thirteenth day of January, one thousand eight hundred and seventy-four, (P. L. 31), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended; by providing that qualified electors charging fraud or mistake in any election district, need not be residents of the said district but shall be residents of the territory affected by the election.

Referred to the Committee on Elections.

By Mr. VICKERMAN. HOUSE BILL No. 168.

An Act to secure the purity of elections, to limit candidates' nomination and election expenses, to define, prevent and punish corrupt and illegal practices in nominations and elections and to provide a penalty for the violation of this act, and repealing acts inconsistent therewith.

Referred to the Committee on Elections.

By Mr. VICKERMAN. HOUSE BILL No. 169.

An Act to repeal section twenty-three of the act approved the first day of May, one thousand eight hundred and sixty-one, (P. L. 450), entitled "An act relating to Allegheny County."

Referred to the Committee on Municipal Corporations.

By Mr. VICKERMAN. HOUSE BILL No. 170.

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania.

Referred to the Committee on Constitutional Reform.

By Mr. DAVID FOWLER. HOUSE BILL No. 171.

An Act to promote the safety of travelers and employes upon railroads, by compelling common carriers by railroad to properly man their trains.

Referred to the Committee on Railroads.

By Mr. HALL. HOUSE BILL No. 172.

An Act to amend section two of the act approved the sixth day of April, one thousand nine hundred and twenty-one, (P. L. 107), entitled "An act to amend sections eight and sixteen of the act, approved the thirty-first day of May, one thousand nine hundred and eleven, (Pamphlet Laws, four hundred and sixty-eight), entitled 'An act providing for the establishment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highway solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, borough, or incorporated town

petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act;' authorizing the State Highway Commissioner to establish the location, lines and width of State Highways; providing for the recording of the same; and denying to owners and occupiers of land damages for improvements erected within the established lines and width of State Highways so laid out; and providing for the payment of damages to property owners by counties; and repealing existing laws;" by providing a method for assessing such damages, and authorizing counties to incur indebtedness for the payment thereof.

Referred to Committee on Public Roads.

By Mr. KOHLER. HOUSE BILL No. 173.

An Act making an appropriation to the Taylor Hospital Association, of the borough of Taylor, Lackawanna County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BEAVER. HOUSE BILL No. 174.

An Act to protect the public safety by prohibiting the discharge of fire-arms or other weapons within one hundred and fifty yards of any dwelling house or residence, without the consent of the owner or tenant thereof, and prohibiting the destruction and abuse of certain property by persons while hunting or trapping.

Referred to the Committee on Appropriations.

By Mr. EDWARD P. JONES. HOUSE BILL No. 175.

An Act to establish as a State highway a certain section of public road in the County of Clinton.

Referred to the Committee on Public Roads.

By Mr. HOWELL. HOUSE BILL No. 176.

An Act providing for the assistance of voters at general, municipal or special elections; regulating the manner and return thereof; providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation.

Referred to the Committee on Elections.

By Mr. DIEHM. HOUSE BILL No. 177.

An Act making an appropriation to the Agricultural Experiment Station of the Pennsylvania State College, to maintain sub-stations for the purpose of making experiments in the improvement, culture, curing, and preparation of tobacco, and providing for the publication of the report thereof.

Referred to the Committee on Appropriations.

By Mr. McDANIEL. HOUSE BILL No. 178.

An Act relating to the assignment of rights to receive or recover a debt, or money, or damages for breach of contract.

Referred to the Committee on Judiciary General.

By Mr. SPANGLER. HOUSE BILL No. 179.

An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings, where no legal or valid contract was entered into as required by law.

Referred to the Committee on Judiciary General.

By Mr. O'BOYLE. HOUSE BILL No. 180.

An Act establishing certain public roads as State highways and providing for the construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. MUNLEY. HOUSE BILL No. 182.

An Act establishing a State highway in the County of Lackawanna, providing for its location, construction, improvement and maintenance by the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. MUNLEY. HOUSE BILL No. 183.

An Act providing for the establishing and maintenance of uniform building lines in cities of the third class.

Referred to the Committee on Municipal Corporations.

By Mr. FLYNN. HOUSE BILL No. 184.

A Supplement to an Act entitled, "An act establishing certain public roads as State Highways, and providing for their construction and maintenance at the expense of the Commonwealth," approved the twenty-second day of July, one thousand nine hundred and thirteen, by adding thereto an additional route to be known as route three hundred and seventy-five, to connect the county seats of Clearfield and Cameron Counties.

Referred to Committee on Public Roads.

By Mr. HOOVER. HOUSE BILL No. 185.

An Act establishing as a State Highway a certain section of public road in the County of Fulton.

Referred to Committee on Public Roads.

By Mr. SPANGLER. HOUSE BILL No. 186.

An Act authorizing county commissioners to purchase road machinery and to rent the same to the townships of such county.

Referred to Committee on Counties and Townships.

By Mr. HARER. HOUSE BILL No. 187.

An Act relating to pistols and revolvers; regulating the sale, possession and use thereof; defining "pistol or revolver;" imposing additional penalties for crimes committed while unlawfully armed; prohibiting the ownership or possession of a pistol or revolver by any unnaturalized foreign-born person and by persons convicted of certain felonies; providing for licenses to carry and licenses to sell pistols and revolvers; prohibiting the disposing thereof to minors or to persons not entitled to own or possess the same; and prescribing penalties.

Referred to Committee on Law and Order.

By Mr. WELLS. HOUSE BILL No. 188.

An Act to establish as a State highway a certain section of public road in the County of Potter.

Referred to Committee on Public Roads.

By Mr. GOLDER. HOUSE BILL No. 189.

An Act making an appropriation to the trustees of Temple University at Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. LUDLOW. HOUSE BILL No. 190.

An Act permitting appeals to the Supreme or Superior Courts from order refusing an absolute discharge of a defendant on pleas of autrefois acquit, autrefois convict, and demurrer to the pleadings.

Referred to the Committee on Judiciary General.

By Mr. DUNN. HOUSE BILL No. 191.

An Act regulating the payment of certain moneys derived from registrations and license fees by the State Highway

Department into the State Treasury, and the payment thereof to the several counties for the construction, reconstruction, improvement and repair of roads in such counties.

Referred to the Committee on Public Roads.

REPORT OF AUDITORS OF PHILADELPHIA SAVINGS FUND SOCIETY FOR THE YEAR 1922.

The Speaker laid before the House the report of the auditors of the Philadelphia Savings Fund Society for the year 1922.

(For report see appendix).

REPORTS FROM COMMITTEES.

Mr. GELDER, from the Committee on Agriculture, reported as committed, House Bill No. 158, entitled:

An Act to amend section sixteen of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry.

Mr. HARER, from the Committee on Appropriations, reported as committed, House Bill No. 181, (Senate Bill No. 66), entitled:

An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth.

PRINTING OF RULES OF HOUSE.

Mr. DUNN. Mr. Speaker, I move that the Chief Clerk be instructed to have one thousand five hundred copies of the Rules, with the amendments, printed in pamphlet form for the use of the members.

Mr. HAAS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. DUNN. Mr. Speaker, the question of having the Rules printed in pamphlet form, in a small book, is so we can have them ready at any time we want them.

The only way now we can consult the Rules of House is by carrying Smull's Hand Book around with us. This is more convenient, it is easier for the members of the House to understand the laws to have them with them in this small book form, so that we can use them in that form without consulting Smull's Hand Book.

Mr. ALEXANDER. Mr. Speaker, I don't see that there is any use for doing this. I don't suppose that there are two members in this House that will carry this book around with them after he gets what Mr. Dunn speaks about. We have them in our desks in Smull's Hand Book, we have them printed there and you can see what they are. What anybody wants one of these books to carry around with him I cannot see, any more than you would want the bible to carry around with you all the time. You will not carry that book around and not to have them printed is a saving of money. That is what we are trying to do, save money and get money in this House, and I don't think it is necessary at this time to have them printed.

On the question recurring,

Will the House agree to the motion?

The SPEAKER. The Chair is unable to decide.

Whereupon a division was called for and ninety-seven members voting in the affirmative and twelve in the negative, the motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. HOLCOMBE. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. HOLCOMBE. Mr. Speaker, I received through the post office a small pamphlet entitled "Anti-Prohibition News", and on the back of it it gives the names of some members, and says, "Our friends even before election". Among them is the name of V. B. Holcombe, of Sullivan. I wish to state that I favored all the dry measures in the last session, was elected on a dry platform, and that this paper misrepresents my stand on this question.

The SPEAKER. The remarks of the gentleman from Sullivan, under his question of personal privilege, will be noted in the Journal.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 15, entitled:

An Act providing the method in which amendatory legislation shall be printed in the session laws and for the interpretation thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Albert,	Fields,	**Irvin,**	**Posey,**
Alexander,	Flinchbaugh,	Jones, D. J.,	Raymond,
Anderson,	Flynn,	Jones, E. P.,	Rhodes,
Armstrong,	Fowler, D.,	**Keene,**	**Sarig,**
Arthur,	Fratt,	Kelly,	**Schaeffer,**
Beaver,	Frazier,	Kennedy,	**Schleiter,**
Behney,	Gallaher,	Korns,	Schoener,
Bell, F. A.,	Gelder,	Labar,	**Sheridan,**
Bell, W. T.,	Gilchrist,	Lauver,	**Smith, H.,**
Bidelspacher,	Glasgow,	Little,	Sowers,
Blair,	Goehring,	Long,	**Sprowls,**
Boback,	Golder,	Ludlow,	Stark,
Brenneman,	**Gorham,**	MacKinney,	Staudenmeier,
Brown,	Goss,	Marcus, J.,	**Staviski,**
Burchinal,	Griffith,	Marshall, J. G.,	Steedle,
Burns,	Haas,	**Marshall, W. F.,**	**Stevens, A. J.,**
Bush,	Haines,	McBride,	Stofflet,
Chaplin,	Hall,	McCaig,	**Storer,**
Clutton,	**Harer,**	McCurdy,	Thomas, L. D.,
Coldsmith,	**Haslett,**	McDaniel,	Thomas, M. G.,
Diehm,	**Haws,**	McKim,	Van Alen,
Dietz,	Heffernan,	McVicar,	Walker,
Dilsheimer,	Heffran,	Metcalf,	**Wells,**
Donahoe,	Henderson,	Moore,	Wettach,
Driggs,	Hetrick,	Munley,	Wheeler,
Drinkhouse,	Himes,	Myers,	Whiteman,
Dunn,	**Holcombe,**	**Nolte,**	**Williams, J. M.,**
Eaches,	Hollis,	Ogle,	Wood, N.,
Earley,	**Hontz,**	**Orr,**	Wood, W. P.,
Edmonds,	Hoover,	Parkinson,	Wright,
Evans, B. P.,	Howell,	Peelor,	Goodnough,
Evans, J.,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 66, entitled:

An Act to amend part of section nine of the act approved the twenty-first day of May, one thousand nine hundred and nineteen. (P. L. 209), entitled "An act relating to the organization, maintenance, and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing certain acts;" changing the charges to be paid by building and loan associations for examinations.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 23, entitled:

An Act requiring the prothonotary of the court of common pleas to indicate on the proper index notice of the settlement, satisfaction, discontinuance or dismissal of any suit or proceeding in equity affecting the title to real estate.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 37, entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 125, entitled:

An Act regulating the sale, offering for sale, barter, exchange and giving of tickets, cards or other tokens evidencing the right of admission to any theatre, concert hall, circus, show, ball-park, athletic hall or field or other place of amusement; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 61, entitled:

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred and ninety-three, (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, enabling them to sue and to testify against each other in certain cases;" authorizing a married woman to mortgage her real property without the joinder of her husband.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 21, entitled:

An Act relating to procedure in suits wherein it is pleaded that two or more defendants are liable for a specified cause of action.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 25, entitled:

An Act to validate deeds, mortgages, and other instruments of writing which have been defectively acknowledged by husband and wife, prior to the fourth day of January, one thousand nine hundred and twenty-three.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 132, entitled:

An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 147, entitled:

An Act to amend section five of the act approved the fourth day of June, one thousand nine hundred and one, (P. L. 364), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 146, entitled:

An Act to amend an act approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122), entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to, and (at 10:45 A. M.) the House adjourned until Monday evening, February 5, 1923, at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1923 — 125th of the General Assembly

Vol. 7. HARRISBURG, PA., MONDAY, FEBRUARY 5, 1923. No. 9.

SENATE

MONDAY, FEBRUARY 5, 1923.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edwin S. Ninde, offered the following prayer:

Our Heavenly Father, may Thy blessing rest upon the Senate as it enters upon the legislative duties of this new week. Thou knowest the many important matters that will arise for consideration, not only on the floor of this chamber but in the various committee meetings. Grant wisdom to the Senators that in all that shall be done a distinct distribution may be made to the welfare of the State. May Thy special blessing rest upon our Governor. Grant him strength of body and mind for the arduous tasks of his high office. Bless, we pray Thee, the President of the United States and the Congress now assembled. Remember and bless our nation and bless all nations of mankind. We ask it in the name of the Lord Jesus Christ. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE.

The CHAIR asked and obtained leave of absence for the Senator from Allegheny, Mr. Leslie, on account of illness.

The CHAIR asked and obtained leave of absence for the Senator from Philadelphia, Mr. Woodward, on account of illness.

REPORTS FROM COMMITTEES.

Mr. DAVIS from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 40, entitled:

An Act fixing the salary of the prothonotary in counties of the eighth class; and providing for the payment of all fees and commissions into the county treasury.

Also from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 41, entitled:

An Act fixing the salary of sheriffs in counties of the eighth class; requiring all fees and mileage earned by the sheriffs in such counties to be paid into the county treasury for the use of the county; and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper and warden of the jail.

Mr. STINEMAN from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 39, entitled:

An Act fixing the salary of sheriffs and deputy sheriffs in counties of the seventh class; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

BILLS INTRODUCED.

Mr. CRAIG read in his place and presented to the Chair Senate Bill No. 98, entitled:

An Act to repeal an act, approved April 8, 1864, (P. L. 73) entitled "A supplement to an act relating to counties and townships, and county and township officers, approved April 15, 1834, relating to public buildings."

Which was committed to the Committee on New Counties and County Seats.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 99, entitled:

An Act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; providing for penalties, forfeitures and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

Which was committed to the Committee on Law and Order.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 100, entitled:

An Act to amend section ten of an act approved June 27, 1895, (P. L. 403), entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

Which was committed to the Committee on Judiciary General.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 101, entitled:

An Act for the registration and regulation of certain individuals and entities selling, offering for sale or delivery soliciting subscriptions to or orders for disposing or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined herein conferring powers and imposing duties on the Commission of Banking and otherwise providing for the administration of this act, prescribing penalties and making an appropriation.

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. WEAVER read in his place and presented to the Chair Senate Bill No. 102, entitled:

An Act amending section four of the act entitled "An act regulating the practice, bail, costs and fees on appeals to the Supreme Court and Superior Court", approved the 19th of May 1897, (P. L. 67), by providing a shorter period within which to appeal in cases where loss and hardship would otherwise result to the estates of decedents.

Which was committed to the Committee on Judiciary General.

Mr. BALDWIN read in his place and presented to the Chair Senate Bill No. 103, entitled:

An Act making an a appropriation to the North Pennsylvania General Hospital and Sanatorium, at Austin Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 104, entitled:

An Act making an appropriation to the Bradford Hospital, of the city of Bradford.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 105, entitled:

An Act making an appropriation to Kane Summit Hospital Association of Kane, McKean County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 106, entitled:

An Act to amend route number one hundred and fifty of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligations and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 107, entitled:

An Act providing for an industrial State highway from the city of Philadelphia to the Pennsylvania State line at Morrisville opposite Trenton, New Jersey.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 108, entitled:

An Act establishing as a State highway a certain section of public road in the county of Bucks.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 109, entitled:

An Act making an appropriation to the commission consituted for the purpose of acquiring and maintaining toll-bridges over the Delaware River between Pennsylvania and New Jersey.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 110, entitled:

An Act making an appropriation to the Grand View Hospital, located near Sellersville, Bucks County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 111, entitled:

An Act providing that in counties of the first class, the body levying taxes therein shall have the sole powers to fix the number and salaries of deputies and employees of every county officer, of every department, office, board, commission, trust, committee or other agency whose financial requirements are to be met out of the proceeds of taxes levied by such tax levying body.

Which was committed to the Committee on Municipal Affairs.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 112, entitled:

An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed for purposes which have proved or may prove impracticable, impossible or inadvisable, for any other lawful municipal purpose; or to provide for the cancellation of the authority to borrow such moneys.

Which was committed to the Committee on Judiciary Special.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 113, entitled:

An Act relating to the use of public highways; regulating the operation and control of all vehicles and animals of burden thereon, and the conduct of individuals in connection therewith; prohibiting the unauthorized use of and

tampering with motor vehicles; limiting and defining the powers of cities, boroughs, towns, townships and counties; providing penalties and procedure for the enforcement of this act, and in actions for damages arising from the use of a motor vehicle.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 114, entitled:

An Act making an appropriation to the Allentown Hospital, Allentown, Lehigh County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 115, entitled:

An Act making an appropriation to the Children's Home, of Bethlehem, Salisburg Township, Lehigh County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 116, entitled:

An Act making an appropriation to the Saint Luke's Hospital, located at Bethlehem, Lehigh County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MACDADE read in his place and presented to the Chair Senate Bill No. 117, entitled:

An Act constituting in counties other than counties of the first class the county commissioners, and county treasurer, and the controller in counties where such office exists, a board having the power to appoint depositories of county funds; defining the powers of said board and specifying their duties; describing how the said depositories shall be selected, and repealing certain acts.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 118, entitled:

An Act providing that the county controller shall be made a party defendant in all suits against any county.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 119, entitled:

An Act creating the office of controller in counties of the First, Second, Third, Fourth, Fifth classes; prescribing his powers and duties; imposing certain duties upon such county commissioners and county treasurers; and abolishing the office of county auditor.

Which was committed to the Committee on New Counties and county Seats.

Also read in his place and presented to the Chair Senate Bill No. 120, entitled:

An Act fixing the salaries of the controller in counties of the first, second, third, fourth and fifth classes.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 121, entitled:

An Act making an appropriation to the Taylor Hospital, Ridley Park, Delaware County, Pennsylvania.

Which was Committed to the Committee on Appropriations.

Mr. PHIPPS read in his place and presented to the Chair Senate Bill No. 122, entitled:

An Act to amend route number 208, section six of an act approved May 31, 1911 (P. L. 468), entitled "An Act providing for the establishment of a state highway department, by the appointment of a State Highway Commissioner, two deputy state highway commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Comonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said township or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway commissioner to make maps to be complete records thereof; confering authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, County, township, borough, or incorporated town, and requiring contracts by counties townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Which was committed to the Committee on Public Roads and Highways.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 123, entitled:

An Act to amend Route Two Hundred and Twenty-three of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commis-

sioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

CLERK TO THE PRESIDENT PRO TEMPORE.

The PRESIDENT. The President Pro Tempore announces the appointment of J. Maurice Himes, of Phoenixville, as Clerk to the President Pro Tempore of the Senate, vice William S. Armstrong, resigned.

REPORT OF THE AUDITORS OF THE PHILADELPHIA SAVING FUND SOCIETY.

The Chair cleared his table and laid before the Senate report of the Philadelphia Saving Fund Society for the year 1922.

(For report see Appendix.)

SIXTY-EIGHTH ANNUAL STATEMENT AF SAVING FUND SOCIETY OF GERMANTOWN.

He also laid before the Senate the 68th Annual Statement of the Saving Fund Society of Germantown.

(For report see Appendix.)

STATEMENT OF THE LEHIGH COAL AND NAVIGATION COMPANY.

He also laid before the Senate, Statement of the Lehigh Coal and Navigation Company.

(For report see Appendix.)

RESOLUTIONS OF DEPARTMENT OF PENNSYLVANIA, AMERICAN LEGION, RELATIVE TO QUALIFICATIONS OF LAW STUDENTS.

He also laid before the Senate the following communication, which was read and referred to the Committee on Judiciary General:

Philadelphia, Pa., November 14, 1922.
President of the Senate of Pennsylvania,
Harrisburg, Penna.

Sir: I have the honor to forward to you the following resolution as adopted by the Department of Pennsylvania, American Legion, in Convention assembled at Williamsport Pa., Sepember 7-9, 1922:—

"Whereas, the mission of the American Legion is to safeguard and transmit to posterity the principles of justice, freedom and democracy, and

"Whereas, the resolutions passed by the American Bar Association delegates in special session relative to legal education at Washington, D. C., on February 23 and 24, 1922, require that no person shall be admitted to the study of law who has not had at least two years of study in a college, and

Whereas, this arbritary requirement works a distinct and harsh injustice on the American poor boy who has large natural endowments and personal fitness but limited means, thereby prescribing freedom of opportunity, and weakening the structure of democratic institutions of America.

Therefore, be it Resolved, that the Department of Pennsylvania of the American Legion in Convention assembled voices its protest against the requirements of two years study within college walls, and in lieu thereof, recommends as being insufficient for the protection of life, liberty and property that the educational qualifications be of highest standard and that all persons of good moral character and standing in the community be permitted to qualify for the study of law by written examinations conducted under the jurisdiction of the Supreme Court of Pennsylvania which body has in the past so ably carried on this important work, and

Be it Further Resolved, that copies of these resolutions be transmitted to the Chief Justice of the Supreme Court of the United States, Chief Justice of the Supreme Court of Pennsylvania, The American Bar Association, The Pennsylvania State Bar Association, The Governor of Pennsylvania and the President of the Senate of the Pennsylvania State Legislature and the Speaker of the House of Representatives of the Pennsylvania State Legislature."

Respectfully submitted,
GILBERT JACOBOSKY,
Department Adjutant.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced, presented commuications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

COMMISSIONER OF HEALTH.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 5, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Doctor Charles H. Miner, of Wilkes-Barre, to be Commissioner of Health for the Commonwealth of Pennsylvania, to serve until March 1, 1923.

GIFFORD PINCHOT.

ALDERMAN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 5, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate T. R. Moffat, of Bethlehem, as Alderman, in and for the Seventeenth Ward of the City of Bethlehem, vice T. B. Moffat, deceased.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 5, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ADAMS COUNTY.

Harry G. Williams, Gettysburg, February 21, 1923.

ALLEGHENY COUNTY.

T. C. Allison, Pittsburgh, February 21, 1923.
J. S. Baughman, Pittsburgh, February 24, 1923.
Lewis Z. Birmingham, Jr., Pittsburgh, February 21, 1923.
Joseph M. Browne, Pittsburgh, February 25, 1923.
C. S. Callen, Pittsburgh, February 24, 1923.
Wm. R. Cappe, Pittsburgh, February 17, 1923.
James P. Colvin, Pittsburgh, February 21, 1923.
William H. Corbett, Munhall, February 22, 1923.
Miss M. M. Demond, Pittsburgh, February 21, 1923.
A. C. Ellis, Pittsburgh, February 21, 1923.
W. L. Fawcett, McKeesport, February 28, 1923.
J. E. Fox, Oakdale, February 21, 1923.
C. W. Frechling, Pittsburgh, February 21, 1923.
Henry Friedman, McKeesport, February 22, 1923.
Jacob Friedman, Pittsburgh, February 4, 1923.
Miss Sue B. Fritz, Pittsburgh, February 21, 1923.
Wm. Fromm, Mt. Oliver, February 21, 1923.
James A. Gibson, Pittsburgh, February 21, 1923.
Wm. E. Hague, Pittsburgh, February 21, 1923.
Miss Emma M. Hall, Pittsburgh, February 21, 1923.
Charles C. Herzog, Pittsburgh, February 24, 1923.
DeWaldt J. Hicks, Pittsburgh, February 21, 1923.
L. P. Hoffman, Pittsburgh, February 21, 1923.
Mrs. Lucy Dorsey Iams, Pittsburgh, February 21, 1923.
Miss Catherine F. King, Pittsburgh, February 21, 1923.
William I. King, Pittsburgh, February 21, 1923.
C. S. Lamb, Pittsburgh, February 21, 1923.
T. L. Landis, Pittsburgh, February 14, 1923.
Frank T. Lauinger, Pittsburgh, February 20, 1923.
John J. Lawler, Pittsburgh, February 21, 1923.
Edward G. Lang, Pittsburgh, February 21, 1923.
Homer C. Lytle, Wilkinsburg, February 21, 1923.
W. A. Martin, Pittsburgh, February 17, 1923.
J. L. Mason, Pittsburgh, February 21, 1923.
A. B. McBride, Pittsburgh, February 21, 1923.
Frank McC Painter, Pittsburgh, February 21, 1923.
R. L. McCarty, McKeesport, February 17, 1923.
R. N. McElheny, Pittsburgh, February 21, 1923.
Charles B. Milligan, Pittsburgh, February 11, 1923.
Mrs. Emma Lea Montgomery, Pittsburgh, February 21, 1923.
W. J. Moore, Pittsburgh, February 24, 1923.
Walter C. Morris, Pittsburgh, February 21, 1923.
Louis Moul, Pittsburgh, February 23, 1923.
Albert E. Muhl, Pittsburgh, February 21, 1923.
Miss Anna L. Norton, Pittsburgh, February 21, 1923.
James A. Nugent, Pittsburgh, February 21, 1923.
William L. Paine, Pittsburgh, February 21, 1923.
Wm. S. Phillips, Pittsburgh, February 21, 1923.
Robert A. Price, North Braddock, February 21, 1923.
George Rankin, Jr., Wilkinsburg, February 21, 1923.
Herbert A. Reed, Pittsburgh, February 21, 1923.
J. E. Routley, Pittsburgh, February 10, 1923.
George Sapper, Pittsburgh, February 21, 1923.
Lawrence P. Schaefer, Pittsburgh, February 21, 1923.
A. L. Schiel, Pittsburgh, February 17, 1923.
Aaron Seligsohn, Pittsburgh, February 21, 1923.
J. W. Sherrer, Pittsburgh, February 21, 1923.
E. U. Snaman, Pittsburgh, February 21, 1923.
Joseph A. Solinsky, Pittsburgh, February 23, 1923.
Wiliam A. Steinmeyer, Pittsburgh, February 14, 1923.
Chas. A. Sweeney, Pittsburgh, February 10, 1923.
John J. Walker, Braddock, February 21, 1923.
Charles T. Warashis, Pittsburgh, January 20, 1923.
Clarence V. Watkins, Pittsburgh, February 21, 1923.
W. G. Weltershausen, Pittsburgh, February 21, 1923.
Joseph A. Werner, Carrick, February 21, 1923.
J. C. Wick, Pittsburgh, February 17, 1923.
Robert W. Woodside, Pittsburgh, February 17, 1923.
C. F. Young, Pittsburgh, February 17, 1923.

ARMSTRONG COUNTY.

Anthony Maridon, Leechburg, February 16, 1923.
T. Lee Van Giesen, Leechburg, February 21, 1923.

BEAVER COUNTY.

Leman W. Dolby, Rochester, February 21, 1923.
Charles L. Grabert, Moon, February 17, 1923.
Gilbert Trumpeter, Monaca, February 17, 1923.

BERKS COUNTY.

Charles D. Fisher, Reading, February 25, 1923.
John E. Hahn, Reading, February 21, 1923.
Henry K. Schmehl, Reading, February 21, 1923.
Elmer E. Stauffer, Boyertown, February 28, 1923.

BLAIR COUNTY.

Miss Kate M. Brown, Altoona, February 20, 1923.
Miss Ella M. Nicodemus, Martinsburg, February 21, 1923.
Isaiah Scheeline, Altoona, February 27, 1923.

BRADFORD COUNTY.

Charles E. Bullock, Canton, February 21, 1923.

BUCKS COUNTY.

Miss Bertha Becker, Doylestown, February 28, 1923.
Wynee James, Doylestown, February 11, 1923.
J. Kirk Leatherman, Doylestown, February 21, 1923.
Louis Rotunno, Bristol, February 20, 1923.
Mrs. Mary W. Warren, Bristol, February 24, 1923.

BUTLER COUNTY.

Howard I. Painter, Butler, February 21, 1923.
Frank W. Smith, Butler, February 21, 1923.

CAMBRIA COUNTY.

H. A. Brown, Beaverdale February 24, 1923.
Sante De Maria, Johnstown, February 25, 1923.
Pietro Mancuso, Barnesboro, February 21, 1923.
John H. Morley, Johnstown, February 10, 1923.
Miss Ivy Lee Quigg, Johnstown, February 10, 1923.
Elmer E. Werry, Johnstown, February 10, 1923.
Edwin S. Wright, Johnstown, February 10, 1923.

CAMERON COUNTY.

Jay P. Felt, Emporium, February 21, 1923.

CARBON COUNTY.

Wiliam H. Boyer, Aquashicola, February 17, 1923.
Howard Seaboldt, Lehighton, February 21, 1923.

CENTRE COUNTY.

D. A. Boozer, Centre Hall, February 15, 1923.

CHESTER COUNTY.

Harry Raudenbush, Coatesville, February 23, 1923.

CLARION COUNTY.

Rolin La Rue Snyder, Shippensville, February 21, 1923.

CLEARFIELD COUNTY.

Arthur W. Baird, Osceola Mills, February 28, 1923.
Frank Urey, Clearfield, February 21, 1923.

CLINTON COUNTY.

Miss J. Florence Bitner, Lock Haven, February 21, 1923.
Jesse B. Rosser, Mill Hall, February 17, 1923.

COLUMBIA COUNTY.

Ralph R. John, Bloomsburg, February 21, 1923.

CUMBERLAND COUNTY.

Wm. C. Sherman, Lemoyne, February 21, 1923.

DAUPHIN COUNTY.

Robt. A. Carl, Harrisburg, February 16, 1923.
G. L. Cullmerry, Harrisburg, February 27, 1923.
Spiridion Furcich, Steelton, February 21, 1923.
James G. Hatz, Harrisburg, February 24, 1923.
Benjamin N. Herman, Harrisburg, February 21, 1923.
A. S. Ritzman, Gratz, February 21, 1923.
Ralph E. Steever, Harrisburg, February 21, 1923.

DELAWARE COUNTY.

Jesse H. Hall, Radnor, February 21, 1923.
H. C. Hunter, Radnor, February 21, 1923.

Jesse K. Lewis, Chester, February 21, 1923.
Mrs. Hannah M. McGahey, Darby, February 21, 1923.
Edgar Earl Trout, Radnor, February 21, 1923.
J. Horace Witsil, Chester, February 23, 1923.

ELK COUNTY.

W. W. Barbour, Ridgway, February 20, 1923.

ERIE COUNTY.

Fred Bliloy, Erie, February 28, 1923.
S. H. Drown, Erie, February 21, 1923.
James Russell, Erie, February 21, 1923.
C. C. Strickland, Erie, February 21, 1923.

FAYETTE COUNTY.

William P. Clark, Connellsville, February 21, 1923.
Albert D. Mayer, Point Marion, February 21, 1923.
Geo. W. Semans, Uniontown, February 21, 1923.
Frank H. Steen, Belle Vernon, February 21, 1923.

FOREST COUNTY.

Calvin M. Arner, Tionesta, February 21, 1923.

FRANKLIN COUNTY.

Chas. B. Clayton, Waynesboro, February 21, 1923.

GREENE COUNTY.

Charles S. Carter, Waynesburg, February 21, 1923.
W. G. Sharpnack, Rices Landing, February 17, 1923.
W. P. Smith, Jefferson, February 24, 1923.

INDIANA COUNTY.

Hugh A. Jackson, Saltsburg, February 21, 1923.

JEFFERSON COUNTY.

Albert M. Wadding, Brookville, February 17, 1923.

JUNIATA COUNTY.

W. H. Zeiders, Mifflintown, February 21, 1923.

LACKAWANNA COUNTY.

Samuel Brodhead, Old Forge, February 23, 1923.
Miss Nellie V. Duffy, Scranton, February 21, 1923.
George L. Peck, Scranton, February 21, 1923.
James Gardner Sanderson, Scranton, February 14, 1923.

LANCASTER COUNTY.

Christian E. Charles, Lancaster, February 13, 1923.
Ross C. Collins, Quarryville, February 11, 1923.
Wm. J. Coulter, Lancaster, February 21, 1923.
Edward R. Heitshu, Lancaster, February 21, 1923.
Leander T. Hensel, Quarryville, February 21, 1923.
Miss Edna Hurst, Lancaster, February 27, 1923.
Henry H. Koser, Landisville, February 21, 1923.
A. B. Myers, Lancaster, February 21, 1923.
Miss Mary C. Stoner, Lancaster, February 21, 1923.
C. A. Straley, Maytown, February 21, 1923.
M. G. Weaver, New Holland, February 21, 1923.

LAWRENCE COUNTY.

Luigi Ferrante, Beaver, February 21, 1923.
Harry K. Gregory, New Castle, February 11, 1923.
George S. Long, New Castle, February 21, 1923.
J. Clarence Miller, New Castle, February 21, 1923.
Edward J. O'Brien, New Castle, February 15, 1923.

LEBANON COUNTY.

Thomas J. Shaak, Lebanon, February 21, 1923.
John W. Stager, Lebanon, February 21, 1923.

LEHIGH COUNTY.

John Berg, Egypt, February 21, 1923.
G. J. S. Kohler, Allentown, February 19, 1923.
George Kopp, Allentown, February 24, 1923.
H. A. Schantz, Allentown, February 21, 1923.
William H. Schneller, Catasauqua, February 21, 1923.
Henry N. Sieger, Slatington, February 21, 1923.
James W. Wood, Allentown, February 17, 1923.

LUZERNE COUNTY.

Alfred E. Chapin, Nanticoke, February 21, 1923.
Clemence Bloch, Wilkes-Barre, February 21, 1923.
Fred B. Davis, Wilkes-Barre, February 17, 1923.
Wm. W. Hall, Pittston, February 27, 1923.
Bayard Hand, Wilkes-Barre, February 21, 1923.
Geo. J. Hartman, Wilkes-Barre, February 21, 1923.
Miss Catherine M. Kane, Wilkes-Barre, February 24, 1923.
Joseph P. Lord, Nanticoke, February 21, 1923.
Henry Pippert, Hazleton, February 21, 1923.
Chas. G. Siegel, Wilkes-Barre, February 21, 1923.
Valentine Shipkowski, Nanticoke, February 21, 1923.

LYCOMING COUNTY.

Hugh B. Foster, Williamsport, February 23, 1923.
C. Owen Fry, Williamsport, February 24, 1923.
Miss M. F. Wilson, Williamsport, February 21, 1923.

McKEAN COUNTY.

D. S. Helmer, Port Allegheny, February 12, 1923.
W. H. Bunce, Kane, February 21, 1923.

MERCER COUNTY.

W. P. Black, Grove City, February 21, 1923.
Harry L. Keck, Greenville, February 21, 1923.
Miss Margaret E. McDonald, Farrell, February 23, 1923.
Roy Neville, Sharon, February 21, 1923.

MONTGOMERY COUNTY.

Daniel H. Bertolet, Pottstown, January 21, 1923.
Henry C. Biddle, Ambler, February 16, 1923.
William W. Chambers, Ardmore, February 21, 1923.
U. S. G. Finkbiner, Royersford, February 21, 1923.
Frank S. Gentry, Jenkintown, February 16, 1923.
Miss Emeline H. Hooven, Norristown, February 21, 1923.
Miss Louise H. Kain, Ardmore, February 21, 1923.
Miss M. P. Messer, Jenkintown, February 21, 1923.
Miss Fannie L. Robert, Norristown, February 21, 1923.
Alfred H. Trank, Jenkintown, February 26, 1923.
Franklin L. Wright, Norristown, February 20, 1923.

NORTHAMPTON COUNTY.

Mrs. Rozi Gosztonyi, Bethlehem, February 21, 1923.
Miss K. E. Hess, Hellertown, February 16, 1923.
William H. Lindeman, Bangor, February 27, 1923.

NORTHUMBERLAND COUNTY.

William McDonough, Shamokin, February 21, 1923.

PERRY COUNTY.

Charles E. Deckard, Liverpool, February 21, 1923.
W. W. Holman, Liverpool, February 21, 1923.

PHILADELPHIA COUNTY.

Wm. J. P. Allen, Philadelphia, February 21, 1923.
James H. W. Althouse, Philadelphia, February 21, 1923.
William C. Andes, Philadelphia, February 15, 1923.
Isadore H. Bach, Philadelphia, February 16, 1923.
Harry R. Barber, Philadelphia, February 21, 1923.
John D. Battersby, Philadelphia, February 17, 1923.
Aaron Berman, Philadelphia, February 21, 1923.
Miss Elsie E. Bertsch, Philadelphia, February 21, 1923.
Miss Emma K. Boyd, Philadelphia, February 17, 1923.
John J. Brenner, Philadelphia, February 21, 1923.
Wm. H. Brinkworth, Philadelphia, February 23, 1923.
Ernest H. Brown, Philadelphia, February 21, 1923.
Miss Helen M. Brown, Philadelphia, February 21, 1923.
Henry E. Cain, Philadelphia, February 21, 1923.
Thomas M. Carr, Philadelphia, February 21, 1923.
E. H. Clapp, Philadelphia, February 14, 1923.
Miss Katherine M. Collins, Philadelphia, February 21, 1923.
Frederick A. Cooke, Philadelphia, February 21, 1923.
J. B. Councilman, Philadelphia, February 21, 1923.
H. B. Courter, Philadelphia, February 21, 1923.
Wesley DeFrehn, Philadelphia, February 21, 1923.
Alexander M. DeHaven, Philadelphia, February 21, 1923.
Henry Dibernardino, Philadelphia, February 21, 1923.
Mrs. Addie W. Dickerson, Philadelphia, February 21, 1923.

William J. Dickson, Philadelphia, February 21, 1923.
Francis J. Doyle, Philadelphia, February 21, 1923.
Thomas J. Eagan, Philadelphia, February 21, 1923.
D. S. Edmonds, Philadelphia, February 17, 1923.
Robert E. Erwin, Philadelphia, February 21, 1923.
Philip Essner, Philadelphia, February 25, 1923.
Robert E. Fabien, Philadelphia, February 25, 1923.
John P. Fletcher, Philadelphia, February 21, 1923.
Henry R. Foley, Philadelphia, February 21, 1923.
F. Carroll Fow, Philadelphia, February 21, 1923.
Miss Emily L. Franklin, Philadelphia, February 21, 1923.
Wm. E. Freeston, Philadelphia, February 27, 1923.
Samuel E. Gardiner, Philadelphia, February 13, 1923.
Joseph H. Gallagher, Philadelphia, February 20, 1923.
Joseph J. Goggis, Philadelphia, February 25, 1923.
Miss L. Edna Geraghty, Philadelphia, February 24, 1923.
Silvio Giardinelli, Philadelphia, February 21, 1923.
Clarence A. Goslin, Philadelphia, February 21, 1923.
Miss Alice V. Gowran, Philadelphia, February 21, 1923.
W. P. Graham, Philadelphia, February 21, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 5, 1923.

To the Honorable, the Senate of the Comonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the folowing named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Raymond E. Beal, Pittsburgh.
Mrs. Anna N. Bitzer, Cheswick.
Mrs. Nyda R. DiMedio, Pittsburgh.
Martin T. Downey, Irwin.
Miss Eleanor M. Ferguson, Pittsburgh.
W. J. Hirth, Homestead.
Herbert S. Keyser, Pittsburgh.
C. L. Love, Bellevue.
Harry C. Markle, Pittsburgh.
Robert J. Smith, Allison Park.
Mrs. Harriet B. Thomas, Elizabeth.
George H. Yoos, Pittsburgh.

ARMSTRONG COUNTY.

J. H. McElroy, Kaylor.

BLAIR COUNTY.

Ralph E. Bell, Altoona.

CAMBRIA COUNTY.

Herman V. Tomb, Johnstown.

CHESTER COUNTY.

Miss Barbara K. Henderson, Coatesville.

DAUPHIN COUNTY.

Martin B. Bowman, Camp Hill.
W. Stewart Taylor, Harrisburg.

DELAWARE COUNTY.

Mrs. Agnes Deuel McGutcheon, Wayne.

FAYETTE COUNTY.

W. W. Walters, Masontown.

LEHIGH COUNTY.

Russell B. Faust, Bethlehem.
Louis Genovese, Allentown, Pa.
Harry W. Mehrkam, Allentown.
Orville J. Ritter, Allentown.

LUZERNE COUNTY.

C. S. Carnahan, Wilkes-Barre.
John T. Feldman, Wilkes-Barre.

MERCER COUNTY.

Joseph E. Higgs, Wheatland.

NORTHAMPTON COUNTY.

Miss Mildred W. Williams, Bangor.

PHILADELPHIA COUNTY.

Frank J. Bayer, 2305 S. 9th St., Phila.
Miss Violet Blumstein, 2414 S. Percy St., Phila.
Lester S. Gibbs, 2001 E. Cambria St., Phila.
John P. Gleason, 3609 Spring Garden St., Phila.
Mrs. Pauline Goldman, 2434 N. 29th St., Phila.
Lee W. S. Griffiths, 152 Apsley St., Phila.
Theodore W. Hissey, 3212 D. St., Phila.
George W. Holloway, 718 S. 20th St., Phila.
Samuel Leibovitz, 4102 Ogden St., Phila.
Charles H. Smith, 4215 Haverford Ave., Phila.
R. Dudley Smith, 4412 Pine St., Phila.
Robert J. Smith, 1315 Cherry St., Phila.
Isaac L. Stern, 337 S. 5th St., Phila.
Horace J. Stradley, S. E. Cor. 65th & Media Sts., Phila.
A. J. Sunshine, 417 Krams Ave., Phila.
John Swayser, Jr., 813 S. 5th St., Phila.
S. A. Thompson, 1216 Real Estate Tr. Bldg., Phila.
Albert P. Weinberg, 3036 Fontain St., Phila.
Irvin W. Worthington, 2035 Washington Ave., Phila.
Robert Zaresky, 2300 S. Seventh St., Phila.

POTTER COUNTY.

Miss E. A. Lignian, Coudersport.

WASHINGTON COUNTY.

Miss Edith R. Parkin, Washington.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Excutive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	DeWitt,	MacDade,	Smith,
Berntheizel,	Eyre,	Mansfield,	Snyder,
Betts,	Harris,	McClintock,	Sones,
Brown,	Heaton,	McNichol,	Sprowls,
Buckman,	Homsher,	Miller,	Steele,
Christley,	Huffman,	Norton,	Stineman,
Clark,	Jones,	Patton,	Stites,
Craig,	Joyce,	Phipps,	Vare,
Culbertson,	Krause,	Quigley,	Weaver,
Daix,	Kutz,	Salus,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 6, as follows:

An Act to amend section two of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty-four) entitled "An act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing for the payment of the expenses thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty-four) entitled "An Act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing for the payment of the expenses thereof" which reads as follows

"Section 2 The actual expenses of the aforesaid officials attending the said annual meetings of said association including traveling expenses and hotel bills actually paid by them together with a membership subscription by each poor district to the necessary expenses of the convention including printing employment of stenographers and expenses of committees—which said membership subscription however shall not be more than fifteen dollars for any poor district per annum—shall be paid out of the funds of the poor district The time spent in attending such meeting shall not be more than four days exclusive of the time employed in traveling thereto and therefrom" is hereby amended to read as follows

Section 2 The actual expenses of the aforesaid officials attending the said annual meetings of said association including traveling expenses and hotel bills actually paid by them together with a membership subscription by each poor district to the necessary expenses of the convention including printing employment of stenographers and expenses of committees—which said membership subscription however shall not be more than fifty dollars for any poor district per annum—shall be paid out of the funds of the poor district The time spent in attending such meeting shall not be more than four days exclusive of the time employed in traveling thereto and therefrom

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 7, as follows:

An Act providing a method for excusing women from jury duty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the sheriff of any county shall summon any woman for jury duty in any of the courts of such county it shall be his duty to send to such woman with his summons an addressed mailing card upon which shall be written or printed the following

To..... Sheriff of .....County

I desire to be excused as a juror at the ..... sessions of the court of ..... of..... County.

Dated..... .....

Section 2 Any woman who shall be summoned for jury duty and who does not desire to serve as a juror may within seventy-two hours after the receipt of such summons date and sign the mailing card herein provided for and mail the same to the sheriff of the county and thereupon the name of said woman shall be stricken from the list of jurors summoned by the sheriff and she shall not be required to appear in court or assign reasons for her desire to be excused from jury duty

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 7, the bill just read, be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senat Bill No. 13, as follows:

An Act enlarging the jurisdiction of the superior court of Pennsylvania by providing for appeals to it from certain orders judgments and sentences of the county court of Allegheny county of the Municipal court of Philadelphia and of all similar courts hereafter created

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act appeals from any order judgment or sentence of the County Court of Allegheny County or the Municipal Court of Philadelphia or of any similar court hereafter created not provided by law to be taken to the court of common pleas or court of quarter sessions of the peace of the particular county shall be taken to and heard by the Superior Court and shall not be appealable to the Supreme Court except upon allowance as in the case of other orders judgments and sentences of the Superior Court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole bing in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 14, as follows:

An Act to amend "An act approved May 5 1899 (Pamphlet Laws two hundred and forty-eight) supplementing and amending an act entitled 'An act to establish an Intermediate Court of Appeal regulating its constitution officers jurisdiction powers practice and its relation to the Supreme Court and other courts providing for the reports of its decisions the compensation of the judges and other officers and the practice and costs on appeals from its judgments' approved June 24 1895" (Pamphlet Laws two hundred and twelve)

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of equalizing the labors of the judges of the Supreme and Superior Courts the jurisdiction of the latter court where depending upon the amount in controversy shall be and the same is

hereby increased by amending sections one and two the first paragraph of section four and section five of "An Act (approved May 5 1899 Pamphlet Laws two hundred and forty-eight supplementing and amending an act entitled 'An Act to establish an intermediate court of appeal regulating its constitution officers jurisdiction powers practice and its relation to the Supreme Court and other courts providing for the reports of its decisions the compensation of the judges and other officers and the practice and costs on appeals from its judgments' approved June twenty-four one thousand eight hundred and ninety-five" (Pamphlet Laws two hundred and twelve) so as to read as follows

Section 1 (c) Any action claim distribution or dispute of any kind in the common pleas at law or in equity whether originating therein or reaching that court by appeal or certiorari from some other court or tribunal if the subject of the controversy be either money chattels real or personal or the possession of or title to real property and if also the amount or value thereof really in controversy be not greater than twenty five hundred dollars exclusive of costs and if also the action be not brought authorized or defended by the Attorney General in his official capacity

Section 3 (d) Any single claim any dispute distribution or other proceeding in the orphans' court if the subject of the controversy be either money chattels real or personal or the possession of or title to real property and if also the amount or value thereof really in controversy in such single claim dispute or other proceeding be not greater than twenty-five hundred dollars exclusive of costs and if also the claim dispute or other proceeding be not brought authorized or defended by the Attorney General in his official capacity

Section 4 In actions of ejectment either legal or equitable and in all other actions or issues in the common pleas or in the orphans' court that involve the possession of or the title to real property or chattels real or personal the judge hearing the case shall certify whether the value of the land or of the interest or of the property really in controversy is greater than twenty-five hundred dollars and his certificates unless the record shows it to be erroneous shall be conclusive proof of such value for the purposes of this Act

Section 5 Where a joint action is brought by husband and wife for damages by reason of an injury suffered by the wife or is brought by parent and child for damages by reason of an injury suffered by the child and several judgments are entered if either is greater than twenty-five hundred dollars appeals from both judgments shall be taken to the Supreme Court and not to the Superior Court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 15, entitled:

An Act relating to the retirement of certain officers and employes of the State Government and their compensation including officers and employes heretofore retired

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the phrase "State employe" as used in this act includes (a) all officers and employes of the executive and legislative branches of the State government including officers and employes of the Department of Public Instruction who at the time of retirement are not contributors to the State Teachers' Retirement Fund and entitled to retirement in accordance therewith (b) all officers and persons employed by the Supreme and Superior Courts and (c) all salaried officers and employes of hospitals asylums penitentiaries reformatories and other institutions operated by the Commonwealth

Section 2 Any State employe who has served as such for twenty-five years or more or who has served as such for twenty years or more and has reached the age of sixty-five years shall be eligible to retirement under the provisions of this act if he or she is in the opinion of the Governor incapacitated or disabled from performing his or her regular official duties

Section 3 Any State employe desiring to take advantage of the provisions of this act may express to the Governor his or her desire to do so The Governor upon the receipt of any such expression of desire or upon his own initiative may notify any such State employe of the privilege to be so retired and in either case if such State employe shall resign within thirty days after such notice and shall hold himself or herself in readiness to perform special duties in such ways as he or she may be reasonably able to perform after such retirement by resignation he or she shall receive during the remainder of his or her life or during the continuance of such disability or incapacity one-half of the salary compensation or emoluments which he or she would have received had they remained in active service

Section 4 No such State employe while accepting the benefits of this act shall be entitled to any additional compensation for the performance of any duties assigned to him hereunder and no such employe shall be obliged to accept an assignment of duty from any department or branch of service of which he was an employe at the time of his retirement except in cases where the duties so to be performed have been transferred to some other department or branch of service

Section 5 All payments under this act shall be made monthly only upon the certificates of the head of the proper department or branch of service or the department or branch of service to which the duties of such State employe have been transferred that such retired State employe is living and willing to perform the special duties assigned to him by such State official

Section 6 Any State employe who has been heretofore retired under the provisions of any act repealed by this act shall continue to be so retired and shall be entitled to all the benefits emoluments and be subject to the performance of all the duties provided for by this act

Section 7 The General Assembly shall at each biennial session appropriate moneys sufficient for the payment of the salaries compensation and emoluments of all such retired State employes

Section 8 That the following acts of Assembly are hereby repealed

The act approved the fourteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and seventy-three) entitled "An act to provide for retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement"

The act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws five hundred and fifty-nine) entitled "An act to amend an act entitled 'An act to provide for retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement' approved the fourteenth day of June Anno Domini one thousand nine hundred and fifteen so as to extend the operation thereof to all employes in penitentiaries and other institutions operated by the Commonwealth as well as those more directly in the service thereof"

The act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and ninety-seven) entitled "An act to amend section one of an act approved the fourteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-three) entitled 'An act to provide for the retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement' as amended by changing the conditions under which said employes can be retired and the procedure therein changing the pension period and defining the term 'State employe' to include officers and employes in the legislative

and executive branches of the State Government and of State institutions"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SMITH. Mr. President, I move that Senate Bill No. 15, the bill just read, be recommitted to the Committee on Appropriations, for the purpose of amendment.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 34, as follows:

An Act to validate tax liens filed since the twenty-first day of May one thousand nine hundred and thirteen or which may be filed within six months after the approval of this act under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" and providing for their collection

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all tax liens and claims heretofore filed under and by virtue of an act approved the fourth day of June one thousand nine hundred and one (Pamphlet Laws three hundred and sixty-four) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" and its several supplements and amendments and any tax liens filed within six months after the approval of this act in accordance with the provisions of said act be and the same are hereby validated and made effectual as if the act of May twenty-first one thousand nine hundred and thirteen (Pamphlet Laws two hundred and eighty-five) entitled "An act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes" and the supplements and amendments thereto had not been passed and all such liens and claims shall be collected in the manner provided in said act of June fourth one thousand nine hundred and one and with like force and effect as if said act of May twenty-first one thousand nine hundred and thirteen had not been passed Provided The tax liens shall in other respects be legal and valid And provided further That this act shall not apply to any cases already adjudicated or to any suits now pending and undetermined

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE.

HOUSE BILL FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 15 (Senate Bill No. 124), entitled:

An Act providing the method in which amendatory legislation shall be printed in the session laws; and for the interpretation thereof.

Which was committed to the Committee on Judiciary General.

ADJOURMENT.

Mr. EYRE. Mr. President, I move that the Senate do now adjourn until eleven o'clock tomorrow morning.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10 P. M. until Tuesday morning, February 6, 1923, at 11 o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 5, 1923.

The House met at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

PRAYER.

The Chaplin, Rev. W. B. Cox, offered the following prayer:

Oh Lord, Thou that rulest in the heavens and upon the earth, we realize that it is alone through thy good pleasure that this House is enabled to assemble at this hour, and we would reverently approach thee and give thee thanks for every blessing received and every good promise. We thank Thee, our Father, for this great State in which we live; for her natural resources; for her industry, and her commercial life. We thank Thee for her splendid manhood and for her noble womanhood, and we praise Thee for every institution enjoyed by her.

We invoke Thy divine blessing upon this House, and, insofar as they are charged with the preservation and conservation of those abundant blessings from thy hand for us and for our posterity, we pray that Thou would vouchsafe to them that wisdom, that statesmanlike vision that will guarantee the largest possible benefits for those who live in the present as well as preserve for the future those that shall live after us.

Bless the Governor of this Commonwealth and his advisors; the speaker of this House and his assistants; the president of these United States, and all in authority. Guide us through life and eventually save us in the name of Thy son our Saviour. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Wednesday, January 31, 1923.

The Clerk proceeded to read the Journal of the proceedings of Wednesday, January 31, 1923, when, on motion of Mr. Wheeler, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. BALDI. HOUSE BILL No. 192.

An Act to amend section five of the act approved the seventeenth day of May, one thousand nine hundred and seventeen, (P. L. 208), entitled "An Act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said

law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength and purity.

Referred to the Committee on Public Health and Sanitation.

By Mr. HASLETT. HOUSE BILL No. 193.

An Act relating to depositories of county funds in counties of the sixth, seventh and eighth classes, providing for the selection thereof by the county treasurer, county commissioners and county controller, if any there be, and for the payment of interest on county funds for the use of the county, imposing certain expenses upon counties in connection therewith, and providing penalties.

Referred to the Committee on Counties and Townships.

By Mr. STAVITSKI. HOUSE BILL No. 194.

An Act prohibiting sheriffs from suppressing riots and disturbances in certain cities, boroughs and townships without the request of the local authorities.

Referred to the Committee on Law and Order.

By Mr. STAVITSKI. HOUSE BILL No. 195.

An Act regulating the supply of drinking water to employees at coal mines, and prescribing penalties for violations.

Referred to the Committee on Public Health and Sanitation.

By Mr. KENNEDY. HOUSE BILL No. 196.

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania, located at Oakdale, Allegheny County.

Referred to the Committee on Appropriations.

By Mr. WONER. HOUSE BILL No. 197.

An Act to amend section two of an act approved the twenty-third day of March, one thousand nine hundred and twenty-one, (P. L. 42), entitled "An Act appropriating to the State Highway Department, for the purpose of assisting in the construction, maintenance, improvement, and repair of State highways and State-aid highways, all moneys derived from registrations and from license fees, for the year one thousand nine hundred and twenty-one and subsequent years, under the provisions of the act of Assembly, approved June thirtieth, one thousand nine hundred and nineteen, relating to and regulating motor vehicles, and amendments thereto; and providing for salaries and other expenses of the department."

Referred to Committee on Public Roads.

By Mr. GILCHRIST. HOUSE BILL No. 198.

An Act making an appropriation to the Wayne County Memorial Hospital, at Honesdale, Pennsylvania.

Referred to Committee on Appropriations.

REPORT OF COMMISSION TO INVESTIGATE BATTLE FIELDS OF FRANCE AND BELGIUM.

The SPEAKER. The Chair lays before the House the report of the Commission appointed to make an investigation of the battle fields of France and Belgium, and to select points for the erection of monuments and markers, etc.

(For report, see appendix).

LEAVES OF ABSENCE.

Mr. BLUETT asked and obtained leave of absence for Mr. Dilsheimer.

Mr. COLVILLE asked and obtained leave of absence for Mr. Burns.

Mr. MILLER asked and obtained leave of absence for himself for last week on account of illness.

Mr. KORNS asked and obtained leave of absence for Mr. Horne on account of illness.

Mr. McCURDY asked and obtained leave of absence for Mr. Zook on account of illness.

Mr. ALLEN J. STEVENS asked and obtained leave of absence for Mr. Grover C. Myers on account of illness.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 158, entitled:

An Act to amend section sixteen of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 181, (Senate Bill No. 66), entitled:

An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 66, entitled:

An Act to amend part of section nine of the act approved the twenty-first day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and nine) entitled "An Act relating to the organization maintenance and operation of the Banking Department and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing certain acts" changing the charges to be paid by building and loan associations for examinations

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section nine of the act approved the twenty-first day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and nine) entitled "An act relating to the organization maintenance and operation of the Banking Department and the

scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing certain acts" which reads as follows

"(b) All the expenses incurred in and about the conduct of the business of the Banking Department including the cost of the regular examinations of corporations and persons under the supervision of the department the compensation of the commissioner deputy commissioners examiners and other employes of the Department but excluding the furniture and conveniences mentioned in section eight of this act together with all other general or overhead expenses of the department shall be charged to and paid by the corporations and persons subject to the supervision of the department in equitable proportions at such times and in such manner as the Commissioner of Banking shall by general rule or regulations annually prescribe

Provided however That the charge for the examination of building and loan associations shall not exceed the sum of five dollars for each hundred thousand dollars or fraction thereof of assets of said building and loan associations with a minimum charge to said building and loan association of ten dollars" is hereby amended to read as follows

(b) All the expenses incurred in and about the conduct of the business of the Banking Department including the cost of the regular examinations of corporations and persons under the supervision of the Department the compensation of the commissioner deputy commissioners examiners and other employes of the department but excluding the furniture and conveniences mentioned in section eight of this act together with all other general or overhead expenses of the department shall be charged to and paid by the corporations and persons subject to the supervision of the department in equitable proportions at such times and in such manner as the Commissioner of Banking shall by general rule or regulations annually prescribe

On the question,

Will the House agree to the section?

Mr. J. G. MARSHALL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 1, line 13, on page 3, by inserting after the word "prescribe" the following:

"Provided however, That building and loan associations shall not be examined more than once in each year, unless the condition of any building and loan association shall be such that in the opinion of the Commissioner of Banking an additional examination is necessary. And provided further, That the Commissioner of Banking may, upon the request of any building and loan association appoint a certified public accountant to make the annual examination instead of an examiner of the Banking Department, and the building and loan association making such request shall be entitled to and furnished with a copy of the report of the examination."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend part of section nine of the act approved the twenty-first day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and nine) entitled "An Act relating to the organization and maintenance and operation of the Banking Department and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing certain acts" changing the charges to be paid by building and loan associations for examinations

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 23, as follows:

An Act requiring the prothonotary of the courts of common pleas to indicate on the proper index notice of the settlement satisfaction discontinuance or dismissal of any suit or proceeding in equity affecting the title to real estate

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any suit or proceedings in equity affecting the title to any real estate has been begun in any court of common pleas and has in accordance with law been entered in any ejectment judgment or miscellaneous index in the office of the prothonotary of said court and the said suit or proceedings has subsequently been settled satisfied discontinued or dismissed the prothonotary shall immediately thereafter indicate upon the margin of said index the action which has been had thereon

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 37, as follows:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section four of article nine which reads as follows

"Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasions suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth"

be amended so as to read as follows

Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasions suppress insurrections defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth Provided further however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of thirty-five millions of dollars for the payment of compensation to certain persons from the State who served in the Army Navy or Marine Corps of the United States during the World War between the sixth day of April one thousand nine hundred and seventeen and the eleventh day of November one thousand nine hundred and eighteen

Section 2 Said proposed amendment shall be submitted to the qualified electors of the State at the general election to be held on the Tuesday next following the first Monday of November in the year nineteen hundred and twenty-four

for the purpose of deciding upon the approval and ratification or the rejection of said amendment Said election shall be opened held and closed upon said election day at the places and within the hours at and within which said election is directed to be opened held and closed and in accordance with the provisions of the laws of Pennsylvania governing elections Such amendments shall be printed upon the ballots in the form and manner prescribed by the election laws of Pennsylvania and shall in all respects conform to the requirement of such laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 125, entitled:

An Act regulating the sale offering for sale barter exchange and giving of tickets cards or other tokens evidencing the right of admission to any theatre concert hall circus show ball-park athletic hall or field or other place of amusement and providing penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of this act the term "place of amusement" shall mean any theatre concert hall circus show ball-park athletic hall or field or other place of amusement to which an admission is charged The term "ticket" shall mean any ticket card or other token evidencing the right of admission to any place of amusement

On the question,

Will the House agree to the section?

Mr. LONG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Cleark as follows:

Amend section 1, page 1, line 9, by inserting between the words "evidencing the right" and "of admission" the following:

"to a reserved seat in and"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 It is unlawful for the owner proprietor lessee or manager of any place of amusement or the agent of any of them to sell barter exchange or to give to any person any ticket for admission to such place of amusement unless the price of such ticket, is conspicuously printed or stamped on the face thereof

The third section was read as follows:

Section 3 It is unlawful for any person to sell or offer to sell any ticket for a greater sum than the price printed or stamped upon the face of such ticket together with any tax thereon levied under authority of law

On the question,

Will the House agree to the section?

Mr. LONG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 2, line 5, by inserting at the end thereof after the word "ticket" the following:

"or to in any way change the price printed or stamped on such ticket."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read and agreed to as follows:

Section 4 Any person or any member or agent of any association or copartnership or any officer director or agent of any corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo an imprisonment not exceeding six months or both

The title was read as follows:

An Act regulating the sale, offering for sale, barter, exchange and giving of tickets, cards or other tokens evidencing the right of admission to any theatre, concert hall, circus, show, ball-park, athletic hall or field or other place of amusement; and providing penalties.

On the question,

Will the House agree to the title?

Mr. LONG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title by inserting between the words "evidencing the right" and "of admission" the following "to a reserved seat in and"

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 61, as follows:

To amend sections one and two of the act approved the eighth day of June, one thousand eight hundred and ninety-three (Pamphlet Laws three hundred and forty-four) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" authorizing a married woman to mortgage her real property without the joinder of her husband

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eighth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred and forty-four) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and

to make a last will and enabling them to sue and to testify against each other in certain cases" which reads as follows

"Section 1 Be it enacted et cetera That hereafter a married woman shall have the same right and power as an unmarried person to acquire own possess control use lease sell or otherwise dispose of any property of any kind real personal or mixed and either in possession or expectancy and may exercise the said right and power in the same manner and to the same extent as an unmarried person but she may not convey her real property unless her husband join in such mortgage or conveyance" is hereby amended to read as follows

Section 1 Be it enacted et cetera That hereafter a married woman shall have the same right and power as an unmarried person to acquire own possess control use lease mortgage sell or otherwise dispose of any property of any kind real personal or mixed and either in possession or expectancy and may exercise the said right and power in the same manner and to the same extent as an unmarried person but she may not convey her real property unless her husband join in such conveyance

Section 2 That section two of said act which reads as follows

"Section 2 Hereafter a married woman may in the same manner and to the same extent as an unmarried person make any contract in writing or otherwise which is necessary appropriate convenient or advantageous to the exercise or enjoyment of the rights and powers granted by the foregoing section but she may not become accommodation endorser maker guarantor or surety for another and she may not execute or acknowledge a deed or other written instrument conveying her real property unless her husband join in such conveyance" is hereby amended to read as follows

Section 2 Hereafter a married woman may in the same manner and to the same extent as an unmarried person make any contract in writing or otherwise which is neccessary appropriate convenient or advantageous to the exercise or enjoyment of the rights and powers granted by the foregoing section but she may not become accommodation endorser maker guarantor or surety for another and she may not execute or acknowledge a deed or other written instrument conveying her real property unless her husband join in such conveyance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. MATHAY. Mr. Speaker, I ask that this bill be recommitted to the Committee on Judiciary General for a hearing.

Mr. EDMONDS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 21, as follows:

An Act relating to procedure in suits wherein it is pleaded that two or more defendants are liable for a specified cause of action

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever it is pleaded in any suit that two or more defendants are jointly liable for the cause of action specified and in the opinion of the trial judge the evidence may not justify a recovery against some of them the suit shall not be dismissed as to all but the case shall be submitted to the jury if the facts are in dispute to determine which if any of them are liable or if the facts are not in dispute the question of liability of any or all of them may be reserved for consideration by the court in banc or the suit may be dismissed as to some and the trial proceed against the others in every such contingency with the same effect as if the defendants ultimately found to be liable were the only ones alleged to be so

Section 2 In all such cases upon proper application the court in banc may enter judgment notwithstanding the verdict against such of the defendants as may be deemed liable whether or not the question of liability was reserved at the trial and whether or not the cause of action was alleged as against them alone or jointly in connection with others

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. EDMONDS. Mr. Speaker, there is an obvious misprint in the second paragraph of this bill, and I therefore move that it be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 25, as follows:

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of January one thousand nine hundred and twenty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no deed mortgage or other instrument of writing of and concerning any land tenement hereditaments or any estate right title or interest therein required by law to be acknowledged which purports to have been acknowledged by husband and wife before any judge justice of the peace alderman notary public commissioner of deeds or other person authorized by law within this State or within any other state of the United States or without the United States to take acknowledgment of deeds et cetera shall be deemed held or adjudged invalid or defective or insufficient in law or avoided or prejudiced by reason of informality or omission in setting forth the particulars of the acknowledgment made before such person as aforesaid in the certificate thereof where the acknowledgment bears date prior to the fourth day of January in the year one thousand nine hundred and twenty-three but all and every such deed mortgage or other instrument of writing where the acknowledgment thereof bears such prior date and purports to have been made by husband and wife as aforesaid or the record of such deed mortgage or other instrument of writing duly made in the proper office for recording of deeds in this Commonwealth shall be as good valid and effectual in law for transferring passing and conveying the estate right title and interest of such husband and wife of in and to the lands tenements and hereditaments mentioned in the same as if all the requisites and particulars of such acknowledgment mentioned in the act entitled "An act for the better confirmation of the estates of persons holding or claiming under feme coverts and for establishing a mode by which husband and wife may hereafter convey their estates" approved the twenty-fourth day of February one thousand seven hundred and seventy were particularly set forth in the certificate thereof and the record of such deed mortgage or other instrument of writing made in the proper county as aforesaid or exemplifications of such record duly certified shall be legal evidence in all cases in which the original would be competent evidence This act shall not apply to suits now pending and undetermined

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 132, as follows:

An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of this Commonwealth of the second class the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery shall be fixed by the judges of said courts and be paid out of the treasury of said counties provided that the maximum salary or compensation shall not exceed the sum of three thousand dollars ($3,000.-00) per annum

Section 2 That all acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 147, as follows:

An Act to amend section five of the act approved the fourth day of June one thousand nine hundred and one (Pamphlet Law three hundred and sixty-four) entitled "An act providing when how and upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the fourth day of June one thousand nine hundred and one (Pamphlet Laws three hundred and sixty-four) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" which as amended by the act approved the twenty-eighth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and ninety-nine) entitled "An act to amend certain paragraphs of section one also section four five twelve thirteen twenty twenty-two thirty thirty-two and thirty-seven of an act entitled 'An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales' approved the fourth day of June Anno Domini one thousand nine hundred and one (Pamphlet Laws three hundred sixty-four) as one of said paragraphs of section one and said fourth and fifth sections were amended by an act approved the nineteenth day of March Anno Domini one thousand nine hundred and three (Pamphlet Laws forty-one) as section twelve was amended by an act approved the twenty-first day of May Anno Domini one thousand nine hundred thirteen (Pamphlet Laws two hundred eighty-six) and as section thirty-two was amended by an act approved the twentieth day of June Anno Domini one thousand nine hundred and eleven (Pamphlet Laws one thousand seventy-six)" reads as follows

"Section 5 All real estate by whomsoever owned and for whatsoever purpose used shall be subject to a l taxes and municipal claims herein provided for except that all property owned by the State county city or other municipal divisions and actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity shall not be subject to tax or municipal claims except for removal of nuisances for sewer claims and sewer connections or for the recurbing paving repaving or repairing the footways in front thereof All other real estate by whomsoever owned and for whatsoever purpose used shall be subject to all tax claims and municipal claims herein provided for Provided however That nothing in this act contained shall hinder or prevent any city borough or township of the first class from providing that any municipal work may be done at the expense of the public generally and be paid out of the general city borough or township funds" is hereby amended to read as follows

Section 5 All real estate by whomsoever owned and for whatsoever purpose used shall be subject to all taxes and municipal claims herein provided for except that all property owned by the State county city school district or other municipal divisions and actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity shall not be subject to tax or municipal claims except for removal of nuisances for sewer claims and sewer connections or for the recurbing paving repaving or repairing the footways in front thereof All other real estate by whomsoever owned and for whatsoever purpose used shall be subject to all tax claims and municipal claims herein provided for Provided however That nothing in this act contained shall hinder or prevent any city borough or township of the first class from providing that any municipal work may be done at the expense of the public generally and be paid out of the general city borough or townsihp funds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 146, as follows:

An Act to amend an act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-two) entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired and to validate the conveyances and other instruments of said corporations" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-two) entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired and to validate the conveyances and other instruments of said corporations" which as amended by an act approved the nineteenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred thirty-nine) entitled "An act to amend an act entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired and to validate the conveyances and other instruments of said corporations' approved the twenty-second day of April Anno Domini one thousand nine hundred and nine" reads as follows

"Section 1 Be it enacted et cetera That no exercise of franchise grant bargin and sale feoffment deed or conveyance release assignment or other assurance of lands tenements and hereditaments contract or agreement whatsoever made executed and delivered prior to January first one thousand nine hundred and thirteen by any corporation of this Commonwealth or by the successors of any such manufacturing corporation or land company shall be deemed held or

adjudged invalid and defective or insufficient in law by reason of the expiration of the term of its charter but all and every such exercise of franchises grant bargain and sale feoffment deed of conveyance release assignment or other assurance contract or agreement so made executed and delivered shall be as good valid and effectual in law and fact as if the charter of such corporation or of the successors of such corporation had not expired or had been renewed and extended Provided however That such corporation or the successors thereof has accepted the provisions of the Constitution of this Commonwealth and of the act of Assembly entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four or is subject thereto without acceptance And provided further That not more than twenty years has elapsed since the expiration of the term of such charter" is hereby further amended to read as follows

Section 1 Be it enacted et cetera That no exercise of franchise grant bargain and sale feoffment deed of conveyance release assignment or other assurance of lands tenements and hereditaments contract or agreement whatsoever made executed and delivered prior to January first one thousand nine hundred and twenty-three by any corporation of this Commonwealth or by the successors of any such manufacturing corporation or land company shall be deemed held or adjudged invalid and defective or insufficient in law by reason of the expiration of the term of its charter but all and every such exercise of franchises grant bargain and sale feoffment deed of conveyance release assignment or other assurance contract or agreement so made executed and delivered shall be as good valid and effectual in law and fact as if the charter of such corporation or of the successors of such corporation had not expired or had been renewed and extended Provided however That such corporation or the successors thereof has accepted the provisions of the Constitution of this Commonwealth and of the act of Assembly entitled "An act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four or is subject thereto without acceptance And provided further That not more than twenty years has elapsed since the expiration of the term of such charter

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I moye that this House do now adjourn until 11:00 o'clock tomorrow morning.

The motion was agreed to, and (at 9:30 o'clock P. M.), the House adjourned until tomorrow morning at 11:00 o'clock.

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SENATE

TUESDAY, FEBRUARY 6, 1923.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Almighty God, we thank Thee for the bright days in life, when the sun is shining and the tide is flowing in our direction and all is happy and prosperous. We praise Thee for Thy multiplied blessings, but we likewise remember that in every experience there must come some dark moments when the sun is obscured and when the tide is against us, and when all manner of difficulties, sorrows, disappointments, perplexities, sickness and all manner of troubles seem to conspire against us. We pray Thee that Thou wouldst help us in such moments to be true, patient and trustful in Thee. May we never forget the Divine Helper who Himself hath said: Come unto me all thee that labor and are heavy laden and I will give you rest; and may we find peace, strength and comfort in Him. Be with all through this day and through all the coming days. We ask it in the Redeemer's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

PETITION.

PROTESTING AGAINST PASSAGE OF SENATE BILL NO. 7; ADVOCATING ELECTION OF JUDGES AND SCHOOL DIRECTORS ON NON-PARTISAN BALLOTS, AND URGING LEGISLATORS TO SUPPORT LEGISLATIVE PROGRAM OF GOVERNOR.

Mr. MacDADE presented petition of Delaware County League of Women Voters, protesting against passage of Senate Bill No. 7; Favoring election of judges and school directors on non-partisan ballots, and urging legislators to support legislative program of Governor.

Which was referred to the Committee on Judiciary General.

LEAVES OF ABSENCE.

The CHAIR asked and obtained leave of absence for the Senator from Allegheny, Mr. Einstein.

Mr. CHRISTLEY asked and obtained leave of absence for the Senator from Crawford, Mr Miller.

The CHAIR asked and obtained leave of absence for the Senator from Cambria, Mr. Stineman.

REPORTS FROM COMMITTEES.

Mr. JONES, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 95, entitled:

An Act for the prevention of fraud and the protection of the public health relating to milk, cream or skimmed-milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated, prohibiting the introduction of foreign fats into them, regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof.

Mr. PHIPPS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 8, entitled:

An Act regulating the business of stock brokers and requiring them to secure permits to act as such; placing them under the supervision of the Banking Department and defining the powers and duties of the Commissioner of Banking in relation thereto; and prescribing penalties.

Mr. STITES, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 19, entitled:

An Act for the protection of the public health; and to prevent fraud and deception in the manufacture, sale offering for sale, exposing for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, including coated ice cream and the coating thereof; fixing a standard of butter fat for ice cream; providing penalties for the violation thereof; and providing for the enforcement thereof.

Mr. STEELE, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 69, entitled:

An Act relating to the incorporation of banks and trust companies.

Mr. ARON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 17, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania.

Mr. CULBERTSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 118, entitled:

An Act providing that the county controller shall be made a party defendant in all suits against any county.

Mr. SPROWLS, from the Committee on Agriculture, reported as committed, Senate Bill No. 67, entitled:

An Act to further amend section four of the act approved the third day of May, one thousand nine hundred and nine, (P. L. 395), entitled "An Act regulating the sale of concentrated commercial feeding-stuffs, also of condimental stock and poultry-food, and patented, proprietary

or trade-mark stock and poultry-food, possessing nutritive value combined with medicinal properties; defining concentrated commercial feeding-stuffs; prohibiting the adulteration of any feeding-stuff, sold, offered, or exposed for sale, in this State, with oat hulls, ground corn cobs, flax plant refuse, elevator chaff, cotton-seed hulls, ground corn stalks, rice hulls, peanut hulls, weed seeds, or other similar adulterants; providing for the collection of samples and analysis thereof by the Department of Agriculture, and the publication of information concerning the same; providing also for the expenses of the enforcement of the law, fixing penalties for its violation, and repealing act number two hundred and eleven, (Pamphlet Laws, one thousand nine hundred and seven, page two hundred and seventy-three), entitled 'An Act regulating the sale of wheat, rye, corn, and buckwheat-bran and middlings, or any admixture thereof,' et cetera, approved the twenty-eighth day of May, one thousand nine hundred and seven," as amended; fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs.

Mr. CHRISTLEY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 102, entitled:

An Act amending section four of the act entitled "An Act regulating the practice, bail, costs and fees on appeals to the Supreme Court and Superior Court", approved May 19, 1897, Pamphlet Laws sixty-seven, by providing a shorter period within which to appeal in cases where loss and hardship would otherwise result to the estates of decedents.

Mr. LONG, from the Committee on Judiciary General, reported as committed, Senate Bill No. 59, entitled:

An Act to repeal an act, entitled "An act to regulate the practice of the profession of engineering and of land surveying; creating a State Board for the Registration of Professional Engineers and Land Surveyors; defining its powers and duties; imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work; and providing penalties.

Mr. BARR, from the Committee on Judiciary General, reported as committed, Senate Bill No. 124, (House Bill No. 15,) entitled:

An Act providing the method in which amendatory legislation shall be printed in the session laws and for the interpretation thereof. Whereas the Constitution of the Commonwealth in Article 3 Section 6 provides "No law shall be revived amended or the provisions thereof extended or conferred by reference to its title only but so much thereof as is revived amended extended or conferred shall be re-enacted and published at length" and Whereas said section in the case of amendatory laws provides only for the re-enactment of the part of law amended and not for a recital of the part of the existing law which is amended therefore.

Mr. BALDWIN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 73, entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

Mr. HOMSHER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 100, entitled:

An Act to amend section ten of an act approved June 27, 1895, (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

BILLS INTRODUCED.

Mr. PHIPPS read in his place and presented to the Chair Senate Bill No. 125, entitled:

An Act making a deficiency appropriation to the trustees of the State Institution for Feeble Minded of Western Pennsylvania at Polk, Venango County.

Which was committed to the Committee on Appropriations.

Mr. McCLINTOCK read in his place and presented to the Chair Senate Bill No. 126, entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 127, entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 128, entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh, Pennsylvania, to cover deficiency in maintenance and education of State pupils.

Which was committed to the Committee on Appropriations.

Mr. BARR, read in his place and presented to the Chair Senate Bill No. 129, entitled:

An Act to amend sections five hundred and forty and five hundred and forty-one as amended, of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 130, entitled:

An Act to amend section one of the act approved the seventeenth day of May, one thousand nine hundred and nineteen, (Pamphlet Laws two hundred and eight), entitled "An act prohibiting, under certain conditions, the commutation, encumbrance, or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

Which was committed to the Committee on Insurance.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 131, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Which was committed to the Committee on Municipal Affairs.

Mr. KUTZ read in his place and presented to the Chair Senate Bill No. 132, entitled:

An Act to amend section one of the act approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws four hundred and eighty-three), entitled "An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the courts power to enforce its provisions," as amended.

Which was committed to the Committee on Judiciary General.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 133, entitled:

An Act establishing as a State highway a certain section of public road in the county of Bucks.

Which was committed to the Committee on Public Roads and Highways.

Mr. PHIPPS read in his place and presented to the Chair Senate Bill No. 134, entitled:

An Act making an appropriation to the trustees of the State Institution for Feeble Minded of Western Pennsylvania, at Polk, Venango County, for maintenance and training.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 135, entitled:

An Act making an appropriation to the Trustees of the State Institution for Feeble-Minded of Western Pennsylvania, Polk, Venango County.

Which was committed to the Committee on Appropriations.

TIME OF NEXT MEETING.

Mr. CRAIG offered the following resolution, which was twice read, considered and agreed to.

Resolved (if the House of Representatives concur), that when the Senate adjourns today it reconvene on Monday evening, February twelfth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, February twelfth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 6, entitled:

An Act to amend section two of the act approved the sixth day of July, one thousand nine hundred and seventeen, (P. L. 734), entitled "An act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth, together with their solicitor, steward, or superintendent, and such other executive officer as may be designated by said directors and overseers or other officers, to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania, as part of their official duties, and providing for the payment of the expenses thereof."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Daix,	Lanius,	Schantz,
Baldwin,	Davis,	Long,	Sisson,
Barr,	Derrick,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sones,
Brown,	Homsher,	McNichol,	Sprowls,
Buckman,	Huffman,	Norton,	Steele,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Eyre,

Pres. Pro Tem.

NAYS—0.

A majority of al the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 13, entitled:

An Act enlarging the jurisdiction of the Superior Court of Pennsylvania by providing for appeals to it from certain orders, judgments and sentences of the County Court of Allegheny County, of the Municipal Court of Philadelphia and of all similar courts hereafter created.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Daix,	Lanius,	Schantz,
Baldwin,	Davis,	Long,	Sisson,
Barr,	Derrick,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sones,
Brown,	Homsher,	McNichol,	Sprowls,
Buckman,	Huffman,	Norton,	Steele,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Eyre,

Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 14, entitled:

An Act to amend "An Act (approved May 5, 1899, P. L. 248) supplementing and amending an act entitled 'An Act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice, and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers, and the practice and costs on appeals from its judgments,' approved June 24, 1895, " (P. L. 212).

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Daix,	Lanius,	Schantz,
Baldwin,	Davis,	Long,	Sisson,
Barr,	Derrick,	MacDade,	Smith,

Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sones,
Brown,	Homsher,	McNichol,	Sprowls,
Buckman,	Huffman,	Norton,	Steele,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Eyre,
			Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 34, entitled:

An Act to validate tax liens filed since the twenty-first day of May, one thousand nine hundred and thirteen, or which may be filed within six months after the approval of this act, under the provisions of an act, approved the fourth day of June, one thousand nine hundred and one, entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," and providing for their collection.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Daix,	Lanius,	Schantz,
Baldwin,	Davis,	Long,	Sisson,
Barr,	Derrick,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sones,
Brown,	Homsher,	McNichol,	Sprowls,
Buckman,	Huffman,	Norton,	Steele,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Eyre,
			Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 39, entitled:

An Act fixing the salary of sheriffs and deputy sheriffs in counties of the seventh class; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 40, entitled:

An Act fixing the salary of the prothonotary in counties of the eighth class; and providing for the payment of all fees and commissions into the county treasury.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 41, entitled:

An Act fixing the salary of sheriffs in counties of the eighth class; requiring all fees and mileage earned by the sheriffs in such counties to be paid into the county treasury for the use of the county; and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

INVITATION TO HEAR ADDRESS ON "TAXATION AND EDUCATION IN PENNSYLVANIA".

The Chair cleared his table and laid before the Senate the following communication:—

THE PENNSYLVANIA STATE SCHOOL DIRECTORS ASSOCIATION.

Harrisburg, Pa., February 6, 1923.

To the President and Members of the State Senate:

Gentlemen: On behalf of the Pennsylvania State School Directors' Association, I extend an invitation to you to attend the session of the Association, Wednesday morning, February 7, at 9:30 o'clock.

This invitation is given particularly to have you hear an address on "Taxation and Education in Pennsylvania", to be given by Hon. Fred M. Davenport, State Senator of New York, and Chairman of the Senate Committee on Taxation and Appropriation.

Very truly yours,
D. D. Hammelbaugh Secretary.

The PRESIDENT. The Chair desires to say to the members of the Senate that having heard Senator Davenport on one or two occasions, any member of the Senate would be well repaid by hearing his address to-morrow morning, if it is convenient for them to do so. He is regarded as one of the best posted men in the State of New York on tax subjects and educational matters.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 6, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following:

Fred W. Bubp, of Newmanstown, Pa., to be Justice of the Peace, in and for the Township of Millcreek, Lebanon County, vice Lewis W. Nagle, deceased, to serve until the first Monday in January 1924.

Harry H. Green, of Montoursville, Pa., to be Justice of the Peace, in and for the Borough of Montoursville, Lycoming County, vice David Trump, resigned, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 6, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate,

the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

BEAVER COUNTY.

Theo. Wallace, Rochester.

BERKS COUNTY.

Eugene J. Mensch, Wernersville.

CAMBRIA COUNTY.

F. J. Strittmatter, Ebensburg.

DAUPHIN COUNTY.

H. L. Beckley, Harrisburg.

ERIE COUNTY.

J. E. Heinlein, Erie.

LAWRENCE COUNTY.

William C. McKeown, New Castle.

MONTGOMERY COUNTY.

Calvin W. Rigg, West Conshohocken.

PHILADELPHIA COUNTY.

Miss Marian Bentley, Philadelphia, 107 Rochelle Ave.
William Binder, Philadelphia, 662 N. 15th St.
Miss Lillian Cohen, Philadelphia, 602 S. 52nd St.
Ralph S. Graham, Philadelphia, Glenside.
Miss Marion E. Hunsicker, Norristown, 667 Astor St.
J. L. Tatemn Philadelphia, 2637 N. Hollywood St.

WASHINGTON COUNTY.

Harry W. Scott, North Charleroi.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 6, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

George E. Flaocue, Pittsburgh, February 17, 1923.
Mrs. Elizabeth E. Longdon, Pittsburgh, February 10, 1923.

BEAVER COUNTY.

George R. Bevard, Beaver, February 21, 1923.

BERKS COUNTY.

Mrs. Luella Althouse Schrack, Reading, February 25, 1923.

BUCKS COUNTY.

Harry E. Grim, Perkasie, February 21, 1923.

ERIE COUNTY.

George M. Fletcher, Erie, February 23, 1923.

LEBANON COUNTY.

Samuel T. Meyer, Lebanon, February 21, 1923.

PHILADELPHIA COUNTY.

William S. Gaunt, Philadelphia, January 28, 1923.
Miss Anna M. Levy, Philadelphia, February 21, 1923.
Miss Helen B. Supplee, Philadelphia, February 21, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 6, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

PHILADELPHIA COUNTY.

Arthur Hale, Philadelphia, February 21, 1923.
Peter P. Henry, Philadelphia, February 21, 1923.
Mrs. K. G. Herzberg, Philadelphia, February 21, 1923.
Edgar A. Hobson, Philadelphia, February 21, 1923.
Jacob B. Hoffman, Philadelphia, February 24, 1923.
George M. Holcomb, Philadelphia, February 17, 1923.
Wilbur V. Hopkins, Philadelphia, February 17, 1923.
Richard P. Imachweiler, Philadelphia, February 25, 1923.
William Jeffries, Jr., Philadelphia, February 14, 1923.
Miss Margaret Y. Kent, Philadelphia, February 21, 1923.
Albert G. Krull, Philadelphia, February 21, 1923.
Heber M. Lamon, Philadelphia, February 16, 1923.
Jacob Liffman, Philadelphia, February 5, 1923.
Jas. H. Livezly, Philadelphia, February 23, 1923.
W. H. Loesche, Philadelphia, February 17, 1923.
Miss Mary E. Logan, Philadelphia, February 21, 1923.
Robert E. Long, Philadelphia, February 21, 1923.
B. B. Lyons, Philadelphia, February 21, 1923.
Thos. K. Masters, Philadelphia, February 21, 1923.
William McKee, Jr., Philadelphia, February 2, 1923.
Frank A. McManus, Philadelphia, February 21, 1923.
Anthony C. Melone, Philadelphia, February 24, 1923.
Alexander Milligan, Philadelphia, February 21, 1923.
Charles Myers, Philadelphia, February 21, 1923.
S. Horace Myers, Philadelphia, February 21, 1923.
Geo. W. Newman, Philadelphia, February 17, 1923.
A. H. Nichols, Philadelphia, February 21, 1923.
John J. O'Brien, Philadelphia, February 21, 1923.
William S. Peace, Philadelphia, February 22, 1923.
Robert V. Pierce, Philadelphia, February 21, 1923.
David E. Rattin, Philadelphia, February 3 ,1923.
Frank L. Rau, Philadelphia, February 21, 1923.
Charles E. Potts, Philadelphia, February 21, 1923.
William Reardon, Philadelphia, February 21, 1923.
Howard C. Reynolds, Philadelphia, February 21, 1923.
Miss Jennie G. Rhoads, Philadelphia, February 28, 1923.
John D. Richardson, Philadelphia, February 21, 1923.
Charles B. Rosa, Philadelphia, February 21, 1923.
Miss Florence M. Ruff, Philadelphia, February 21, 1923.
Emil Schurgot, Philadelphia, February 27, 1923.
George F. Shinehouse, Philadelphia, February 21, 1923.
H. E. Shortlidge, Philadelphia, February 21, 1923.
Miss Caroline F. Simon, Philadelphia, February 21, 1923.
Frank W. Smith, Philadelphia, February 24, 1923.
J. H. Lee Smith, Philadelphia, February 21, 1923.
John E. Smithion, Philadelphia, February 25, 1923.
C. Wm. Spices, Philadelphia, February 22, 1923.
Albert R. Stein, Philadelphia, February 15, 1923.
Lehighton P. Stredley, Philadelphia, February 15, 1923.
Miss Adelaide C. Thorns, Philadelphia, February 21, 1923.
William J. Thomas, Philadelphia, February 23, 1923.
Paul Uetz, Philadelphia, February 21, 1923.
Harvey Void, Philadelphia, February 21, 1923.
Fred W. Wagner, Philadelphia, February 21, 1923.
Chas. Wagnerd, Philadelphia, February 21, 1923.
C. E. Wannomacher, Philadelphia, February 21, 1923.
Charles B. Watts, Philadelphia, February 21, 1923.
Miss A. R. White, Philadelphia, February 24, 1923.
Charles A. Wigmore, Philadelphia, February 17, 1923.
Mrs. Mary A. Wolf, Philadelphia, February 21, 1923.
Charles B. Wirrerling, Philadelphia, February 21, 1923.

POTTER COUNTY.

R. R. Lewis, Coudersport, February 21, 1923.

SCHUYLKILL COUNTY.

Samuel R. Board, Tamaqua, February 21, 1923.

WASHINGTON COUNTY.

W. C. Black, Canonsburg, February 21, 1923.

SCHUYLKILL COUNTY.

G. I. Bonsinger, Schuylkill Haven, February 14, 1923.
H. H. Brownmiller, Orwigsburg, February 21, 1923.
Herbert D. Felix, Schuylkill Haven, February 21, 1923.

SOMERSET COUNTY.

John Torquato, Windber, February 21, 1923.

SCHUYLKILL COUNTY.

B. D. Troutman, Pottsville, February 21, 1923.

SOMERSET COUNTY.

Mrs. Mary S. Colborn, Windber, February 15, 1923.

SUSQUEHANNA COUNTY.

John E. Cluno, Hallstead, February 21, 1923.
Edward Everett Emery, Susquehanna, February 21, 1923.

VENANGO COUNTY.

Leroy C. Curtis, Utica, February 21, 1923.
C. R. Richbarm, Emlonton, February 21, 1923.
Frederic W. Hays, Oil City, February 20, 1923.
Geo. E. Hineaid, Oil City, February 25, 1923.
J. J. McDonough, Oil City, February 17, 1923.
W. F. Moyar, Oil City, February 23, 1923.

WARREN COUNTY.

Mrs. Rose H. Davis, Warren, February 21, 1923.
Guy C. Johnson, Conewago, February 17, 1923.

WASHINGTON COUNTY.

J. C. Bryant, Washington, February 21, 1923.
A. B. Cochran, McDonald, February 20, 1923.
Charles E. Eckels, Brownsville, February 28, 1923.
William J. Cowern, Canonsburg, February 25, 1923.
Richard Hawthorne, California, February 14, 1923.
J. H. Rupp, Donegal, February 17, 1923.
Jess F. Miller, Beallsville, February 21, 1923.
W. F. Richardson, Bentleyville, February 21, 1923.
George W. Risbeck, Charleroi, February 21, 1923.
M. P. Rush, Washington, February 21, 1923.
T. D. Williamson, Charleroi, February 21, 1923.

WAYNE COUNTY.

J. Wilson Ames, Hawley, February 25, 1923.

WESTMORELAND COUNTY.

Antonio Dortolina, Irwin, February 14, 1923.
C. H. Fincik, Latrobe, February 21, 1923.
E. L. Bibbs, Monessen, February 23, 1923.
Henry George Horne, Hempfield, February 21, 1923.
S. C. Irvin, Croonsburg, February 25, 1923.
Ernest Overholt, Scottdale, February 17, 1923.
Tony Boy, Greensburg, February 21, 1923.
Michael J. Shirpun, Monessen, February 25, 1923.
J. E. Tracey, Greensburg, February 21, 1923.
W. W. Veigle, Latrobe, February 21, 1923.
S. L. Woyadt, Trafford, February 21, 1923.
Eli H. Wolf, Monessen, February 21, 1923.

YORK COUNTY.

L. W. Blackford, Dillsburg, February 21, 1923.
Miss Grace H. Drayer, York, February 21, 1923.
Daniel S. Dube, Manheim, February 21, 1923.
Clarence L. Hauser, York, February 21, 1923.
L. E. Herr, York, February 21, 1923.
Harry C. Naill, Hanover, February 21, 1923.
John A. Stover, York, February 21, 1923.
F. S. Veaus, Glen Rock, February 21, 1923.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. CRAIG,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. CRAIG,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Daix,	Lanius,	Schantz,
Baldwin,	Davis,	Long,	Sisson,
Barr,	Derrick,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sones,
Brown,	Homsher,	McNichol,	Sprowls,
Buckman,	Huffman,	Norton,	Steele,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Eyre,
			Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. CRAIG. Mr. President, I move that the Executive Session do now rise.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

MOTION TO READ BILLS THE FIRST TIME.

Mr. WEAVER. Mr. President, I move that all bills reported from committees at to-day's session be read the first time.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 95, entitled:

An Act for the prevention of fraud and the protection of the public health relating to milk, cream or skimmed-milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated, prohibiting the introduction of foreign fats into them, regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 8, entitled:

An Act regulating the business of stock brokers and requiring them to secure permits to act as such; placing them under the supervision of the Banking Department and defining the powers and duties of the Commissioner of Banking in relation thereto; and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 19, entitled:

An Act for the protection of the public health; and to prevent fraud and deception in the manufacture, sale, offering

for sale, exposing for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, including coated ice cream and the coating thereof; fixing a standard of butter fat for ice cream; providing penalties for the violation thereof; and providing for the enforcement thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 69, entitled:

An Act relating to the incorporation of banks and trust companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 17, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 118, entitled:

An Act providing that the county controller shall be made a party defendant in all suits against any county.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 67, entitled:

An Act to further amend section four of the act approved May 3, 1909 (P. L. 395), entitled "An Act regulating the sale of concentrated commercial feeding-stuffs, also of condimental stock and poultry-food, and patented, proprietory or trade-mark stock and poultry-food, possessing nutritive value combined with medicinal properties; defining concentrated commercial feeding-stuffs; prohibiting the adulteration of any feeding-stuff, sold, offered, or exposed for sale, in this State, with oat hulls, ground corn cobs, flax plant refulse, elevator chaff, cotton seed hulls, ground corn stalks, rice hulls, peanut hulls, weed seeds, or other similar adulterants; providing for the collection of samples and analysis thereof by the Department of Agriculture, and the publication of information concerning the same; providing also for the expenses of the enforcement of the law, fixing penalties for its violation, and repealing act number two hundred and eleven, (P. L. 1907, page 273), entitled "An Act regulating the sale of wheatrye, corn and buckwheat-bran and middlings, or any admixture thereof' et cetera, approved May 28, 1907," as amended; by fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 102, entitled:

An Act amending section four of the act entitled "An Act regulating the practice, bail, costs and fees on appeals to the Supreme Court and Superior Court", approved May 19, 1897, P. L. 67, by providing a shorter period within which to appeal in cases where loss and hardship would otherwise result to the estates of decedents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 59, entitled:

An Act to repeal an act, entitled "An act to regulate the practice of the profession of engineering and of land surveying; creating a State Board for the Registration of Professional Engineers and Land Surveyors; defining its powers and duties; imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 124, (House Bill No. 15), entitled:

An Act providing the method in which amendatory legislation shall be printed in the session laws and for the interpretation thereof. Whereas the Constitution of the Commonwealth in Article 3 Section 6 provides "No law shall be revived amended or the provisions thereof extended or conferred by reference to its title only but so much thereof as is revived amended extended or conferred shall be re-enacted and published at length" and Whereas said section in the case of amendatory laws provides only for the re-enactment of the part of law amended and not for a recital of the part of the existing law which is amended therefore.

And said bill having been read at length the first time,
Ordered to be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 73, entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 100, entitled:

An Act to amend section ten of an act approved June 27, 1895, (P. L. 403) entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RECESS.

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. VARE. Mr. President, I second the motion.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, February 6, 1923.

Resolved (if the House of Representatives concur), that when the Senate adjourns today it reconvene on Monday

evening, February twelfth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, February twelfth, at nine o'clock.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives, as follows:

House Bill No. 23, (Senate Bill No. 136), entitled:

An Act requiring the prothonotary of the court of common pleas to indicate on the proper index notice of the settlement, satisfaction, discontinuance or dismissal of any suit or proceeding in equity affecting the title to real estate.

Which was committed to the Committee on Judiciary General.

House Bill No. 25, (Senate Bill No. 137), entitled:

An Act to validate deeds, mortgages, and other instruments of writing which have been defectively acknowledged by husband and wife, prior to the fourth day of January, one thousand nine hundred and twenty-three.

Which was committed to the Committee on Judiciary General.

House Bill No. 37, (Senate Bill No. 138), entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 132, (Senate Bill No. 139), entitled:

An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 146, (Senate Bill No. 140), entitled:

An Act to amend an act approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122), entitled " An Act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended.

Which was committed to the Committee on Judiciary General

House Bill No. 147, (Senate Bill No. 141), entitled:

An Act to amend section five of the act approved the fourth day of June, one thousand nine hundred and one, (P. L. 364), entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," as amended.

Which was committed to the Committee on Judiciary General

REPORT FROM COMMITTEE.

Mr. KRAUSE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

RESOLUTION RELATIVE TO MODERN MAIL TUBE SYSTEM.

Mr. KRAUSE, from the Committee on Federal Relations, reported as committed, the following resolution:

In the House of Representatives,
January 29, 1923.

Whereas The sentiment of Philadelphia like that of the other cities of the country where the modern mail tube system has been tested is emphatically in favor of it as indicated by the press and by public expression by the great business organizations by City Councils and by the public generally therefore be it

Resolved (if the Senate concur) That this legislature associates itself with the public's progressive demand for the use and extension of such service as a necessity of the post office and a relief to the congestion of the already overcrowded thoroughfares of our larger cities and be it further

Resolved That the Secretary of the Commonwealth be requested to forward a copy of this resolution to the Vice-President of the United States and the Speaker of the Federal House of Representatives for presentation to Congress

Mr. KRAUSE. Mr. President, I move that Rule 39, which requires concurrent resolutions reported from committee to lie over one day, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF SLATE COMMITTEE.

Mr. HOMSHER. Mr. President, I am instructed by the Slate Committee, to nominate for Custodian of the Senate, Paul R. Nebinger, vice Thomas E. Higgins, resigned.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. I therefore declare Paul R. Nebinger, as having been duly elected Custodian of the Senate for the session of 1923.

APPOINTMENT BY LIEUTENANT-GOVERNOR.

The PRESIDENT. The Lieutenant-Governor announces the appointment of Earl V. Compton, Steelton, Dauphin County, as Stenographer to the Lieutenant-Governor.

APPOINTMENT BY THE CHIEF CLERK.

The PRESIDENT. The Chief Clerk announces the appointment of John E. Barr, Harrisburg, Dauphin County, as Filing Clerk.

ADJOURNMENT.

Mr. DAIX. Mr. President, I move that the Senate do now adjourn.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:56 P. M. until Monday evening, February 12, 1923, at 9 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 6, 1923.

The House met at 11:00 o'clock A. M.
The SPEAKER (C. J. Goodnough) in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Oh Thou who founded the earth upon the seas and established it upon the flood, who shall ascend unto the hill of the Lord and who shall stand in Thy holy presence but he who has clean hands and a pure heart, who has not lifted up his soul unto vanity nor sworn deceitfully.

Grant eternal God to each member of this House, and to all who hath to do with the affairs of this Assembly, those blessings of personal righteousness and purity of heart that we may stand unabashed in Thy presence, that we may receive of Thy grace, wisdom and power, that we may think clearly, act wisely, and labor faithfully in the discharge of the duties resting upon us. Bless the government of these United States and of this Commonwealth, and save all in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. IRVIN the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. HALL. HOUSE BILL No. 199.

An Act prohibiting the use on any public highway of uncovered cleats on the wheels of traction engines, motor tractors, or other motor vehicles; imposing a penalty; and making the owner and operator liable for damages caused thereby.

Referred to the Committee on Public Roads.

By Mr. HOWELL. HOUSE BILL No. 200.

An Act providing for the assistance of voters at general municipal or special elections; regulating the manner and return thereof; providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation.

Referred to the Committee on Elections.

By Mr. RIPPMAN. HOUSE BILL No. 201.

An Act making an appropriation to the State Highway Department for the construction of an important line in the William Penn State Highway in the County of Perry.

Referred to the Committee on Public Roads.

By Mr. HASLETT. HOUSE BILL No. 202.

An Act relating to depositories of county funds in counties of the sixth class; providing for the selection thereof by the county treasurer, county commissioners and county controller if any there be, and for the payment of interest on county funds, for the use of the county; imposing certain expenses upon counties in connection therewith; and providing penalties.

Referred to the Committee on Counties and Townships.

By Mr. JOSHUA EVANS. HOUSE BILL No. 203.

An Act relating to and regulating the speed of motor vehicles driven through cemeteries and burial grounds; and providing penalties for violation thereof.

Referred to the Committee on Public Roads.

By Mr. EDMONDS. HOUSE BILL No. 204.

An Act directing the Governor with the assistance of a budget director and assistants to prepare and transmit to each General Assembly a budget for each of the two fiscal years next succeeding, and to submit therewith a general and other appropriation and revenue bills; providing for the consideration thereof by the General Assembly; requiring spending agencies of the Commonwealth and the fiscal officers thereof to furnish certain information; and providing for uniform systems of accounting and financial reports, for control and supervision over the expenditures of the Commonwealth, and for the lapsing of appropriations.

Referred to the Committee on Judiciary General.

By Mr. ALEXANDER. HOUSE BILL No. 205.

An Act making an appropriation providing for a deficiency in the maintenance of the Glen Mills Schools Glen Mills, Delaware County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ALEXANDER. HOUSE BILL No. 206.

An Act to further amend section three of the act approved the nineteenth day of April, one thousand nine hundred and one, (P. L. 88), entitled "An Act relating to replevin, and regulating the practice in cases where the writ of replevin is issued," as amended; providing for the impounding of property where an affidavit is filed before the issuing of the writ.

Referred to the Committee on Judiciary Special.

By Mr. ALEXANDER. HOUSE BILL No. 207.

An Act making an appropriation to the Glen Mills Schools in the Eastern District of the Commonwealth of Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BLUMBERG. HOUSE BILL No. 208.

An Act to amend section two of the act approved the thirteenth day of March, one thousand eight hundred and fifteen, (P. L. 150), entitled "An Act concerning divorces," as amended; authorizing prothonotaries and clerks of the court of common pleas to take affidavits to petitions and libels; and validating prior proceedings in which such affidavits were taken.

Referred to the Committee on Judiciary Special.

By Mr. SCHAEFFER. HOUSE BILL No. 209.

An Act making an appropriation to O'Hara Brothers for payment for the burial of bodies of indigent persons under instructions of the State Department of Health.

Referred to Committee on Appropriations.

By Mr. DUNN. HOUSE BILL No. 210.

An Act providing for the erection of signs on State highways at the boundary lines of the Commonwealth.

Referred to Committee on Public Roads.

By Mr. DUNN. HOUSE BILL No. 211.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania, for any lawful purpose; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; making an appropriation of the proceeds of such bonds for the purposes intended; providing for the payment of interest on, and the redemption of, such bonds by the Sinking Fund Commission.

Referred to Committee on Judiciary Special.

By Mr. LUDLOW. HOUSE BILL No. 212.

An Act to amend sections fourteen and sixteen of article six, chapter seven of the act approved the fourteenth day

of May, one thousand nine hundred and fifteen, (P. L. 312) entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Referred to Committee on Municipal Corporations.

By Mr. McBRIDE. HOUSE BILL No. 213.

An Act relating to certain abandoned coal mines, authorizing the owner of the fee simple of the land in or on which such mines are situated to take title to all property remaining therein, and prescribing the procedure therefore.

Referred to Committee on Judiciary Local.

By Mr. McBRIDE. HOUSE BILL No. 214.

An Act to amend section one hundred and ten of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended; providing for the election of township commissioners; and limiting the terms of such commissioners now in office; and to repeal section one hundred and eleven of said act, and an amendment to section one hundred and ten.

Referred to the Committee on Counties and Townships.

By Mr. GOSS. HOUSE BILL No. 215.

An Act prohibiting the running or operating of any railroad train more than one-half mile in length; providing for the enforcement of the act; fixing a penalty and providing for the collection thereof.

Referred to the Committee on Railroads.

By Miss BENTLEY. HOUSE BILL No. 216.

An Act to provide for the payment of moneys by the Commonwealth to counties and townships, the tax funds of which was diminished by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions; and making an appropriation.

Referred to the Committee on Appropriations.

By Miss BENTLEY. HOUSE BILL No. 217.

An Act making an appropriation to the Superintendent of Public Instruction to carry into effect the provisions of the act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 1034), entitled, "An Act to provide for the payment of moneys to school districts the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions."

Referred to the Committee on Appropriations.

By Mr. LAFFERTY. HOUSE BILL No. 218.

An Act to enforce the provisions of Section eight, Article seventeen, of the Constitution of Pennsylvania, and providing penalties for the violation thereof.

Referred to Committee on Railroads.

By Mr. L. D. THOMAS. HOUSE BILL No. 219.

A Joint Resolution proposing an amendment to article seventeen, section eight of the Constitution of the Commonwealth of Pennsylvania, authorizing the granting of free passes or passes at a discount to clergymen.

Referred to Committee on Constitutional Reform.

By Mr. SARIG. HOUSE BILL No. 220.

An Act to amend section one hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Referred to Committee on Education.

By Mr. ARMSTRONG. HOUSE BILL No. 221.

An Act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in and possession of intoxicating liquors for beverages purposes, and articles and substances designed or intended for use in the manufacture thereof; providing for penalties, forfeiture and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

Referred to Committee on Law and Order.

By Mr. HARER. HOUSE BILL No. 222.

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; prescribing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," providing for the improvement by the State of certain roads, streets and highways in cities of the third class, and the maintenance thereof by the city and State.

Referred to the Committee on Public Roads.

By Mr. THOMPSON. HOUSE BILL No. 223.

An Act making an appropriation to the Citizens General Hospital, of New Kensington, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. VAN ALEN. HOUSE BILL No. 224.

An Act to amend the title and section one of an act approved the twenty-fourth day of May, one thousand nine

hundred and twenty-one, (P. L. 1071), entitled, "An Act requiring banks, banking corporations, copartnerships, or associations, cooperative banking associations, trust, safe deposit, real estate, mortgage, title, insurance, guaranty, surety, and indemnity companies, savings institutions, savings banks, provident institutions, building and loan associations, lodges and societies, to file of record names of persons authorized to make entries on records of mortgages; imposing certain duties on recorders of deeds; and declaring certain entries void."

Referred to the Committee on Banks and Banking.

By Mr. VAN ALEN. HOUSE BILL No. 225.

A supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (P. L. 1173), entitled "An Act constituting a commission to make an investigation of the battlefields of France and Belgium, and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War; defining the powers and duties of the Commission; and making an appropriation;" continuing said commission; providing for the erection of certain memorials in France and Belgium; and making an appropriation.

Referred to the Committee on Military.

By Mr. HEFFERNAN. HOUSE BILL No. 226.

An Act making an appropriation to the American Oncologic Hospital at Philadelphia.

Referred to Committee on Appropriations.

By Mr. GIBBON. HOUSE BILL No. 227.

An Act to further amend the fifth section of an act, entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants, and to provide for the election of judges thereof," approved May nineteenth, Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six), as amended, by fixing and determining the salaries of the assistant clerks of said court in counties of the first, second, third, and fourth classes.

Referred to Committee on Counties and Townships.

By Mr. MATHAY. HOUSE BILL No. 228.

An Act to amend an act approved the twenty-first day of July, one thousand nine hundred nineteen (Pamphlet Laws 1064), entitled "An Act authorizing the appointment of clerks by the judges of the orphans' court of certain counties" by providing that the compensation of said clerks in counties of the first class shall be fixed by the said judges.

Referred to Committee on Judiciary General.

REPORTS FROM COMMITTEES.

Mr. McCAIG, from the Committee on Municipal Corporations, reported as amended House Bill No. 51, entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge.

Mr. HEFFERNAN, from the Committee on Municipal Corporations, reported as committed House Bill No. 57, entitled:

An Act authorizing boroughs to appropriate moneys or to levy and collect, with the assent of electors, a special tax for the purpose of purchasing fire engines and fire apparatus, and to assist existing fire companies in the purchase of fire engines and fire apparatus.

Mr. DILSHEIMER, from the Committee on Law and Order, reported as committed House Bill No. 174, entitled:

An Act to protect the public safety by prohibiting the discharge of fire-arms or other weapons within one hundred and fifty yards of any dwelling house or residence, without the consent of the owner or tenant thereof, and prohibiting the destruction and abuse of certain property by persons while hunting or trapping.

Mr. COYNE, from the Committee on Municipal Corporations, reported as committed House Bill No. 183, entitled:

An Act providing for the establishing and maintenance of uniform building lines in cities of the third class.

Mr. LUDLOW, from the Committee on Law and Order, reported with a negative recommendation House Bill No. 194, entitled:

An Act prohibiting sheriffs from suppressing riots and disturbances in certain cities, boroughs and townships, without the request of the local police authorities.

INVITATION EXTENDED TO HEAR ADDRESS OF HON. FRED M. DAVENPORT.

The SPEAKER. The Chair lays before the House a communication which the Clerk will read.

The Clerk then read the communication as follows:

Harrisburg, Pa., February 6, 1923.

To the Speaker and Members of the House of Representatives:

Gentlemen: In behalf of the Pennsylvania State School Directors' Association, I extend an invitation to you to attend the session of the Association, Wednesday morning, February 7, at 9:30 o'clock.

This invitation is given particularly to have you hear an address on "Taxation and Education in Pennsylvania", to be given by Hon. Fred M. Davenport, State Senator of New York, and Chairman of the Senate Committee on Taxation and Appropriation.

Very truly yours,
(Signed) D. D. Hammelbaugh, Secretary.

The SPEAKER. The communication will be spread upon the Journal.

RESOLUTION FROM COMMITTEE ON RULES PROPOSING RULE NO. 71.

Mr. McVICAR offered the following resolution, which was twice read and laid over under the rules:

House of Representatives, February 6, 1923.
Report of Committee on Rules.

Resolved, That Rule No. 71 be adopted as follows:

Rule 71. All resolutions fixing the date of final adjournment or fixing the last day for introduction of bills, shall be referred to the Committee on Rules, and reported therefrom before being acted upon by the House: Provided however, That said Committee shall be subject to discharge from the consideration of said resolutions the same as all other committees, in case of bills.

Nelson McVicar
John M. Flynn
Charles F. Bidelspacher
Geo. W. Williams
Chester H. Rhodes

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 66, as follows:

An Act to amend part of section nine of the act approved the twenty-first day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and nine) entitled "An Act relating to the organization maintenance and operation of the Banking Department and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets

and liabilities thereof providing penalties for the enforcement of its provisions and repealing certain acts" changing the charges to be paid by building and loan associations for examinations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section nine of the act approved the twenty-first day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and nine) entitled "An act relating to the organization maintenance and operation of the Banking Department and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing certain acts" which reads as follows

"(b) All the expenses incurred in and about the conduct of the business of the Banking Department including the cost of the regular examinations of corporations and persons under the supervision of the department the compensation of the commissioner deputy commissioners examiners and other employes of the Department but excluding the furniture and conveniences mentioned in section eight of this act together with all other general or overhead expenses of the department shall be charged to and paid by the corporations and persons subject to the supervision of the department in equitable proportions at such times and in such manner as the Commissioner of Banking shall by general rule or regulations annually prescribe

Provided however That the charge for the examination of building and loan associations shall not exceed the sum of five dollars for each hundred thousand dollars or fraction thereof of assets of said building and loan associations with a minimum charge to said building and loan association of ten dollars" is hereby amended to read as follows

(b) All the expenses incurred in and about the conduct of the business of the Banking Department including the cost of the regular examinations of corporations and persons under the supervision of the Department the compensation of the commissioner deputy commissioners examiners and other employes of the department but excluding the furniture and conveniences mentioned in section eight of this act together with all other general or overhead expenses of the department shall be charged to and paid by the corporations and persons subject to the supervision of the department in equitable proportions at such times and in such manner as the Commissioner of Banking shall by general rule or regulations annually prescribe

Provided however, That building and loan associations shall not be examined more than once in each year, unless the condition of any building and loan association shall be such that in the opinion of the Commissioner of Banking an additional examination is necessary. And provided further, That the Commissioner of Banking may, upon the request of any building and loan association appoint a certified public accountant to make the annual examination instead of an examiner of the Banking Department, and the building and loan association making such request shall be entitled to and furnished with a copy of the report of the examination.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. STERLING. Mr. Speaker, I move that the vote by which this bill was passed third reading be reconsidered.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. STERLING. Mr. Speaker, I move that House Bill No. 66 be recommitted to the Committee on Banks and Banking for the purpose of a hearing.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 23, entitled:

An Act requiring the prothonotary of the court of common pleas to indicate on the proper index notice of the settlement, satisfaction, discontinuance or dismissal of any suit or proceeding in equity affecting the title to real estate.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Albert,	Fields,	Kohler,	Rhodes,
Alexander,	Flinchbaugh,	Korns,	Richards,
Allman,	Flynn,	Labar,	Rinn,
Anderson,	Fowler, A. I.,	Lafferty,	Rippman,
Armstrong,	Fowler, D.,	Lauver,	Sample,
Arthur,	Fratt,	Little,	Sarig,
Asbury,	Frazier,	Long,	Schaeffer,
Aston,	Gallaher,	Lucas,	Schilling,
Baker,	Gelder,	Ludlow,	Schleiter,
Baldi,	Gibbon,	Mack,	Schoener,
Beaver,	Gilchrist,	MacKinney,	Schwartz,
Behney,	Glasgow,	Malie,	Shambach,
Bell, F. A.,	Goehring,	Mangan,	Sheridan,
Bell, W. T.,	Golder,	Marcus, J.,	Smith, H. J.,
Bentley,	Gorham,	Marcus, J. C.,	Smith, H.,
Berger,	Goss,	Marshall, J. G.,	Soffel,
Betts,	Greeby,	Marshall, W. F.,	Sowers,
Blair,	Griffith,	Mathay,	Sprowls,
Bluett,	Grimes,	McBride,	Stark,
Blumberg,	Guerin,	McCaig,	Staudenmeier,
Boback,	Gundy,	McCann,	Stavitski,
Brenneman,	Haas,	McClure,	Steedle,
Brewster,	Haines,	McCurdy,	Sterling,
Bromley,	Hall,	McDaniel,	Stevens, A. J.,
Brown,	Harer,	McDermott,	Stoffiet,
Brownmiller,	Harter,	McGowan,	Stoner,
Burchinal,	Haslett,	McKim,	Storb,
Bush,	Haws,	Metcalf,	Storer,
Chaplin,	Heffernan,	Miller,	Thomas, L. D.,
Clutton,	Heffran,	Minehart,	Thompson,
Colville,	Henderson,	Moore,	Van Alen,
Conner,	Hetrick,	Morrison,	Vickerman,
Coyne,	Heyburn,	Munley,	Walker,
Craig,	Himes,	Myers, P. M.,	Weamer,
de Young,	Holcombe,	Nolte,	Wells,
Diehm,	Hollis,	O'Boyle,	Wettach,
Dilsheimer,	Hontz,	Ogle,	Wheeler,
Donahue,	Hoover,	Orr,	Whitehouse,
Driggs,	Huber,	Parkinson,	Whiteman,
Drinkhouse,	Irvin,	Peelor,	Williams, G. W.
Dunn,	Johnson,	Perry,	Williams, J. M.
Eaches,	Jones, D. J.,	Pitts,	Woner,
Earley,	Jones, E. P.,	Posey,	Wood, W. P.,
Edmonds,	Keene,	Post,	Wright,
Evans, B. P.,	Kelly,	Price,	Goodnough,
Evans, J.,	Kennedy,	Raymond,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 37, entitled:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187.

Albert,	Flynn,	Kunkle,	Rinn,
Alexander,	Fowler, D.,	Lafferty,	Sample,
Anderson,	Fratt,	Long,	Sarig,
Armstrong,	Frazier,	Lucas,	Sautter,
Arthur,	Gallaher,	Ludlow,	Schaeffer,
Asbury,	Gelder,	Lynch,	Schilling,
Aston,	Gibbon,	Mack,	Schleiter,
Baker,	Gilchrist,	MacKinney,	Schoener,
Baldi,	Glasgow,	Malie,	Schwartz,
Beaver,	Goehring,	Mangan,	Shambach,
Behney,	Golder,	Marcus, J.,	Sheridan,
Bell, F. A.,	Gorham,	Marcus, J. C.,	Smith, G. A.,
Bell, W. T.,	Goss,	Marshall, J. G.,	Smith, H. J.,
Bentley,	Greeby,	Marshall, W. F.,	Smith, H.,
Betts,	Griffith,	Mathay,	Smith, J. W.,
Blair,	Grimes,	McBride,	Soffel,
Bluett,	Guerin,	McCann,	Sowers,
Blumberg,	Gundy,	McClure,	Sprowls,
Boback,	Haas,	McCurdy,	Stark,
Brenneman,	Haines,	McDaniel,	Staudenmeier,
Brewster,	Hall,	McDermott,	Stavitski,
Bromley,	Harer,	McGowan,	Steedle,
Brown,	Haslett,	McKim,	Sterling,
Brownmiller,	Haws,	McVicar,	Stevens, A. J.,
Burchinal,	Heffernan,	Metcalf,	Stofflet,
Bush,	Heffran,	Millar,	Storer,
Chaplin,	Henderson,	Miller,	Thomas, L. D.,
Clutton,	Hetrick,	Minehart,	Thomas, M. G.,
Coldsmith,	Heyburn,	Moffatt,	Thompson,
Colville,	Himes,	Moore,	Van Alen,
Conner,	Hollis,	Morrison,	Vickerman,
Coyne,	Hontz,	Munley,	Walker,
Craig,	Holcombe,	Myers, P. M.,	Weamer,
Diehm,	Hoover,	Nolte,	Wells,
Dilsheimer,	Howell,	O'Boyle,	Wettach,
Donahoe,	Huber,	Ogle,	Wheeler,
Drinkhouse,	Irvin,	Orr,	Whitehouse,
Dunn,	Johnson,	Parkinson,	Whiteman,
Eaches,	Jones, C. B.,	Peelor,	Williams, G. W.,
Earley,	Jones, D. J.,	Pitts,	Williams, J. M.,
Edmonds,	Jones, E. P.,	Posey,	Woner,
Eshelman,	Keene,	Post,	Wood, N.,
Evans, B. P.,	Kelly,	Price,	Wood, W. P.,
Evans, J.,	Kennedy,	Raymond,	Wright,
Fields,	Kohler,	Rhodes,	Goodnough,
Flinchbaugh,	Korns,	Richards,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE.

Mr. LUDLOW. Mr. Speaker, the matter of the proposed amendment to Article 9, Section 4, of the Constitution is for the people and in voting aye I am merely indicating my formal consent to a referendum. In principle I am opposed to the bonus, and in this I am supported by many of the American Legion men and veterans of the World War who are not members of the American Legion from my own legislative district. I cannot feel that Pennsylvania men went into the service of their country, whether under the selective service law or otherwise, for any compensation. Their reward was the opportunity to serve their country. This service cannot be measured in dollars or dollars' worth. They have something to which we cannot add nor can we detract from it.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 125, as follows:

An Act regulating the sale offering for sale barter exchange and giving of tickets cards or other tokens evidencing the right to a reserved seat in and of admission to any theatre concert hall circus show ball-park athletic hall or field or other place of amusement and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of this act the term "place of amusement" shall mean any theatre concert hall circus show ball-park athletic hall or field or other place of amusement to which an admission is charged The term "ticket" shall mean any ticket card or other token evidencing the right of admission to any place of amusement

Section 2 It is unlawful for the owner proprietor lessee or manager of any place of amusement or the agent of any of them to sell barter exchange or to give to any person any ticket for admission to such place of amusement unless the price of such ticket, is conspicuously printed or stamped on the face thereof

Section 3 It is unlawful for any person to sell or offer to sell any ticket for a greater sum than the price printed or stamped upon the face of such ticket or to in any way change the price printed or stamped on such ticket together with any tax thereon levied under authority of law

Section 4 Any person or any member or agent of any association or copartnership or any officer director or agent of any corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo an imprisonment not exceeding six months or both

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. STERLING. Mr. Speaker, I move that this bill be recommitted for the purpose of a hearing.

The SPEAKER. To what committee?

Mr. STERLING. Mr. Speaker, to the Committee on Judiciary General.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. DUNN. Mr. Speaker, I rise to a question of information. Can we refer a bill back to a committee on third reading, or must we reconsider the vote and then put it back into the committee?

The SPEAKER. The Chair states that the bill has not passed third reading; it has just been read for the third time.

The question is on the motion to recommit.

On the question recurring,

Will the House agree to the motion?

The Chair declared the nays appeared to have it.

Whereupon, a division was called for, ninety-one members voting in the affirmative and sixty-five in the negative, the question was determined in the affirmative, and the motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 25, entitled:

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by

husband and wife prior to the fourth day of January one thousand nine hundred and twenty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albert,	Fields,	Labar,	Rhodes,
Alexander,	Flinchbaugh,	Lafferty,	Richards,
Anderson,	Fowler, D.,	Lauver,	Rinn,
Armstrong,	Fratt,	Little,	Rippman,
Arthur,	Frazier,	Long,	Sample,
Asbury,	Gallaher,	Lucas,	Sarig,
Aston,	Gibbon,	Ludlow,	Sautter,
Baker,	Gilchrist,	Mack,	Schaeffer,
Baldi,	Glasgow,	MacKinney,	Schilling,
Bell, F. A.,	Goehring,	Mangan,	Schoener,
Bell, W. T.,	Golder,	Marcus, J.,	Schwartz,
Berger,	Gorham,	Marcus, J. C.,	Shambach,
Betts,	Goss,	Marshall, J. G.,	Sheridan,
Bidelspacher,	Greeby,	Marshall, W. F.,	Smith, G. A.,
Blair,	Grimes,	Mathay,	Smith, H.,
Bluett,	Guerin,	McBride,	Soffel,
Blumberg,	Gundy,	McCaig,	Sowers,
Boback,	Haas,	McCann,	Spangler,
Brenneman,	Haines,	McClure,	Sprowls,
Brewster,	Hall,	McCurdy,	Staudenmeier,
Bromley,	Harter,	McDaniel,	Stavitski,
Brown,	Haslett,	McDermott,	Steedle,
Brownmiller,	Haws,	McKim,	Sterling,
Burchinal,	Heffernan,	McVicar,	Stevens, A. J.,
Bush,	Heffran,	Metcalf,	Stevens, A. F.,
Chaplin,	Henderson,	Miller,	Stofflet,
Clutton,	Hetrick,	Minehart,	Storer,
Coldsmith,	Heyburn,	Moffatt,	Thomas, L. D.,
Colville,	Himes,	Moore,	Thomas, M. G.,
Conner,	Holcombe,	Morrison,	Thompson,
Coyne,	Hollis,	Munley,	Van Alen,
Craig,	Hontz,	Myers, P. M.,	Vickerman,
de Young,	Howell,	Nolte,	Weamer,
Diehm,	Huber,	O'Boyle,	Wells,
Dilsheimer,	Irvin,	Ogle,	Wettach,
Donahue,	Johnson,	Orr,	Wheeler,
Driggs,	Jones, C. B.,	Parkinson,	Whitehouse,
Drinkhouse,	Jones, D. J.,	Peelor,	Whiteman,
Dunn,	Jones, E. P.,	Perry,	Williams, J. M.,
Earley,	Keene,	Pitts,	Woner,
Edmonds,	Kennedy,	Posey,	Wood, W. P.,
Eshelman,	Kohler,	Post,	Wright,
Evans, B. P.,	Korns,	Price,	Goodnough,
Evans, J.,	Kunkle,	Raymond,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 132, entitled:

An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136.

Alexander,	Evans, B. P.,	Jones, D. J.,	Sample,
Allman,	Evans, J.,	Jones, E. P.,	Sautter,
Anderson,	Fields,	Keene,	Schilling,
Armstrong,	Fowler, D.,	Kelly,	Schwartz,
Arthur,	Frazier,	Kennedy,	Sheridan,
Asbury,	Gallaher,	Kohler,	Smith, H. J.,
Aston,	Gibbon,	Lafferty,	Smith, H.,
Baker,	Gilchrist,	Little,	Soffel,
Baldi,	Glasgow,	Long,	Sowers,
Bell, W. T.,	Goehring,	Lucas,	Sprowls,
Berger,	Golder,	Ludlow,	Staudenmeier,
Betts,	Gorham,	MacKinney,	Stavitski,
Blair,	Goss,	Malie,	Steedle,
Bluett,	Greeby,	Mangan,	Sterling,
Blumberg,	Griffith,	Marcus, J.,	Stofflet,
Boback,	Grimes,	Marcus, J. C.,	Stoner,
Brewster,	Guerin,	Marshall, J. G.,	Storer,
Bromley,	Gundy,	McBride,	Thomas, L. D.,
Brown,	Haas,	McCaig,	Thomas, M. G.,
Bush,	Haines,	McClure,	Van Alen,
Chaplin,	Hall,	McDaniel,	Walker,
Clutton,	Haslett,	McKim,	Weamer,
Colville,	Haws,	Metcalf,	Wettach,
Conner,	Heffernan,	Miller,	Wheeler,
Coyne,	Heffran,	Moffatt,	Whitehouse,
Craig,	Henderson,	Moore,	Whiteman,
de Young,	Hetrick,	Morrison,	Williams, J. M.,
Diehm,	Heyburn,	Munley,	Woner,
Dilsheimer,	Holcombe,	Myers, P. M.,	Wood, W. P.,
Donahue,	Hontz,	Nolte,	Wright,
Dunn,	Hoover,	Ogle,	Goodnough,
Eaches,	Howell,	Orr,	Speaker.
Earley,	Huber,	Parkinson,	
Edmonds,	Irvin,	Pitts,	
Eshelman,	Jones, C. B.,	Posey,	

NAYS—21.

Albert,	Kunkle,	Peelor,	Schleiter,
Brenneman,	Labar,	Post,	Stevens, A. J.,
Brownmiller,	Mack,	Raymond,	Thompson,
Flinchbaugh,	Marshall, W. F.,	Rhodes,	
Himes,	McDermott,	Richards,	
Johnson,	Minehart,	Sarig,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 147, entitled:

An Act to amend section five of the act approved the fourth day of June, one thousand nine hundred and one. (P. L. 364), entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," as amended.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albert,	Fields,	Kelly,	Rhodes,
Alexander,	Flinchbaugh,	Kennedy,	Richards,
Anderson,	Fowler, A. I.,	Kohler,	Rinn,
Armstrong,	Fowler, D.,	Kunkle,	Rippman,
Arthur,	Frazier,	Labar,	Sample,
Asbury,	Gallaher,	Lafferty,	Sarig,
Aston,	Gibbon,	Little,	Sautter,
Baker,	Gilchrist,	Lucas,	Schaeffer,
Baldi,	Glasgow,	Ludlow,	Schilling,
Behney,	Goehring,	Mack,	Schleiter,
Bell, F. A.,	Golder,	MacKinney,	Schoener,
Bell, W. T.,	Gorham,	Malie,	Schwartz,
Bentley,	Goss,	Mangan,	Shambach,
Berger,	Greeby,	Marcus, J.,	Sheridan,
Betts,	Griffith,	Marcus, J. C.,	Smith, H. J.,

Blair,	Grimes,	Marshall, W. F.,	Smith, H.,
Bluett,	Guerin,	McBride,	Soffel,
Blumberg,	Gundy,	McCaig,	Sprowls,
Brenneman,	Haas,	McCurdy,	Staudenmeier,
Brewster,	Haines,	McDaniel,	Stavitski,
Bromley,	Hall,	McDermott,	Steedle,
Brown,	Harter,	McGowan,	Sterling,
Brownmiller,	Haslett,	McKim,	Stevens, A. J.,
Burchinal,	Haws,	Metcalf,	Stevens, A. F.,
Bush,	Heffernan,	Miller,	Stofflet,
Chaplin,	Heffran,	Minehart,	Stoner,
Clutton,	Henderson,	Moffatt,	Storb,
Coldsmith,	Hetrick,	Moore,	Thomas, L. D.,
Colville,	Heyburn,	Morrison,	Thomas, M. G.,
Conner,	Himes,	Munley,	Thompson,
Craig,	Holcombe,	Myers, P. M.,	Vickerman,
de Young,	Hollis,	Nolte,	Walker,
Diehm,	Hontz,	O'Boyle,	Weamer,
Dilsheimer,	Hoover,	Ogle,	Wettach,
Donahue,	Howell,	Orr,	Wheeler,
Dunn,	Huber,	Parkinson,	Whiteman,
Eaches,	Irvin,	Peelor,	Williams, J. M.,
Earley,	Johnson,	Pitts,	Woner,
Edmonds,	Jones, C. B.,	Posey,	Wood, W. P.,
Eshelman,	Jones, D. J.,	Post,	Wright,
Evans, B. P.,	Jones, E. P.,	Price,	Goodnough,
Evans, J.,	Keene,	Raymond,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 146, entitled:

An Act to amend an act approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122) entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Albert,	Flinchbaugh,	Labar,	Richards,
Alexander,	Fowler, A. I.,	Lafferty,	Rinn,
Allman,	Fowler, D.,	Lauver,	Rippman,
Armstrong,	Fratt,	Little,	Sample,
Arthur,	Frazier,	Lucas,	Sautter,
Asbury,	Gallaher,	Ludlow,	Schaeffer,
Aston,	Gibbon,	Mack,	Schilling,
Baker,	Gilchrist,	MacKinney,	Schleiter,
Baldi,	Goehring,	Malie,	Schoener,
Beaver,	Golder,	Mangan,	Schwartz,
Behney,	Gorham,	Marcus, J. C.,	Shambach,
Bell, F. A.,	Goss,	Marshall, J. G.,	Sheridan,
Bell, W. T.,	Greeby,	Marshall, W. F.,	Smith, G. A.,
Bentley,	Griffith,	Mathay,	Smith, H. J.,
Betts,	Grimes,	McBride,	Smith, H.,
Blair,	Guerin,	McCaig,	Soffel,
Bluett,	Gundy,	McCann,	Sowers,
Blumberg,	Haas,	McClure,	Spangler,
Boback,	Hall,	McCurdy,	Sprowls,
Brenneman,	Harer,	McDaniel,	Staudenmeier,
Brewster,	Harter,	McDermott,	Stavitski,
Brown,	Haslett,	McGowan,	Steedle,
Brownmiller,	Haws,	McKim,	Stevens, A. J.,
Burchinal,	Heffernan,	McVicar,	Stevens, A. F.,
Bush,	Heffran,	Metcalf,	Stofflet,
Chaplin,	Henderson,	Miller,	Stoner,
Clutton,	Hetrick,	Minehart,	Storer,
Coldsmith,	Heyburn,	Moffatt,	Thomas, L. D.,
Colville,	Himes,	Moore,	Thomas, M. G.,
Conner,	Holcombe,	Morrison,	Thompson,
Craig,	Hollis,	Munley,	Van Alen,
de Young,	Hontz,	Myers, P. M.,	Vickerman,
Diehm,	Howell,	Nolte,	Walker,
Dilsheimer,	Huber,	O'Boyle,	Weamer,
Donahue,	Irvin,	Ogle,	Wheeler,
Drinkhouse,	Johnson,	Orr,	Whitehouse,
Dunn,	Jones, C. B.,	Parkinson,	Whiteman,
Eaches,	Jones, D. J.,	Peelor,	Williams, J. M.,
Earley,	Jones, E. P.,	Pitts,	Wood, W. P.,
Edmonds,	Keene,	Posey,	Wright,
Eshelman,	Kelly,	Post,	Goodnough,
Evans, B. P.,	Kennedy,	Price,	Speaker.
Evans, J.,	Kohler,	Raymond,	
Fields,	Korns,	Rhodes,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 158, entitled:

An Act to amend section sixteen of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officer and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing or licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" which reads as follows

"Section 16 The State Treasurer shall establish a separate fund to be known as the 'Dog Fund' into which all moneys collected under the provisions of this act shall be paid and from which all expenditures necessary in the carrying into effect the provisons of this act shall be paid All moneys in the dog fund from time to time are hereby specifically appropriated to the Department of Agricuture

for the purpose of carrying into effect the provisions of this act All payments from the dog fund shall be made by the State Treasurer upon warrants of the Auditor General and upon the filing of itemized vouchers by the Secretary of Agriculture

On the thirtieth day of November of each year the State Treasurer upon requisition of the Secretary of Agriculture shall pay over into the general fund of the State Treasury all moneys remaining to the credit of the dog fund with the exception of the sum of twenty-five thousand dollars which amount shall remain in the dog fund"

is hereby amended to read as follows

Section 16 The State Treasurer shall establish a separate fund to be known as the "Dog Fund" into which all moneys collected under the provisions of this act shall be paid and from which all expenditures necessary in the carrying into effect the provisions of this act shall be paid All moneys in the dog fund from time to time are hereby specifically appropriated to the Department of Agriculture for the purpose of carrying into effect the provisions of this act and for the payment of indemnities for animals afflicted with dangerous contagious or infectious diseases as provided by law and for the payment of the salaries and expenses of the Director Deputy Director officers agents and employes of the Bureau of Animal Industry of the Department of Agriculture and for the enforcement of the provisions of the several Acts of Assembly charged to the Bureau of Animal Industry All payments from the dog fund shall be made by the State Treasurer upon warrants of the Auditor General and upon the filing of itemized vouchers by the Secretary of Agriculture

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. HAINES. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture for the purpose of amendment.

Mr. HAWS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 181, (Senate Bill No. 66), entitled:

An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

TIME OF NEXT MEETING.

In the Senate, February 6, 1923.

Resolved (if the House of Representatives concur), that when the Senate adjourns today it reconvene on Monday evening, February twelfth, at nine o'clock: and when the House of Representatives adjourns this week it reconvene on Monday evening, February twelfth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

QUESTION OF PERSONAL PRIVILEGE.

Mr. LONG. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. LONG. Mr. Speaker, to my many friends in this House, and especially to the very large number who voted no to recommit House Bill No. 125 sponsored by me, to regulate the sale of theatre tickets, I would like to say that my position may possibly be a bit misunderstood; that I voted out of courtesy to my very good friend, Mr. Sterling, to whom I said I would not oppose such a motion but that I do intend if I can prevent it that the bill shall not be weakened by the amendment. I have been assured by the Chairman of the Committee on Judiciary General and other members of that Committee that the hearing will be held not later than next Tuesday, and that the bill will reappear and take its place on the calendar.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GOLDER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GOLDER. Mr. Speaker, two or three weeks ago this House adopted a resolution calling upon the Commissioners of Public Property to install a set of amplifiers in the House, that the proceedings might be heard by all members. May I ask at this time of the Speaker or the Chief Clerk, or anyone who could give that information, how soon we may expect these amplifiers to be installed.

The SPEAKER. The Chair states that the engineers of the Western Electric Company are now in the House preparatory to the installation of the amplifiers.

LINCOLN MEMORIAL SERVICES.

Mr. DAVID J. JONES. Mr. Speaker, I move that when this House adjourns that it do so until Monday, February 12, at 9:00 P. M., and that the Chair appoint a committee of three for the purpose of arranging an appropriate exercise for that day, at the conclusion of the evening's business.

Mr. EDMONDS. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The Chair appoints as this Committee Messrs. David J. Jones, Edmonds and Rhoads.

RECESS.

The SPEAKER. If there are no objections the Chair will declare a recess until 4:00 o'clock this afternoon.

Whereupon, (at 12:15 o'clock P. M.) the house took a recess until 4:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

APPOINTMENT OF SPEAKER'S PAGE.

The SPEAKER. The Chair announces the appointment of Robert E. Seal, of 219 Walnut Street, Harrisburg, as Speaker's page.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 6. (HOUSE BILL No. 250).

An Act to amend section two of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty four) entitled "An Act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing for the payment of the expenses thereof"

Referred to the Committee on Judiciary General.

SENATE BILL No. 13. (HOUSE BILL No. 251).

An Act enlarging the jurisdiction of the superior court of Pennsylvania by providing for appeals to it from certain orders judgments and sentences of the county court of Allegheny county of the Municipal court of Philadelphia and of all similar courts hereafter created.

Referred to the Committee on Judiciary General.

SENATE BILL No. 14. (HOUSE BILL No. 252).

An Act to amend "An Act approved May 5, 1899 (Pamphlet Laws two hundred and forty-eight) supplementing and amending an act entitled 'An Act to establish an Intermediate Court of Appeal regulating its constitution officers jurisdiction powers practice and its relation to the Supreme Court and other courts providing for the reports of its decisions the compensation of the judges and other officers and the practice and costs on appeals from its judgments' approved June 24, 1895" (Pamphlet Laws two hundred and twelve).

Referred to the Committee on Judiciary General.

SENATE BILL No. 34. (HOUSE BILL No. 253).

An Act to validate tax liens filed since the twenty-first day of May one thousand nine hundred and thirteen or which may be filed within six months after the approval of this act under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled "An Act providing when and how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" and providing for their collection.

Referred to the Committee on Judiciary General.

REPORTS FROM COMMITTEES.

Mr. LUDLOW, from the Committee on Counties and Townships, reported as amended House Bill No. 202, entitled:

An Act relating to depositories of county funds in counties of the sixth class; providing for the selection thereof by the county treasurer, county commissioners and county controller if any there be, and for the payment of interest on county funds, for the use of the county; imposing certain expenses upon counties in connection therewith; and providing penalties.

Mr. BROWN, from the Committee on Judiciary Local, reported as committed House Bill No. 8, entitled:

An Act empowering the State Treasurer to procure bonds for State officers and employes.

Mr. POST, from the Committee on Judiciary Local, reported as committed House Bill No. 53, entitled:

An Act to repeal an act entitled "An Act to regulate the practice of the profession of engineering and of land surveying; creating a State Board for the registration of Professional Engineers and Land Surveyors; defining its powers and duties; imposing certain duties upon the Commonwealth and political subdivision thereof in connection with public work; and providing penalties."

Mr. HENDERSON, from the Committee on Judiciary Local, reported as committed House Bill No. 55, entitled:

An Act to validate certain deeds, mortgages, leases, and conveyances made by executors, trustees, or administrators de bonis non cum testamento annexo, under a power to sell, mortgage, lease or conveyance, contained in any last will and testament.

Mr. McDANIEL, from the Committee on Judiciary General, reported as committed House Bill No. 179, entitled:

An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings, where no legal or valid contract was entered into as required by law.

Mr. CONNER from the Committee on Counties and Townships reported as committed House Bill No. 38, entitled:

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies and the compensation of deputies and clerks.

Mr. SOWERS from the Committee on Judiciary General reported as committed House Bill No. 178, entitled:

An Act relating to the assignment of rights to receive or recover a debt, or money, or damages for breach of contract.

Mr. HEFFRAN from the Committee on Counties and Townships reported as committed House Bill No. 186, entitled:

An Act authorizing county commissioners to purchase road machinery and to rent the same to the townships of such county.

Mr. EDMONDS from the Committee on Banks and Banking reported as committed House Bill No. 224, entitled:

An Act to amend the title and section one of an act approved the twenty-fourth day of May, one thousand nine hundred and twenty-one, (P. L. 1071), entitled "An Act requiring banks, banking corporations, copartnerships, or associations, cooperative banking associations, trust, safe deposit, real estate, mortgage, title, insurance, guaranty, surety, and indemnity companies, savings institutions, savings banks, provident institutions, building and loan associations, lodges and societies, to file of record names of persons authorized to make entries on record of mortgages; imposing certain duties on recorders of deeds; and declaring certain entries void."

Mr. HOWELL, from the Committee on Judiciary Local, reported as committed House Bill No. 9, entitled:

An Act to repeal the act approved the thirtieth day of March, one thousand nine hundred and twenty-one, (P. L. 67), entitled "An Act authorizing the State Treasurer to appoint a Deputy State Treasurer and Commissioner of Trusts; defining his powers and duties; providing for the care, custody, safe-keeping, and recording of stocks, bonds, mortgages, securities, and indemnity bonds, held in trust or otherwise, or owned by the Commonwealth or by any of the departments, bureaus, divisions, commissions, or agencies thereof; and fixing his salary."

Mr. EARLEY, from the Committee on Military, reported as committed House Bill No. 225, entitled

A Supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (P. L. 1173), entitled "An Act constituting a commission to make an investigation of the battlefields of France and Belgium, and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War; defining the powers and duties of the commission; and making

an appropriation;" continuing said commission; providing for the erection of certain memorials in France and Belgium; and making an appropriation.

SENATE MESSAGE.

CONCURRENCE IN HOUSE RESOLUTION NO. 3.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, January 29, 1923.

Whereas, The sentiment of Philadelphia, like that of the other cities of the Country where the modern mail tube system has been tested, is emphatically in favor of it, as indicated by the press and by public expression, by the great business organizations, by City Councils and by the public generally; therefore, be it

Resolved, (if the Senate concur), That this Legislature associates itself with the public's progressive demand for the use and extension of such service as a necessity of the post office and a relief to the congestion of the already overcrowded thoroughfares of our larger cities; and be it further

Resolved, That the Secretary of the Commonwealth be requested to forward a copy of this resolution to the Vice-President of the United States and the Speaker of the Federal House of Representatives for presentation to Congress.

ADJOURNMENT.

Mr. MOFFATT. Mr. Speaker, I move that this House do now adjourn until 10:00 o'clock tomorrow morning.

The motion was agreed to and (at 4:10 o'clock P. M.) the House adjourned until tomorrow morning at 10:00 o'clock.

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HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 7, 1923.

The House met at 10:00 o'clock A. M.

The SPEAKER (C. J. Goodnough) in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty God, do thou write Thy law upon our hearts and give us a disposition toward obedience, to the end that every word which thou hast spoken may become the rule of our lives. Grant the ministry of thy spirit to this end, to illuminate our minds, quicken our understanding, control our motives and inspire our every act. We ask it in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Wells the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. RINN. HOUSE BILL No. 229.

An Act to amend section twelve of Article five of the act approved the twenty-sixth day of July, one thousand nine hundred and thirteen (P. L. 1374), entitled, "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their power, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to estrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations', approved the twenty-ninth day of April, one thousand eight hundred and seventy four, and all other legislation inconsistent with or supplied by this act," as amended.

Referred to the Committee on Railroads.

By Mr. BETTS. HOUSE BILL No. 230.

An Act to amend Route Three Hundred and Thirty-eight of the act approved the twenty-second day of July one thousand nine hundred and thirteen, (P. L. 948) entitled "An Act establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth."

Referred to the Committee on Public Roads.

By Mr. EDMONDS. HOUSE BILL No. 231.

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in private alleys in cities of the first class, for the establishment of lines and grades for, and the grading, paving or repaving of said private alleys, and the grading of private alleys hereafter laid out, and for apportioning the cost and for the filing of liens therefore.

Referred to the Committee on Municipal Corporations.

By Mr. WALKER. HOUSE BILL No. 232.

An Act to amend chapter eleven, article two of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

Referred to the Committee on Counties and Townships.

By Mr. WALKER. HOUSE BILL No. 233.

An Act to quiet the title to real estate; and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Referred to the Committee on Judiciary Special.

By Mr. BEAVER. HOUSE BILL No. 234.

An Act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto.

Referred to the Committee on Game.

By Mr. BREWSTER. HOUSE BILL No. 235.

An Act to validate certain municipal claims and municipal liens in the several boroughs of the Commonwealth; providing for the filing of claims therefor, and the proceedings for the collection of such claims.

Referred to Committee on Municipal Corporations.

By Mr. BALDI. HOUSE BILL No. 236.

An Act for the registration and regulation of certain individuals and entities selling offering for sale or delivery, soliciting subscriptions to or orders for disposing or undertaking to dispose of, inviting offers for or inquiries about or dealing in any manner in securities defined herein, conferring powers and imposing duties on the Commissioner of Banking and otherwise providing for the administration of this act, prescribing penalties and making an appropriation.

Referred to Committee on Banks and Banking.

By Mr. MACK. HOUSE BILL No. 237.

An Act to further amend clause (C), section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

Referred to Committee on Insurance.

By Mr. MACK. HOUSE BILL No. 238.

An Act to further amend Clause (D), section three hundred and six of an act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

Referred to Committee on Insurance.

By Mr. WEAMER. HOUSE BILL No. 239.

An Act establishing as a State highway a certain section of public road in the county of Bucks.

Referred to Committee on Public Roads.

By Mr. RINN. HOUSE BILL No. 240.

An Act to amend sections one, three and five, and to repeal section four of the act approved the twenty-fifth day of May, one thousand nine hundred and seven, (P. L. 244), entitled "An Act to provide revenue by imposing a license tax on the keepers of all shooting galleries, shuffleboard rooms, billiard or pool rooms, for purpose of profit, or any other place in which any game is played on a table with the use of balls and cues; and bowling alleys, ninepin alleys, tenpin alleys, or other alleys or places in which any game is played with the use of balls or pins, or other objects; providing for the collection of said tax, and imposing certain duties upon mercantile appraisers and county treasurers;" providing for the collection of said tax by the Auditor General, and providing a penalty for failure to secure a license and to pay the tax.

Referred to Committee on Ways and Means.

By Mr. RINN. HOUSE BILL No. 241.

An Act to repeal an act approved the second day of May, one thousand eight hundred and ninety-nine, (P. L. 184), entitled "An Act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods, wares, and merchandise; and providing for the collection of said tax," and the amendments and supplements thereto.

Referred to Committee on Ways and Means.

By Mr. RINN. HOUSE BILL No. 242.

An Act to amend sections three, four, five, six and seven of May, one thousand nine hundred and seven, (P. L. 175), entitled "An Act to provide revenue by imposing a license tax on all stock brokers, bill brokers, note brokers, exchange brokers, merchandise brokers, factors or commission merchants, real estate brokers, and agents, and pawnbrokers, whether persons, firms, limited partnerships or corporations; providing for the collection of said tax; and imposing certain duties on county treasurers and mercantile appraisers; providing for the collection of said tax by the Auditor General instead of the County treasurers and mercantile appraisers."

Referred to Committee on Ways and Means.

By Mr. VICKERMAN. HOUSE BILL No. 243.

A Joint Resolution proposing an amendment to section sixteen of article eight of the Constitution of Pennsylvania.

Referred to the Committee on Constitutional Reform.

By Mr. VICKERMAN. HOUSE BILL No. 244.

A Joint Resolution proposing an amendment to section fourteen of article eight of the Constitution of Pennsylvania.

Referred to the Committee on Constitutional Reform.

By Mr. VICKERMAN. HOUSE BILL No. 245.

A Joint Resolution proposing an amendment to section one, article eight of the Constitution of Pennsylvania.

Referred to the Committee on Constitutional Reform.

By Mr. VICKERMAN. HOUSE BILL No. 246.

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania.

Referred to the Committee on Constitutional Reform.

By Mr. CLUTTON. HOUSE BILL No. 247.

An Act establishing as a State Highway that certain remaining section of a public road formerly known as the Wellersburg and West Newton Old Plank Road in Somerset county not heretofore particularly described and defined, and providing for its maintenance and construction at the expense of the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. GIBBON. HOUSE BILL No. 248.

An Act requiring cities of the third class to establish a pension fund for employees of said cities, and regulating the administration and payment of such pension.

Referred to the Committee on Municipal Corporations.

By Mr. BALDI. HOUSE BILL No. 249.

An Act to repeal the act approved the eleventh day of April, one thousand eight hundred and seven, (P. L. 259), entitled "An Act to provide for the erection of a poor house, for the better relief and employment of the poor in the townships of Oxford and Lower Dublin, in the county of Philadelphia."

Referred to the Committee on Judiciary General.

By Mr. Craig. HOUSE BILL No. 254.

An Act to carry into effect section one of Article fifteen of the Constitution; giving cities the right and power to frame, adopt, and amend their own charters, and to exercise the powers and authority of local self-government, and providing the procedure therefor; imposing certain restrictions, limitations and regulations; imposing duties upon city councils, city officers, county commissioners, and prothonotaries; and providing for the payment of certain expenses by cities.

Referred to Committee on Municipal Corporations.

By Mr. STEEDLE. HOUSE BILL No. 255.

A supplement to an act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith;" creating a division in said bureau to enforce the laws of the Commonwealth relating to said bureau.

Referred to Committee on Public Health and Sanitation.

By Mr. STEEDLE. HOUSE BILL No. 256.

An Act making an appropriation to the Bureau of Medical Education and Licensure for use in the enforcement division thereof.

Referred to Committee on Appropriations.

By Mr. LYNCH. HOUSE BILL No. 257.

An Act constituting a commission to make an investigation of the condition of disabled World War Veterans of Pennsylvania and to take appropriate action to assure such veterans of relief and full benefits and advantages; and making an appropriation.

Referred to Committee on Military.

By Mr. BEHNEY. HOUSE BILL No. 258.

An Act authorizing the county commissioners to enter upon lands under the right of eminent domain to ascertain whether such lands are underlaid with minerals; providing for the assessment of such land for taxation purposes, and for the assessment and payment of damages for injury to such land; imposing the expenses and damages in connection therewith on counties; and providing penalties.

Referred to Committee on Counties and Townships.

By Mr. BEHNEY. HOUSE BILL No. 259.

An Act relating to the drainage of wet and spouty lands, by providing for the construction of surface or under drains over lands owned by others.

Referred to Committee on Agriculture.

By Mr. MANGAN. HOUSE BILL No. 260.

An Act to promote the safety of the traveling public and employes on steam or electric railroads by regulating the construction of caboose cars.

Referred to Committee on Railroads.

By Mr. ALFRED I. FOWLER. HOUSE BILL No. 261.

An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania, at Scranton, Pennsylvania.

Referred to Committee on Appropriations.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER. The Chair states we cannot have a calendar until bills are reported from committees. If the House does not want fifteen or twenty minute sessions we must have a calendar. Some ten or twelve bills have been reported and represent a week's work. The only business of the House when in session, practically, is the consideration of bills, therefore, until we have a calendar we must be content with short sessions. When we attempted to adjourn yesterday there were several "noes" and the Chair interpreted that as a feeling on the part of the House that we are not doing what we ought to do. The Chair will be very glad to have lengthy sessions when you will give us a calendar, which can only be had by reporting the bills from the committees.

LEAVES OF ABSENCE.

Mr. DUNN asked and obtained leave of absence for Mr. Philip M. Myers.

Mr. McCURDY asked and obtained leave of absence for Mr. Williston P. Wood.

Mr. BROWN asked and obtained leave of absence for Mr. Norman Wood.

The SPEAKER asked and obtained leave of absence for Mr. Lorenzo D. Thomas.

RESOLUTION NO. 4.

Mr. McVICAR. Mr. Speaker, if in order, I desire to call up at this time Resolution No. 4, a report from the Rules Committee, which was laid over for printing yesterday.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk read the resolution as follows:

Resolved That Rule number seventy-one be adopted as follows

Rule 71 All resolutions fixing the date of final adjournment or fixing the last day for introduction of bills shall be referred to the Committee on Rules and reported therefrom before being acted upon by the House Provided however That said Committee shall be subject to discharge from the consideration of said resolutions the same as all other committees in case of bills

On the question,

Will the House adopt the resolution?

RESOLUTION POSTPONED.

Mr. SOWERS. Mr. Speaker, I move that action on this resolution be postponed until next Monday evening.

Mr. DAVID FOWLER. Mr. Speaker, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. SCHLEITER. Mr Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SCHLEITER. Mr. Speaker, when the motion was made to adjourn yesterday, after a very brief session, there were expressions of much disapproval. I think that was exemplified in the great number of noes. At the end of each of our sessions there have been expressions on the part, I presume, mostly of those who are serving their first term, that it is a mighty poor way of doing business, and that any business, any private corporation, would soon land in the poor house, or in the sheriff's office if they conducted business the way business is being conducted here. Upon inquiry I was informed, and of course, others have also been informed, that it was necessary to have a calendar. Now, the House has been in session off and on for several weeks,

and it appears to me that inasmuch as over two hundred bills have been introduced up to yesterday and only three been brought up for third reading and final passage, that there is something radically wrong with our Committees; that instead of its being simply a matter of precedent, instead of being something that we are told, and have been told, "Why it has always been thus," that it has been a lack of appreciation on the part of the members as to their responsibility when they have been made members of these various committees. I am told that at the end of a session the hopper is so congested that nothing can hardly get through, and on the final day, or the final week, bills are rushed through just, we may say, as the great flood of salmon streams up the Columbia River, and without members knowing what they are voting for. Many of them have to be reminded by their constituents later on, why did you vote for this bill, and why didn't you vote for that one. Now, I believe we have been sent here, my friends, for a purpose. We have been sent here to make law and I would say to repeal as many of the unnecessary laws as possible, but instead of that we come here, we are in session a few moments and somebody makes a motion to adjourn and we adjourn until a certain day but we have no calendar when that date appears. Now, in order that the business of the House shall be conducted decently and in order, and in order that there shall not be the scene that has characterized the end of each session, at least so I have been informed, I would like to suggest, I would like to impress upon the members of this House and the chairmen of the various committees in particular that we are here for business and not simply for pleasure, and that they go to work to the end that every bill shall receive due consideration, that when a bill is once reported that those who are called upon to vote upon that bill can do so intelligently, without putting through from one hundred to five hundred on the last day of the session. I thank the Speaker for having brought this matter to your attention. I suggested yesterday, and had a little conference with him, and he told me, of course, something what every green horn needs to know, but he says, "Mr. Schleiter we cannot have longer sessions if we do not have any calendar", and I therefore certainly voice what he has said and I thank him sincerely.

The SPEAKER. The Chair states that the House adjourned at no time except when the calendar was completed and the desk was cleared. The remarks of the gentleman under his question of personal privilege will be noted upon the Journal.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 51, entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companis whose tracks are crossed by such bridge.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 57, entitled:

An Act authorizing boroughs to appropriate moneys or to levy and collect, with the assent of electors, a special tax for the purpose of purchasing fire engines and fire apparatus, and to assist existing fire companies in the purchase of fire engines and fire apparatus.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 174, entitled:

An Act to protect the public safety by prohibiting the discharge of fire-arms or other weapons within one hundred and fifty yards of any dwelling house or residence, without the consent of the owner or tenant thereof, and prohibiting the destruction and abuse of certain property by persons while hunting or trapping.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 183, entitled:

An Act providing for the establishing and maintenance of uniform building lines in cities of the third class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 202, entitled:

An Act relating to depositories of county funds in counties of the sixth class; providing for the selection thereof by the county treasurer, county commissioners and county controller if any there be, and for the payment of interest on county funds, for the use of the county; imposing certain expenses upon counties in connection therewith; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 8, entitled:

An Act empowering the State Treasurer to procure bonds for State officers and employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 53, entitled:

An Act to repeal an act entitled "An Act to regulate the practice of the profession of engineering and of land surveying; creating a State Board for the registration of Professional Engineers and Land Surveyors; defining its powers and duties; imposing certain duties upon the Commonwealth and political subdivision thereof in connection with public work; and providing penalties."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 55, entitled:

An Act to validate certain deeds, mortgages, leases, and conveyances made by executors, trustees, or administrators de bonis non cum testamento annexo, under a power to sell, mortgage, lease or conveyance, contained in any last will and testament.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 179, entitled:

An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings, where no legal or valid contract was entered into as required by law.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 38, entitled:

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies and the compensation of deputies and clerks.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 178, entitled:

An Act relating to the assignment of rights to receive or recover a debt or money, or damages for breach of contract.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 186, entitled:

An Act authorizing county commissioners to purchase road machinery and to rent the same to the townships of such county.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 224, entitled:

An Act to amend the title and section one of an act approved the twenty-fourth day of May, one thousand nine hundred and twenty-one, (P. L. 1071), entitled "An Act requiring banks, banking corporations, copartnerships, or associations, cooperative banking associations, trust, safe deposit, real estate, mortgage, title, insurance, guaranty, surety, and indemnity companies, savings institutions, savings banks, provident institutions, building and loan associations, lodges and societies, to file of record names of persons authorized to make entries on record of mortgages; imposing certain duties on recorders of deeds; and declaring certain entries void."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. VAN ALEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. JOHN G. MARSHALL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 9, entitled:

An Act to repeal the act approved the thirtieth day of March, one thousand nine hundred and twenty-one, (P. L. 67), entitled "An Act authorizing the State Treasurer to appoint a Deputy State Treasurer and Commissioner of Trusts; defining his powers and duties; providing for the care, custody, safe-keeping, and recording of stocks, bonds, mortgages, securities, and indemnity bonds, held in trust or otherwise, or owned by the Commonwealth or by any of the departments, bureaus, divisions, commissions, or agencies thereof; and fixing his salary."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 225, entitled:

A Supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (P. L. 1173), entitled "An Act constituting a commission to make an investigation of the battlefields of France and Belgium, and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War; defining the powers and duties of the commission; and making an appropriation;" continuing said commission; providing for the erection of certain memorials in France and Belgium; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. VAN ALEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. JOHN G. MARSHALL. Mr. Speaker, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and (at 10:25 o'clock A. M), the House adjourned until Monday evening, February 12, 1923, at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1923 — 125th of the General Assembly

Vol. 7 — HARRISBURG, PA., MONDAY, FEBRUARY 12, 1923. — No. 12.

SENATE

MONDAY, FEBRUARY 12, 1923.

The Senate met at 9:00 o'clock P. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our heavenly Father, on this, the anniversary of the birth of Abraham Lincoln, we thank Thee that Thou didst ever give the land and the world this man of so large moral and spiritual caliber; our children shall behold this kindly, earnest, brave, farseeing man, sagacious, patient, dreading praise, not blame, new birth of our new soil, the first American. We pray Thee, that the mantle of the immortal Lincoln may rest upon us in this later day and generation and that we, like him, may do our very best to honor and bless our God and our native land. We ask it in the Redeemer's name. Amen.

PETITIONS.

FAVORING APPROPRIATION FOR IMPROVEMENT OF THE PORT OF PHILADELPHIA.

Mr. MacDADE presented petition of the Chamber of Commerce of Philadelphia, favoring appropriation for improvement of the Port of Philadelphia,

Which was referred to the Committee on Appropriations.

FAVORING APPROPRIATION TO THE LAKE ERIE AND OHIO RIVER CANAL BOARD.

He also presented petition of the Chamber of Commerce of Pittsburgh, favoring an appropriation to the Lake Erie and Ohio Canal Board,

Which was referred to the Committee on Appropriations.

FAVORING PASSAGE OF ACT PROVIDING INDUSTRIAL STATE HIGHWAY BETWEEN CHESTER AND PHILADELPHIA.

He also presented resolution of Philadelphia Chamber of Commerce, favoring passage of Act providing Industrial Highway between Chester and Philadelphia.

Which was referred to the Committee on Public Roads and Highways.

PROTESTING AGAINST PASSAGE OF SENATE BILL NO. 7.

He also presented resolutions of Pennsylvania League of Women Voters and State Federation of Pennsylvania, Women, protesting against the passage of Senate Bill No. 7.

Which were referred to the Committee on Judiciary General.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SALUS, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE.

Mr. CRAIG asked and obtained leave of absence for the Senator from Philadelphia, Mr. Patton.

He also asked and obtained leave of obsence for the Senator from Venango, Mr. Phipps.

He also asked and obtained leave of absence for the Senator from Susquehanna, Mr. Jones.

Mr. SMITH asked and obtained leave of absence for the Senator from Cambria, Mr. Stineman.

Mr. BARR asked and obtained leave of absence for the Senator from Allegheny, Mr. Einstein.

Mr. DAIX asked and obtained leave of absence for the Senator from Allegheny, Mr. Leslie.

Mr. BALDWIN asked and obtained leave of absence for the Senator from Mifflin, Mr. Culbertson.

BILLS INTRODUCED.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 142, entitled:

A Supplement to the act approved June 17, 1915, (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," as amended by the act of June 4, 1919, (P. L. 375), entitled "An act to amend sections one, two, and three of the act, approved June 17, 1915, (P. L. 1012), entitled 'An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rate of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act.'"

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 143, entitled:

An Act to amend section one of the act approved July 12, 1913, (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National Party conventions, and of certain party officers, including State Committeemen; a method whereby

electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State Committee of a political party to make and to alter, amend and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation;" as amended.

Which was committed to the Committee on Elections.

Mr. DAVIS read in his place and presented to the Chair Senate Bill No. 144, entitled:

An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton Pennsylvania

Which was committed to the Committee on Appropriations.

Mr. NORTON read in his place and presented to the Chair Senate Bill No. 145, entitled:

An Act to establish as a State highway a certain section of public road in the county of Berks.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 146, entitled:

An Act to define real estate brokers and real estate salesmen, and providing for the licensing, regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the Department of the Secretary of the Commonwealth.

Which was committed to the Committee on Judiciary General.

Mr. LONG read in his place and presented to the Chair Senate Bill No. 147, entitled:

An Act providing for a sentence of life imprisonment for persons convicted of murder in the first degree, and abolishing the death penalty.

Which was committed to the Committee on Judiciary General.

Mr. SISSON read in his place and presented to the Chair Senate Bill No. 148, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held pursuant to the provisions of an act, approved April 12, 1874, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections.

Which was committed to the Committee on Judiciary General.

Mr. STEELE read in his place and presented to the Chair Senate Bill No. 149, entitled:

An Act to amend sections two, three and six of an act approved July 21, 1919, (P. L. 1052), entitled "An Act providing for the establishment of auxiliary State game preserves," providing for the use of said preserves for educational purposes, and the appointment of officers to protect the game and birds therein.

Which was committed to the Committee on Game and Fisheries.

Also read in his place and presented to the Chair Senate Bill No. 150, entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin, and Mount Carmel Coal Fields.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 151, entitled:

An Act to establish as a State Highway a certain section of public road in the County of Northumberland.

Which was committed to the Committee on Public Roads and Highways.

Mr. DERRICK read in his place and presented to the Chair Senate Bill No. 152, entitled:

An Act to validate elections in counties, cities, boroughs, townships, school districts or other municipalities or incorporated districts for the purpose of increasing the indebtedness thereof.

Which was committed to the Committee on Judiciary General.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 153, entitled:

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to certain aged persons; and providing for their burial; creating an Old Age Assistance Commission of this Commonwealth and Old Age Assistance Board in each county; defining their powers and duties; providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators; making counties liable for certain expenses; providing penalties; and making an appropriation.

Which was committed to the Committe on Appropriations.

Mr. BETTS read in his place and presented to the Chair Senate Bill No. 154, entitled:

An Act to validate acts done by or rights accrued to corporations before the recording of their charters.

Which was committed to the Committee on Judiciary General.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 155, entitled:

An Act prohibiting understandings and agreements preventing restricting, obstructing or delaying the sale or delivery of coal; and making it unlawful to refuse, prevent, obstruct or delay the sale or delivery of coal.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 156, entitled:

An Act providing that unincorporated associations may sue or be sued in the name of the Association.

Which was committed to the Committee on Judiciary General.

Mr. ARON read in his place and presented to the Chair Senate Bill No. 157, entitled:

An Act to amend section one of the act approved March 15, 1911, (P. L. 20), entitled, "An act regulating in criminal trials the cross-examination of a defendant, when testifying in his own behalf," by prohibiting the introduction as evidence of certain testimony or records.

Which was committed to the Committee on Judiciary General.

Mr. EYRE read in his place and presented to the Chair Senate Bill No. 158, entitled:

An Act to establish as a State Highway a certain section of Public road in the county of Chester.

Which was committed to the Committee on Public Roads and Highways.

REPORT FROM COMMITTEE.

Mr. JOYCE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JOYCE from the Committee on Public Roads and Highways reported as committed, Senate Bill No. 138, (House Bill No. 37) entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

BILL RECOMMITTED.

Mr. SMITH. Mr. President, I move that Senate Bill No. 138, (House Bill No. 37), entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

be recommitted to the Committee on Pensions and Gratuities.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair has been requested by Senator Woodward to state that the dinner announced to meet the Reorganization Committee will be held on Tuseday evening, February 27th, at seven o'clock, instead of tomorrow evening, in order that the largest attendance possible may be insured.

BILL RECOMMITTED.

Mr. CLARK. Mr. President, I move that Senate Bill No. 8 on second reading, entitled:

An Act regulating the business of stock brokers and requiring them to secure permits to act as such; placing them under the supervision of the Banking Department and defining the powers and duties of the Commissioner of Banking in relation thereto; and prescribing penalties.

be recommitted to the committee on Banks and Building and Loan Associations.

Mr. WEAVER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreebly to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 17, as follows:

A Joint Resolution proposing an amendment to article three (III) of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof That article three be amended by adding thereto the following

Section 34 The Legislature shall have power to classify counties cities boroughs school districts and townships according to population and all laws passed relating to each class and all laws passed relating to and regulating procedure and proceedings in court with reference to any class shall be deemed general lgislation within the meaning of this Constitution but counties shall not be divided into more than eight classes cities into not more than seven classes school districts into not more than five classes and boroughs into not more than three classes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 19, as follows:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream including coated ice cream and the coating thereof fixing a standard of butter fat for ice cream providing penalties for the violation thereof and providing for the enforcement thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person association partnership or corporation by himself herself itself or themselves or by his her or their agents servants or employes to sell offer for sale expose for sale or have in possession with intent to sell ice cream including coated ice cream and the coating thereof which is adulterated within the meaning of this act.

Section 2 Ice cream including coated ice cream and the coating thereof shall be deemed to be adulterated within the meaning of this act

First If it contains boric acid formaldehyde saccharin or any other added substance or compound that is deleterious to health

Second If it contains salts of coper iron oxide ochres or any coloring substance deleterious to health Provided That this paragraph shall not be construed to prohibit the use of harmless coloring matter in ice cream when not used for fraudulent purposes

Third If it contains any deleterious flavoring matter or flavoring matter not true to name

Fourth If it contains any fats oils or paraffin other than milk fats added to or blended or compounded with it. Provided however That chocolate ice cream and the coating of coated ice cream may contain cocoa butter

Fifth If a product is manufactured which is an imitation of or substitute for ice cream and is offered for sale under any coined or trade name

Sixth If it is offered for sale from any container compartment or cabinet which contains any article other than ice cream

Seventh If it contains less than eight (8) per centum butter fat except when fruit or nuts are used for the purpose of flavoring then it shall not contain less than six (6) per centum butter fat

Section 3 It is unlawful for any person association partnership or corporation to sell offer for sale expose for sale or have in possession with intent to sell any ice cream including coated ice cream and the coating thereof in any container which is falsely labeled or branded as to the name of the manufacturer thereof or to misrepresent in any way the place of manufacture of ice cream including coated ice cream and the coating thereof or the manufacturer thereof

Section 4 Any person association partnership or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five ($25) dollars nor more than one hundred ($100) dollars or in the case of an individual or the officers and members of an association partnership or corporation to undergo an imprisonment of not less than thirty (30) days nor more than sixty (60) days or both

Section 5 The Director of the Bureau of Foods of the Department of Agriculture shall be charged with the enforcement of the provisions of this act

Section 6 All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Director of the Bureau of Foods or his agent and when so collected and paid shall thereafter be by the Director of the Bureau of Foods paid into the State Treasury for the use of the Commonwealth

Section 7 The act approved the twenty-fourth day of March one thousand nine hundred and nine (Pamphlet Laws sixty-three) entitled "An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream fixing a standard of butter fat for ice cream providing penalties for the violation thereof and providing for the enforcement thereof" is hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. BALDWIN. Mr. President, I ask that Senate Bill No. 39, on second reading, entitled:

An Act fixing the salary of sheriffs and deputy sheriffs in counties of the seventh class; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 40, as follows:

An Act fixing the salary of the prothonotary in counties of the eighth class and providing for the payment of all fees and commissions into the county treasury

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authorities of the same That the salary of the prothonotary in counties of the eighth class is hereby fixed at one thousand dollars per annum payable from the county treasury All feees and commissions received and collected by the prothonotary in said counties shall be paid into the county treasury for the use of the county

Section 2 The provisions of this act shall not apply to or change the compensation of any prothonotary in office at the date of the approval of this act

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreebly to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 41, as follows:

An Act fixing the salary of sheriffs in counties of the eighth class requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sheriff in each county of the eighth class shall receive an annual salary of twelve hundred dollars ($1200) Such salary in addition to any expenses which may be incurred by such sheriff in the performance of his duties be paid by the county from moneys in the county treasury

Section 2 All fees of office and mileage which shall be received and collected by the sheriff in any county of the eighth class in the performance of his duties shall be hereafter paid into the county treasury by such sheriff for the use of the county and no part of such fees shall be retained by such sheriff The sheriff in said counties shall not be entitled to any additional fees or compensation for the care and maintenance of prisoners but the actual expense for such care and maintenance of prisoners shall be paid by the county from the county treasury upon itemized bills rendered from time to time

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 59, as follows:

An Act to repeal An Act entitled "An Act to regulate the practice of the profession of engineering and of land surveying creating a State Board for the registration of Professional Engineers and Land Surveyors defining its powers and duties imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work and providing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws number four hundred and twenty-two page one thousand one hundred and twenty-one) entitled "An Act to regulate the practice of engineering and of land surveying creating a State Board for the registration of professional Engineers and Land Surveyors defining its powers and duties imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work and providing penalties" be and the same is hereby repealed

And said bill having read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 59, the bill just read, be recommitted to the Committee on Judiciary General, for the purpose of a hearing.

Mr. CRAIG. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 67, as follows.

An Act to further amend section four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred ninety-five) entitled "An

Act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade-mark stock and poultry-food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuff sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expense of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled 'An Act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven" as amended fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and ninety-five) entitled "An Act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry food and patented proprietary or trade mark stock and poultry food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuff sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expenses of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled 'An Act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven" which was amended by the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred ninety) entitled "An Act to amend sections two three and four of an act approved the third day of May Anno Domini one thousand nine hundred and nine (Pamphlet Laws three hundred and ninety-five) entitled 'An act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade-mark stock and poultry-food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuff sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground cornstalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expenses of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled "An Act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof" et cetera approved the twenty-eight day of May one thousand nine hundred and seven' by enlarging the scope of the term 'concentrated commercial feeding-stuffs' and providing for the collection of license fees for the sale thereof and by including certain other substances as adulterants" is hereby further amended to read as follows

Section 4 Each and every manufacturer importer agent person corporation or firm on or before the first day of January of each year or before selling offering or exposing for sale in this Commonwealth any concentrated commercial feeding-stuffs as defined in section two of this act shall register and file annually with the Secretary of Agriculture a certified statement of the names and number of each kind or brand of such concentrated commercial feeding-stuffs that he shall offer for sale during the next ensuing year and a copy of the analysis of each one of such brands as required by section one of this act and he or they shall pay to the Secretary of Agriculture the sum of twenty-five dollars for each and every brand of such concentrated commercial feeding-stuffs to be sold or ordered for sale within the Commonwealth except brands of (a) pure wheat bran (b) pure wheat middlings (c) pure wheat mixed feed (d) pure rye bran (e) pure rye middlings (f) pure rye mixed feed (g) pure buckwheat bran (h) pure buckwheat middlings (i) pure buckwheat feed being by-products resulting from the milling of pure wheat rye and buckwheat in the manufacture of wheat rye and buckwheat flour and (j) pure corn meal made by grinding and bolting corn and (k) pure corn and oats chop made by grinding together or by grinding separately and mixing together pure corn and oats standards for which brands shall be fixed by the Secretary of Agriculture in which cases he shall pay to the Secretary of Agriculture the sum of one dollar instead of twenty-five dollars for each and every such brand to be sold or offered for sale within the Commonwealth All moneys so received shall be immediately paid by the Secretary of Agriculture to the State Treasury for the use of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 69, as follows:

An Act relating to the incorporation of banks and trust companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That before any certificate or application for the incorporation of any bank or trust company is transmitted to the Governor for his approval and for the issuing of letters patent the Commissioner of Banking shall inquire whether any fee commission or compensation has been or is to be paid to any person copartnership association or corporation for the promotion or organization of such bank or trust company or whether any part of the money collected or to be collected from subscribers or stockholders has been or is to be applied to the payment of promoters' fees for obtaining subscriptions or selling stock or for services in starting and opening any such bank or trust company whether the same is provided for by contract with the proposed bank or trust company or by contract with the subscribers to the stock of the proposed bank or trust company and in any such case where such payment has or is to be made the Commissioner of Banking shall have power to refuse to approve of such incorporation and he shall thereupon communicate the facts to the Governor who shall upon the receipt of the certificate or application of incorporation of any such bank or trust company dissaprove thereof and endorse his disapproval thereon and refuse to direct the issue of letters patent for the incorporation of such bank or trust company unless in any case it shall appear to the Governor that the action of the Commissioner of Banking has been unreasonable.

Section 2 The Secretary of the Commonwealth shall in all cases transmit certificates or applications for the incorporation of trust companies filed in his office to the Commissioner of Banking so that the provisions of this act may be complied with

Section 3 In enforcing the provision of this act and in securing any information considered necessary the Commissioner of Banking shall have and possess all the rights and powers conferred upon him by law for the regulation inspection and examination of banks and trust companies

Section 4 All act and parts of act inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 73, entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

The first section of the bill was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives of the Comomnwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section four of article nine which reads as

"Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasions suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth" be amended so as to read as follows

Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasions suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth Provided further however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of thirty-five millions of dollars for the payment of compensation to certain persons from this State who served in the Army Navy or Marine Corps of the United States during the World War between the sixth day of April one thousand nine hundred and seventeen and the eleventh day of November one thousand nine hundred and eighteen

Section 2 Said proposed amendent shall be submitted to the qualified electors of the State at the general election to be held on the Tuesday next following the first Monday of November in the year nineteen hundred and twenty-four for the purpose of deciding upon the approval and ratification or the rejection of said amendment Said election shall be opened held and closed upon said election day at the places and within the hours at and within which said election is directed to be opened held and closed and in accordance with the provisions of the laws of Pennsylvania governing elections Such amendments shall be printed upon the ballots in the form and manner prescribed by the election laws of Pennsylvania and shall in all respects conform to the requirement of such laws

On the question,

Will the Senate agree to the Section?

Mr. CRAIG: Mr. President, I move to amend section 1, page 1, line 6, by striking out the words "ance with the eighteenth article thereof"; also line 7, by inserting after the word "as" the word" follows.

Mr. DAVIS: Mr. President, I second the motion.

On the question.

Will the Senate agree to the amendment?

It was agreed to.

On the question.

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows, and agreed to;

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 95, as follows:

An Act for the prevention of fraud and the protection of the public health relating to milk cream or skimmed milk whether or not condensed evaporated concentrated dried powdered or dessicated prohibiting the introduction of foreign fats into them regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of this act the definitions of condensed milk evaporated milk concentrated milk is the product resulting from the evaporation of a considerable portion of the water from milk or from milk with adjustment if necessary of the ratio of fat to non-fat solids by the addition or by the abstraction of cream It contains all tolerances being allowed for not less than seven and eight-tenths per cent of milk fat nor less than twenty-five and five-tenths per cent of total milk solids provided however that the sum of the percentages of milk fat and total milk solids be not less than thirty-three and seven-tenths per cent

Section 2 It shall be unlawful for any person firm or body corporate by himself herself itself or themselves or by his her its or their agents servants or employees to manufacture sell or exchange or have in possession with intent to sell or exchange any condensed evaporated or concentrated milk which shall not conform at least to the minimum standards set forth respectfully in section one hereof and when contained in hermetically sealed cans does not bear stamped or labeled thereon the name and address of the manufacturer thereof

Section 3 It shall be unlawful for any person firm or body corporate by itself herself itself or themselves or by his her its or their agents servants or employees to manufacture sell or exchange or have in possession with intent to sell or exchange any milk cream or skimmedmilk whether or not condensed evaporated concentrated powered dried or dessicated to or with which has been added blended or compounded any fats or oils other than milk fats either under the name of said products or articles or the derivatives thereof or if labeled under any fictitious coined or trade names whatsoever

Section 4 Any violation of the provisions of this act is hereby declared to be a misdemeanor and any person whether individually or as a member of a partnership or as a responsible agent or officer of an incorporate body who shall be convicted of such violation either on his own behalf or in the interest of a corporate body shall be sentenced to undergo an imprisonment of not less than thirty (30) days nor more than sixty (60) days or to pay a fine of not less than fifty ($50) dollars nor more than one hundred dollars ($100) or both

Section 5 The Director of the Bureau of Foods shall be charged with the enforcement of the provisions of this act

Section 6 All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Director of the Bureau of Foods or his agent and when so collected and paid shall thereafter be by the Director of the Bureau of Foods paid into the State Treasury for the use of the Commonwealth

Section 7 Nothing in this act shall be construed to prohibit the shipment into this Commonwealth from a foreign state and the first sale thereof in this Commonwealth in the original package intact and unbroken of any of the products or articles the manufacture sale or exchange of which or possession of which with intent to sell or exchange is prohibited hereby

Section 8 Should any section or any part of a section or sections hereof become or be declared to be inoperative or void for any cause or reason whatsoever the remainder of the section or of such sections shall be and remain in full force and effect

Section 9 This act shall become effective ninety days after its passage

Section 10 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. MacDADE. Mr. President, I move that Senate Bill No. 100 on second reading, entitled:

An Act to amend section ten of an act approved June 27, 1895, (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

be recommitted to the committee on New Counties and County Seats.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 102, as follows:

An Act amending Section 4 of the act entitled "An Act regulating the practice bail costs and fees on appeals to the Supreme Court and Superior Court" approved the nineteenth day of May one thousand eight hundred and ninety-seven Pamphlet Laws sixty-seven by providing a shorter period within which to appeal in cases where loss and hardship would otherwise result to the estates of decedents

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act entitled "An Act regulating the practice bail costs and fees on appeals to the Supreme Court and Superior Court" approved the nineteenth day of May one thousand eight hundred and ninety-seven Pamphlet Laws sixty-seven which reads as follows

"Section 4 No appeal shall be allowed in any case unless taken within six calendar months from the entry of the sentence order judgment or decree appealed from nor shall an appeal supersede an execution issued or distribution ordered unless taken and perfected and bail entered in the manner herein prescribed within three weeks from such entry An appeal from the Superior Court to the Supreme Court must be taken and perfected within three calendar months from the entry of the order judgment or decree of the Superior Court Appeals taken after the times herein provided for shall be quashed on motion Provided That in civil cases in which the right of appeal to the Superior Court has now expired an appeal may be taken and perfected within three months after this act goes into effect" is hereby amended to read as follows

Section 4 No appeal shall be allowed in any case unless taken within six calendar months form the entry of the sentence order judgment or decree appealed from nor shall an appeal supersede an execution issued or distribution ordered unless taken and perfected and bail entered in the manner herein prescribed within three weeks from such entry No appeal shall be allowed from any adjudication relating to the validity of any last will and testament where the trial court shall certify that delay will cause hardship and loss to the estate of the decedent unless so taken and perfected within thirty days from filing proof of notice of such certificate to the party or to counsel of record for the party whose time for appeal is thus limited An appeal from the Superior Court to the Supreme Court must be taken and perfected within three calendar months from the entry of the order judgment or decree of the Superior Court Appeals taken after the times herein provided for shall be quashed on motion

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. MacDADE. Mr. President, I move that Senate Bill No. 118 on second reading, entitled:

An Act providing that the county controller shall be made a party defendant in all suits against any county.

be recommitted to the committee on New Counties and County Seats.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 124, House Bill No. 15 on second reading, entitled:

An Act providing the method in which amendatory legislation shall be printed in session laws; and for the interpretation thereof.

be recommitted to the committee on Judiciary General, for the purpose of a hearing.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. DAVIS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAVIS, from the Committee on Mines and Mining, reported as amended, Senate Bill No. 83, entitled:

An Act grading coal; and making it unlawful to misrepresent the grade of coal sold or offered or advertised for sale.

Mr. JOYCE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JOYCE, from the Committee on Elections, reported as committed, Senate Bill No. 47, entitled:

An Act to amend section eleven of the act approved June 13, 1840 (P. L. 683), entitled " A Supplement to an act entitled 'An Act, relating to the elections of this Commonwealth', passed the second day of July, A. D. 1839 and for other purposes" allowing constables mileage for advertising elections, and compensation for advertising elections where there is more than one polling place in a district. Said mileage and compensation to be paid by counties.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Comonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate,

the following named person to be a Notary Public, for the term of four years, to compute from the date of expiration of her present commission:

PHILADELPHIA COUNTY.

Miss Emma G. Alexander, Philadelphia, February 1, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

E. E. Arrowsmith, Pittsburgh.
R. P. Boyd, Pittsburgh.
Stephen D. Creighton, Pittsburgh.
A. C. Davis, Pittsburgh.
J. B. LeClere, Pittsburgh.
Miss Almira E. Schultz, Wilkinsburg.
Harry J. Wagner, Jr., Westview.

CLEARFIELD COUNTY.

B. W. Dean, DuBois.

CRAWFORD COUNTY.

Walter M. Steadman, East Fallowfield.
Miss W. Weizel, Meadville.

FAYETTE COUNTY.

Miss Margaret Jaco, Uniontown.

INDIANA COUNTY.

Wm. M. Huey, Rochester Mills.

LACKAWANNA COUNTY.

William P. Brennan, Scranton.
Harry S. Foust, Scranton.
Benjamin L. Stone, Carbondale.

LEHIGH COUNTY.

Mrs. Lillie E. Thomas, Catasauqua.

LUZERNE COUNTY.

Miss Jennie L. Sauermilch, Wilkes-Barre.

NORTHAMPTON COUNTY.

Miss Sarah Frederick, Easton.

PHILADELPHIA COUNTY.

James J. Davis, 2760 N. 22nd St., Philadelphia.
Charles Gross, 2932 N. 22nd St., Philadelphia.
Mrs. Sarah M. Jones, 1314 S. 18th St., Philadelphia.
Isaac Morshaw, Jr., 1617 Walnut St., Philadelphia.
Ed. Kick, 1313 W. Tioga St., Philadelphia.
Geo. S. Knieriomen, 5437 Euclid Ave., Philadelphia.
Walter C. List, 2203 S. 22nd St., Philadelphia.
Samuel Secody, 2542 S. 8th St., Philadelphia.
Miss Dorothy H. Smalley, 815 E. Chelten Ave., Philadelphia.
John H. Staib, Jr., 1007 W. Somerset St., Philadelphia.
Samuel Taplinger, 612-16 Liberty Bldg., Philadelphia.
Richard J. Trexler, 6525 Lebanon Ave., Philadelphia.
Albert H. Weller, 4638 E. "A" St., Philadelphia.

SOMERSET COUNTY.

L. E. Warren, Listie.

VENANGO COUNTY.

C. F. Samson, Oil City.

WESTMORELAND COUNTY.

A. S. Kedzierski, New Kensington.

YORK COUNTY.

Boyd B. Basom, Dillsburg.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commission:

ALLEGHENY COUNTY.

Wm. T. Adair, Pittsburgh, February 21, 1923.
Charles Harry Bracken, Pittsburgh, February 21, 1923.
John S. Cort, Pittsburgh, February 25, 1923.
Frank J. Fitch, Pittsburgh, February 10, 1923.
M. L. Keck, Pitcairn, January 18, 1923.
F. K. Martin, Pittsburgh, February 10, 1923.
Albert W. Ott, Pittsburgh, February 21, 1923.
Fred. N. McQuiston, Pittsburgh, February 10, 1923.
M. Mosurak, Pittsburgh, February 10, 1923.
Crestes Pascale, Pittsburgh, February 21, 1923.
John C. Thompson, Pittsburgh, February 21, 1923.
Garnet N. Speer, Pittsburgh, February 22, 1923.
Miss A. D. Winkel, Pittsburgh, February 17, 1923.

BERKS COUNTY.

Chas. H. H. Rhoads, Reading, February 21, 1923.

BLAIR COUNTY.

David T. Caldwell, Tyrone, February 27, 1923.
Miss Katherine Kane, Altoona, February 21, 1923.

CLINTON COUNTY.

Miss Agnes S. McCabe, Lock Haven, February 21, 1923.

COLUMBIA COUNTY.

Miss Helen J. Freas, Berwick, February 14, 1923.

CRAWFORD COUNTY.

Frank A. Curtis, Cochranton, February 21, 1923.

DELAWARE COUNTY.

Harry W. Koch, Drexel Hill, February 19, 1923.

ELK COUNTY.

G. F. Greiner, Ridgway, February 10, 1923.

FAYETTE COUNTY.

William T. McClellan, Uniontown, February 28, 1923.

LACKAWANNA COUNTY.

Horace G. Likeley, Carbondale, February 28, 1923.
W. F. Vaughan, Scranton, February 21, 1923.
James E. Watkins, Taylor, February 21, 1923.

LANCASTER COUNTY.

M. H. Diffenbaugh, Lancaster, February 21, 1923.
W. M. Hollowbush, Mount Joy, February 24, 1923.

LAWRENCE COUNTY.

Homer C. Drake, New Castle, February 21, 1923.

LEHIGH COUNTY.

Jacob G. Leiby, Lynnport, February 21, 1923.

MERCER COUNTY.

James A. Stranahan, Jr., Mercer, February 17, 1923.

NORTHAMPTON COUNTY.

Charles J. Somers, Portland, February 21, 1923.
George W. Weller, Easton, February 21, 1923.

PHILADELPHIA COUNTY.

Edward W. Bidus, Philadelphia, February 10, 1923.
William A. Craig, Philadelphia, February 21, 1923.
Giovanni Falcidia, Philadelphia, February 21, 1923.
T. Mailey Stinson, Philadelphia, February 24, 1923.
Charles H. Ulery, Philadelphia, February 21, 1923.

YORK COUNTY.

C. W. Stauffer, York, February 23, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

CAMBRIA COUNTY.

Miss Alberta Findley, Johnstown.

DELAWARE COUNTY.

Irwin S. Senkert, Morton.

LUZERNE COUNTY.

Miss Angela T. Finnoran, Pittston.

MONTGOMERY COUNTY.

Harry E. Miller, Pottstown.

NORTHAMPTON COUNTY.

Asa E. Boats, Wolnutport.

PHILADELPHIA COUNTY.

John C. Dittmar, 324 Walnut St., Philadelphia.
Samuel Green, 4611 N. Mervine St., Philadelphia.
Miss Elizabeth S. Haworth, 1237 Real Estate Trust Building, Philadelphia.
Abraham Margulis, 719 S. Fourth St., Philadelphia.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Leo J. Loughren, Pittsburgh, February 21, 1923.

ERIE COUNTY.

John G. Watt, Erie, February 17, 1923.

LEHIGH COUNTY.

Horace O. Warmkessel, Allentown, February 21, 1923.

LUZERNE COUNTY.

Wm. Brewster, Wilkes-Barre, February 21, 1923.

PERRY COUNTY.

Mr. John C. Motter, New Bloomfield, February 10, 1923.

PHILADELPHIA COUNTY.

Clarence E. Blackburn, Philadelphia, February 21, 1923.
Miss Eleanor E. Jaquette, Philadelphia, February 21, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, February 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

PHILADELPHIA COUNTY.

Chas. H. Schreiner, Philadelphia, Feb. 21, 1923.
August Wagner, Philadelphia, Feb. 23, 1923.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nomination made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to,

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Harris,	McClintock,	Sprowls,
Betts,	Heaton,	McNichol,	Steele,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Joyce,	Quigley,	Weaver,
Clark,	Krause,	Salus,	Woodward,
Craig,	Kutz,	Schantz,	Eyre,
Daix,	Lanius,	Sisson,	Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

PUBLIC REPORT FROM WELFARE COMMISSION REQUESTED.

Mr. SONES. Mr. President, Under the act of 1921, Section 15, creating the Welfare Board, there is a provision whereby the Public Welfare Commission shall submit to the legislature the recomendations for all charitable and State institutions. Up to this time we have not had a report and I want to move that the President pro tempore be authorized and directed to secure the information from the Welfare Board.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

LINCOLN DAY EXERCISES.

The PRESIDENT. The House of Representatives proposes having Lincoln Day exercises at ten o'clock tonight and have invited the members of the Senate to come over in a body to listen to the addresses that will be delivered on that occasion.

RECESS.

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILL INTRODUCED.

Mr. HARRIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Hr. HARRIS read in his place and presented to the Chair Senate Bill No. 159, entitled:

An Act to amend section one hundred of the act approved July 14, 1917, (P. L. 840), entitled " An act concerning townships; and revising, amending and consolidating the law relating thereto."

Which was committed to the Committee on New Counties and County Seats.

SENATE PROCEEDS TO HOUSE TO HEAR LINCOLN DAY EXERCISES.

The hour of 10 o'clock having arrived, Messrs. Edward P. Jones, Beaver and Rinn, a Committee from the House of Representatives, being introduced, informed the Senate that the House of Representatives was ready for the reception of the President and Members of the Senate to listen to Lincoln Day Exercises.

Whereupon,

The President and members of the Senate proceeded to the hall of the House of Representatives.

SENATE RETURNS FROM HOUSE.

After some time, the President and Senators returned to the Senate Chamber.

MOTION TO READ BILLS FIRST TIME.

Mr. CRAIG. Mr. President, I move that all bills reported from committee at to-day's session be read the first time.

Mr. DAVIS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 47, entitled:

An Act to amend section eleven of the act approved June 13, 1840 (P. L. 683), entitled "A Supplement to an act entitled 'An Act, relating to the elections of this Commonwealth,' passed the second day of July, A. D. 1839, and for other purposes;" allowing constables mileage for advertising elections, and compensation for advertising elections where there is more than one polling place in a district. Said mileage and compensation to be paid by counties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 83, entitled:

An Act grading coal; and making it unlawful to misrepresent the grade of coal sold or offered or advertised for sale.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until eleven o'clock to-morrow morning.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:42 P. M. until Tuesday morning, February 13, 1923, at eleven o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 12, 1923.

The House met at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Oh Lord, how excellent is Thy Name in all the earth. Thou art God, and beside Thee there is none other. We come into Thy presence in this hour to make grateful acknowledgment for the manifold blessings which Thou hast bestowed upon us as individuals as well as a nation, and especially in this hour in which we reverently observe the birth of one of our fellow mortals born amid frugal and humble scenes and yet by sheer dint of courage and strength of character under Thy blessing rose to prominence of national and international fame. Oh Lord God, we pray that Thou wouldst give us faith to believe that right makes might and in this faith let us to the end dare to do our duty as we understand it. May courage, sacrifice, fortitude, sympathy and charity characterize our every act in this life. To this end may Thy blessing be upon the Speaker of this House, the members of this Assembly, and the Governor of this Commonwealth as well as the President of the United States, and all in authority. We ask it in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Wednesday, February 7, 1923.

The Clerk proceeded to read the Journal of the proceedings of Wednesday, February 7, 1923, when, on motion of Mr. SCHAEFFER, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. KUNKLE. HOUSE BILL No. 262.

An Act to amend part of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455), entitled An Act to fix the number of Repre-

sentatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution.

Referred to the Committee on Legislative Apportionment.

By Mr. KUNKLE. HOUSE BILL No. 263.

An Act making an appropriation to the Westmoreland Children's Aid Society, at Greensburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. KUNKLE. HOUSE BILL No. 264.

An Act making an appropriation to the Westmoreland Hospital Association, of Greensburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. KUNKLE. HOUSE BILL No. 265.

An Act to amend section one of an act approved the second day of May, one thousand nine hundred and one, (P. L. 120), entitled, "An Act to prevent burgesses and councilmen of the several boroughs within this Commonwealth from soliciting or receiving bribes, and to punish any person who may offer to bribe the same."

Referred to the Committee on Municipal Corporations.

By Mr. McCAIG. HOUSE BILL No. 266.

An Act making an appropriation to the Colored Women's Relief Association of Western Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. JOHN G. MARSHALL. HOUSE BILL NO. 267.

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, hand and held or pending pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled, "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Referred to the Committee on Judiciary Local.

By Mr. DAVID FOWLER. HOUSE BILL NO. 268.

An Act to repeal the act approved the eleventh day of May, one thousand nine hundred twenty-one, (Pamphlet Laws 479) entitled "An act imposing a State tax on anthracite coal; providing for the assessment and collection thereof; and providing penalties for the violation of this act."

Referred to the Committee on Ways and Means.

By Mr. JOHN G. MARSHALL. HOUSE BILL NO. 269.

A Supplement to the act approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," validating all proceedings and elections and the bonds, securities and obligations issued pursuant thereto, where a majority of the votes cast are in favor of an increase of indebtedness.

Referred to the Committee on Judiciary Local.

By. Mr. CRAIG. HOUSE BILL NO. 270.

An Act making an appropriation to the Chester Hospital in the City of Chester.

Referred to the Committee on Appropriations.

LEAVES OF ABSENCE.

Mr. GIBBON asked and obtained leave of absence for Mr. Aston.

Mr. KUNKLE asked and obtained leave of absence for Mr. George A. Smith for the balance of the week on account of illness.

Mr. McGOWAN asked and obtained leave of absence for Mrs. Speiser.

Mr. SARIG asked and obtained leave of absence for Mr. Gundy on account of illness.

Mr. Bidelspacher asked and obtained leave of absence for Mr. Wells.

Mr. McCURDY asked and obtained leave of absence for Mr. Williston P. Wood on account of illness.

Mr. BETTS asked and obtained leave of absence for Mr. Flynn.

Mr. HOWELL asked and obtained leave of absence for Mr. William F. Marshall.

Mr. LUDLOW asked and obtained leave of absence for Mr. Storb on account of illness.

The SPEAKER asked and obtained leave of absence for Mr. GOSS.

The SPEAKER asked and obtained leave of absence for Mr. Philip M. Myers.

RESOLUTION NO. 4.

Mr. McVICAR. Mr. Speaker, and members of the House. I desire to call up the Resolution, No. 4, from the committee on Rules and would ask that it be read before addressing the House.

The resolution was read by the Clerk as follows:

Resolved That Rule number seventy-one be adopted as follows

Rule 71 All resolutions fixing the date of final adjournment or fixing the last day for introduction of bills shall be referred to the Committee on Rules and reported therefrom before being acted upon by the House Provided however That said Committee shall be subject to discharge from the consideration of said resolutions the same as all other committees in case of bills

On the question,

Will the House adopt the resolution?

Mr. McVICAR. Mr. Speaker and members of the House, the report of the Committee on Rules which you are now asked to adopt, provides that all resolutions fixing the final date of adjournment, and all resolutions fixing the last day for the introduction of bills, shall be referred to the Committee on Rules and reported therefrom before being acted on by the House; providing, however, that it may be discharged the same as any committee on bills, which is in ten days. The reason for the proposed rule is this: Before the House can properly act upon a resolution fixing the last day for the introduction of bills it is necessary for it to have certain information, certain data, for instance, when the executive department will have its bills ready, as well as the other departments. Also in regard to fixing the final date for adjournment it is necessary to know something about the number of bills in committees and in the Senate which have not come to the House, and therefore the Committee on Rules, which has always been the agent of the House in these matters, seems like the appropriate committee to act on such resolutions. It also does another thing, it prevents the passing of a resolution which might be hasty and ill-considered. For instance, in the session of 1915, on a Thurs-

day morning a resolution fixing the final date of adjournment was offered in a small House and as resolutions of this kind under the present rule are always in order. It was passed at once, and caused some embarrassment afterwards. So that the entire purpose of this rule is simply to give the House the information that it should have before it acts upon these two matters. Now the inquiry may come to some of your minds as to whether that might delay in any way the date of final adjournment, and my answer to you is not; if anything it will hasten it. It is the desire of the Committee on Rules, as well I take it of every member of the House that this Joint Assembly adjourn at the earliest date that is compatible with the proper care of the bills that are before us, and as a matter of fact the Committee on Rules at the present time has investigated or is investigating and expects to report to you in a few days a resolution fixing the last day for the introduction of bills, and as that day shuts off the introduction of bills it necessarily has a large influence on the date of final adjournment. This report is the unanimous report of the members of the Rules Committee. If it meets with your judgment the same as it does with the judgment of the members of the Rules Committee, I ask you to approve it; if not, of course, if you wish, vote otherwise.

Mr. SOWERS. Mr. Speaker and members of the House, I don't think we should pass this resolution as it is put to us because the collective judgment of this House is as good as the judgment of five members of the Rules Committee, and we certainly can determine when it is time to adjourn just as well as five members can determine when it is time to adjourn. It is true we have been delayed, it is true we have been waiting for those in power to send their messages, it is true we have been waiting a long time, but why should we wait longer? Let us have their messages and then we can quit. Why delay?

Mr. DUNN. Mr. Speaker and members of the House. I don't doubt the integrity or the honesty of purpose of the Rules Committee, asked that these resolutions when presented to this House shall be referred to that committee, but these are two vitally important resolutions. These resolutions belong to the members of this House to decide. If a resolution is presented here tonight fixing the date of adjournment and the date for final presentation of bills, it is referred to the committee, if we adopt this amendment to our rules, that committee can keep those resolutions in there just as long as they see fit, unless we use that part of the rule which is provided for in their amendment to withdraw it from the committee by a vote of sixty members of this House. That is only delaying the necessary work and the information that the members want to have in fixing the date of adjournment. You remember, the majority of the members of this House, that in the caucus of January 1st we endorsed unanimously a resolution to be put into this House as soon as possible fixing the date of adjournment, and the only way for us to decide on that is that it be presented and openly discussed here in the House so that we may decide whether we want to fix that day or some other day, and by a vote of this House it can be settled inside of ten or fifteen minutes. I saw in one of the Philadelphia papers, that I quote from, "Rush Legislation New Jersey House is asked" the "Republican majority hopes to bring about adjournment in four weeks" and hopes to bring an adjournment sine die within a month, as originally agreed upon. Now, while we have not fixed a day for final adjournment or presentation of bills, we have agreed upon fixing a day for final adjournment as soon as possible and if we do that we can expedite the business of this House more rapidly than it has been going for the last six weeks. Just fix the date of adjournment tonight or tomorrow and you will find the departments, or those who are interested in legislation, will prepare their legislation and get it in here so it will be ready and passed before the time fixed for adjournment. If we do not do that every day lost at the beginning of the session is a day added to the close of the session and we are likely to be here in June or July if we don't fix some definite time when we say we are going to adjourn, and fix a day for final presentation of bills. Let us decide that resolution in this House without referring it, or amending our rules, for that purpose, and we will get out of this House quicker than we expect.

Mr. JOHN G. MARSHALL. Mr. Speaker and members of the House. I don't see any objection to passing this resolution. If I understand the procedure of this House all legislative matters are referred to various committees, among those committees is the Committee on Rules which has to do with the rules and regulations governing this House. One of the important things affecting this House is a rule or regulation adopted by the members providing when we shall have a final day for adjournment and likewise the last day for the introduction of bills. If this is an important matter why should it not be referred to this rules Committee that is appointed by this House to pass upon these very questions? And I do not agree with the gentleman from Philadelphia that the day, if a resolution is introduced here for the purpose of fixing the final day of adjournment, is going to be delayed one minute so far as the fixing of that day is concerned by being referred to a committee. The resolution goes into the committee in the form in which it is introduced. If the committee fails to report that resolution out as promptly as the members think they should, and the majority of the members of this House, sixty members in fact, are in favor of reporting the resolution out as reported to the committee, they can place it before the members of this House for the purpose of voting upon it. There is no resolution going to be introduced here that provides for adjournment within ten days after its introduction, if it is introduced in good faith. I think there is no reason why we cannot entrust this resolution to be passed upon by this committee and reported back to this House for the final action of the House.

Mr. BIDELSPACHER. Mr. Speaker and members of the House, as a member of the Committee on Rules of this House as well as a member of the House, I want to say that the rules committee does not want to take upon itself any responsibility that belongs to the members of this House. We simply are offering this resolution in good faith for the purpose of expediting the business of this House. We are simply acting in accordance with established precedence of former terms. As the gentleman from Beaver has said, we refer different bills to different committees for the purpose of expediting the work, and the very fact that there is discussion on this question tonight on the adoption of this resolution indicates that every time any one would introduce a resolution fixing the time for the introduction of bills, that we would consume a vast amount of valuable time in discussing the resolution. The very purpose of adopting this resolution is to save time and to refer it to the Committee on Rules. The Committee on Rules, the chairman of that committee, has indicated to you that he will within a very short time have before you a resolution fixing the time for the introduction of bills, and we are just as much concerned as you are, as other individual members of this House may be in getting the work of the House done expeditiously and then adjourning at the earliest possible moment. It is simply with the

thought of saving the time of this House that we ask that the resolution be adopted and the resolutions when they are introduced be referred, as heretofore, in accordance with precedent, to the Committee on Rules.

Mr. EDMONDS. Mr. Speaker and members of the House, it does not seem to me that the important thing is that we should fix the date for adjournment, the important thing is that we should get our work done and get it well done. Under which sort of procedure are we the more likely to get the work well done? I have only had experience in this House one session, that was in 1921, but in 1921, about the middle of the session they adopted a resolution fixing the date of adjournment, and the result was that in the last two weeks there was a bad jam. I think there are a great many members of the House that would like to live over again those last two weeks, and particularly would like to live over again the period when they voted for fixing that day of adjournment. As I understand this rule which is reported to us from the Committee on Rules, it merely gives the resolution for adjournment a chance to cool. It is introduced and referred to the committee, the committee consisting as it does of members of both parties, it considers it and reports it to the House and that gives us a chance to vote upon it at a time when we know it is coming up. It merely prevents a snap decision in a small House, fixing a day which afterwards we might have a chance to regret. It seems to me, Mr. Speaker, that the important thing is that we should leave ourselves free to do our work. If it takes one month, let us give one month to it; if it takes two months, let us give two months to it; if it takes even three months, although personally I don't believe it will, it seems to me we ought to be ready to give three months to it. For those reasons, therefore, it seems to me that we ought to see that a resolution so important as a resolution for final adjournment should lie open in the hands of the committee for at least a couple of days so that when we vote upon it we may all know what we voted upon. Therefore, I shall vote for the resolution.

Mr. DAVID FOWLER. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Edmonds.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Edmonds, permit himself to be interrogated?

Mr. EDMONDS. With pleasure, Mr. Speaker.

Mr. DAVID FOWLER. Mr. Speaker, is this resolution a joint resolution?

Mr. EDMONDS. No.

Mr. DAVID FOWLER. Then, has the Senate passed such a resolution?

Mr. EDMONDS. No.

Mr. DAVID FOWLER. What reason do we have for having a different rule in the House than they have in the Senate?

Mr. EDMONDS. Oh, we have a lot of different rules in the House than what they have in the Senate.

Mr. DAVID FOWLER. That may be very true, Mr. Speaker, that we may have a lot of different rules in the House than they have in the Senate, but I think on a question of this kind we should have the same rules. The Senate may pass a joint resolution to adjourn on a certain date and refer the matter to the House, and as I understand this resolution before the House, it would then have to go to the Committee on Rules of the House. Is that right?

Mr. EDMONDS. That is right, but, Mr. Speaker, may I say to the gentleman from Lackawanna that that does not in any way follow, if the Senate passes a bill and it comes over here it does to a committee of the House, we consider it and we decide whether or not we concur in it or amend it, but if this passes when it comes before the House it has first to be considered by a committee and then comes before us with the result of the reflection of that committee.

Mr. DAVID FOWLER. But if that bill does come from the Senate to the House, it is a fact that it has gone through a committee in the Senate?

Mr. EDMONDS. Yes.

Mr. DAVID FOWLER. Then we are working under the same procedure that the Senate is.

Mr. EDMONDS. It has to go through a committee of the House.

Mr. DAVID FOWLER. Assuming that it has gone through a committee in the Senate, why should we have a different procedure in the House than they have in the Senate on that question?

Mr. EDMONDS. The fact that it has gone through a committee in the Senate is one thing in its favor; the fact that it goes through a committee in the House is more in its favor.

Mr. DAVID FOWLER. Providing it takes a vote of sixty to discharge the committee, or if the committee rather would report it with a negative recommendation, you still have to have a majority vote of the House, and why not have it in the first place?

Mr. EDMONDS. I think that was an interrogation, and I would like to answer it if I may. You are going to have your majority anyhow, but why allow the majority to tie its hands on the question by taking snap judgment on it. When we have a bill before us we have a recommendation of a committee back of it, and that means twenty-five men and women have considered it and reached a conclusion in its favor. Now that is what this means; it means that some group of members of the House will give specific consideration to it and have given a recommendation to the House.

The SPEAKER. Will the gentlemen confine themselves to interrogations and answers and not to a conversation?

Mr. DAVID FOWLER. In reply, Mr. Speaker, to the gentleman from Philadelphia when he stated, why have the members of the House tie the committee, I would rather have the members of the House, the majority members of this House, tie the members of the committee than I would vote for a resolution for five committeemen to tie the hands of the House.

Mr. DUNN. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Edmonds.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Edmonds, permit himself to be interrogated?

Mr. EDMONDS. With pleasure, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. DUNN. I would like to ask the gentleman from Philadelphia when he was being interrogated by the gentleman from Lackawanna, did he state a motion to adjourn is not a concurrent resolution?

Mr. EDMONDS. I said it was.

Mr. DUNN. It was?

Mr. EDMONDS. Yes, but I said that this rule that is proposed does not have to go to the Senate for its action. This rule, as proposed, is a rule of the House, not a joint rule of the House and Senate.

Mr. DUNN. Did I understand you to say also, that if this amendment is adopted to the rules, a resolution to adjourn is referred to the Rules Committee and it is reported out, it ends further discussion?

Mr. EDMONDS. No, certainly not. I know of no way of ending discussion on the part of the free representatives of the citizens of Pennsylvania.

Mr. DUNN. Why not have it all at once then?

Mr. EDMONDS. That is true, but we get it with the benefit of the recommendation and consideration of the committee.

Mr. DUNN. With the benefit of delay?

Mr. EDMONDS. And also with an opportunity of getting notice before hand that the question is coming before you for settlement. It prevents snap decision in a small House.

Mr. OGLE. Mr. Speaker, I listened with a great deal of satisfaction and pleasure to the remarks of the gentleman from Allegheny, Mr. McVicar, the first speaker of the evening, representative of the Committee of Rules. The Committee on Rules, I was pleased to see, was taking this serious matter into consideration and had determined that this House should act in accordance with legislative procedure. Every measure that is introduced into this House is referred to a Committee for their judgment. They are supposed to summon before them witnesses, gather data and digest the inwardness of the measure that has been referred to them, and to refer it to the House with their best judgment, either affirmatively or negatively.

The Committee on Rules of our House is composed of men of experience, men who understand legislation, and whose highest desire is to take care of the public business. This is not a movement on their part for fun. It is a serious matter and as I say their motive is the conduct of the public business in an orderly way.

No man, Mr. Speaker, but deprecates the manner in which this House has been conducting its business for years: meeting on Monday evening, a session on Tuesday, and adjourning on Wednesday until the next Monday. Wasting out time when we might be possibly otherwise engaged. The gentleman representing the Committee on Rules told us that this is in the interest of an early adjournment. Now why don't we believe them? He tells us that they have under consideration now and will report to us the day on which this House shall determine when no further legislation shall be introduced for our action. That is a consummation devoutly to be wished for when this great flood of unnecessary stuff has been thrown into us.

That was an orderly resolution in keeping and I could not help but think when my friend from Philadelphia, my good friend from Philadelphia, Mr. Sowers rose tonight in opposition against this resolution of the story which I read in the Philadelphia Bulletin this evening. Mr. Brown and his wife were sitting beside the cozy grate fire, spending the evening pleasantly together, when his wife, said, "John, if you had it to do all over again would you want me for your little wife?" and John said, grumbingly, "There you are trying to stir up a fight when everything was going on all right."

Mr. Speaker, why do we make a mountain out of a molehill? I say that we would dishonor ourselves and cast ignominy upon the Committee of Rules if we would refuse to abide by their lead which they propose to give us. I can see how we might be thrown into confusion. Imagine, if you will, that this very night some man should introduce a resolution that we adjourn week after next, why there are so many men here anxious to save their salaries that they would vote aye right off the bat. Let us proceed orderly, decently, and in an orderly manner. I, Mr. Speaker, shall vote for this resolution and I hope that the other members of the House will do the same.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Williams and Mr. McVicar and were as follows:

YEAS—136.

Anderson,	Gilchrist,	Ludlow,	Schilling,
Armstrong,	Goehring,	Lynch,	Schleiter,
Baldi,	Golder,	MacKinney,	Schoener,
Beaver,	Griffith,	Malie,	Schwartz,
Bell, F. A.,	Grimes,	Marcus, J. C.,	Shambach,
Bell, W. T.,	Haas,	Marshall, J. G.,	Sheridan,
Bentley,	Haines,	Mathay,	Smith, H.,
Betts,	Hall,	McBride,	Smith, J. W.,
Bidelspacher,	Harer,	McCann,	Soffel,
Blair,	Haslett,	McCaig,	Spangler,
Brenneman,	Heffernan,	McCurdy,	Sprowls,
Bromley,	Heffran,	McDaniel,	Stark,
Brown,	Henderson,	McDermott,	Steedle,
Brownmiller,	Hetrick,	McKim,	Sterling,
Burchinal,	Heyburn,	McVicar,	Stevens, A. J.,
Burns,	Himes,	Metcalf,	Stoner,
Bush,	Holcombe,	Millar,	Storer,
Clutton,	Hollis,	Minehart,	Thomas, L. D.,
Coldsmith,	Hoover,	Moffatt,	Thomas, M. G.,
Conner,	Horne,	Moore,	Thompson,
Coyne,	Howell,	Morrison,	Van Alen,
Craig,	Irvin,	Ogle,	Vickerman,
de Young,	Jones, C. B.,	Orr,	Walker,
Diehm,	Jones, D. J.,	Parkinson,	Weamer,
Driggs,	Jones, E. P.,	Patterson,	Wheeler,
Earley,	Kelly,	Peelor,	Whiteman,
Edmonds,	Kennedy,	Pitts,	Williams, G. W.,
Eshelman,	Korns,	Posey,	Williams, J. M.,
Evans, B. P.,	Kunkle,	Post,	Woner,
Flinchbaugh,	Labar,	Price,	Wood, N.,
Fratt,	Lafferty,	Raymond,	Wright,
Frazier,	Lauver,	Richards,	Zook,
Gallaher,	Little,	Rinn,	Goodnough,
Gelder,	Long,	Rippman,	Speaker.
		Sarig,	

NAYS—49.

Albert,	Dietz,	Huber,	O'Boyle,
Allman,	Dilsheimer,	Keene,	Perry,
Arthur,	Donahoe,	Kohler,	Sautter,
Baker,	Drinkhouse,	Lucas,	Schaeffer,
Behney,	Dunn,	Mack,	Smith, H. J.,
Berger,	Eaches,	Mangan,	Sowers,
Bluett,	Evans, J.,	Marcus, J.,	Staudenmeier,
Blumberg,	Fields,	McGowan,	Stavitski,
Boback,	Gibbon,	Miller,	Stofflet,
Brewster,	Gorham,	Munley,	Wettach,
Chaplin,	Greeby,	Myers, G. C.,	Whitehouse,
Colville,	Hontz,	Nolte,	

So the question was determined in the affirmative and the Resolution was adopted.

SENATE INVITED TO PARTICIPATE IN JOINT SESSION TO HONOR THE MEMORY OF ABRAHAM LINCOLN.

Mr. DAVID J. JONES offered the following resolution which was twice read, considered and adopted.

In the House of Representatives,
February 12, 1923.

Resolved, That the Speaker of the House of Representatives is authorized to appoint a committee of three members of the House of Representatives to wait upon the Senate, and to invite that body to participate in a joint session this evening to honor the memory of Abraham Lincoln whose birthday the nation celebrates today.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF COMMITTEE TO ESCORT SENATE.

The SPEAKER. The Chair appoints as said Committee Messrs. David J. Jones, Beaver and Rinn.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 181 (Senate Bill No. 66), entitled

An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Albert,	Evans, B. P.,	Lafferty,	Sample,
Allman,	Evans, J.,	Lauver,	Sarig,
Anderson,	Fields,	Little,	Sautter,
Armstrong,	Flinchbaugh,	Long,	Schaeffer,
Arthur,	Fowler, D.,	Lucas,	Sheridan,
Baker,	Fratt,	Ludlow,	Smith, H. J.,
Baldi,	Frazier,	MacKinney,	Smith, H.,
Behney,	Gallaher,	Malie,	Smith, J. W.,
Bell, F. A.,	Gelder,	Mangan,	Soffel,
Bell, W. T.,	Gibbon,	Marcus, J.,	Sowers,
Bentley,	Gilchrist,	Marcus, J. C.,	Spangler,
Berger,	Goehring,	Marshall, J. G.,	Sprowls,
Bidelspacher,	Golder,	Mathay,	Staudenmeier,
Blair,	Goss,	McBride,	Stavitski,
Bluett,	Greeby,	McCaig,	Steedle,
Blumberg,	Griffith,	McClure,	Sterling,
Brenneman,	Grimes,	McCurdy,	Stevens, A. J.,
Brewster,	Guerin,	McDaniel,	Stevens, A. F.,
Bromley,	Haas,	McDermott,	Stofflet,
Brown,	Haines,	McGowan,	Stoner,
Brownmiller,	Hall,	McVicar,	Storer,
Burchinal,	Harer,	Metcalf,	Thomas, L. D.,
Burns,	Haslett,	Millar,	Thomas, M. G.,
Bush,	Haws,	Miller,	Thompson,
Chaplin,	Heffernan,	Moffatt,	Van Alen,
Clutton,	Heffran,	Morrison,	Vickerman,
Coldsmith,	Henderson,	Munley,	Walker,
Colville,	Hetrick,	Myers, G. C.,	Weamer,
Conner,	Heyburn,	Nolte,	Wettach,
Coyne,	Himes,	O'Boyle,	Wheeler,
Craig,	Holcombe,	Ogle,	Whitehouse,
de Young,	Hoover,	Parkinson,	Whiteman,
Dietz,	Horne,	Patterson,	Williams, G. W.,
Dilsheimer,	Huber,	Peelor,	Williams, J. M.,
Driggs,	Irvin,	Perry,	Wood, W. P.,
Drinkhouse,	Jones, C. B.,	Pitts,	Wright,
Dunn,	Jones, D. J.,	Posey,	Zook,
Eaches,	Jones, E. P.,	Post,	Goodnough,
Earley,	Keene,	Price,	Speaker.
Edmonds,	Kelly,	Richards,	
Eshelman,	Kennedy,	Rinn,	
	Kunkle,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 51, as follows:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when a state highway crosses a creek rivulet or river which is the boundary line between two boroughs or two townships of the first class or between a borough and a township of the first class and over which creek rivulet or river a bridge has heretofore been erected so as to avoid crossing at grade the tracks of any railroad company or companies on either or both sides of said creek rivulet or river and it is necessary for the safety and convenience of the traveling public that a new bridge be erected it shall be the duty of the Commonwealth to construct said new bridge under the direction and supervision and upon such location as may be approved by the State Highway Commissioner

The plans and specifications for said bridge shall be prepared by the State Highway Commissioner and be submitted by him to the proper county authorities and to the railroad company or companies for their approval

In the event that the State Highway Commissioner the county and the railroad company or companies cannot agree upon the plans and specifications submitted by the State Highway Commissioner the Public Service commission upon application of any of the said parties after public hearing shall adopt plans and specifications for said bridge making such change or changes therein as to them may seem just and proper whereupon it shall be the duty of the Commonwealth to construct said bridge in accordance with said plans and specifications

Section 2 When the plans for said bridge are completed it shall be the duty of the State Highway Commissioner to endeavor to agree with the County Commissioners of the county in which said bridge is situated and the railroad company or companies owning or leasing the track or tracks over which said bridge crosses as to the portion the State the county and railroad company or companies shall pay of the damages cost and the expenses of the construction of said bridge and the portion of the cost of maintenance thereof

Section 3 In the event the parties cannot agree as provided for in section two it shall be the duty of the Public Service Commission upon application of the State Highway Commissioner and after hearing to proportion the costs damages and expenses of the construction of said bridge and the future maintenance thereof among the State County and railroad company or companies in such proportion as said Commission may deem just and proper

Section 4 The amount found by the Public Service Commission to be due and owing to the Commonwealth by any County and railroad company or companies shall be final and conclusive and if the said County railroad company or companies fail or neglect to pay said amount within one year after final determination of said amount by the Public Service Commission the Attorney General shall bring suit against such delinquent county or railroad company or companies to recover said amount in the same manner as debts of like amount are now by law recoverable

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McKIM. Mr. Speaker, I move that House Bill No. 51 be recommitted to the Committee on Municipal Corporations for amendment.

Mr. LITTLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 57, as follows:

An Act authorizing boroughs to appropriate moneys or to levy and collect with the assent of electors a special tax for the purpose of purchasing fire engines and fire apparatus and to assist existing fire companies in the purchase of fire engines and fire apparatus

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the burgess and council or town council of each of the several boroughs of this Commonwealth are authorized in the manner hereinafter provided to levy and collect in each and every year when necessary an annual special tax in addition to the taxes now allowed

by law to be assessed and collected for the general purposes not exceeding three mills on each dollar of the assessed valuation of the borough as ascertained for county purposes

Section 2 The money so raised and collected shall be used and expended under the direction and authority of the councils of the several boroughs for the following purposes and none other For the purpose of the purchase of fire engines and fire apparatus for the use of the borough or for the purpose of assisting any existing fire engine company or fire company or companies in any of the said boroughs in the purchase renewal or repair of their respective fire engines or fire apparatus Any of said boroughs are also authorized to expend moneys in its treasury collected for general purposes for any of the purposes provided for in this act

Section 3 Before the burgess and council or town council of any of said boroughs unless heretofore otherwise authorized by law shall be entitled to assess and collect any such tax they shall accept the provisions of this act at any regular and stated meeting of council by resolution duly adopted which resolution shall be entered upon the minutes

Section 4 Thereupon the said borough shall give notice during at least twenty-eight days by weekly advertisements in the newspapers not exceeding two in said borough and if no newspaper is published therein by at least twenty printed handbills posted in public parts thereof of an election to be held specifying the date thereof for the purpose of obtaining the assent of the electors thereof to the levy and assessment of such special tax Said notice shall contain a brief statement of the purpose for which the special tax is to be levied

Section 5 Such election shall be held at the first general or municipal election occuring at least thirty days after the publication of the first notice The question to be submitted to the electors shall be framed and be printed upon the ballot used at said election and such ballots shall be counted returned and computed in accordance with the election laws of the Commonwealth

Section 6 Whenever by the returns of such election it shall appear that there is a majority voting in favor of the levy and assesment of such special tax the corporate authorities of the said borough may levy and assess the same to the amount named and specified in the notice given for the holding of such election and the moneys arising from such tax shall be applied at such periods as the borough may determine for the purposes for which assessed and collected

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 174, as follows:

An Act to protect the public safety by prohibiting the discharge of fire-arms or other weapons within one hundred and fifty yards of any dwelling house or residence without the consent of the owner or tenant thereof and prohibiting the destruction and abuse of certain property by persons while hunting or trapping

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person to shoot or discharge any fire-arm or deadly weapon within one hundred and fifty yards of any occupied dwelling house or residence or any barn stable or other building used in connection with such occupied dwelling house or residence without the permission of the owner or tenant thereof

It is unlawful for any person while hunting or trapping to leave gates or bars open or to break down or destroy fences or tear down rail or post or wood piles without rebuilding them as they were found or through carelessness to injure live stock of any kind

Section 2 Any person violating the provisions of this act shall upon conviction in summary proceedings be sentenced to pay a fine of twenty-five dollars Any person in default of payment of such fine and costs shall undergo imprisonment in the county jail for a period of ten days

Section 3 Every State policeman local policeman constable game protector or other peace officer may arrest without warrant any person caught in the act of violating any of the provisions of this act All fines collected shall be paid into the funds of the county where the offense was committed

Section 4 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. WHITEMAN. Mr. Speaker, I move that House Bill No. 174, be recommitted to the Committee on Game for the purpose of amendment.

Mr. BEAVER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 183, as follows:

An Act providing for the establishing and maintenance of uniform building lines in cities of the third class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the third class are hereby authorized and empowered by suitable ordinance to establish and maintain uniform building lines upon any or all public streets roads highways lanes and alleys of said cities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 202 entitled:

An Act relating to depositories of county funds in counties of the sixth class providing for the selection thereof by the county treasurer county commissioners and county controller if any there be and for the payment of interest on county funds for the use of the county imposing certain expenses upon counties in connection therewith and providing penalties

The first, second, third, fourth, fifth, sixth, seventh and eighth sections were separatey read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county treasurers of counties of the sixth class shall deposit all county funds in the bank banks trust company or trust companies only appointed as the depository or depositories of county funds in the manner hereinafter provided

Section 2 Each of said county treasurers shall as soon as may be after the beginning of his term of office advertise for and invite sealed bids from the various banks and trust companies for the deposit of county funds which notice shall contain a settlement that the banks or trust companies offering bids shall therein specify the rate of interest which they will agree to pay upon monthly balances of county funds The county treasurer shall reserve the right to reject any and all bids with the consent of the county commissioners and county controller if any there be

Section 3 Such notice shall be advertised in at least two newspapers published within the county once a week for three weeks The cost of advertising shall be paid by the county

Section 4 All bids shall be opened by the county treasurer in the presence of the county commissioners and the county controller if any there be not later the first Monday of March after the induction into office of the county treasurer

Section 5 The county treasurer county commissioners and county controller if any there be shall appoint as a depository or depositories of county funds one or more responsible banks or trust companies offering to pay the greatest rate of interest on monthly balances of county funds during the term of the county treasurer and until another depository or depositories are designated in accordance with the provisions of this act In appointing a depository or depositories of county funds the county commissioners shall have one vote

Section 6 No bid shall be considered where the rate of interest offered is less than two per centum per annum on monthly balances If the county treasurer with the consent and approval of the county commissioners and county controller if any there be shall reject all bids the treasurer shall immediately readvertise for bids in the manner hereinbefore provided

Section 7 The banks or trust companies designated as depository or depositories of county funds shall each enter into contract with the county treasurer acting for the county which contract shall contain a stipulation that the bank or trust company will agree to act as a depository of county funds during the term of the treasurer and until another depository has been duly appointed and shall specify the rate of interest which it agrees to pay

Section 8 The depository or depositories of county funds so appointed shall furnish a bond to the county to save harmless the county from the loss of any funds placed in its hands and for the faithful execution of the provisions of the contract The surety may be a surety or bonding company authorized to do business within the county The amount of the bonds shall be fixed by the court of common pleas of the county and shall be approved by the court The bond shall be filed with the county controller or in counties where there is no controller with the county commissioners

The ninth section was read as follows:

Section 9 Whenever any county treasurer shall deposit any county funds with a depository of county funds qualified in all respects under the provisions of this act to receive the same he shall thereafter be releived from all liability for the safe keeping of such funds while in the possession of such depository

On the question,

Will the House agree to the Section?

Mr. HASLETT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 9, page 4, line 1, by striking out the word "releived" and inserting in lieu thereof "relieved."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The tenth, eleventh, twelfth and thirteenth sections and title were separately read and agreed to as follows:

Section 10 The county treasurer shall from time to time pay all interest received from any depository of county funds into the county treasury for the use of the county It is unlawful for any county treasurer to retain any interest received from any such depository for his own personal use or any other use whatsoever except that of the county The depository or depositories of county funds shall render to the county treasurer and county controller if any there be a monthly statement showing the balance on hand at the close of the month the amount received and disbursed and the amount of acrued interest on monthly balances

Section 11 It is unlawful for any county treasurer to deposit with any bank or trust company except the depository or depositories of county funds appointed in the manner provided for in this act any funds of the county which may come into his possession

Section 12 Any county treasurer who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

Section 13 All acts and parts of acts inconsistent with this act are repealed

An Act relating to depositories of county funds in counties of the sixth class; providing for the selection thereof by the county treasurer, county commissioners and county controller if any there be, and for the payment of interest on county funds, for the use of the county; imposing certain expenses upon counties in connection therewith; and providing penalties.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 53, as follows:

An Act to repeal an act entitled "An Act to regulate the practice of the profession of engineering and land surveying creating a State Board for the registration of professional engineers and land surveyors defining its powers and duties imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work and providing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws number four hundred twenty-two page one thousand one hundred and twenty-one) entitled "An Act to regulate the practice of engineering and of land surveying creating a State Board for the registration of professional engineers and land surveyors defining its powers and duties imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work and providing penalties" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. DIEHM. Mr. Speaker, I move that House Bill No. 53 be recommitted to the Committee on Judiciary Local for the purpose of a hearing.

Mr. SOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 55, entitled:

An Act to validate certain deeds mortgages leases and conveyances made by executors trustees or administrators de bonis non cum testamento annexo under a power to sell mortgage lease or conveyance contained in any last will and testament

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretobefore real property has

been conveyed mortaged or leased by any executor trustee or administrator de bonis non cum testamento annexo under any power to sell mortgage or lease or convey contained in any last will and testament of a deceased owner of said property although it shall not be made to appear that there was any necessity for the exercise of said power in executing the purposes of said will or settling of said estate yet nevertheless said deed mortgage lease or conveyance when otherwise in proper form and capable of conveying or encumbering the estate intended is hereby made and declared to be good valid and effectual to transfer pass convey mortgage or lease as the case may be such estate right title and interest provided however That no case heretobefore judicially decided or now pending shall be affected by this act

On the question,

Will the House agree to the section?

Mr. KOHLER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1, page 1, line 4, by striking out the word "heretobefore" and inserting in lieu thereof "heretofore".

Amend Section 1, page 2, line 4, by striking out the word "heretobefore" and inserting in lieu thereof "heretofore".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was separately read and agreed to as follows:

An Act to validate certain deeds, mortgages, leases, and conveyances made by executors, trustees, or administrators de bonis non cum testamento annexo, under a power to sell, mortgage, lease or conveyance, contained in any last will and testament.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 179, as follows:

An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings where no legal or valid contract was entered into as required by law

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore any plans or specifications for any county building or improvement whether for county or poor purposes have been prepared by any architect or engineer under contract or agreement between such architect or engineer and a board or boards other than the board of county commissioners acting under the presumption that the board entering into such contract had full and complete legal authority to do so when in fact such contract should have been entered into by county commissioners and such plans or specifications have been submitted to and accepted for the benefit of such county or district by the board with which the contract or agreement was made the county commissioners of said county may by resolution recognize the moral obligation of the county and provide for the payment of the fees of such architect or engineer for the preparation of such plans or specifications or such part thereof as to them seems just and proper out of the county funds

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeaby to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 38, entitled:

An Act relating to treasurers in counties of the fifth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the fifth class the annual salary of the county treasurer shall be five thousand dollars ($5,000) per annum

On the question,

Will the House agree to the section?

Mr. SPANGLER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 5, by striking out the words "five thousand dollars ($5,000)" and insert in lieu thereof "four thousand dollars, ($4,000)".

On the question,

Will the House agree to the amendment?

It was agree to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third, fourth, fifth, sixth, seventh and eighth sections and title were separately read and agreed to as follows:

Section 2 Each county to which this act applies shall at the cost of the county furnish the office furniture books stationery and supplies required for the use of the county treasurer and also all needed fuel and the services of a janitor and pay the premium on the bonds of the county treasurer required for the safe-keeping and return of county money

Section 3 The county treasurer shall appoint and may dismiss the deputies or clerks of his office

Section 4 All county treasurers within the counties to which this act applies whose salaries are fixed by this act and their several deputies and clerks authorized and their respective salaries designated by the salary board shall be paid for their services by fixed and specific salaries which shall be a charge upon the treasury of the county to which each such officer shall respectively belong Said salaries shall be paid semi-monthly on the second and fourth Mondays of the month succeeding that in which his services were rendered

Section 5 The salary board in all counties of the fifth class composed of the county commissioners county controller and county treasurer shall fix and determine annually the salaries to be paid to and the number of deputies and clerks required for the proper dispatch of business in the office of the county treasurer subject to appeal to the court of common pleas by any officer or tax payer dissatisfied with the number appointed and compensation fixed In the case of any such appeal the court shall make an order fixing the number and salaries of such appointees

Section 6 The salaries fixed and provided by this act shall be in lieu of all or any moneys fees perquisites mileage expenses and other allowances which are now or may hereafter be received by or allowed to such treasurer All said moneys fees mileage or perquisites received by any of them as compensation fees or perquisites from any source whatsoever shall in all cases belong to the county and shall be paid into the county treasury (except where required to be paid by the Commonwealth) as provided in this act but the necessary traveling expenses of the officers incurred in the administration of their offices shall be paid by the county

Section 7 This act shall take effect on the first Monday of January one thousand nine hundred and twenty-four but

shall not be construed to apply to any officer in office at the date of the approval of this act but all such officers shall be entitled to receive and collect the fees and salaries now provided by law for such office

Section 8 All laws or parts of laws general local or special inconsistent with this act are hereby repealed

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies and the compensation of deputies and clerks.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 178, entitled:

An Act relating to the assignment of rights to receive or recover a debt or money or damages for breach of contract

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every right to receive or recover a debt or money or damages for breach of contract may be assigned so as to vest the legal title to such right in the assignee and any such assignee may bring suit in his own name in the proper court to recover the right so assigned and vested in him

On the question,

Will the House agree to the section?

Mr. McDaniel. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment wil be ready by the Clerk.

The amendments was read by the Clerk as follows:

Amend Section 1, line 9, by adding after the word "him" the words "provided", however, that this act shall not apply to the assignment of wages".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 All acts and parts of acts of the General Assembly of this Commonwealth in conflict herewith are hereby repealed

An Act relating to the assignment of rights to receive or recover a debt or money, or damages for breach of contract.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 186, as follows:

An Act authorizing county commissioners to purchase road machinery and to rent the same to the townships of such county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of any county may purchase such machinery for the preparation of road material and the construction and maintenance of roads as they deem necessary and pay for the same out of the general funds of the county Such machinery may be rented by the county commissioners to any of the townships within such county applying for same under such regulations and at such rentals as the county commissioners shall prescribe and fix All machinery purchased under the provisions of this act shall be operated only by persons employed for that purpose by and under the direct supervision of the county commissioners

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 9, as follows:

An Act to repeal the act approved the thirtieth day of March one thousand nine hundred and twenty-one (Pamphlet Laws 67) entitled "An Act authorizing the State Treasurer to appoint a Deputy State Treasurer and Commissioner of Trusts defining his powers and duties providing for the care custody safe-keeping and recording of stocks bonds mortgages securities and indemnity bonds held in trust or otherwise or owned by the Commonwealth or by any of the departments bureaus divisions commissions or agencies thereof and fixing his salary"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the thirtieth day of March one thousand nine hundred and twenty-one (Pamphlet Laws sixty-seven) entitled "An Act authorizing the State Treasurer to appoint a Deputy State Treasurer and Commissioner of Trusts defining his powers and duties providing for the care custody safe-keeping and recording of stocks bonds mortgages securities and indemnity bonds held in trust or otherwise or owned by the Commonwealth or by any of the departments bureaus divisions commissions or agencies thereof and fixing his salary" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 15, 1923.

Resolved, (if the House of Representatives concur), that the Board of Commissioners of Public Grounds and Buildings be requested to allot in one of the Capitol Buildings such room or rooms as may be necessary to provide lunches for the members and officers of the Legislature and the officials and employees of the several Departments of the State Government, and to rent said rooms to a reputable caterer who will be permitted to charge for the food furnished, it being understood that no wines nor liquors will be permitted in said lunch rooms and that the caterer must provide substantial and well cooked foods.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

February 7, 1923.

To the Honorable, the House of Representative of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to advise you that I have this day approved and signed House Resolution No. 3, with reference to the modern mail tube system and to the Legislature associating itself with the public's progressive demand for the use and extension of such service as a necessity of the post office and a relief to the congestion of the already overcrowded thoroughfares of our larger cities, etc.

GIFFORD PINCHOT.

REPORT OF COMMISSION TO CODIFY AND REVISE LAW RELATING TO BANKS, PRIVATE BANKS AND TRUST COMPANIES.

Mr. JOHN G. MARSHALL. Mr. Speaker, I ask permission to present the report of the Commission to codify and revise the law relating to Banks, Private Banks, and Trust Companies.

The SPEAKER. The report will be noted upon the Journal and printed in the appendix to the Legislative Journal.

(For Report See Appendix)

REPORT FROM COMMITTEE.

Mr. HARER asked and obtained unanimous consent to report a bill from committee at this time.

Mr. HARER, from the Committee on Appropriations, reported as amended, House Bill No. 224, entitled:

An Act to amend the title and section one of an act approved the twenty-fourth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred and seventy-one), entitled, "An Act requiring banks, banking corporations, co-portnerships or associations, co-operative banking associations, trusts, safe deposit, real estate, mortgages, title, insurance, guaranty, surety and indemnity companies, savings institutions, savings banks, provident institutions, building and loan associations, lodges and societies, to file of record names of persons authorized to make entries on records of mortgages; imposing certain duties on recorders of deeds, and declaring certain entries void."

SENATE RECEIVED BY HOUSE TO MEET IN JOINT SESSION.

The Sergeant-at-Arms announced the return to the Hall of the House of the committee appointed on the part of the House, escorting the members of the Senate to the Hall of the House.

Mr. DAVID J. JONES. Mr. Speaker, your committee on the part of the House, directed to invite the Senate to participate in the joint session is here.

The SPEAKER. The Committee is discharged with the thanks of the House. The Senators will be seated. The President Pro Tempore of the Senate is invited to preside over the joint session.

JOINT SESSION.

PRESIDENT PRO TEMPORE OF THE SENATE, T. L. EYRE, PRESIDING.

PRESIDENT PRO TEMPORE EYRE. The program will be opened with the Second Inaugural Address of Lincoln, delivered by Miss Helen Grimes.

Miss GRIMES. I have been asked to read the second inaugural address of Abraham Lincoln, which he considered his master piece, although most of us are more familiar with the Gettysburg address. I am going to cut some of it and give the most dramatic part of it.

"On the occasion corresponding to this four years ago, all thoughts were anxiously directed to an impending civil war. All dreaded it; all sought to avert it; while the inaugural address was being delivered in this place, devoted all together to saving the Union without war, insurgent agents were within this city seeking to destroy it without war; seeking to desolve the Union, to divide effects by negotiation. Both parties deprecated war; but one of them would make war rather than let the nation survive; the other one would accept war rather than let it perish. And the war came.

Neither party expected for the war the magnitude or the duration which it has already attained; neither anticipated that the cause of the conflict might cease with, or even before, the conflict itself should cease. Each looked for an easier triumph, and the result less fundamental and astounding. Both read the same Bible and prayed to the same God; and each invoked His aid against the other. It may seem strange that any man should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces; but let us judge not that we be not judged. The prayers of both could not be answered; that of neither has been answered fully.

The Almighty has his own purposes. "Woe unto the world because of offenses! for it must needs be that offenses come; but woe to that man by whom the offense cometh." If we shall suppose that American slavery is one of those offenses which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war, as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope—fervently do we pray—that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondman's two hundred and fifty years of unrequieted toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn by the sword as was said three thousand years ago, so still it must be said, "The judgments of the Lord are true and righteous all together."

With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations."

PRESIDENT PRO TEMPORE EYRE. I am sure that the Joint Assembly is greatly indebted to Miss Grimes for her participation in the exercises tonight, and I am equally sure that could Mr. Lincoln have been here and heard the lady member of the Legislature deliver his address, perhaps better than he could have delivered it himself, he would have been equally pleased.

The next number on the program is an address by the Honorable Benjamin H. Ludlow.

Mr. LUDLOW. Mr. Chairman, ladies and members of the Joint Session, and guests in these memorable exercises: The hunters in the olden days were accustomed to setting the falcon to catch the carrier pigeon, but they never sent out the tortoise to catch the hare. The committee on arrangements, at the last moment, was disappointed by one

of the real orators in the Assembly, one of the gentlemen from the other side, and it was my pleasure, just as the spring season comes on and men who wield the bat go south, to be called in an hour ago as a pinch hitter.

If I had been selected as one who paints in words, I know that I should have proved entirely inadequate. It is too big for my own humble powers of portrayal by word of mouth, especially upon so short notice, but I take second place to no man in expressing my admiration for, my love of, and my sympathy with that great man, that American of all Americans, whom I think typifies what the humble, lowly man, and now man or woman, in this country may be. As a youngster I used to think of Abraham Lincoln as the boy who pored over his Bible and over his very elementary school books. I used to think of him as the rail splitter. I used to think of him, as youngsters do, as the President of the United States,—and oh what that means to the youngster—and then as the martyr. And as I became a little older, I began to see some of those things that as a boy I had missed. I began to see the humor of the man, the intense manhood of the man. I began to see the type of man that we love to recount. You recall, it is so old, but you recall, because in loving him we must love his yarns, the story of two men who came to him and said, "Mr. Lincoln, we had a bet here this evening. My friend, Hiram, here, has bet that a man's legs should be long, and my friend Jimmy, over here, has bet that they should be short; and we have come to you as the final arbiter in this most momentous question. How would you say, sir in deciding this should be? Should they be long or should they be short?" And he hesitated, as you know, so the story goes, for a few moments, and after apparently pondering deeply over this momentous question of state, he said, "Gentlemen, I have given careful thought to your arguments, pro and con, but whether a man's legs be short or whether they be long, I decide that, under all circumstances, they must be long enough to reach the ground."

I like to think of the man, the father with that kindly humor, who could call a boy, Thomas, by the nickname, "Tadpole," and then, "Tad;" and that is the Tad Lincoln we know. And if he had been here in the earlier part of this evening, I have no doubt that, had he weighed the votes, pro and con, upon the resolution giving our Rules Committee certain authority which, earlier in the evening they did not possess, he would have said with equal decision, "gentlemen, the ayes being above the noes, the motion is carried." And had he heard the women on this side of the Assembly voting "aye", he would have known why, after that, there were nothing but "ayes" for the women. And we might go on and speak of that part of his life, the lighter vein but, men and women, when you have grown older and you think of the man in the White House, you think of a man that stood at the window as the boys came in from that route, across that long bridge over the Potomac into Washington, after the first battle of Bull Run; when you think of the man contending with the cavilings with the cabinet which at first was not with him; when you think of the man who had on his shoulders the burden of reprieves, trying to separate justice from mere maudlin sentiment, but trying to measure justice as it should be measured, and when you think of the patronage called for, when you thing of the back biters, when you think of the people against him, you marvel and I marvel and we thank God that such a man at such a time was in the White House.

Abraham Lincoln, the boy of the people, grown-up to say those fine things which Miss Grimes has just so eloquently read; and then when you think, in the very prime of his life, just fifty-six years of age, struck down by the hand of an assassin, no longer a man, but, as one of his own secretaries said in a room in which many of us have been visitors in Washington, "He is no longer a man, he now belongs to the ages." He went down into the "valley of the shadow of death," and the rod and the staff of his Lord comforted him, and his cup ran over, and his head was anointed with true oil, and the man now dwells high and, as far as it is given a man in a hereafter to be on the right hand of the Almighty, Abraham Lincoln is there, and therefore, even on so short notice, it gives me great pleasure as a boy grown up, to see my hero as a boy, stand every test of the vision in which I beheld him as a child, the vision in which I beheld him as a younger boy and then an older boy and then a man. I thank God that we American people can point to that man as the highest type of American manhood, not because he was President, but because he was what he was, Abraham Lincoln.

PRESIDENT PRO TEMPORE EYRE. I am sure that the Joint Session has greatly enjoyed the pinchhitting of the grown up boy, and if he had not been a pinchhitter I don't know that we could have enjoyed him more.

The next number on the program is Lincoln's Gettysburg Address by the Honorable Philip Sterling.

Mr. STERING. Mr. President, Members of the Senate and of the House, and visitors: Nothing that could be said here tonight could detract from the truth and the clarity and the meaning of that piece of writing which properly is considered the gem of the English language and the golden rule of American history. I will read now, the short but most famous speech that Lincoln ever made, his memorable speech at Gettysburg.

Fourscore and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field as a final restingplace for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

But, in a larger sense, we cannot dedicate—we cannot consecrate—we cannot hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here. It is for us, the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom; and that government of the people, by the people, for the people, shall not perish from the earth.

PRESIDENT PRO TEMPORE EYRE. I am quite sure that Mr. Lincoln himself would not have thrown more expression into his address than Mr. Sterling has thrown into it for him.

It was the intention of the Committee to invite Senator Fletcher W. Stites to make an address at this time, but Senator Stites is not here this evening, and while it is absolutely unfair we are going to ask Senator Augustus F. Daix to make a few remarks in his absence.

Senator DAIX. Members of the Senate, Ladies and Gentlemen of the House, and friends: Only a few moments ago, while occupying a seat up front here, I listened with rapt attention to the first speaker, and he stated how unexpectedly he was called upon within the last ten or fifteen minutes to take the place of someone else. You can judge what my position may be, although I do not make it as an excuse, in just being requested from the Chair without one moments preparation, to take the place of our friend from Montgomery, I believe, Senator Stites. I only wish that I possessed the eloquence of the first speaker; that I could say to you in my humble way the echoing thought that is going through the minds of every one here tonight, "Oh, for a second, Abraham Lincoln." If there was ever a time in the history of this country that we needed a man with determination, we need a man like Lincoln today. It was Theodore Roosevelt, who, one time in a speech that he made, said, "We need at this time, more than ever, men of common sense, men of common honesty and men of resolute courage", and I often wondered, Mr. President, if, when he made those remarks his thoughts went back to the man that was born in Kentucky, and traveled back one hundred and fourteen years, and he thought of that fellow who came up from the people and rose to occupy the greatest position that can be given by anyone in this great United States of ours. In looking over the papers today, you have all read of the many acts in the life of Abraham Lincoln, but there is one that must have touched you more than any other, and that was the soul of the man. Say what you please, a touch of human nature such as he was able to give was something far different than any of us have ever experienced with any man in public life before.

They say in this world of ours, that riches takes wings, that comforts vanish and that hope withers away; but that love stays with us, because love is God, and I say to you just in these few final words of mine, may the love of friendship, may the love of God, stay with us now and forever; and as we go out from this assemblage here tonight, if in our own imagination we can only do it, pierce beyond the clouds that are above us, even in our way think we are looking into the face of a living God beyond the constellation of the stars and then say to ourselves, "Thank God we live in such a country, in such a nation and under such a flag; and that we have such a man as an example to live by, Abraham Lincoln."

PRESIDENT PRO TEMPORE EYRE. We of the Senate feel that our pinch hitter made a home run.

The next number on the program is an address by the Honorable Franklin Spencer Edmonds.

Mr. EDMONDS. Senators, Representatives and guests, no time is wasted that is spent in the study of biography, and in particular, no American can count that time wasted which gives him a knowledge of the life and the sayings of Abraham Lincoln. To recite the facts of his life in this presence would be like carrying coals to New Castle, but I want for a moment or two, to draw attention to at least three suggestive lessons that, it seems to me, are taught by the record of this great man. In the first place, he was President during a period of tremendous strain and stress, and yet he saved the Union without sacrificing the institutions of the country. History teaches us, again and again, that in time of war, the tendency is to concentrate power into the hands of the executive. Someone must decide, and decide quickly; someone must make rulings, and they must be carried out. Again and again, nations, to save themselves from a danger, have placed power in the hands of one man and then after having saved themselves from the danger, have found a greater danger within their own walls. The example of France in the time of Napoleon the Great, is a sufficient illustration of that fact. Now that danger Lincoln avoided for us. Placed as he was in a position of peculiar responsibility with all the power of the American executive, a power greater than is exercised by any crowned head of the world, either at the present time or during his time, and yet with all that power vested in his hands our country came out from the experience more truly representative of its democracy than it had been at the beginning That is the tremendous achievement which stamps Lincoln not only as a statesman but as a true patriot. In the second place, the remarkable forcefulness of his public utterances, in expressing the aspirations of a people after ideals in government. It was amazing abroad during the great war how frequently statesmen quoted from Abraham Lincoln. When Mr. Asquith made his statement in the House of Commons in August of 1914, at the time when England was about to declare war, he quoted from Lincoln. When Lloyd George made his statement in the House of Commons in reply to the German peace overtures, he quoted from Lincoln. The English Spectator for weeks quoted from the writings of Lincoln stating that it was necessary that the English people should understand the spirit of democracy as it has been expressed by its choicest exponent; and the thing which caught all of those men was not only the fervor and the power and the sentiment, but the singular clarity and beauty of expression. Those of us who have listened tonight with so much appreciation and enjoyment to the reading of the Second Inaugural and the reading of the Gettysburg address can understand precisely what that means. Lord Curzon, the British statesman in his book on parliamentary eloquence ranks three speeches as of the first magnitude during the 19th century. The first, the speech of William Pitt to the House of Commons in announcing the great English victory at Trafalgar. The second Lincoln's Gettysburg oration; the third, Lincoln's Second Inaugural. Two to one is the record for America on those great speeches, and the reason for that is that Lincoln, as few men have done, had striven from early boyhood to make himself absolutely clear in every statement that he might make. It was not the result of college education. Take this list of books which he had read, down to his nineteenth year: Aesop's Fables, Robinson Crusoe, Weem's Life of Washington, Bunyan's Pilgrim's Progress, the Bible, a volume of the statutes of Indiana, which contained as a preliminary a copy of the Contitution of the United States, and a copy of the Constitution of the state of Indiana. That was the reading upon which his mind fed. Later in life, when he ran for public office, his political manager announced that in addition to this list of six, there was a seventh, Plutarch's Lives, whereupon Lincoln sent for him and said, "That is not true, as at that time I had not read Plutarch's Lives but, as you have advertised me as having read it, I bought a copy and have read it." He was a man of a few books, but he had studied those books with care. He said himself that when he was a boy, if, in conversation among men, or in talk at the country store, he heard a statement made that he did not understand, it worried him, it puzzled him, it angered him. said he, "I was not content, but I inquired from every one what the word meant, what did this phrase mean, what was the idea, and," said he, "I never rested until I had gotten to so thoroughly understand that statement that I could bound it on the north, and bound it on the south, and bound it on the east, and bound it on the west, then I was

content." As a result, he has given us in his written statements the clearest exposition of the ideals of democracy that have ever been given forth from the brain of man. And coupled with that went wonderful power in sympathy and understanding. Some years ago in the little library of Burton College, Oxford University, the oldest college of that ancient seat of learning, at one end of the bookcase is a little newspaper clipping, framed, and underneath is the statement that, in the opinion of the authorities at that college, this is the choicest statement of English prose extant. It is the letter of Abraham Lincoln to Mrs. Bixby of Boston:

Executive Mansion.
Washington, Nov. 21, 1874.

To Mrs. Bixby, Boston, Mass.

Dear Madam: I have been shown in the files of the War Department a statement of the Adjutant General of Massachusetts that you are the mother of five sons who have died on the field of battle. I feel how weak and fruitless must be any word of mine which should attempt to beguile you from the grief of a loss so overwhelming. But I cannot refrain from tendering you the consolation that may be found in the thanks of the republic they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom.

Yours very sincerely and respectfully,

A. Lincoln.

And so the world over, men look to Lincoln today to find there the expression of democracy at its best. One third thought, and that is this: As Lincoln himself so well said, we are wrestling with the experiment as to whether or not a government of the people, by the people, for the people can endure. That experiment is to be tested by its best, and the world today looks upon Abraham Lincoln as the best that America can produce. We in America reverently and gratefully accept that standard. Lincoln belongs not to us nowadays. He belongs to the spirit world. Wherever men and women are striving for better conditions; wherever they are striving for a better understanding; wherever they are asking for more heart, more sympathy, more personal touch between one and another, there they are studying the life and the works of Abraham Lincoln to find something that shall be of help to them. In England they are studying and quoting from Lincoln; In France Lord Charnwood's Life of Lincoln is one of the favorite bits of American Biography. The whole world regards Lincoln as the man who sprung from poverty, who mastered the science of government without having the learning that came from the colleges and universities; the man who passed through strain and stress, and yet kept himself sweet and strong through it all, the whole world regards that type of man as the best that democracy can produce.

We do well, then, in honoring the memory of Lincoln, for in our own day the work in which we are engaged will be counted as worth while just in proportion as its squares with the superb standard of his life.

PRESIDENT PRO TEMPORE EYRE. I am sure we are all indebted to Mr. Edmonds for his address on the subject of Lincoln.

I want to say on behalf of the Senate, Mr. Speaker, ladies and gentlemen of the House, that we very thoroughly appreciate your courtesy in inviting us over here tonight to participate with you in these memorial exercises.

The Senate will now return to the Senate chamber. I declare the Joint Session adjourned.

The SPEAKER (C. J. Goodnough) in the Chair.

ADJOURNMENT.

Mr. McVICAR. Mr. Speaker, I move that this House do now adjourn until 11:00 o'clock tomorrow morning.

The motion was agreed to and (at 10:56 P. M.) the House adjourned until tomorrow morning at 11:00 o'clock.

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SENATE

TUESDAY, FEBRUARY 13, 1923.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Almighty God, we thank Thee for Thy many blessings. We are grateful to-day for life and health and strength, for food and raiment, for shelter and the kind and helpful friends whom Thou hast given us, and we are specially grateful that we may know Thee and Thy dear Son, Jesus Christ. Grant that in some measure we may prove worthy of Thy goodness, and may we count it a high privilege to serve Thee and to serve our fellowman. May Thy blessing rest upon the Senate in all the business that may come before it on this day. We ask it in the Master's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. CLARK, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

RELATIVE TO STATE HIGHWAY LEGISLATION.

Mr. CLARK presented resolutions of the Supervisors Association of Indiana County, relative to State Highway Legislation.

Which were referred to the Committee on Public Roads and Highways.

Mr. LONG presented numerous petitions of the Supervisors Associations of Adams County, relative to State Highway Legislation.

Which were referred to the Committee on Public Roads and Highways.

PROTESTING AGAINST REPEAL OF LAW AUTHORIZING PAYMENT OF MONEYS TO FIREMEN'S RELIEF FUND.

He also presented petitions of members of Firemen's Relief Fund, protesting against repeals of law which pays two per cent of moneys received by State from foreign insurance companies, to the Firemen's Relief Fund.

Which were referred to the Committee on Insurance.

REPORTS FROM COMMITTEES.

Mr. DAVIS, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 20, entitled:

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies, and the compensation of deputies and clerks.

Also from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 159, entitled:

An Act to amend section one hundred of the act approved the fourteenth day of July, 1917, (P. L. 840), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

Mr. CRAIG, from the Committee on Judiciary General, reported as committed, Senate Bill No. 154, entitled:

An Act to validate acts done by or rights accrued to corporations before the recording of their charters.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 141, (House Bill No. 147) entitled:

An Act to amend section five of the act approved the fourth day of June, one thousand nine hundred and one, (P. L. 364), entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," as amended.

Mr. KUTZ, from the Committee on Judiciary General, reported as committed, Senate Bill No. 142, entitled;

A Supplement to the act approved June 17, 1915, (P. L. 1012) entitled "An Act regulating the business of loaning money in the sums of three hundred ($300) dollars or less either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act", as amended by the act of June 4, 1919 (P. L. 375) entitled "An Act to amend sections one, two, and three of the act, approved June 17, 1915 (P. L. 1012) entitled 'An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security to individuals pressed by lack of funds to meet immediate necessities; fixing the rate of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act.'"

Mr. SISSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 140, (House Bill No. 146) entitled;

An Act to amend an act approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122), entitled " An Act to validate the exercise of franchise of

manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended.

Mr. BALDWIN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 136, (House Bill No. 23) entitled:

An Act requiring the prothonotary of the court of common pleas to indicate on the proper index notice of the settlement, satisfaction, discontinuance or dismissal of any suit or proceeding in equity affecting the title to real estate.

Mr. HOMSHER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 155, entitled:

An Act prohibiting understandings and agreements preventing restricting, obstructing or delaying the sale or delivery of coal; and making it unlawful to refuse, prevent, obstruct or delay the sale or delivery of coal.

Mr. SALUS, from the Committee on Elections, reported as committed, Senate Bill No. 33, entitled:

An Act to amend section seven of the act approved the tenth day of June, 1893, (P. L. 419), entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended.

Mr. LONG, from the Committee on Judiciary General, reported as amended, Senate Bill No. 157, entitled:

An Act to amend section one of the act approved March 15, 1911, (P. L. 20) entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf," by prohibiting the introduction as evidence of certain testimony or records.

Mr. WOODWARD, from the Committee on Judiciary General, reported as committed, Senate Bill No. 137, (House Bill No. 25) entitled:

An Act to validate deeds, mortgages, and other instruments of writing which have been defectively acknowledged by husband and wife, prior to the fourth day of January, one thousand nine hundred and twenty-three.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 131, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved April 20, 1874, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

BILLS INTRODUCED AND REFERRED.

Mr. CULBERTSON read in his place and presented to the Chair Senate Bill No. 160, entitled:

An Act to establish as a State Highway a certain section of Public road in the county of Perry.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 161, entitled:

A Joint Resolution proposing an amendment to section one, article nine, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Judiciary General.

Mr. MANSFIELD read in his place and presented to the Chair, Senate Bill No. 162 entitled;

An Act to amend section one of the act approved June 17, 1913, (P. L. 507), entitled "An Act to provide revenue for State and County purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes."

Which was committed to the Committee on Finance.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 163, entitled;

An Act relating to the organization, maintenance and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of 1919; with table of contents.

Which was committed to the Committee on Banks and Building and Loan Associations.

Also read in his place and presented to the Chair Senate Bill No. 164, entitled:

An Act regulating banks, trust companies, title insurance companies, savings banks, and private bankers, codifying and revising the laws relating thereto, and providing penalties for the violation thereof; with table of contents.

Which was committed to the Committee on Banks and Building and Loan Associations.

REPORT OF THE COMMISSION TO CODIFY AND REVISE THE LAW RELATING TO BANKS, PRIVATE BANKERS AND TRUST COMPANIES.

Mr SMITH presented the Report of the Commission to Codify and Revise the Law Relating to Banks, Private Bankers and Trust Company.

(For report see Appendix)

TIME OF NEXT MEETING.

Mr. CRAIG offered the following resolution, which was twice read, considered and agreed to.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday evening, February twenty-sixth, at nine o'clock; when the House of Representatives adjourns this week it reconvene on Monday evening, February nineteenth, at nine o'clock; and when the House of Representatives adjourns on Wednesday, February twenty-first, it reconvene on Monday evening, February Twenty-sixth at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 17, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Lanius,	Smith,
Baldwin,	Derrick,	Long,	Snyder,
Barr,	DeWitt,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Miller,	Stites,
Christley,	Huffman,	Norton,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culbertson,	Kutz,	Sisson,	Eyre,
Daix,			Pres. Pro Tem.

NAYS—0.

A majority of the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 19, entitled:

An Act for the protection of the public health; and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, including coated ice cream and the coating thereof; fixing a standard of butter fat for ice cream; providing penalties for the violation thereof; and providing for the enforcement thereof.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Lanius,	Smith,
Baldwin,	Derrick,	Long,	Snyder,
Barr,	DeWitt,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Miller,	Stites,
Christley,	Huffman,	Norton,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culbertson,	Kutz,	Sisson,	Eyre,
Daix,			Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. STEELE. Mr. President, I ask that Senate Bill No. 40, on third reading, entitled:

An Act fixing the salary of the prothonotary in counties of the eighth class; and providing for the payment of all fees and commissions into the county treasury.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEELE. Mr. President. I ask that Senate Bill No. 41, on third reading, entitled:

An Act fixing the salary of sheriffs in counties of the eighth class; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 67, entitled:

An Act to further amend section four of the act approved the third day of May, one thousand nine hundred and nine, (P. L. 395), entitled "An Act regulating the sale of concentrated commercial feeding-stuffs, also of condimental stock and poultry-food, and patented, proprietary or trade-mark stock and poultry-food, possessing nutritive value combined with medicinal properties; defining concentrated commercial feeding-stuffs; prohibiting the adulteration of any feeding-stuff, sold, offered, or exposed for sale, in this State, with oat hulls, ground corn cobs, flax plant refuse, elevator chaff, cotton-seed hulls, ground corn stalks, rice hulls, peanut hulls, weed seeds, or other similar adulterants; providing for the collection of samples and analysis thereof by the Department of Agriculture, and the publication of information concerning the same; providing also for the expenses of the enforcement of the law, fixing penalties for its violation, and repealing act number two hundred and eleven, (Pamphlet Laws, one thousand nine hundred and seven, page two hundred and seventy-three), entitled 'An Act regulating the sale of wheat, rye, corn, and buckwheat-bran and middlings, or any admixture thereof,' et cetera, approved the twenty-eighth day of May, one thousand nine hundred and seven," as amended; fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Lanius,	Smith,
Baldwin,	Derrick,	Long,	Snyder,
Barr,	DeWitt,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Miller,	Stites,
Christley,	Huffman,	Norton,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culbertson,	Kutz,	Sisson,	Eyre,
Daix,			Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 69, entitled:

An Act relating to the incorporation of banks and trust companies.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Lanius,	Smith,
Baldwin,	Derrick,	Long,	Snyder,
Barr,	DeWitt,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Miller,	Stites,
Christley,	Huffman,	Norton,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culbertson,	Kutz,	Sisson,	Eyre,
Daix,			Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 73, as follows:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section four of article nine which reads as

"Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasions suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth" be amended so as to read as follows

Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasions suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth Provided further however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of thirty-five millions of dollars for the payment of compensation to certain persons from this State who served in the Army Navy or Marine Corps of the United States during the World War between the sixth day of April one thousand nine hundred and seventeen and the eleventh day of November one thousand nine hundred and eighteen

Section 2 Said proposed amendment shall be submitted to the qualified electors of the State at the general election to be held on the Tuesday next following the first Monday of November in the year nineteen hundred and twenty-four for the purpose of deciding upon the approval and ratification or the rejection of said amendment Said election shall be opened held and closed upon said election day at the places and within the hours at and within which said election is directed to be opened held and closed and in accordance with the provisions of the laws of Pennsylvania governing elections Such amendments shall be printed upon the ballots in the form and manner prescribed by the election laws of Pennsylvania and shall in all respects conform to the requirement of such laws

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Aron,	Davis,	Lanius,	Smith,
Baldwin,	Derrick,	Long,	Snyder,
Barr,	DeWitt,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Miller,	Stites,
Christley,	Huffman,	Norton,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culbertson,	Kutz,	Sisson,	Eyre,
Daix,			Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. SMITH, Mr. President, I ask that Senate Bill No. 95, on third reading, entitled;

An Act for the prevention of fraud and the protection of the public health relating to milk, cream or skimmed-milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated, prohibiting the introduction of foreign fats into them, regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 102, entitled:

An Act amending section four of the act entitled "An Act regulating the practice, bail, costs and fees on appeals to the Supreme Court and Superior Court", approved May 19, 1897, P. L. 67, by providing a shorter period within which to appeal in cases where loss and hardship would otherwise result to the estates of decedents.

An said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Lanius,	Smith,
Baldwin,	Derrick,	Long,	Snyder,
Barr,	DeWitt,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Miller,	Stites,
Christley,	Huffman,	Norton,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culbertson,	Kutz,	Sisson,	Eyre,
Daix,			Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. BALDWIN. Mr. President, I move that Senate bill No. 39, on second reading, entitled;

An Act fixing the salary of sheriffs and deputy sheriffs in counties of the seventh class; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

be recommitted to the committee on New Counties and County Seats.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 47, as follows:

An Act to amend section eleven of the act approved the thirteenth day of June one thousand eight hundred and forty (Pamphlet Laws six hundred and eighty-three) entitled "A Supplement to an act entitled 'An Act relating to the elections of this Commonwealth' passed the second day of July Anno Domini one thousand eight hundred and thirty-nine and for other purposes" allowing constables mileage for advertising elections and compensation for advertising elections where there is more than one polling place in a district said mileage and compensation to be paid by counties.

Section 1 Be it enacted bv the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of the act approved the thirteenth day of June one thousand eight hundred and forty (Pamphlet Laws six hundred and eighty-three) entitled "A supplement to an act entitled 'an act relating to the elections of this Commonwealth' passed the second day of July Anno Domini one thousand eight hundred and thirty-nine and for other purposes" which reads as follows

"Sections 11 Constables supervisors or assessors as the case may be of any ward township incorporated district or borough shall be allowed and paid out of the county treasury two dollars for advertising ward township district and borough elections said constables shall also be allowed and paid as aforesaid twenty cents for delivering to each township officer a certificate of his election as directed by this act and the act to which this is a supplement" is hereby amended to read as follows

Section 11 Constables supervisors or assessors as the case may be of any ward township incorporated district or borough shall be allowed and paid out of the county treasury two dollars for each polling place for advertising ward township district and borough elections and six cents per mile for each mile necessarily traveled in the performance of the said duties Said constables shall also be allowed and paid as aforesaid twenty cents for delivering to each township officer a certificate of his election as directed by this act and the act to which this is a supplement

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 83, on second reading, entitled:

An Act grading coal; and making it unlawful to misrepresent the grade of coal sold or offered or advertised for sale.

be recommitted to the Committee on Mines and Mining.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

HOUSE CONCURS IN SENATE BILL NO. 66.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 66, entitled;

An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth.

with the information that the House has passed the same without amendment.

LUNCH ROOM IN STATE CAPITOL.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate of Pennsylvania, January 15, 1923.

Resolved, (if the House of Representatives concur), that the Board of Commissioners of Public Grounds and Buildings be requested to allot in one of the Capitol Buildings such room or rooms as may be necessary to provide lunches for the members and officers of the Legislature and the officials and employees of the several Departments of the State Government, and to rent said rooms to a reputable caterer who will be permitted to charge for the food furnished, it being understood that no wines nor liquors will be permitted in said lunch rooms and that the caterer must provide substantial and well cooked foods.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

MEMBER OF THE PENNSYLVANIA COMMISSION TO CONSTRUCT A BRIDGE OVER THE DELAWARE RIVER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 13, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Samuel D. Lit, of Philadelphia, as a member of the Pennsylvania Commission to Construct a Bridge over the Delaware River connecting Philadelphia and Camden, vice Clement B. Newbold, resigned, to serve until lawfully determined or annulled.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 13, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformitv with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following nameo person to be a Notary Public, for the term of four years, to compute from the date of confirmation:

WESTMORELAND COUNTY.

John G. Gaut, Scottdale.

GIFFORD PINCHOT.

Executive Chamber, Harrisburg, February 13, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate,

the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Aloyse Eunch, Pittsburgh.

LUZERNE COUNTY.

J. J. O'Malley, Wilkes-Barre.

MIFFLIN COUNTY.

R. E. Lutz, Lewistown.

PHILADELPHIA COUNTY.

Thomas H. Lee, 5607 N. 14th St., Philadelphia.
Elvin L. Ruth, 1701 Chestnut St., Philadelphia.
James J. Ryan, 1509 W. Erie Ave., Philadelphia.

GIFFORD PINCHOT.

Comonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 13, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ADAMS COUNTY.

Charles E. Pearson, York Springs, February 24, 1923.

ALLEGHENY COUNTY.

David Bisset, Pittsburgh, February 28, 1923.

LACKAWANNA COUNTY.

Charles N. Horton, Carbondale, February 21, 1923.

LAWRENCE COUNTY.

William McElwee, Jr., New Castle, February 21, 1923.

NORTHAMPTON COUNTY.

Robert B. Ott, Bethlehem, February 21, 1923.

WASHINGTON COUNTY.

W. W. Wiegmann, Avella, February 21, 1923.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. VARE,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. VARE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Lanius,	Smith,
Baldwin,	Derrick,	Long,	Snyder,
Barr,	DeWitt,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Miller,	Stites,
Christley,	Huffman,	Norton,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culbertson,	Kutz,	Sisson,	Eyre,
Daix,			Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. VARE. Mr. President, I move that the Executive Session do now rise.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

MOTION TO READ BILLS THE FIRST TIME.

Mr. SMITH. Mr. President, I move that all bills reported from committees at to-day's session be read the first time.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 20, entitled:

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies, and the compensation of deputies and clerks.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 33, entitled:

An Act to amend section seven of the act approved the tenth day of June, 1893, (P. L. 419), entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended.

And said bill having read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 131, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved April 20, 1874, entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 136, (House Bill No. 23), entitled:

An Act requiring the prothonotary of the court of common pleas to indicate on the proper index notice of the settlement, satisfaction, discontinuance or dismissal of any suit or proceeding in equity affecting the title to real estate.

And said bill having been read at length the first time,

Ordered, To be land aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 137, (House Bill No. 25) entitled:

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of January one thousand nine hundred and twenty-three

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 140, (House Bill No. 146), entitled:

An Act to amend an act approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122) entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended.

And said bill having been read at length the first time,
Ordered, To be land aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 141, (House Bill No. 147), entitled:

An Act to amend section five of the act approved the fourth day of June, one thousand nine hundred and one, (P. L. 364), entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," as amended.

And said bill having read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 142; entitled:

A Supplement to the act approved June 17, 1915, (P. L. 1912), entitled "An Act regulating the business of loaning money in the sums of three hundred ($300) dollars or less either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act", as amended by the act of June 4, 1919 (P. L. 375) entitled "An Act to amend sections one, two, and three of the act approved June 17, 1915 (P. L. 1012) entitled 'An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security to individuals pressed by lack of funds to meet immediate necessities; fixing the rate of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 154, entitled:

An Act to validate acts done by or rights accrued to corporations before the recording of their charters.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 155, entitled:

An Act prohibiting understandings and agreements preventing restricting, obstructing or delaying the sale or delivery of coal; and making it unlawful to refuse, prevent, obstruct or delay the sale or delivery of coal.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 157, entitled:

An Act to amend section one of the act approved March 15, 1911, (P. L. 20) entitled "An act regulating in criminal trials the cross-examination of a defendant, when testifying in his own behalf," by prohibiting the introduction as evidence of certain testimony or records.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 159, entitled:

An Act to amend section one hundred of the act approved the fourteenth day of July, 1917, (P. L. 640), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RECESS.

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILL SIGNED.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the same.

HOUSE MESSAGES.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, February 13, 1923.

Resolved, (if the House of Representatives concur). That when the Senate adjourns this week it reconvene on Monday evening, February twenty-sixth, at nine o'clock; when the House of Representatives adjourns this week it reconvene on Monday evening, February nineteenth, at nine o'clock; and when the House of Representatives adjourns on Wednesday, February twenty-first, it reconvene on Monday evening, February twenty-sixth at nine o'clock.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives, as follows:

House Bill No. 55, (Senate Bill No. 165), entitled:

An Act to validate certain deeds, mortgages, leases, and conveyances made by executors, trustees, or administrators de bonis non cum testamento annexo, under a power to sell, mortgage, lease or conveyance, contained in any last will and testament.

Which was committed to the Committee on Judiciary General.

House Bill No. 57, (Senate Bill No. 166), entitled:

An Act authorizing boroughs to appropriate moneys or to levy and collect, with the assent of electors, a special tax for the purpose of purchasing fire engines and fire apparatus, and to assist existing fire companies in the purchase of fire engines and fire apparatus.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 179, (Senate Bill No. 167), entitled:

An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings, where no legal or valid contract was entered into as required by law.

Which was committed to the Committe on Judiciary General.

House Bill No. 183, (Senate Bill No. 168), entitled:

An Act providing for the establishing and maintenance of uniform building lines in cities of the third class.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 202, (Senate Bill No. 169), entitled:

An Act relating to depositories of county funds in counties of the sixth class; providing for the selection thereof by the county treasurer, county commissioners and county controller if any there be, and for the payment of interest on county funds, for the use of the county; imposing certain expenses upon counties in connection therewith; and providing penalties.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 9, (Senate Bill No. 170), entitled:

An Act to repeal the act approved the thirtieth day of March, one thousand nine hundred and twenty-one, (Pamphlet Laws sixty-seven), entitled "An Act authorizing the State Treasurer to apoint a Deputy State Treasurer and Commissioner of Trusts; defining his powers and duties; providing for the care, custody, safe-keeping, and recording of stocks, bonds, mortgages, securities, and indemnity bonds, held in trust or otherwise, or owned by the Commonwealth or by any of the departments, bureaus, divisions, commissions, or agencies thereof; and fixing his salary."

Which was committed to the Committee on Finance.

House Bill No. 38, (Senate Bill No. 171), entitled:

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies and the compensation of deputies and clerks.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 186, (Senate Bill No. 172), entitled:

An Act authorizing county commissioners to purchase road machinery and to rent the same to the townships of such county.

Which was committed to the Committee on New Counties and County Seats.

ADJOURNMENT.

Mr. BALDWIN. Mr. President, I move that the Senate do now adjourn.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:45 P. M. until Monday evening, February 26, 1923, at nine o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 13, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough) in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Eternal and triune God, Thou that rulest the heavens and the earth and all that therein is, we come to make grateful acknowledgment of Thy preserving care and Thy fatherly protection afforded us; and as we come again to the tasks of this, another day, we invoke Thy divine blessing upon the members of this Assembly; upon the Speaker of this House; the Governor of this Commonwealth, and the President of the United States. And not alone upon the officiary of this great nation, we pray, but we implore Thy divine blessing upon the mass of the common citizens of this great republic.

Save us from selfishness and sinister motives, from the mailed fist of anarchy, and the grasping hand of greed. Smite with Thy divine power the inveigling, vileful spirit of contempt for law and constitutional authority that is insinuating its baneful influence to such an alarming extent into the life of this great people.

We ask all in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Craig, the further reading was dispensed with, and the Journal was approved.

PETITION.

FAVORING ESTABLISHMENT OF STATE HIGHWAY FROM WELLERSBURG TO BERLIN.

Mr. CLUTTON presented a petition from citizens of Somerset County, favoring the establishment of the Old Plank Road from Wellersburg to Berlin as a State highway.

Referred to Committee on Public Roads.

BILLS INTRODUCED AND REFERRED.

By Mr. HEFFERNAN. HOUSE BILL No. 271.

An Act providing that no real estate shall be exposed to sale by reason of Judicial Proceedings unless all lien holders of record shall have been notified.

Referred to the Committee on Judiciary Local.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 272.

An Act to amend route number three hundred and eight of section one of the act approved the twenty-second day of July, one thousand nine hundred and thirteen, (P. L. 948), entitled "An Act establishing certain public roads as State Highways, and providing for their construction and maintenance at the expense of the Commonwealth."

Referred to the Committee on Public Roads.

By Mr. DAVID FOWLER. HOUSE BILL No. 273.

An Act establishing a pension fund for public school employes of the Commonwealth of Pennsylvania, except such employes as are classified as teachers by the State Department of Public Instruction, and regulating the administration and payment of such pensions.

Referred to the Committee on Education.

By Mr. DAVID FOWLER. HOUSE BILL No. 274.

An Act to amend section three of an act approved the seventeenth day of May one thousand nine hundred and twenty-one, (P. L. 831), entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines; prescribing their qualifications, and regulating the salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines."

Referred to the Committee on Iron and Coal.

By Mr. BLUETT. HOUSE BILL No. 275.

An Act providing for the recovery and collection of taxes assessed on either real or personal property by action of assumpsit against the owner or owners of the real or personal property upon which or against the owner of which the said taxes have been assessed.

Referred to the Committee on Judiciary Special.

By Mr. BLUETT. HOUSE BILL No. 276.

An Act providing when, how, upon what property and to what extent, liens shall be alowed for taxes and for municipal improvements, for the removal of nuisances and for water rents or rates, sewer rates and lighting rates; the procedure upon clanms filed therefor, the methods for preserving such liens and enforcing payments of such claims; the effect of judicial sales of the properties liened, the distribution of the proceeds of such sales and the redemption of the property therefrom, the lien of taxes for the years 1921, 1922 and 1923 and of municipal claims for work done within six months of the passage of this act, and the procedure on tax and municipal claims filed under other and prior Acts of Assembly.

Referred to the Committee on Judiciary Special.

By Mr. BLUETT. HOUSE BILL No. 277.

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by and of the cities of this Commonwealth since the 24th day of May 1921, under the provisions of an act approved the fourth day of June, 1901, entitled: "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distributing the proceeds of such sales," and its supplements and amendments thereto; and providing for their collection.

Referred to the Committee on Judiciary Special.

By Miss GRIMES. HOUSE BILL No. 278.

An Act to amend and supplement part of clause (d), section seven of the Act, approved the fifth day of May, one thousand nine hundred eleven (Pamphlet Laws, one hundred ninety-eight), entitled "An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," as amended, by providing for the procedure in cases of desertion and nonsupport and the manner of taking testimony in such cases, and providing for appeals therein.

Referred to the Committee on Judiciary Local.

By Mr. GOLDER. HOUSE BILL No. 279.

An Act to amend section forty-one, paragraph (a) 1 of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitition of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balance due by fiduciaries; the rights, powers and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees thereof; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," making bonds and certificates of poor districts legal investments for trust funds.

Referred to Committee on Judiciary General.

By Mr. WHITEMAN. HOUSE BILL No. 280.

An Act providing for the assessment and collection as benefits from the abutting property owners, of the borough's share of the cost of the improvement of a street which forms part of a State Highway, where such improvement has been heretofore made by the State Highway Department.

Referred to Committee on Municipal Corporations.

By Mr. DUNN. HOUSE BILL No. 281.

An Act to amend Section two of Article XVI of an act entitled, "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania," approved the twenty-fifth day of June, one thousand nine hundred and nineteen.

Referred to Committee on Municipal Corporations.

By Mr. RHODES. HOUSE BILL No. 282.

An Act to amend section one of an act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 423), entitled, "An Act providing for the nomination and election of judges of courts of record, and repealing certain acts."

Referred to Committee on Elections.

By Mr. LUCAS. HOUSE BILL No. 283.

An Act to further amend section four of the act approved the twentieth day of May, one thousand nine hundred and fifteen, (P. L. 566), entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid

by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and payment of such pensions," as amended; providing a pension for employes who have not reached the age of sixty years, but who have become permanently disabled after eighteen years of service.

Referred to Committee on Municipal Corporations.

By Mr. DRINKHOUSE. HOUSE BILL No. 284.

An Act making an appropriation to the Woman's Medical College, of Philadelphia, Pennsylvania, for hospital maintenance.

Referred to Committee on Appropriations.

By Mr. DRINKHOUSE. HOUSE BILL No. 285.

An Act making an appropriation to the Woman's Medical College of Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BLAIR. HOUSE BILL No. 286.

An Act to amend section nineteen of the act approved the thirtieth day of June, one thousand nine hundred and nineteen, (P. L. 678), entitled "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and all disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended.

Referred to the Committee on Public Roads.

By Mr. JOHN G. MARSHALL. HOUSE BILL No. 287.

An Act regulating banks, trust companies, title insurance companies, savings banks, and private bankers, codifying and revising the laws relating thereto, and providing penalties for the violation thereof; with table of contents.

Referred to the Committee on Banks and Banking.

By Mr. JOHN G. MARSHALL. HOUSE BILL No. 288.

An Act relating to the organization, maintenance and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of 1919; with table of contents.

Referred to the Committee on Banks and Banking.

By Mr. LUDLOW. HOUSE BILL No. 289.

An Act to amend part of section forty-one of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

Referred to Committee on Judiciary General.

By Mr. LAFFERTY. HOUSE BILL No. 290.

An Act making an appropriation to The Pennsylvania Home Teaching Society and Free Circulating Library for the Blind at Philadelphia.

Referred to Committee on Appropriations.

By Mr. B. P. EVANS. HOUSE BILL No. 291.

An Act establishing as a State Highway a certain section of public road in the counties of Montgomery and Chester.

Referred to Committee on Public Roads.

By Mr. DRINKHOUSE. HOUSE BILL No. 292.

An Act making an appropriation to the Berean Manual Training and Industrial School.

Referred to the Committee on Appropriations.

By Mr. GOLDER. HOUSE BILL No. 293.

An Act to amend section two of the Act of April 20, 1921.

Referred to the Committee on Judiciary General.

By Mr. BROWNMILLER. HOUSE BILL No. 294.

An Act to amend section two hundred and six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" providing for the election of school directors and election officers in independent school districts, and limiting the terms of appointed directors in such districts created prior to the passage of this act.

Referred to the Committee on Education.

By Mr. BAKER. HOUSE BILL No. 295.

An Act making a burial permit issued at the place of death valid throughout the Commonwealth.

Referred to the Committee on Public Health and Sanitation.

By Mr. DAVID J. JONES. HOUSE BILL No. 296.

An Act to amend section fifty-five of an act approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth."

Referred to Committee on Judiciary Local.

By Mr. DAVID J. JONES. HOUSE BILL No. 297.

A Joint Resolution proposing an amendment to article nine, section one, of the Constitution of the Commonwealth of Pennsylvania, so as to permit the exemption from taxation of real and personal property owned, occupied or used by any branch or post or camp of the Grand Army of the Republic, the Spanish-American War Veterans, the American

Legion, the Veterans of Foreign Wars, and the Military Order of the Loyal Legion of the United States.

Referred to Committee on Constitutional Reform.

By Mr. DAVID J. JONES. HOUSE BILL No. 298.

An Act authorizing warrants to be issued and served and arrests to be made in certain cases on Sunday.

Referred to Committee on Judiciary General.

By Mr. HOLCOMBE. HOUSE BILL No. 299.

An Act to establish as a State highway a certain section of public road in the counties of Sullivan and Bradford.

Referred to Committee on Public Roads.

By Mr. MOFFATT. HOUSE BILL No. 300.

An Act making an appropriation to the Shenango Valley Hospital, of New Castle, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. MOFFATT. HOUSE BILL No. 301.

An Act making an appropriation to the Almira Home Association, at New Castle, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. SPANGLER. HOUSE BILL No. 302.

An Act to amend section one of an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, (P. L. 86), entitled "An Act regulating the compensation of court criers and tipstaves, in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county; limiting the number of tipstaves to be appointed; and repealing an act of Assembly, entitled 'An act to regulate the fees of court criers and tipstaves of the courts, in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants,' approved the twenty-ninth day of April, Anno Domini, one thousand nine hundred and nine," as amended.

Referred to the Committee on Counties and Townships.

By Mr. MOFFATT. HOUSE BILL No. 303.

An Act making an appropriation to the New Castle Hospital, of New Castle, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SPANGLER. HOUSE BILL No. 304.

An Act relating to the acknowledgment and recording of deeds.

Referred to the Committee on Judiciary General.

By Mr. MUNLEY. HOUSE BILL No. 305.

An Act making an appropriation to the Carbondale Emergency Hospital, Carbondale, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. GILCHRIST. HOUSE BILL No. 306.

An Act making deficiency appropriation to the State Hospital for the Criminal Insane, at Farview, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. GILCHRIST. HOUSE BILL No. 307.

An Act making an appropriation to carry into effect the act, approved the twenty-fifth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, page one thousand one hundred and eighty), entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River, and making an appropriation therefor."

Referred to Committee on Appropriations.

By Mr. O'BOYLE. HOUSE BILL No. 308.

An Act making an appropriation to the Mid-Valley Hospital Association, at Blakely, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HONTZ. HOUSE BILL No. 309.

An Act to amend sections one hundred sixty, one hundred sixty-one, one hundred seventy, and one hundred seventy-one of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (P. L. 840), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto;" changing the term of office of tax collectors and assessors in townships of the second class, and limiting the term of office of certain assessors whose terms of office continue beyond the first Monday of January, one thousand nine hundred and twenty-four.

Referred to Committee on Counties and Townships.

By Mr. FLINCHBAUGH. HOUSE BILL No. 310.

A Joint Resolution providing for a commission to erect a monument in memory of Dr. Zenas Macomber, a Revolutionary hero; and making an appropriation.

Referred to Committee on Constitutional Reform.

By Mr. COYNE. HOUSE BILL No. 311.

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. COYNE. HOUSE BILL No. 312.

An Act making an appropriation to the Western Pennsylvania School for the Blind, located at Pittsburgh, Pennsylvania, to cover deficiency in maintenance and education of State pupils.

Referred to the Committee on Appropriations.

By Mr. COYNE. HOUSE BILL No. 313.

An Act making an appropriation to the Western Pennsylvania School for the Blind, located at Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STERLING. HOUSE BILL No. 314.

An Act to define real estate brokers and real estate salesmen, and providing for the licensing, regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the Department of the Secretary of the Commonwealth.

Referred to the Committee on Judiciary General.

By Mr. GELDER. HOUSE BILL No. 315.

An Act making an appropriation to the Simon H. Barnes Memorial Hospital of Susquehanna, Pennsylvania.

Referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. FIELDS from the Committee on Judiciary Local reported as committed, House Bill No. 122, entitled:

An Act to regulate and restrain the hawking, vending and peddling of fish, fruit, and vegetables, and other merchandise, in the cities of the first class in this Commonwealth.

Mr. GELDER from the Committee on Agriculture, reported as amended, House Bill No. 158, entitled:

An Act to amend section sixteen of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of live stock and

poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry.

Mr. DAVID J. JONES from the Committee on Judiciary Local reported with a negative recommendation House Bill No. 129, entitled:

An Act regulating the renting of dwelling houses and prescribing the rights and liabilities of the lessor and lessee in connection therewith.

LEAVE OF ABSENCE.

Mr. LUCAS asked and obtained leave of absence for Mr. Haws.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 57, entitled:

An Act authorizing boroughs to appropriate moneys or to levy and collect, with the assent of electors, a special tax for the purpose of purchasing fire engines and fire apparatus, and to assist existing fire companies in the purchase of fire engines and fire apparatus.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Albert,	Earley,	Labar,	Sample,
Allman,	Edmonds,	Lauver,	Sarig,
Anderson,	Eshelman,	Little,	Sautter,
Armstrong,	Evans, B. P.,	Long,	Schaeffer,
Arthur,	Evans, J.,	Lucas,	Schilling,
Asbury,	Fields,	Ludlow,	Schleiter,
Baker,	Fowler, A. I.,	Lynch,	Schoener,
Baldi,	Fowler, D.,	Mack,	Schwartz,
Beaver,	Fratt,	MacKinney,	Shambach,
Behney,	Frazier,	Marcus, J.,	Sheridan,
Bell, F. A.,	Gallaher,	Marcus, J. C.,	Smith, H. J.,
Bell, W. T.,	Gelder,	Marshall, J. G.,	Smith, H.,
Bentley,	Gibbon,	Marshall, W. F.,	Smith, J. W.,
Berger,	Gilchrist,	Mathay,	Soffel,
Betts,	Goehring,	McBride,	Sowers,
Bidelspacher,	Golder,	McCaig,	Spangler,
Blair,	Gorham,	McClure,	Sprowls,
Bluett,	Greeby,	McDaniel,	Stark,
Blumberg,	Griffith,	McDermott,	Staudenmeier,
Boback,	Grimes,	McGowan,	Stavitski,
Brenneman,	Guerin,	McKim,	Steedle,
Brewster,	Haas,	McVicar,	Sterling,
Bromley,	Haines,	Metcalf,	Stofflet,
Brown,	Haslett,	Miller,	Stoner,
Brownmiller,	Heffernan,	Minehart,	Storer,
Burchinal,	Heffran,	Moffatt,	Thomas, L. D.,
Burns,	Henderson,	Moore,	Thompson,
Bush,	Hetrick,	Morrison,	Van Alen,
Chaplin,	Heyburn,	Munley,	Vickerman,
Clutton,	Himes,	Myers, G. C.,	Walker,
Coldsmith,	Holcombe,	Nolte,	Weamer,
Colville,	Hollis,	O'Boyle,	Wettach,
Conner,	Hontz,	Ogle,	Wheeler,
Coyne,	Hoover,	Orr,	Whitehouse,
Craig,	Howell,	Parkinson,	Whiteman,
de Young,	Huber,	Patterson,	Williams, G. W.,
Diehm,	Irvin,	Peelor,	Williams, J. M.,
Dietz,	Jones, C. B.,	Pitts,	Woner,
Dilsheimer,	Jones, E. P.,	Posey,	Wood, N.,
Donahue,	Keene,	Post,	Wright,
Driggs,	Kelly,	Price,	Zook,
Drinkhouse,	Kennedy,	Raymond,	Goodnough,
Dunn,	Korns,	Rinn,	Speaker.
Eaches,	Kunkle,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 183, entitled:

An Act providing for the establishing and maintenance of uniform building lines in cities of the third class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provision of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Albert,	Flinchbaugh,	Long,	Schleiter,
Allman,	Flynn,	Lucas,	Schoener,
Anderson,	Fowler, A. I.,	Ludlow,	Schwartz,
Armstrong,	Fowler, D.,	Mack,	Shambach,
Arthur,	Fratt,	MacKinney,	Sheridan,
Asbury,	Frazier,	Malie,	Smith, H. J.,
Baker,	Gallaher,	Mangan,	Smith, H.,
Baldi,	Gelder,	Marcus, J.,	Smith, J. W.,
Beaver,	Gibbon,	Marcus, J. C.,	Soffel,
Behney,	Gilchrist,	Marshall, J. G.,	Sowers,
Bell, F. A.,	Glasgow,	Mathay,	Spangler,
Bell, W. T.,	Goehring,	McBride,	Sprowls,
Bentley,	Golder,	McCann,	Stark,
Berger,	Gorham,	McCaig,	Staudenmeier,
Betts,	Greeby,	McCurdy,	Stavitski,
Bidelspacher,	Griffith,	McDaniel,	Steedle,
Blair,	Grimes,	McDermott,	Sterling,
Bluett,	Haines,	McGowan,	Stevens, A. J.,
Blumberg,	Hall,	McKim,	Stofflet,
Boback,	Harer,	McVicar,	Stoner,
Brenneman,	Haslett,	Metcalf,	Storb,
Brewster,	Heffernan,	Millar,	Storer,
Bromley,	Heffran,	Miller,	Thomas, L. D.,
Brown,	Henderson,	Minehart,	Thomas, M. G.,
Brownmiller,	Hetrick,	Moore,	Thompson,
Burchinal,	Heyburn,	Morrison,	Van Alen,
Burns,	Himes,	Munley,	Vickerman,
Chaplin,	Holcombe,	Myers, G. C.,	Walker,
Clutton,	Hollis,	Nolte,	Weamer,
Coldsmith,	Hontz,	O'Boyle,	Wells,
Colville,	Hoover,	Ogle,	Wettach,
Conner,	Horne,	Parkinson,	Wheeler,
Coyne,	Howell,	Peelor,	Whitehouse,
Craig,	Huber,	Perry,	Whiteman,
de Young,	Irvin,	Pitts,	Williams, G. W.
Diehm,	Jones, C. B.,	Posey,	Williams, J. M.,
Dilsheimer,	Jones, D. J.,	Post,	Woner,
Donahue,	Jones, E. P.,	Price,	Wood, N.,
Drinkhouse,	Keene,	Raymond,	Wood, W. P.,
Dunn,	Kelly,	Richards,	Wright,
Eaches,	Kennedy,	Rinn,	Zook,
Earley,	Kohler,	Rippman,	Goodnough,
Edmonds,	Korns,	Sample,	Speaker.
Evans, B. P.,	Kunkle,	Sarig,	
Evans, J.,	Lauver,	Sautter,	
Fields,	Little,	Schilling,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 202, as follows:

An Act relating to depositories of county funds in counties of the sixth class providing for the selection thereof by the county treasurer county commissioners and county controller if any there be and for the payment of interest on county funds for the use of the county imposing certain expenses upon counties in connection therewith and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county treasurers of counties of the sixth class shall deposit all county funds in the bank banks trust company or trust companies only appointed as the depository or depositories of county funds in the manner hereinafter provided

Section 2 Each of said county treasurers shall as soon as may be after the beginning of his term of office advertise for and invite sealed bids from the various banks and trust companies for the deposit of county funds which notice shall contain a statement that the banks or trust companies offering bids shall therein specify the rate of interest which they will agree to pay upon monthly balances of county funds The county treasurer shall reserve the right to reject any and all bids with the consent of the county commissioners and county controller if any there be

Section 3 Such notice shall be advertised in at least two newspapers published within the county once a week for three weeks The cost of advertising shall be paid by the county

Section 4 All bids shall be opened by the county treasurer in the presence of the county commissioners and the county controller if any there be not later the first Monday of March after the induction into office of the county treasurer

Section 5 The county treasurer county commissioners and county controller if any there be shall appoint as a depository or depositories of county funds one or more responsible banks or trust companies offering to pay the greatest rate of interest on monthly balances of county funds during the term of the county treasurer and until another depository or depositories are designated in accordance with the provisions of this act In appointing a depository or depositories of county funds the county commissioners shall have one vote

Section 6 No bid shall be considered where the rate of interest offered is less than two per centum per annum on monthly balances If the county treasurer with the consent and approval of the county commissioners and county controller if any there be shall reject all bids the treasurer shall immediately readvertise for bids in the manner hereinbefore provided

Section 7 The banks or trust companies designated as depository or depositories of county funds shall each enter into contract with the county treasurer acting for the county which contract shall contain a stipulation that the bank or trust company will agree to act as a depository of county funds during the term of the treasurer and until another depository has been duly appointed and shall specify the rate of interest which it agrees to pay

Section 8 The depository or depositories of county funds so appointed shall furnish a bond to the county to save harmless the county from the loss of any funds placed in its hands and for the faithful execution of the provisions of the contract The surety may be a surety or bonding company authorized to do business within the county The amount of the bonds shall be fixed by the court of common pleas of the county and shall be approved by the court The bond shall be filed with the county controller or in counties where there is no controller with the county commissioners

Section 9 Whenever any county treasurer shall deposit any county funds with a depository of county funds qualified in all respects under the provisions of this act to receive the same he shall thereafter be relieved from all liability for the safe keeping of such funds while in the possession of such depository

Section 10 The county treasurer shall from time to time pay all interest received from any depository of county funds into the county treasury for the use of the county It is unlawful for any county treasurer to retain any interest received from any such depository for his own personal use or any other use whatsoever except that of the county

The depository or depositories of county funds shall render to the county treasurer and county controller if any there be a monthly statement showing the balance on hand at the close of the month the amount received and disbursed and the amount of accrued interest on monthly balances

Section 11 It is unlawful for any county treasurer to deposit with any bank or trust company except the depository or depositories of county funds appointed in the manner provided for in this act any funds of the county which may come into his possession

Section 12 Any county treasurer who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

Section 13 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albert,	Evans, J.,	Korns,	Raymond,
Allman,	Fields,	Kunkle,	Richards,
Anderson,	Flinchbaugh,	Labar,	Rinn,
Armstrong,	Fowler, D.,	Lafferty,	Rippman,
Arthur,	Frazier,	Lauver,	Sample,
Asbury,	Gallaher,	Little,	Sarig,
Baker,	Gelder,	Long,	Sautter,
Baldi,	Gibbon,	Lucas,	Schaeffer,
Beaver,	Gilchrist,	Ludlow,	Schilling,
Behney,	Glasgow,	Lynch,	Schleiter,
Bell, F. A.,	Goehring,	MacKinney,	Schoener,
Bell, W. T.,	Golder,	Mangan,	Schwartz,
Bentley,	Gorham,	Marcus, J.,	Shambach,
Betts,	Greeby,	Marshall, J. G.,	Smith, H.,
Bidelspacher,	Griffith,	Mathay,	Smith, J. W.,
Blair,	Grimes,	McBride,	Soffel,
Bluett,	Haas,	McCann,	Sowers,
Blumberg,	Haines,	McCaig,	Spangler,
Boback,	Harer,	McCurdy,	Sprowls,
Brenneman,	Harter,	McDaniel,	Stark,
Brewster,	Haslett,	McDermott,	Staudenmeier,
Bromley,	Heffran,	McKim,	Stavitski,
Brown,	Henderson,	Metcalf,	Steedle,
Brownmiller,	Hetrick,	Miller,	Stevens, A. J.,
Burchinal,	Heyburn,	Minehart,	Stofflet,
Burns,	Himes,	Moffatt,	Stoner,
Bush,	Holcombe,	Moore,	Storer,
Chaplin,	Hollis,	Morrison,	Thomas, L. D.,
Clutton,	Hontz,	Munley,	Thompson,
Colville,	Hoover,	Myers, G. C.,	Van Alen,
Conner,	Horne,	Nolte,	Walker,
Craig,	Howell,	O'Boyle,	Weamer,
Dietz,	Huber,	Ogle,	Wettach,
Dilsheimer,	Irvin,	Orr,	Wheeler,
Donahue,	Jones, C. B.,	Parkinson,	Whiteman,
Driggs,	Jones, D. J.,	Peelor,	Williams, G. W.,
Drinkhouse,	Jones, E. P.,	Perry,	Williams, J. M.,
Eaches,	Keene,	Pitts,	Wood, N.,
Earley,	Kelly,	Posey,	Wright,
Edmonds,	Kennedy,	Post,	Zook,
Evans, B. P.,	Kohler,	Price,	Goodnough, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 55, as follows:

An Act to validate certain deeds mortgages leases and conveyances made by executors trustees or administrators de bonis non cum testamento annexo under a power to sell mortgage lease or conveyance contained in any last will and testament

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Gen-

eral Assembly met and it is hereby enacted by the authority of the same That whenever heretofore real property has been conveyed mortgaged or leased by any executor trustee or administrator de bonis non cum testamento annexo under any power to sell mortgage or lease or convey contained in any last will and testament of a deceased owner of said property although it shall not be made to appear that there was any necessity for the exercise of said power in executing the purposes of said will or settling of said estate yet nevertheless said deed mortgage lease or conveyance when otherwise in proper form and capable of conveying or encumbering the estate intended is hereby made and declared to be good valid and effectual to transfer pass convey mortgage or lease as the case may be such estate right title and interest provided however That no case heretofore judicially decided or now pending shall be affected by this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Albert,	Fowler, D.,	Little,	Schaeffer,
Allman,	Fratt,	Long,	Schilling,
Anderson,	Frazier,	Ludlow,	Schleiter,
Armstrong,	Gallaher,	Lynch,	Schoener,
Arthur,	Gelder,	Mack,	Schwartz,
Asbury,	Gibbon,	MacKinney,	Shambach,
Baker,	Gilchrist,	Malie,	Sheridan,
Baldi,	Glasgow,	Mangan,	Smith, G. A.,
Beaver,	Goehring,	Marcus, J.,	Smith, H. J.,
Behney,	Golder,	Marcus, J. C.,	Smith, H.,
Bell, F. A.,	Gorham,	Marshall, J. G.,	Smith, J. W.,
Bentley,	Greeby,	Mathay,	Soffel,
Berger,	Griffith,	McBride,	Sowers,
Betts,	Grimes,	McCann,	Stark,
Bidelspacher,	Guerin,	McClure,	Staudenmeier,
Blair,	Haas,	McCurdy,	Stavitski,
Blumberg,	Haines,	McDaniel,	Steedle,
Boback,	Harer,	McDermott,	Sterling,
Brewster,	Harter,	McGowan,	Stevens, A. J.,
Bromley,	Heffernan,	McKim,	Stevens, A. F.,
Brown,	Heffran,	Millar,	Stoffiet,
Brownmiller,	Henderson,	Minehart,	Stoner,
Burns,	Hetrick,	Moffatt,	Storer,
Bush,	Heyburn,	Moore,	Thomas, L. D.,
Chaplin,	Himes,	Munley,	Thomas, M. G.,
Coldsmith,	Holcombe,	Myers, G. C.,	Thompson,
Colville,	Hontz,	Nolte,	Van Alen,
Coyne,	Hoover,	O'Boyle,	Vickerman,
Craig,	Horne,	Ogle,	Walker,
de Young,	Howell,	Orr,	Weamer,
Diehm,	Huber,	Parkinson,	Wells,
Dietz,	Irvin,	Peelor,	Wettach,
Dilsheimer,	Johnson,	Pitts,	Wheeler,
Donahue,	Jones, C. B.,	Posey,	Whitehouse,
Driggs,	Jones, D. J.,	Post,	Whiteman,
Drinkhouse,	Jones, E. P.,	Price,	Williams, G. W.,
Dunn,	Keene,	Raymond,	Williams, J. M.,
Eaches,	Kennedy,	Rhodes,	Woner,
Edmonds,	Kohler,	Richards,	Wood, N.,
Evans, B. P.,	Korns,	Rinn,	Wright,
Evans, J.,	Kunkle,	Rippman,	Zook,
Fields,	Labar,	Sample,	
Flinchbaugh,	Lafferty,	Sarig,	
Fowler, A. I.,	Lauver,	Sautter,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 179, entitled:

An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings, where no legal or valid contract was entered into as required by law.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Albert,	Edmonds,	Lynch,	Sample,
Allman,	Eshelman,	Mack,	Sautter,
Armstrong,	Evans, B. P.,	MacKinney,	Schaeffer,
Arthur,	Evans, J.,	Malie,	Schilling,
Asbury,	Fields,	Marcus, J.,	Schleiter,
Baldi,	Fowler, A. I.,	Marcus, J. C.,	Schoener,
Beaver,	Gibbon,	Marshall, J. G.,	Schwartz,
Behney,	Gilchrist,	Mathay,	Shambach,
Bell, F. A.,	Glasgow,	McBride,	Sheridan,
Bell, W. T.,	Goehring,	McCaig,	Smith, H. J.,
Bentley,	Golder,	McCann,	Smith, J. W.,
Berger,	Gorham,	McClure,	Soffel,
Bidelspacher,	Greeby,	McCurdy,	Sowers,
Blair,	Grimes,	McDaniel,	Spangler,
Bluett,	Guerin,	McDermott,	Stark,
Boback,	Haas,	McGowan,	Staudenmeier,
Brenneman,	Harer,	McKim,	Stavitski,
Brewster,	Harter,	McVicar,	Steedle,
Bromley,	Haslett,	Metcalf,	Sterling,
Brown,	Heffran,	Meyers,	Stevens, A. J.,
Brownmiller,	Henderson,	Miller,	Stoner,
Burchinal,	Hetrick,	Minehart,	Thomas, L. D.,
Burns,	Heyburn,	Moore,	Thomas, M. G.,
Bush,	Himes,	Morrison,	Thompson,
Chaplin,	Holcombe,	Munley,	Van Alen,
Clutton,	Hoover,	Myers, G. C.,	Vickerman,
Coldsmith,	Horne,	Nolte,	Walker,
Colville,	Howell,	O'Boyle,	Weamer,
Conner,	Huber,	Ogle,	Wettach,
Coyne,	Irvin,	Orr,	Wheeler,
Craig,	Jones, C. B.,	Parkinson,	Whiteman,
de Young,	Jones, E. P.,	Patterson,	Williams, G. W.,
Diehm,	Kelly,	Perry,	Williams, J. M.,
Dietz,	Kohler,	Pitts,	Woner,
Dilsheimer,	Kunkle,	Posey,	Wood, N.,
Donahue,	Labar,	Post,	Wright,
Driggs,	Lauver,	Price,	Zook,
Drinkhouse,	Little,	Raymond,	Goodnough,
Dunn,	Long,	Richards,	Speaker.
Eaches,	Lucas,	Rinn,	
Earley,	Ludlow,	Rippman,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was twice read as follows:

In the Senate, February 13, 1923.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, February twenty-sixth, at nine o'clock; when the House of Representatives adjourns this week it reconvene on Monday evening, February nineteenth, at nine o'clock; and when the House of Representatives adjourns on Wednesday, February twenty-first, it reconvene on Monday evening, February twenty-sixth at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 38, as follows:

An Act relating to treasurers in counties of the fifth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the fifth class the annual salary of the county treasurer shall be four thousand dollars ($4,000) per annum

Section 2 Each county to which this act applies shall at the cost of the county furnish the office furniture books stationery and supplies required for the use of the county treasurer and also all needed fuel and the services of a janitor and pay the premium on the bonds of the county treasurer required for the safe-keeping and return of county money

Section 3 The county treasurer shall appoint and may dismiss the deputies or clerks of his office

Section 4 All county treasurers within the counties to which this act applies whose salaries are fixed by this act and their several deputies and clerks authorized and their respective salaries designated by the salary board shall be paid for their services by fixed and specific salaries which shall be a charge upon the treasury of the county to which each such officer shall respectively belong Said salaries shall be paid semi-monthly on the second and fourth Mondays of the month succeeding that in which his services were rendered

Section 5 The salary board in all counties of the fifth class composed of the county commissioners county controller and county treasurer shall fix and determine annually the salaries to be paid to and the number of deputies and clerks required for the proper dispatch of business in the office of the county treasurer subject to appeal to the court of common pleas by any officer or tax payer dissatisfied with the number appointed and compensation fixed In the case of any such appeal the court shall make an order fixing the number and salaries of such appointees

Section 6 The salaries fixed and provided by this act shall be in lieu of all or any moneys fees perquisites mileage expenses and other allowances which are now or may hereafter be received by or allowed to such treasurer All said moneys fees mileage or perquisites received by any of them as compensation fees or perquisites from any source whatsoever shall in all cases belong to the county and shall be paid into the county treasury (except where required to be paid by the Commonwealth) as provided in this act but the necessary traveling expenses of the officers incurred in the administration of their offices shall be paid by the county

Section 7 This act shall take effect on the first Monday of January one thousand nine hundred and twenty-four but shall not be construed to apply to any officer in office at the date of the approval of this act but all such officers shall be entitled to receive and collect the fees and salaries now provided by law for such office

Section 8 All laws or parts of laws general local or special inconsistent with this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129.

Albert,	Dunn,	Ludlow,	Sautter,
Anderson,	Earley,	Lynch,	Schilling,
Armstrong,	Eshelman,	MacKinney,	Schleiter,
Arthur,	Evans, J.,	Malie,	Schoener,
Asbury,	Fields,	Mangan,	Schwartz,
Baker,	Flinchbaugh,	Marcus, J.,	Shambach,
Baldi,	Fowler, A. I.,	Marcus, J. C.,	Smith, H. J.,
Behney,	Fratt,	Marshall, J. G.,	Smith, H.,
Bell, F. A.,	Gallaher,	Mathay,	Soffel,
Bell, W. T.,	Gelder,	McBride,	Sowers,
Bentley,	Gibbon,	McCann,	Staudenmeier,
Berger,	Gilchrist,	McClure,	Sterling,
Blair,	Glasgow,	McCurdy,	Stoner,
Bluett,	Goehring,	McDaniel,	Storer,
Brenneman,	Greeby,	McGowan,	Thomas, L. D.,
Brewster,	Griffith,	McKim,	Thompson,
Bromley,	Guerin,	Metcalf,	Van Alen,
Brown,	Haas,	Miller,	Walker,
Brownmiller,	Harer,	Moore,	Weamer,
Burchinal,	Harter,	Morrison,	Wettach,
Burns,	Haslett,	Munley,	Wheeler,
Bush,	Henderson,	Nolte,	Whitehouse,
Chaplin,	Hetrick,	Ogle,	Whiteman,
Clutton,	Himes,	Parkinson,	Williams, G. W.,
Coldsmith,	Holcombe,	Peelor,	Williams, J. M.,
Colville,	Hollis,	Pitts,	Woner,
Conner,	Hoover,	Posey,	Wood, N.,
Coyne,	Horne,	Price,	Wright,
Craig,	Jones, C. B.,	Raymond,	Zook,
Diehm,	Jones, E. P.,	Rhodes,	Goodnough,
Dilsheimer,	Keene,	Richards,	Speaker.
Donahue,	Little,	Rippman,	
Drinkhouse,	Lucas,	Sample,	

NAYS—14

Boback,	Kennedy,	Myers, G. C.,	Stevens, A. J.,
Gorham,	Labar,	O'Boyle,	Stofflet,
Hontz,	Mack,	Sheridan,	
Howell,	McDermott,	Stavitski,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 178, as follows:

An Act relating to the assignment of rights to receive or recover a debt or money or damages for breach of contract

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every right to receive or recover a debt or money or damages for breach of contract may be assigned so as to vest the legal title to such right in the assignee and any such assignee may bring suit in his own name in the proper court to recover the right so assigned and vested in him "provided" however that this act shall not apply to the assignment of wages"

Section 2 All acts and parts of acts of the General Assembly of this Commonwealth in conflict herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. OGLE. Mr Speaker, I would like to interrogate the gentleman from Fayette, Mr. McDaniel.

The SPEAKER. Will the gentleman from Fayette, Mr. McDaniel permit himself to be interrogated?

Mr. McDANIEL. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. OGLE. Mr. Speaker, will the sponsor of this bill kindly explain to the House what is intended to be accomplished by the measure, what it is intended for?

Mr. McDANIEL. This bill is for the purpose of doing away with the cumbersome method now used in bringing actions or suits wherein the title to action or the right to sue is in the name of an assignee. As at present if a person has a claim against a defendant he must bring the suit in the name of the party who first owned it, and in the name of all the assignees thereafter. In other words if A has the right of action against B and assigns that claim to C he would have to bring the style of the cause A now for the use of C, B now for the use of C and so on. The present method is to do away with the cumbersome style and would give the assignee the right to sue directly in his own name, that is all it has to do with it. I don't believe it disturbs any of

the vested rights of the parties to the action but simply gives a more clear and definite method in which to bring their suits.

Mr. OGLE. Mr. Speaker the thought underlying the measure so far as it applies to the first part of the title down to the comma is perhaps all right. It is all right because it is now the law. It gives the right to an assignee to recover on a debt for money. Now that is the law as it stands today. Any man who has a promissory note or a judgment note or a bond and mortgage and desires to transfer it to reduce it to cash, he may do so by assigning it to a trust company or to an individual or to anyone who desires to purchase it and the purchaser becomes an assignee and has the right of action to recover from the defendant upon the maturity of the obligation. Prior to the adoption of the Practice Act by the legislature of Pennsylvania in 1915 that action for the recovery of a debt or money was brought in the form of an action of debt. When the instrument was under seal there was only one form of action and it has come down to us from the common law. That right exists today and it is not necessary to have an act of Assembly passed now to permit the assignee to recover on such an obligation. The reason that that assignment is permitted to be made and recovery made is because it is simply a matter of arithmetic, the principal debt is the face of the note with interest thereon, if it is so provided in the note, if it is not provided for then the interest runs from the date of maturity. When the Practice Act was established the distinction made between the action of debt and the action of covenant was obliterated and it was provided that they should all be recovered in an action of assumpsit. Now, mark you, gentlemen, the distinction here. This bill was proposed to consolidate two rights of action, one that was formerly recovered by an action of debt and one that was recovered in an action of covenant. Where damages are to be recovered upon a breach of contract then the action is brought in covenant. You can imagine the difference it might make in an action at law and what an assignee on a contract seeking damages might meet with in the courts. Some man has a contract for the purchase of a piece of farm machinery, or for the erection of a house, in fact anything that you may mention, and where there is a breach of that contract there shall be a recovery of damages. By the terms of this bill one of the contracting parties thereto, by reason of the breach made, is entitled to damages. He makes up his mind, "I am not a man who stands well in the courts, I am too well known here. I will not meet with favor by a jury of the county. I have not got the influence that my friend and neighbor John Smith, living in the county town, and a prominent man in politics has, and I will go to him and I will assign my right of action over and he can go into the courts and sue upon the contracts. He knows everybody and when it comes to measure that amount of damages which is now a matter of mathematical calculation based on a known principle, the jury is most liberal to the assignee." Now gentlemen that would be turning the courts into vehicles for the exploitation of men who want to profit by litigation. Such a thing was never heard of from the time of Solon, Grotius, and Blackstone, and our own Chancellor Kent to the present day. It is fundamentally wrong, and that is the reason that I oppose this, for the protection of the courts, for the protection of the purity of the foundation of justice, not to allow speculation in litigation. If the bill were properly drawn so far doing away with intermediate assignees on an action of debt that might be all right. Of course, it might even in that case change the line of evidence that is necessary to vest the title. The assignee must show his title to the chose in action, that it is unquestioned that he has the right to recover, but as the bill now stands it is wrong and I hope, for the protection of our judicial system in Pennsylvania, that this measure will be voted down.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—85.

Albert,	Dietz,	Jones, C. B.,	Orr,
Allman,	Dilsheimer,	Jones, D. J.,	Parkinson,
Armstrong,	Donahue,	Jones, E. P.,	Pitts,
Arthur,	Drinkhouse,	Keene,	Posey,
Asbury,	Eaches,	Kelly,	Rinn,
Baldi,	Evans, J.,	Kohler,	Sautter,
Beaver,	Fields,	Little,	Schaeffer,
Bell, F. A.,	Fowler, D.,	Lucas,	Schilling,
Bell, W. T.,	Frazier,	Malie,	Schwartz,
Berger,	Gelder,	Mangan,	Smith, H.,
Bluett,	Gibbon,	Marcus, J.,	Smith, J. W.,
Blumberg,	Gilchrist,	Mathay,	Sowers,
Boback,	Goehring,	McBride,	Staudenmeier,
Bromley,	Golder,	McCann,	Sterling,
Brown,	Gorham,	McDaniel,	Stoner,
Burchinal,	Greeby,	McGowan,	Storer,
Burns,	Haines,	McKim,	Thomas, L. D.,
Bush,	Heffernan,	Millar,	Van Alen,
Chaplin,	Henderson,	Miller,	Wettach,
Colville,	Himes,	Moffatt,	Goodnough,
Conner,	Holcombe,	Myers, G. C.,	Speaker.
de Young,	Huber,	Nolte,	

NAYS—79.

Anderson,	Griffith,	Mack,	Shambach,
Behney,	Haas,	MacKinney,	Sheridan,
Betts,	Hall,	Marcus, J. C.,	Smith, H. J.,
Bidelspacher,	Harer,	Marshall, J. G.,	Soffel,
Blair,	Haslett,	McCurdy,	Stark,
Brenneman,	Hetrick,	Metcalf,	Stevens, A. J.,
Brewster,	Heyburn,	Minehart,	Stofflet,
Brownmiller,	Hollis,	Moore,	Thompson,
Clutton,	Hontz,	Morrison,	Vickerman,
Coldsmith,	Hoover,	Ogle,	Walker,
Coyne,	Horne,	Peelor,	Weamer,
Craig,	Howell,	Post,	Wheeler,
Diehm,	Irvin,	Price,	Whitehouse,
Driggs,	Kennedy,	Raymond,	Williams, G. W.,
Earley,	Korns,	Richards,	Williams, J. M.,
Eshelman,	Kunkle,	Rippman,	Woner,
Flinchbaugh,	Labar,	Sample,	Wood, N.,
Fowler, A. I.,	Long,	Sarig,	Wright,
Gallaher,	Ludlow,	Schleiter,	Zook,
Glasgow,	Lynch,	Schoener,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 186, entitled:

An Act authorizing county commissioners to purchase road machinery and to rent the same to the townships of such county.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yea and nays were taken and were as follows, viz:

YEAS—131.

Albert,	Evans, J.,	Keene,	Rippman,
Allman,	Fields,	Kelly,	Sample,
Anderson,	Flinchbaugh,	Kennedy,	Sarig,

Armstrong,	Fowler, A. I.,	Kunkle,	Sautter,
Asbury,	Fowler, D.,	Labar,	Schaeffer,
Baldi,	Fratt,	Lafferty,	Schilling,
Behney,	Frazier,	Long,	Schwartz,
Bell, F. A.,	Gallaher,	Lucas,	Shambach,
Bentley,	Gelder,	Ludlow,	Sheridan,
Berger,	Gibbon,	Malie,	Smith, H.,
Blair,	Gilchrist,	Mangan,	Smith, J. W.,
Bluett,	Glasgow,	Marcus, J.,	Soffel,
Blumberg,	Golder,	McBride,	Spangler,
Brenneman,	Gorham,	McCann,	Sprowls,
Bromley,	Greeby,	McCurdy,	Stark,
Brown,	Griffith,	McDaniel,	Staudenmeier,
Brownmiller,	Grimes,	Metcalf,	Stavitski,
Burchinal,	Guerin,	Miller,	Steedle,
Burns,	Hall,	Morrison,	Sterling,
Chaplin,	Haslett,	Munley,	Stevens, A. J.,
Coldsmith,	Heffernan,	Myers, G. C.,	Van Alen,
Colville,	Henderson,	Nolte,	Vickerman,
Coyne,	Hetrick,	O'Boyle,	Walker,
Craig,	Heyburn,	Ogle,	Wettach,
Diehm,	Himes,	Orr,	Wheeler,
Dietz,	Holcombe,	Parkinson,	Whitehouse,
Driggs,	Hoover,	Peelor,	Whiteman,
Drinkhouse,	Horne,	Perry,	Williams, G. W.,
Dunn,	Huber,	Posey,	Williams, J. M.,
Eaches,	Irvin,	Post,	Wright,
Earley,	Jones, C. B.,	Raymond,	Zook,
Edmonds,	Jones, D. J.,	Richards,	Goodnough,
Eshelman,	Jones, E. P.,	Rinn,	Speaker.

NAYS—14.

Beaver,	Haas,	Rhodes,	Thomas, L. D.,
Boback,	Little,	Schleiter,	Woner,
Brewster,	MacKinney,	Smith, H. J.,	
Bush,	Minehart,	Stoner,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 9, entitled:

An Act to repeal the act approved the thirtieth day of March, one thousand nine hundred and twenty-one, (P. L. 67), entitled "An Act authorizing the State Treasurer to appoint a Deputy State Treasurer and Commissioner of Trusts; defining his powers and duties; providing for the care, custody, safe-keeping, and recording of stocks, bonds, mortgages, securities, and indemnity bonds, held in trust or otherwise, or owned by the Commonwealth or by any of the departments, bureaus, divisions, commissions, or agencies thereof; and fixing his salary."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Albert,	Eaches,	Jones, E. P.,	Sample,
Allman,	Earley,	Keene,	Sarig,
Anderson,	Edmonds,	Kelly,	Sautter,
Armstrong,	Eshelman,	Kunkle,	Schaeffer,
Arthur,	Evans, J.,	Lauver,	Schilling,
Asbury,	Fields,	Lucas,	Schleiter,
Baldi,	Flinchbaugh,	Ludlow,	Schoener,
Beaver,	Fowler, A. I.,	Lynch,	Shambach,
Behney,	Fratt,	MacKinney,	Sheridan,
Bell, F. A.,	Frazier,	Malie,	Smith, G. A.,
Bell, W. T.,	Gallaher,	Marshall, J. G.,	Sprowls,
Berger,	Gelder,	McCurdy,	Stark,
Betts,	Gilchrist,	McDaniel,	Staudenmeier,
Bidelspacher,	Goehring,	McGowan,	Stavitski,
Blair,	Greeby,	McKim,	Sterling,
Bluett,	Griffith,	McVicar,	Stevens, A. J.,
Blumberg,	Grimes,	Metcalf,	Stoner,
Boback,	Haas,	Minehart,	Storer,
Brenneman,	Haines,	Moffatt,	Thomas, L. D.,
Brewster,	Hall,	Moore,	Thompson,
Bromley,	Harer,	Morrison,	Van Alen,
Brown,	Haslett,	Munley,	Vickerman,
Brownmiller,	Henderson,	Myers, G. C.,	Walker,
Burchinal,	Hetrick,	Nolte,	Weamer,
Burns,	Heyburn,	O'Boyle,	Wheeler,
Bush,	Himes,	Ogle,	Whitehouse,
Chaplin,	Holcombe,	Orr,	Whiteman,
Coldsmith,	Hollis,	Parkinson,	Williams, G. W.,
Colville,	Hontz,	Peelor,	Woner,
Craig,	Hoover,	Posey,	Wood, N.,
de Young,	Horne,	Post,	Wright,
Diehm,	Howell,	Price,	Zook,
Dilsheimer,	Huber,	Raymond,	Goodnough,
Donahue,	Irvin,	Richards,	Speaker.
Driggs,	Jones, C. B.,	Rinn,	
Drinkhouse,	Jones, D. J.,	Rippman,	

NAYS—10

Golder,	Marcus, J. C.,	Perry,	Wettach,
Lafferty,	McCann,	Soffel,	
Marcus, J.,	Miller,	Sowers,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered,that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 224, as follows:

An Act to amend the title and section one of an act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred and seventy-one) entitled "An act requiring banks banking corporations copartnerships or associations co-operative banking associations trusts safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of an act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred and seventy-one) entitled "An Act requiring banks banking corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions buildings and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void" which reads as follows

"An Act requiring banks banking corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void" is hereby amended to read as follows

"An act requiring banks corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void"

is hereby amended to read as follows

An act requiring banks corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges

and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void

Section 2 That section one of said act is hereby amended to read as follows

"Section 1 Be it enacted et cetera That all banks corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies that have occasion or may be required to acknowledge payments assign extend postpone release or satisfy or to do any other thing to in any wise effect the lien of any mortgage on record in the recorder of deed's office of any county shall by power of attorney filed of record in such office designate by name the person or persons who are authorized in its name to enter such acknowledgments assignments extensions postponements releases or satisfactions or to do any other thing affecting the lien of any mortgage which appears upon the records in such office

It is unlawful for the recorder of deeds of any county to permit any person other than a person so designated to act for such bank banking corporation copartnership or association cooperative banking association trust safe deposit real estate mortgage title insurance guaranty surety and indemnity company savings institutions savings banks provident institutions building and loan associations lodge or society

Any entry on any record in the recorder of deeds' office made in violation of the provisions of this act is void and of no effect

On the question,

Will the House agree to the bill on third reading?

Mr. VAN ALEN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend title by striking out in line 8 thereof on page 1 the word "saving" and inserting in lieu thereof savings

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 8, entitled:

An Act empowering the State Treasurer to procure bonds for State officers and employes

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Treasurer shall procure from a corporation or corporations authorized by law to act as sureties in the Commonwealth good and sufficient bonds which shall be approved by the Attorney General to meet the requirements of law in the case of all State officers and employes required by statute to give bond to the Commonwealth for the faithful performance of their official duties The cost of said bonds shall be paid out of a specific appropriation to be made to the State Treasurer Such bonds shall be placed in the care custody and safe keeping of the State Treasurer

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be recommitted to the Judiciary Local Committee for the purpose of amendment.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL SIGNED BY THE SPEAKER.

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 66.

An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECESS.

The SPEAKER: If there are no objections the Chair will declare a recess until 4.00 o'clock this afternoon.

Whereupon, (at 12.39 o'clock P. M.) the house took a recess until 4.00 o'clock P. M.

AFTER RECESS.

The House reconvened at 4.00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 17. (HOUSE BILL No. 326.)

A Joint Resolution proposing an amendment to article three (III) of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Judiciary General.

SENATE BILL No. 19. (HOUSE BILL No. 327.)

An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale, offering for sale, exposing for sale, and having in possession with intent to sell of adulterated or deleterious ice cream including coated ice cream and the coating thereof, fixing a standard of butter fat for ice cream providing penalties for the violation thereof and providing for the enforcement thereof.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 67. (HOUSE BILL No. 328.)

An Act to further amend section four of the act approved the third day of May, one thousand nine hundred and nine (Pamphlet Laws three hundred ninety-five) entitled "An Act regulating the sale of concentrated commercial feeding stuffs also of condimental stock and poultry-food and patented proprietary or trade-mark stock and poultry-food, possessing nutritive value combined with medicinal properties, defining concentrated commercial feeding-stuffs, prohibiting the adulteration of any feeding-stuff sold, offered or expose

for sale in this State with oat hulls, ground corn cobs, flax plant, refuse elevator chaff, cotton-seed hulls, ground corn stalks, rice hulls, peanut hulls, weed seeds or other similar adulterants, providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same, providing also for the expense of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven, page two hundred and seventy-three) entitled 'An Act regulating the sale of wheat, rye, corn and buckwheat-bran and middlings or any admixture thereof' et cetera, approved the twenty-eighth day of May, one thousand nine hundred and seven", as amended, fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs.

Referred to the Committee on Agriculture.

SENATE BILL No. 69. (HOUSE BILL No. 329).

An Act relating to the incorporation of banks and trust companies.

Referred to Committee on Banks and Banking.

SENATE BILL No. 73. (HOUSE BILL No. 330).

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

Referred to Committee on Judiciary General.

SENATE BILL No. 102. (HOUSE BILL No. 331).

An Act amending Section 4 of an Act entitled, "An Act regulating the practice bail, costs and fees on appeals to the Supreme Court and Superior Court" approved the nineteenth day of May, one thousand eight hundred and ninety-seven, (Pamphlet Laws, sixty-seven), by providing a shorter period within which to appeal in cases where loss and hardship would otherwise result to the estates of decedents.

Referred to Committee on Judiciary General.

BILLS INTRODUCED AND REFERRED.

The SPEAKER. The Chair asks unanimous consent at this time to refer bills which were introduced this morning. Are there objections? The Chair hears none.

By Mr. SAMPLE. HOUSE BILL No. 316.

An Act to amend section three hundred and seven of an act approved the second day of June, one thousand nine hundred fifteen, (P. L. 736), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

Referred to the Committee on Insurance.

By Mr. RICHARDS. HOUSE BILL No. 317.

An Act to amend section one of the act approved the seventeenth day of May, one thousand nine hundred and nineteen, (P. L. 208), entitled "An Act prohibiting, under certain conditions, the commutation, encumbrance, or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

Referred to the Committee on Judiciary General.

By Mr. HEFFERNAN. HOUSE BILL No. 318.

An Act making an appropriation to the Pennsylvania Working for Blind Men, Philadelphia.

Referred to the Committee on Appropriations.

By Mr. MILLER. HOUSE BILL No. 319.

An Act to establish as a State highway a certain section of public road in the counties of Carbon and Monroe.

Referred to the Committee on Public Roads.

By Mr. BLAIR. HOUSE BILL No. 320.

An Act to prevent fraud at elections; providing a system of authenticating and marking ballots and of locking ballot boxes; providing for the purchase by counties of certain mechanical equipment, and for the use and custody thereof; providing for the appointment by the Governor of a commission to select and approve such equipment, and fixing penalties.

Referred to Committee on Elections.

By Mr. SCHAEFFER. HOUSE BILL No. 321.

An Act to make it obligatory on all railroad systems, or parts of systems to maintain sidewalks and walks between tracks on all bridges and viaducts.

Referred to Committee on Corporations.

By Mr. LAFFERTY. HOUSE BILL No. 322.

An Act making an appropriation to The Jefferson Medical College of Philadelphia.

Referred to Committee on Appropriations.

By Mr. LAFFERTY. HOUSE BILL No. 323.

An Act making an appropriation for a suitable statute to be erected in the capitol at Harrisburg, Pennsylvania, in memory of Boies Penrose, and appointing Commissioners for the purpose of carrying out the same.

Referred to Committee on Appropriations.

By Mr. HORNE. HOUSE BILL No. 324.

An Act providing for the collection of city and school taxes in third class cities by the city treasurer; and fixing and providing for the payment of his salary and expenses and the salaries of his assistants and clerks.

Referred to Committee on Municipal Corporations.

By Mr. POSEY. HOUSE BILL No. 325.

An Act to require counties to cause the graves of honorably discharged soldiers, sailors and marines to be decorated with flags on Memorial Day.

Referred to Committee on Military.

By Mr. HALL. HOUSE BILL No. 332.

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged.

Referred to Committee on Judiciary General.

By Mr. ANDERSON. (By request) HOUSE BILL No. 333.

An Act authorizing the State Highway Department, the Public Service Commission, counties, cities, boroughs, townships and railroad and railway corporations to purchase or condemn by the right of eminent domain free and unobstructed view over and across lands at certain highway, railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of said highways, railroads and railways; and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view.

Referred to Committee on Public Roads.

By Mrs. PITTS. HOUSE BILL No. 334.

An Act making an appropriation to the Philadelphia Home for Incurables.

Referred to Committee on Appropriations.

BILL RE-REFERRED.

Mr. HEFFRAN returned from the Committee on Counties & Townships, with the recommendation that it be re-referred to the Committee on Judiciary Local, House Bill No. 227, entitled:

An Act to further amend the fifth section of an act, entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants, and to provide for the election of judges thereof," approved May nineteenth, Anno Domini eighteen hundred and seventy-four (Pamphlet Laws, two hundred and six), as amended, by fixing and determining the salaries of the assistant clerks of said court in counties of the first, second, third and fourth classes.

The SPEAKER. The bill is now re-referred to the Committee on Judiciary Local.

REPORTS FROM COMMITTEES.

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed, House Bill No. 76, entitled:

An Act to amend sections 5 and 10 of the Act approved the 19th day of April, A. D. 1901, entitled "An Act relating to replevin, and regulating the practice in cases where the writ of replevie is issued."

Mr. SOWERS, from the Committee on Municipal Corporations, reported as committed House Bill No. 159, entitled:

An Act regulating the location of certain stables in cities of the first class; and providing penalties.

Mr. HALL, from the Committee on Judiciary Special, reported as committed, House Bill No. 233, entitled:

An Act to quiet the title to real estate; and to enable citizens of the United States, and corporations authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Mr. COLVILLE, from the Committee on Judiciary Special, reported as committed, House Bill No. 208, entitled:

An Act to amend section two of the act approved the thirteenth day of March, one thousand eight hundred and fifteen, (P. L. 150), entitled "An Act concerning divorces," as amended; authorizing prothonotaries and clerks of the Court of Common Pleas to take affidavits to petitions and libels; and validating prior proceedings in which such affidavits were taken.

Mr. MILLAR, from the Committee on Judiciary General, reported as committed, House Bill No. 228, entitled:

An Act to amend an act approved the twenty-first day of July, one thousand nine hundred nineteen (Pamphlet Laws 1064), entitled "An Act authorizing the appointment of clerks by the judges of the orphans' court of certain counties" by providing that the compensation of said clerks in counties of the first class shall be fixed by the said judges.

Mr. VAN ALEN, from the Committee on Judiciary Special, reported as committed, House Bill No. 211, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania, for any lawful purpose; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; making an appropriation of the proceeds of such bonds for the purposes intended; providing for the payment of interest on, and the redemption of, such bonds by the Sinking Fund Commission.

Mr. STERLING, from the Committee on Judiciary General, reported as committed, House Bill No. 253, (Senate Bill No. 34), entitled:

An Act to validate tax liens filed since the twenty-first day of May one thousand nine hundred and thirteen or which may be filed within six months after the approval of this act under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" and providing for their collection.

Mr. MATHAY, from the Committee on Judiciary General, reported as amended, House Bill No. 250, (Senate Bill No. 6), entitled:

An Act to amend section two of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty-four) entitled "An act authorizing the directors and overseers of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing for the payment of the expenses thereof."

Mr. EDMONDS, from the Committee on Judiciary General, reported as committed, House Bill No. 251, (Senate Bill No. 13), entitled:

An Act enlarging the jurisdiction of the superior court of Pennsylvania by providing for appeals to it from certain orders, judgments and sentences of the county court of Allegheny County of the Municipal Court of Philadelphia, and of all similar courts hereafter created.

Mr. WHITEMAN, from the Committee on Judiciary General, reported as committed, House Bill No. 252, (Senate Bill No. 14), entitled:

An Act to amend "An Act approved May 5, 1899 (Pamphlet Laws, two hundred forty-eight), supplementing and amending an act entitled 'An Act to establish an Intermediate Court of Appeal regulating oits constitution, offices, jurisdiction, powers, practice and its relation to the Supreme Court and other courts providing for the reports of its decisions, the compensation of the judges and other officers and the practice, and costs on appeals from its judgments', approved June 24, 1895" (Pamphlet Laws, two hundred twelve).

Mr. JOSEPH MARCUS, from the Committee on Judiciary General, re-reported as committed, House Bill No. 125, entitled:

An Act regulating the sale, offering for sale, barter, exchange and giving of tickets, cards or other tokens evidencing the right to a reserved seat in and of admission to any theatre, concert hall, circus, show, ball park, athletic hall or fields or other place of amusement and providing penalties.

USE OF THE HALL OF THE HOUSE GRANTED TO JOINT LAW AND ORDER COMMITTEES.

Mr. ARMSTRONG. Mr. Speaker, I move that the use of the Hall of the House be granted to the Joint Law and Order Committee of the Senate and House for a hearing to be held on Tuesday afternoon, February 27, beginning at 2:00 o'clock.

Mr. HIMES. Mr. Speaker, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. ZOOK. Mr. Speaker I move that this House do now adjourn until 10:00 o'clock tomorrow morning.

The motion was agreed to, and (at 4:20 o'clock P. M.) the House adjourned until tomorrow morning, at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 14, 1923.

The House met at 10:00 o'clock, A. M.
The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

O, Thou God of our Fathers, who did guide by Thy wisdom, and sustain by Thy grace those who gave form and fashion to this Republic, we give Thee hearty thanks this morning for the sacred heritage which they have left us; and we pray Thy blessings upon the members of this Assembly of wisdom and grace, to the end that they may here, faithfully discharge their duty as Thou shalt give them to see it.

Bless, we pray Thee, the Speaker of this House and the Governor of this Commonwealth, and all who have to do with the affairs of state government. We ask it in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on, motion of Mr. Haslett, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. BAKER. HOUSE BILL No. 335.

An Act making an appropriation to the Williams Valley Hospital, of Williamstown, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HALL. HOUSE BILL No. 336.

An Act making an appropriation to the Children's Industrial Home at Harrisburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HALL. HOUSE BILL No. 337.

An Act making an appropriation to the Sylvan Heights Home for Orphan Girls at Harrisburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. EARLEY. HOUSE BILL No. 338.

An Act making an appropriation to the Harrisburg Hospital of Harrisburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. EARLEY. HOUSE BILL No. 339.

An Act making an appropriation to the Florence Crittenton Home of Harrisburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. EARLEY. HOUSE BILL No. 340.

An Act making an appropriation to the Nursery Home of Harrisburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HALL. HOUSE BILL No. 341.

An Act making an appropriation to the Harrisburg Polyclinic Hospital, of Harrisburg, Pennsylvania.

Referred to the Committee on Appropriations.

By. Mr. EARLEY. HOUSE BILL No. 342.

An Act making an appropriation to the Home for the Friendless, of Harrisburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. EARLEY. HOUSE BILL No. 343.

An Act making an appropriation to the Messiah Rescue and Benevolent Home, of Harrisburg, Pennsylvania.

Referred to the Committee on Appropriations.

By. Mr. JEFFERSON W. SMITH. HOUSE BILL No. 344.

An Act to amend section one of an act approved the twenty-first day of July, one thousand nine hundred and thirteen, (P. L. 863), entitled "A Supplement to an act approved the eleventh day of June, one thousand eight hundred seventy-nine, entitled 'An Act to authorize cities of the first class to levy and fix a tax rate, to fix the time of opening and closing the tax duplicates, to regulate the appropriations and expenditures of said cities, and prescribing penalties for the violation of the provisions of this act,'" by extending the method of collecting delinquent taxes.

Referred to the Committee on Municipal Corporations.

By Mr. JEFFERSON W. SMITH. (By Request.) HOUSE BILL No. 345.

An Act imposing a State license tax upon public slot machines used for vending, weighing, telephone or other service, amusement, entertaining or any other purpose; imposing certain powers and duties upon the Auditor General; prescribing penalties for the violation of the provisions of this act; and providing for the confiscation of certain machines.

Referred to the Committee on Ways and Means.

BILL RE-REFERRED.

Mr. G. W. WILLIAMS returned from the Committee on Public Roads, with the recommendation that it be re-referred to the Committee on Appropriations, House Bill No. 201, entitled:

An Act making an appropriation to the State Highway Department for the construction of an important link in the William Penn State Highway in the County of Perry.

The SPEAKER. The bill is now re-referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. SOWERS, from the Committee on Municipal Corporations, reported as amended, House Bill No. 52, entitled:

An Act to amend an act entitled "An Act to prohibit the speeding and racing of certain motor vehicles to fires, the parking of motor vehicles in the vicinity of fires, and the driving of motor vehicles over lines of hose" Approved the 31st day of March, A. D. 1921.

Mr. STERLING, from the Committee on Education, reported as amended, House Bill No. 162, entitled:

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith."

Mr. McBRIDE, from the Committee on Municipal Corporations, re-reported as amended, House Bill No. 51 entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge.

LEAVE OF ABSENCE.

Mr. FLINCHBAUGH asked and obtained leave of absence for Mr. Brenneman, on account of illness.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 158, entitled:

An Act to amend section sixteen of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry

The first, second, third, fourth and fifth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties"

is hereby amended to read as follows:

Section 16 The State Treasurer shall establish a separate fund to be known as the "Dog Fund" into which all moneys collected under the provisions of this act shall be paid and from which all expenditures necessary in the carrying into effect the provisions of this act shall be paid All moneys in the dog fund from time to time are hereby specifically appropriated to the Department of Agriculture for the purpose of carrying into effect the provisions of this act and for the payment of indemnities for animals afflicted with dangerous contagious or infectious diseases as provided by law and for the payment of the salaries and expenses of the Director Deputy Director officers agents and employes of the Bureau of Animal Industry of the Department of Agriculture and for the enforcement of the provisions of the several Acts of Assembly charged to the Bureau of Animal Industry The money in the dog fund shall be paid to the use of the Department of Agriculture in advance from time to time as the same is required upon requistition by the Secretary of Agriculture The Auditor General shall upon requisition from time to time of the Secretary of Agriculture and the proper accounting for moneys already advanced from the fund draw his warrant upon the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes herein specified at the time such requisition is made.

Section 2 That section twenty-six of said act is hereby amended to read as follows

Section 26 Whenever any person sustains any loss or damage to any live stock or poultry by dogs or any live stock or poultry of any person is necessarily destroyed because of having been bitten by a dog such person or his agent or attorney may immediately after the damage was done complain to any township auditor or to any justice of the peace alderman or magistrate of the township town borough or city Such complaint shall be in writing shall be signed by the person making such complaint and shall state when where and how such damage was done and by whose dog or dogs if known Claims covering damage resulting from the bite of a rabid dog shall be made immediately following the death of the animal and shall be supported by a certificate from a licensed and duly qualified veterinarian or a report from the laboratory of the Bureau of Animal Industry to the effect that such animal was affected with rabies Such township auditor justice of the peace alderman or magistrate shall at once notify an auditor of the district if there be any and where there is no auditor then the controller of the district and together they shall at once examine the place where the alleged loss or damage was sustained and the live stock of poultry injured or killed They shall then jointly fix a time for taking testimony relative to such claim and shall give notice of such time to the claimant and to the dog owner if known Such appraisers shall examine under oath or affirmation any witness called before them After making diligent inquiry in relation to such claim such appraisers shall determine whether any damage has been sustained and the amount thereof and if possible who was the owner of the dog or dogs by which such damage was done If the two appraisers can not agree as to the amount of damage sustained the Secretary of Agriculture through his officers or agents may appoint a disinterested citizen to assist in determining the amount of damage sustained

Any owner or keeper of such dog or dogs shall be liable to the owner of such live stock or poultry in a civil action for all damages and costs or to the Commonwealth to the extent of the amount of damages and costs paid by the Commonwealth as hereinafter provided

Section 3 That section twenty-seven of said act is hereby amended to read as follows

Section 27 Upon making the examination required in section twenty-six of this act the said appraisers shall immediately make a certificate signed and sealed by them that such appraisement was regularly and duly made If by such examination it appears that any damage has been sustained by the complainant the said appraisers shall deliver the report of such examination and all papers relating to the case to the claimant or his agent or attorney upon payment of the costs incurred to that time Such report shall by him be delivered to the Secretary of Agriculture

Section 4 That section twenty-eight of said act is hereby amended to read as follows

Section 28 Township auditors justices of the peace aldermen magistrates controllers and appointed appraisers for the special service required under sections twenty-six and twenty-seven of this act shall each receive two dollars for each case investigated and five cents per mile for each mile traveled to be paid by the claimant in such case In all cases where damages are awarded the fees paid by claimants shall be included in the amount of such damages

Section 5 That section twenty-nine of said act is hereby amended to read as follows

Section 29 Upon the Secretary of Agriculture receiving and approving such report if it appears thereby that a certain amount of damage has been sustained by the claimant he shall immediately draw his check in favor of the claimant for the amount of loss or damage such claimant has sustained according to such report together with necessary and proper costs incurred Such amount shall be paid from the advance requisition on the Dog Fund If such report is not approved and it is deemed advisable a further investigation may be made by the Secretary of Agriculture through his officers or agents to ascertain the amount of damage sustained No person shall receive payment for any claim until the township auditor justice of the peace alderman or magistrate before whom the claim was made had certified that due diligence was made to ascertain whose dog or dogs did the damage and that the carcasses of the live stock or poultry killed and for which damages have been assessed were buried within twenty-four hours after the assessment of damages The owners of any live stock or poultry killed by dogs or live stock necessarily destroyed because of having been bitten by a dog shall be paid a burial fee as follows For each horse stallion colt gelding mare bull bullock steer heifer cow mule jack jennet or burro two dollars and fifty cents each for each sheep ram lamb calf goat kid or swine two dollars each for each head of poultry domestic hare or rabbit ten cents each to be included in said report and paid as other damages under this section Where said carcasses are turned over to a scavenger or reduction plant no burial fee shall be allowed

Upon payment by the State of damages of live stock or poultry by dogs the rights of the owner of such live stock or poultry against the owner of a dog to the extent of the amount of damages so paid by the State shall inure to the benefit of the State

The title was read as follows:

An Act to amend section sixteen of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the legal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry.

On the question,

Will the House agree to the title?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title by striking out in the first line the word "section" and insert in lieu thereof "sections."

Amend title by inserting in the first line thereof after the word "sixteen" "twenty-six, twenty-seven, twenty-eight and twenty-nine."

Amend title by inserting at the end thereof "and changing the procedure for assessing damages done by dogs."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 122, entitled:

An Act to regulate and restrain the hawking vending and peddling of fish fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 76, entitled:

An Act to amend sections five and ten of the act approved the nineteenth day of April A D nineteen hundred and one entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevie is issued"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 159, entitled:

An Act regulating the location of certain stables in cities of the first class and providing penalties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 233, entitled:

An Act to quiet the title to real estate; and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 208, entitled:

An Act to amend section two of the act approved the thirteenth day of March, one thousand eight hundred and fifteen, (P. L. 150), entitled "An Act concerning divorces," as amended; authorizing prothonotaries and clerks of the court of common pleas to take affidavits to petitions and libels; and validating prior proceedings in which such affidavits were taken.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 228, entitled:

An Act to amend an act approved the twenty-first day of July, one thousand nine hundred nineteen (Pamphlet Laws 1064), entitled "An Act authorizing the appointment of clerks by the judges of the orphans' court of certain counties" by providing that the compensation of said clerks in counties of the first class shall be fixed by the said judges.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 211, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania, for any lawful purpose defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto making an appropriation of the proceeds of such bonds for the purposes intended providing for the payment of interest on, and the redemption of, such bonds by the Sinking Fund Commission.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 253 (Senate Bill No. 34), entitled:

An Act to validate tax liens filed since the twenty-first day of May one thousand nine hundred and thirteen or which may be filed within six months after the approval of this act under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled "An Act providing when and how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" and providing for their collection.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 250 (Senate Bill No. 6), entitled:

An Act to amend section two of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty four) entitled "An Act authorizing the directors and overseers of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing for the payment of the expenses thereof"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 251 (Senate Bill No. 13), entitled:

An Act enlarging the jurisdiction of the superior court of Pennsylvania by providing for appeals to it from certain orders judgments and sentences of the county court of Allegheny county of the Municipal court of Philadelphia and of all similar courts hereafter created.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 252 (Senate Bill No. 14), entitled:

An Act to amend "An Act approved May 5, 1899 (Pamphlet Laws two hundred and forty-eight) supplementing and amending an act entitled 'An Act to establish an Intermediate Court of Appeal regulating its constitution officers jurisdiction powers practice and its relation to the Supreme Court and other courts providing for the reports of its decisions the compensation of the judges and other officers and the practice and costs on appeals from its judgments' approved June 24, 1895" (Pamphlet Laws two hundred twelve).

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and (at 10:15 A. M.), the House adjourned until Monday evening, February 19, 1923, at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

Session 1923 — 125th of the General Assembly

Vol. 7 — HARRISBURG, PA., MONDAY, FEBRUARY 19, 1923. — No. 15.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 19, 1923.

The House met at 9:00 o'clock P. M.
The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty and Eternal God, right reverently would we personal unworthiness and a keen consciousness of the great obligations which we owe Thee for the abundant manifestations of Thy grace toward us. Impelled by this sense of personal need and encouraged by the oft-repeated assurances of Thy word, we would invoke Thy blessing upon the members of this Assembly. We pray that Thou wouldst grant to each one an abiding consciousness of right and an heroic courage in well-doing. May Thy blessing rest upon the Governor of this Commonwealth, and the Speaker of this House; and all who have to do with the affairs of this government, either in the legislative or the executive departments thereof. We ask it in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Wednesday, February 14, 1923.

The Clerk proceeded to read the Journal of the proceedings of Wednesday, February 14, 1923, when, on motion of Mr. Metcalf, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. EDMONDS. HOUSE BILL No. 346.

An Act to amend section seventeen of the act approved the seventeenth day of June, one thousand nine hundred and thirteen, (Pamphlet Laws five hundred seven), entitled, "An Act to provide revenue for state and county purposes and in cities coextensive with counties for city and county purposes, imposing taxes upon certain classes of personal property, providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith, and modifying existing legislation which provided for raising revenue for state purposes," as amended.

Referred to Committee on Ways and Means.

By Mr. EDMONDS. HOUSE BILL No. 347.

An Act imposing a state license tax upon outdoor advertising, providing for the collection thereof, prohibiting the licensing of bill-boards, constituting a hazard to traffic and prescribing penalties.

Referred to Committee on Ways and Means.

By Mr. SPROWLS. HOUSE BILL No. 348.

A Supplement to an act approved the third day of June, one thousand nine hundred and eleven (Pamphlet Laws six hundred thirty-nine), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith;" creating a division in said bureau for the licensing of non-medical technicians, and defining the powers thereof.

Referred to Committee on Public Health and Sanitation.

By Mr. HAWS. HOUSE BILL No. 349.

An Act making an appropriation to the Trustees of the Samaritan Hospital, Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HOLLIS HOUSE BILL No. 350.

To repeal an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and inabilities; prescribing, defining, and limiting their powers and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determination by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of

travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and section one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May, Anno Domini, one thousand nine hundred and seven; and the provisio of clause three and the provisios of clause seven of section thirty-four of the act entitled 'An Act to provide for the incorporation and regulation of certain corporations', approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation consistent with or supplied by this act', and its amendments.

Referred to the Committee on Judiciary General.

By Mr. COLDSMITH. HOUSE BILL No. 351.

An Act to amend section forty-two of the act approved the fifteenth day of April, one thousand eight hundred and thirty-four, (Pamphlet Laws 537), entitled "An Act relating to counties and townships, and county and township officers," by making county treasurers agents of the Commonwealth in collecting and transmitting money for the Commonwealth; and providing their compensation for such services.

Referred to Committee on Counties and Townships.

By Mr. COLDSMITH. HOUSE BILL No. 352.

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An Act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties;" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees; and providing his compensation for such services.

Referred to Committee on Agriculture.

By Mr. COLDSMITH. HOUSE BILL No. 353.

An Act to amend section eight of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (P. L. 559), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto; and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalites recovered and license fees received," by making county treasurers agents of the Commonwealth in collecting license fees and issuing licenses.

Referred to Committee on Fisheries.

By Mr. IRVIN. HOUSE BILL No. 354.

An Act regulating the issuance and sale of securities, and the business of selling and dealing in securities requiring certain securities and all persons selling or dealing in the same to be registered with the Department of Banking; providing for the enforcement of this act, and inflicting penalties for the violation thereof.

Referred to the Committee on Banks and Banking.

By Mr. DUNN. HOUSE BILL No. 355.

An Act making an appropriation to the Old Ladies' Home located at Wissinoming Philadelphia.

Referred to the Committee on Appropriations.

By Mr. DUNN. HOUSE BILL No. 356.

An Act making an appropriation to the Frankford Hospital located at Frankford, Philadelphia.

Referred to the Committee on Appropriations.

By Mr. STAVITSKI. HOUSE BILL No. 357.

An Act making an appropriation to the trustees of the State hospital of Nanticoke, Nanticoke, Luzerne county, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HORNE. HOUSE BILL No. 358.

An Act to amend sections one and eighteen of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws five hundred and fifty-nine), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce complaince therewith; and providing for the disposition of the penalties recovered and license fees received;" changing the age limit of persons required to procure licenses; and providing for the purchase with surplus moneys of lands and waters, and the impounding of waters.

Referred to the Committee on Fisheries.

By Mr. HORNE. HOUSE BILL No. 359.

An Act to revise, amend, and consolidate the law relating to fish, and providing penalties for the violations thereof.

Referred to the Committee on Fisheries.

ANNOUNCEMENT BY SPEAKER.

The SPEAKER. The Legislative Reference Bureau has asked the Speaker to announce that in many cases amendments forwarded to Members of the House are for the purpose of correcting amendatory bills introduced prior to the adoption of House Rule 70. This rule which regulates the form of amendatory bills, provides that all amendatory bills introduced before the adoption of the rule shall, before final passage, be amended to be in accord with the rule.

REPORT OF THE WESTERN SAVINGS FUND SOCIETY OF PHILADELPHIA.

The SPEAKER. The Chair lays before the House the report of the Western Savings Fund Society of Philadelphia.

(For report, see Appendix.)

RESIGNATION OF MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE SESSION OF 1921.

The SPEAKER layed before the House resignations of members of the House of Representatives of the session of 1921, which were read as follows:

Chester, Pa., July 21, 1922.

Hon. Samuel A. Whitaker, Philadelphia, Pa.

Dear Mr. Whitaker: Please accept my resignation as a member of the 1921 House of Representatives.

Yours truly,
J. K. Hagerty,
533 E. Broad St.,
Chester, Pa.

Harrisburg, Pa.

Hon. Samuel A. Whitaker, Speaker of the House of Representatives, Harrisburg, Pa.

Dear Sir: I hereby tender my resignation as a member of the General Assembly or House of Representatives from the 10th Legislative District of Philadelphia County as of September 1, 1922.

Very truly yours,
William J. Brady.

Harrisburg, Pa., Sept. 18, 1922.

Hon. Samuel A. Whitaker, Speaker of House of Representatives, Phoenixville, Pa.

My dear Sam: As I have been appointed a Deputy in the United States Marshal's office at Philadelphia, and my appointment has been confirmed at Washington, I feel that I should send you my resignation as a Representative in the General Assembly.

I am not sure, but suppose that the two offices might conflict, and for that reason I hereby tender my resignation.

With kindest regards and best wishes,

Sincerely yours,
Thaddius W. Harry.

Harrisburg, Pa., Sept. 20, 1922.

Hon. Samuel A. Whitaker, Phoenixville, Pa.

My dear Mr. Speaker: I hereby tender my resignation as a member of the General Assembly of the Commonwealth from Jefferson County. I have been advised that this is the proper procedure. I have in mind a federal position.

Is this the proper way?

Yours very truly,
Wade M. Henderson.

TREASURY DEPARTMENT.

Philadelphia, Pa., January 27, 1922.

Hon. Samuel Whitaker, Speaker of the House of Representatives, Harrisburg, Pa.

Honorable Sir: I hereby offer my resignation as a member of the House of Representatives from Indiana County. My resignation is to take effect on the date mentioned above.

Very truly yours,
John T. Davis.

Harrisburg, Pa., October 20, 1921.

Hon. Samuel A. Whitaker, Speaker, House of Representatives, Phoenixville, Penna.

Re: Resignation.

My dear Mr. Whitaker: Through the medium of Associated Press articles of recent date I became acquainted with a Law that prohibits a State office holder from holding office in the Federal service or vice versa.

On the strength of these articles I herewith tender my resignation as a member of the House of Representatives to take effect if possible as of Aug. 20th, 1921, the date of my appointment and acceptance of a position within the Civil Service.

I regret very much that this step was necessary but it is my desire to be within the Law at all times and would have asked for this some time ago had I been better acquainted with the requirements.

My associations during the recent session were always pleasant and I shall endeavor to renew same when again they are called into executive session.

Sincerely yours,
Harry H. Barnhart,
Pl. Officer.
530 N. 8th St., Lebanon, Pa.

Pittsburgh, Pa., January 16, 1923.

Honorable Samuel A. Whitaker, Phoenixville, Pennsylvania.

My dear Speaker: I hereby tender my resignation as a Member of the General Assembly representing the First Legislative District of Allegheny County, Pittsburgh, Pennsylvania, to take effect immediately.

Very truly yours,
Harry Feldman.

LEAVES OF ABSENCE.

Mr. DILSHEIMER asked and obtained leave of absence for Mr. Drinkhouse on account of dealth in his family.

Mr. DILSHEIMER asked and obtained leave of absence for Mr. Jefferson W. Smith on account of illness.

Mr. SCHAEFFER asked and obtained leave of absence for Mr. Staudenmeier.

Mr. GIBBON asked and obtained leave of absence for Mr. Aston on account of illness.

Mr. FRAZIER asked and obtained leave of absence for Mr. John G. Marshall.

Mr. FRAZIER asked and obtained leave of absence for Mr. Schleiter on account of death of a friend.

Mr. ANDERSON asked and obtained leave of absence for Mr. Sample.

Mr. HEFFERNAN asked and obtained leave of absence for Mr. Philip M. Myers.

Mr. McGOWAN asked and obtained leave of absence for Mrs. Speiser.

Mr. OGLE asked and obtained leave of absence for Mr. Clutton.

Mr. STORER asked and obtained leave of absence for Mr. McKim on account of illness.

Mr. WHEELER asked and obtained leave of absence for Mr. Williston P. Wood.

Mr. BLAIR asked and obtained leave of absence for Mr. Shilling.

Mr. RINN asked and obtained leave of absence for Mr. Harry J. Smith.

Mr. MOORE asked and obtained leave of absence for Mr. Driggs on account of illness.

Mr. KUNKLE asked and obtained leave of absence for Mr. Richards.

Mr. SCHOENER asked and obtained leave of absence for Mr. Sarig on account of illness.

Mr. ALLEN J. STEVENS asked and obtained leave of absence for Mr. Post on account of illness.

Mr. ALBERT asked and obtained leave of absence for Mr. Johnson on account of illness.

The SPEAKER asked and obtained leave of absence for Mr. Weamer on account of illness.

The SPEAKER asked and obtained leave of absence for Mr. Goss.

The SPEAKER asked and obtained leave of absence for Mr. Kelly.

PRINTING ADDITIONAL COPIES OF HOUSE BILL NO. 221.

Mr. ARMSTRONG. Mr. Speaker, I move that the Chief Clerk of the House be authorized to have printed fifteen hundred additional copies of House Bill No. 221, known as the "Enforcement Bill."

Mr. HIMES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 52, entitled:

An Act to amend an act entitled "An Act to prohibit the speeding and racing of certain motor vehicles to fires, the parking of motor vehicles in the vicinity of fires, and the driving of motor vehicles over lines of hose" Approved the 31st day of March, A. D. 1921.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 162, entitled:

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 224, as follows:

An Act to amend the title and section one of an act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred and seventy-one) entitled "An Act requiring banks banking corporations copartnerships or associations co-operative banking associations trusts safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of an act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred and seventy-one) entitled "An Act requiring banks banking corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void" which reads as follows

"An Act requiring banks banking corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void" is hereby amended to read as follows

An Act requiring banks corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void

Section 2 That section one of said act is hereby amended to read as follows

Section 1 Be it enacted et cetera That all banks corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies that have occasion or may be required to acknowledge payments assign extend postpone release or satisfy or to do any other thing to in any wise effect the lien of any mortgage on record in the recorder of deed's office of any county shall by power of attorney filed of record in such office designate by name the person or persons who are authorized in its name to enter such acknowledgments assignments extensions postponements releases or satisfactions or to do any other thing affecting the lien of any mortgage which appears upon the records in such office

It is unlawful for the recorder of deeds of any county to permit any person other than a person so designated to act for such bank banking corporation copartnership or association cooperative banking association trust safe deposit real estate mortgage title insurance guaranty surety and indemnity company savings institutions savings banks provident institutions building and loan associations lodge or society

Any entry on any record in the recorder of deeds' office made in violation of the provisions of this act is void and of no effect

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. DUNN. Mr. Speaker, I move that the vote by which the House agreed to this bill on third reading, as amended, be reconsidered.

Mr. LUCAS. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The Chair withdraws the order that the amendments be inserted in accordance with the instructions of the House. The bill will be placed upon the second reading calendar.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 125, entitled:

An Act regulating the sale, offering for sale, barter, exchange and giving of tickets, cards or other tokens evidencing the right to a reserved seat in and of admission to any theatre, concert hall, circus, show, ball-park, athletic hall or fields or other place of amusement; and providing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LONG. Mr. Speaker and members of the House, this is an act which has been commonly referred to as the Anti-ticket scalping bill. This is the same bill which, by a very close vote, you recommitted to the Committee on Judiciary General two weeks ago. It now appears for final passage in exactly the same form as upon that day. It has not been crippled by an amendment. The bill has merit so manifest and is so clearly drawn in the interests of fair play that I would not take up even a short time of this House to define it and explain it and argue for it, were it not for the fact that the ticket scalpers, whose pernicious

practice it aims to prohibit, are alive to the situation and attempted to cripple the bill by amendments, and naturally will attempt to defeat it.

It has not been more than a half-dozen years ago that the price of theatre tickets for current first-class attractions was about one dollar and a half. With a rise of commodity prices, it is but natural that the prices for theatre tickets should be vastly increased, after salaries have been raised together with increased cost of scenery, electric lighting effects and traveling expenses, so that at the present time the price of the average first-class theatrical attraction is about three dollars. We consider attractions such as the Follies, the Winter Garden shows around four to five dollars and with grand opera increased from five to ten and fifteen dollars. This bill makes no attempt whatsoever to regulate the price of theatre seats. The public is willing to pay that price, it must pay it, but we do strenuously object to paying twenty, and in many cases, as high as four to five hundred per cent which added to that price by ticket scalpers. The public be absolutely at their mercy and the public is unable to obtain any choice of seats without buying them from these brokers of tickets. I am entirely familiar with this subject from a relationship with the theatres in a business way, which has been close for many years past. Tickets for the following week are, as a rule, placed on sale on Thursday of the preceding week. That means that for the latter part of the following week those tickets are placed on sale from seven to nine days ahead of the attraction, yet if you called at the box office at nine o'clock Thursday morning, you would be unable to obtain any seat, if the attraction was one at all worth while. You would be unable to obtain any seat nearer the front row than the twelfth or the fifteenth row, the entire block of those seats from the "bald-head row" clear back to "L" and "M" have been taken bodily from there and turned over to these brokers. As a matter of fact, if you by chance apply to the box office for a seat fifteen minutes before the performance you wanted to attend, you would stand a much better chance of obtaining a good seat than if you applied ten days before, for the reason that these scalpers return these seats about ten minutes after eight. They put up no money whatsoever, they run no risk at all. They simply are given, probably two or three hundred, and in some cases, a great deal more of the best seats in the House to be sold, as I said, at an advance or premium never less than fifty cents and in many cases, as high as two or three dollars.

Only recently, there was an actors' fund benefit in Philadelphia, and the same show took place at three theaters within a few blocks of each other. There was a tremendous interest in this performance, for the reason that a number of movie actors and actresses who had never appeared on the legitimate stage would appear at this performance, Rudolph Valentino, the "Sheik" and "Rajah," being among them. The price of those seats was three dollars, and on the day of the show this was the condition: Not a single ticket was for sale at any of the three theatres at which this show was given, although a great number of them could be had from the ticket brokers at the price of ten dollars.

I just want to read briefly a little letter which I received from the oldest dramatic critic in point of service in the city of Philadelphia, a man who was the head of the present State Board of Moving Picture Censors.

"Office of the Philadelphia Inquirer, Philadelphia, February 2, 1923. Dear Bill: I observe by last night's Ledger that you have introduced a bill to prohibit theatre ticket scalping. I want to congratulate you and I only hope that you can put it through, for ticket scalping has become a curse, and the theatres are suffering from it, even if they do not realize it. Think of an agency charging ten dollars per seat for the Actors' Fund Benefit today. Persons who wished to get seats found none on sale at any of the three theatres where the benefit was given, the scalpers had plenty at the advanced price."

Now, take the case of the Keith Theatres,—and there is no better conducted and no more profitable chain of theatres in the United States than the circuit of B. F. Keith. A few years ago the management of the Keith Theaters decided to abolish the practice of selling tickets to ticket scalpers, with the result that you find any one can obtain a good seat at the Keith theatres by going there on the day of the performance, and frequently within a short time of the performance. Those theatres are always filled, but you see those theaters fill up from the front, back, whereas the other houses fill up from the back, front.

In the case of the recent Army and Navy game in Philadelphia at Franklin Field, the price was six dollars per seat or twelve dollars per pair, and a pretty stiff price at that, yet the ticket brokers sold none of those seats, to my own personal knowledge, for less than twenty-five dollars per pair, and in some cases as high as fifty dollars per pair.

This bill does not even refer to the ticket scalpers, it is a very brief and concisely drawn bill. It simply stipulates that the price per seat shall be plainly printed thereon and that no ticket shall be sold for a higher price except contrary to law and with the danger of drastic punishment. Previous bills have been introduced to prohibit the sale of seats any where except at the box office. I can see where there can be some argumnt against such a bill. We don't care where the tickets are sold. The theatre may have as many agencies as it wants and I have no doubt but what tickets will be on sale at hotels, but the hotel will be giving you that service without charging you for it, as they should. I feel it would be just as fair for the registrar of motor vehicles to withdraw all the low license numbers and charge from two to three dollars advance for them, or in the closing rush of the year, when new licenses are sought and the people are at times unable to obtain them for many days, place those licenses on sale at various places, and charge you three or four dollars for them. This bill in my opinion is one which will play fair with the American amusement people, and for that reason I ask you to give it your support.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Albert,	Flinchbaugh,	Korns,	Rippman,
Alexander,	Flynn,	Kunkle,	Sautter,
Allman,	Fowler, A. I.,	Labar,	Schaeffer,
Anderson,	Fowler, D.,	Lauver,	Schoener,
Armstrong,	Fratt,	Little,	Schwartz,
Arthur,	Frazier,	Long,	Shambach,
Baker,	Gallaher,	Lucas,	Sheridan,
Baldi,	Gelder,	Ludlow,	Smith, G. A.,
Beaver,	Gibbon,	Lynch,	Smith, H.,
Behney,	Gilchrist,	Mack,	Soffel,
Bell, F. A.,	Glasgow,	MacKinney,	Sowers,
Bell, W. T.,	Goehring,	Marcus, J.,	Spangler,
Berger,	Golder,	Marcus, J. C.,	Sprowls,
Betts,	Gorham,	Mathay,	Stark,
Bidelspacher,	Greeby,	McBride,	Stavitski,
Blair,	Griffith,	McCaig,	Steedle,
Bluett,	Grimes,	McCann,	Sterling,
Blumberg,	Guerin,	McClure,	Stevens, A. J.,
Boback,	Haas,	McCurdy,	Stevens, A. F.,
Bromley,	Haines,	McDaniel,	Stofflet,
Brown,	Hall,	McDermott,	Stoner,

Brownmiller,	Harer,	McGowan,	Storb,
Burchinal,	Haslett,	McVicar,	Storer,
Burns,	Haws,	Metcalf,	Thomas, L. D.,
Bush.	Heffernan,	Miller,	Thomas, M. G.,
Chaplin,	Heffran,	Minehart,	Thompson,
Coldsmith,	Henderson,	Moffatt,	Van Alen,
Colville,	Hetrick,	Moore,	Vickerman,
Conner,	Heyburn,	Morrison,	Walker,
Coyne,	Himes,	Munley,	Wells,
Craig,	Holcombe,	Myers, G. C.,	Wettach,
de Young,	Hollis,	Nolte,	Wheeler,
Diehm,	Hontz,	O'Boyle,	Whitehouse,
Dietz,	Hoover,	Ogle,	Whiteman,
Dilsheimer,	Horne,	Orr,	Williams, G. W.
Donahue,	Howell,	Parkinson,	Williams, J. M.,
Dunn,	Huber,	Patterson,	Woner,
Eaches,	Irvin,	Peelor,	Wood, N.,
Earley,	Jones, C. B.,	Perry,	Wright,
Edmonds,	Jones, D. J.,	Pitts,	Zook,
Eshelman,	Jones, E. P.,	Posey,	Goodnough,
Evans, B. P.,	Keene,	Price,	Speaker.
Evans, J.,	Kennedy,	Raymond,	
Fields,	Kohler,	Rinn,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 158, as follows:

An Act to amend section sixteen twenty-six twenty-seven twenty-eight twenty-nine of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry and changing the procedure for assessing damages done by dogs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties"

is hereby amended to read as follows

Section 16 The State Treasurer shall establish a separate fund to be known as the "Dog Fund" into which all moneys collected under the provisions of this act shall be paid and from which all expenditures necessary in the carrying into effect the provisions of this act shall be paid All moneys in the dog fund from time to time are hereby specifically appropriated to the Department of Agriculture for the purpose of carrying into effect the provisions of this act and for the payment of indemnities for animals afflicted with dangerous contagious or infectious diseases as provided by law and for the payment of the salaries and expenses of the Director Deputy Director officers agents and employes of the Bureau of Animal Industry of the Department of Agriculture and for the enforcement of the provisions of the several Acts of Assembly charged to the Bureau of Animal Industry The money in the dog fund shall be paid to the use of the Department of Agriculture in advance from time to time as the same is required upon requisition by the Secretary of Agriculture The Auditor General shall upon requisition from time to time of the Secretary of Agriculture and the proper accounting for moneys already advanced from the fund draw his warrant upon the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes herein specified at the time such requisition is made.

Section 2 That section twenty-six of said act is hereby amended to read as follows

Section 26 Whenever any person sustains any loss or damage to any live stock or poultry by dogs or any live stock or poultry of any person is necessarily destroyed because of having been bitten by a dog such person or his agent or attorney may immediately after the damage was done complain to any township auditor or to any justice of the peace alderman or magistrate of the township town borough or city Such complaint shall be in writing shall be signed by the person making such complaint and shall state when where and how such damage was done and by whose dog or dogs if known Claims covering damage resulting from the bite of a rabid dog shall be made immediately following the death of the animal and shall be supported by a certificate from a licensed and duly qualified veterinarian or a report from the laboratory of the Bureau of Animal Industry to the effect that such animal was affected with rabies Such township auditor justice of the peace alderman or magistrate shall at once notify an auditor of the district if there be any and where there is no auditor then the controller of the district and together they shall at once examine the place where the alleged loss or damage was sustained and the live stock of poultry injured or killed They shall then jointly fix a time for taking testimony relative to such claim and shall give notice of such time to the claimant and to the dog owner if known Such appraisers shall examine under oath or affirmation any witness called before them After making diligent inquiry in relation to such claim such appraisers shall determine whether any damage has been sustained and the amount thereof and if possible who was the owner of the dog or dogs by which such damage was done If the two appraisers can not agree as to the amount of damage sustained the Secretary of Agriculture through his officers or agents may appoint a disinterested citizen to assist in determining the amount of damage sustained

Any owner or keeper of such dog or dogs shall be liable to the owner of such live stock or poultry in a civil action for all damages and costs or to the Commonwealth to the extent of the amount of damages and costs paid by the Commonwealth as hereinafter provided

Section 3 That section twenty-seven of said act is hereby amended to read as follows

Section 27 Upon making the examination required in section twenty-six of this act the said appraisers shall immediately make a certificate signed and sealed by them that such appraisement was regularly and duly made If by such examination it appears that any damage has been sustained by the complainant the said appraisers shall deliver the report of such examination and all papers relating to the case to the claimant or his agent or attorney upon payment of the costs incurred to that time Such report shall by him be delivered to the Secretary of Agriculture

Section 4 That section twenty-eight of said act is hereby amended to read as follows

Section 28 Township auditors justices of the peace aldermen magistrates controllers and appointed appraisers for the special service required under sections twenty-six and twenty-seven of this act shall each receive two dollars for each case investigated and five cents per mile for each mile traveled to be paid by the claimant in such case In all cases where damages are awarded the fees paid by claimants shall be included in the amount of such damages

Section 5 That section twenty-nine of said act is hereby amended to read as follows

Section 29 Upon the Secretary of Agriculture receiving and approving such report if it appears thereby that a certain amount of damage has been sustained by the claimant he shall immediately draw his check in favor of the claimant for the amount of loss or damage such claimant has sustained according to such report together with necessary and proper costs incurred Such amount shall be paid from the advance requisition on the Dog Fund If such report is not approved and it is deemed advisable a further investigation may be made by the Secretary of Agriculture through his officers or agents to ascertain the amount of damage sustained No person shall receive payment for any claim until the township auditor justice of the peace alderman or magistrate before whom the claim was made had certified that due diligence was made to ascertain whose dog or dogs did the damage and that the carcasses of the live stock or poultry killed and for which damages have been assessed were buried within twenty-four hours after the assessment of damages The owners of any live stock or poultry killed by dogs or live stock necessarily destroyed because of having been bitten by a dog shall be paid a burial fee as follows For each horse stallion colt gelding mare bull bullock steer heifer cow mule jack jennet or burro two dollars and fifty cents each for each sheep ram lamb calf goat kid or swine two dollars each for each head of poultry domestic hare or rabbit ten cents each to be included in said report and paid as other damages under this section Where said carcasses are turned over to a scavenger or reduction plant no burial fee shall be allowed

Upon payment by the State of damages of live stock or poultry by dogs the rights of the owner of such live stock or poultry against the owner of a dog to the extent of the amount of damages so paid by the State shall inure to the benefit of the State

On the question.

Will the House agree to the bill on third reading?

It was agreed to.

On the question.

Shall the bill pass finally?

Mr. SHAMBACH. Mr. Speaker, will the sponsor of this bill permit interrogation?

The SPEAKER. Will the gentleman from Bucks, Mr. Haines permit himself to be interrogated?

Mr. HAINES. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. SHAMBACH. Prior to the 1921 enactment, how was the branch of the Agricultural Department, known as Animal Industry, provided for?

Mr. HAINES. You mean, by appropriation.

Mr. SHAMBACH. Was it by appropriation?

Mr. HAINES. Yes.

Mr. SHAMBACH. Under the present budget system how much money is appropriated for the Department of Agriculture?

Mr. HAINES. The entire Department of Agriculture?

Mr. SHAMBACH. Yes.

Mr. HAINES. I understand somewhere in the neighborhood of one million dollars.

Mr. SHAMBACH. Does that cut off the Bureau of Animal Industry?

Mr. HAINES. It does.

Mr. SHAMBACH. It does not comprehend, then, some of the branches of agriculture, the appropriation does not cover then the branch of Animal Industry.

Mr. HAINES. The Bureau of Animal Industry in the budget we had submitted to us, in the gray binder, was provided for; their expenses were provided for, their maintenance fund was mentioned, but the amount asked for tuberculosis indemnity work was cut from $500,000 to $100,000, Now, since the thought that is responsible for the introduction amendment has come out, the understanding was that the entire bureau of Animal Industry was to be eliminated entirely from the budget and maintained from the fund created from the licensing of dogs after the damage claims were paid.

Mr. SHAMBACH. Thank you. Mr. Speaker, and members of the House, this is a maiden speech as it were, and I beg your indulgence. In representing rural communities we have problems that mount up and become very significant. In our community the fact that the dog tax has been paid into the state treasury has raised a question back home. The majority of the rural communities would like to see the dog tax come back into the county treasuries in order that the taxes on real estate may be to some extent reduced. That is their plan. I want to say that the branch of Animal Industry is not minimized in the minds of the rural community. We recognize the importance, the all importance of that branch of the Department of Agriculture. It makes for health and the well being of our communities, in our cities and in our country sections, and the idea in presenting this matter to your attention, your contemplation and the consideration for future action of this bill is merely to call attention to the fact that the amount now raised is coming from sources that seem to be inadequate. The gigantic proposition of attempting to eradicate the disease of tuberculosis and others that follow in connection with animals, dairy cattle particularly, we feel that it requires a great amount of money and we feel that it must needs have an adequate appropriation, but we also feel that the matter ought to be considered very carefully now, inasmuch as back in the year 1917 the law permitted the dog tax to go into the municipalities where it was raised. Then in 1921, the tax, I understand for several reasons, involving probably a revolutionary storm as it were, and a few other things, and probably the fact that the law was not adequately enforced in the rural communities, it became an enforcement measure and the moneys were carried away from the county treasury into the state treasury, in third class cities and counties, allowing the moneys in first class cities and second class cities to remain in their treasuries. Now we have no complaint on that, we have no complaint to make, but we do feel that since it now becomes a revenue measure, it behooves us to consider the matter before we act hastily, recognizing the importance of this department's needs, because in first and second class cities the people are protected by this Bureau, or Department, of Animal Industry. Tuberculosis germs are kept out of their milk, but in the country we are requiring protection and since it is a mutual proposition it does appear that it ought to be mutually considered, and that our country and city brethern ought to weigh this thing rather thoroughly.

Now the hope, as I understand, is to convey or divert this money from the treasury of the counties and the third class cities into the Bureau of Animal Industry, and I feel that others will see the justice of it when we ask the question, why not send all our dog tax then into that treasury so that we shall have an adequate amount of money to cover this animal indemnification which must, of necessity, grow from year to year. At present I understand there is probably a $172,000 deficit in this indemnification, and it mounts higher and higher each year. In my own county we have

herds that have been condemned, thousands of dollars invested, sixty percent of it to be paid by the Federal government, and forty percent to be paid by the state treasury, but with all the numbers of herds of cattle supplying the great fluid amounts of milk to the cities and boroughs, that amount coming from the dog tax does not appear to me to be adequate to meet the needs of that branch of Animal Industry, and to that end I plead here in this House that you give it consideration, that we weigh whether or not we shall take this small amount of dog tax. I use the homely expression, "Shall we attempt to stretch a dog hide over a cow hide," or shall we provide a sufficient amount of money in order to cover the needs of such a worthy cause.

As I said before, our little counties are asking for that dog tax to be kept in the treasuries of the counties in order that it may help to reduce our tax. Why? Because anyone that owns land in Pennsylvania today recognizes the fact that we have taxed land to the stretching point, we cannot lay taxes on land, farms and property, to any higher amount. So this question is a large question, a momentous affair in the health of this state. Now, we understand that annually we have coming into this state a net amount of $278,000 from dog tax. It is assumed that in the next year, or the next two years, we shall probably reach the five or six hundred thousand dollar mark, but even at that the amount is so paltry compared with the needs of the Department that it does not seem proper for us to attempt to take the little moneys away from the little counties, take it away from the little boy and let the big boy have his money. With all due respect to the great cities, I realize that when you see this from the angle of health that you will be willing to concede that there is merit in our plea that we shall receive equal recognition in this great, all important, question of feeding the people of Pennsylvania one of their important foods. Assuming that we will get in the next two years $600,000 or more, it appears from the compiled statistics that we need at least three hundred to three hundred and twenty-five thousand dollars to run this branch of Animal Industry adequately, and with the indemnities accruing from year to year we are not able to meet the deficit of the coming indemnities, so I am asking you, in behalf of the public of Pennsylvania,—an all-important question,—to consider whether we shall not appropriate adequately for such an important industry, or whether we shall try to pay it out of the dog funds, which rightly belong to the county if it belongs to the first and second class cities.

In the law of 1917, No. 317, section 39, "In cities of the first and second class the power and duty to fix and collect the license fees provided in section 4 of this act, and issue license tags, and otherwise perform and to carry out the provisions of this act within the limits of such cities shall be, and are hereby, given to and imposed upon the council or councils of each of said cities respectively."

Then we refer to the Act of 1921, No. 242, section 39, which provides: "Insofar as this act provides for the licensing of dogs and the payment of damages for live stock or poultry injured by dogs or for licensed dogs illegally killed, it shall not apply to cities of the first and second class. Such licensing and payment of damages in cities of the first and second class shall continue to be carried on under the provisions of existing laws." Which means that they retain their funds in their treasuries.

You will pardon me in calling attention to the fact that with the big object that this Department has in mind of protecting the cities as well as the country sections, this is a discrimination, and we cannot vote for the bill honestly, representing our people in the rural communities. We should like to see that bill amended so that the branch of Animal Industry shall not be hurt, but also that the treasuries of the counties shall be protected.

MR. HAINES. Mr. Speaker, ladies and gentlemen of the House, as sponsor of this bill I feel that you are entitled to a brief explanation for its being here. The Department of Agriculture of this Commonwealth, through its Bureau of Animal Industry is charged with the control of contagious communicable diseases of animals. Heretofore, as I answered in the interrogations of my colleague, that work has been maintained by legislative appropriations.

The work, among other duties, in that Bureau is the work for the control or eradication and control of tuberculosis of cattle. During the previous session of 1921, the fund appropriated for that work lasted until last August a year. Since that time, in spite of the fact that hundreds of owners, yes, thousands of owners of herds that had applied to the department of Agriculture for tuberculin tests had withdrawn their applications being informed that there was no money available, and the payment for these diseased cattle would be predicated entirely upon legislative appropriations, but in spite of that two months ago there was a deficiency of over $170,000 spent for cattle that had been killed after having been found to be affected with tuberculosis.

In the budget submitted to us some three or four weeks ago, we find an item on page 45 where it says, "The Department of Agriculture asked for a sum of $500,000 for the ensuing biennium to take care of the indemnity for condemned tubercular animals, and to permit the State to meet the appropriations of the Federal government of sixty percent and also to provide for an amount for men in that eradication work. A note here at the bottom says, "The above grant of $100,000 for indemnities of tubercular cattle is not sufficient to meet estimated needs. The amount, if funds are available, should be increased."

I come from a county, as well as numbers of my colleagues here in the House, where the dairy industry is a very large one. My constituents are participants in that defict of over $170,000, or two months ago we were interested, and we were exercised over the fact that the Governor in spite of his personal realization that $100,000, was insufficient, felt compelled, as he says here, through lack of funds available to set it at that figure. The Secretary of the Commonwealth said to us "We realize that this Federal money, this Federal subsidy, should be had." Pennsylvania is a large contributor of taxes to Federal revenue, and he said, "We regret very much that we were forced to limit it to that figure, but if you people can find any source of revenue we will gladly see that amount increased." As my friend said, the dog law of 1921 was passed as an enforcement measure, which is true. He speaks now of its having been changed to a revenue raiser, in which I cannot agree with him. We decided that if that money should be turned over to the Department of Agriculture, the balance of that money after claims for damages to poultry, or other live stock, through dogs, was paid, the balance of it turned over to the Department of Agriculture for the use of the Bureau of Animal Industry in the control of contagious disease problems, and the indemnification of owners of condemned cattle, it would be filling a very much wanted need, and would be going back to the rural communities from which it comes. There has been a move in rural sections, and there has been a feeling that this money should go back to the counties, as my colleague said, but it should go to the rural school districts which need it very badly, but it was considerd in conference by representatives of 16 agricultural organizations in this city four weeks ago, that

it would be accomplishing a much greater needed want, if applied as set forth in this bill.

I cannot help but feel that my colleague is entirely in sympathy with this piece of legislation, and, as I gather his thought, he regrets very much that the amount is so small. I want to say that the Bureau of Animal Industry, upon interrogation upon that matter, tells us that they can maintain and carry on the work of their Bureau, and based on the present work of the enforcement of the dog law can have double the amount for tuberculosis indemnity that they have had heretofore, I have that from the Bureau. Therefore, it is a problem that affects, in my judgment, every man, woman, and child in the State of Pennsylvania. We believe that we are diverting this fund for a very much needed cause. We believe that while the cities will be the beneficiaries of a better milk, a healthier milk, it will aid the local municipalities who have passed in recent years ordinances regulating the sale of unfit and tubercular milk that came from tubercular cattle; it will enable them to go on with these requirements, and as an economic problem, as a financial assistance to the rural communities, we believe it is entirely beyond dispute. I hope that you will see it in the light that I am endeavoring to present it and support the bill and have it passed.

Mr. DAVID J. JONES. Mr. Speaker I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Bucks permit himself to be interrogated?

Mr. HAINES. Gladly, Mr. Speaker.

Mr. DAVID J. JONES. From the records established in the Bureau of Animal Industry of the liabilities taken on as a result of cattle slaughtered due to tuberculosis, will the funds as proposed from this dog license tax pay for indemnities, after the costs of administration have been paid?

Mr. HAINES. The Director of the Bureau of Animal Industry tells me that it will at the present time.

Mr. DAVID J. JONES. The deficiency in this Bureau is approximately $235,000 at the present time, is it not?

Mr. HAINES. I am told it will amount to about that as of June first next.

Mr. DAVID J. JONES. Will there be sufficient of an increase to meet this at that time?

Mr. HAINES. The Director tells me there will be.

Mr. WONER. Mr. Speaker, briefly, I want to assure the members of this House that this bill has an aspect which has not been touched upon; that there is in committee already a bill to send back to the counties the enforcement of the dog license. This bill is an answer to the effort to take back from the State funds a considerable item, estimated at $600,000 for the next biennium, which amount would be very seriously needed in making up the shortage in state funds. I, therefore, as one who is interested in keeping the funds of the state up to the highest mark, urge upon the members of this House, the passage of this measure, not alone from the arguments already made. I want to call the attention of the House to one thing which has not been mentioned. The enforcement of the dog license tax by the State Department of Agriculture has resulted in licensing 55,000 more dogs than under local licensing. It has resulted in bringing in $85,000 additional over administration by the localities. We may logically presume that if the prediction or the estimate of the Department of Agriculture is correct that it will lead to a very material increase in effective enforcement throughout the state. As one who is interested, I repeat, in keeping this in the state fund instead of sending it back to the counties, I would ask the House to pass this bill.

Mr. FLYNN. Mr. Speaker, I have only one criticism to offer of this bill, and that is that it does not go far enough in its provisions. I think the bill should be so drawn that it would cover the entire dog license tax of the state, including that of first and second class cities. However, I believe the bill is a step in the right direction. It was proposed to amend this bill to include such districts as I have mentioned,—first and second class cities,—because the people of those cities are those who are protected under the provisions of this bill against tuberculosis from cattle, and the evils that come from that. Therefore, there is no good reason why those districts should not come under the provisions of this bill. However, I propose to vote for the bill, with the understanding that another bill will be presented covering such districts as are now omitted from the provisions of this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Albert,	Eshelman,	Jones, E. P.,	Pitts,
Alexander,	Evans, B. P.,	Keene,	Posey,
Allman,	Evans, J.,	Kennedy,	Price,
Anderson,	Fields,	Kohler,	Raymond,
Armstrong,	Flinchbaugh,	Kunkle,	Rhodes,
Arthur,	Flynn,	Labar,	Rinn,
Baker,	Fowler, D.,	Lauver,	Rippman,
Baldi,	Frazier,	Long,	Sautter,
Beaver,	Gallaher,	Lucas,	Schaeffer,
Behney,	Gelder,	Ludlow,	Schoener,
Bell, F. A.,	Gibbon,	Lynch,	Schwartz,
Bell, W. T.,	Gilchrist,	Mack,	Sheridan,
Berger,	Glasgow,	MacKinney,	Smith, H.,
Betts,	Goehring,	Malie,	Sowers,
Bidelspacher,	Golder,	Marcus, J.,	Sprowls,
Blair,	Gorham,	Marcus, J. C.,	Stark,
Bluett,	Greeby,	Marshall, W. F.,	Stavitski,
Blumberg,	Griffith,	McBride,	Steedle,
Boback,	Grimes,	McCaig,	Stevens, A. J.,
Brenneman,	Guerin,	McCann,	Stevens, A. F.,
Brewster,	Haas,	McClure,	Stofflet,
Bromley,	Haines,	McCurdy,	Stoner,
Brown,	Harer,	McDaniel,	Storer,
Brownmiller,	Harter,	McDermott,	Thomas, L. B.,
Burchinal,	Haslett,	McVicar,	Thomas, M. G.,
Burns,	Heffernan,	Metcalf,	Thompson,
Bush,	Heffran,	Millar,	Vickerman,
Chaplin,	Henderson,	Miller,	Walker,
Coldsmith,	Hetrick,	Minehart,	Wells,
Colville,	Heyburn,	Moffatt,	Wheeler,
Conner,	Himes,	Moore,	Whiteman,
Craig,	Holcombe,	Munley,	Williams, G. W.,
de Young,	Hollis,	Myers, G. C.,	Williams, J. M.,
Diehm,	Hontz,	Nolte,	Woner,
Dietz,	Hoover,	O'Boyle,	Wood, N.,
Dilsheimer,	Horne,	Ogle,	Wright,
Donahue,	Howell,	Orr,	Zook,
Dunn,	Huber,	Parkinson,	Goodnough,
Eaches,	Irvin,	Patterson,	Speaker.
Earley,	Jones, C. B.,	Peelor,	
Edmonds,	Jones, D. J.,	Perry,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 51, as follows:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when a state highway crosses a creek rivulet or river which is the boundary line between two boroughs or two townships of the first class or between a borough and a township of the first class and over which creek rivulet or river a bridge has heretofore been erected so as to avoid crossing at grade the tracks of any railroad company or companies on either or both sides of said creek rivulet or river and it is necessary for the safety and convenience of the traveling public that a new bridge be erected it shall be the duty of the Commonwealth to construct said new bridge under the direction and supervision and upon such location as may be approved by the State Highway Commissioner

The plans and specifications for said bridge shall be prepared by the State Highway Commissioner and be submitted by him to the proper county authorities and to the railroad company or companies for their approval

In the event that the State Highway Commissioner the county and the railroad company or companies cannot agree upon the plans and specifications submitted by the State Highway Commissioner the Public Service Commission upon application of any of the said parties after public hearing shall adopt plans and specifications for said bridge making such change or changes therein as to them may seem just and proper whereupon it shall be the duty of the Commonwealth to construct said bridge in accordance with said plans and specifications

Section 2 When the plans for said bridge are completed it shall be the duty of the State Highway Commissioner to endeavor to agree with the County Commissioners of the county in which said bridge is situated and the railroad company or companies owning or leasing the track or tracks over which said bridge crosses as to the portion the State the county and railroad company or companies shall pay of the damages cost and the expenses of the construction of said bridge and the portion of the cost of maintenance thereof

Section 3 In the event the parties cannot agree as provided for in section two it shall be the duty of the Public Service Commission upon application of any of said parties after hearing to proportion the costs damages and expenses of the construction of said bridge and the future maintenance thereof among the State county and railroad company or companies in such proportion as said Commission may deem just and proper

Section 4 The amount found by the Public Service Commission to be due and owing to the Commonwealth by any County and railroad company or companies shall be final and conclusive and if the said County railroad company or companies fail or neglect to pay said amount within one year after final determination of said amount by the Public Service Commission the Attorney General shall bring suit against such delinquent county or railroad company or companies to recover said amount in the same manner as debts of like amount are now by law recoverable

Section 5 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albert,	Evans, J.,	Kohler,	Rhodes,
Alexander,	Fields,	Kunkle,	Rinn,
Allman,	Flinchbaugh,	Labar,	Rippman,
Anderson,	Flynn,	Lafferty,	Sautter,
Armstrong,	Fowler, A. I.,	Lauver,	Schaeffer,
Arthur,	Fowler, D.,	Little,	Schoener,
Baker,	Fratt,	Long,	Schwartz,
Baldi,	Frazier,	Lucas,	Shambach,
Beaver,	Gallaher,	Ludlow,	Sheridan,
Behney,	Gelder,	Mack,	Smith, G. A.,
Bell, F. A.,	Gibbon,	MacKinney,	Smith, H.,
Bell, W. T.,	Glasgow,	Marcus, J.,	Soffel,
Bentley,	Goehring,	Marcus, J. C.,	Sowers,
Berger,	Golder,	Marshall, W. F.,	Spangler,
Betts,	Gorham,	Mathay,	Sprowls,
Bidelspacher,	Greeby,	McBride,	Stark,
Blair,	Griffith,	McCaig,	Stavitski,
Bluett,	Grimes,	McCann,	Steedle,
Blumberg,	Guerin,	McCurdy,	Sterling,
Boback,	Gundy,	McDaniel,	Stevens, A. J.,
Brenneman,	Haas,	McDermott,	Stevens, A. F.,
Bromley,	Haines,	McGowan,	Stofflet,
Brown,	Hall,	McVicar,	Stoner,
Brownmiller,	Harer,	Metcalf,	Storb,
Burchinal,	Haslett,	Millar,	Thomas, L. D.,
Burns,	Haws,	Miller,	Thomas, M. G.,
Bush,	Heffernan,	Minehart,	Thompson,
Chaplin,	Heffran,	Moffatt,	Van Alen,
Coldsmith,	Henderson,	Moore,	Vickerman,
Colville,	Hetrick,	Morrison,	Walker,
Conner,	Heyburn,	Munley,	Wells,
Coyne,	Holcombe,	Myers, G. C.,	Wettach,
Craig,	Hollis,	Nolte,	Wheeler,
de Young,	Hontz,	O'Boyle,	Whitehouse,
Diehm,	Hoover,	Ogle,	Whiteman,
Dietz,	Horne,	Orr,	Williams, G. W.,
Dilsheimer,	Howell,	Parkinson,	Williams, J. M.,
Donahue,	Huber,	Patterson,	Woner,
Dunn,	Irvin,	Peelor,	Wood, N.,
Eaches,	Jones, C. B.,	Perry,	Wright,
Earley,	Jones, D. J.,	Pitts,	Zook,
Edmonds,	Jones, E. P.,	Posey,	Goodnough,
Eshelman,	Keene,	Price,	Speaker.
Evans, B. P.,	Kennedy,	Raymond,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. DUNN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. DUNN. Mr. Speaker, in the North American of February 15th, 1923, appears the following article:

"Wets In Despair. Turn To Referendum Idea To Defeat Enforcer. Forget That Constitution Of Penna. Permits No Such Thing. Dunn is sponsor. Special dispatch to the North American. Harrisburg, Feb. 14. Despairing of defeating the Pinchot enforcer in the Legislature, the wet interests have conceived the idea of trying to head off a legislative vote on the measure by a referendum on the wet and dry question next November."

Further on in the article, it says (I do not want to read the entire article): "James A. Dunn, leader of the Philadelphia delegation in the House"—that is a mistake—"and a wet"—another mistake—"announced that he would introduce the referendum measure in the House Monday night."

Further on in the article, it says, "Dunn and his wet friends"—another mistake—"were under the mistaken impression that the question could be got on the ballot under the terms of the Dunn Bill, which provides 'a petition therefor from at least ten counties, signed in the aggregate by citizens who are qualified voters, equal in number to at least two per centum of the total number of votes cast'.

Mr. Speaker, I want to say that when the question was proposed last week in regard to this referendum vote, there was no party connected with the wet issue who interviewed me, suggested to me or proposed to me any plan of referendum. I have been in this House since 1913, and in all that time I have voted against proposed legislation which I thought was taking away the personal liberty and the property rights of the people, given to them by the Constitution. In all my elections, to show that the wet people have nothing to do with me in regard to this, two-thirds of the wet people who were licensed under the Licensing Act to sell malt and spirituous liquors were against me,

and always fought me during the primaries and at the election. During my life, I have never tasted or used as a beverage malt or spiritual liquor. I have an old father who has used them in a moderate way, and today he is eighty-five years old. He needs that as a stimulant, and as long as I have a dollar to spend and the price does not get too high under this Enforcement Measure and I can buy this alcoholic liquor legally, that father of mine is going to have that liquor as a stimulant as long as he lives. It was my intention to introduce tonight the referendum bill to submit the question to a vote of the people, because I think there is no more important question that is before the Legislature today on which the Legislature should take the people into their confidence than this question. There is no more serious question before our country today, and if we do not take the people into our confidence and submit this question to their vote and let them decide it for themselves, I fear for the future, because outside of the legislative halls they will say that you are taking their personal liberties and rights away from them. Because I thought that it might cause some confusion on the vote on the Enforcement Act which will be before you in a few days for your vote, I will not present this bill until that time, but I want it distinctly understood that no wet interests have had anything to do with me with reference to the introducing of the Referendum Bill.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 122, entitled:

An Act to regulate and restrain the hawking vending and peddling of fish fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and is hereby enacted by the authority of the same That it shall be unlawful for any person to hawk vend or peddle upon the highways streets lanes alleys avenues roads or pavements of any city of the first class any fish fruit or vegetables or other merchandise except a license therefore shall have been previously obtained as hereinafter provided

On the question,

Will the House agree to the section?

Mr. BURCHINAL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page, 1, line 6, by striking out the words "any city of the first class" and inserting in lieu thereof: "the Commonwealth."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 Licenses shall only be granted under this act to persons born or naturalized in the United States upon personal application and only one license shall be issued to any one person The license shall not be transferable shall be for the current calendar year and no abatement shall be made for licenses issued for the fractional part of a year When such license is issued a card of identification containing the photograph of the holder thereof shall accompany the license.

The third section was read as follows:

Section 3 It shall be unlawful for any person to use any wagon cart dray wheelbarrow or other vehicle for the purpose of hawking vending and peddling fish fruit and vegetables or other merchandise upon the highways streets lanes alleys avenues roads or pavements of any city of the first class unless the same shall be conspicuously marked with the name and address of the licensee and shall have Prominently displayed thereon a license plate numbered the same as the license which was granted for the same

On the question,

Will the House agree to the section?

Mr. BURCHINAL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 2, line 10, by striking out the words "any city of the first class" and inserting in lieu thereof: "the Commonwealth."

On the question,

Will the House agree to the section as amended?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 The Councils of the cities of the first class after the passage of this act shall fix by ordinance the amount to be paid for the license under this act and the time the same shall be paid and also describe and regulate the manner of payment thereof into the treasury of the said city

On the question,

Will the House agree to the section?

Mr. BURCHINAL. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 2, line 15 and 16 by striking out the words "of the first class" and inserting in lieu thereof: "boroughs and incorporated towns and the commissioners of first class townships."

Amend section 4, page 2, line 17, by inserting after "ance" and before the first "the" the following: "and in townships of the second class the supervisors shall fix by resolution."

Amend section 4, page 2, line 20, by inserting at the end of the section after the word "city" the words: "borough, incorporated town or township."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read as follows:

Section 5 Any person violating any of the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding one hundred dollars ($100.00) and in default of the payment of fine and costs to undergo an imprisonment of five days provided that nothing contained in this act shall prevent any citizen of this Commonwealth from hawking vending and peddling the products of his or her or their farm or garden Provided however That he she or they shall be required to

appear and execute an affidavit to that effect before the proper officials and display prominently on the vehicle used a license-plate for which however no charge shall be made

On the question,

Will the House agree to the Section?

Mr. BURCHINAL. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 5, page 2, line 27, by inserting after the word "prevent" the words: "any discharged soldier, sailor or marine who has served in any war in which the United States has been engaged and who is a citizen of the United States from hawking, peddling and vending such merchandise, nor prevent."

On the question,

Will the House agree to the amendments?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth section was read and agreed to as follows:

Section 6 The Act of Assembly approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and four) entitled "An act to regulate and restrain the hawking vending and peddling of fish fruit vegetables and other merchandise in the cities of the first class in this Commonwealth" is hereby repealed

All other acts and parts of acts inconstant herewith are hereby repealed.

The title was read as follows:

An Act to regulate and restrain the hawking vending and peddling of fish fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth

On the question,

Will the House agree to the title?

Mr. BURCHINAL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend-Title page 1, line 3, by striking out the words "in the cities of the first class in this Commonwealth."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 159, as follows:

An Act regulating the location of certain stables in cities of the first class and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no stable large enough to accomodate more than fifty horses at one time shall be erected in any city of the first class within eight hundred feet of any public playground school church or other place of religious worship having a seating capacity for over one hundred persons

Section 2 Any person association copartnership or corporation violating any of the provisions of this act is guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 233, as follows:

An Act to quiet the title to real estate and to enable citizens of the United State and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any real estate in this Commonwealth heretofore held by or for any corporation or corporations not having the right to own and hold the same has been conveyed to any citizen of the United States or to any corporation authorized by the laws of this Commonwealth to hold the same such citizen or corporation grantee as aforesaid shall hold and may convey such title and estate indefeasibly as to any right to escheat in this Commonwealth by reason of such real estate having been held by or for a corporation not authorized to hold the same by the laws of this Commonwealth This Act shall not apply to escheat cases now in litigation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 208, entitled:

An Act to amend section two of the act approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred and fifty) entitled "An act concerning divorces" as amended authorizing prothonotaries and clerks of the court of common pleas to take affidavits to petitions and libels and validating prior proceedings in which such affidavits were taken

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred and fifty) entitled "An Act concerning divorces" which as amended by the act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and sixty-four) entitled "An Act to amend section two of an act approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred and fifty) entitled 'An act concerning divorces' as amended by changing the time for making service of the subpoena upon the respondent and validating divorces heretofore granted where service was made personally at any time before the return day or where a return of non est inventus has been sworn to at any time prior to the return day"reads as follows

"Section 2 And be it further enacted by the authority aforesaid That if any person hath been or shall be injured as aforesaid the husband or the wife may exhibit his or her petition or libel to the judges of the court of common pleas of the proper county where the injured party resides in term time or to one of the judges of the same court in the vacation at least thirty days before the next term setting

forth therein particularly and specially the cause of his or her complaint and shall together with such petition or libel also exhibit an affidavit on oath or affirmation taken before one of the same judges or any person in the county legally authorized to take acknowledgments that the facts contained in the said petition or libel are true to the best of his or her knowledge and belief and that the said complaint is not made out of levity or by collusion between the said husband and wife and for the mere purpose of being freed and separated from each other but in sincerity and truth for the causes mentioned in the said petition or libel and thereupon a subpoena shall issue from the said court signed by one of the judges thereof directed to the party so complained against commanding him or her to appear at the next or any subsequent court of common pleas to answer the said petition or libel and upon due proof at the return of the said subpoena that the same shall have been served personally upon the said party wherever found or that a copy had been given to him or her on or before the return day of the same the said court shall and may make such preparatory rules and orders in the cause that the same may be brought to a hearing and determined at the term to which said process may be returnable or afterwards at which hearing the court may determine the same ex parte if necessary but either of the parties who shall desire any matter of fact that is affirmed by the one and denied by the other to be tried by a jury may take a rule upon the opposite party to be allowed by a judge of the court of common pleas to show cause why the issue of fact set forth in the said rule shall not be tried by a jury which said rule shall be served upon the opposite party or his or her counsel Upon the return of said rule after hearing the court may discharge it or make it absolute or frame issues itself and only the issues as ordered by the court shall be tried accordingly but such rule shall not be made absolute when in the opinion of the court a trial by a jury cannot be had without prejudice to public morals When neither of the parties takes a rule as aforesaid or when after hearing the rule is discharged the court may proceed to hear the cause or may upon motion of either party appoint a master to take the testimony and return the same to the court together with a report of the proceedings had before him and his opinion of the case and may upon the application of either party and upon such terms as it may order authorize and direct the master to take testimony of witnesses in any other country State or Territory subject to the jurisdiction of the United States or in any foreign country And the said court shall have power to adopt rules regulating the proceedings before the master and fixing his fees

Whenever heretofore any subpoena in divorce has been regularly issued according to law and the sheriff of the proper county has served such subpoena personally on the respondent therein any time prior to the return day thereof or whenever the sheriff of the proper county has at any time prior to such return day made oath to a return of non est inventus to such subpoena whether such sworn return be filed with the prothonotary before or after such return day in all such cases such personal service shall be deemed lawful and valid and such return of non est inventus and all proceedings in divorce otherwise valid in law based on such service or such return are hereby validated and made good in law" is hereby further amended to read as follows

Section 2 And be it further enacted by the authority aforesaid That if any person hath been or shall be injured as aforesaid the husband or the wife may exhibit his or her petition or libel to the judges of the court of common pleas of the proper county where the injured party resides in term time or to one of the judges of the same court in the vacation at least thirty days before the next term setting forth therein particularly and specially the cause of his or her complaint and shall together with such petition or libel also exhibit an affidavit on oath or affirmation taken before one of the same judges or the prothonotary or clerk of the court of common pleas or any person in the county legally authorized to take acknowledgments that the facts contained in the said petition or libel are true to the best of his knowledge and belief and that the said complaint is not made out of levity or by collusion between the said husband and wife and for the mere purpose of being freed and separated from each other but in sincerity and truth for the causes mentioned in the said petition or libel and thereupon a subpoena shall issue from the said court signed by one of the judges thereof directed to the party so complained against commanding him or her to appear at the next or any subsequent court of common pleas to answer the said petition or libel and upon due proof at the return of the said subpoena that the same shall have been served personally upon the said party whenever found or that a copy had been given to him or her on or before the return day of the same the said court shall and may make such preparatory rules and orders in the cause that the same may be brought to a hearing and determined at the term to which said process may be returnable or afterwards at which hearing the court may determine the same ex parte if necessary but either of the parties who shall desire any matter of fact that is affirmed by the one and denied by the other to be tried by a jury may take a rule upon the opposite party to be allowed by a judge of the court of common pleas to show cause why the issues of fact set forth in the said rule shall not be tried by a jury which said rule shall be served upon the opposite party or his or her counsel Upon the return of said rule after hearing the court may discharge it or make it absolute or frame issues itself and only the issues as ordered by the court shall be tried accordingly but such rule shall not be made absolute when in the opinion of the court a trial by a jury cannot be had without prejudice to public morals When neither of the parties takes a rule as aforesaid or when after hearing the rule is discharged the court may proceed to hear the cause or may upon motion of either party appoint a master to take the testimony and return the same to the court together with a report of the proceedings had before him and his opinion of the case and may upon the application of either party and upon such terms as it may order authorize and direct the master to take testimony of witnesses in any other country State or Territory subject to the jurisdiction of the United States or in any foreign country And the said court shall have power to adopt rules regulating the proceedings before the master and fixing his fees

Whenever heretofore any subpoena in divorce has been regularly issued according to law and the sheriff of the proper county has served such subpoena personally on the respondent therein any time prior to the return day thereof or whenever the sheriff of the proper county has at any time prior to such return day made oath to a return of non est inventus to such subpoena whether such sworn return be filed with the prothonotary before or after such return day in all such cases such personal service shall be deemed lawful and valid and such return of non est inventus and all proceedings in divorce otherwise valid in law based on such service or such return are hereby validated and made good in law

All petitions and libels heretofore exhibited to any of the courts of common pleas as provided for in this act in which the accompanying affidavit or affirmation was taken before the prothonotary or clerk of the court of common pleas be and the same are hereby validated and declared lawful and no decree of divorce heretofore or hereafter granted in which the affidavit or affirmation to the petition or libel was taken as hereinbefore provided shall be declared void but all such decrees be and the same are hereby validated and declared lawful

On the question,

Will the House agree to the section?

Mr. BLUMBERG. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 9, by striking out the word "reads" and inserting in lieu thereof: "is amended to read".

Amend section 1, page 2, line 10 to 29, by striking out lines 10 to 29 both inclusive.

Amend section 1, page 3, line 1 to 29 by striking out lines 1 to 29 both inclusive.

Amend section 1, page 4, line 1 to 26, by striking out lines 1 to 26 both inclusive.

Amend section 1, page 5, line 13, by inserting after the word "his" the words "or her".

Amend section 1, page 5, line 25, by striking out the word "when" and inserting in lieu thereof the word: "where".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section two of the act approved the thirteenth day of March, one thousand eight hundred and fifteen, (P. L. 150), entitled "An Act concerning divorces," as amended; authorizing prothonotaries and clerks of the court of common pleas to take affidavits to petitions and libels; and validating prior proceedings in which such affidavits were taken.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 228, entitled:

An Act to Amend an act approved the twenty-first day of July one thousand nine hundred nineteen (Pamphlet Laws one thousand and sixty-four) entitled "An Act authorizing the appointment of clerks by the judges of the orphans' court of certain counties" by providing that the compensation of said clerks in counties of the first class shall be fixed by the said judges

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-first day of July one thousand nine hundred nineteen (Pamphlet Laws one thousand and sixty-four) entitled "An Act authorizing the appointment of clerks by the judges of the orphans' court of certain counties" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the first class of this Commonwealth the judges of the orphans' court of said county in order to facilitate the disposition of the business of the court may select and appoint clerks not exceeding five in number who shall be competent stenographers and who shall perform such clerical duties in the court rooms or judges' chambers as said judges may direct Said clerks shall each receive such annual compensation as shall be fixed by said judges which compensation shall be paid out of the county treasury in the same manner as other county officers are paid

On the question,

Will the House agree to the section?

Mr. MATHAY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 1, page 2, line 12, by inserting after the word "compensation" the following "Shall not exceed $4,000 and"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend an act approved the twenty-first day of July, one thousand nine hundred nineteen (Pamphlet Laws 1064), entitled "An Act authorizing the appointment of clerks by the judges of the orphans' court of certain counties" by providing that the compensation of said clerks in counties of the first class shall be fixed by the said judges.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 253 (Senate Bill No. 34), entitled:

An Act to validate tax liens filed since the twenty-first day of May one thousand nine hundred and thirteen or which may be filed within six months after the approval of this act under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" and providing for their collection.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 250 (Senate Bill No. 6), as follows:

An Act to amend section two of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty-four) entitled "An Act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing for the payment of the expenses thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty-four) entitled "An Act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing for the payment of the expenses thereof" which reads as follows

"Section 2 The actual expenses of the aforesaid officials attending the said annual meetings of said association including traveling expenses and hotel bills actually paid by them together with a membership subscription by each poor district to the necessary expenses of the convention including printing employment of stenographers and expenses of committees—which said membership subscription however shall not be more than fifteen dollars for any poor district per annum—shall be paid out of the funds of the poor district The time spent in attending such meeting shall not be more than four days exclusive of the time employed in traveling thereto and therefrom" is hereby amended to read as follows

Section 2 The actual expenses of the aforesaid officials attending the said annual meetings of said association

including traveling expenses and hotel bills actually paid by them together with a membership subscription by each poor district to the necessary expenses of the convention including printing employment of stenographers and expenses of committees—which said membership subscription however shall not be more than fifty dollars for any poor district per annum—shall be paid out of the funds of the poor district The time spent in attending such meeting shall not be more than four days exclusive of the time employed in traveling thereto and therefrom

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 251 (Senate Bill No. 13), entitled:

An Act enlarging the jurisdiction of the superior court of Pennsylvania by providing for appeals to it from certain orders, judgments and sentences of the county court of Allegheny County of the Municipal Court of Philadelphia, and of all similar courts hereafter created.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 252 (Senate Bill No. 14), entitled:

An Act to amend "An act approved May 5, 1899 (Pamphlet Laws, two hundred forty-eight), supplementing and amending an act entitled 'An Act to establish an Intermediate Court of Appeal regulating its constitution, officers, jurisdiction, powers, practice and its relation to the Supreme Court and other courts providing for the reports of its decisions, the compensation of the judges and other officers and the practice, and costs on appeals from its judgments', approved June 24, 1895" (Pamphlet Laws, two hundred twelve).

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

ADJOURNMENT.

Mr. ZOOK. Mr. Speaker, I move that this House do now adjourn until 11:00 o'clock tomorrow morning.

The motion was agreed to, and (at 10:38 P. M.) the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 20, 1923.

The House met at 11:00 o'clock A. M.
The SPEAKER (C. J. Goodnough) in the Chair.

PRAYER.

The Rev. L. D. Thomas, a member of the House, offered the following prayer:

Our Father in Heaven, we come to Thee this morning in the attitude of those who would seek Thy favor. We have every reason to believe, our Lord, that Thou wouldst be with us in our deliberations, and grant that the things we may engage in the doing of today will have a lasting effect for good upon the affairs of our Commonwealth.

We pray Thee that those who come to us, from time to time, from the various parts of the State may have reason to believe that they can see something of more value to them than the things being brought from the depths of the earth, and from foreign lands, today.

Help us to remember that we are here to bring forth deeds unto life everlasting, and grant that as we attempt to do this in the name of Thy grace that all will be well for us and for the future interests of this Commonwealth.

We ask it in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Sterling, the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. PEELOR. HOUSE BILL No. 360.

An Act making an appropriation to the Indiana Hospital of Indiana County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HEFFRAN. HOUSE BILL No. 361.

An Act for the protection of persons working in the bituminous coal mines, requiring the examination and registration of miners working therein; providing for the appointment of Miners' Examining Boards, prescribing their powers and duties; and inflicting penalties for the violation of this act.

Referred to the Committee on Mines and Mining.

By Mr. PERRY. HOUSE BILL No. 362.

An Act to empower and authorize any school or college of optometry organized, operated and conducted not for profit, which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study.

Referred to the Committee on Public Health and Sanitation.

By Mr. CHAPLIN. HOUSE BILL No. 363.

An Act to amend section three of the act approved the nineteenth day of April, one thousand nine hundred and one, (P. L. 88), entitled "An Act relating to replevin, and regulating the practice in cases where the writ of replevin is issued," as amended.

Referred to the Committee on Judiciary General.

By Mr. GOEHRING. HOUSE BILL No. 364.

An Act relating to the recording of certificates of incorporation of domestic corporations, providing for the recording of certified copies thereof in certain cases, validating the recording of such certified copies heretofore recorded and making the record of such certified copy competent evidence for all purposes.

Referred to the Committee on Judiciary General.

By Mr. GOEHRING. HOUSE BILL No. 365.

An Act to amend section one of the act approved the fifteenth day of March, one thousand nine hundred and eleven, (Pamphlet Laws twenty), entitled "An Act regulating in criminal trials the cross-examination of a defendant, when testifying in his own behalf," by prohibiting the introduction as evidence of certain testimony or records.

Referred to Committee on Judiciary General.

By Mr. McVICAR. HOUSE BILL No. 366.

An Act to amend section two of an act approved the eleventh day of May, one thousand nine hundred and eleven, (Pamphlet Laws two hundred seventy-nine), entitled "An Act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth; to the effect thereof; to transcribing the evidence taken upon the trial of any case; to the correction and perfection of such transcript for the purposes of review; and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case."

Referred to Committee on Judiciary Special.

By Mr. GOEHRING. HOUSE BILL No. 367.

An Act making an appropriation to the Children's Hospital of Pittsburgh, in the City of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. DAVID FOWLER. HOUSE BILL No. 368.

An Act to amend section six, clause seven, Article one, chapter seven, section five, clauses one and two, and section eighteen of Article one, chapter eight of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (Pamphlet Laws three hundred and twelve), entitled

"An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Referred to Committee on Municipal Corporations.

By Mr. DAVID FOWLER. HOUSE BILL No. 369.

An Act making an appropriation to the West Side Hospital Association, of Scranton, Lackawanna County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. GOLDER. HOUSE BILL No. 370.

An Act defining and providing for the regulation, supervision, and licensing of resident and non-resident real estate brokers and real estate salesmen.

Referred to Committee on Insurance.

By Mr. GOEHRING. HOUSE BILL No. 371.

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

Referred to Committee on Judiciary General.

By Mr. MOFFATT. HOUSE BILL No. 372.

An Act to amend section forty-five of an act approved the fifteenth day of April, one thousand eight hundred and thirty-four (Pamphlet Laws five hundred nine), entitled "An Act relating to county rates and levies and township rates and levies," by removing the exemption of females from arrest and imprisonment for non-payment of taxes.

Referred to Committee on Counties and Townships.

By Mr. WHITEMAN. HOUSE BILL No. 373.

An Act to amend an act approved June 15, 1911 (Pamphlet Laws nine hundred fifty-five), entitled "An Act making state taxes, unpaid bonus, interest, penalties and all public accounts a first lien upon the franchise and property of corporations, companies, associations, joint-stock associations and limited partnerships against which the same may be settled; providing for enforcing the payment thereof, and for the furnishing of certificates as to the existance of such liens upon application thereof; and repealing section four of the act approved April sixteenth, one thousand eight hundred and twenty-seven," by extending its provisions to include individuals and providing for attorney's commissions, making such commissions part of said claim and giving such commissions and costs the same priority as said taxes, bonus, interest and penalties.

Referred to Committee on Judiciary General.

By Mr. WHITEMAN. HOUSE BILL No. 374.

An Act to amend Section 1 of an act approved June 1, 1907, (Pamphlet Laws three hundred and eighty-three) entitled "An Act regulating the collection of taxes and other claims and demands due the Commonwealth, and providing for six per centum interest thereon, and an attorney's commission."

Referred to Committee on Judiciary General.

By Mr. HORNE. HOUSE BILL No. 375.

An Act to amend section six hundred twenty-seven of an act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred and nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any part thereof, that are or may be inconsistent therewith," as amended.

Referred to Committee on Education.

By Mr. HOLCOMBE. HOUSE BILL No. 376.

An Act to establish as a State highway a certain section of public road in the County of Sullivan.

Referred to Committee on Public Roads.

By Mr. PARKINSON. HOUSE BILL No. 377.

An Act to amend sections one and three, and section six as amended, and sections nine and ten of an act approved the seventh day of June, one thousand eight hundred and ninety-five (P. L. 167), entitled "An Act to provide for the better protection of life and health by diminishing the danger from infectious and contagious diseases through the creation of a State Board of Undertakers in the cities of the first, second and third classes, with systematic examinations, registration and licenses for all entering the business of burying the dead, and penalties for violation of the provisions thereof;" by prescribing the qualification and compensation of members of the State Board of Undertakers; providing for employes of the board; requiring applicants for undertakers' license to have a common school education; limiting undertakers' licenses to one year, and providing for renewals thereof; requiring undertakers' assistants to be registered and imposing certain duties on licensed undertakers in connection therewith; and providing for the payment of the expenses of the board, the auditing of its books, and the disposition of funds remaining in its treasury.

Referred to the Committee on Public Health and Sanitation.

By Mr. PARKINSON. HOUSE BILL No. 378.

An Act to amend route number one hundred eleven, as amended, and route one hundred twelve of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State-aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with the Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials

to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts and parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. MOFFATT. HOUSE BILL No. 379.

An Act to amend section twenty, and sections sixty-six and seventy-one as amended, of an act approved the seventh day of June, one thousand nine hundred and one (Pamphlet Laws four hundred ninety-three), entitled "An Act providing for the examination, licensure and registration and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof;" providing that when any plumbing or house drainage is not done in the manner provided in said act, that the owner, occupier or tenant of any building or premises may be restrained by injunction from using the said plumbing in any manner unless the same is changed in accordance with the provisions of this act; and providing for the abatement of nuisances and for penalties.

Referred to Committee on Labor and Industry.

By Mr. PARKINSON. HOUSE BILL No. 380.

An Act to amend section one of the act approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws ten hundred seventy-two), entitled, "An Act providing a method for establishing title to and acquired at a sale for unpaid taxes."

Referred to Committee on Judiciary Local.

By Mr. KUNKLE. HOUSE BILL No. 381.

An Act validating extensions of transmission and service lines heretofore made by certain companies incorporated under the provisions of an Act of Assembly approved the eighth day of May one thousand eight hundred and eighty-nine, (Pamphlet Laws one hundred thirty-six), entitled "An Act to amend an act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and seventy-four, providing for the incorporation and regulation of electric light, heat and power companies," within any township or townships adjacent to the particular township named in the charter of any such company, without the prior approval of the Public Service Commission, for the purpose of furnishing electric service to consumers in such adjacent township or townships and ratifying and confirming the right of any such company to serve consumers in such adjacent township or townships from such extensions.

Referred to Committee on Corporations.

By Mr. McDERMOTT. HOUSE BILL No. 382.

An Act relating to the leasing of real property, making it unlawful to dispossess tenants or recover leased property except after thirty days notice, prohibiting the execution of leases containing waivers of the provisions of this act and voiding certain leases.

Referred to Committee on Judiciary Special.

By Mr. HORNE. HOUSE BILL No. 383.

An Act to repeal the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, (Pamphlet Laws one thousand two hundred and seventy-three) entitled "An Act to authorize the compilation and publication of not less than two, nor more than four volumes of Statute at Large of Pennsylvania in addition to the fifteen volumes heretofore authorized; additional volumes being necessary to connect the Statutes at Large and the Pamphlet Laws of Pennsylvania in a serial and complete publication of the laws of the Province and Commonwealth; and to provide for the appointment of a Commissioner to control and supervise the preparation of said volumes, and of a competent person to compile and edit them; and making an appropriation therefor."

Referred to the Committee on Judiciary Local.

By Mr. BLAIR. HOUSE BILL No. 384.

An Act establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. WALKER. HOUSE BILL No. 385.

An Act making an appropriation to the Washington Hospital, Washington, Pennsylvania, or its successor.

Referred to the Committee on Appropriations.

By Mr. DAVID J. JONES. HOUSE BILL No. 386.

An Act making an appropriation to the Ellwood City Hospital, Ellwood City, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. DAVID J. JONES. HOUSE BILL No. 387.

An Act making an appropriation to the Water Supply Commission of Pennsylvania to continue the work upon the Pymatuning Swamp Reservoir.

Referred to Committee on Appropriations.

By Mr. SOWERS. HOUSE BILL No. 388.

An Act providing that the negligence of a servant or employe of any municipality shall, under the rule of respondeat superior, be attributable to the municipality for his compensation or wages.

Referred to Committee on Judiciary Special.

By Mr. DAVID J. JONES. House Bill No. 389.

An Act to amend chapter six, article twenty, section three, of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve), entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs."

Referred to Committee on Municipal Corporations.

By Mr. ALEXANDER. HOUSE BILL No. 390.

A Joint Resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations; prescribing the powers and duties of said commission, and making an appropriation.

Referred to Committee on Appropriations.

By Mr. FREDERICK A. BELL. HOUSE BILL No. 391.

An Act making an appropriation to the Mercy Hospital of Altoona, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. FREDERICK A. BELL. HOUSE BILL No. 392.

An Act making an appropriation to the Altoona Hospital, Altoona, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STEEDLE. HOUSE BILL No. 393.

An Act making an appropriation to the Ohio Valley General Hospital, at McKees Rocks, Pennsylvania.

Referred to the Committee on Appropriations.

By. Mr. BALDI. HOUSE BILL No. 394.

An Act to amend section one of the act approved the fourth day of June, one thousand nine hundred and fifteen, (Pamphlet Laws eight hundred and twenty-eight), entitled "An Act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership association, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," as amended.

Referred to the Committee on Ways and Means.

By Mr. PATTERSON. HOUSE BILL No. 395.

An Act to regulate the sale of caustic acid or caustic alkali preparations intended for household use and providing penalties for the violation thereof.

Referred to the Committee on Manufactures.

By Mr. GROVER C. MYERS. HOUSE BILL No. 396.

An Act to amend route number two hundred and thirty of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth; and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. ALLEN J. STEVENS. HOUSE BILL No. 397.

An Act to amend Route Number Thirty-five of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highwa department, by the appointment of a State Highway Con missioner, two Deputy State Highway Commissioners, chie engineer, chief draughtsmen, superintendents of highway and a staff of assistants and employes; defining their dutie and the jurisdiction of the State Highway Departmen and fixing salaries of Commissioner and deputies and othe appointees; providing for taking over from the countie or townships of the Commonwealth certain existing publ roads connecting county-seats, principal cities, and towns an extending to the State line; describing and defining same b route numbers as the State highways of the Commonwealth providing for the improvement, maintenance, and repair o said State highways solely at the expense of the Commo wealth, and relieving the several townships or counties fro any further obligation and expense to improve or maintai the same, and relieving said townships or counties of autho ity over same; requiring boroughs and incorporated tow to maintain certain State highways wholly or in part; re quiring the State Highway Commissioner to make map to be complete records thereof; conferring authority on th State Highway Commissioner; providing for the payme of damages in taking of property, or otherwise, in the im provement thereof; providing for purchase or acquiring o turnpikes or toll-roads forming all or part of any Stat highway, and procedure therein; providing for work of im provement of State highways to be done by contract, excep where the State Highway Commissioner decides the wor be done by the State; providing aid by the State to countie and townships desiring the same in the improvement o township or county roads; defining highways and State aid highways; providing method of application for Stat aid in the improvement, maintenance, and repair of town ship or county roads, and prescribing the contents of town ship, county, borough, or incorporated town petitions; pro viding for percentage of cost of improvement of repairs t be paid by State, county, township, borough, or incorporate town, and requiring contracts by counties, townships, bo oughs, and incorporated towns with Commonwealth governin same; providing for the minimum width of State high ways and State-aid highways, and kind of materials to b used in the improvement; providing for payment of cost o improvement and repairs; providing penalty for injuring o destroying State highways; making appropriations to carr out the provisions of the act; and providing for the repe of certain acts relating to Highway Department and im provement of roads, and of all acts or parts of acts incon sistent herewith; and providing that existing contracts ar not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. STOFFLET. HOUSE BILL No. 398.

An Act to amend clause four, section six, article one o chapter seven of an act approved the fourteenth day o May, one thousand nine hundred and fifteen (P. L. 312 entitled "An Act providing a system of government fo boroughs, and revising, amending, and consolidating th law relating to boroughs."

Referred to the Committee on Municipal Corporations.

REPORTS OF COMMITTEES.

Mr. BLUMBERG from the Committee on Public Healt and Sanitation reported as committed, House Bill No. 25 entitled

A Supplement to an act approved the third day of Jun one thousand nine hundred and eleven, (P. L. 639), entitle "An Act relating to the right to practice medicine an surgery in the Commonwealth of Pennsylvania; and pr viding a Bureau of Medical Education and Licensure as bureau of the Department of Public Instruction, and mean and methods whereby the right to practice medicine an surgery and any of its branches may be obtained, an exemptions therefrom; and providing for an appropriatio to carry out the provisions of said act, and providing fo revocation and suspension of licenses by said bureau; an providing penalties for violation thereof; and repealing a acts or parts of acts inconsistent therewith," creating division in said bureau to enforce the laws of the Com monwealth relating to said bureau.

Mr. WRIGHT from the Committee on Education, reported as committed, House Bill No. 220, entitled

An Act to amend section one hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Mr. DILSHEIMER from the Committee on Public Health and Sanitation, reported as committed House Bill No. 72, entitled

An Act to amend section two of an act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 944), entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis; providing for the management and maintenance thereof; and authorizing the incurring of indebtedness and the levy of taxes therefor."

Mr. BURCHINAL from the Committee on Agriculture reported as committed, House Bill No. 352, entitled

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two), entitled "An Act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties;" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees; and providing his compensation for such services.

Mr. MACK from the committee on Public Health and Sanitation reported as committed, House Bill No. 348, entitled

A supplement to an act approved the third day of June, one thousand nine hundred and eleven, (Pamphlet Laws six hundred and thirty-nine), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Departmnt of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violation thereof; and repealing all acts or parts of acts inconsistent therewith;" creating a division in said bureau for the licensing of non-medical technicians, and defining the powers thereof.

Mr. WALKER from the Committee on Agriculture, reported as committed, House Bill No. 328 (Senate Bill No. sixty-seven) entitled

An Act to further amend section four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred ninety-five) entitled "An Act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade mark stock and poultry food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the aduleration of any feeding-stuffs sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expense of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled 'An Act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven" as amended fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs.

Mr. HOWARD SMITH, from the Committee on Public Health and Sanitation reported with a negative recommendation, House Bill No. 192, entitled

An Act to amend section five of the act approved the seventeenth day of May, one thousand nine hundred and seventeen, (Pamphlet Laws two hundred and eight), entitled "An Act to regulate the practice of Pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drugs' and 'poison;' and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength and purity."

LEAVES OF ABSENCE.

The SPEAKER asked and obtained leave of absence for Mr. Little, on account of illness.

Mr. KUNKLE asked and obtained leave of absence for Mr. George A. Smith on account of illness.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 122, as follows:

An Act to regulate and restrain the hawking vending and peddling of fish fruit and vegetables and other merchandise

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and is hereby enacted by the authority of the same That it shall be unlawful for any person to hawk vend or peddle upon the highways streets lanes alleys avenues roads or pavements of the Commonwealth any fish fruit or vegetables or other merchandise except a license therefore shall have been previously obtained as hereinafter provided

Section 2 Licenses shall only be granted under this act to persons born or naturalized in the United States upon personal application and only one license shall be issued to any one person The license shall not be transferable shall be for the current calendar year and no abatement shall be made for licenses issued for the fractional part of a year When such license is issued a card of identification containing the photograph of the holder thereof shall accompany the license.

Section 3 It shall be unlawful for any person to use any wagon cart dray wheelbarrow or other vehicle for the purpose of hawking vending and peddling fish fruit and vegetables or other merchandise upon the highways streets lanes alleys avenues roads or payments of the Commonwealth unless the same shall be conspicuously marked with the name and address of the licensee and shall have prominently displayed thereon a license plate numbered the same as the license which was granted for the same

Section 4 The Councils of the cities boroughs and incorporated towns and the commissioners of first class townships after the passage of this act shall fix by ordinance and in townships of the second class the supervisors shall fix by resolution the amount to be paid for the license under this act and the time the same shall be paid and also describe and regulate the manner of payment thereof into the treasury of the said city borough incorporated town or township

Section 5 Any person violating any of the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding one hundred dollars ($100.00) and in default of the payment of fine and costs to undergo an imprisonment of five days provided that nothing contained in this act shall prevent any discharged soldier sailor or marine who has served in any war in which the United States has been engaged and who is a citizen of the United States from hawking peddling and vending such merchandise nor prevent any citizen of this Commonwealth from hawking vending and peddling the products of his or her or their farm or garden Provided however That he she or they shall be required to appear and execute an affidavit to that effect before the proper officials and display prominently on the vehicle used a license-plate for which however no charge shall be made

Section 6 The Act of Assembly approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and four) entitled "An act to regulate and restrain the hawking vending and peddling of fish fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth" is hereby repealed

All other acts and parts of acts inconstant herewith are hereby repealed.

On the question.

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. DUNN. Mr. Speaker, I move you that this bill be put on the postponed calendar for the present. I amended the bill last evening at the suggestion of the rural members, but the rural members now disagree on certain amendments, and I ask that this be postponed until the amendments are straightened out.

Mr. LUCAS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 159, entitled:

An Act regulating the location of certain stables in cities of the first class and providing penalties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—163.

Albert,	Eshelman,	Korns,	Rhodes,
Alexander,	Evans, B. P.,	Kunkle,	Rinn,
Anderson,	Evans, J.,	Labar,	Rippman,
Armstrong,	Fields,	Lauver,	Sautter,
Arthur,	Flinchbaugh,	Long,	Schaeffer,
Asbury,	Fowler, D.,	Lucas,	Schoener,
Baker,	Frazier,	Ludlow,	Schwartz,
Baldi,	Gallaher,	Lynch,	Shambach,
Beaver,	Gelder,	Mack,	Sheridan,
Behney,	Gibbon,	Marcus, J. C.,	Smith, H.,
Bell, F. A.,	Gilchrist,	Marshall, W. F.,	Sprowls,
Bell, W. T.,	Glasgow,	Mathay,	Stark,
Berger,	Golder,	McBride,	Stavitski,
Bidelspacher,	Gorham,	McCaig,	Steedle,
Bluett,	Greeby,	McCann,	Sterling,
Blumberg,	Griffith,	McClure,	Stevens, A. F.,
Boback,	Grimes,	McCurdy,	Stofflet,
Brenneman,	Guerin,	McDermott,	Stoner,
Brewster,	Gundy,	McGowan,	Storb,
Bromley,	Haas,	McVicar,	Storer,
Brownmiller,	Haines,	Metcalf,	Thomas, L. D.,
Burchinal,	Hall,	Millar,	Thomas, M. G.,
Burns,	Haslett,	Miller,	Thompson,
Bush,	Heffernan,	Minehart,	Van Alen,
Chaplin,	Heffran,	Moffatt,	Walker,
Coldsmith,	Henderson,	Moore,	Wells,
Colville,	Hetrick,	Munley,	Wettach,
Conner,	Heyburn,	Myers, G. C.,	Wheeler,
Coyne,	Himes,	Nolte,	Whitehouse,
Craig,	Hontz,	O'Boyle,	Whiteman,
de Young,	Hoover,	Ogle,	Williams, J. M.,
Diehm,	Horne,	Orr,	Woner,
Dietz,	Howell,	Parkinson,	Wood, N.,
Dilsheimer,	Huber,	Peelor,	Wright,
Dunn,	Irvin,	Perry,	Zook,
Eaches,	Jones, E. P.,	Pitts,	Goodnough,
Earley,	Kennedy,	Posey,	Speaker.
Edmonds,	Kohler,	Price,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 233, entitled

An Act to quiet the title to real estate; and to enable citizens of the United States, and corporations authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Albert,	Fratt,	Ludlow,	Sautter,
Alexander,	Frazier,	Lynch,	Schaeffer,
Armstrong,	Gallaher,	Mack,	Schoener,
Arthur,	Gelder,	MacKinney,	Schwartz,
Asbury,	Gilchrist,	Mangan,	Shambach,
Baker,	Glasgow,	Marcus, J.,	Sheridan,
Baldi,	Goehring,	Marcus, J. C.,	Smith, H.,
Beaver,	Golder,	Mathay,	Soffel,
Behney,	Greeby,	McBride,	Sowers,
Bell, F. A.,	Grimes,	McCaig,	Spangler,
Bell, W. T.,	Guerin,	McCann,	Sprowls,
Berger,	Gundy,	McClure,	Stark,
Betts,	Haas,	McCurdy,	Stavitski,
Bidelspacher,	Haines,	McDaniel,	Steedle,
Blair,	Hall,	McGowan,	Sterling,
Bluett,	Harer,	McVicar,	Stevens, A. J.,
Boback,	Harter,	Metcalf,	Stevens, A. F.,
Brenneman,	Haslett,	Millar,	Stoner,
Bromley,	Haws,	Miller,	Storb,
Brownmiller,	Heffran,	Minehart,	Storer,
Burchinal,	Henderson,	Moffatt,	Thomas, L. D.,
Burns,	Hetrick,	Moore,	Thomas, M. G.,
Bush,	Heyburn,	Morrison,	Thompson,
Chaplin,	Himes,	Munley,	Van Alen,
Conner,	Holcombe,	Myers, G. C.,	Vickerman,
Craig,	Hollis,	Nolte,	Walker,
de Young,	Hontz,	O'Boyle,	Wells,
Diehm,	Hoover,	Ogle,	Wheeler,
Dietz,	Horne,	Orr,	Whitehouse,
Dilsheimer,	Huber,	Parkinson,	Whiteman,
Dunn,	Irvin,	Patterson,	Williams, G. W.,
Eaches,	Jones, C. B.,	Peelor,	Williams, J. M.,
Earley,	Kelly,	Perry,	Woner,
Edmonds,	Kennedy,	Pitts,	Wood, N.,
Eshelman,	Kohler,	Posey,	Wright,
Evans, B. P.,	Korns,	Price,	Zook,
Evans, J.,	Kunkle,	Raymond,	Goodnough,
Fields,	Lafferty,	Rhodes,	Speaker.
Flinchbaugh,	Long,	Rinn,	
Fowler, D.,	Lucas,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 208, as follows:

An Act to amend section two of the act approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred and fifty) entitled "An act concerning divorces" as amended authorizing prothonotaries and clerks of the court of common pleas to take affidavits to petitions and libels and validating prior proceedings in which such affidavits were taken

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred and fifty) entitled "An Act concerning divorces" which as amended by the act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and sixty-four) entitled "An Act to amend section two of an act approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred and fifty) entitled 'An act concerning divorces' as amended by changing the time for making service of the subpoena upon the respondent and validating divorces heretofore granted where service was made personally at any time before the return day or where a return of non est inventus has been sworn to at any time prior to the return day" is amended to read as follows

Section 2 And be it further enacted by the authority aforesaid That if any person hath been or shall be injured as aforesaid the husband or the wife may exhibit his or her petition or libel to the judges of the court of common pleas of the proper county where the injured party resides in term time or to one of the judges of the same court in the vacation at least thirty days before the next term setting forth therein particularly and specially the cause of his or her complaint and shall together with such petition or libel also exhibit an affidavit on oath or affirmation taken before one of the same judges or the prothonotary or clerk of the court of common pleas or any person in the county legally authorized to take acknowledgments that the facts contained in the said petition or libel are true to the best of his or her knowledge and belief and that the said complaint is not made out of levity or by collusion between the said husband and wife and for the mere purpose of being freed and separated from each other but in sincerity and truth for the causes mentioned in the said petition or libel and thereupon a subpoena shall issue from the said court signed by one of the judges thereof directed to the party so complained against commanding him or her to appear at the next or any subsequent court of common pleas to answer the said petition or libel and upon due proof at the return of the said subpoena that the same shall have been served personally upon the said party wherever found or that a copy had been given to him or her on or before the return day of the same the said court shall and may make such preparatory rules and orders in the cause that the same may be brought to a hearing and determined at the term to which said process may be returnable or afterwards at which hearing the court may determine the same ex parte if necessary but either of the parties who shall desire any matter of fact that is affirmed by the one and denied by the other to be tried by a jury may take a rule upon the opposite party to be allowed by a judge of the court of common pleas to show cause why the issues of fact set forth in the said rule shall not be tried by a jury which said rule shall be served upon the opposite party or his or her counsel Upon the return of said rule after hearing the court may discharge it or make it absolute or frame issues itself and only the issues as ordered by the court shall be tried accordingly but such rule shall not be made absolute when in the opinion of the court a trial by a jury cannot be had without prejudice to public morals When neither of the parties takes a rule as aforesaid or when after hearing the rule is discharged the court may proceed to hear the cause or may upon motion of either party appoint a master to take the testimony and return the same to the court together with a report of the proceedings had before him and his opinion of the case and may upon the application of either party and upon such terms as it may order authorize and direct the master to take testimony of witnesses in any other country State or Territory subject to the jurisdiction of the United States or in any foreign country And the said court shall have power to adopt rules regulating the proceedings before the master and fixing his fees

Whenever heretofore any subpoena in divorce has been regularly issued according to law and the sheriff of the proper county has served such subpoena personally on the respondent therein any time prior to the return day thereof or whenever the sheriff of the proper county has at any time prior to such return day made oath to a return of non est inventus to such subpoena whether such sworn return be filed with the prothonotary before or after such return day in all such cases such personal service shall be deemed lawful and valid and such return of non est inventus and all proceedings in divorce otherwise valid in law based on such service or such return are hereby validated and made good in law

All petitions and libels heretofore exhibited to any of the courts of common pleas as provided for in this act in which the accompanying affidavit or affirmation was taken before the prothonotary or clerk of the court of common pleas be and the same are hereby validated and declared lawful and no decree of divorce heretofore or hereafter granted in which the affidavit or affirmation to the petition or libel was taken as hereinbefore provided shall be declared void but all such decrees be and the same are hereby validated and declared lawful

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145.

Albert,	Flinchbaugh,	Labar,	Rhodes,
Alexander,	Fowler, D.,	Lafferty,	Rinn,
Anderson,	Fratt,	Lauver,	Rippman,
Armstrong,	Frazier,	Long,	Sautter,
Arthur,	Gallaher,	Lucas,	Schaeffer,
Asbury,	Gelder,	Ludlow,	Schoener,
Baker,	Gibbon,	Lynch,	Schwartz,
Beaver,	Gilchrist,	Mack,	Shambach,
Behney,	Goehring,	MacKinney,	Sheridan,
Bell, F. A.,	Golder,	Mangan,	Smith, H.,
Bell, W. T.,	Greeby,	Marcus, J.,	Sowers,
Berger,	Griffith,	Marcus, J. C.,	Spangler,
Bidelspacher,	Grimes,	McBride,	Sprowls,
Blair,	Guerin,	McCaig,	Stark,
Bluett,	Haas,	McCann,	Stavitski,
Blumberg,	Haines,	McCurdy,	Steedle,
Boback,	Hall,	McDaniel,	Sterling,
Brenneman,	Harer,	McDermott,	Stevens, A. J.,
Bromley,	Haslett,	McGowan,	Stevens, A. F.,
Brown,	Haws,	Metcalf,	Stoner,
Burchinal,	Heffran,	Millar,	Storb,
Burns,	Henderson,	Minehart,	Storer,
Bush,	Hetrick,	Moffatt,	Thomas, L. D.,
Chaplin,	Heyburn,	Moore,	Thomas, M. G.,
Coldsmith,	Himes,	Morrison,	Thompson,
Colville,	Holcombe,	Munley,	Van Alen,
Conner,	Hontz,	Myers, G. C.,	Vickerman,
Coyne,	Hoover,	Nolte,	Walker,
Craig,	Horne,	O'Boyle,	Wells,
de Young,	Howell,	Ogle,	Wettach,
Diehm,	Huber,	Orr,	Wheeler,
Dietz,	Irvin,	Parkinson,	Whitehouse,
Dilsheimer,	Jones, C. B.,	Patterson,	Whiteman,
Dunn,	Jones, D. J.,	Peelor,	Williams, G. W.,
Eaches,	Jones, E. P.,	Perry,	Woner,
Earley,	Keene,	Pitts,	Wright,
Edmonds,	Kennedy,	Posey,	Zook,
Eshelman,	Kohler,	Price,	Goodnough,
Evans, B. P.,	Kunkle,	Raymond,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 228, as follows:

An Act to Amend an act approved the twenty-first day of July one thousand nine hundred nineteen (Pamphlet Laws one thousand and sixty-four) entitled "An Act authorizing the appointment of clerks by the judges of the orphans' court of certain counties" by providing that the compensation of said clerks in counties of the first class shall be fixed by the said judges

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-first day of July one thousand nine hundred nineteen (Pamphlet Laws one thousand and sixty-four) entitled "An Act authorizing the appointment of clerks by the judges of the orphans' court of certain counties" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the first class of this Commonwealth the judges of the orphans' court of said county in order to facilitate the disposition of the business of the court may select and appoint clerks not exceeding five in number who shall be competent stenographers and who shall perform such clerical duties in the court rooms or judges' chambers as said judges may direct Said clerks shall each receive such annual compensation as shall be fixed by said judges which compensation shall not exceed four thousand dollars and shall be paid out of the county treasury in the same manner as other county officers are paid

On the question,

Will the House agree to the bill on third reading?

Mr. MATHAY. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend section 1, page 2, line 12, by inserting after the word "receive" the following: "an annual compensation of not more than three thousand dollars".

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the qusetion,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 253 (Senate Bill No. 34), entitled:

An Act to validate tax liens filed since the twenty-first day of May one thousand nine hundred and thirteen or which may be filed within six months after the approval of this act under the provisions of an Act approved the fourth day of June one thousand nine nundred and one entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" and providing for their collection

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Albert,	Evans, J.,	Lucas,	Rippman,
Alexander,	Flinchbaugh,	Ludlow,	Schaeffer,
Anderson,	Fowler, D.,	Lynch,	Schoener,
Armstrong,	Fratt,	Mack,	Schwartz,
Arthur,	Frazier,	Marcus, J.,	Shambach,
Asbury,	Gallaher,	Marcus, J. C.,	Sheridan,
Baker,	Gibbon,	Marshall, W. F.,	Smith, H.,
Beaver,	Gilchrist,	Mathay,	Soffel,
Behney,	Goehring,	McBride,	Spangler,
Bell, F. A.,	Golder,	McCaig,	Sprowls,
Bell, W. T.,	Greeby,	McCann,	Stark,
Bentley,	Griffith,	McClure,	Stavitski,
Betts,	Grimes,	McCurdy,	Steedle,
Bidelspacher,	Guerin,	McDaniel,	Sterling,
Blair,	Haas,	McDermott,	Stevens, A. J.,
Bluett,	Hall,	McGowan,	Stevens, A. F.,
Blumberg,	Harer,	McVicar,	Stoner,
Brenneman,	Harter,	Metcalf,	Storb,
Brewster,	Haws,	Millar,	Storer,
Bromley,	Heffernan,	Miller,	Thomas, L. D.,
Brown,	Heffran,	Minehart,	Thomas, M. G.,
Brownmiller,	Henderson,	Moffatt,	Van Alen,
Burchinal,	Hetrick,	Moore,	Vickerman,
Burns,	Heyburn,	Morrison,	Walker,
Bush,	Himes,	Munley,	Wells,
Chaplin,	Holcombe,	Myers, G. C.,	Wettach,
Coldsmith,	Hollis,	Nolte,	Wheeler,
Colville,	Hoover,	O'Boyle,	Whitehouse,
Conner,	Horne,	Ogle,	Whiteman,
Craig,	Huber,	Orr,	Williams, G. W.,
de Young,	Irvin,	Parkinson,	Williams, J. M.,
Diehm,	Jones, C. B.,	Patterson,	Woner,
Dietz,	Jones, E. P.,	Peelor,	Wood, N.,
Dilsheimer,	Keene,	Perry,	Wright,
Donahue,	Kennedy,	Pitts,	Zook,
Dunn,	Kunkle,	Posey,	Goodnough,
Eaches,	Labar,	Price,	Speaker.
Earley,	Lafferty,	Raymond,	
Edmonds,	Lauver,	Rhodes,	
Evans, B. P.,	Long,	Rinn,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 250, (Senate Bill No. 6), entitled:

An Act to amend section two of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty four) entitled "An Act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing for the payment of the expenses thereof"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. ALEXANDER. Mr. Speaker, I would like to know if there is anyone in the House acquainted with this bill. There seems to be no one, and I therefore, move that the bill be placed upon the postponed calendar until such times as we can interrogate someone acquainted with its provisions.

Mr. WONER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 251, (Senate Bill No. 13), entitled:

An Act enlarging the jurisdiction of the superior court of Pennsylvania by providing for appeals to it from certain orders, judgments and sentences of the county court of Allegheny County of the Municipal Court of Philadelphia, and of all similar courts hereafter created.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, I would like to say just a word in reference to this bill, and at the same time the following bill, Senate Bill No. 14. Both of these bills enlarge somewhat the appelate jurisdiction of the Superior Court. It has been ascertained in the last three or four years that a larger number of appeals are going to the Supreme Court than go to the Superior Court, and the result is the work in one court has been conjested, whereas in the other court there has been an opportunity of attending to it. Therefore, last year the Superior Court and Supreme Court each appointed a committee, and those two committees have united in framing these bills and in recommending their passage. The first one upon which the vote is now to be taken allows appeals from the Municipal Court of Allegheny County to the Superior Court rather than to the Supreme Court, and the second one enlarges the jurisdiction of the Superior Court from fifteen hundred to twenty-five hundred dollars. It has been estimated that with the passage of these two bills there will probably be a proper proportionment of business between these courts and that is the reason why they have been suggested to the Legislature.

Mr. OGLE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Edmonds.

The SPEAKER. Will the gentlemen from Philadelphia, Mr. Edmonds, permit himself to be interrogated?

Mr. EDMONDS. Mr. Speaker, yes sir.

The SPEAKER. The gentlemen will proceed.

Mr. OGLE. Does the bill establishing the Municipal Court of Philadelphia provide to which court appeals from their decisions shall be taken?

Mr. EDMONDS. It is my understanding that the bill establishing the Municipal Court of Philadelphia allows appeals to the Superior Court when the amount is under fifteen hundred dollars, well, of course, the amount must be under fifteen hundred dollars because that is the jurisdiction, but when the bill creating the Municipal Court of Allegheny County was before the Legislature it was silent on the question of appeals, and that has, therefore, led to the impression that those appeals must be taken to the Supreme Court.

Mr. OGLE. Mr. Speaker, my understanding was that the Municipal Court of Philadelphia and the county courts of Philadelphia were subordinate to the courts of Common Pleas and naturally all appeals taken from either one of those would go to the Court of Common Pleas.

Mr. EDMONDS. Subordinate in some matters only. Appeals, for instance, in trespass cases would go directly from the Municipal Court to the Superior Court under our present law.

Mr. OGLE. I don't want to in any way interfere with the present jurisdiction of the Courts of Common Pleas—

Mr. EDMONDS. It does not do that.

Mr. OGLE.—in either the City of Philadelphia or Pittsburgh.

Mr. EDMONDS. It does not do that. These two bills merely regulate the proportionment as between the two appellate courts.

Mr. OGLE. Do you think this bill has the approval of the Supreme Court and the Superior Court?

Mr. EDMONDS. Yes.

Mr. OGLE. And it is a proper measure?

Mr. EDMONDS. Both bills were framed by committees representing both courts.

Mr. OGLE. Very good.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Albert,	Evans, B. P.,	Labar,	Rinn,
Alexander,	Evans, J.,	Lafferty,	Rippman,
Allman,	Fields,	Lauver,	Sautter,
Anderson,	Flinchbaugh,	Long,	Schaeffer,
Armstrong,	Fowler, D.,	Lucas,	Schoener,
Arthur,	Fratt,	Ludlow,	Schwartz,
Asbury,	Frazier,	MacKinney,	Shambach,
Baker,	Gallaher,	Malie,	Sheridan,
Baldi,	Gelder,	Marcus, J.,	Smith, H.,
Beaver,	Gibbon,	Marcus, J. C.,	Soffel,
Behney,	Gilchrist,	Marshall, W. F.,	Sowers,
Bell, F. A.,	Glasgow,	McBride,	Sprowls,
Bell, W. T.,	Goehring,	McCaig,	Stark,
Bentley,	Greeby,	McCann,	Stavitski,
Berger,	Griffith,	McClure,	Steedle,
Betts,	Grimes,	McCurdy,	Sterling,
Blair,	Guerin,	McDaniel,	Stevens, A. J.,
Bluett,	Haines,	McDermott,	Stevens, A. F.,
Blumberg,	Hall,	McGowan,	Stofflet,
Boback,	Harer,	McVicar,	Stoner,
Brenneman,	Harter,	Metcalf,	Storb,
Brewster,	Haslett,	Millar,	Storer,
Brown,	Haws,	Miller,	Thomas, L. D.,
Brownmiller,	Henderson,	Minehart,	Thomas, M. G.,
Burchinal,	Hetrick,	Moffatt,	Thompson,
Burns,	Heyburn,	Moore,	Van Alen,
Bush,	Himes,	Morrison,	Vickerman,
Chaplin,	Holcombe,	Munley,	Walker,
Coldsmith,	Hollis,	Myers, G. C.,	Wells,
Colville,	Hontz,	Nolte,	Wheeler,
Conner,	Hoover,	O'Boyle,	Whitehouse,
Coyne,	Horne,	Ogle,	Whiteman,
Craig,	Howell,	Orr,	Williams, G. W.,
de Young,	Huber,	Parkinson,	Williams, J. M.,
Diehm,	Irvin,	Patterson,	Woner,
Dietz,	Jones, C. B.,	Peelor,	Wood, N.,
Dilsheimer,	Jones, D. J.,	Perry,	Wright,
Donahue,	Jones, E. P.,	Pitts,	Zook,
Eaches,	Keene,	Posey,	Goodnough,
Earley,	Kennedy,	Price,	Speaker.
Edmonds,	Korns,	Raymond,	
Eshelman,	Kunkle,	Rhodes,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 252, (Senate Bill No. 14), entitled:

An Act to amend "An act approved May 5, 1899 (Pamphlet Laws, two hundred forty-eight), supplementing and amending an act entitled 'An Act to establish an Intermediate Court of Appeal regulating its constitution, officers, jurisdiction, powers, practice and its relation to the Supreme Court and other courts providing for the reports of its decisions, the compensation of the judges and other officers and the practice, and costs on appeals from its judgments', approved June 24, 1895" (Pamphlet Laws, two hundred twelve).

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Albert,	Edmonds,	Jones, E. P.,	Posey,
Alexander,	Eshelman,	Kennedy,	Price,
Allman,	Evans, B. P.,	Korns,	Raymond,
Anderson,	Evans, J.,	Kunkle,	Rhodes,
Armstrong,	Fields,	Labar,	Rinn,
Arthur,	Flinchbaugh,	Lafferty,	Rippman,
Asbury,	Flynn,	Long,	Sautter,
Baker,	Fowler, D.,	Lucas,	Schaeffer,
Beaver,	Fratt,	Ludlow,	Schoener,
Behney,	Frazier,	Lynch,	Schwartz,
Bell, F. A.,	Gallaher,	MacKinney,	Shambach,
Bell, W. T.,	Gelder,	Mangan,	Sheridan,
Bentley,	Gilchrist,	Marcus, J.,	Smith, H.,
Berger,	Glasgow,	Marcus, J. C.,	Stark,
Betts,	Goehring,	Marshall, W. F.,	Stavitski,
Blair,	Golder,	McBride,	Steedle,
Bluett,	Greeby,	McCaig,	Sterling,
Blumberg,	Griffith,	McCann,	Stevens, A. J.,
Brenneman,	Grimes,	McClure,	Stevens, A. F.,
Brewster,	Guerin,	McCurdy,	Stoner,
Bromley,	Haines,	McDaniel,	Storb,
Brown,	Hall,	McDermott,	Thomas, L. D.,
Brownmiller,	Harer,	McVicar,	Thomas, M. G.,
Burns,	Haslett,	Metcalf,	Thompson,
Bush,	Haws,	Millar,	Van Alen,
Chaplin,	Heffran,	Miller,	Vickerman,
Coldsmith,	Henderson,	Minehart,	Walker,
Colville,	Hetrick,	Moffatt,	Wells,
Conner,	Heyburn,	Moore,	Wheeler,
Coyne,	Himes,	Morrison,	Whitehouse,
Craig,	Holcombe,	Munley,	Whiteman,
de Young,	Hontz,	Myers, G. C.,	Williams, G. W.,
Diehm,	Hoover,	Nolte,	Williams, J. M.,
Dietz,	Horne,	O'Boyle,	Woner,
Dilsheimer,	Howell,	Ogle,	Wood, N.,
Donahue,	Huber,	Orr,	Wright,
Dunn,	Irvin,	Parkinson,	Zook,
Eaches,	Jones, C. B.,	Peelor,	Goodnough,
Earley,	Jones, D. J.,	Perry,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 224, entitled:

An Act to amend the title and section one of an act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred and seventy-one) entitled "An Act requiring banks banking corporations copartnerships or associations co-operative banking associations trusts safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of an act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred and seventy-one) entitled "An Act requiring banks banking corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void" which reads as follows

"An Act requiring banks banking corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void" is hereby amended to read as follows

An Act requiring banks corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void

On the question,

Will the House agree to the section?

Mr. EDMONDS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the clerk as follows

Amend Sec. 1, page 2, line 12 by striking out the words "which reads" and inserting in lieu thereof "is hereby amended to read."

Amend Sec. 1, page 2, line 13 by striking out the word "banking"

Amend Sec. 1, page 2, lines 22 to 29, by striking out lines 22 to 29 both inclusive.

Amend Sec. 1, page 3, lines 1 and 2 by striking out lines 1 and 2

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section one of said act is hereby amended to read as follows

Section 1 Be it enacted et cetera That all banks corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies that have occasion or may be required to acknowledge payments as-

sign extend postpone release or satisfy or to do any other thing to in any wise effect the lien of any mortgage on record in the recorder of deed's office of any county shall by power of attorney filed of record in such office designate by name the person or persons who are authorized in its name to enter such acknowledgments assignments extensions postponements releases or satisfactions or to do any other thing affecting the lien of any mortgage which appears upon the records in such office

It is unlawful for the recorder of deeds of any county to permit any person other than a person so designated to act for such bank banking corporation copartnership or association cooperative banking association trust safe deposit real estate mortgage title insurance guaranty surety and indemnity company savings institutions savings banks provident institutions building and loan associations lodge or society

Any entry on any record in the recorder of deeds' office made in violation of the provisions of this act is void and of no effect

On the question,

Will the House agree to the section?

Mr. EDMONDS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 2, page 3, line 5 by striking out the words "et cetera" and inserting in lieu thereof "&c.,"

Amend Sec. 2, page 3, line 24, by striking out the word "banking"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend the title and section one of an act approved the twenty-fourth day of May, one thousand nine hundred and twenty-one, (P. L. 1071), entitled, "An Act requiring banks, banking corporations, copartnerships, or associations, cooperative banking associations, trust, safe deposit, real estate, mortgage, title, insurance, guaranty, surety, and indemnity companies, savings institutions, savings banks, provident institutions, building and loan associations, lodges and societies, to file of record names of persons authorized to make entries on records of mortgages; imposing certain duties on recorders of deeds; and declaring certain entries void,"

On the question,

Will the House agree to the title?

Mr. EDMONDS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title by striking out in line 8 thereof, on page 1, the word "saving" and inserting in lieu thereof "savings."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 76, entitled:

An Act to amend Sections five and ten of the Act approved the nineteenth day of April Anno Domini one thousand nine hundred and one entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section five of an Act entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued" approved April nineteenth one thousand nine hundred and one which reads as follows

"Section 5 The defendant or party intervening shall within fifteen days after the filing of such declaration file an affidavit of defense thereto setting up the facts denying plaintiff's title and showing his own title to said goods and chattels, and in event of his failure so to do upon proof that a copy of said declaration was served upon him or his attorney judgment may be entered for the plaintiff and against the defendant or party intervening which judgment shall operate to forfeit any counter bond given by him The court may enter judgment with like effect for want of a sufficient affidavit of defense or for such goods and chattels as may be admitted to be the property of the plaintiff in the affidavit of defense or may enter judgment with like effect for such goods and chattels as to which the court may adjudge the affidavit of defense insufficient And in the event of judgment being rendered in favor of the plaintiff for a portion of such goods and chattels replevied he may proceed to recover such goods and chattel by writ of retorno habendo or the value thereof after assessment of damages on a writ of inquiry of damages issued and the case shall be proceeded in for the recovery of the balance It the defendant has been duly summoned and does not appear at the return-day of the writ the plaintiff having filed his declaration may file a common appearance for the defendant and proceed in the cause as in other cases" be and the same is amended to read as follows

Section 5 The defendant or party intervening shall within fifteen days after the filing of such declaration file an affidavit of defense thereto setting up the facts denying plaintiff's title and showing his own title to said goods and chattels and in event of his failure so to do upon proof that a copy of said declaration was served upon him or his attorney judgment may be entered for the plaintiff and against the defendant or party intervening which judgment shall operate to forfeit any counter bond given by him The court may enter judgment with like effect for want of a sufficient affidavit of defense or for such goods and chattels as may be admitted to be the property of the plaintiff in the affidavit of defense or may enter judgment with like effect for such goods and chattels as to which the court may adjudge the affidavit of defense insufficient And in the event of judgment being rendered in favor of the plaintiff for a portion of such goods and chattels replevied he may proceed to recover such goods and chattels by writ of retorno habendo or the value thereof after assessment of damages on a writ of inquiry of damages issued and the case shall be proceeded in for recovery of the balance If the defendant has been duly summond and does not appear at the return-day of the writ the plaintiff having filed his declaration may file a common appearance for the defendant and proceed in the cause as in other cases Where the writ has been returned nihil habet as to the defendant it shall be lawful for the plaintiff at and after the third term of the court after the execution of the writ to take judgment against the defendant for default of appearance Provided that the plaintiff fifteen days prior to the entry of said judgment shall have filed his declaration

On the question,

Will the House agree to the section?

Mr. LUDLOW. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 7 by inserting after the word "one" the words: (Pamphlet Laws, eighty-eight).

Amend section 1, page 1, line 7, by striking out the words "which reads" and inserting in lieu thereof: "is amended to read."

Amend section 1, page 1, lines 8 to 13, by striking out the lines 8 to 13 both inclusive.

Amend section 1, page 2, lines 1 to 22, by striking out the lines 1 to 22 inclusive.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That Section ten of said act which reads as follows

"Section 10 No action shall be brought upon any bond given in accordance with the provisions of this act unless commenced within five years after the final determination of the suit in which the bond was given" be and the same is amended to read as follows

Section 10 No action shall be brought upon any bond given in accordance with the provisions of this act unless commenced within a year and a day after the final determination of the suit in which the bond was given

On the question,

Will the House agree to the section?

Mr. LUDLOW. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 3, line 27, by striking out the word "which"

Amend section 2, page 3, line 28, by striking out the word "reads" and inserting in lieu thereof: "is amended to read."

Amend section 2, page 4, lines 1, 2, 3, 4 and 5, by striking out lines 1 to 5, both inclusive.

Amend section 2, page 4, line 8, by inserting after the word "commenced" the following: "within five years".

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend sections 5 and 10 of the Act approved the 19th day of April, A. D. 1901, entitled "An Act relating to replevin, and regulating the practice in cases where the writ of replevie is issued."

On the question,

Will the House agree to the title?

Mr. LUDLOW. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Title, page 1, line 3, by inserting after the word "one" the words: (Pamphlet Laws, eighty-eight).

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 52, entitled:

An Act to amend an act entitled "An act to prohibit the speeding and racing of certain motor vehicles to fires the parking of motor vehicles in the vicinity of fires and the driving of motor vehicles over lines of hose" Approved the thirty-first day of March Anno Domini one thousand nine hundred and twenty-one

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Act of Assembly entitled "An act to prohibit the speeding and racing of certain motor vehicles to fires the parking of motor vehicles in the vicinity of fires and the driving of motor vehicles over lines of hose" approved the thirty-first day of March Anno Domini one thousand nine hundred and twenty-one which reads as follows

"That it shall be unlawful for any person except a person connected with a duly constituted fire department to drive at an excessive rate of speed to any fire or race with any fire apparatus to any fire It shall be unlawful for any person to park any motor vehicle within one thousand feet on the same street of any fire other than such motor vehicles as may belong to any fire Department or as may be used by any person connected with any fire department It shall be unlawful for any person to drive any motor vehicle over any line of hose which for the time being is being used for the purpose of extinguishing any fire it shall be the duty of the driver of any motor vehicle upon hearing the approach of any fire apparatus from either direction to immediately bring his motor vehicle to a standstill on his or her right-hand side of the road or street and to remain standing until such apparatus has passed his or her motor vehicle This act shall not apply to any ambulance or police patrol Nor shall any person be held to have violated the provisions of this act with regard to parking if the act of parking was done prior to the commencement of such fire

Any person violating the provisions of this act shall upon conviction in a summary preceeding before a Justice of the Peace or alderman be sentenced to pay a fine of twenty-five dollars"

be amended to read as follows

"That it shall be unlawful for any person except a person connected with a duly constituted fire department to drive at an excessive rate of speed to any fire or race with any fire apparatus to any fire It shall be unlawful for any person to park any motor vehicle within one thousand feet of any fire other than such motor vehicles as may belong to any fire department or as may be used by any person connected with any fire department It shall be unlawful for any person to drive any motor vehicle over any line of hose which for the time being is being used for the purpose of extinguishing any fire It shall be the duty of the driver of any motor vehicle upon hearing the approach of any fire apparatus from either direction to immediately bring his motor vehicle to a standstill on his or her right-hand side of the road or street and to remain standing until such apparatus has passed his or her motor vehicle This act shall not apply to any ambulance or police patrol Nor shall any person be held to have violated

the provisions of this act with regard to parking if the act of parking was done prior to the commencement of such fire

Any person violating the provisions of this act shall upon conviction in a summary proceeding before a Justice of the Peace or alderman be sentenced to pay a fine of twenty-five dollars and costs of prosecution and in default thereof to undergo an imprisonment in the County jail for a period not exceeding thirty (30) days

On the question,

Will the House agree to the section?

Mr. ALEXANDER. Mr. SPEAKER, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 4, by inserting after the word "Assembly" the following: "approved the thirty-first day of March, one thousand nine hundred and twenty-one (P. L. 78)."

Amend section 1, page 1, lines 8, 9 and 10, by striking out the words "approved the thirty-first day of March, Anno Domini, one thousand nine hundred and twenty-one."

Amend section 1, page 1, line 8, by inserting the following: "is hereby amended to read as follows:"

Amend section 1, page 1, line 11, by striking out the entire line.

Amend section 1, page 2, lines 1 to 26, by striking out the lines one to twenty-six, inclusive.

Amend sec. 1, page 3, line 1, by inserting at the beginning of the line preceding the word "race" the word "to."

Amend sec. 1, page 3, line 2, by inserting after the word "motor" the words "or other."

Amend sec. 1, page 3, line 3, by inserting after the word "feet" and before the word "of" the following: (on the same street).

Amend sec. 1, page 3, line 4, by inserting after the word "motor" the words "or other."

Amend sec. 1, page 3, line 7, by inserting after the word "motor" the words "or other."

Amend sec. 1, page 3, line 10, by inserting after the word "motor" the words "or other."

Amend sec. 1, page 3, line 12, by inserting after the word "motor" the words "or other."

Amend sec. 1, page 3, line 15, by inserting after the word "motor" the words "or other."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend an act entitled "An Act to prohibit the speeding and racing of certain motor vehicles to fires, the parking of motor vehicles in the vicinity of fires, and the driving of motor vehicles over lines of hose" Approved the 31st day of March, A. D. 1921.

On the question,

Will the House agree to the title?

Mr. ALEXANDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1, by inserting after the word "act" and before the word "entitled" the following: "Approved the thirty-first day of March, one thousand nine hundred and twenty-one (P. L. 78)."

Amend title, page 1, line 5, 6 and 7, by striking out the words "Approved the thirty-first day of March, Anno Domini, one thousand nine hundred and twenty-one."

Amend title, page 1, by inserting at the end thereof the following: "by extending the provisions thereof to all vehicles."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

REPORT OF COMMITTEE ON RULES.

Mr. McVICAR. Mr. Speaker, I desire to make a report from the Committee on Rules at this time.

The Clerk read the report as follows:

House of Representatives, Feb. 19, 1923.

Resolved, That March twenty-eighth be fixed as the last day for the introduction of bills in the House of Representatives for the session of 1923.

Nelson McVicor
George W. Williams
Charles F. Bidelspacher
Chester H. Rhodes
J. M. Flynn
Committee on rules.

On the question,

Will the House adopt the report?

Mr. McVICAR. Mr. Speaker and members of the House, your Committee on Rules, after an investigation, has reached the conclusion that March 28th could probably be fixed as the last day for the introduction of bills in the House. This, too, is agreeable to the administration. It is believed that it will give a fair opportunity to every person desiring to introduce a bill to do so, and it is also believed that it will contribute toward an early final adjournment.

Mr. GOLDER. Mr. Speaker and members of the House, I, like a great many other members, had no knowledge of this rule. I have no doubt the rule was conceived in absolute good faith and may perhaps, be the proper step to be taken by us at this time. It seems to me, however, that inasmuch as we are already far into the session and a great deal of the work that we propose to do has not yet been undertaken because, for various reasons we have been waiting for legislation to be presented and I say this with entire respect to all those concerned, we have been waiting among other things, for a report from the Commission of Reorganization of the State Departments. That as yet, has not been given to us. There has been other legislation promised to us which has not been given. Now, suppose we pass this resolution, suppose we adopt the report of the Rules Committee, and suppose these various bills promised to us are delayed and are not given to us for perhaps, one two, three or four weeks, and suppose these bills as given to us contain a great many meritorious suggestions, and suppose on the other hand, a lot of suggestions are contained therein which do not meet with the approval of the legislative body, then we will be in this position: We will either have to accept the legislation which is given to us and not entirely satisfactory, or else we will have to reject it in its entirety. It seems to me that, inasmuch as the date in this resolution is fixed as March 28th, it might be well to defer for the present action upon that resolution. I make this suggesion in absolute good faith. Neither you nor I are able to tell at this time what legislation is going to be presented, particularly the legislation which has been

promised. If that legislation is entirely satisfactory to us and covers every angle from which we would look at our duties, then I would say that March 28th or any other date is satisfactory. But if, on the other hand, legislation is proposed which perhaps has loopholes in it, loopholes not put in for a purpose, but put in in absolute good faith, and we find that further legislation should be put in supplementing or correcting the organization of the state as it now is, or as proposed, then we will find the door shut and we will either have to accept in its entirety something we do not entirely approve of or we will have to reject something in its entirety which contains a great deal of merit. I therefore, move, and do so in absolute good faith, and I will be the first one to move that this be taken off the table, that this report be laid upon the table for the present. I promise that if it is the sentiment of those people with whom I come into contact, and I will try to come into contact with every member of the House, if this motion should be adopted, I will be the first one to move that it be taken from the table and considered, but I say at the same time, coming to us without any particular preparation and because of the many things offered to us or promised to us, I think the members of the House will realize that this ought to be deferred for the present. I, therefore, move that the report be laid upon the table.

Mr. DILSHEIMER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. WHITEMAN. Mr. Speaker, I want to say at the outset that I am in entire sympathy with the Rules Committee, and if the Rules Committee insists upon pushing this resolution along to an immediate vote, that I shall go along with the committee. I want to point out this to you, however, Mr. Speaker, and that is the fact that when we as a House approved a rule by which all motions for fixing the time limit for the introduction of bills, it was adopted upon the theory of preventing snap judgment as to this question.

Therefore, it seems to me that in conformity with that principle, Mr. Speaker, in all fairness to the members of this House, they should be given time to formulate an opinion upon this proposition, rather than take the snap judgment which we heretofore by the adoption of a previous rule attempted to prevent.

Mr. McVICAR. Mr. Speaker and members of the House, we may say this, that the Rules Committee has made what it believes to be a careful investigation in this matter and reached a unanimous judgment before fixing this date, but however, as there seems to be an honest question raised, and a desire to make further inquiry, as Chairman of the Rules Committee, I would say that I personally don't have any objection to having it postponed for a reasonable length of time.

Mr. FLYNN. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Golder?

The SPEAKER. The question is on the motion of the gentleman from Philadelphia, Mr. Golder, and is not debatable.

Mr. FLYNN. I only wish to interrogate him, Mr. Speaker, on his motion.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Golder, permit himself to be interrogated?

Mr. GOLDER. I will, sir.

The SPEAKER. The gentleman will proceed.

Mr. FLYNN. Would the gentleman consent to change his motion to have it postponed for the present instead of having it lie on the table?

Mr. GOLDER. I desire to say, Mr. Speaker, that if I were satisfied in fifteen minutes that March 28th was a proper day, and would meet all the exigencies of the case, I would be perfectly satisfied to have the motion taken from the table.

Mr. FLYNN. Of course, the purpose that the Rules Committee would have in mind in postponing it would be to give the members an opportunity to satisfy themselves that it is feasible to adopt this resolution.

Mr. GOLDER. I have no objection to changing it. It just occurred to me that the quickest way to bring this matter before the House would be to lay it on the table, then any member of the House could move to recall it from the table and then it would be open for discussion. The only reason I put it in that way was because I thought that was the quickest way that the Rules Committee could again bring that motion before the House. If it is thought of Mr. Flynn or any other member of the House that quicker action could be had on this thing by deferring it for the present, I have no objection to doing it that way, but it is my thought that the quickest way to get action upon this report at any time is by laying it upon the table so it can be recalled at any moment.

Mr. EDMONDS. Mr. Speaker, with that in mind and also the thought that the gentleman from Westmoreland has in mind, this is asking merely to change your motion to postpone consideration for one week. Under the motion it could be taken up again in a small session and passed upon and decided on a small vote. If you postpone to a fixed time, it gives ample opportunity for every member to investigate.

Mr. GOLDER. In reply to Mr. Edmonds, I desire to state that if I were reasonably assured that the proposed legislation which has been promised to us, among other things as I stated, the reorganization plan, would be given to us, and we could study it, I would have no objection to fixing a definite time, but suppose at the end of the week we find ourselves in exactly the same position that we are in now, with promised legislation not being produced here, we are in no better position to determine what action we want to take for the rest of the session. I have no desire to hold up the Rules Committee, I have no desire to prolong the session of the Legislature, but I also want to be sure that while I am here we are going to finish the job and we will not find later that the door is closed to anything you or I may suggest. It is not a question of one or two or three weeks, but I want to have this report held up until such time as you and I can see what we have to do to reach the end, and be satisfied that enough time is left in which to do that work. For that reason it occurs to me that everybody is going to play fair, no rump session is going to try to take the report from the table and pass it. We are all of one understanding, all our cards are on the table. Leave it on the table until such time that we are satisfied what work has to be done, and if we are satisfied at that time, we can take it from the table and act upon it. It is not a matter of a week or two weeks, one day or two days, but it is until we reach the point in our deliberations that we have the proper prospective of what is coming and what is here, and when we know what is expected of us, the work that has to be done in the legislative session, until that we must not close the door we must keep it open without fixing a definite time, and then we will be in a better position to determine what is to be done.

I have the greatest respect for the judgment of Mr. Flynn and Mr. Edmonds, but it occurs to me that the most flexible,—and that seems to be a good word to use,—the

most flexible method of dealing with this proposition is to lay it upon the table.

Mr. EDMONDS. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Golder on a new angle?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Golder, permit himself to be interrogated?

Mr. GOLDER. Yes, sir, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. EDMONDS. If at this time the date is fixed for one week from today, and it is ascertained at that time the House is not ready to consider the question definitely, cannot the question again be deferred, cannot it again be postponed for another week.

Mr. GOLDER. Mr. Speaker, may I undertake to answer that question with another question which perhaps, will answer it? It is, why, if this motion prevails and the report is laid upon the table, could we not in a week determine whether we should take it from the table. If we were ready to take it off, we could, and if we were not ready, we don't have to disturb it.

Mr. EDMONDS. Mr. Speaker, may I answer the gentleman's question, which I presume was directed to me personally by saying that personally I do not like a motion to lay on the table a report of this kind. In the first place, it has the effect of setting back the report and in the second place, it takes the vote of a majority of the whole House to take it off the table. Now, it seems to me the motion could easily be withdrawn, or else, if necessary, be defeated in order that a motion to postpone may be made to a definite date, and I would suggest to the gentleman himself, that he change his motion to a form of motion to postpone. It would not prejudice the report, and that is the thing I am anxious to avoid.

Mr. GOLDER. I am always prepared for harmony, and always ready to arbitrate. It seems to me that the thought I had in mind woud be well accomplished by postponing it for one week. Therefore, I defer to the judgment of both Mr. Flynn and Mr. Edmonds and other members of the House and if it is in order, I desire to change my motion to postpone action on the report for one week.

Mr. DILSHEIMER. Mr. Speaker, as seconder of the original motion, I consent to the change as indicated by Mr. Golder, and I now second this motion.

The motion was agreed to.

RECESS.

The SPEAKER. If there is no objection, the Chair will declare a recess until 4:00 o'clock this afternoon.

Whereupon, (at 12:20 P. M.) the House took a recess until 4:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:00 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

REPORTS FROM COMMITTEES.

Mr. SOWERS, from the Committee on Judiciary General, reported as committed, House Bill No. 279, entitled

An Act to amend section forty-one, paragraph (a) 1 of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitition of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balance due by fiduciaries; the rights, powers and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees thereof; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," making bonds and certificates of poor districts legal investments for trust funds.

Mr. MILLER, from the Committee on Constitutional Reform, reported as committed House Bill No. 297, entitled

A Joint Resolution proposing an amendment to article nine, section one, of the Constitution of the Commonwealth of Pennsylvania, so as to permit the exemption from taxation of real and personal property owned, occupied or used by any branch or post or camp of the Grand Army of the Republic, the Spanish-American War Veterans, the American Legion, the Veterans of Foreign Wars, and the Military Order of the Loyal Legion of the United States.

Mr. SPANGLER, from the Committee on Municipal Corporations, reported as amended House Bill No. 73, entitled

An Act to amend section one, article six, chapter seven, of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312), entitled "Providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs," as amended.

Mr. MILLAR, from the Committee on Judiciary General, reported as committed House Bill No. 332, entitled

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged.

Mr. MATHAY, from the Committee on Judiciary General, reported as committed House Bill No. 350, entitled

An Act to repeal an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and inabilities; prescribing, defining, and limiting their powers and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the prac-

tice and procedure before such commission, and upon appeal and judicial review of its orders and determination by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and section one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May, Anno Domini, one thousand nine hundred and seven; and the proviso of clause three and the provisios of clause seven of section thirty-four of the act entitled 'An Act to provide for the incorporation and regulation of certain corporations', approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation consistent with or supplied by this act", and its amendments.

Mr. HEFFERNAN of the Committee on Municipal Corporations, reported as committed, House Bill No. 281, entitled

An Act to amend Section two of Article XVI of an act entitled, "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania," approved the twenty-fifth day of June, one thousand nine hundred and nineteen.

Mr. SCHWARTZ from the Committee on Constitutional Reform reported as committed, House Bill No. 219, entitled

A Joint Resolution proposing an amendment to article seventeen, section eight of the Constitution of the Commonwealth of Pennsylvania, authorizing the granting of free passes or passes at a discount to clergymen.

Mr. MOFFATT from the Committee on Judiciary General, reported as committed, House Bill No. 371, entitled

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen, (Pamphlet Laws seven hundred and thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

Mr. HEFFRAN from the Committee on Counties and townships, reported as amended, House Bill No. 34, entitled

An Act to amend clause two of section three hundred and eighty-six of an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto"; by extending the power to tax property for lighting purposes in second class townships.

Mr. STAVITSKI from the Committee on Counties and Townships reported as committed, House Bill No. 372, entitled

An Act to amend section forty-five of an act approved the fifteenth day of April, one thousand eight hundred and thirty-four (P. L. 509), entitled "An Act relating to county rates and levies and township rates and levies," by removing the exemption of females from arrest and imprisonment for non-payment of taxes.

Mr. KUNKLE from the Committee on Judiciary General, reported as committed, House Bill No. 26, entitled

An Act to amend section twenty-four of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," providing for the sale of the real and personal property of a decedent without known heirs, kindred or surviving spouse, and the payment of the net proceeds of such sale into the State Treasury.

Mr. STONER from the Committee on Judiciary General, reported as committed, House Bill No. 364, entitled

An Act relating to the recording of the certificates of incorporation of domestic corporations, providing for the recording of certified copies thereof in certain cases, validating the recording of such certified copies heretofore recorded and making the record of such certified copy competent evidence for all purposes.

Mr. WILLIAM T. BELL, from the Committee on Counties and Townships, reported as amended, House Bill No. 302, entitled

An Act to amend section one of an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, (P. L. 86), entitled "An Act regulating the compensation of court criers and tipstaves, in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county; limiting the number of tipstaves to be appointed; and repealing an act of Assembly, entitled 'An act to regulate the fees of court criers and tipstaves of the courts, in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants,' approved the twenty-ninth day of April, Anno Domini, one thousand nine hundred and nine," as amended.

Mr. KENNEDY, from the Committee on Judiciary General, reported as committed House Bill No. 365, entitled

An Act to amend section one of the act approved the fifteenth day of March, one thousand nine hundred and eleven, (P. L. 20), entitled "An Act regulating in criminal trials the cross-examination of a defendent, when testifying in his own behalf," by prohibiting the introduction as evidence of certain testimony or records.

Mr. STOFFLET, from the Committee on Judiciary General, reported as committed House Bill No. 143, entitled

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled"An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections.

Mr. D. J. JONES, from the Committee on Municipal Corporations, reported as amended House Bill No. 254, entitled

An Act to carry into effect section one of Article fifteen of the Constitution; giving cities the right and power to frame, adopt, and amend their own charters, and to exercise the powers and authority of local self-government, and providing the procedure therefor; imposing certain re-

strictions, limitations and regulations; imposing duties upon city councils, city officers, county commissioners, and prothonotaries; and providing for the payment of certain expenses by cities.

Mr. JOSEPH MARCUS, from the Committee on Constitutional Reform, reported with a negative recommendation, House Bill No. 44, entitled

A Joint resolution proposing an amendment to section seven of article fourteen of the Constitution of the Commonwealth of Pennsylvania.

Mr. CHARLES B. JONES, from the Committee on Counties and Townships, reported with a negative recommendation House Bill No. 258, entitled

An Act authorizing the county commissioners to enter upon lands under the right of eminent domain to ascertain whether such lands are underlaid with minerals; providing for the assessment of such land for taxation purposes, and for the assessment and payment of damages for injury to such land; imposing the expenses and damages in connection therewith on counties; and providing penalties.

BILL RE-REFERRED.

Mr. HASLETT returned from the Committee on Constitutional Reform, with the recommendation that it be re-referred to the Committee on Appropriations, House Bill No. 310, entitled

A joint resolution providing for a commission to erect a monument in memory of Dr. Zenas Macomber, a Revolutionary hero; and making an appropriation.

The SPEAKER. This bill is now re-referred to the Committee on Appropriations.

ADJOURNMENT.

Mr. ALEXANDER. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 10:00 o'clock.

The motion was agreed to, and (at 4:10 o'clock P. M.), House adjourned until tomorrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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Session 1923 — 125th of the General Assembly

Vol. 7 — HARRISBURG, PA., WEDNESDAY, FEBRUARY 21, 1923. — No. 17

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 21, 1923.

The House met at 10:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Eternal God, Thou searcher of hearts, Thou who searchest the heart as with a candle and knowest us altogether: we come into Thy presence this morning, not to plead our perfection, but we do plead a sincerity of purpose and an anxious desire to know Thy will. We pray that Thou wouldst reveal that will unto us and give us a disposition toward obedience; and in a very special manner we pray that Thou wouldst imbue the members of this Assembly with a spirit of genius for constructive statesmanship that Thy will may be wrought out here and what is done here may glorify Thee and may benefit humanity now and hereafter.

We ask it in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Eaches, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. STARK. HOUSE BILL No. 399.

An Act to establish as a State Highway a certain section of public road in the county of Wyoming.

Referred to the Committee on Public Roads.

By Mr. STARK. HOUSE BILL No. 400.

An Act to establish as a State Highway a certain section of public road in the County of Wyoming.

Referred to the Committee on Public Roads.

By Mr. STARK. HOUSE BILL No. 401.

An Act making a deficiency appropriation to carry into effect the provisions of an act, approved the twenty-fifth day of July, one thousand nine hundred and seventeen, (Pamphlet Laws, one thousand one hundred and ninety-five), entitled "An Act for the encouragement of agriculture and the holding of agricultural exhibitions; providing state aid for certain agricultural associations, and regulating the payment thereof."

Referred to the Committee on Appropriations.

By Mr. STARK. HOUSE BILL No. 402.

An Act making an appropriation to carry out the provisions of an act approved the twenty-fifth day of July, one thousand nine hundred and seventeen, (P. L. 1195), entitled, "An Act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations; and regulating the payment thereof."

Referred to the Committee on Appropriations.

By Mr. STARK. HOUSE BILL No. 403.

An Act to enable city, county, poor, ward, school, borough, and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties if the surety or sureties have paid the taxes, to collect taxes for the payment of which they have become personally liable, without having collected the same, by the expiration of the authority of their respective bonds, or by the expiration of the authority of their respective warrants, or by the expiration of their terms of office, and to extend the time for the collection of the same for a period of two years from the passage of this act.

Referred to the Committee on Judiciary Local.

By Mr. STARK. HOUSE BILL No. 404.

An Act to establish as a State Highway a certain section of public road in the County of Wyoming.

Referred to the Committee on Public Roads.

By Mr. STARK. HOUSE BILL No. 405.

An Act to establish as a State Highway a certain section of public road in the Counties of Luzerne and Wyoming.

Referred to the Committee on Public Roads.

By Mr. STONER. HOUSE BILL No. 406.

An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire use, encumber, and dispose of such real estate and rights and interests in, in the nature of, or in respect to, real estate, in Pennsylvania, as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this state; defining certain of their powers, rights and liabilities in connection therewith; regulating the exercise of said rights by foreign public service corporations; repealing certain acts and validating certain titles, rights and interests heretofore acquired.

Referred to the Committee on Judiciary Special.

By Mr. LUCAS. HOUSE BILL No. 407.

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. BETTS. HOUSE BILL No. 408.

An Act to make an appropriation to the Maple Avenue Hospital Association, of DuBois, Clearfield County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BETTS. HOUSE BILL No. 409.

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and

other incorporated districts or municipalities, had and held pursuant to the provisions of an act, approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections.

Referred to Committee on Judiciary Special.

By Mr. HALL. HOUSE BILL No. 410.

An Act providing for loans to certain veterans for the purchase of farms or farming implements; creating a State Farm Loan Commission; and fixing its powers and duties; regulating the manner of making loans, the security to be required and the proceedings in case of default; creating a Farm Loan Fund, and making an appropriation thereto.

Referred to Committee on Appropriations.

By Mr. McVICAR. HOUSE BILL No. 411.

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending and consolidating the laws relating thereto."

Referred to Committee on Judiciary General.

By Mr. WILLIAM F. MARSHALL. HOUSE BILL No. 412.

An Act authorizing any county separately or counties interested jointly to lease for a term of years, from a bridge company or corporation, any toll bridge spanning a river or stream when such bridge is used solely for highway purposes or jointly for highway, railroad, or street railway purposes; discontinuing tolls on any such bridge during such lease; and authorizing counties to appropriate money, levy taxes and incur indebtedness for such purposes.

Referred to the Committee on Counties and Townships.

By Mr. WONER. HOUSE BILL No. 413.

An Act relating to treasurers in counties of the sixth class; providing for their salaries, bonds, offices, and supplies and the compensation of deputies and clerks.

Referred to the Committee on Counties and Townships.

By Mr. STAVITSKI. HOUSE BILL No. 414.

An Act prohibiting sheriffs from suppressing riots and disturbances in certain cities, boroughs and townships, without the request of the local police authorities.

Referred to the Committee on Law and Order.

By Mr. BERGER. HOUSE BILL No. 415.

An Act making an appropriation to the State Hospital of Coaldale, Coaldale, Schuylkill County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STERLING. HOUSE BILL No. 416.

An Act to amend section three hundred and four of an act, approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 682), entitled "An Act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and regulation and supervision of insurance carried by such companies, associations. and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws."

Referred to the Committee on Insurance.

By Mr. STARK. HOUSE BILL No. 417.

An Act to establish as a State Highway a certain section of public road in the county of Wyoming.

Referred to the Committee on Public Roads.

By Mr. BURNS. HOUSE BILL No. 418.

An Act making an appropriation to the Trustees of the Garretson Hospital, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. COLVILLE. HOUSE BILL No. 419.

An Act making an appropriation to the Diagnostic Hospital of the City of Philadelphia, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BURNS. HOUSE BILL No. 420.

An Act to prohibit any individual partnership or corporation engaged in the amusment business to have a higher scale of prices for admission to any such amusement place for any partiuclar day of the week over that of the other days of the said week and providing penalties for violation of this act.

Referred to the Committee on Judiciary General.

By Mr. SCHAEFFER. HOUSE BILL No. 421.

An Act making an appropriation to the trustees of the Locust Mountain Memorial Hospital of Shenandoah, Pa.

Referred to the Committee on Appropriations.

By Mr. VICKERMAN. HOUSE BILL No. 422.

An Act making an appropriation to the Children's Aid Society of Western Pennsylvania, at Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ANDERSON. HOUSE BILL No. 423.

An Act authorizing boards of county commissioners to cooperate with the Bureau of Animal Industry of the Department of Agriculture; and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious diseases of livestock and poultry.

Referred to the Committee on Counties and Townships.

By Mr. IRVIN. HOUSE BILL No. 424.

An Act making an appropriation to the Punxsutawney Hospital Association, of Punxsutawney, Jefferson County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BEHNEY. HOUSE BILL No. 425.

An Act to amend an Act, approved the ninth day of April, one thousand nine hundred and thirteen (Pamphlet Laws forty-six), entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department."

Referred to Committee on Judiciary Local.

By Mr. BEHNEY. HOUSE BILL No. 426.

An Act to amend Section 30 of an Act approved June 1, 1889 (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine."

Referred to Committee on Ways and Means.

REPORT FROM COMMITTEE.

Mr. CRAIG, from the Committee on Judiciary Special, reported as committed, House Bill No. 275, entitled

An Act providing for the recovery and collection of taxes assessed on either real or personal property by action of assumpsit against the owner or owners of the real or personal property upon which or against the owner of which the said taxes have been assessed.

RESOLUTION RELATIVE TO MODIFICATION OF VOLSTEAD ACT.

Mr. SOWERS offered the following resolution, which was read and laid over under the rules:

In the House of Representatives, February 21, 1923.

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby petitions Congress of the United States to modify the terms of the Volstead Law, defining what shall constitute intoxicating liquors, so as to permit the manufacture and sale of alcoholic liquors for beverage purposes with a higher per centage of alcohol.

Resolved, That a copy of this resolution shall be forwarded to the President of the Senate and Speaker of the House of Representatives of the Congress of the United States, by the Chief Clerk of this House.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 255, entitled:

A Supplement to an act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violation thereof; and repealing all acts or parts of acts inconsistent therewith," creating a division in said bureau to enforce the laws of the Commonwealth relating to said bureau.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 220, entitled:

An Act to amend section one hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 72, entitled:

An Act to amend section two of an act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 944), entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis; providing for the management and maintenance thereof; and authorizing the incurring of indebtedness and the levy of taxes therefor."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 352, entitled:

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two), entitled "An Act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties;" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees; and providing his compensation for such services.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 348, entitled:

A supplement to an act approved the third day of June, one thousand nine hundred and eleven, (Pamphlet Laws six hundred and thirty-nine), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violation thereof; and repealing all acts or parts of acts inconsistent therewith;" creating a division in said bureau for the licensing of non-medical technicians, and defining the powers thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 328, (Senate Bill No. 67), entitled:

An Act to further amend section four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred ninety-five) entitled "An Act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade mark stock and poultry food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the aduleration of any feeding-stuffs sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expense of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled 'An Act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven" as amended fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 279, entitled:

An Act to amend section forty-one, paragraph (a) 1 of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees thereof; for appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," making bonds and certificates of poor districts legal investments for trust funds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 297, entitled:

A Joint Resolution proposing an amendment to article nine, section one, of the Constitution of the Commonwealth of Pennsylvania, so as to permit the exemption from taxation of real and personal property owned, occupied or used by any branch or post or camp of the Grand Army of the Republic, the Spanish-American War Veterans, the American Legion, the Veterans of Foreign Wars, and the Military Order of the Loyal Legion of the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 73, entitled:

An Act to amend section one, article six, chapter seven, of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312), entitled "Providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs," as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 332, entitled:

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 350, entitled:

An Act to repeal an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determination by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and section one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars,' and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May, Anno Domini, one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An Act to provide for the incorporation and regulation of certain corporations', approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation consistent with or supplied by this act", and its amendments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 281, entitled:

An Act to amend Section two of Article XVI of an act entitled, "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania," approved the twenty-fifth day of June, one thousand nine hundred and nineteen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 219, entitled:

A Joint Resolution proposing an amendment to article seventeen, section eight of the Constitution of the Commonwealth of Pennsylvania, authorizing the granting of free passes or passes at a discount to clergymen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 371, entitled:

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen, (Pamphlet Laws seven hundred and thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 34, entitled:

An Act to amend clause two of section three hundred and eighty-six of an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto"; by extending the power to tax property for lighting purposes in second class townships.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 372, entitled:

An Act to amend section forty-five of an act approved the fifteenth day of April, one thousand eight hundred and thirty-four (P. L. 509), entitled "An Act relating to county rates and levies and township rates and levies," by removing the exemption of females from arrest and imprisonment for non-payment of taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 26, entitled:

An Act to amend section twenty-four of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying in the state; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," providing for the sale of the real and personal property of a decedent without known heirs, kindred or surviving spouse, and the payment of the net proceeds of such sale into the State Treasury.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 364, entitled:

An Act relating to the recording of the certificates of incorporation of domestic corporations, providing for the recording of certified copies thereof in certain cases, validating the recording of such certified copies heretofore recorded and making the record of such certified copy competent evidence for all purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 302, entitled:

An Act to amend section one of an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, (P. L. 86), entitled "An Act regulating the compensation of court criers and tipstaves, in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county; limiting the number of tipstaves to be appointed; and repealing an act of Assembly, entitled 'An act to regulate the fees of court criers and tipstaves of the courts, in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants,' approved the twenty-ninth day of April, Anno Domini, one thousand nine hundred and nine," as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 365, entitled:

An Act to amend section one of the act approved the fifteenth day of March, one thousand nine hundred and eleven, (P. L. 20), entitled "An Act regulating in criminal trials the cross-examination of a defendent, when testifying in his own behalf," by prohibiting the introduction as evidence of certain testimony or records.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 143, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled"An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 254, entitled:

An Act to carry into effect section one of Article fifteen of the Constitution; giving cities the right and power to frame, adopt, and amend their own charters, and to exercise the powers and authority of local self-government, and providing the procedure therefor; imposing certain restrictions, limitations and regulations; imposing duties upon city councils, city officers, county commissioners, and prothonotaries; and providing for the payment of certain expenses by cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. CRAIG. Mr. Speaker, I move that House Bill No. 254, file folio 299, be recommitted to the Committee on Municipal Corporations for the purpose of a hearing.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Mr. DUNN. Mr. Speaker, I desire to call up from the Third Reading Postponed Calender, House Bill No. 122, File Folio 201.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 122, entitled:

An Act to regulate and restrain the hawking, vending and peddling of fish, fruit, and vegetables, and other merchandise

On the question,

Will the House agree to the bill on third reading?

Mr. DUNN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Title, page 1, line 4, by inserting after "Commonwealth" the following: "in cities of the first class in this Commonwealth."

Amend section 1, page 1, line 5, by inserting after the word "of" the following: "any city of the first class."

Amend section 1, page 1, line 6, by striking out the words "the Commonwealth."

Amend section 3, page 2, line 12, by inserting before the word "the" the following: "any city of the first class."

Amend section 3, page 2, line 12, by striking out the words "the Commonwealth."

Amend section 4, page 2, line 17, by inserting after the word "cities" the following: "of the first class."

Amend section 4, page 2, lines 18 & 19, by striking out the words "boroughs and incorporated towns and the commissioners of first class townships."

Amend section 4, page 2, lines 20 & 21, by striking out the words "and in townships of the second class the supervisors shall fix by resolution."

Amend section 4, page 2, line 25, by striking out the word "city" and inserting in lieu thereof the word: "cities".

Amend section 4, page 2, line 25, by striking out the words "borough, incorporated town or township."

Amend section 5, page 3, line 5, by striking out the word "citizen" and inserting in lieu thereof: "resident".

Amend section 5, page 3, lines 5 & 6, by striking out the words "United States" and inserting in lieu thereof the following: "city".

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move this House do now adjourn until Monday evening, February 26, 1923, at 9:00 o'clock P. M.

The motion was agreed to, and (at 10:25 A. M.) the House adjourned until Monday evening, February 26, 1923, at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

Session 1923 — 125th of the General Assembly

Vol. 7 — HARRISBURG, PA., MONDAY, FEBRUARY 26, 1923. — No. 18.

SENATE

MONDAY, FEBRUARY 26, 1923.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Heavenly Father, may Thy blessing rest upon the Senators as they come together once again to enter upon their legislative duties. Grant them wisdom and strength for every task that lies before them. If any member of this body is sick, do Thou graciously restore him to health. May Thy blessing rest upon the Commonwealth, our Governor, our Judges and all in places of authority; bless the Nation, remember the President of the United States, the Cabinet and the Congress assembled, and, O Lord, may Thy richest blessing rest upon the entire world, and do Thou bring peace to the troubled and distracted nations; and Thine shall be the glory forever and ever. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HOMSHER the further reading was dispensed with, and the Journal was approved.

PETITIONS.

PROTESTING AGAINST ADOPTION OF CODIFICATION OF THE LAWS OF BUILDING AND LOAN ASSOCIATIONS.

Mr. MacDADE presented petition of The Glenolden Building and Loan Association, protesting against changes in laws or codification of the laws relating to Building and Loan Associations.

Which was referred to the Committee Banks and Building and Loan Associations.

PROTESTING AGAINST THE ENACTMENT OF ANY LEGISLATION WHICH THREATENS FURTHER EMBARRASSMENT OF COMMERCIAL AND INDUSTRIAL ACTIVITIES WITHIN THIS COMMONWEALTH.

He also presented petition of the Philadelphia Board of Trade, protesting against enactment of any legislation which threatens further embarrassment of commercial and industrial activities within this Commonwealth.

Which was referred to the Committee on Judiciary General.

FAVORING THE RAISING OF REVENUE FOR PUBLIC SCHOOLS.

He also presented petition of Pensylvania State Education Association, favoring the raising of revenue for Public Schools.

Which was referred to the Committee on Education.

AGAINST PASSAGE OF HOUSE BILL 29.

He also presented petition of Pennsylvania State Chamber of Commerce against the passage of House Bill No. 29.

Which was referred to the Committee on Appropriations.

LEAVES OF ABSENCE.

Mr. EYRE asked and obtained leave of absence for the Senator from Indiana, Mr. Clark, for the week.

Mr. VARE asked and obtained leave of absence for the Senator from Philadelphia, Mr. McNichol.

Mr. MANSFIELD asked and obtained leave of absence for the Senator, from Allegheny, Mr. Harris, for the week.

REPORTS FROM COMMITTEES.

Mr. DAIX from the Committee on Judiciary Special, reported as amended, Senate Bill No. 112, entitled:

An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed for purposes which have proved or may prove impracticable, impossible or inadvisable, for any other lawful municipal purpose; or to provide for the cancellation of the authority to borrow such moneys.

Mr. MacDADE from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 85, entitled:

An Act authorizing cities of the third class to regulate the location of businesses trades and industries the location size and use of buildings and the areas of yards, courts and open spaces.

BILLS INTRODUCED.

Mr. DAVIS read in his place and presented to the Chair Senate Bill No. 173, entitled:

An Act establishing a State highway in the County of Lackawanna providing for its location, construction, improvement, and maintenance by the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 174, entitled:

An Act establishing a State highway in the County of Lackawanna, providing for its location, construction, improvement, and maintenance by the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 175, entitled:

An Act establishing a State highway in the County of Lackawanna, providing for its location, construction, improvement, and maintenance by the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and place and presented to the Chair Senate Bill No. 176, entitled:

An Act making an appropriation to the State Highway Department for the improvement of certain portions of streets abutting on lands owned by the Commonwealth in Lackawanna County.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 177, entitled:

An Act establishing a State Highway in the County of Lackawanna providing for its location, construction, improvement, and maintenance by the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 178, entitled:

An Act establishing a State Highway in the County of Lackawanna providing for its location, construction, improvement, and maintenance by the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 179, entitled:

An Act making an appropriation to the West Side Hospital Association, of the City of Scranton.

Which was committed to the Committee on Appropriations.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 180, entitled:

An Act making an appropriation to the Mercy Hospital of Altoona, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 181, entitled:

An Act making an appropriation to the Altoona Hospital, Altoona, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 182, entitled:

An Act empowering the Superintendent of State Police to appoint Deputy State Police for the enforcement of laws relating to and regulating the use of motor vehicles, and prescribing their powers and duties.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 183, entitled:

An Act requiring prothonotaries to mark the time judgments are left at the office for entering; providing for the priority of such liens to be determined according to such time.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 184, entitled:

An Act making an appropriation to the Robert Packer Hospital.

Which was committed to the Committee on Appropriations.

Mr. PHIPPS (by request) read in his place and presented to the Chair Senate Bill No. 185, entitled:

An Act providing a method of annexation of cities, boroughs, townships or parts of townships to cities of the third class; regulating the proceedings pertaining thereto; and repealing inconsistent legislation.

Which was committed to the Committee on Judiciary General.

Mr. STEELE read in his place and presented to the Chair Senate Bill No. 186, entitled:

An Act making an appropriation to the board of managers of the Pennsylvania Village for Feeble-Minded Women, at Laurelton, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SISSON read in his place and presented to the Chair Senate Bill No. 187, entitled:

An Act making an appropriation to the Saint Vincent's Hospital Association, of the city of Erie, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. CHRISTLEY read in his place and presented to the Chair Senate Bill No. 188, entitled:

An Act authorizing the transfer of the property and franchises of certain schools and academies to State Normal Schools.

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 189, entitled:

An Act making an appropriation to the Butler County General Hospital, at Butler, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 190, entitled:

An Act making an appropriation to the Armory Board for the erection of an armory at Butler, Butler County.

Which was committed to the Committee on Appropriations.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 191, entitled:

An Act to amend section one of the act approved the seventh day of July, 1913 (P. L. 693) entitled "An Act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon as provided by Article 18, Section 1, of the Constitution."

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 192, entitled:

An Act making an appropriation to the Washington Crossing Park Commission for the purpose of the acquisition of land and property and the making of improvements in accordance with the provisions of the act of July 25, 1917 (P. L. 1209) entitled "An Act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument, and making an appropriation for the purposes of this act."

Which was committed to the Committee on Appropriations.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 193, entitled:

An Act making an appropriation to the trustees of the State Hospital for Insane, at Danville, for the purpose of improvements and purchase of equipment.

Which was committed to the Committee on Appropriations.

Mr. WEAVER read in his place and presented to the Chair Senate Bill No. 194, entitled:

A Supplement to an act approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," providing a procedure to incur or to increase indebtedness where the existing indebtedness is less than two percentum, but the amount to be incurred exceeds two per centum of the assessed value of the taxable property; and providing that this act shall apply to pending proceedings.

Which was committed to the Committee on Judiciary General.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 195, entitled:

An Act to amend Section five hundred and twenty-three of the Act approved the seventeenth day of May, A. D. 1921 (P. L. 284), entitled: "An Act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," changing requirements contained in the subjects entitled "requirements in case of loss", "appraisal", "when loss payable" and "waiver" of said section.

Which was committed to the Committee on Insurance.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 196, entitled:

An Act to repeal an act approved the fifteenth day of July, one thousand nine hundred and nineteen, (P. L. 964), entitled "An Act to amend the second section, as amended, of, and to supplement, an act, entitled 'A supplement to the twenty-fourth section of an act, entitled 'An Act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth,' approved the twenty-eighth day of June, one thousand eight hundred and ninety-five; amending the same to provide for the payment of the net proceeds of the entire two per centum tax for the purpose indicated in the original act and supplement, including townships among the distributees."

Which was committed to the Committee on Insurance.

Mr. EYRE read in his place and presented to the Chair Senate Bill No. 197, entitled:

An Act to establish as a State Highway a certain section of public road in the counties of Chester and Lancaster.

Which was committed to the Committee on Public Roads and Highways.

Mr. PHIPPS read in his place and presented to the Chair Senate Bill No. 198, entitled:

An Act to amend section seventy-four of an act approved July 2, 1839 (P. L. 529), entitled "An Act relating to the Elections of this Commonwealth," as amended.

Which was committed to the Committee on Elections.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 199, entitled:

An Act to exempt certain real estate of the American Legion from taxation.

Which was committed to the Committee on Military Affairs.

Also read in his place and presented to the Chair Senate Bill No. 200, entitled:

An Act providing for the pensioning of certain soldiers, sailors and marines and the widows of certain soldiers, sailors and marines who served in the Civil War and making an appropriation for the payment thereof.

Which was committed to the Committee on Pensions and Gratuities.

Also read in his place and presented to the Chair Senate Bill No. 201, entitled:

An Act directing the State Librarian to cause certain old church records of this State to be translated, preserved and published, and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 202, entitled:

An Act to amend route two hundred and eighty-five of section six of an act approved May 31, 1911, (P. L. 468), entitled, "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two deputy State Highway Commissioners, Chief Engineer, Chief Draughtsman, Superintendents of Highways, and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and Deputies, and other appointees providing for taking over from the counties or townships of the Commonmweath, certain existing public roads connecting county seats, principal cities and towns, and extending to the State line, describing and defining same by route numbers as the State highways of the Commonwealth, providing for the improvement, maintenance and repair of said state highways, solely at the expense of the Commonwealth, and relieving the several townships, or counties from any further obligation and expense and to improve or maintain the same, and relieving said townships or counties of authority over same, requiring boroughs and incorporated towns to maintain certain state highways wholly and in part, requiring the State Highway Commissioner to make maps to be complete records thereof, conferring authority on the State Highway Commissioner, providing for the payment of damages in taking of property or otherwise in the improvement thereof, providing for purchase or acquiring of turnpikes or toll roads, forming all or part of any state highway, and procedure therein, providing for work of improvement of State highways, to be done by contract except where the State Highway Commissioner decided the work be done by the State, providing aid by the State to counties and townships desiring the same in the improvement of township or county roads, defining highways

and state aid highways providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same, providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement, providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways, making appropriation to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of act inconsistent herewith, and providing the existing contracts are not affected by provisions of this act," as amended.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 203, entitled:

A Joint Resolution proposing an amendment to Article 3, Section 6, of the Constitution of the Commonwealth of Pennsylvania, so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title.

Which was committed to the Committee on Judiciary General.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 204, entitled:

An Act making an appropriation to the West Philadelphia Hospital for Women, in the City of Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 205, entitled:

An Act making an appropriation to the Philadelphia Home for Incurables.

Which was committed to the Committee on Appropriations.

BILLS RECOMMITTED.

Mr. CULBERTSON. Mr. President, I move that Senate Bill No. 40, on third reading, entitled:

An Act fixing the salary of the prothonotary in counties of the eighth class; and providing for the payment of all fees and commissions into the county treasury.

be recommitted to the committee on New Counties and County Seats.

Mr. CHRISTLEY. Mr. President, I second the motion.

The motion was agreed to.

Mr. CULBERTSON. Mr. President, I move that Senate Bill No. 41, on third reading, entitled:

An Act fixing the salary of sheriffs in counties of the eighth class; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

be recommitted to the committee on New Counties and County Seats.

Mr. CHRISTLEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 47, entitled:

An Act to amend section eleven of the act approved June 13, 1840 (P. L. 683), entitled "A Supplement to an act entitled 'An Act, relating to the elections of this Commonwealth,' passed the second day of July, A. D. 1839, and for other purposes;" allowing constables mileage for advertising elections, and compensation for advertising elections where there is more than one polling place in a district. Said mileage and compensation to be paid by counties.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SCHANTZ. Mr. President, I ask unanimous consent to amend Section 1, page 1, line 7, by striking out the first word "An" and inserting in lieu thereof the word "a"; also amend Section 1, page 2, line 5, by striking out the word "Sections" and inserting in lieu thereof the word "Section".

The PRESIDENT. Is there objections? The Chair hears none.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 95, entitled:

An Act for the prevention of fraud and the protection of the public health relating to milk, cream or skimmed milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated, prohibiting the introduction of foreign fats into them, regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. JONES, Mr. President, I ask unanimous consent to amend Section 1, page 1, line 9, by striking out the word "It" and inserting in lieu thereof the word "it"; also amend Section 2, page 2, line 14, by striking out the words "manufacturer thereof" and inserting in lieu thereof the words "manufacturers or distributors thereof"; also amend Section 3, page 2, line 25, by adding after the word "whatsoever" the following; "Provided, however, that nothing in this act shall be construed as prohibiting the use of chocolate as a flavor".

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 20, as follows:

An Act relating to treasurers in counties of the fifth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the fifth class the annual salary of the county treasurer shall be five thousand dollars ($5,000) per annum

Section 2 Each county to which this act applies shall at the cost of the county furnish the office furniture books stationery and supplies required for the use of the county treasurer and also all needed fuel and the services of a janitor and pay the premium on the bonds of the county treasurer required for the safe-keeping and return of county money

Section 3 The county treasurer shall appoint and may dismiss the deputies or clerks of his office

Section 4 All county treasurers within the counties to which this act applies whose salaries are fixed by this act and their several deputies and clerks authorized and their respective salaries designated by the salary board shall be paid for their services by fixed and specific salaries which shall be a charge upon the treasury of the county to which each such officer shall respectively belong said salaries shall be paid semi-monthly on the second and fourth Mondays of the month succeeding that in which his services were rendered

Section 5 The salary board in all counties of the fifth class composed of the county commissioners county controller and county treasurer shall fix and determine annually the salaries to be paid to and the number of deputies and clerks required for the proper dispatch of business in the office of the county treasurer subject to appeal to the court of common pleas by any officer or tax payer dissatisfied with the number appointed and compensation fixed in the case of any such appeal the court shall make an order fixing the number and salaries of such appointees

Section 6 The salaries fixed and provided by this act shall be in lieu of all or any moneys fees perquisites mileage expenses and other allowances which are now or may hereafter be received by or allowed to such treasurer all said moneys fees mileage or perquisites received by any of them as compensation fees or perquisites from any source whatsoever shall in all cases belong to the county and shall be paid into the county treasury (except where required to be paid by the Commonwealth) as provided in this act but the necessary traveling expenses of the officers incurred in the administration of their offices shall be paid by the county

Section 7 This act shall take effect on the first Monday of January one thousand nine hundred and twenty-four but shall not be construed to apply to any officer in office at the date of the approval of this act but all such officers shall be entitled to receive and collect the fees and salaries now provided by law for such office

Section 8 All laws or parts of laws general local or special inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 33, as follows:

An Act to amend section seven of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" which as amended by the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and thirty-two) entitled "An act amending sections five six and seven of an act approved the tenth day of June one thousand eight hundred ninety-three entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' as the same was amended by an act approved the ninth day of July one thousand eight hundred ninety-seven and an act approved the twenty-first day of April one thousand nine hundred and three" reads as follows

"Section 7 Any person whose name has been presented as a candidate for the office of Presidential elector Member of the House of Representatives of the United States or for any State office including those of Judges Senators and Representatives may cause his name to be withdrawn from nomination by request in writing signed by him and acknowledged before an officer qualified to take acknowledgments of deeds and filed in the office of the Secretary of the Commonwealth at least fifty days previous to the day of the election and all candidates for other offices with the county commissioners of the respective counties at least twenty-five days previous to the day of the election and no name so withdrawn shall be printed upon the ballots

Where any office not in court of record shall for any cause become vacant after the time for making nominations for such office shall have elapsed or when a writ for a special election to supply a vacancy shall direct such election to be held at a date which would prevent the making of nominations in time to comply with section five of this act nominations for the office to be filled may still be made in accordance with sections two and three of this act but in other respects the provisions of section twelve of this act shall apply to such nominations" is hereby further amended to read as follows

Section 7 Any person whose name has been presented as a candidate for the office of Presidential elector Member of the House of Representatives of the United States or for any State office including those of Judges Senators and Representatives may cause his name to be withdrawn from nomination by request in writing signed by him and acknowledged before an officer qualified to take acknowledgments of deeds and filed in the office of the Secretary of the Commonwealth at least fifty days previous to the day of the general election and at least twenty-five days previous to the day of the municipal election and all candidates for other offices with the county commissioners of the respective counties at least twenty-five days previous to the day of the election and no name so withdrawn shall be printed upon the ballots

Where any office not in court of record shall for any cause become vacant after the time for making nominations for such office shall have elapsed or when a writ for a special election to supply a vacancy shall direct such election to be held at a date which would prevent the making of nominations in time to comply with section five of this act nominations for the office to be filled may still be made in accordance with sections two and three of this act but in other respects the provisions of section twelve of this act shall apply to such nominations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. STITES. Mr. President, I ask that Senate Bill No. 131 on second reading, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and

other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved April 20, 1874, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

go over in its order.

THE PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 136, (House Bill No. 23), entitled:

An Act requiring the prothonotary of the court of common pleas to indicate on the proper index notice of the settlement, satisfaction, discontinuance or dismissal of any suit or proceeding in equity affecting the title to real estate.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 137, (House Bill No. 25) entitled:

An Act to validate deeds, mortgages, and other instruments of writing which have been defectively acknowledged by husband and wife, prior to the fourth day of January, one thousand nine hundred and twenty-three.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 140, (House Bill No. 146) entitled:

An Act to amend an act approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122), entitled "An Act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 141, (House Bill No. 147) entitled:

An Act to amend section five of the act approved the fourth day of June, one thousand nine hundred and one, (P. L. 364), entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 142, as follows:

A Supplment to the act approved the seventeenth day of June nineteen hundred and fifteen (Pamphlet Laws one thousand and twelve) entitled "An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" as amended by the act of June fourth nineteen hundred and nineteen (Pamphlet Laws three hundred and seventy-five) entitled "An act to amend sections one two and three of the act approved the seventeenth day of June one thousand nine hundred and fifteen (Pamphlet Laws ten hundred and twelve) entitled 'An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rate of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act' "

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a licensee under the provisions of the act to which this is a supplement if it so elect may loan money to be repaid in equal periodical installments and may after fixing the total amount of interest to be paid for the use of such money which shall not in the aggregate exceed the rate of interest allowed by the said act apportion the same over the said term so that interest as such may be paid in like equal periodical installments along with the installments of principal and that in the event this plan is adopted the licensee may upon the receipt or card given to the borrower insert either the rate of interest or the total charge for interest thus to be equalized

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 154, as follows:

An Act to validate acts done by or rights accrued to corporations before the recording of their charters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where heretofore any act has been done any right has accrued to or any transfer or conveyance of any property has been made to or by any corporation created or intended to be created under the provisions of the act of assembly approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An Act to provide for the incorporation and regulation of certain corporations" or any of the amendments or supplements thereto in good faith after the issuing of letters patent and before the actual record of the certificates such acts rights transfers or conveyances shall after said certificate has been duly recorded as provided in the said act be deemed and taken to be valid and effectual for all purposes This act shall not affect any proceeding now pending

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. WOODWARD. Mr President, I move that Senate Bill No. 155, on second reading entitled:

An Act prohibiting understandings and agreements preventing restricting, obstructing or delaying the sale or delivery of coal; and making it unlawful to refuse, prevent, obstruct or delay the sale or delivery of coal.

be recommitted to the committee on Mines and Mining.

Mr. DAVIS. Mr. President, I second the motion.

The motion was agreed to.

Mr. ARON. Mr. President, I move that Senate Bill No. 157, on second reading, entitled:

An Act to amend section one of the act approved March 15, 1911, (P. L. 20)entitled "An Act regulating in criminal trials the cross-examination of a defendent, when testifying in his own behalf," by prohibiting the introduction as evidence of certain testimony or records.

be recommitted to the committee on Judiciary General.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 159, as follows:

An Act to amend section one hundred of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

Secton 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" which reads as follows

"Section 100 No person shall be eligible to any office in any township of the first class unless he is an elector of the township for which he is chosen" is hereby amended to read as follows

Section 100 No person shall be eligible to any office in any township of the first class unless he is an elector of the township for which he is chosen nor shall any employee of the township or any officer or employee of the school district of such township be eligible to the office of township commissioner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS.

Mr. LONG. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES.

HOUSE CONCURS IN SENATE BILL NO. 13.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 13, entitled:

An Act enlarging the jurisdiction of the superior court of Pennsylvania by providing for appeals to it from certain orders judgments and sentences of the county court of Allegheny County of the Municipal Court of Philadelphia and of all similar courts hereafter created

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 14.

He also returned to the Senate, Senate Bill No. 14, entitled:

An Act to amend "An Act (approved May 5, 1899, P. L. 248) supplementing and amending an act entitled 'An Act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice, and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers, and the practice and costs on appeals from its judgments,' approved June 24, 1895, " (P. L. 212).

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 34.

He also returned to the Senate, Senate Bill No. 34, entitled:

An Act to validate tax liens filed since the twenty-first day of May, one thousand nine hundred and thirteen, or which may be filed within six months after the approval of this act, under the provisions of an act, approved the fourth day of June, one thousand nine hundred and one, entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," and providing for their collection.

with the information that the House has passed the same without amendment.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives, as follows:

House Bill No. 51, (Senate Bill No. 206), entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge.

Which was committed to the Committee on Public Roads and Highways.

HOUSE BILL No. 125. (Senate Bill No. 207), entitled:

An Act regulating the sale, offering for sale, barter, exchange and giving of tickets, cards or other tokens evidencing the right to a reserved seat in and of admission to any theatre, concert hall, circus, show, ball park, athletic hall or fields or other place of amusement and providing penalties.

Which was committed to the Committee on Judiciary General.

HOUSE BILL No. 158. (Senate Bill No. 208), entitled:

An Act to amend section sixteen of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An act relating to dogs,

and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 159, (Senate Bill No. 209), entitled:

An Act regulating the location of certain stables in cities of the first class and providing penalties.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 208, (Senate Bill No. 210), entitled:

An Act to amend section two of the act approved the thirteenth day of March, one thousand eight hundred and fifteen, (P. L. 150), entitled "An Act concerning divorces," as amended; authorizing prothonotaries and clerks of the Court of Common Pleas to take affidavits to petitions and libels; and validating prior proceedings in which such affidavits were taken.

Which was committed to the Committee on Judiciary General.

House Bill No. 233, (Senate Bill No. 211), entitled:

An Act to quiet the title to real estate; and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Which was committed to the Committee on Judiciary General.

House Bill No. 52, (Senate Bill No. 212), entitled:

An Act to amend an act entitled "An Act to prohibit the speeding and racing of certain motor vehicles to fires, the parking of motor vehicles in the vicinity of fires, and the driving of motor vehicles over lines of hose" by extending the provisions thereof to all vehicles

Which was committed to the Committee on Municipal Affairs.

House Bill No. 76, (Senate Bill No. 213), entitled:

An Act to amend sections five and ten of the act approved the nineteenth day of April A D nineteen hundred and one entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevie is issued"

Which was committed to the Committee on Judiciary General.

House Bill No. 122, (Senate Bill No. 214), entitled:

An Act to regulate and restrain the hawking, vending and peddling of fish, fruit, and vegetables, and other merchandise

Which was committed to the Committee on Judiciary Special.

House Bill No. 224, (Senate Bill No. 215), entitled:

An Act to amend the title and section one of an act approved the twenty-fourth day of May, one thousand nine hundred and twenty-one, (P. L. 1071), entitled, "An Act requiring banks, banking corporations, copartnerships, or associations, cooperative banking associations, trust, safe deposit, real estate, mortgage, title, insurance, guaranty, surety, and indemnity companies, savings institutions, savings banks, provident institutions, building and loan associations, lodges and societies, to file of record names of persons authorized to make entries on records of mortgages; imposing certain duties on recorders of deeds; and declaring certain entries void."

Which was committed to the Committee on Banks and Building and Loan Associations.

House Bill No. 228, (Senate Bill No. 216), entitled:

An Act to amend an act approved the twenty-first day of July, one thousand nine hundred nineteen (Pamphlet Laws 1064), entitled "An Act authorizing the appointment of clerks by the judges of the orphans' court of certain counties" by providing that the compensation of said clerks in counties of the first class shall be fixed by the said judges.

Which was committed to the Committee on Judiciary General.

BILL INTRODUCED.

Mr. DERRICK. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT, is there objection? The Chair hears none.

Mr. DERRICK read in his place and presented to the Chair Senate Bill No. 217, entitled:

An Act to amend section one of an act approved April 13, 1887 (P. L. 21), entitled "An Act for the establishment of a uniform standard of time throughout the Commonwealth;" prohibiting the adoption of other standards of time.

Which was committed to the Committee on Judiciary General.

RESOLUTION OF OREGON LEGISLATURE RELATIVE TO EXAMINATION OF INCOME TAX RETURNS.

The Chair cleared his table and laid before the Senate communication in writing from the Secretary of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

Office of the Secretary of the Commonwealth,
Harrisburg, Pa., February 14, 1923.

To the Senate of Pennsylvania.

Gentlemen: By request of the Secretary of State of the State of Oregon, I have the honor to present a certified copy of Joint Memorial No. 3, of the Thirty-Second Legislative Assembly of the State of Oregon for consideration by the General Assembly of Pennsylvania.

Respectfully yours,
CLYDE L. KING,
Secretary of the Commonwealth.

STATE OF OREGON.

Thirty-second legislative assembly—regular session—Hall of Representatives, House Joint Memorial No. 3.

To the Honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Legislature of the State of Oregon, respectfully represent that:

Whereas, the Senate and House of Representatives of Oregon State Legislature have under consideration at the present time various income tax measures which have been introduced ostensibly for the purpose of redistribution of the tax burden of the State of Oregon; and

Whereas, the people of the State of Oregon indicated by their affirmative vote at the last general election their desire for an income tax measure; and

Whereas, there is a strong probability that an income tax measure will be passed by the present legislative assembly; and

Whereas, in the event such income tax measure is passed it will be necessary for the officers of the State of Oregon to have access to the income tax returns filed under the Federal Income Tax now in effect; and

Whereas, the officers of the State of Oregon do not now have access to the income tax returns filed by individuals; therefore

Be it resolved by the House of Representatives of the State of Oregon, the Senate jointly concurring, that we most earnestly petition and memorialize the Senate and House of Representatives of the United States of America in Washington, in the name of the State of Oregon, that Congress enact such legislation as will permit and require the various collectors of internal revenue to permit upon application of such commission or person as authorized by the Governor of the State of Oregon to examine any and all income tax returns filed under the Federal Income Tax Act by individuals, corporations and others doing business in the State of Oregon, as well as any persons, corporations or others deriving any income from business transacted in the State of Oregon, provided, however, that the same secrecy which safeguards income tax records made to the federal Government be extended to any information regarding income tax statements furnished to the officials of the State of Oregon; and

Be it further resolved, that the Secretary of State of the State of Oregon be and he is hereby instructed to forward a copy of this resolution to each member of Congress of the United States of America, and to the respective legislatures of the respective states of the United States.

Adopted by the House January 29, 1923.

K. K. KUBLI,
Speaker of the House.

Adopted by the Senate January 30, 1923.

JAY UPTON,
President of the Senate.

Endorsed: House Joint Memorial No. 3. Introduced by Mr. McMahan of Linn County.

W. F. Drager, Chief Clerk.

Filed: February 2, 1923, Sam A. Kozer, Secretary of State.

United States of America, State of Oregon,
Office of the Secretary of State

I, Sam A. Kozer, Secretary of State of the State of Oregon, and custodian of the seal of said state, do hereby certify:

That I have carefully compared the annexed copy of House Joint Memorial No. 3, with the original thereof adopted by the Senate and House of Representatives of the Thirty-second Legislative Assembly of the State of Oregon and filed in the office of the Secretary of State of the State of Oregon February 2, 1923 and that the same is a full, true and complete transcript therefrom and of the whole thereof, together with all endorsements thereon.

In Testimony Whereof, I have hereunto set my hand and affixed hereto the seal of the State of Oregon, Done at the Capitol at Salem, Oregon, this second day of February, A. D. 1923.

SAM A. KOZER.
Secretary of State.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF RESOLUTION RELATIVE TO LUNCH ROOMS IN STATE CAPITOL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 13, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives, providing that the Board of Commissioners of Public Grounds and Buildings be requested to allot space in one of the Capitol Buildings to provide for serving of lunches to Members and Officers of the Legislature and officials and employes of the several departments of the State Government, etc.

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL No. 66.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 14, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 66, entitled, "An Act making an appropriation to pay the expenses of the inauguration of the Governor of the Commonwealth."

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Pierre De Backer, Pittsburgh, February 23, 1923.
Mrs. Bertha D. Johnson, Pittsburgh, March 9, 1923.
John B. Keefe, Brackenridge, March 7, 1923.
Hollock G. Sharrard, Pittsburgh, March 9, 1923.
J. P. Smith, Mt. Oliver Sta., February 21, 1923.

BEAVER COUNTY.

D. R. Carver, Beaver, March 9, 1923.

BUTLER COUNTY.

William G. Wilson, Butler, February 21, 1923.

DAUPHIN COUNTY.

Joseph J. Variaic, Harrisburg, March 9, 1923.
A. Coleman Sheetz, Harrisburg, February 21, 1923.

LACKAWANNA COUNTY.

Corron E. Dix, Carbondale, March 9, 1923.
Miss Clara L. Oakley, Scranton, March 9, 1923.
Frank E. Walsh, Scranton, March 9, 1923.

LAWRENCE COUNTY.

Domonico Lagnese, Hillsville, March 9, 1923.

LEBANON COUNTY.

Bright C. Lindemuth, Myerstown, February 21, 1923.

MONTGOMERY COUNTY.

Charles S. Miller, Lansdale, March 9, 1923.

NORTHAMPTON COUNTY.

Joseph McGarr, Bethlehem, March, 9, 1923.
Joseph Pearl, Bethlehem, February 21, 1923.

PHILADELPHIA COUNTY.

Ernest Berry, Roxborough, Philadelphia, February 21, 1923.
Miss Mae B. Jenks, Philadelphia, March 1, 1923.
Miss Rose Kenin, Philadelphia, March 9, 1923.
Meyer Kraun, Philadelphia, March 4, 1923.
John F. Malley, Philadelphia, Mar. 3, 1923.,
Miss Sarah A. Moore, Philadelphia, February 23, 1923.

Linwood E. Moses, Philadelphia, March 9, 1923.
Jas. J. Noville, Philadelphia, February 27, 1923.
Miss Katherine A. O'Neill, Philadelphia, February 24, 1923.
Edward L. D. Roach, Philadelphia, February 21, 1923.
Miss Florence E. Warner, Philadelphia, February 21, 1923.

WASHINGTON COUNTY.

Geo. K. Gray, Washington, March 9, 1923.

MONTGOMERY COUNTY.

Harry Renninger, Glenside, February 21, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, February 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Joseph Buffington, Jr., Pittsburgh.

DELAWARE COUNTY.

Nelson E. Miller, Derby.

FRANKLIN COUNTY.

Miss Verna Koser, Greencastle.

LACKAWANNA COUNTY.

Geo. M. Rhodes, Scranton.
G. W. Roberts, Peckville.

LANCASTER COUNTY.

Guy E. Bard, Lancaster.
Jacob H. Zeller, Mount Joy.
Daniel B. Strickler, Lancaster.

LEBANON COUNTY.

Edwin Bomberger, Lebanon.

LEHIGH COUNTY.

Anthony C. Conti, Allentown.

LUZERNE COUNTY.

Carl J. Dapper, Old Forge.
Thos. V. Davis, Kingston.

LYCOMING COUNTY.

W. H. Gehron, Williamsport.

PHILADELPHIA COUNTY.

Silvio G. Biagini, Philadelphia, 3237 Memphis.
Anthony P. Cristiano, Philadelphia, 722 S. Mildred St.
Jacob Katz, Philadelphia, 4544 N. 13th St.
Mrs. Mary C. Lovelace, Philadelphia, 2839 Diamond St.,
Jacob F. Schumacher, Jr., Philadelphia, 2812 N. Stillman.
Jos. A. Thomas, Philadelphia, 1700 Arch St.
Harry Weiss, Philadelphia, 5815 Osage Ave.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Miss Ida M. Barr, Pittsburgh, Mar. 9, 1923.
B. C. Barton, Pittsburgh, Feb. 21, 1923.
Miss M. L. Boyd, Pittsburgh, Mar. 9, 1923.
Miss Grace L. Brown, Pittsburgh, Mar. 9, 1923.
Miss Margaret Buchan, McKeesport, Mar. 9, 1923.
John P. Callender, Glassmere, Mar. 9, 1923.
Alfred W. Charlton, Pittsburgh, Mar. 4, 1923.
Frank E. Cronkhito, Wilkinsburg, Mar. 9, 1923.
Joseph N. Dalfonzo, Pittsburgh, Mar. 9, 1923.
William N. Dawson, Pittsburgh, Mar. 9, 1923.
I. W. England, Pittsburgh, Mar. 9, 1923.
Herman A. Fischer, Etna, Mar. 9, 1923.
R. Frank, Pittsburgh, Mar. 1, 1923.
Mr. Elliott Frederick, Pittsburgh, Mar. 8, 1923.
Robt. V. Fulton, Pittsburgh, Mar. 9, 1923.
Miss Lulu M. Genter, Pittsburgh, Mar. 9, 1923.
Henry T. Hamilton, Pittsburgh, Mar. 3, 1923.
W. S. Heath, Pittsburgh, Mar. 7, 1923.
John J. Hess, Pittsburgh, Mar. 9, 1923.
Mrs. Etta L. Hynes, Westview, Mar. 3, 1923.
Fred W. Jones, Pittsburgh, Mar. 9, 1923.
G. R. Landers, Bellevue, Mar. 9, 1923.
W. C. Lantz, Pittsburgh, Mar. 9, 1923.
David L. Lawrence, Pittsburgh, Mar. 1, 1923.
Miss Ella J. Letzkus, Pittsburgh, Mar. 1, 1923.
P. J. Long, Duquesne, Mar. 9, 1923.
D. J. Madigan, Swissvale, Mar. 4, 1923.
Donald D. Mangone, Pittsburgh, Feb. 19, 1923.
Thos. M. Marshall, Jr., Pittsburgh, Feb. 21, 1923.
John R. Mayhugh, Aspinwall, Mar. 9, 1923.
S. Lee McBride, Pittsburgh, Mar. 1, 1923.
George L. Meyers, Pittsburgh, Mar. 7, 1923.
William E. Miller, Pittsburgh, Mar. 9, 1923.
Wm. L. Mussler, McKeesport, Mar. 9, 1923.
Edwin Gilpin Orr, Pittsburgh, Mar. 9, 1923.
Detmore D. Park, Pittsburgh, Mar. 9, 1923.
Harry B. Pavitt, Tarentum, Mar. 9, 1923.
Mr. I. M. Sarraf, Pittsburgh, Mar. 1, 1923.
Miss Edna Schinkle, Pittsburgh, Mar. 4, 1923.
W. F. Shroyer, Wilkinsburg, Feb. 21, 1923.
Charles H. Smith, Mt. Oliver Sta., Mar. 2, 1923.
D. C. Tebbott, Pittsburgh, Mar. 9, 1923.
Miss Bertha R. Thomas, Pittsburgh, Mar. 9, 1923.
Miss G. G. Trill, Pittsburgh, Feb. 25, 1923.
Domenico Vaccarelli, Pittsburgh, Mar. 3, 1923.
W. J. Vandevort, Coraopolis, Mar. 9, 1923.
Albert W. Wallsco, Pittsburgh, Mar. 9, 1923.
Henry G. White, Coraopolis, Mar. 9, 1923.
Ralph Williams, Pittsburgh, Feb. 21, 1923.

ARMSTRONG COUNTY.

Miss Emma Burge, Kittanning, Mar. 9, 1923.
Ira J. Wray, Apollo, Mar. 9, 1923.

BEAVER COUNTY.

R. L. Grimmell, Monaca, Mar. 1, 1923.
Wm. Haberfeld, Beaver Falls, Mar. 9, 1923.
Fred J. Mai, Beaver Falls, Mar. 9, 1923.
Henry Mikach, Monaca, Mar. 9, 1923.
Stewart C. Moore, Woodlawn, Mar. 9, 1923.

BERKS COUNTY.

Wm. H. McGowan, Reading, Mar. 9, 1923.
Howard L. McIlvain, Reading, Mar. 1, 1923.

BLAIR COUNTY.

Charles M. Kurtz, Altoona, Mar. 4, 1923.

BRADFORD COUNTY.

Lee Brooks, Canton, Mar. 1, 1923.

BUCKS COUNTY.

E. Wesley Keeler, Doylestown, Mar. 9, 1923.
John P. Taylor, Bristol, Mar. 9, 1923.

BUTLER COUNTY.

Alfred J. Gumper, Butler, Mar. 3, 1923.
G. W. Hazlett, Butler, Mar. 9, 1923.
James E. Marshall, Butler, Mar. 1, 1923.
Zenas McMichael, Zelienople, Mar. 3, 1923.
J. A. Ripper, Evans City, Mar. 9, 1923.

CAMBRIA COUNTY.

Miss Helen Norn, Johnstown, Mar. 3, 1923.
George E. Long, Cresson, Mar. 1, 1923.
J. E. McCartney, East Conemaugh, Mar. 1, 1923.
A. G. Neff, Johnstown, Mar. 9, 1923.
Moses B. Silverstone, Johnstown, Mar. 3, 1923.

CARBON COUNTY.

Carl Hine, Mauch Chunk, Mar. 9, 1923.
William E. Kleckner, Mauch Chunk, Mar. 9, 1923.
William J. Reese, Lansford, Mar. 9, 1923.

CENTRE COUNTY.

M. Ward Fleming, Philipsburg, Mar. 9, 1923.
H. T. Frank, Millheim, Mar. 3, 1923.

CHESTER COUNTY.

Miss Mary B. Darlington, West Chester, Mar. 9, 1923.
Lee A. Gotwals, Phoenixville, Mar. 1, 1923.
I. F. Miller, Phoenixville, Mar. 7, 1923.
I. N. Earl Wynn, West Chester, Mar. 9, 1923.

CLARION COUNTY.

C. E. Sayers, Hawthorn, Mar. 8, 1923.

CLEARFIELD COUNTY.

Harry F. Wallace, Clearfield, Mar. 1, 1923.

COLUMBIA COUNTY.

Conway W. Dickson, Berwick, Mar. 9, 1923.
L. S. Jacoby, Berwick, Mar. 8, 1923.

DAUPHIN COUNTY.

C. E. Brinser, Harrisburg, Mar. 1, 1923.
W. H. Charters, Harrisburg, Mar. 9, 1923.
C. E. Foreman, Harrisburg, Mar. 3, 1923.
C. A. Fornwald, Harrisburg, Mar. 9, 1923.
John W. Metzger, Middletown, Mar. 1, 1923.
Harry Bruce Mumma, Camp Hill, Mar. 9, 1923.

DELAWARE COUNTY.

John G. Galloway, Prospect Park, Mar. 9, 1923.
Alfred Helroyd, Darby, Mar. 9, 1923.
Mrs. Margaret C. Hoopes, Upper Darby, Mar. 8, 1923.
Philip B. Nelson, Norwood, Mar. 9, 1923.
George B. Turner, Upper Darby, Mar. 2, 1923.

ERIE COUNTY.

A. O. Chapin, Erie, Mar. 9, 1923.
Miss Lucy M. Grieves, Erie, Mar. 9, 1923.
Harry W. Hagmann, Erie, Feb. 15, 1923.
Ritchie T. Marsh, Erie, Mar. 1, 1923.
B. Irving Miller, Erie, Mar. 1, 1923.
Walter L. Peako, Corry, Mar. 9, 1923.
Albert E. Rose, Erie, Mar. 9, 1923.
T. S. Woodruff, Girard, Mar. 9, 1923.
W. J. Young, Erie, Mar. 2, 1923.

FRANKLIN COUNTY.

Miss Ethel B. Boyd, Chambersburg, Mar. 9, 1923.
John L. Etchberger, Chambersburg, Mar. 9, 1923.
Harlan J. Mentzer, Blue Ridge Summit, Mar. 1, 1923.

GREENE COUNTY.

Frank R. Hill, Waynesburg, Mar. 9, 1923.

HUNTINGDON COUNTY.

W. D. Behel, Blairs Mills, March 9, 1923.
O. J. Cassady, Mount Union, March 8, 1923.

LACKAWANNA COUNTY.

R. S. Alworth, Scranton, March 2, 1923.
W. J. Appleman, Throop, March 7, 1923.
Fred A. Hughes, Scranton, March 9, 1923.
Miss Amelia S. Koch, Scranton, March 9, 1923.
Shandor Kovacs, Throop, March 5, 1923.
John R. Shephard, Carbondale, March 9, 1923.

LANCASTER COUNTY.

Chas. W. Enby, Lancaster, March 4, 1923.
Mrs. Elsie M. Rutter, Gap, March 9, 1923.
Frank E. Schnerer, Lititz, February 21, 1923.

LEBANON COUNTY.

Eugene Roaster, Lebanon, February 21, 1923.
J. N. Thomas, Annville, March 3, 1923.

LEHIGH COUNTY.

Henry C. Gladstone, Allentown, March 9, 1923.
Martin A. Reinsmith, Allentown, March 1, 1923.
Harry V. Sieger, Coplay, March 1, 1923.
Samuel T. Waldelich, New Tripoli, March 9, 1923.
Samuel Woil, Allentown, March 9, 1923.
Robert P. Wetzel, Allentown, March 9, 1923.

LUZERNE COUNTY.

Robert Challis, Jr., Wilkes-Barre, March 9, 1923.
William T. Howells, Jeddo, March 9, 1923.
Ben H. Keller, Wilkes-Barre, March 9, 1923.
Harry C. Miller, Wyoming, March 9, 1923.
Joseph Reichman, Wilkes-Barre, March 9, 1923.
John Shadrach, Wilkes-Barre, March 1, 1923.
Miss Reba B. Smith, Wilkes-Barre, March 8, 1923.
W. O. Washburn, Wilkes-Barre, March 4, 1923.

LYCOMING COUNTY.

Ira F. Smith, Williamsport, March 3, 1923.

McKEAN COUNTY.

C. C. Davis, McKean, Kane, March 9, 1923.
R. C. Field, Port Allegheny, March 3, 1923.

MERCER COUNTY.

Edward Buchols, Sharon, March 9, 1923.
Quinton J. Burnett, Greenville, March 1, 1923.
Stanley A. Gillespie, Greenville, March 9, 1923.
J. N. Nittle, Greenville, March 8, 1923.
H. Clay Johnson, Mercer, March 8, 1923.
Miss Mary R. McCann, Sharon, March 9, 1923.
Herbert W. Nye, Ferrell, February 25, 1923.

MONROE COUNTY.

Roy N. Houser, Stroudsburg, March 2, 1923.

MONTGOMERY COUNTY.

James E. Dolan, Cynwyd, March 9, 1923.
Daniel L. Evans, Pottstown, March 9, 1923.
John R. Kline, Souderton, March 8, 1923.
Jacob M. Knotz, East Greenville, March 1, 1923.
Miss Rebecca McRoberts, Norristown, March 9, 1923.
Horace K. Thomas, Royersford, March 3, 1923.
Miss Elmina G. Tyson, Jeffersonville, March 9, 1923.
Geo. H. Weidner, Oreland, February 1, 1923.

NORTHAMPTON COUNTY.

Miss Florence M. Bilheimer, Northampton, February 17, 1923.
Clarence R. Boehm, Bethlehem, March 9, 1923.
H. M. Caum, Bethlehem, March 7, 1923.
William J. Figg, Bethlehem, March 1, 1923.
Miss Della W. Wrankenfield, Bethlehem, March 1, 1923.
Asher J. Kauffman, Hellertown, March 4, 1923.
John E. Leibfried, Bethlehem, March 9, 1923.
Philip Meixler, Northampton, March 9, 1923.

NORTHUMBERLAND COUNTY.

Wiliam A. Coulston, Shamokin, March 3, 1923.
Joseph A. Palumbo, Mount Carmel, March 9, 1923.
William N. Ressler, Shamokin, March 9, 1923.

PHILADELPHIA COUNTY.

Woodward Abrahams, Philadelphia, March 9, 1923.
Harry H. Alker, Jr., Philadelphia, March 9, 1923.
Miss Pauline Alloy, Philadelphia, March 9, 1923.

Thomas M. Washmead, Philadelphia, March 9, 1923.
Willard M. Barcus, Philadelphia, March 7, 1923.
John B. Beatty, Philadelphia, March 1, 1923.
W. Albert E. Beech, Philadelphia, March 1, 1923.
C. V. Brennan, Philadelphia, March 9, 1923.
A. P. Buxbaum, Philadelphia, March 9, 1923.
D. Frank Carroll, Philadelphia, March 1, 1923.
Vincent P. Carroll, Philadelphia, March 9, 1923.
Allan J. Cassidy, Philadelphia, March 9, 1923.
William D. Chambers, Philadelphia, March 9, 1923.
Joseph A. Cianciarulo, Philadelphia, March 9, 1923.
Miss Jane E. Clegg, Philadelphia, March 1, 1923.
George F. Deck, Philadelphia, March 9, 1923.
J. William Ditter, Philadelphia, February 21, 1923.
Wm. Fred Dreisbach, Philadelphia, March 9, 1923.
C. Trevor Dunham, Philadelphia, March 9, 1923.
William J. Earnshaw, Philadelphia, March 8, 1923.
Richard C. Ellis, Philadelphia, March 7, 1923.
Harry J. Fasy, Philadelphia, March 9, 1923.
Miss Catherine S. Fegley, Philadelphia, March 9, 1923.
J. Jos. Finn, Philadelphia, March 9, 1923.
Edward I. Frank, Philadelphia, March 9, 1923.
Miss Helen S. Fullerton, Philadelphia, March 1, 1923.
George C. Gibson, Philadelphia, March 9, 1923.
J. V. Hare, Philadelphia, March 1, 1923.
John M. Holton, Philadelphia, March 1, 1923.
Thomas J. Hughes, Philadelphia, March 9, 1923.
P. Wm. Huster, Philadelphia, March 1, 1923.
Chas. A. Jann, Jr., Philadelphia, March 9, 1923.
Mark D. Jones, Philadelphia, March 1, 1923.
Wm. H. Jones, Philadelphia, March 1, 1923.
Oliver S. Kebly, Philadelphia, March 8, 1923.
Frank Brooks Kelly, Philadelphia, March 5, 1923.
Francis F. Kelly, Philadelphia, March 9, 1923.
Edward J. Kirchner, Philadelphia, March 1, 1923.
Charles F. Kolb, Philadelphia, March 1, 1923.
Lewis C. Lee, Philadelphia, March 9, 1923.
Preston B. Lee, Philadelphia, March 9, 1923.
William MacDonald, Philadelphia, March 1, 1923.
Wm. R. Martin, Philadelphia, March 6, 1923.
Maurice H. Matsinger, Philadelphia, March 9, 1923.
Miss Helen R. McSorley, Philadelphia, March 9, 1923.
George A. Meyer, Philadelphia, March 9, 1923.
Abraham L. Millard, Philadelphia, March 9, 1923.
Miss Mary Miller, Philadelphia, March 8, 1923.
William N. Miller, Philadelphia, March 9, 1923.
Edward M. Moll, Philadelphia, March 2, 1923.
William F. Monahan, Philadelphia, March 3, 1923.
Robt. V. Myers, Jr., Philadelphia, March 9, 1923.
Alfred H. Neithamer, Philadelphia, March 9, 1923.
Vincent D. Olivet, Philadelphia, March 9, 1923.
Thomas H. Palmer, Philadelphia, March 9, 1923.
Domenico Pintarelli, Philadelphia, March 9, 1923.
Joseph M. Redfern, Philadelphia, March 9, 1923.
William Weinhardt, Philadelphia, February 24, 1923.
Harold S. Riddiough, Philadelphia, March 9, 1923.
J. William Robbins, Philadelphia, March 4, 1923.
Joseph C. Rodel, Philadelphia, February 28, 1923.
Oscar Rosenbaum, Philadelphia, March 9, 1923.
Erwin B. Ross, Philadelphia, March 1, 1923.
William J. Russell, Philadelphia, March 9, 1923.
Mrs. E. Louise Rutherford, Philadelphia, March 9, 1923.
Miss E. Gertrude Ryan, Philadelphia, March 9, 1923.
John J. Rzepski, Philadelphia, March 9, 1923.
Mayer Sack, Philadelphia, February 21, 1923.
William F. Safka, Philadelphia. March 3, 1923.
Miss Martha C. Scott, Philadelphia, March 9, 1923.
Thomas A. Somers, Philadelphia, March 6, 1923.
George J. Sosna, Philadelphia, March 9, 1923.
Edgar L. Steel, Philadelphia, March 9, 1923.
Thomas F. Stewart, Philadelphia, March 9, 1923.
Charles F. Stocke, Philadelphia, March 9, 1923.
Mrs. Laura C. Sturtevant, Philadelphia, February 21, 1923.
Geo. S. Sutton, Philadelphia, March 1, 1923.
William P. Swift, Philadelphia, March 9, 1923.
Maurice J. Teitelbaum, Philadelphia, March 9, 1923.
Joseph Toro, Philadelphia, March 9, 1923.
Guisoppo Varallo, Philadelphia, March 1, 1923.
Fred C. Voigt, Philadelphia, March 4, 1923.
W. F. Weniger, Philadelphia, March, 9, 1923.
Mrs. Annie L. Wilkinson, Philadelphia, March 15, 1923.
F. A. Wilson, Philadelphia, March 9, 1923.
Walter S. Wood, Philadelphia, March, 4, 1923.

SCHUYLKILL COUNTY.

Theo. F. Sarron, Ashland, March, 6, 1923.
Joseph Bell, Shenandoah, Marc,h 6. 1923.
Frank L. Brown, Auburn, March 1, 1923.
Edward J. Dailey, McAdoo, March 9, 1923.
James S. Hicks, Frackville, March, 1, 1923.
Morris W. Hikes, Pine Grove, March 9, 1923.
Wm. Euehn, Minersville, February 21, 1923.
H. Fred Lauer, Ashland, March 6, 1923.
J. William Ritz, Ashland, March 8, 1923.
John Smith, Mahanoy City, March 9, 1923.
H. H. Spayd, Minersville, February 21, 1923.

SNYDER COUNTY.

B. G. Winey, Swineford, March 9, 1923.

SOMERSET COUNTY.

B. F. Freeman, Windber, March 9, 1923.
D. E. Pore, Confluence, March 9, 1923.
L. D. Sine, Cairnbrook, March, 9. 1923.

SUSQUEHANNA COUNTY.

Charles E. Shelp, New Milford, March 9, 1923.

TIOGA COUNTY.

Miss Marguerite B. Baldwin, Tioga, March 9, 1923.

UNION COUNTY.

Miss Susan E. Slifer, Lewisburg.

VENANGO COUNTY

M. A. Browester, Rouseville, March 9, 1923.
Silas Criswell, Emlenton, March 9, 1923.
Gus. B. Svano, Oil City, March 9, 1923.
Harold T. Parker, Oil City, March 9, 1923.
Bert C. Weikal, Polk, March 1, 1923.

WARREN COUNTY.

C. W. Elder, Sheffield, March 2, 1923.
Mrs. Mabelle E. Landis, Warren, March 9, 1923.

WASHINGTON COUNTY.

Thomas R. Bell, West Alexandria, Mar. 3, 1923.
E. J. Charles, Charleroi, March 9, 1923.
Miss Minnie S. Fleming, Washington, March 9, 1923.

WESTMORELAND. COUNTY.

E. M. Frye, Monessen, March 9, 1923.
John B. Hagerman, New Kensington, March 9, 1923.
Raynolds Laughlin, New Kensington, March 9, 1923.
Nicholas Long, Greensburg, March 9, 1923.
J. Lyman Loucks, Alverton, March 9, 1923.
T. F. O'Connell, Jeannette, March 9, 1923.
L. S. Rhoades, Mount Pleasant, Mar. 9, 1923.
C. A. Sherrick, Mount Pleasant, March 9, 1923.
M. J. Tylavsky, Monessen, March 9, 1923.
Sydney Watkins, Rustraver, March 9, 1923.
Edward H. Welsh, Vandergrift, March 9, 1923.

YORK COUNTY.

G. N. Dise, Glen Rock, March 9, 1923.
Alvin R. Nissley, Hanover, March 9, 1923.
J. F. Witman, York, March 9, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ADAMS COUNTY.

Maurice C. Wareheim, Littlestown.

ALLEGHENY COUNTY.

F. M. Benz, Carrick.
John T. Saplen, Pittsburgh.
W. P. Geisler, McKees Rocks.
Lee Johnson, Pittsburgh.
Mrs. Lillian B. McCullough, Pittsburgh.
John L. Orme, Ingram.
Miss Janet Waddle, Pittsburgh.

BEAVER COUNTY.

Salvatore Morello, Woodlawn.

BLAIR COUNTY.

Walter W. Hunt, Altoona.
J. P. Potteiger, Tyrone.

BRADFORD COUNTY.

J. W. Keyser, Towanda.

BUCKS COUNTY.

Asher F. Anders, Doylestown.

CARBON COUNTY.

R. B. Gallagher, Mauch Chunk.

CRAWFORD COUNTY.

C. F. Ross, Meadville.

DAUPHIN COUNTY.

William M. Foster, Harrisburg.

GREENE COUNTY.

J. W. Emigh, Mount Morris.

INDIANA COUNTY.

R. E. Muffley, Heilwood.

LACKAWANNA COUNTY.

Frederick M. Koehler, Scranton.

LAWRENCE COUNTY.

Robert W. Taylor, New Castle.

LEBANON COUNTY.

Miss Nancy E. Hammond, Lebanon.

LUZERNE COUNTY.

Lester Magagna, West Hazleton.

LYCOMING COUNTY.

Miss Nellie Vellinger, Williamsport.

MONTGOMERY COUNTY.

Darlington Hoopes, Norristown.

NORTHAMPTON COUNTY.

Miss Alice Fenicle, Easton.

NORTHUMBERLAND COUNTY.

Miss Mary Albertini, Mount Carmel.

PHILADELPHIA COUNTY.

W. J. Brady, Philadelphia.
E. J. Bunn, Philadelphia.
Miss Clara B. Crockett, Philadelphia.
Miss A. Nidie Fite, Philadelphia.
Miss Marie G. Gallagher, Philadelphia.
Joseph J. Gleason, Philadelphia.
Mrs. Mary M. Hasson, Philadelphia.
John H. Henrie, Philadelphia.
Miss Neselyn L. Kane, Philadelphia.
Elmer B. Kauffman, Philadelphia.
Lewis H. Immelman, Philadelphia.
Joseph E. Kratz, Philadelphia.
Charles G. Krueger, Philadelphia.
Daniel F. McKenna, Jr., Philadelphia.
Earl E. Miles, Philadelphia.
Russell A. Ogden, Philadelphia.
George W. Thorp, Jr., Philadelphia.
Marian Pajewski, Philadelphia.
Miss Florence E. Potter, Philadelphia.
Earl Provotte, Philadelphia.
Raymond Scott, Philadelphia.
Robert F. Toole, Philadelphia.
Samuel L. Tucker, Philadelphia.
Harry M. Turner, Philadelphia.
Alfred C. Walker, Philadelphia.
Miss Florence F. Wilson, Philadelphia.
E. W. Zoeller, Philadelphia.

WARREN COUNTY.

Miss Mabel Hill, Warren.

WASHINGTON COUNTY.

Miss Beatrice N. Dicks, Washington.

WESTMORELAND COUNTY.

James Bird, Greensburg.

WYOMING COUNTY.

L. A. Wright, Factoryville.

GIFFORD PINCHOT.

COMMISSIONER OF HEALTH.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, Doctor Charles H. Miner, of Wilkes-Barre, as Commissioner of Health of the Commonwealth of Pensylvania for a term of four years, to compute from March 1, 1923.

GIFFORD PINCHOT.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Lloyd T. Wandress, of Norristown, for appointment as Justice of the Peace, in and for the Tenth Ward of the Borough of Norristown, Montgomery County.

GIFFORD PINCHOT.

COMMISSIONER OF LABOR AND INDUSTRY.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 26, 1923.

To the Honorable, the Senate of the Comonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Doctor Royal Meeker, of Silver Lake, (Post Office Brackney), Susquehanna County, for appointment as Commissioner of Labor and Industry, for a term of four years, to compute from date of confirmation.

GIFFORD PINCHOT.

MEMBERS STATE COUNCIL OF EDUCATION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the appointment of the following named persons as Members of the State Council of Education:

Ernest LaPlace, Philadelphia, from July 26, 1921 until first Monday of July 1923.

Marcus Aaron, Pittsburgh, from July 26, 1921 until first Monday of July 1924.

Frederik Rasmussen, Harrisburg, from February 26, 1923 until first Monday of July 1924.

Mrs. Isabel McIlhenney Nichols, Philadelphia, from July 26, 1921 until the first Monday of July 1925.

Mrs. E. Grace McCauley, Beaver, from July 26, 1921 until first Monday of July 1926.

John C. Bell, Philadelphia, from February 26, 1923 until first Monday of July 1926.

Homer D. Williams, Pittsburgh, from July 26, 1921 until the first Monday of July 1927.

Mrs. Gertrude B. Biddle, Carlisle, from Februarv 26, 1923 until the first Monday of July 1928.

Doctor Marion Edwards Park, Bryn Mawr, from February 26, 1923 until the first Monday of July 1928.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. EYRE,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. EYRE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Derrick,	Leslie,	Schantz,
Baldwin,	DeWitt,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Heaton,	Mansfield,	Snyder,
Betts,	Homsher,	McClintock,	Sones,
Brown,	Huffman,	Miller,	Sprowls,
Buckman,	Jones,	Norton,	Steele,
Christley,	Joyce,	Patton,	Stites,
Craig,	Krause,	Phipps,	Vare,
Culberston,	Kutz,	Quigley,	Weaver,
Daix,	Lanius,	Salus,	Woodward,
Davis,			

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. EYRE. Mr. President, I move that the Executive Session do now rise.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. DAVIS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAVIS, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 208, (House Bill No. 158), entitled:

An Act to amend section sixteen of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry.

Mr. CULBERTSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT, is there objection? The Chair hears none

Mr. CULBERTSON from the Committee on New Counties and County Seats reported as committed, Senate Bill No. 171, (House Bill No. 38), entitled:

An Act relating to treasurers in counties of the fifth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks.

MOTION TO READ BILLS THE FIRST TIME.

Mr. DAVIS. Mr. President, I move that all bills reported from committees at to-day's session be read the first time.

Mr. CRAIG. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 85, entitled:

An Act authorizing cities of the third class to regulate the location of businesses trades and industries the location size and use of buildings and the areas of yards, courts, and open spaces.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 112, entitled:

An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed for purposes which have proved or may prove impracticable, impossible or inadvisable, for any other lawful municipal purpose; or to provide for the cancellation of the authority to borrow such moneys.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 171, (House Bill No. 38), entitled:

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies and the compensation of deputies and clerks.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 208, (House Bill No. 158) entitled:

An Act to amend section sixteen of the act approved May 11, 1921 (P. L. 522) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury and making an appropriation thereof; and providing penalties," by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. LESLIE Mr President, I move that the Senate do now adjourn until eleven o'clock tomorrow morning.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:45 P. M., until Tuesday morning, February 27, 1923, at 11 o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 26, 1923.

The House met at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

O Thou, unto whom honor, power and glory belongeth, we render unto Thee the gratitude of our hearts for the unmerited blessings that we have received from Thy beneficent hand. Thou hast blest us in Nation; Thou hast blest us in State; Thou hast blest us in home; Thou hast blest us in heart. We thank Thee this evening, our Heavenly Father, for all these blessings. We thank Thee for this great country of ours, this great State in which we live, for her many splendid institutions, for her splendid manhood and womanhood, for the hospitality and friendship of her homes and firesides.

And as these men and women who comprise the membership of this House have again turned their faces from these home scenes toward this place, here to battle with the great economic, social, and moral problems of the hour, we pray that by Thy grace they may meet the challenge of this hour in the spirit of true statesmanship. Grant that they may find the path of righteousness and truth marked plainly, and walk therein for Thy name's honor and glory. We ask it in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Wednesday, February 21, 1923.

The Clerk proceeded to read the Journal of the proceedings of Wednesday, February 21, 1923, when, on motion of Mr. Schwartz, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. McBRIDE. HOUSE BILL No. 427.

An Act requiring the dedication of public play grounds in certain plans of lots hereafter laid out.

Referred to the Committee on Judiciary Local.

By Mr. BIDELSPACHER. HOUSE BILL No. 428.

An Act to amend section one of the act approved the twenty-first day of April, one thousand nine hundred and twenty-one, (P. L. 268), entitled "An Act relating to police pension funds in cities of the third class, and directing such cities to appropriate certain moneys thereto."

Referred to the Committee on Pensions and Gratuities.

By Mr. McBRIDE. HOUSE BILL No. 429.

An Act making an appropriation to the Homestead Hospital, Homestead, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ALLEN J. STEVENS. HOUSE BILL No. 430.

An Act making an appropriation to the Carlisle Hospital, Carlisle, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. PARKINSON. HOUSE BILL No. 431.

An Act imposing an occupation tax, providing for the levy, assessment and collection of the same, providing for certain credits to be allowed thereon imposing certain duties on county commissioners and judges of elections, and providing penalties.

Referred to the Committee on Counties and Townships.

By Mr. BEAVER. HOUSE BILL No. 432.

A Supplement to an act approved the third day of April, one thousand eight hundred and seventy-two, (P. L. 39), entitled, "An Act directing the sale of the bonds composing the Agricultural College land script fund, and authorizing the issue of a new bond in lieu thereof, and abolishing the board commissioners created by act of April first, one thousand eight hundred and sixty-three," providing for the renewal of the bond and the payment of accrued interest since the maturity of the same, and for the payment of interest hereafter to accrue thereon.

Referred to the Committee on Appropriations.

By Mr. GOLDER. HOUSE BILL No. 433.

An Act to amend section one of an act approved the twentieth day of April, one thousand nine hundred and twenty-one, (P. L. 167) entitled "An Act to amend sections two and three of the act, approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws, one hundred and nineteen), entitled 'An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies,' as amended, by imposing certain duties on all persons having charge of dead human bodies required to be buried at the public expense; requiring immediate notice of all such bodies; limiting the time within which bodies may be claimed; fixing the expense of burial on claimants; and taking away the preference of incorporated anatomical societies, schools, colleges, physicians, and surgeons of the county wherein the death occurs."

Referred to the Committee on Judiciary General.

By Mr. LORENZO D. THOMAS. HOUSE BILL No. 434.

An Act to amend section four of an act approved the thirteenth day of May, Anno Domini, one thousand nine hundred and fifteen, entitled, "An Act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their em-

ployment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," changing the maximum number of hours in the working day and working week for minors.

Referred to the Committee on Labor and Industry.

REPORT FROM COMMITTEE.

Mr. FRAZIER, from the Committee on Judiciary Local, reported as committed, House Bill No. 267, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held or pending pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

LEAVES OF ABSENCE.

Mr. EARLEY asked and obtained leave of absence for Mr. Hall.

Mr. BURNS asked and obtained leave of absence for Mr. Colville.

Mr. NORMAN WOOD asked and obtained leave of absence for Mr. Brown.

The SPEAKER asked and obtained leave of absence for Mr. Bidelspacher.

COMMUNICATION FROM SECRETARY OF STATE OF THE STATE OF OREGON.

The SPEAKER laid before the House a communication from the Secretary of the Commonwealth, which was read as follows:

Office of the Secretary of the Commonwealth,
Harrisburg, Pennsylvania, February 14, 1923.

To the House of Representatives of the Commonwealth of Pennsylvania.

By request of the Secretary of State of the State of Oregon, I have the honor to present a certified copy of Joint Memorial No. 3, of the Thirty-second Legislative Assembly of the State of Oregon, for consideration by the General Assembly of Pennsylvania.

Respectfully yours,
CLYDE L. KING,
Secretary of the Commonwealth.

(For memorial, see Appendix.)

COMMUNICATION RELATIVE TO AMPLIFIERS IN THE HOUSE.

The SPEAKER laid before the House a communication from the Superintendent of Public Grounds and Buildings, which was read as follows:

Commonwealth of Pennsylvania,
Office of Superintendent of Public Grounds and Buildings.
Harrisburg, Pa., February 26, 1923.

C. J. Goodnough, Speaker, House of Representatives, Harrisburg, Pa.

My Dear Sir: Referring to Resolution in the House of Representatives, dated January 23, 1923:

"Resolved, That the Board of Commissioners of Public Grounds and Buildings shall install at the desk of the Speaker of the House of Representatives a set of amplifiers of sufficient power to carry all actions taken, clearly to all parts of the House."

Would state that we have taken this matter up with the Western Electric Co. and the Bell Telephone Co. of Penna. and are advised that the cost of these amplifiers and equipment will be $6,275.00 and that there will be a maintenance charge of $600.00 per annum which would make a total of $6,875.00.

I would advise that the Board of Commissioners of Public Grounds and Buildings at meeting held February 19, 1923, deferred action.

It was ascertained that the installation of these amplifiers would not be satisfactory for the reason that it must be perfectly quiet throughout the Hall of the House of Representatives, to hear distinctly, and that neither the Western Electric Company nor the Bell Telephone Company would guarantee satisfactory results.

Very truly yours,
BERKEY H. BOYD,
Superintendent.

BILL RECOMMITTED.

Mr. BREWSTER. Mr. Speaker, I move that House Bill No. 328, (Senate Bill No. 67), file folio 55, entitled:

An Act to further amend section four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred ninety-five) entitled "An Act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade mark stock and poultry food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the aduleration of any feeding-stuffs sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expense of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled 'An Act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven" as amended fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs.

on page 5 of today's calendar, bills on second reading, be recommitted to the Committee on Agriculture for the purpose of amendment.

Mr. HAINES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. JOSEPH MARCUS. Mr. Speaker, I move that House Bill No. 350, file folio 265, entitled:

An Act to repeal an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged

or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determination by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and section one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars,' and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May, Anno Domini, one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An Act to provide for the incorporation and regulation of certain corporations', approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation consistent with or supplied by this act", and its amendments.

on page 6 of today's calendar, be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. SOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. SPROWLS. Mr. Speaker, I move that House Bill No. 348, file folio 245, entitled:

A supplement to an act approved the third day of June, one thousand nine hundred and eleven, (Pamphlet Laws six hundred and thirty-nine), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violation thereof; and repealing all acts or parts of acts inconsistent therewith;" creating a division in said bureau for the licensing of non-medical technicians, and defining the powers thereof

on page 4 of today's calendar, bills on second reading, be recommitted to the Committee on Public Health & Sanitation for the purpose of a hearing.

Mr. PARKINSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The House proceeded to the first readng and consideration of House Bill No. 275, entitled:

An Act providing for the recovery and collection of taxes assessed on either real or personal property by action of assumpsit against the owner or owners of the real or personal property upon which or against the owner of which the said taxes have been assessed.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 224, as follows:

An Act to amend the title and section one of an act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred and seventy-one) entitled "An Act requiring banks banking corporations copartnerships or associations co-operative banking associations trusts safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of an act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred and seventy-one) entitled "An act requiring banks banking corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void" is hereby amended to read as follows

"An act requiring banks corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies to file of record names of persons authorized to make entries on records of mortgages imposing certain duties on recorders of deeds and declaring certain entries void"

Section 2 That section one of said act is hereby amended to read as follows

Section 1 Be it enacted et cetera That all banks corporations copartnerships or associations cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions savings banks provident institutions building and loan associations lodges and societies that have occasion or may be required to acknowledge payments assign extend postpone release or satisfy or to do any other thing to in any wise effect the lien of any mortgage on record in the recorder of deed's office of any county shall by power of attorney filed of record in such office designate by name the person or persons who are authorized in its name to enter such acknowledgments assignments extensions postponements releases or satisfactions or to do any other thing affecting the lien of any mortgage which appears upon the records in such office

It is unlawful for the recorder of deeds of any county to permit any person other than a person so designated to act for such bank corporation copartnership or association cooperative banking association trust safe deposit real estate mortgage title insurance guaranty surety and indemnity company savings institutions savings banks provident institutions building and loan associations lodge or society

Any entry on any record in the recorder of deeds' office made in violation of the provisions of this act is void and of no effect

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194.

Albert,	Frazier,	Lucas,	Sarig,
Alexander,	Gallaher,	Ludlow,	Sautter,
Allman,	Gelder,	Lynch,	Schaeffer,
Armstrong,	Gibbon,	Mack,	Schilling,
Arthur,	Gilchrist,	Malie,	Schleiter,
Asbury,	Glasgow,	Mangan,	Schoener,
Aston,	Goehring,	Marcus, J.,	Schwartz,
Baker,	Golder,	Marcus, J. C.,	Shambach,
Behney,	Gorham,	Marshall, J. G.,	Sheridan,
Bell, F. A.,	Goss,	Marshall, W. F.,	Smith, G. A.,
Bell, W. T.,	Greeby,	Mathay,	Smith, H. J.,
Bentley,	Griffith,	McBride,	Smith, H.,
Berger,	Grimes,	McCaig,	Smith, J. W.,
Betts,	Guerin,	McCann,	Sowers,
Blair,	Gundy,	McClure,	Spangler,
Bluett,	Haas,	McCurdy,	Speiser,
Blumberg,	Haines,	McDaniel,	Sprowls,
Boback,	Harer,	McDermott,	Stark,
Brenneman,	Harter,	McGowan,	Staudenmeier,
Brewster,	Haslett,	McKim,	Stavitski,
Bromley,	Heffernan,	McVicar,	Steedle,
Brownmiller,	Heffran,	Metcalf,	Sterling,
Burchinal,	Henderson,	Millar,	Stevens, A. J.,
Burns,	Hetrick,	Miller,	Stevens, A. F.,
Bush,	Heyburn,	Minehart,	Stofflet,
Chaplin,	Himes,	Moffatt,	Stoner,
Clutton,	Holcombe,	Moore,	Storb,
Coldsmith,	Hollis,	Morrison,	Storer,
Conner,	Hontz,	Munley,	Thomas, L. D.,
Coyne,	Hoover,	Myers, G. C.,	Thomas, M. G.,
Craig,	Horne,	Myers, P. M.,	Thompson,
Diehm,	Howell,	Nolte,	Van Alen,
Dietz,	Huber,	O'Boyle,	Vickerman,
Dilsheimer,	Irvin,	Ogle,	Walker,
Donahue,	Johnson,	Orr,	Weamer,
Driggs,	Jones, C. B.,	Parkinson,	Wells,
Drinkhouse,	Jones, D. J.,	Patterson,	Wettach,
Dunn,	Jones, E. P.,	Peelor,	Wheeler,
Eaches,	Keene,	Perry,	Whitehouse,
Earley,	Kelly,	Pitts,	Whiteman,
Edmonds,	Kennedy,	Posey,	Williams, G. W.,
Eshelman,	Kohler,	Post,	Williams, J. M.,
Evans, B. P.,	Korns,	Price,	Woner,
Evans, J.,	Kunkle,	Raymond,	Wood, N.,
Fields,	Labar,	Rhodes,	Wood, W. P.,
Flinchbaugh,	Lafferty,	Richards,	Wright,
Flynn,	Lauver,	Rinn,	Zook,
Fowler, A. I.,	Little,	Rippman,	Goodnough,
Fratt,	Long,	Sample,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 76, as follows:

An Act to amend Sections five and ten of the Act approved the nineteenth day of April Anno Domini one thousand nine hundred and one (Pamphlet Laws eighty-eight entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section five of an Act entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued" approved April nineteenth one thousand nine hundred and one (Pamphlet Laws, eighty-eight) is amended to read as follows

Section 5 The defendant or party intervening shall within fifteen days after the filing of such declaration file an affidavit of defense thereto setting up the facts denying plaintiff's title and showing his own title to said goods and chattels and in event of his failure so to do upon proof that a copy of said declaration was served upon him or his attorney judgment may be entered for the plaintiff and against the defendant or party intervening which judgment shall operate to forfeit any counter bond given by him The court may enter judgment with like effect for want of a sufficient affidavit of defense or for such goods and chattels as may be admitted to be the property of the plaintiff in the affidavit of defense or may enter judgment with like effect for such goods and chattels as to which the court may adjudge the affidavit of defense insufficient And in the event of judgment being rendered in favor of the plaintiff for a portion of such goods and chattels replevied he may proceed to recover such goods and chattels by writ of retorno habendo or the value thereof after assessment of damages on a writ of inquiry of damages issued and the case shall be proceeded in for recovery of the balance If the defendant has been duly summoned and does not appear at the return-day of the writ the plaintiff having filed his declaration may file a common appearance for the defendant and proceed in the cause as in other cases Where the writ has been returned nihil habet as to the defendant it shall be lawful for the plaintiff at and after the third term of the court after the execution of the writ to take judgment against the defendant for default of appearance Provided that the plaintiff fifteen days prior to the entry of said judgment shall have filed his declaration

Section 2 That Section ten of said Act is amended to read

Section 10 No action shall be brought upon any bond given in accordance with the provisions of this act unless commenced within a year and a day after the final determination of the suit in which the bond was given

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Albert,	Flinchbaugh,	Lucas,	Sautter,
Alexander,	Flynn,	Ludlow,	Schilling,
Allman,	Fowler, A. I.,	Lynch,	Schleiter,
Armstrong,	Fowler, D.,	Mack,	Schoener,
Arthur,	Fratt,	MacKinney,	Shambach,
Asbury,	Frazier,	Malie,	Sheridan,
Aston,	Gelder,	Marcus, J.,	Smith, G. A.,
Baker,	Glasgow,	Marshall, J. G.,	Smith, H. J.,
Baldi,	Goehring,	Marshall, W. F.,	Smith, H.,
Beaver,	Golder,	Mathay,	Smith, J. W.,
Behney,	Gorham,	McBride,	Soffel,
Bell, F. A.,	Goss,	McCaig,	Sowers,
Bell, W. T.,	Greeby,	McClure,	Speiser,
Bentley,	Griffith,	McCurdy,	Sprowls,
Berger,	Gundy,	McDaniel,	Stark,
Betts,	Haas,	McGowan,	Staudenmeier,
Bluett,	Harer,	McKim,	Stavitski,
Blumberg,	Harter,	McVicar,	Sterling,
Boback,	Haslett,	Metcalf,	Stevens, A. J.,
Brenneman,	Heffran,	Millar,	Stevens, A. F.,
Brewster,	Henderson,	Miller,	Stofflet,
Bromley,	Hetrick,	Minehart,	Stoner,
Brownmiller,	Heyburn,	Moore,	Storer,
Burchinal,	Himes,	Morrison,	Thomas, L. D.,
Burns,	Holcombe,	Munley,	Thomas, M. G.,
Bush,	Hollis,	Myers, G. C.,	Thompson,
Clutton,	Hontz,	Myers, P. M.,	Van Alen,
Coldsmith,	Hoover,	Nolte,	Vickerman,
Conner,	Horne,	O'Boyle,	Weamer,
			Wells,

Craig,	Howell,	Ogle,	Wheeler,
de Young,	Irvin,	Orr,	Whitehouse,
Diehm,	Johnson,	Parkinson,	Whiteman,
Dietz,	Jones, C. B.,	Patterson,	Williams, G. W.,
Dilsheimer,	Jones, D. J.,	Peelor,	Williams, J. M.,
Donahoe,	Jones, E. P.,	Pitts,	Woner,
Driggs,	Keene,	Post,	Wood, N.,
Drinkhouse,	Kelly,	Price,	Wood, W. P.,
Dunn,	Kennedy,	Raymond,	Wright,
Eaches,	Kohler,	Rhodes,	Zook,
Earley,	Korns,	Richards,	Goodnough,
Edmonds,	Kunkle,	Rinn,	Speaker.
Evans, B. P.,	Labar,	Rippman,	
Evans, J.,	Little,	Sample,	
Fields,	Long,	Sarig,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 52, as follows:

An Act to amend an act Approved the thirty-first day of March, one thousand nine hundred and twenty-one (Pamphlet Laws seventy-eight) entitled "An Act to prohibit the speeding and racing of certain motor vehicles to fires the parking of motor vehicles in the vicinity of fires and the driving of motor vehicles over lines of hose" by extending the provisions thereof to all vehicles

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Act of Assembly approved the thirty-first day of March, one thousand nine hundred and twenty-one (Pamphlet Laws seventy-eight) entitled "An Act to prohibit the speeding and racing of certain motor vehicles to fires the parking of motor vehicles in the vicinity of fires and the driving of motor vehicles over lines of hose" is hereby amended to read as follows

"That it shall be unlawful for any person except a person connected with a duly constituted fire department to drive at an excessive rate of speed to any fire or to race with any fire apparatus to any fire It shall be unlawful for any person to park any motor or other vehicle within one thousand feet of any fire other than such motor or other vehicles as may belong to any fire department or as may be used by any person connected with any fire department It shall be unlawful for any person to drive any motor or other vehicle over any line of hose which for the time being is being used for the purpose of extinguishing any fire It shall be the duty of the driver of any motor or other vehicle upon hearing the approach of any fire apparatus from either direction to immediately bring his motor or other vehicle to a standstill on his or her right-hand side of the road or street and to remain standing until such apparatus has passed his or her motor or other vehicle This act shall not apply to any ambulance or police patrol Nor shall any person be held to have violated the provisions of this act with regard to parking if the act of parking was done prior to the commencement of such fire

Any person violating the provisions of this act shall upon conviction in a summary proceeding before a Justice of the Peace or alderman be sentenced to pay a fine of twenty-five dollars and costs of prosecution and in default thereof to undergo an imprisonment in the County jail for a period not exceeding thirty (30) days

And said bill having been read at length the third time, considered and agree to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189.

Albert,	Fowler, D.,	Long,	Sarig,
Alexander,	Fratt,	Lucas,	Sautter,
Allman,	Frazier,	Ludlow,	Schaeffer,
Armstrong,	Gallagher,	Lynch,	Schilling,
Arthur,	Gelder,	Mack,	Schleiter,
Asbury,	Gibbon,	MacKinney,	Schoener,
Aston,	Gilchrist,	Malie,	Schwartz,
Baker,	Glasgow,	Mangan,	Shambach,
Baldi,	Goehring,	Marcus, J.,	Sheridan,
Beaver,	Golder,	Marcus, J. C.,	Smith, G. A.,
Behney,	Gorham,	Marshall, J. G.,	Smith, H. J.,
Bell, F. A.,	Goss,	Marshall, W. F.,	Smith, H.,
Bell, W. T.,	Greeby,	Mathay,	Smith, J. W.,
Bentley,	Griffith,	McBride,	Soffel,
Berger,	Grimes,	McCaig,	Sowers,
Betts,	Guerin,	McClure,	Spangler,
Blair,	Gundy,	McCurdy,	Speiser,
Bluett,	Haas,	McDaniel,	Sprowls,
Blumberg,	Haines,	McDermott,	Stark,
Boback,	Harer,	McGowan,	Staudenmeier,
Brenneman,	Harter,	McKim,	Stavitski,
Brewster,	Haslett,	McVicar,	Steedle,
Bromley,	Haws,	Metcalf,	Sterling,
Brownmiller,	Heffernan,	Millar,	Stevens, A. J.,
Burchinal,	Heffran,	Miller,	Stevens, A. F.,
Burns,	Henderson,	Minehart,	Stofflet,
Bush,	Hetrick,	Moffatt,	Stoner,
Chaplin,	Heyburn,	Moore,	Storb,
Clutton,	Himes,	Morrison,	Storer,
Coldsmith,	Holcombe,	Munley,	Thomas, L. D.,
Conner,	Hollis,	Myers, G. C.,	Thomas, M. G.,
Craig,	Hontz,	Myers, P. M.,	Thompson,
Diehm,	Hoover,	Nolte,	Van Alen,
Dietz,	Horne,	O'Boyle,	Vickerman,
Dilsheimer,	Howell,	Ogle,	Walker,
Donahue,	Huber,	Orr,	Weamer,
Driggs,	Irvin,	Parkinson,	Wells,
Drinkhouse,	Johnson,	Patterson,	Wettach,
Dunn,	Jones, C. B.,	Peelor,	Wheeler,
Eaches,	Jones, D. J.,	Perry,	Whitehouse,
Earley,	Jones, E. P.,	Pitts,	Whiteman,
Edmonds,	Keene,	Posey,	Williams, G. W.,
Eshelman,	Kelly,	Post,	Williams, J. M.,
Evans, B. P.,	Kennedy,	Price,	Woner,
Evans, J.,	Kohler,	Raymond,	Wood, N.,
Fields,	Korns,	Rhodes,	Wood, W. P.,
Flinchbaugh,	Labar,	Richards,	Wright,
Flynn,	Lafferty,	Rinn,	Zook,
Fowler, A. I.,	Lauver,	Rippman,	Goodnough,
	Little,	Sample,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE.

Mr. ALEXANDER. Mr. Speaker, I desire to call up at this time from the final passage postponed calendar, House Bill No. 250 (Senate Bill No. 6), file folio 93.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 250 (Senate Bill No. 6), entitled:

An Act to amend section two of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty-four) entitled "An Act authorizing the directors and overseers of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing for the payment of the expenses thereof."

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, ladies and gentlemen of the House, this is the bill that you remember on Tuesday of last week I asked to have put on the postponed calendar until I could interrogate the sponsor of the bill. You will notice on page three of the bill that it provides for a membership subscription fee of not more than fifty dollars for each

poor district, per annum, Mr. Long explained the bill to this extent, that heretofore, the membership fee was not to be more than fifteen dollars. The fact is, as Senator Long stated, that very few of the poor districts participated in these conventions, and there were not sufficient funds to bear the expenses, therefore they asked for this bill, providing for a fee not exceeding fifty dollars. That means that the more poor boards that attend these conventions, the less will be the subscription fee. It simply carries the expenses, whatever they may be.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—79.

Alexander,	Drinkhouse,	Henderson,	Metcalf,
Allman,	Dunn,	Heyburn,	Minehart,
Armstrong,	Eaches,	Himes,	Myers, P. M.,
Arthur,	Earley,	Huber,	Nolte,
Aston,	Edmonds,	Jones, C. B.,	Orr,
Baldi,	Evans, B. P.,	Keene,	Pitts,
Behney,	Evans, J.,	Kohler,	Posey,
Bell, W. T.,	Fowler, A. I.,	Lafferty,	Sautter,
Berger,	Fowler, D.,	Little,	Smith, H.,
Bluett,	Fratt,	Long,	Smith, J. W.,
Blumberg,	Frazier,	Lucas,	Spangler,
Brewster,	Glasgow,	Ludlow,	Steedle,
Bromley,	Goehring,	Malie,	Storer,
Burns,	Golder,	Mangan,	Thomas, L. D.,
Chaplin,	Greeby,	Marcus, J. C.,	Van Alen,
Coldsmith,	Grimes,	Marshall, J. G.,	Weamer,
Conner,	Guerin,	McCaig,	Wettach,
Craig,	Haslett,	McDaniel,	Wood, N.,
Diehm,	Haws,	McGowan,	Goodnough,
Dilsheimer,	Heffernan,	McKim,	Speaker.

NAYS—91.

Albert,	Harter,	McCurdy,	Shambach,
Beaver,	Heffran,	McDermott,	Sheridan,
Bell, F. A.,	Hetrick,	Miller,	Smith, H. J.,
Betts,	Holcombe,	Moffatt,	Stark,
Blair,	Hollis,	Moore,	Staudenmeier,
Boback,	Hontz,	Morrison,	Stavitski,
Brenneman,	Hoover,	Munley,	Stevens, A. J.,
Brownmiller,	Horne,	Myers, G. C.,	Stofflet,
Dietz,	Howell,	Ogle,	Stoner,
Donahue,	Irvin,	Peelor,	Storb,
Driggs,	Johnson,	Post,	Thompson,
Eshelman,	Jones, D. J.,	Price,	Vickerman,
Fields,	Jones, E. P.,	Raymond,	Wells,
Flinchbaugh,	Kennedy,	Rhodes,	Whitehouse,
Flynn,	Kunkle,	Richards,	Williams, G. W.
Gallagher,	Labar,	Rinn,	Williams, J. M.,
Gibbon,	Lauver,	Rippman,	Woner,
Gilchrist,	Lynch,	Sample,	Wood, W. P.,
Gorham,	Mack,	Sarig,	Wright,
Griffith,	MacKinney,	Schilling,	Zook,
Gundy,	Marshall, W. F.,	Schleiter,	
Haas,	McBride,	Schoener,	
Harer,	McClure,	Schwartz,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 228, as follows:

An Act to amend an act approved the twenty-first day of July one thousand nine hundred nineteen (Pamphlet Laws one thousand and sixty-four) entitled "An Act authorizing the appointment of clerks by the judges of the orphans' court of certain counties" by providing that the compensation of said clerks in counties of the first class shall be fixed by the said judges

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-first day of July one thousand nine hundred nineteen (Pamphlet Laws one thousand and sixty-four) entitled "An Act authorizing the appointment of clerks by the judges of the orphans' court of certain counties" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the first class of this Commonwealth the judges of the orphans' court of said county in order to facilitate the disposition of the business of the court may select and appoint clerks not exceeding five in number who shall be competent stenographers and who shall perform such clerical duties in the court rooms or judges' chambers as said judges may direct Said clerks shall each receive such annual compensation as shall be fixed by said judges which compensation shall not exceed four thousand dollars and shall be paid out of the county treasury in the same manner as other county officers are paid

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Alexander,	Eshelman,	Jones, E. P.,	Pitts,
Allman,	Evans, B. P.,	Keene,	Posey,
Armstrong,	Evans, J.,	Kelly,	Price,
Arthur,	Fields,	Kohler,	Rippman,
Asbury,	Fowler, A. I.,	Korns,	Sample,
Aston,	Fowler, D.,	Kunkle,	Sautter,
Baker,	Fratt,	Labar,	Schaeffer,
Baldi,	Frazier,	Lauver,	Schilling,
Beaver,	Gelder,	Little,	Shambach,
Behney,	Gibbon,	Long,	Sheridan,
Bell, F. A.,	Gilchrist,	Lucas,	Smith, H. J.,
Bell, W. T.,	Glasgow,	Ludlow,	Smith, H.,
Bentley,	Goehring,	Lynch,	Smith, J. W.,
Betts,	Golder,	Mack,	Sowers,
Blair,	Gorham,	MacKinney,	Staudenmeier,
Bluett,	Goss,	Malie,	Stavitski,
Blumberg,	Greeby,	Marcus, J. C.,	Stevens, A. J.,
Boback,	Griffith,	Marshall, W. F.,	Stevens, A. F.,
Brenneman,	Grimes,	Mathay,	Stoner,
Brewster,	Guerin,	McBride,	Storb,
Bromley,	Haas,	McCann,	Storer,
Burchinal,	Haines,	McCaig,	Thomas, L. D.,
Burns,	Harer,	McCurdy,	Thompson,
Bush,	Harter,	McDaniel,	Van Alen,
Chaplin,	Haslett,	McDermott,	Vickerman,
Clutton,	Heffran,	McGowan,	Walker,
Coldsmith,	Henderson,	McKim,	Weamer,
Conner,	Hetrick,	Metcalf,	Wettach,
Coyne,	Heyburn,	Millar,	Whitehouse,
Craig,	Himes,	Miller,	Whiteman,
de Young,	Holcombe,	Moffatt,	Williams, G. W.,
Diehm,	Hollis,	Moore,	Williams, J. M.,
Dietz,	Hontz,	Munley,	Woner,
Dilsheimer,	Hoover,	Myers, G. C.,	Wood, W. P.,
Donahue,	Horne,	Myers, P. M.,	Wright,
Driggs,	Howell,	Nolte,	Zook,
Dunn,	Huber,	Ogle,	Goodnough,
Eaches,	Irvin,	Orr,	Speaker.
Earley,	Jones, C. B.,	Parkinson,	
Edmonds,	Jones, D. J.,	Peelor,	

NAYS—5.

Albert,	Post,	Raymond,	Schleiter,
Johnson,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration of final passage of House Bill No. 122, as follows:

An Act to regulate and restrain the hawking vending and peddling of fish fruit and vegetables and other merchandise

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and is hereby enacted by the authority of the same That it shall be unlawful for any person to hawk vend or peddle upon the highways streets lanes alleys avenues roads or pavements of any city of the first class any fish fruit or vegetables or other merchandise except a license therefore shall have been previously obtained as hereinafter provided

Section 2 Licenses shall only be granted under this act to persons born or naturalized in the United States upon personal application and only one license shall be issued to any one person The license shall not be transferable shall be for the current calendar year and no abatement shall be made for licenses issued for the fractional part of a year When such license is issued a card of identification containing the photograph of the holder thereof shall accompany the license.

Section 3 It shall be unlawful for any person to use any wagon cart dray wheelbarrow or other vehicle for the purpose of hawking vending and peddling fish fruit and vegetables or other merchandise upon the highways streets lanes alleys avenues roads or pavements of any city of the first class unless the same shall be conspicuously marked with the name and address of the licensee and shall have prominently displayed thereon a license plate numbered the same as the license which was granted for the same

Section 4 The Councils of the cities of the first class after the passage of this act shall fix by ordinance the amount to be paid for the license under this resolution the amount to be paid for the license under this act and the time the same shall be paid and also describe and regulate the manner of payment thereof into the treasury of the said cities.

Section 5 Any person violating any of the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding one hundred dollars ($100.00) and in default of the payment of fine and costs to undergo an imprisonment of five days provided that nothing contained in this act shall prevent any discharged soldier sailor or marine who has served in any war in which the United States has been engaged and who is a resident of the city from hawking peddling and vending such merchandise nor prevent any citizen of this Commonwealth from hawking vending and peddling the products of his or her or their farm or garden Provided however That he she or they shall be required to appear and execute an affidavit to that effect before the proper officials and display prominently on the vehicle used a license-plate for which however no charge shall be made

Section 6 The Act of Assembly approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and four) entitled "An act to regulate and restrain the hawking vending and peddling of fish fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth" is hereby repealed

All other acts and parts of acts inconstant herewith are hereby repealed.

On the question shall the bill pass finally?

Mr. DUNN. Mr. Speaker, ladies and gentlemen of the House, this bill only amends an Act of 1917 and it only applies to cities of the first class. In the session of 1921, there was a repealer passed here striking out the section that licenses shall only be granted to citizens of the United States. That was stricken out unfortunately, and as it is now, it permits any alien to get a license. It affects 1060 farmers' licenses and 2,702 soldiers' licenses. We only amend by putting in, "persons born or naturalized in the United States," and it only applies to cities of the first class.

Mr. GOLDER: Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Dunn.

Mr. SPEAKER. Will the gentleman from Philadelphia, Mr. Dunn, permit himself to be interrogated.

Mr. DUNN. I will.

The SPEAKER. The gentlemen will proceed.

Mr. GOLDER: I should like the sponsor of the bill to explain only the amendment, but the purpose of the bill which it aims to amend, so that we will have not only the amendment in mind but the entire bill.

Mr. DUNN. Mr. Speaker, ladies and gentlemen of the House, to make it more plain so that you will all understand the bill, I will read a letter from the Chief of the Bureau of City Property, who has this part of the legislation in charge for the city of Philadelphia.

February 24, 1923.

Hon. James A. Dunn, Representative, 16th District, Philadelphia, Pa.

Dear Sir: I am very much interested in the Act you introduced in the Legislature on January 30, 1923, to regulate and restrain in the hawking, vending and peddling of fish, fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth.

The Vendor's Licenses come under the jurisdiction of the Bureau of City Property in Philadelphia of which I happen to be Chief.

We have had considerable trouble the last two years with the men vending that are not citizens of the United States. Mr. Stirling in 1921, had the Act amended, striking out Section 2, which reads as follows:

"Section 2. Licenses shall only be granted under this ordinance to citizens of the United States, and shall be for the current calendar year, and no abatement shall be made for licenses issued for the fractional part of a year."

Since that time the non-citizens have been enjoying the vending privileges without cost and the citizen was compelled to pay for a license which to my mind seemed to be very unjust and not fair to the American Citizens.

If your Act is passed, it will clear up the conditions in Philadelphia which have been existing for two years.

Thanking you for your efforts in this Act, I am,

Very truly yours,
Harry T. Baxter,
Chief of Bureau.

That explains the purpose of the bill and explains the reason for the amendment offered to the bill, simply making it an American bill for Americans, and preventing aliens who come in from taking advantage of the 2700 soldiers and 1000 farmers. If we, as Americans, do not after what we went through in the great World War, try to make Pennsylvania, and more especially that great patriotic city of Philadelphia Americanized, then we must forget the sacrifice we made in the great World War for democracy. 85,000 aliens during the World War claimed exemption in Philadelphia county alone. They went into the workshops and munition shops and they worked there for from ten to twelve and fourteen dollars a day, while our boys, simply because they had stamped on their minds the fact that they were American-born, were compelled to enter the service, were drafted into the service, while these 85,000 aliens stayed at home. The boys over in France sacrificed their lives and blood for those men who were here enjoying all the privileges of this great free country of ours. If we are going to permit aliens to compete with these soldiers, with these farmers in our town, as they do under the act at present, without the amendment, then all the sacrifices we have made for America are lost. Let the 85,000 men, who claimed exemption, become naturalized and do as my boy did, and other boys did who made the sacrifice so that they will be under the same obligation, under the same rule, under the same regulation, and be forced, if necessary to do the same work during the time of war as the American boy did. 2,700 of them have got a license, and 1,060 farmers have a license, and the amendment is to strike out the word "citizen". To permit these aliens now to come in and peddle their vegetables and hawk in competition with these men, if we are going to do that in an American city like Philadelphia, we must forget the sacrifices we have made in the World War.

Mr. GOLDER. Mr. Speaker, I desire to further interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Dunn, permit himself to be further interrogated?

Mr. DUNN. I will.

The SPEAKER. The gentlemen will proceed.

Mr. GOLDER. Mr. Speaker, I desire to ask the gentleman from Philadelphia whether if this bill were enacted into a law an alien who owned his own farm and raised his own vegetables would be permitted to sell them?

Mr. DUNN. The law says that.

Mr. GOLDER. It is your thought, Mr. Dunn, that under this act an alien who owns property in Pennsylvania would still be permitted to sell his produce?

Mr. DUNN. In Pennsylvania, not in Philadelphia.

Mr. GOLDER. I desire to further interrogate the gentleman. I desire to again ask the gentleman from Philadelphia whether if this law were in effect, an alien who had a farm in the city of Philadelphia would be permitted to sell his products in the city of Philadelphia?

Mr. DUNN. Has the gentleman from Philadelphia read the act?

Mr. GOLDER. I have, but I have not had the benefit of his superior learning in the matter.

Mr. DUNN. He is an attorney and ought to interpret the law. I am not.

Mr. GOLDER. Thank you, Mr. Dunn.

There is nothing that gives me more of a thrill, and takes me back to the days of the War, than to hear the gentleman from Philadelphia, Mr. Dunn, wave the American flag in all its glory. There is nothing that Mr. Dunn has said about the American soldier, and I say it with due modesty, to which I do not add my assent. It seems to me, however, in preaching Americanism, we should do so not only in words of Americanism, but in the spirit of Americanism. I don't know whether Mr. Dunn thinks it is a fitting reward to those who went over the top, and as he explains it, gave their blood in the war, their valor, and sacrificed for this nation; I don't know whether he thinks it is sufficient reward to let them come back and let them have free access to the huckstering privileges in the city of Philadelphia. I, for one don't. I don't think that the American soldier would consider it very much of a compliment if we were to pass this bill and say to him, "Now then, you have the monopoly of huckstering fish in the city of Philadelphia, no alien will interfere with you."

Now, gentlemen, it is all well and good to speak of Americanism, but let us not speak of it if we don't understand the spirit of it. There are very many aliens who took advantage of their right to evade the draft. Ah, more is the pity that there were those men! But this fact also remains that there was many an alien who waived the right that he had to claim exemption and went in, side by side, with the men of American birth; he went over the top and gave his last drop of blood, and made his sacrifice and worked, ah, just as hard and just as courageously as the native-born. Is it not time that we gave up distinction when it is just a matter of common decency between a man who was born here and a man who was born on the other side. Surely if we take him in, surely if we make him a part of our country, surely if we make him one of our own here, let us give him the same rights and privileges. How many men in this House are personally acquainted with men who are now leading citizens and leading merchants in their own community, who came over here struggling with a pack on their back? Let us take the men who have been in here less than five years, less than sufficient time to have taken out their citizens papers. They came over here, perhaps, with families, they took advantage of American thought in the land of American freedom, the right to earn their own living. Are you going to say to those men because they are simply struggling with a pack on their back, working from the depths of civilization, that they cannot go on and carry out their own work? Why, it is mockery! It is mockery for you to take from those men who are struggling, who are doing everything they can to make a living, who are doing everything they can to become citizens, educating their children to become fine Americans, to shut off their only means of livelihood. If we are going to take that away, I say to you it is not fair. It is not fair to us as a community, it is not fair to those people who have come to our shores and are struggling to educate their children, and it is not fair to a soldier to say we shall take away from everybody this right and give a monoply of huckstering apples and fish to the American soldier. I ask you men in all fairness, in all decency, in the spirit of Americanism, to vote down this bill.

Mr. DUNN. Mr. Speaker, I want to reply to one remark in the statement of my colleague from Philadelphia when he made that plea about the poor soldier being compelled to huckster and peddle. Those poor soldiers, the 2,700 of them last year did that for a livelihood. Not because they wanted to, but because they sought that as an occupation. When they came back from France they found these 85,000 aliens in their jobs, and they walked the streets for months and months, not only in Philadelphia but throughout this entire state of ours, and they sought an occupation and a license. The sneering way in which my good friend from Philadelphia puts it, a license to peddle in Philadelphia. It was the only occupation which they asked for, the only occupation at that time and now, that they can have; willing to do anything that is possible, that they are able to do. Many of them fought on the battlefields and were disabled, physically and otherwise. Those men the majority of them, were physically unable to go into the mills and workshops and compete with the 85,000 aliens who are there. They are seeking a license to peddle and hawk in the city of Philadelphia. It is an honorable occupation. Even after the sneering way in which my friend tries to make an impression on you, it is all they can get, and if we are going to permit probably 100,000 aliens out side of the 85,000, who claimed exemption and stayed here, if we are going to permit them to compete with the American boy and the citizens then we are not what we ought to be as American citizens.

Mr. GOLDER: Mr. Speaker, I have no desire to prolong the discussion on this bill, but it is really amazing how the census of Philadelphia has increased in the last five minutes. When Mr. Dunn first spoke on this bill, I believe there was a total alien population of some 40,000. A little further on in his discussion, in his last remark there were 85,000 and suddenly they became 100,000. Now, let me say, Mr. Speaker, for the benefit of Mr. Dunn, if he does not already know it, that any disabled soldier under the laws of Pennsylvania can get a license to peddle in any community in Pennsylvania without any charge.

Now, Mr. Speaker, I desire to again interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia Mr. Dunn, permit himself to be interrogated?

Mr. DUNN. I am ready.

The SPEAKER. The gentlemen will proceed.

Mr. GOLDER. Will the gentleman from Philadelphia advise me, if he can, how many soldiers in the city and the county of Philadelphia were refused licenses to peddle since the enactment of the law of 1921?

Mr. DUNN. None.

Mr. GOLDER. Thank you, Mr. Dunn.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albert,	Frazier,	Little,	Sarig,
Alexander,	Gallaher,	Long,	Sautter,
Allman,	Gibbon,	Lucas,	Schoener,
Armstrong,	Goss,	Ludlow,	Shambach,
Arthur,	Greeby,	Lynch,	Sheridan,
Asbury,	Griffith,	MacKinney,	Smith, H. J.,
Aston,	Grimes,	Malie,	Smith, H.,
Baker,	Guerin,	Marcus, J.,	Smith, J. W.,
Behney,	Gundy,	Marshall, W. F.,	Soffel,
Bell, F. A.,	Haas,	Mathay,	Sowers,
Bentley,	Harer,	McBride,	Spangler,
Betts,	Harter,	McClure,	Stark,
Blair,	Haslett,	McCurdy,	Staudenmeier,
Blumberg,	Haws,	McDaniel,	Steedle,
Brewster,	Heffernan,	McDermott,	Stevens, A. J.,
Bromley,	Heffran,	McGowan,	Stevens, A. F.,
Brownmiller,	Henderson,	McKim,	Stofflet,
Burchinal,	Hetrick,	McVicar,	Stoner,
Bush,	Himes,	Metcalf,	Storb,
Chaplin,	Holcombe,	Millar,	Storer,
Clutton,	Hollis,	Miller,	Thomas, L. D.,
Coldsmith,	Hontz,	Minehart,	Thompson,
Conner,	Hoover,	Moffatt,	Van Alen,
Craig,	Horne,	Moore,	Vickerman,
Diehm,	Howell,	Morrison,	Walker,
Donahue,	Huber,	Munley,	Weamer,
Driggs,	Irvin,	Myers, G. C.,	Wells,
Drinkhouse,	Johnson,	Myers, P. M.,	Wettach,
Dunn,	Jones, C. B.,	Parkinson,	Whiteman,
Eaches,	Jones, D. J.,	Patterson,	Williams, G. W
Edmonds,	Jones, E. P.,	Peelor,	Williams, J. M.
Eshelman,	Keene,	Pitts,	Wood, N.,
Evans, B. P.,	Kelly,	Post,	Wood, W. P.,
Evans, J.,	Kennedy,	Price,	Woner,
Fields,	Kohler,	Raymond,	Wright,
Flinchbaugh,	Korns,	Rhodes,	Zook,
Fowler, A. I.,	Kunkle,	Richards,	Goodnough,
Fowler, D.,	Labar,	Rinn,	Speaker.
Fratt,	Lauver,	Sample,	

NAYS—14.

Baldi,	Flynn,	Marcus, J. C.,	Speiser,
Bluett,	Golder,	McCann,	Stavitski,
Boback,	Gorham,	Nolte,	
Dilsheimer,	Mack,	Schleiter,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 211, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for any lawful purpose defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto making an appropriation of the proceeds of such bonds for the purposes intended providing for the payment of interest on and the redemption of such bonds by the Sinking Fund Commission

The first section was read and agreed to as follows:

POWER TO BORROW MONEY

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor on behalf of the Commonwealth of Pennsylvania is hereby authorized to borrow from time to time on the credit of the Commonwealth of Pennsylvania such sum or sums of money and for such purposes as are authorized by law

The second section was read as follows:

BONDS-ISSUE MATURITY INTEREST ET CETERA

Section 2 (a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall be issued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity not to exceed thirty years rate of interest not to exceed four and one-half per centum per annum and time of payment of interest as the Governor shall direct

(b) All bonds issued under the authority of this act shall be signed by the Governor under the great seal of the Commonwealth of Pennsylvania and shall be countersigned by the State Treasurer and Auditor General

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain lithographed facsimile signatures of the State Treasurer and the Auditor General

(e) When directed so to do by the Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the State Treasurer there to remain until sold in accordance with the provisions of this act

On the question,

Will the House agree to the section?

Mr. DUNN. Mr Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, clause (b) lines 11, 12 and 13, by striking out the following: "be signed by the Governor under the great seal of the Commonwealth of Pennsylvania, and shall be countersigned by the State Treasurer and Auditor General" and insert in lieu thereof: "bear the fac-simile signatures of the Governor, Auditor General and State Treasurer, and a fac-simile of the great seal of the Commonwealth of Pennsylvania, and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth."

Amend section 2, page 2, clause (d), line 20, by striking out the word "lithographed"

Amend section 2, page 2, clause (e), line 26, by striking out the words "State Treasurer" and insert in lieu thereof: "duly authorized loan and transfer agent of the Commonwealth."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third, fourth and fifth sections were separately read and agreed to as follows:

SALE OF BONDS

Section 3 Whenever bonds are issued under the direction of the Governor they shall be offered for sale at not less than par and shall be sold by the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions and upon such open competitive bidding as the Governor shall direct The manner and character of such advertisment and the times of advertising shall be prescribed by the Governor

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of otherwise by the Auditor General and the State Treasurer in such manner and at

such prices not less than par as the Governor shall direct No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act

DISPOSITION AND USE OF PROCEEDS APPROPRIATIONS

Section 4 The proceeds realized from the sale of bonds under the provisions of this act shall be paid into the State Treasury and shall be set apart and be kept in a separate fund to be designated according to the particular purpose for which the loan is made All moneys in such fund from time to time are hereby specifically appropriated to the proper department for the purpose intended

The Auditor General shall upon requisition from time to time of the chief officer of such department draw his warrant upon the State Treasurer for the amounts specified in such requisitions not exceeding however the amount in such fund at the time of making such requisitions

DEPOSITS WITH STATE DEPOSITORIES

Section 5 The State Treasurer with the approval of the Governor and Auditor General is authorized to deposit any of the moneys in such fund not requisitioned by the proper department in any of the qualified State depositories of the Commonwealth All such deposits shall be secured in such manner and shall be made upon such terms and conditions as are now provided for by existing law relative to State deposits

The sixth section was read as follows:

REGISTRATION OF BONDS

Section 6 The Auditor General shall prepare the necessary registry books to be kept in his office for the registration of any bonds at the request of owners thereof All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the Auditor General

On the question,

Will the House agree to the section?

Mr. DUNN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 6, page 4, line 16, by striking out the words "his office" and insert in lieu thereof "the office of the duly authorized loan and transfer agent of the Commonwealth."

Amend section 6, page 4, line 20, by striking out "Auditor General" and insert in lieu thereof "duly authorized loan and transfer agent of the Commonwealth."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh section was read as follows:

INFORMATION TO GENERAL ASSEMBLY

Section 7 It shall be the duty of the Governor during the biennial sessions of the General Assembly to give to the General Assembly full information in relation to the issuing of bonds under the provisions of this act to enable the General Assembly to provide by appropriation the moneys necessary for the sinking fund of the Commonwealth for the payment of the interest of said bonds and the principal thereof at maturity

SINKING FUND INVESTMENTS REDEMPTION OF BONDS

On the question,

Will the House agree to the section?

Mr. DUNN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 7, page 4, by adding at the end of the section as a paragraph, the following:

"The Auditor General shall also give to each General Assembly a statement of the compensation due the duly authorized loan and transfer agent of the Commonwealth for its services, payment of which shall be made by appropriation on a basis of fifty cents per thousand dollars per annum on all loans outstanding."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eighth and ninth sections were separately read and agreed to as follows.

Section 8 All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid by the Sinking Fund Commission of the Commonwealth For the specific purpose of redeeming said bonds at maturity and paying all interest thereon and in accordance with the information received from the Governor as provided in section seven of this act the General Assembly shall appropriate biennially the moneys necessary for the payment of the interest on said bonds and the principal thereof at maturity All moneys so appropriated shall be paid into the sinking fund by the State Treasurer and all of such moneys not necessary to pay accruing interest shall be invested by the Sinking Fund Commission in such securities as are provided by law for the investment of the sinking funds of the Commonwealth

The investments and such moneys and the accumulations thereon in the sinking fund shall be devoted to and used exclusively for the payment of the interest accruing on such bonds and their redemption at maturity Provided however That the Sinking Fund Commission is authorized at any time to use any of such funds for the purchase and retirement of all or any part of the bonds issued under the authority of this act In the event that all or any part of said bonds shall be purchased by the Sinking Fund Commission they shall be cancelled and returned into the State Treasury as cancelled and paid bonds and thereafter all payments of interest thereon shall cease

REPORT OF STATE TREASURER

Section 9 The State Treasurer shall in his report furnish to the General Assembly a detailed statement of the total amount of bonds and the total amount of the proceeds thereof used by the proper department for the purpose for which the same is appropriated

The title was read as follows:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania, for any lawful purpose defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto making an appropriation of the proceeds of such bonds for the purposes intended providing for the payment of interest on, and the redemption of, such bonds by the Sinking Fund Commission.

On the question,

Will the House agree to the title?

Mr. DUNN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title by adding at the end thereof the following: "and fixing the compensation of the loan and transfer agent of the Commonwealth in connection therewith."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 162, as follows:

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain tne same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

is hereby amended to read as follows

Section 1708 The board of school directors in any district maintaining a high school which is attended by any pupils residing in another district as herein provided shall at the close of the term properly certify to the board of school directors of the district in which such pupils reside the names of all such pupils and the length of time they attended said high school together with the cost of tuition text-books and supplies for such attendance which shall not exceed the cost of tuition text-books and supplies of other pupils in said high school pursuing similar studies for the same length of time and the cost of such tuition text-books and supplies unless a different basis of cost has been mutually agreed upon by the boards of school directors Such cost shall within thirty days after being so certified be paid to the district maintaining such high school by the district to which the same was so certified

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 220, as follows:

An Act to amend section one hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by section one of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and twenty-three) entitled "An Act to amend sections one hundred one one hundred sixteen as amended one hundred seventeen two hundred twelve as amended and three hundred one as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and providing for the creation of union school districts and the government thereof by adding to article one sections one hundred twenty-seven one hundred twenty-eight one hundred twenty-nine and one hundred thirty" is hereby further amended to read as follows

Section 101 Each city incorporated town borough or township in this Commonwealth now existing or hereafter created shall constitute a separate school district to be designated and known as the "School District of ....." except that where such city incorporated town borough or township or a part of the school district remaining after its separation would constitute a fourth class school district in which case it shall remain a part of the school district to which it formerly belonged unless the change to a new school district is approved by the State Board of Education In determining whether or not such approval shall be given the State Board of Education shall investigate the necessity therefore and take into consideration the welfare of the pupils and taxpayers of such proposed new school district as well as the effect upon the existing school districts Where any school district shall so be constituted of two or more municipal districts the auditors or the controller of the city borough town or township last created and which does not form a separate school district shall meet annually with the auditors of the school district and participate in the audit of the school accounts and such auditors or controller shall have the same rights and powers as are conferred by this act upon the auditors of school accounts any two or more school districts as herein constituted may by a majority vote of the electors of each of said districts affected and in the manner hereinafter provided be formed into a union school district The several school districts thus established and formed shall be and hereby are divided into four classes as follows

And said bill having been at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 72, entitled:

An Act to amend section two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty four) entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuber-

culosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-four) entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor" which reads as follows

"Section 2 If a majority of the voters voting upon such question at such election shall be in favor of the establishment of the hospital the county commissioners shall have plans and specifications prepared and shall select and purchase a site for such hospital Such plans and specifications and the location of such site shall be approved by the Commissioner of Health before the construction of any building is commenced

Upon the approval by the Commissioner of Health of the plans and specifications and the location of such hospital the hospital shall be constructed and equipped in the same manner as other county buildings are constructed and equipped"

is hereby amended to read as follows

On the question,

Will the House agree to the section?

Mr. MILLER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 2, by striking out the words, "which reads" and inserting in lieu thereof the following: is hereby amended to read as follows:

Amend section 1, page 2, lines 3 to 15, by striking out all of lines 3 to 15, both inclusive.

Amend section 1, page 2, line 20, by inserting before the word "acquire" the following: "purchase"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 If a majority of the voters voting upon such question at such election shall be in favor of the establishment of the hospital the county commissioners and board of trustees hereafter provided for shall have plans and specifications prepared and shall select and acquire a site for such hospital by purchase or condemnation with the same power and with the like procedure as land is now acquired under existing laws by school districts for school purposes the county commissioners exercising the authority exercised by school directors for that purpose Such plans and specifications and the location of such site shall be approved by the Commissioner of Health before the construction of any building is commenced

Upon the approval by the Commissioner of Health of the plans and specifications and the location of such hospital the hospital shall be constructed and equipped under the direction and supervision of the board of trustees and the county commissioners and in the same manner as other county buildings are constructed and equipped

An Act to amend section two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty four) entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor"

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 352, entitled:

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees and providing his compensation for such services

The first section was read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" which reads as follows

"Section 3 On or before the fifteenth day of January one thousand nine hundred and twenty-two and on or before the fifteenth day of January of each year thereafter the owner of any dog six months old or over shall apply to the county treasurer of his respective county or to a qualified justice of the peace alderman magistrate or notary public of his respective district either orally or in writing for a license for each such dog owned or kept by him Such application shall state the breed sex age color and marking of such dog and the name and address of the last previous owner and shall be accompanied by a license fee of one dollar for each male dog and each spayed female dog and by a license fee of two dollars for each unspayed female dog The applicant shall also pay an additional fee of ten cents for the services of the county treasurer in issuing recording and reporting said licensee to the Secretary of Agriculture and remitting fees and fines to the State Treasurer"

is hereby amended to read as follows

Section 3 On or before the fifteenth day of January one thousand nine hundred and twenty-two and on or before

the fifteenth day of January of each year thereafter the owner of any dog six months old or over shall apply to the county treasurer of his respective county or to a qualified justice of the peace alderman magistrate or notary public of his respective district either orally or in writing for a license for each such dog owned or kept by him Such application shall state the breed sex age and color and marking of such dog and the name and address of the last previous owner and shall be accompanied by a license fee of one dollar for each male dog and each spayed female dog and a license fee of two dollars for each unspayed female dog The county treasurers of the several counties shall be agents of the Commonwealth for the issuing reporting and recording of such licenses and for the collection and reporting of license fees and for remitting fees and fines to the State Treasurer and for such services the said agents shall be allowed to retain for their own use the sum of ten cents for each license issued which amount shall be paid by the applicant for the license in addition to the license fee above provided

On the question,

Will the House agree to the section?

Mr. COLDSMITH. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 23, by striking out the words "which reads" and inserting in lieu thereof the following: is hereby amended to read as follows:

Amend section 1, page 3, lines 1 to 20, by striking out 1 to 20, both inclusive.

Amend section 1, page 4, line 4, by inserting after the second "and" in the line and before the word "a" the following: "by"

Amend section 1, page 4, line 5, by inserting after the word "dog" the following:

"The applicant shall also pay an additional fee of ten cents for the services of the County Treasurer in issuing, recording, and reporting said license to the Secretary of Agriculture and remitting fees and fines to the State Treasurer"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An Act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties;" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees; and providing his compensation for such services.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 279 entitled:

An Act to amend section forty-one paragraph (a) one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bounds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees thereof for appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" making bonds and certificates of poor districts legal investments for trust funds

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section forty-one paragraph (a) one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions thereof and the discharge of real estate the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling house or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphan's court in all matters relating

to fiduciaries concerned with the estates of decedents" is hereby amended to read as follows

Section 41 (a) one When a fiduciary shall have in his hands any moneys the principal or capital whereof is to remain for a time in his possession or under his control and the interest profits or income whereof are to be paid away or to accumulate or when the income of real estate shall be more than sufficient for the purpose of the trust such fiduciary may invest such moneys in the stock or public debt of the United States or in the public debt of this Commonwealth or in bonds or certificates of debt now created or hereafter to be created and issued according to law by any of the counties cities boroughs townships or school districts or poor districts of this Commonwealth or in mortgages or ground-rents in this Commonwealth Provided That nothing herein contained shall authorize any fiduciary to make any investment contrary to the directions contained in the will of the decedent in regard to the investment of such moneys"

On the question,

Will the House agree to the section?

Mr. GOLDER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 4, line 16, by underscoring the last "or" in the line

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend section forty-one, paragraph (a) 1 of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitition of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees thereof; for appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphan's court in all matters relating to fiduciaries concerned with the estates of decedents," making bonds and certificates of poor districts legal investments for trust funds.

On the question,

Will the House agree to the title?

Mr. GOLDER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 2, line 17, of the title by striking out the words "thereof for" and inserting in lieu thereof the word: "therefor"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 297, as follows:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania so as to permit the exemption from taxation of real and personal property owned occupied or used by any branch or post or camp of the Grand Army of the Republic the Spanish-American War Veterans the American Legion the Veterans of Foreign Wars and the Military Order of the Loyal Legion of the United States

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania is hereby proposed in accordance with the eighteenth article thereof

That section one of article nine be amended so as to read as follows

All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit institutions of purely public charity and real and personal property owned occupied and used by any branch post or camp of honorably discharged soldiers sailors and marines

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 73, entitled:

An Act to amend section one article six chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "Providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one article six chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" which was as amended by an act approved the twenty-sixth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-one) entitled "An act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled 'An act providing a system of government for bor-

oughs and revising amending and consolidating the law relating to boroughs' "

"Section 1 Appointed officers of the borough shall receive such compensation for their services as the council shall prescribe and the compensation for the secretary solicitor and police shall be by annual salary the amount of which shall be fixed at the time of appointment and shall be in lieu of all and any other compensation whatsoever Provided That in case the solicitor shall be called upon to perform extraordinary legal services not within the scope of his routine duties he may be additionally compensated as the council shall prescribe

On the question,

Will the House agree to the section?

Mr. SPANGLER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 5 by inserting after the word "boroughs" the following: "is hereby further amended to read as follows:"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one article six chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "Providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 219, as follows:

A Join Resolution proposing an amendment to article seventeen section eight of the Constitution of the Commonwealth of Pennsylvania authorizing the granting of free passes or passes at a discount to clergymen

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same hereby proposed in accordance with the eighteenth article thereof

That section eight of article seventeen which reads as follows

"Section 8 No railroad railway or other transportation company shall grant free passes or passes at a discount to any person except officers or employes of the company" be amended to read as follows

Section 8 No railroad railway or other transportation company shall grant free passes or passes at a discount to any person except officers or employes of the company and clergymen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 371, as follows:

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (c) of section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" which as amended by section one of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and sixty-six) entitled "An Act to amend clause (c) section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled 'An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder' " reads as follows

"(c) For all disability resulting from permanent injuries of the following classes the compensation shall be exclusively as follows

For the loss of a hand sixty per centum of wages during one hundred and seventy-five weeks

For the loss of an arm sixty per centum of wages during two hundred and fifteen weeks

For the loss of a foot sixty per centum of wages during one hundred and fifty weeks

For the loss of a leg sixty per centum of wages during two hundred and fifteen weeks

For the loss of an eye sixty per centum of wages during one hundred and twenty-five weeks

For the loss of any two or more such members not constituting total disability sixty per centum of wages during the aggregate of the periods specified for each

For serious and permanent disfigurement of the head or face of such a character as to produce an unsightly appearance and such as is not usually incident to the employment sixty per centum of the wages not to exceed one hundred and fifty weeks

Unless the board shall otherwise determine the loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provision of clause (a)

Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand and amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg permanent loss of the use of a hand arm foot leg or eye shall be considered as the equivalent of the loss of such hand arm foot leg or eye

This compensation shall not be more than twelve dollars per week nor less than six dollars per week Provided That if at the time of injury the employe received wages of less than six dollars per week then he shall receive the full amount of such wages per week as compensation is hereby further amended to read as follows

(c) For all disability resulting from permanent injuries of the following classes the compensation shall be exclusively as follows

For the loss of a hand sixty per centum of wages during one hundred and seventy-five weeks

For the loss of an arm sixty per centum of wages during two hundred and fifteen weeks

For the loss of a foot sixty per centum of wages during two hundred and fifteen weeks

For the loss of a leg sixty per centum of wages during two hundred and fifteen weeks

For the loss of an eye sixty per centum of wages during one hundred and twenty-five weeks

For the loss of any two or more such members not constituting total disability sixty per centum of wages during the aggregate of the periods specified for each

For serious and permanent disfigurement of the head or face of such a character as to produce an unsightly appearance and such as is not usually incident to the employment sixty per centum of the wages not to exceed one hundred and fifty weeks

For the loss of the use of any hand or the loss of more than the first joint of a finger or thumb sixty per centum of wages not to exceed one hundred and fifty weeks

Unless the board shall otherwise determine the loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand and amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of the use of a hand arm foot leg or eye shall be considered as the equivalent of the loss of such hand arm foot leg or eye

This compensation shall not be more than twelve dollars per week nor less than six dollars per week Provided That if at the time of injury the employe receives wages of less than six dollars per week then he shall receive the full amount of such wages per week as compensation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 34, entitled:

An Act to amend clause two of section three hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" by extending the power to tax property for lighting purposes in second class townships

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause two of section three hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" which reads as follows

"II On the petition of the owners of a majority of the lineal feet frontage along any highway or portion thereof in any village within the township to enter into contract with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said villages with electric light gas light or other illuminant

The township supervisors shall levy for the maintenance of said lights an annual tax upon the property abutting upon the said highways and other public places in the district benefitted thereby based upon the assessment for county purposes Such tax shall be collected in the same manner as other taxes The collector of taxes shall receive the same commission as on the road tax No such tax shall be levied against any farm land nor against any property the residence upon which shall be more than five hundred feet from such highway

The township treasurer shall receive all such taxes collected for lighting the highways shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary The treasurer shall make a report to the auditors of the townships annually" is hereby amended to read as follows

II On the petition of the owners of a majority of the lineal feet frontage along any highway or portion thereof in any village within the township to enter into contract with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said village with electric light gas light or other illuminant

The township supervisors shall levy for the maintenance of said lights an annual tax upon all the property including factories and places of business abutting upon the said highways and other public places in the district benefitted thereby based upon the assessment for county purposes Such tax shall be collected in the same manner as other taxes The collector of taxes shall receive the same commission as on the road tax No such tax shall be levied against any farm land nor against any property the residence upon which shall be more than five hundred feet from such highway

The township treasurer shall receive all such taxes collected for lighting the highways shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary The treasurer shall make a report to the auditors of the township annually

On the question,

Will the House agree to the section?

Mr. BLAIR. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 9 by striking out the words "which reads" and inserting in lieu thereof: "is hereby amended to read."

Amend section 1, page 1, line 10 by striking out the entire line.

Amend section 1, page 2, lines 1 to 23 by striking out the lines 2 to 23 both inclusive.

Amend section 1, page 3, line 4 by underscoring the word "all"

Amend section 1, page 3, line 5 by underscoring the words "including factories and places of business"

Amend section 1, page 3, lines 12 and 13 by eliminating entirely from bill the following now within brackets "factory or place of business".

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend clause two of section three hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" by extending the power to tax property for lighting purposes in second class townships

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 372, as follows:

An Act to amend section forty-five of an act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Law five hundred and nine) entitled "An act relating to county rates and levies and township rates and levies" by removing the exemption of females from arrest and imprisonment for non-payment of taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section forty-five of an act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Law five hundred and nine) entitled "An Act relating to county rates and levies and township rates and levies" is hereby amended to read as follows

Section 45 Nothing herein contained shall authorize the arrest or imprisonment for nonpayment of any tax of any infant or person found by inquisition to be of unsound mind

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Commitee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 26, entitled:

An Act to amend section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" providing for the sale of the real and personal property of a decedent without known heirs kindred or surviving spouse and the payment of the net proceeds of such sale into the State Treasury

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" which reads as follows

Section 24 In default of all such known heirs or kindred or surviving spouse competent to take as aforesaid the real and personal estate of such intestate shall go to and be vested in the Commonwealth by escheat" is hereby amended to read as follows

Section 24 In default of all such known heirs or kindred or surviving spouse competent to take as aforesaid the real and personal estate of such intestate remaining after the payment of all just debts and legal charges shall be sold by the executor or administrator of the estate and the net proceeds of such sale shall be by him paid into the State Treasury for the use of the Commonwealth Such sale shall be made only under the supervision of the court having jurisdiction of the estate and in accordance with the laws of the Commonwealth providing for the payment into the State Treasury of unclaimed funds in the hands of fiduciaries

On the question,

Will the House agree to the section?

Mr. WHITEHOUSE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 2, line 5, by striking out the words "which reads" and inserting in lieu thereof the following: "is hereby amended to read as follows:"

Amend sec. 1, page 2, lines 6 to 10, by striking out the lines 6 to 10 both inclusive.

Amend sec. 1, page 2, line 13, by inserting before the word "estate" the following: "shall go to and be vested in the Commonwealth by escheat"

On tne question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" providing for the sale of the real and personal property of a decedent without known heirs kindred or surviving spouse and the payment of the net proceeds of such sale into the State Treasury

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 364, as follows:

An Act relating to the recording of certificates of incorporation of domestic corporations providing for the recording of certified copies thereof in certain cases validating the recording of such certified copies heretofore recorded and making the record of such certified copies competent evidence for all purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever under any law of this Commonwealth the certificate of incorporation of a domestic corporation for profit together with the endorsements thereon required by law is required to be recorded in the office for the recording of deeds in and for any county of this Commonwealth it shall be sufficient for all purposes and shall be a full compliance with such requirement of any such law to record in such office of the proper county either the original certificate of incorporation with such endorsements thereon or a copy of the record thereof as the same appears in the office of the Secretary of the Commonwealth certified by said officer or his deputy under the seal of the said office

Section 2 Whenever heretofore a copy of the record of the certificate of incorporation of any domestic corporation for profit together with the endorsements thereon required by law as the same appeared of record in the office of the Secretary of the Commonwealth certified by said officer or his deputy under the seal of the said office has been recorded in the office for the recording of deeds of the proper county of this Commonwealth such recording thereof is hereby validated ratified and confirmed and shall have the same force and effect for all purposes as if the original certificate of incorporation with the endorsement thereon required by law had then been recorded in the office for the recording of deeds in and for any such county of this Commonwealth

Section 3 A certified copy of the record in the proper county of any such certified copy of the record in the office of the Secretary of the Commonwealth of the certificate of incorporation of any domestic corporation for profit together with the endorsements thereon required by law shall be competent evidence for all purposes in the courts of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 302, entitled:

An Act to amend section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-six) entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine" as amended

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-six) entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine" which was amended by an act approved the thirty-first day of May one thousand nine hundred and nineteen (Pamphlet Laws three hundred and fifty-three) entitled "An Act to amend section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven entitled 'An act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An Act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine'" is hereby further amended to read as follows

Section 1 Be it enacted et cetera That in the counties of this Commonwealth which contain more than ninety thousand and less than one hundred and fifty thousand inhabitants the court criers of the several courts shall be paid an annual salary of one thousand dollars and the tipstaves shall be paid an annual salary of not to exceed nine hundred dollars said salaries to be paid monthly out of the treasury of the particular county in which the services shall be rendered Provided however That in none of the counties falling within the provisions of this act shall there be more than six tipstaves employed at one time

On the question,

Will the House agree to the section?

Mr. SPANGLER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 3, line 3, by striking out the words "et cetera" and inserting in lieu thereof: "&c.,"

Amend section 1, page 3, line 3 by underscoring the words "not to exceed nine hundred."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, (P. L. 86), entitled "An Act regulating the compensation of court criers and tipstaves, in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county; limiting the number of tipstaves to be appointed; and repealing an act of Assembly, entitled 'An Act to regulate the fees of court criers and tipstaves of the courts, in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants,' approved the twenty-ninth day of April, Anno Domini, one thousand nine hundred and nine," as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 365, entitled:

An Act to amend section one of the act approved the fifteenth day of March one thousand nine hundred and eleven (Pamphlet Laws twenty) entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf by prohibiting the introduction as evidence of certain testimony or records

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifteenth day of March one thousand nine hundred and eleven (Pamphlet Laws twenty) entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf" is hereby amended to read as follows

Section 1 Be it enacted et cetera That hereafter any person charged with any crime and called as a witness in his own behalf shall not be asked for any purpose whatsoever any question nor shall the Commonwealth be permitted to affirmatively introduce into evidence any testimony or record tending to show that he has committed or been charged with or been convicted of any offense other than the one wherewith he shall then be charged or tending to show that he has been of bad character or reputation unless

One He shall have at such trial personally or by his advocate asked questions of the witness for the prosecution with a view to establish his own good reputation or character or has given evidence tending to prove his own good character or reputation or

Two He shall have testified at such trial against a co-defendent charged with the same offense

On the question,

Will the House agree to the section?

Mr. GOEHRING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 1, line 10, by striking out "et cetera" and inserting in lieu thereof "&c.,"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of the act approved the fifteenth day of March, one thousand nine hundred and eleven, (P. L. 20), entitled "An Act regulating in criminal

trials the cross-examination of a defendent, when testifying in his own behalf," by prohibiting the introduction as evidence of certain testimony or records.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 143, as follows:

An Act validating certain proceedings and elections of counties boroughs townships school districts and other incorporated districts or municipalities had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all proceedings and elections heretofore had and held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method or procedure specified by the provisions of an act of Assembly entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April one thousand eight hundred and seventy-four and the acts amendatory thereof and supplementary thereto where the majority of votes cast at such election was in favor of the increase of indebtedness be and the same are hereby ratified confirmed and made valid notwithstanding the authorities of such county city borough township school district or incorporated district did not by separate and independent action prior to the ordinance or vote in pursuance of which notice of election was given to the electors signify their desire for such increase of indebtedness or did not in the words of the act and amendments and supplements aforesaid authorizing such increase signify their desire for such increase of indebtedness and notwithstanding the ballots were not certified or signed by the county commissioners or were not printed on the official ballot after the list of candidates but were printed on separate ballots and notwithstanding full complete and proper return of the votes was not made to the proper court or counted by the court or a record showing the results made and certified by the clerk of said court to the proper authorities of such district or municipality and notwithstanding any defect or informality in the manner of holding or giving notice of such election and notwithstanding any mistake in stating the amount of percentage of the existing debt or the percentage of the proposed increase or patent error of orthography or of numerical statement on any or all of the ballots All of the bonds securities and obligations issued or to be issued in pursuance of every such election are hereby made valid binding obligations of every such county city borough township school district or incorporated district Provided All the other requirements of law concerning such procedure election and issue of bonds have been complied with And provided further The provisions of this act shall not apply in any instance where the validity of such election or of any issue of bonds or other security based thereon has been already made the subject of litigation in any court of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

ADJOURNMENT.

Mr. FLYNN. Mr. Speaker, I move that this House do now adjourn until 11:00 o'clock tomorrow morning.

The motion was agreed to, and (at 10:40 P. M.), the House adjourned until 11:00 o'clock tomorrow morning.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

TUESDAY, FEBRUARY 27, 1923.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Heavenly Father, we thank Thee that we are Americans. We are proud of this land that we delight to call "Our Country". We glory in her history and her achievements and we rejoice in our citizenship. But, O God, we pray Thee that we may be one hundred per cent. Americans. Grant that we may love our country even better than we love our party. May we be patriots rather than partisans and in all that we do may we seek the highest welfare of America, well assured that in so doing we shall be honoring Almighty God. May Thy blessing rest upon us today and through all the coming days. In Jesus name, we ask it. Amen.

JOURNAL APPROVED.

The President—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE.

The CHAIR asked and obtained leave of absence for the Senator from Dauphin, Mr. Smith.

Mr. LESLIE asked and obtained leave of absence for the Senator from Allegheny, Mr. Einstein, on account of sickness.

Mr. BARR asked and obtained leave of absence for the Senator from Allegheny, Mr. McClintock.

Mr. VARE asked and obtained leave of absence for the Senator from Philadelphia, Mr. McNichol.

REPORTS FROM COMMITTEES.

Mr. PHIPPS from the Committee on Judiciary General, reported as committed, Senate Bill No. 167, (House Bill No. 179) entitled:

An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings, where no legal or valid contract was entered into as required by law.

Also from the Committee on Military Affairs, reported as amended, Senate Bill No. 199 entitled:

An Act to exempt certain real estate of the American Legion from taxation.

Mr. CULBERTSON from the Committee on New Counties and County Seats reported as committed, Senate Bill No. 98, entitled:

An Act to repeal an act, approved April 8, 1868 (P. L. 73) entitled "A Supplement to an act relating to counties and townships, and county and township officers, approved April 15, 1834, relating to public buildings.

Also from the Committee on New Counties and County Seats re-reported as amended, Senate Bill No. 41, entitled:

An Act fixing the salary of sheriffs in counties of the eighth class requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

Mr. CHRISTLEY from the Committee on Judiciary General reported as committed, Senate Bill No. 217, entitled:

An Act to amend section one of an act approved April 13, 1873 (P. L. 21 entitled "An Act for the establishment of a uniform standard of time throughout the Commonwealth;" prohibiting the adoption of other standards of time.

Mr. BARR from the Committee on Judiciary General reported as committed, Senate Bill No. 210, (House Bill No. 208), entitled:

An Act to amend section two of the act approved March 13, 1815 (P. L. 150) entitled "An Act concerning divorces" as amended authorizing prothontaries and clerks of the court of common pleas to make affidavits to petitions and libels and validating prior proceedings in which such affidavits were taken.

Mr. LONG from the Committee on Judiciary General reported as committed, Senate Bill No. 211, (House Bill No. 233), entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and Corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Mr. BUCKMAN from the Committee on Judiciary General reported as committed, Senate Bill No. 213, (House Bill No. 76), entitled:

An Act to amend Sections five and ten of the Act approved the nineteenth day of April Anno Domini one thousand nine hundred and one (Pamphlet Laws, eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued."

Mr. SCHANTZ from the Committee on Appropriations, reported as committed, Senate Bill No. 11, entitled:

An Act authorizing the Governor to appoint a commission to provide for the construction, erection and dedication of a memorial to Joseph T. Rothrock; and making an appropriation.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 31, entitled:

An Act authorizing the Governor to appoint a commission to provide for the construction, erection and dedication in the ity of Chester of a monument to the memory of John Morton; and making an appropriation.

Mr. BERNTHEIZEL from the Committee on Judiciary General, reported as committed, Senate Bill No. 194, entitled:

A supplement to an act approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose peanlties for the illegal increase thereof," providing a procedure to incur or to increase indebtedness where the existing indebtedness is less than two per centum but the amount to be incurred exceeds two per centum of the assessed value of the taxable property; and providing that this act shall apply to pending proceedings.

BILLS INTRODUCED.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 218, entitled:

An Act to provide for the selection and purchase of a tract of land and the erection thereon of buildings for an Eastern State Penitentiary; making an appropriation therefor, and directing the sale of the site now occupied by the State Penitentiary and the buildings and materials thereon.

Which was committed to the Committee on Appropriations.

Mr. PHIPPS read in his place and presented to the Chair Senate Bill No. 219, entitled:

An Act making an appropriation to the Franklin City Hospital, Franklin, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 229, entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation, in Elk Township, Warren County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. DEWITT read in his place and presented to the Chair Senate Bill No. 221, entitled:

An Act to establish as a State highway a certain section of public road in the counties of Carbon and Monroe.

Which was committed to the Committee on Public Roads and Highways.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 222, entitled:

An Act to amend section six hundred twenty-seven of an act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred and nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any part thereof, that are or may be inconsistent therewith," as amended.

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 223, entitled:

An Act to amend sections one thousand one hundred and seven, one thousand one hundred and nine, one thousand one hundred and seventeen, and one thousand one hundred and twenty-one, as amended, and section one thousand one hundred and thirty-one of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 224, entitled:

An Act providing for the filling of vacancies in the office of tax-collector, in boroughs, by the council of the borough, and repealing certain acts inconsistent therewith.

Which was committed to the Committee on New Counties and County Seats.

TIME OF NEXT MEETING.

Mr. SCHANTZ offered the following resolution, which was twice read, considered and agreed to:

Resolved (if the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening, March fifth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March fifth, at nine o'clock.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

COMMUNICATION FROM PHILADELPHIA BOARD OF EDUCATION RELATIVE TO APPROPRIATIONS TO PHILADELPHIA SCHOOL DISTRICT.

Mr. VARE presented the following communication, which was read at length and referred to the Committee on Education.

School District of Philadelphia, The Board of Public Education, Nineteenth Street above Chestnut.

Philadelphia, February 26, 1923.

At a meeting of the Board of Public Education, School District of Philadelphia, held on February 13, 1923, a committee consisting of the undersigned was appointed to present to the Governor, Senate, and the House of Representatives of the State of Pennsylvania the following facts:

First, The Commonwealth of Pennsylvania is indebted to the School District of Philadelphia for the largest part of the State appropriation authorized by legislative enactment approved April 28, 1921, commonly known as the Edmonds Act, of which only one payment, $976,650. due February 1, 1922, has been paid, leaving a balance of $2,007,150 due August, 1922, and February, 1923.

Second. The above-named amounts have been actually expended by the Board in anticipation of their receipt, and the annual estimates of expense for the fiscal years ending December 31, 1922, and December 31, 1923, were made on the basis of receiving from the State such appropriations with reasonable promptness. In addition thereto, we have commenced to expend on account of the $1,030,500, which will be due August, 1923.

Third. Provision must be made by the State for the payment of the above sums, otherwise there will be a deficit of $3,037,650 at the close of 1923, for which the people of Philadelphia will have to be additionally taxed one and one-half mills in 1924.

Fourth. In addition, there is still due from the State from special appropriations the following amounts:

Continuation Schools	$74,152.64
Evening, Trades and Industrial Schools	4,821.34
All Day Trades and Industrial Schools	5,178.66
	$84,152.64

Fifth. Failure on the part of the State promptly to fulfil its obligations to the School District requires the creating of temporary loans, with extra cost for interest to the District.

It is understood that there is a proposal to finance the educational needs of the State in a manner other than that defined by the Act of April, 1921, above referred to. If such a proposal means the payment to this School District of any lesser sum than that which was promised under the Act of 1921, then the school tax for the year 1924 and thereafter will have to be increased sufficiently to meet the deficit which would arise by reason of the change. The fiscal and school year for the School District of Philadelphia is from January 1, 1923, to December 31, 1923, and the tax levy for the year 1923 was made on the basis of the Legislature at this session continuing to appropriate under the terms of the Edmonds Act of 1921.

We respectfully suggest that there should not be such a change in legislation at this session as would require this School District to make an additional tax levy in 1924 to meet the deficiency caused by such changed legislation.

The combined additional tax levy which would be required if the State does not meet its obligations for the two years ending July, 1923, and makes the proposed change in the law beginning July 1, 1923, would be approximately two and one-half mills. Every million dollars unpaid from the State appropriations means an additional one-half mill levy upon taxable property in the School District of Philadelphia. The present tax levy is nine and one-half mills, out of which the School District can devote about $500,000 (one-quarter of a mill) for building purposes after it has made provision for the salaries of teachers as fixed by the Act of 1921, predicated upon the State making good its appropriation, as well as other fixed charges, operation and maintenance.

The Board of Public Education of the School District of Philadelphia therefore prays that your honorable body so legislate on school appropriation bills as to permit of the continuance of the present salary schedule for teachers with the promised financial aid from the State as enacted by the Act of 1921, so that it can carry out its obligations as to the educational needs of our city.

We further pray that in the furture there may be a more prompt payment of State appropriations when due.

Geo. A. Welsh,
Dimner Beeber,
Anna Lane Lingelbach,
Special Committee.

To Hon. T. L. Eyre, President Pro-tem The Senate.

COMMUNICATION FROM PHILADELPHIA BOARD OF TRADE PROTESTING AGAINST THE PASSAGE OF SENATE BILL NO. 161 AND HOUSE BILL NO. 29.

He also presented the following communication, which was read at length and referred to the committee on Finance.

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania, in Assembly Met:

This Memorial of the Philadelphia Board of Trade Respectfully represents:

That the Joint Resolution (No. 6-A) passed at the last session and now before the Legislature (H. R. No. 29, S. No. 161) is recognized by the Philadelphia Board of Trade as most objectionable, inasmuch as it provides that in the future "Subjects of taxation may be classified for the purpose of laying graded and progressive taxes and in the cases of inheritance and income taxes exemptions may be granted";

That if adopted and ultimately approved by a vote of the electors it will inject into the State System a class of taxation seriously threatening an unfair division of the expenses of the Government, which must be borne by the less favored classes, a condition which would be un-American and undemocratic;

That the successful efforts to secure legislation favoring special interests as shown during the recent sessions of Congress, should serve as a warning against any amending of the Constitution of the State, which makes possible discrimination in favor of or against the individual taxpayer;

That the graded inheritance tax as well as an income tax tend to drive from the State men of large means and will inflict an irreparable injury upon our industries by the withdrawal of capital, undermining the strong position now held by the State as a manufacturing center;

That adoption of the proposed amendment is a practical drift towards socialistic ideas and the breaking down of individual initiative through the threatened handicap of unfair burdens of taxation;

That with the ability through the law to secure exemptions it is entirely probable that undue, if not unfair, influences will prevail to seek and secure favorable consideration of claims for reduction of taxes at the expense of the less favored taxpayer and in the end place this Commonwealth in an unfavorable position among the Sisterhood of States; therefore

Your Memorialist, the Philadelphia Board of Trade, earnestly protests to your Honorable Bodies against favorable consideration of the proposed amendment to the Constitution of the Commonwealth, as provided in the Bills (S. No. 161 and H. R. No. 29) under criticism;

And your Memorialist will ever pray,

The Philadelphia Board of Trade,
Wm. M. Coates, President.

(Seal.)

Attest: Wm. R. Tucker, Secretary.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 47, as follows:

An Act to amend section eleven of the act approved the thirteenth day of June one thousand eight hundred and forty (Pamphlet Laws six hundred and eighty-three) entitled "A Supplement to an act entitled 'An Act relating to the elections of this Commonwealth' passed the second day of July Anno Domini one thousand eight hundred and thirty-nine and for other purposes" allowing constables mileage for advertising elections and compensation for advertising elections where there is more than one polling place in a district said mileage and compensation to be paid by counties.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of the act approved the thirteenth day of June one thousand eight hundred and forty (Pamphlet Laws six hundred and eighty-three) entitled "A supplement to an act entitled 'an act relating to the elections of this Commonwealth' passed the second day of July Anno Domini one thousand eight hundred and thirty-nine and for other purposes" which reads as follows

"Section 11 Constables supervisors or assessors as the case may be of any ward township incorporated district or borough shall be allowed and paid out of the county treasury two dollars for advertising ward township district and borough elections said constables shall also be allowed and paid as aforesaid twenty cents for delivering to each township officer a certificate of his election as directed by this act and the act to which this is a supplement" is hereby amended to read as follows

Section 11 Constables supervisors or assessors as the case may be of any ward township incorporated district or borough shall be allowed and paid out of the county treasury two dollars for each polling place for advertising ward township district and borough elections and six cents per mile for each mile necessarily traveled in the performance of the said duties Said constables shall also be allowed and paid as aforesaid twenty cents for delivering to each township officer a certificate of his election as directed by this act and the act to which this is a supplement

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,

Berntheizel,	Heaton,	Miller,	Steele,
Betts,	Homsher,	Norton,	Stites,
Brown,	Jones,	Patton,	Vare,
Buckman,	Joyce,	Phipps,	Weaver,
Christley,	Krause,	Salus,	Woodward,
Craig,	Kutz,	Schantz,	Eyre,
Culbertson,	Lanius,	Sisson,	Pres. Pro Tem.
Daix,	Leslie,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 95, as follows:

An Act for the prevention of fraud and the protection of the public health relating to milk cream or skimmed milk whether or not condensed evaporated concentrated dried powdered or dessicated prohibiting the introduction of foreign fats into them regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of this act the definitions of condensed milk evaporated milk concentrated milk is the product resulting from the evaporation of a considerable portion of the water from milk or from milk with adjustment if necessary of the ratio of fat to non-fat solids by the addition or by the abstraction of cream It contains all tolerances being allowed for not less than seven and eight-tenths per cent of milk fat nor less than twenty-five and five-tenths per cent of total milk solids provided however that the sum of the percentages of milk fat and total milk solids be not less than thirty-three and seven-tenths per cent

Section 2 It shall be unlawful for any person firm or body corporate by himself herself itself or themselves or by his her its or their agents servants or employees to manufacture sell or exchange or have in possession with intent to sell or exchange any condensed evaporated or concentrated milk which shall not conform at least to the minimum standards set forth respectfully in section one hereof and when contained in hermetically sealed cans does not bear stamped or labeled thereon the name and address of the manufacturers or distributors thereof.

Section 3 It shall be unlawful for any person firm or body corporate by itself herself itself or themselves or by his her its or their agents servants or employees to manufacture sell or exchange or have in possession with intent to sell or exchange any milk cream or skimmedmilk whether or not condensed evaporated concentrated powdered dried or dessicated to or with which has been added blended or compounded any fats or oils other than milk fats either under the name of said products or articles or the derivatives thereof or if labeled under any fictitious coined or trade names whatsoever Provided however that nothing in this act shall be construed as prohibiting the use of chocolate as a flavor.

Section 4 Any violation of the provisions of this act is hereby declared to be a misdemeanor and any person whether individually or as a member of a partnership or as a responsible agent or officer of an incorporate body who shall be convicted of such violation either on his own behalf or in the interest of a corporate body shall be sentenced to undergo an imprisonment of not less than thirty (30) days nor more than sixty (60) days or to pay a fine of not less than fifty ($50) dollars nor more than one hundred dollars ($100) or both

Section 5 The Director of the Bureau of Foods shall be charged with the enforcement of the provisions of this act

Section 6 All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Director of the Bureau of Foods or his agent and when so collected and paid shall thereafter be by the Director of the Bureau of Foods paid into the State Treasury for the use of the Commonwealth

Section 7 Nothing in this act shall be construed to prohibit the shipment into this Commonwealth from a foreign state and the first sale thereof in this Commonwealth in the original package intact and unbroken of any of the products or articles the manufacture sale or exchange of which or possession of which with intent to sell or exchange is prohibited hereby

Section 8 Should any section or any part of a section or sections hereof become or be declared to be inoperative or void for any cause or reason whatsoever the remainder of the section or of such sections shall be and remain in full force and effect

Section 9 This act shall become effective ninety days after its passage

Section 10 All acts or parts of acts inconsistent herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Heaton,	Miller,	Steele,
Betts,	Homsher,	Norton,	Stites,
Brown,	Jones,	Patton,	Vare,
Buckman,	Joyce,	Phipps,	Weaver,
Christley,	Krause,	Salus,	Woodward,
Craig,	Kutz,	Schantz,	Eyre,
Culberston,	Lanius,	Sisson,	Pres. Pro Tem.
Daix,	Leslie,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 20, entitled:

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies, and the compensation of deputies and clerks.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. STEELE. Mr. President, I ask unanimous consent to amend section 1, page 1, line 4, by striking out the word "anual"; also line 5 by striking out the word "five" and inserting in lieu thereof the word "four"; also by striking out the figures "($5,000)" and inserting in lieu thereof "$4,000)"; also section 6, page 3, line 1, by striking out the word "by" and inserting in lieu thereof the word "to".

The PRESIDENT: Is there objection?

Mr. CRAIG: Mr. President, I object to the amendment at this time because of the fact that the Senator agreed with me and with other representatives of counties of the fifth class to the amount of salary that was to be fixed. I have had no notice of any proposed change in his plans or agreement, and I object to the amendment at this time.

The PRESIDENT. The Chair hears objection.

BILL POSTPONED.

Mr. STEELE. Mr. President, I move that the question together with the further consideration of the bill, be postponed for the present.

Mr. DERRICK. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 33 entitled:

An Act to amend section seven of the act approved the tenth day of June, 1893, (P. L. 419), entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such election," as amended.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Heaton,	Miller,	Steele,
Betts,	Homsher,	Norton,	Stites,
Brown,	Jones,	Patton,	Vare,
Buckman,	Joyce,	Phipps,	Weaver,
Christley,	Krause,	Salus,	Woodward,
Craig,	Kutz,	Schantz,	Eyre,
Culberston,	Lanius,	Sisson,	Pres. Pro Tem.
Daix,	Leslie,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 136, (House Bill No. 23), entitled:

An Act requiring the prothonotary of the court of common pleas to indicate on the proper index notice of the settlement, satisfaction, discontinuance or dismissal of any suit or proceeding in equity affecting the title to real estate.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Heaton,	Miller,	Steele,
Betts,	Homsher,	Norton,	Stites,
Brown,	Jones,	Patton,	Vare,
Buckman,	Joyce,	Phipps,	Weaver,
Christley,	Krause,	Salus,	Woodward,
Craig,	Kutz,	Schantz,	Eyre,
Culbertson,	Lanius,	Sisson,	Pres. Pro Tem.
Daix,	Leslie,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 137, (House Bill No. 25), entitled:

An Act to validate deeds, mortgages, and other instruments of writing which have been defectively acknowledged by husband and wife, prior to the fourth day of January, one thousand nine hundred and twenty-three.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Heaton,	Miller,	Steele,
Betts,	Homsher,	Norton,	Stites,
Brown,	Jones,	Patton,	Vare,
Buckman,	Joyce,	Phipps,	Weaver,
Christley,	Krause,	Salus,	Woodward,
Craig,	Kutz,	Schantz,	Eyre,
Culbertson,	Lanius,	Sisson,	Pres. Pro Tem.
Daix,	Leslie,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 140, (House Bill No. 146) entitled:

An Act to amend an act approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122), entitled "An Act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Heaton,	Miller,	Steele,
Betts,	Homsher,	Norton,	Stites,
Brown,	Jones,	Patton,	Vare,
Buckman,	Joyce,	Phipps,	Weaver,
Christley,	Krause,	Salus,	Woodward,
Craig,	Kutz,	Schantz,	Eyre,
Culbertson,	Lanius,	Sisson,	Pres. Pro Tem.
Daix,	Leslie,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 141, (House Bill No. 147), entitled:

An Act to amend section five of the act approved the fourth day of June, one thousand nine hundred and one,

(P. L. 364), entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," as amended.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Heaton,	Miller,	Steele,
Betts,	Homsher,	Norton,	Stites,
Brown,	Jones,	Patton,	Vare,
Buckman,	Joyce,	Phipps,	Weaver,
Christley,	Krause,	Salus,	Woodward,
Craig,	Kutz,	Schantz,	Eyre,
Culbertson,	Lanius,	Sisson,	Pres. Pro Tem
Daix,	Leslie,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 142 entitled:

A Supplement to the act approved June 17, 1915, (P. L. 1012) entitled "An Act regulating the business of loaning money in the sums of three hundred ($300) dollars or less either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act", as amended by the act of June 4, 1919 (P. L. 375) entitled "An Act to amend sections one, two, and three of the act, approved June 17, 1915 (P. L. 1012) entitled 'An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security to individuals pressed by lack of funds to meet immediate necessities; fixing the rate of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act.'"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Heaton,	Miller,	Steele,
Betts,	Homsher,	Norton,	Stites,
Brown,	Jones,	Patton,	Vare,
Buckman,	Joyce,	Phipps,	Weaver,
Christley,	Krause,	Salus,	Woodward,
Craig,	Kutz,	Schantz,	Eyre,
Culbertson,	Lanius,	Sisson,	Pres. Pro Tem.
Daix,	Leslie,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 154 entitled:

An Act to validate acts done by or rights accrued to corporations before the recording of their charters.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Heaton,	Miller,	Steele,
Betts,	Homsher,	Norton,	Stites,
Brown,	Jones,	Patton,	Vare,
Buckman,	Joyce,	Phipps,	Weaver,
Christley,	Krause,	Salus,	Woodward,
Craig,	Kutz,	Schantz,	Eyre,
Culbertson,	Lanius,	Sisson,	Pres. Pro Tem.
Daix,	Leslie,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 159 entitled:

An Act to amend section one hundred of the act approved July 14, 1917, (P. L. 840), entitled "An act concerning townships; and revising, amending and consolidating the law relating thereto."

And said bill having read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Heaton,	Miller,	Steele,
Betts,	Homsher,	Norton,	Stites,
Brown,	Jones,	Patton,	Vare,
Buckman,	Joyce,	Phipps,	Weaver,
Christley,	Krause,	Salus,	Woodward,
Craig,	Kutz,	Schantz,	Eyre,
Culbertson,	Lanius,	Sisson,	Pres. Pro Tem.
Daix,	Leslie,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 85, as follows:

An Act authorizing cities of the third class to regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of promoting the public health safety order convenience prosperity and general welfare cities of the third class may by ordinance regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces therein and may make different regulations for different districts thereof and may alter the same but no alteration of such regulations may be made except by the affirmative vote of not less than two-thirds of the elected or appointed members of the council or other local legislative body having jurisdiction

Section 2 It shall be the duty of the city planning commission of said cities where such bodies exist of a committee of the council or such other commission or committee as may be created by the council for the purpose to recommend to the council the boundaries of districts and appropriate regulations and restrictions to be imposed therein Such body shall make a tentative report and hold public meeting thereon before submitting its final report at such time as the council may require after such final report council shall afford persons interested an opportunity to be heard at a time and place to be specified in a notice of hearing to be published for ten consecutive days in a daily newspaper or newspapers of general circulation in said cities And the said cities shall not determine the boundaries of any district nor impose any regulations or restrictions until after the final report and after said hearing before council

The council of said cities may from time to time after public notice and hearing amend supplement or change said regulations restrictions or district boundaries Provided That if a protest against a proposed amendment supplement or change be presented duly signed by the owners of twenty per centum or more of the frontage proposed altered or by the owners of twenty per centum of the frontage immediately in the rear thereof or by the owners of twenty per centum of the frontage directly opposite the frontage proposed to be altered a three-fourths vote of the members of council shall be required

Section 3 This act shall not apply to any existing or proposed building or extension thereof used or to be used by public service corporations if upon petition of the corporation the Public Service Commission shall after a public hearing decide that the present or proposed situation of the building question is reasonably necessary for the convenience or welfare of the public

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 112, as follows:

An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed for purposes which have proved or may prove impracticable impossible or inadvisable for any other lawful municipal purpose or to provide for the cancellation of the authority to borrow such moneys

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any city of the first class has increased or has authorized the increase of its indebtedness with or without the assent of the electors of such city or shall hereafter so increase or authorize the increase of its indebtedness and the purpose of such increase or authorized increase has proved or shall prove to be impracticable impossible or inadvisable the Council of such city may by their Ordinance which shall require the affirmative vote of two-thirds of all the members of the Council so declare and (a) may provide for the use of the money so borrowed or authorized to be borrowed for any other municipal purpose for which such indebtedness could have originally been lawfully incurred and upon the certificate of the City Controller as required by law for the original incurring of such debt or (b) may rescind the authority to borrow such money

Secton 2 When said debt shall have been authorized or increased without the assent of the electors such ordinance prior to its final passage shall be published daily for two weeks in two newspapers having a bona fide circulation in such city of at least thirty thousand (30,000) copies per issue

Section 3 Whenever the original increase of indebtedness shall have been made or authorized with the assent of the electors of such city and the Council may desire to use the money so borrowed or authorized to be borrowed for any other lawful municipal purpose as aforesaid or to refrain from borrowing so much thereof as shall not have been borrowed or any part thereof they shall give notice by advertisement once a week for four weeks in each of three daily newspapers having a bona fide circulation in such city of at least thirty thousand (30,000) copies per issue of an election to be held at the place or places of holding municipal elections on a day to be by them fixed Such notice shall state (a) The date of such election (b) The amount of money theretofore borrowed or authorized to be borrowed for the purpose in question (c) The purpose for which such indebtedness was originally authorized (d) the new purpose for which the Council of such city desire to make use of said money or the fact that it is desired not to borrow the same or a specified amount thereof and such notice may further state (e) The reason why said money may not be used for the purpose for which it was borrowed or authorized to be borrowed or why it may be advisable not to use it for such purpose

A certified copy of the ordinance required by Section one of this act and where notice shall be required by Section three hereof a copy of such notice shall be filed in the office of the Prothonotary of the Court of Common Pleas of the County in which such city is situated

Section 4 The Council of such city shall fix the time of the holding of any such election on the day of the municipal or general or other special election unless more than ninety days shall elapse between the date of the ordinance and the day of holding the municipal or general or other special election in which case they may fix another day If any day other than the day of the municipal or general or other special election day is fixed the expense of holding the election shall be paid by the city

Section 5 Such election shall be held in the place time and under the same regulations as provided by law for the holding of municipal elections and the question to be submitted to the electors shall be substantially in the following form

Shall the sum of ..... dollars heretofore borrowed or authorized to be borrowed by the City of ..... for the purpose of ..... be used by the same city for the purpose of .....?

or

Shall the authorization heretofore granted to the City of ..... to borrow ..... dollars for the purpose of ..... be cancelled as to .....?

The ballot shall be prepared in the manner provided by the election law for the submission of similar questions

Section 6 The election shall be conducted by the regular election officers The election officers shall count the tickets cast at such election and make a return thereof to the Prothonotary of the Court of Common Pleas of the County duly certified as is required by law In receiving and counting and in making return of the votes cast the inspectors clerks and judges of election shall be governed by the laws of this Commonwealth governing municipal elections and the vote shall be counted by the court as is now provided by laws governing municipal elections All penalties of the said election laws for violation thereof shall apply to the voters inspectors judges and clerks voting at and in attendance upon elections held under the provisions of this act

Section 7 The Prothonotary shall make a return of the vote cast upon such questions as filed in his office to the corporate authorities of such city and the same shall be placed on record among or upon the minutes thereof

Section 8 If at such election a majority of the electors voting thereon shall vote in favor of using said money so borrowed or authorized to be borrowed for the new purpose as stated in the said notice or shall such majority vote in

favor of the cancellation of the authority to borrow the same the said money may be used for such new purpose as if it had originally been authorized or borrowed therefor or may remain unborrowed in accordance with such vote of the electors And whenever it shall be made lawful to refrain from borrowing such money either by action of the Council alone or with the assent of the electors as hereinbefore provided the original authority to borrow the same shall thereupon be of no effect

Section 9 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. STITES. Mr. President, I ask that Senate Bill No. 131 on second reading, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved April 20, 1874, entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 171, (House Bill No. 38), on second reading, entitled:

An Act relating to treasurers in counties of the fifth class: providing for their salaries, bonds, offices and supplies and the compensation of deputies and clerks.

be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 208, (House Bill No. 158) as follows:

An Act to amend section sixteen twenty-six twenty-seven twenty-eight twenty-nine of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry and changing the procedure for assessing damages done by dogs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" is hereby amended to read as follows

Section 16 The State Treasurer shall establish a separate fund to be known as the "Dog Fund" into which all moneys collected under the provisions of this act shall be paid and from which all expenditures necessary in the carrying into effect the provisions of this act shall be paid All moneys in the dog fund from time to time are hereby specifically appropriated to the Department of Agriculture for the purpose of carrying into effect the provisions of this act and for the payment of indemnities for animals afflicted with dangerous contagious or infectious diseases as provided by law and for the payment of the salaries and expenses of the Director Deputy Director officers agents and employes of the Bureau of Animal Industry of the Department of Agriculture and for the enforcement of the provisions of the several Acts or Assembly charged to the Bureau of Animal Industry The money in the dog fund shall be paid to the use of the Department of Agriculture in advance from time to time as the same is required upon requistition by the Secretary of Agriculture The Auditor General shall upon requisition from time to time of the Secretary of Agriculture and the proper accounting for moneys already advanced from the fund draw his warrant upon the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes herein specified at the time such requisition is made.

Section 2 That section twenty-six of said act is hereby amended to read as follows

Section 26 Whenever any person sustains any loss or damage to any live stock or poultry by dogs or any live stock or poultry of any person is necessarily destroyed because of having been bitten by a dog such person or his agent or attorney may immediately after the damage was done complain to any township auditor or to any justice of the peace alderman or magistrate of the township town borough or city Such complaint shall be in writing shall be signed by the person making such complaint and shall state when where and how such damage was done and by whose dog or dogs if known Claims covering damage resulting from the bite of a rabid dog shall be made immediately following the death of the animal and shall be supported by a certificate from a licensed and duly qualified veterinarian or a report from the laboratory of the Bureau of Animal Industry to the effect that such animal was affected with rabies Such township auditor justice of the peace alderman or magistrate shall at once notify an auditor of the district if there be any and where there is no auditor then the controller of the district and together they shall at once examine the place where the alleged loss or damage was sustained and the live stock of poultry injured or killed They shall then jointly fix a time for taking testimony relative to such claim and shall give notice of such time to the claimant and to the dog owner if known Such appraisers shall examine under oath or affirmation any witness called before them After making diligent inquiry in relation to such claim such appraisers shall determine whether any damage has been sustained and the amount thereof and if possible who was the owner of the dog or dogs by which such damage was done If the two appraisers can not agree

as to the amount of damage sustained the Secretary of Agriculture through his officers or agents may appoint a disinterested citizen to assist in determining the amount of damage sustained

Any owner or keeper of such dog or dogs shall be liable to the owner of such live stock or poultry in a civil action for all damages and costs or to the Commonwealth to the extent of the amount of damages and costs paid by the Commonwealth as hereinafter provided

Section 3 That section twenty-seven of said act is hereby amended to read as follows

Section 27 Upon making the examination required in section twenty-six of this act the said appraisers shall immediately make a certificate signed and sealed by them that such appraisement was regularly and duly made If by such examination it appears that any damage has been sustained by the complainant the said appraisers shall deliver the report of such examination and all papers relating to the case to the claimant or his agent or attorney upon payment of the costs incurred to that time Such report shall by him be delivered to the Secretary of Agriculture

Section 4 That section twenty-eight of said act is hereby amended to read as follows

Section 28 Township auditors justices of the peace aldermen magistrates controllers and appointed appraisers for the special service required under sections twenty-six and twenty-seven of this act shall each receive two dollars for each case investigated and five cents per mile for each mile traveled to be paid by the claimant in such case In all cases where damages are awarded the fees paid by claimants shall be included in the amount of such damages

Section 5 That section twenty-nine of said act is hereby amended to read as follows

Section 29 Upon the Secretary of Agriculture receiving and approving such report if it appears thereby that a certain amount of damage has been sustained by the claimant he shall immediately draw his check in favor of the claimant for the amount of loss or damage such claimant has sustained according to such report together with necessary and proper costs incurred Such amount shall be paid from the advance requisition on the Dog Fund If such report is not approved and it is deemed advisable a further investigation may be made by the Secretary of Agriculture through his officers or agents to ascertain the amount of damage sustained No person shall receive payment for any claim until the township auditor justice of the peace alderman or magistrate before whom the claim was made had certified that due diligence was made to ascertain whose dog or dogs did the damage and that the carcasses of the live stock or poultry killed and for which damages have been assessed were buried within twenty-four hours after the assessment of damages The owners of any live stock or poultry killed by dogs or live stock necessarily destroyed because of having been bitten by a dog shall be paid a burial fee as follows For each horse stallion colt gelding mare bull bullock steer heifer cow mule jack jennet or burro two dollars and fifty cents each for each sheep ram lamb calf goat kid or swine two dollars each for each head of poultry domestic hare or rabbit ten cents each to be included in said report and paid as other damages under this section Where said carcasses are turned over to a scavenger or reduction plant no burial fee shall be allowed

Upon payment by the State of damages of live stock or poultry by dogs the rights of the owner of such live stock or poultry against the owner of a dog to the extent of the amount of damages so paid by the State shall inure to the benefit of the State

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF MOTION TO POSTPONE SENATE BILL No. 20.

Mr. CRAIG. Mr. President, I move to reconsider the vote by which Senate Bill No. 20, entitled:

An Act relating to terasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies, and the compensation of deputies and clerks.

was postponed for the present.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL RECOMMITTED.

Mr. CRAIG. Mr. President, I move to recommit the bill to the Committee on Banks and Building and Loan Associations.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

BILLS SIGNED.

The President PRO TEMPORE (Mr. T. L. Eyre) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 13, entitled:

An Act enlarging the jurisdiction of the superior court of Pennsylvania by providing for appeals to it from certain orders judgments and sentences of the county court of Allegheny County of the Municipal Court of Philadelphia and of all similar courts hereafter created

Senate Bill No. 14, entitled:

An Act to amend "An Act (approved May 5, 1899, P. L. 248) supplementing and amending an act entitled 'An Act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice, and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers, and the practice and costs on appeals from its judgments,' approved June 24, 1895, " (P. L. 212).

Senate Bill No. 34, entitled:

An Act to validate tax liens filed since the twenty-first day of May, one thousand nine hundred and thirteen, or which may be filed within six months after the approval of this act, under the provisions of an act, approved the fourth day of June, one thousand nine hundred and one, entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," and providing for their collection.

Whereupon,

The President PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the same.

NOMINATIONS BY THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows:

COMMISSIONERS OF PENNSYLVANIA SOLDIERS ORPHANS' INDUSTRIAL SCHOOL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 27, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate

the appointment of the following named persons as Commissioners of the Pennsylvania Soldiers Orphans' Industrial School, to serve until the first Wednesday in January 1924:

Theodore B. Wood, of Chambersburg.
Ernest G. Smith, of Wilkes-Barre.
Raymond K. Denworth, of Philadelphia.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 27, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Mrs. Rose L. Byers, Pittsburgh, March 10, 1923.
Wm. M. Duff, Pittsburgh, March 10, 1923.
Mrs. Kathryn D. Hanzel, Pittsburgh, February 10, 1923.
Joseph B. Hetherington, Pittsburgh, March 10, 1923.
Miss Mary C. McGowan, Pittsburgh, March 10, 1923.
J. G. Milius, Pittsburgh, March 10, 1923.
Raymond C. Suckling, Coraopolis, March 10, 1923.
William M. Young, Avalon, March 10, 1923.

ARMSTRONG COUNTY.

Thomas J. Baldrige, Apollo, March 10, 1923.
James A. White, Boggs, February 21, 1923.

BERKS COUNTY.

J. Paul Burkhart, Bernville, March 9, 1923.
Jacob J. Shaeffer, Fleetwood, March 10, 1923.

BLAIR COUNTY.

John N. Drass, Hollidaysburg, March 10, 1923.
Matthew W. Morrow, Altoona, March 1, 1923.

BUCKS COUNTY.

Alden M. Collins, Doylestown, March 9, 1923.
Samuel F. Stover, Perkasie, March 9, 1923.

CLEARFIELD COUNTY.

Miss Frances M. Hoffman, Clearfield, March 10, 1923.

CLINTON COUNTY.

Stephen Romeo, Lock Haven, March 10, 1923.

CRAWFORD COUNTY.

Wm. J. Sirdevan, Titusville, March 3, 1923.

CUMBERLAND COUNTY.

Mrs. Caroline S. Cappiello, Carlisle, March 10, 1923.

DAUPHIN COUNTY.

Mrs. M. Elizabeth Walsh, Camp Hill, March 10, 1923.

DELAWARE COUNTY.

Howard M. Lutz, Media, March 10, 1923.
William B. Palmer, Clifton Heights, March 10, 1923.

FAYETTE COUNTY.

Harry E. Duff, Brownsville, March 10, 1923.

LACKAWANNA COUNTY.

Miss. Anna M. Blackmore, Scranton, March 10, 1923.

LAWRENCE COUNTY.

D. C. Hancher, Ellwood City, March 10, 1923.
George S. Miller, New Castle, March 9, 1923.

LEBANON COUNTY.

Miss Anna C. Euston, Lebanon, March 9, 1923.

LUZERNE COUNTY.

Miss Angeline Ferguiari, Forty Fort, March 10, 1923.
Albert J. Tucker, Nanticoke, March 10, 1923.

MERCER COUNTY.

Alexander Green, Sharon, March 9, 1923.
William A. Maitland, Sharon, March 8, 1923.
Guy Thorne, Greenville, March 8, 1923.

MONROE COUNTY.

Marvin O. Smith, Stroudsburg, February 17, 1923.

MONTGOMERY COUNTY.

Sylvester H. Orr, Norristown, February 28, 1923.

NORTHAMPTON COUNTY.

George B. Leh, Bangor, March 10, 1923.
Jordan F. Stover, Easton, March 9, 1923.

NORTHUMBERLAND COUNTY.

James P. McCormick, Coal, March 10, 1923.

PHILADELPHIA COUNTY.

Chas. H. Allen, Philadelphia, March 10, 1923.
Michael A. Bozzuto, Philadelphia, March 10, 1923.
Joseph Feldman, Philadelphia, March 10, 1923.
Miss Lillian M. Hudnut, Philadelphia, March 10, 1923.
John E. Nickels, Philadelphia, March 10, 1923.
Edward V. O'Hanlan, Philadelphia, March 10, 1923.
Geo. Ovington, Jr., Philadelphia, March 9, 1923.
Alexander R. Staples, Philadelphia, March 10, 1923.
Gustave F. Straub, Philadelphia, March 10, 1923.
Ernest Vece, Philadelphia, March 10, 1923.
Edw. E. Zacharias, Philadelphia, March 10, 1923.

WASHINGTON COUNTY.

Mrs. Della Oller, California, March 10, 1923.
W. B. Vandergrift, Fredericktown, March 10, 1923.

YORK COUNTY.

Milton H. Gross, Manchester, March 10, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, February 27, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation.

ALLEGHENY COUNTY.

Ralph J. Bitner, Parnassus, R. F. D. No. 2, Pa.
George F. Joseph, 5524 Hays St., Pittsburgh, Pa.
Miss Stella B. Wahl, 305 Kelly St., Wilkinsburg, Pa.

ARMSTRONG COUNTY.

Ilario Chitti, P. O. Box 569, Freeport, Pa.
J. P. D. Mobley, Box 307, Parkers Landing, Pa.

BUCKS COUNTY.

Mrs. Florence W. Naylor, York Road, New Hope, Pa.

BUTLER COUNTY.

Mrs. Maude McCullough, Callery, Pa. (Main St.)

CARBON COUNTY.

John C. Gallagher, 26 Linden St., Summit Hill, Pa.

FRANKLIN COUNTY.

J. F. Brinley, Dry Run, Pa.

HUNTINGDON COUNTY.

T. A. Weight, Three Springs, Pa.

LYCOMING COUNTY.

John A. Harries, 721 2nd St., Williamsport, Pa.

PHILADELPHIA COUNTY.

Miss Esther Batezel, 1516 Orthodox St., Philadelphia.
Philip Bralow, 1925 S. 7th St., Philadelphia.
Joseph N. Cameron, 1551 N. Robinson St., Philadelphia.
Nathan M. Diamond, 1333 Marshall St., Philadelphia.

WASHINGTON COUNTY.

E. K. Downer, Monongahela, Pa.

YORK COUNTY.

Charles E. Small, York, Pa.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. SALUS,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itslf into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. SALUS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Heaton,	Miller,	Steele,
Betts,	Homsher,	Norton,	Stites,
Brown,	Jones,	Patton,	Vare,
Buckman,	Joyce,	Phipps,	Weaver,
Christley,	Krause,	Salus,	Woodward,
Craig,	Kutz,	Schantz,	Eyre,
Culbertson,	Lanius,	Sisson,	Pres. Pro Tem.
Daix,	Leslie,		

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SALUS. Mr. President, I move that the executive session do now rise.

Mr. SCHANTZ. Mr. Presdient, I second the motion.

The motion was agreed to.

RECESS.

Mr. JONES. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. WEAVER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, February 27, 1923.

Resolved (if the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening, March fifth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March fifth, at nine o'clock.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 372, (Senate Bill No. 225), entitled:

An Act to amend section forty-five of an act approved the fifteenth day of April, one thousand eight hundred and thirty-four (P. L. 509), entitled "An Act relating to county rates and levies and township rates and levies," by removing the exemption of females from arrest and imprisonment for non-payment of taxes.

Which was committed to the Committee on Judiciary General.

House Bill No. 34 (Senate Bill No. 226) entitled:

An Act to amend clause two of section three hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" by extending the power to tax property for lighting purposes in second class townships

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 72, (Senate Bill No. 227), entitled:

An Act to amend section two of an act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 944), entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis; providing for the management and maintenance thereof; and authorizing the incurring of indebtedness and the levy of taxes therefor."

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 162, (Senate Bill No. 228), entitled:

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

House Bill No. 211, (Senate Bill No. 229), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania, for any lawful purpose defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto making an appropriation of the proceeds of such bonds for the purposes intended providing for the payment of interest on, and the redemption of, such bonds by the Sinking Fund Commission.

Which was committed to the Committee on Judiciary General.

House Bill No. 219, (Senate Bill No. 230), entitled:

A Joint Resolution proposing an amendment to article seventeen, section eight of the Constitution of the Commonwealth of Pennsylvania, authorizing the granting of free passes or passes at a discount to clergymen.

Which was committed to the Committee on Railroads.

House Bill No. 279, (Senate Bill No. 231), entitled:

An Act to amend section forty-one, paragraph (a) 1 of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitition of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees thereof; for appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphan's court in all matters relating to fiduciaries concerned with the estates of decedents," making bonds and certificates of poor districts legal investments for trust funds.

Which was committed to the Committee on Judiciary General.

House Bill No. 297, (Senate Bill No. 232), entitled:

A Joint Resolution proposing an amendment to article nine, section one, of the Constitution of the Commonwealth of Pennsylvania, so as to permit the exemption from taxation of real and personal property owned, occupied or used by any branch or post or camp of the Grand Army of the Republic, the Spanish-American War Veterans, the American Legion, the Veterans of Foreign Wars, and the Military Order of the Loyal Legion of the United States.

Which was committed to the Committee on Military Affairs.

MOTION FOR RECESS.

Mr. SNYDER. Mr. President, I move you that the Senate do now take a recess until 4.30 o'clock this afternoon.

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SNYDER. Mr. President, as near as such things could be arranged, there was an understanding that this Senate would not adjourn to-day until after the hearing on the Prohibition Enforcement Bill. The idea was, and it was clearly understood, that that would give the Committee on Law and Order of the Senate an opportunity to consider that bill after the hearing and report it to the Senate. I trust that that understanding will be carried out and that the members of this Senate will extend the courtesy to us who want this that I think we deserve. There can be no possible harm in doing that and I trust the members of this Senate will not vote to refuse this recess.

Mr. DAIX. Mr. President, I would like to interrogate the Senator from Blair, Mr. Snyder.

The PRESIDENT. Will the Senator from Blair, Mr. Snyder, permit himself to be interrogated?

Mr. SNYDER. Mr. President, I will.

Mr. DAIX. Mr. President, I would like to ask with whom the Senator from Blair, Mr. Snyder, had that understanding, because while I had a conversation with him, there was nothing said about any recess, it was along another line.

Mr. SNYDER. Mr. President, week before last I asked that the session of the Senate of this week be arranged so that this could be done and in talking with different Senators, I cannot remember the names, I said that that arrangement probably would be made. I cannot say that it was a definite promise; nobody could promise that, but we have done it in that way before, we have counselled among ourselves and have done those things.

Mr. DAIX. Mr. President, the reason I asked the question was, the conversation I had last night was, I presume, the most recent of any, and there was nothing said about recess whatever. I was led to suppose it would be an adjournment until Monday night and the bill would be taken up then.

Mr. SNYDER. Mr. President, I do not think I made any statement one way or the other.

Mr. VARE. Mr. President, I attended a meeting of the Committee, of which I have the honor to be a member some months ago, and while I arrived a little late, surely there was no understanding while I was present. There was no agreement in my presence, either implied or otherwise, other than the fact that there was to be a public hearing of the joint committee today. My understanding of a public hearing is rather in line with what might appear to be an opportunity for a demonstration of public sentiment, so that when members return to their home districts they may know how their constituents feel upon this great important question. Surely I trust the distinguished Senator would not misunderstand to such an extent as to indicate that I, as a member of that Committee, was a party to that agreement.

Mr. LONG. Mr. President, it seems to me that this is not an unreasonable request on the part of the Chairman of the Law and Order Committee. When this Senate adjourned two weeks ago we all went along on that and we were perfectly willing to do that. There was considerable criticism among our constituents with respect to them stating that we had been in session here for almost two months and these questions which are agitated by the people of the Commonwealth are not being taken hold of by the Senate or the House. We were perfectly willing to gratify the gentlemen who wanted to go away during the past two weeks, and now we are back here and we are going to stay, as I understand, most of us, to a dinner to-night at any rate, and certainly there can be no excuse given to our constituents for not having made some progress with respect to some of these important bills. Time is going and matters are getting clogged up. I understand—I am not referring to any particular person— there is a definite plan to sort of push things along, get them all clogged up at one time rather than go ahead and finish something and get something done with respect to any program before the Senate and the House. This recess that the Law and Order Committee asks is a very reasonable thing. The Committee meets this afternoon the bill will come out on first reading, and we can get through before the dinner of Senator Woodward, there will be some progress made and our constituents throughout the

Commonwealth will know that we are not shirking our duties here at all in coming here and taking up some of the serious things that are agitating the whole Commonwealth. We know that these bills have to go through on second and third reading and there will probably be amendments to the bill and after this bill passes first reading and amendments are offered it will perhaps be returned to the Committee and the amendments and changes that are wanted will then be considered and the bill taken up in regular order. There seems to be no good reason that we can give for not voting for this motion. We have to stay for the dinner, most of us, and certainly this motion of Senator Snyder's ought to prevail.

Mr. SCHANTZ. Mr. President, in the last meeting of the Committee on Law and Order, I made the motion that to-day at 2 o'clock be fixed for the joint hearing on this bill to which the Chairman of the Committee refers. There was absolutely nothing stated or implied concerning anything beyond the hearing. Now there could be nothing gained by taking this recess this afternoon and reporting this particular bill out, unless unanimous consent could be obtained to have the bill read the first time. That unanimous consent could not be obtained. Therefore, the proponents of this measure will have the same progress if they report the bill back to the Senate next Monday night and have it read the first time then. They will be exactly where they would be if the bill were reported out to-day and read the first time next Monday night.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Snyder and Mr. Barr, and were as follows, viz:

YEAS—18.

Barr,	Jones,	Miller,	Sprowls,
Betts,	Lanius,	Norton,	Steele,
Christley,	Long,	Phipps,	Stites,
Craig,	MacDade,	Snyder,	Weaver,
Culbertson,	Mansfield,		

NAYS—18.

Baldwin,	Davis,	Kutz,	Sones,
Berntheizel,	DeWitt,	Leslie,	Vare,
Brown,	Homsher,	Salus,	Eyre,
Buckman,	Joyce,	Schantz,	Pres. Pro Tem.
Daix,	Krause,	Sisson,	

So the question was determined in the negative.

REPORTS FROM COMMITTEES.

Mr. PHIPPS, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania, authorizing the State to issue bonds to the amount of one hundred millions of dollars for the improvement of the highways of the Commonwealth.

Mr. DAVIS, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 53, entitled:

An Act fixing the per diem compensation of registry or assistant assessors in townships of the first class for the performance of election duties; and the method of ascertaining the number of days employed.

Also from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 139, (House Bill No. 132), entitled:

An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class.

Also from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 191, entitled:

An Act to amend section one of the act approved the seventh day of July, 1913 (P. L. 693) entitled "An Act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon as provided by Article 18, Section 1, of the Constitution."

Mr. BARR from the Committee on Public Roads and Highways reported as committed, Senate Bill No. 206 (House Bill No. 51) entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge.

ADJOURNMENT.

Mr. DAIX. Mr. President, I move that the Senate do now adjourn until Monday evening, March 5th, at nine o'clock.

Mr. DAVIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I move an amendment to the motion that the Senate do now adjourn until five o'clock this afternoon.

Mr. LONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. Snyder and Mr. Long, and were as follows, viz:

YEAS—19.

Barr,	Culberston,	Mansfield,	Sprowls,
Betts,	Jones,	Miller,	Steele,
Brown,	Lanius,	Norton,	Stites,
Christley,	Long,	Phipps,	Weaver,
Craig,	MacDade,	Snyder,	

NAYS—19.

Aron,	Davis,	Kutz,	Sisson,
Baldwin,	DeWitt,	Leslie,	Sones,
Berntheizel,	Homsher,	Patton,	Vare,
Buckman,	Joyce,	Salus,	Eyre,
Daix,	Krause,	Schantz,	Pres. Pro Tem.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

The Senate adjourned at 1.47 P. M. until Monday evening, March 5, 1923, at nine o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 27, 1923.

The House convened at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

O Lord, our God, our Father, we come into Thy presence this morning hour to give Thee thanks for the many manifestations of Thy great loving kindness and saving grace. We would invoke Thy blessing upon the members of this Assembly, and pray that Thy divine presence with all its

soul-enriching power be realized by each and every one. We pray that Thou wouldst bless this people as well as all other peoples with every needful blessing of love and Godliness in the life that now is, and that which is to come.

We pray that Thou wouldst destroy every vestige of the lust of selfishness and jealousy from our hearts, and may the vitriol vats of hatred and sin be supplanted by the fountains of love and human kindness. Give us great faith in Thee and confidence in our fellow-men. Lead us out into a very large place in Thy service, that what is done here may glorify Thee and benefit our fellow-men.

We ask it in the name of Jesus Christ, Thy Son. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Miss Bentley, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. MOFFATT. HOUSE BILL No. 435.

An Act to amend clause forty-six of section three of article five of the act approved the twenty-seventh day of June, one thousand nine hundred and thirteen, (P. L. 569), entitled "An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto," as amended; giving to said cities the right to exercise the power and authority of local self-government in municipal affairs.

Referred to the committee on Municipal Corporations.

By Miss PITTS. HOUSE BILL No. 436.

An Act regulating the mortgaging of real property by married persons.

Referred to the Committee on Judiciary General.

By Mr. ALEXANDER. HOUSE BILL No. 437.

An Act making an appropriation to the Pennsylvania Training School for Feeble Minded Children, located at Elwyn in the County of Delaware and the Commonwealth of Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ALEXANDER. HOUSE BILL No. 438.

An Act to amend section twenty-three of the act approved the first day of June, one thousand eight hundred and eighty-nine, (P. L. 420), entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine;" imposing the gross receipts tax on business done partly within this Commonwealth.

Referred to the Committee on Ways and Means.

By Mr. BLUETT. HOUSE BILL No. 439.

An Act making an appropriation to Saint Luke's Homeopathic Hospital of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. HEFFERNAN. HOUSE BILL No. 440.

An Act to provide for the licensing of transient retail merchants in cities boroughs and townships and providing a penalty for the failure to obtain such licenses.

Referred to the Committee on Judiciary Special.

By Mr. SAMPLE. HOUSE BILL No. 441.

An Act making an appropriation to the Cottage State Hospital for Injured Persons, located at Mercer, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SAMPLE. HOUSE BILL No. 442.

An Act making an appropriation to the Greenville Hospital, Greenville, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SAMPLE. HOUSE BILL No. 443.

An Act making an appropriation to the Christian H. Buhl Hospital, of Sharon, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WILLISTON P. WOOD. HOUSE BILL No. 444.

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation, in Elk Township, Warren County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HENDERSON. HOUSE BILL No. 445.

An Act to amend sections one, two and three, and to repeal section four of the act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 1021), entitled "An Act imposing a State tax on gasoline, and on all other liquids containing any derivative of petroleum or natural gas, produced, prepared or compounded or usable for the purpose of generating power by means of internal combustion and sold in this Commonwealth, except for the purpose of resale; providing for the collection of such tax and for the distribution and use of the revenues derived therefrom; making an appropriation; and fixing penalties;" by imposing such tax on gasoline and such other liquids sold at wholesale or taken for use before it is so sold; and providing for the payment thereof.

Referred to Committee on Ways and Means.

By Mr. MANGAN. HOUSE BILL No. 446.

An Act to repeal the act approved the third day of June, one thousand nine hundred and nineteen, (P. L. 366), entitled "An Act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; providing for a State Police Force, and defining the powers and duties of the same, including the enforcement of laws relating to game, fish, forestry, and water supply, and certain other laws, and including the collection of information useful for the detection of crime, and the apprehension of criminals; providing for the equipment, maintenance, and transportation of such police; providing for barracks and substations therefor; and prescribing penalties," and the amendments thereto.

Referred to Committee on Law and Order.

By Mr. EARLEY. HOUSE BILL No. 447.

An Act to amend section five of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 473;), entitled "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors or marines, designated as 'deceased service men'; defining the term 'deceased service men'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

Referred to Committee on Military.

By Mr. BOBACK. HOUSE BILL No. 448.

An Act requiring the display of the United States flag at all polling places; providing for its purchase by the county commissioners, and its care between elections.

Referred to the Committee on Elections.

By Mr. MILLAR. HOUSE BILL No. 449.

An Act to amend paragraph one, section five, of the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, (P. L. 73), entitled, "An Act to

provide for the incorporation and regulation of certain corporations," as amended; changing the effect of the by-laws of corporations.

Referred to the Committee on Judiciary General.

By Mr. MATHAY. HOUSE BILL No. 450.

An Act to further amend clause three, section one of an act approved the eighth day of May, one thousand eight hundred and fifty-four (Pamphlet laws six hundred forty-four), entitled, "A further supplement to the act entitled, 'An Act concerning divorces'" as amended by taking away the right of support or alimony in certain cases.

Referred to the Committee on Judiciary General.

By Mr. ALLEN J. STEVENS. HOUSE BILL No. 451.

An Act to amend sections one and three of an act approved the sixteenth day of May, Ano Domini one thousand nine hundred and twenty-one, (P. L. 559) entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith, and providing for the disposition of the penalties recovered and license fees received."

Referred to the Committee on Fisheries.

By Mr. MATHAY. HOUSE BILL No. 452.

An Act authorizing the courts of common pleas to change the name of persons, prescribing the procedure and the effect of the decree thereon.

Referred to the Committee on Judiciary General.

By Mr. JEFFERSON W. SMITH. HOUSE BILL No. 453.

An Act making an appropriation to the Lying-in-Charity Hospital, Philadelphia.

Referred to the Committee on Appropriations.

By Mr. SCHAEFFER. HOUSE BILL No. 454.

An Act providing for an examination of the Locust Mountain Memorial Hospital of Shenandoah, Pennsylvania; providing for the transfer thereof to the Commonwealth and for its management thereafter; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. DRINKHOUSE. HOUSE BILL No. 455.

An Act making an appropriation to the Women's Hospital of Philadelphia, two thousand one hundred and thirty-seven, North College Avenue.

Referred to the Committee on Appropriations.

By Mr. HONTZ. HOUSE BILL No. 456.

An Act dividing the Middle Coal-Field Poor District into four districts; and providing for the nomination and election of a director and auditor from each district, and one director at large, to be elected by the voters of all the districts; fixing the time when such nominations and elections shall be held, and when those elected shall take office; providing for appointments and filling of vacancies; placing the affairs of the districts under the supervision and control of the court of quarter sessions of Carbon County; making it lawful to erect new or additional buildings for said district, after the approval of the court of quarter sessions of Carbon County; and repealing certain acts.

Referred to the Committee on Counties and Townships.

By Mr. DRINKHOUSE. HOUSE BILL No. 457.

An Act making an appropriation to the St. Joseph's Hospital of Philadelphia.

Referred to Committee on Appropriations.

By Mr. STAVITSKI. HOUSE BILL No. 458.

An Act to amend section five of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (P. L. 559), entitled "An act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received;" providing for the issuing of licenses by aldermen, justices of the peace, and notaries public.

Referred to Committee on Fisheries.

By Mr. STAVITSKI. HOUSE BILL No. 459.

An Act to amend section four of the act approved the seventeenth day of April, one thousand nine hundred and thirteen, (P. L. 85), entitled "An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania; requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth; and providing penalties for violation of its several provisions; and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the license fees, fines, and penalties received," as amended; providing for the issuing of licenses by aldermen, justices of the peace and notaries public.

Referred to Committee on Game.

By Mr. GOLDER. HOUSE BILL No. 460.

A supplement to the act approved the second day of June, one thousand nine hundred and fifteen, (Pamphlet laws 762), entitled, "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof;" providing for the auditing of the State Workmen's Insurance Fund and the payment of the costs thereof.

Referred to the Committee on Judiciary General.

By Mr. GOLDER. HOUSE BILL No. 461.

An act to better secure all bonds, stocks, mortgages or other securities deposited with the State Treasurer by providing for their inspection, examination and verification and the verification of the books containing a record of such bonds, stocks, mortgages or other securities by the Auditor General or his agents.

Referred to the Committee on Judiciary General.

By Mr. D. J. JONES. HOUSE BILL No. 462.

An act to amend section one of the act approved the fifteenth day of July, one thousand eight hundred and ninety-seven, (P. L. 292), entitled, "An act to provide revenue by taxation," eliminating the provision of said act permitting the payment of taxes by banks at the rate of ten mills on the dollar of the par value of the shares of stock.

Referred to the Committee on Ways and Means.

By Mr. ASTON. HOUSE BILL No. 463.

An Act making an appropriation to the Florence Crittenton Circle of Wilkes-Barre, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ALFRED IRVING FOWLER. HOUSE BILL No. 464.

An Act to amend section five of the act approved the twenty-fourth day of July, one thousand nine hundred and thirteen, (P. L. 977), entitled "An act to provide for the personal registration of electors, and their enrollment as members of political parties, in cities of the first and second classes of this Commonwealth; to make such registration a

condition of the right to vote in such cities, and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities; and providing for the payment of witness fees for persons summoned before the commissioners; to provide penalties for violations of its provisions; and to repeal acts inconsistent herewith."

Referred to the Committee on Elections.

By Mr. STARK. HOUSE BILL No. 465.

An Act to amend sections one and two of the act approved the twenty-fourth day of May, one thousand nine hundred and seventeen, (P. L. 292), entitled "An act authorizing courts of quarter sessions to commit the care of certain burial-grounds to township supervisors of townships and requiring townships to pay the expenses in connection therewith."

Referred to the Committee on Counties and Townships.

By Mr. STARK. HOUSE BILL No. 466.

An Act to further amend section twenty-one of an act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine", as amended, by changing the rate of taxation on capital stock; and removing the exemption granted corporations limited partnerships and joint-stock associations organized for laundering and manufacturing purposes.

Referred to the Committee on Ways and Means.

By Mr. WHITEHOUSE. HOUSE BILL No. 467.

An Act providing for the payment of pensions to certain citizens of Pennsylvania who volunteered in defense of the State as emergency men, imposing certain duties on the Adjutant General of the Commonwealth, the Lieutenant Governor, the Attorney General and the Secretary of the Commonwealth and making an appropriation.

Referred to Committee on Military.

By Mr. BROMLEY. HOUSE BILL No. 468.

An Act to provide medals for certain soldiers, sailors and marines of the Commonwealth of Pennsylvania, who served in the Army or Navy of the United States during the war with Germany and Austria; and making an appropriation therefor.

Referred to Committee on Appropriations.

By Mr. VICKERMAN. HOUSE BILL No. 469.

An Act to amend section three of an act, approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended.

Referred to Committee on Elections.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 470.

An Act to amend sections one and two of the act approved the twenty-third day of June, one thousand nine hundred and seventeen, (P. L. 639), entitled "An act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment, and providing a system of control and administration for the distribution thereof," extending said act to cities of the second class.

Referred to Committee on Municipal Corporations.

REPORTS FROM COMMITTEES.

Mr. GIBBON, from the Committee on Ways and Means, reported as committed, House Bill No. 268, entitled:

An Act to repeal the act approved the eleventh day of May, one thousand nine hundred twenty-one, (Pamphlet Laws 479) entitled an act "Imposing a State tax on anthracite coal; providing for the assessment and collection thereof; and providing penalties for the violation of this act".

Mr. FRAZIER, from the Committee on Counties and Townships, reported as committed, House Bill No. 423, entitled:

An Act authorizing boards of county commissioners to cooperate with the Bureau of Animal Industry of the Department of Agriculture; and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious disease of livestock and poultry.

Miss MARTHA G. THOMAS, from the Committee on Education, reported as committed, House Bill No. 375, entitled:

An Act to amend section six hundred twenty-seven of an act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred and nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the metnod of collecting such revenue; and repealing all laws, general, special, or local, or any part thereof, that are or may be inconsistent therewith," as amended.

Mr. HOLLIS, from the Committee on Judiciary Special, reported as amended, House Bill No. 276, entitled:

An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances and for water rents or rates, sewer rates and lighting rates; the procedure upon claims filed therefor, the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, the distribution of the proceeds of such sales and the redemption of the property therefrom, the lien of taxes for the years 1921, 1922 and 1923 and of municipal claims for work done within six months of the passage of this act, and the procedure on tax and municipal claims filed under other and prior Acts of Assembly.

Mr. JOSEPH C. MARCUS, from the Committee on Banks and Banking, reported as committed, House Bill No. 329, (Senate Bill No. 69), entitled:

An Act relating to the incorporation of banks and trust companies.

RESOLUTION RELATIVE TO LAST DAY FOR INTRODUCTION OF BILLS.

Mr. McVICAR: Mr. Speaker, I desire to call up at this time the report of the Rules Committee, made last Tuesday, and upon which action was postponed for one week.

The SPEAKER. The Clerk will read the report for information.

The Clerk read the report as follows:

House of Representatives, Feb. 19, 1923.

Resolved, That March twenty-eighth be fixed as the last day for the introduction of bills in the House of Representatives for the session of 1923.

Nelson McVicor
George W. Williams
Charles F. Bidelspacher
Chester H. Rhodes
J. M. Flynn
Committee on rules.

On the question,
Will the House adopt the report of the Rules Committee?

Mr. McVICAR. Mr. Speaker, I just want to say that when this matter was up one week ago, action was deferred for one week at that time, so that some of the members might have an opportunity to make further investigation of this matter. That opportunity has been given, and we believe that the House is now ready to vote upon this unanimous report of the Rules Committee.

Mr. GOLDER. Mr. Speaker, I feel, because of the courtesy extended to us last week, when we were not prepared to vote upon this report, that I owe it to the members to say, that I, for one, while my opinion is in no ways any better than the judgment of the rest of the House, after looking into the matter, am of the opinion, after taking the matter up with all those of you that I could, that the report of the Rules Committee should be adopted. I merely make these remarks out of courtesy to the House and to the members who extended me that courtesy last week. While my opinion is no better than that of any person else, I, for one, shall vote to adopt the report.

On the question recurring,

Will the House adopt the report of the Rules Committee?

It was adopted.

RESOLUTION TO INVESTIGATE PRICE AND DISTRIBUTION OF COAL.

Mr. BURNS offered the following resolution, which was read and laid over under the rules:

In the House of Representatives, February 27, 1923.

Whereas, The scarcity of coal during the present winter and the inability of poor persons to pay the cost thereof has become a menace to the health of the citizens of the Commonwealth and citizens of other States, and

Whereas, The price of coal has steadily advanced from three dollars and fifty cents to approximately fifteen dollars per ton, which in the opinion of citizens is an advance greatly in excess of the cost of labor, materials and freight rates, and

Whereas, With the advance in price of coal there has been a steady decline in the quality of coal, so that even where coal is obtainable it is usually of so poor a grade as not to warrant its purchase; therefore

Be It Resolved, That it is the sense of the House of Representatives of the Commonwealth that some action with regard to the coal situation is urgent and necessary, and it recommends to the Governor for his consideration whether or not some body of a permanent character, to be by him appointed, should be created which would have general power to supervise the distribution of coal within the Commonwealth, and to inquire into the prices paid for coal and to regulate the quality, said body, if necessary, to have power to appoint agents in the several counties of the Commonwealth to represent it and to make to it such recommendations for action as may seem necessary.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 211, as follows:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for any lawful purpose defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto making an appropriation of the proceeds of such bonds for the purposes intended providing for the payment of interest on and the redemption of such bonds by the Sinking Fund Commission and fixing the compensation of the loan and transfer agent of the Commonwealth in connection therewith

POWER TO BORROW MONEY

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor on behalf of the Commonwealth of Pennsylvania is hereby authorized to borrow from time to time on the credit of the Commonwealth of Pennsylvania such sum or sums of money and for such purposes as are authorized by law

BONDS-ISSUE MATURITY INTEREST ET CETERA

Section 2 (a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall be issued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity not to exceed thirty years rate of interest not to exceed four and one-half per centum per annum and time of payment of interest as the Governor shall direct

(b) All bonds issued under the authority of this act shall bear the fac-simile signatures of the Governor Auditor General and State Treasurer and a fac-simile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) When directed so to do by the Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold in accordance with the provisions of this act

SALE OF BONDS

Section 3 Whenever bonds are issued under the direction of the Governor they shall be offered for sale at not less than par and shall be sold by the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions and upon such open competitive bidding as the Governor shall direct The manner and character of such advertisment and the times of advertising shall be prescribed by the Governor

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of otherwise by the Auditor General and the State Treasurer in such manner and at such prices not less than par as the Governor shall direct No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act

DISPOSITION AND USE OF PROCEEDS APPROPRIATIONS

Section 4 The proceeds realized from the sale of bonds under the provisions of this act shall be paid into the State Treasury and shall be set apart and be kept in a separate fund to be designated according to the particular purpose for which the loan is made All moneys in such fund from time to time are hereby specifically appropriated to the proper department for the purpose intended

The Auditor General shall upon requisition from time to time of the chief officer of such department draw his warrant upon the State Treasurer for the amounts specified in such requisitions not exceeding however the amount in such fund at the time of making such requisitions

DEPOSITS WITH STATE DEPOSITORIES

Section 5 The State Treasurer with the approval of the Governor and Auditor General is authorized to deposit any of the moneys in such fund not requisitioned by the proper department in any of the qualified State depositories of the Commonwealth All such deposits shall be secured in such manner and shall be made upon such terms and conditions as are now provided for by existing law relative to State deposits

REGISTRATION OF BONDS

Section 6 The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth

for the registration of any bonds at the request of owners thereof All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth

INFORMATION TO GENERAL ASSEMBLY

Section 7 It shall be the duty of the Governor during the biennial sessions of the General Assembly to give to the General Assembly full information in relation to the issuing of bonds under the provisions of this act to enable the General Assembly to provide by appropriation the moneys necessary for the sinking fund of the Commonwealth for the payment of the interest of said bonds and the principal thereof at maturity

The Auditor General shall also give to each General Assembly a statement of the compensation due the duly authorized loan and transfer agent of the Commonwealth for its services payment of which shall be made by appropriation on a basis of fifty cents per thousand dollars per annum on all loans outstanding

SINKING FUND INVESTMENTS REDEMPTION OF BONDS

Section 8 All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid by the Sinking Fund Commission of the Commonwealth For the specific purpose of redeeming said bonds at maturity and paying all interest thereon and in accordance with the information received from the Governor as provided in section seven of this act the General Assembly shall appropriate biennially the moneys necessary for the payment of the interest on said bonds and the principal thereof at maturity All moneys so appropriated shall be paid into the sinking fund by the State Treasurer and all of such moneys not necessary to pay accruing interest shall be invested by the Sinking Fund Commission in such securities as are provided by law for the investment of the sinking funds of the Commonwealth

The investments and such moneys and the accumulations thereon in the sinking fund shall be devoted to and used exclusively for the payment of the interest accruing on such bonds and their redemption at maturity Provided however That the Sinking Fund Commission is authorized at any time to use any of such funds for the purchase and retirement of all or any part of the bonds issued under the authority of this act In the event that all or any part of said bonds shall be purchased by the Sinking Fund Commission they shall be cancelled and returned into the State Treasury as cancelled and paid bonds and thereafter all payments of interest thereon shall cease

REPORT OF STATE TREASURER

Section 9 The State Treasurer shall in his report furnish to the General Assembly a detailed statement of the total amount of bonds and the total amount of the proceeds thereof used by the proper department for the purpose for which the same is appropriated

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DUNN. Mr. Speaker, this bill is an enabling act. It is when we pass a law amending the constitution, similar to the fifty million dollar bond act for public roads and the one we passed now for thirty-five million dollars for soldiers' compensation, this is an enabling act to give the fiscal agent of the Commonwealth the authority to arrange these bonds and sell them according to law. It makes a general act this time. It was necessary heretofore each time when a loan was authorized that an act like this must be passed. The act, as it is at the present time, will be general, and in the future whenever an amendment to the constitution is offered for a loan for any purpose, this act will carry out the purposes of the loan.

Mr. EDMONDS. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Dunn.

The SPEAKER. Will the gentleman from Philadelphia Mr. Dunn, permit himself to be interrogated?

Mr. DUNN. Mr. Speaker, yes sir.

Mr. EDMONDS. Mr. Speaker, I notice in section 7 that the fiscal agent is to receive a fee on the basis of fifty cents per thousand dollars. What fee is paid to the fiscal agent for arranging the bonds of the Commonwealth at the present time? In other words, if we have to increase it would it not be better to make the fee on a basis not to exceed a certain amount, so that in the event that a lower fee could be gotten it would be possible to get it?

Mr. DUNN. In reply to that, I would say that this bill has been taken up with the Auditor General and with the State Treasurer and also with one of the fiscal agents who handled the bonds for the State Highway, the Philadelphia National Bank of Philadelphia. The three of them were consulted on this amendment and it is satisfactory to those men. It makes it so that hereafter instead of these bonds being placed in the hands of the Treasurer and the Auditor-General to go over to New York to have the bonds made, and so forth, and bring them back without any protection, they are placed in the hands of the Philadelphia National Bank of Philadelphia, which has handled these bonds in their safety deposit vaults, and the cost of fifty cents is merely the cost of postage and the arranging and printing of these bonds and the sending of them out without any expense to the Philadelphia National Bank.

Mr. EDMONDS. Mr. Speaker, I want to say to the gentleman from Philadelphia that I am satisfied with his explanation and I merely raised the point because it seems to me that sometimes we fix the fee for service at so much per thousand, when a large bond issue is made the fees will become very large because it is fixed in that way. I have been wondering whether in legislation of this sort it would not be better to fix a maximum fee and then take a minimum fee because I believe we could save money in that way. Was that considered at all in the framing of the bill?

Mr. DUNN. Mr. Speaker, as I said before, this matter was taken up with three very important financial men of the State and with those who handle these bonds, and I place all the confidence in the world in the amendment as offered, as to the proper protection to be given this Commonwealth in the way of arranging and selling these bonds when authorized. I cannot give any further explanation than that because they are men high up in finance who understand this particular piece of legislation, as probably the majority of us do not, and it is the safest protection. We took it up with Mr. Allen, who handled the highway bonds, on Saturday in the city of Philadelphia, and he showed me the protection which the State is receiving in the safety deposit vault and how these bonds are being cared for there. If it is necessary for us to rent a place it would cost us over $6,500 for the storage and protection of these bonds, and the explanation he gave to me seemed perfectly satisfactory to those three men, the Auditor General, the State Treasurer and Mr. Allen seemed perfectly satisfied that the State was getting all the protection necessary at a minimum amount of cost.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albert,	Fowler, A. I.,	Ludlow,	Schilling,
Alexander,	Fowler, D.,	Lynch,	Schleiter,

Allman,	Fratt,	Mack,	Schoener,
Anderson,	Frazier,	MacKinney,	Schwartz,
Arthur,	Gallaher,	Malie,	Shambach,
Asbury,	Gelder,	Mangan,	Sheridan,
Aston,	Gibbon,	Marcus, J. C.,	Smith, H. J.,
Baker,	Gilchrist,	Marshall, J. G.,	Smith, H.,
Baldi,	Glasgow,	Marshall, W. F.,	Smith, J. W.,
Beaver,	Goehring,	McBride,	Sowers,
Behney,	Gorham,	McCaig,	Spangler,
Bell, F. A.,	Goss,	McClure,	Speiser,
Bell, W. T.,	Greeby,	McCurdy,	Sprowls,
Bentley,	Griffith,	McDaniel,	Stark,
Berger,	Grimes,	McDermott,	Staudenmeier,
Betts,	Guerin,	McGowan,	Stavitski,
Blair,	Gundy,	McKim,	Steedle,
Bluett,	Haas,	McVicar,	Sterling,
Blumberg,	Haines,	Metcalf,	Stevens, A. J.,
Brenneman,	Harter,	Millar,	Stevens, A. F.,
Brewster,	Haslett,	Miller,	Stoner,
Bromley,	Haws,	Minehart,	Storb,
Brownmiller,	Heffernan,	Moffatt,	Storer,
Burchinal,	Heffran,	Moore,	Thomas, L. D.,
Burns,	Henderson,	Morrison,	Thomas, M. G.,
Bush,	Hetrick,	Munley,	Thompson,
Clutton,	Heyburn,	Myers, G. C.,	Van Alen,
Coldsmith,	Himes,	Myers, P. M.,	Vickerman,
Conner,	Holcombe,	Nolte,	Walker,
Coyne,	Hollis,	O'Boyle,	Weamer,
Craig,	Hontz,	Orr,	Wells,
Diehm,	Hoover,	Parkinson,	Wettach,
Dietz,	Howell,	Patterson,	Wheeler,
Dilsheimer,	Huber,	Pitts,	Whitehouse,
Donahue,	Irvin,	Posey,	Whiteman,
Driggs,	Jones, C. B.,	Post,	Williams, G. W.
Drinkhouse,	Jones, D. J.,	Price,	Woner,
Dunn,	Jones, E. P.,	Raymond,	Wood, N.,
Eaches,	Keene,	Rhodes,	Wood, W. P.,
Earley,	Kelly,	Richards,	Wright,
Edmonds,	Kohler,	Rinn,	Zook,
Eshelman,	Kunkle,	Rippman,	Goodnough,
Evans, B. P.,	Labar,	Sample,	Speaker.
Evans, J.,	Lauver,	Sarig,	
Flinchbaugh,	Little,	Sautter,	
Flynn,	Long,	Schaeffer,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 162, entitled:

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—185.

Albert,	Fowler, D.,	Long,	Sautter,
Alexander,	Frazier,	Lucas,	Schaeffer,
Allman,	Gallaher,	Ludlow,	Schilling,
Anderson,	Gelder,	Lynch,	Schleiter,
Arthur,	Gilchrist,	Mack,	Schoener,
Asbury,	Glasgow,	MacKinney,	Schwartz,
Aston,	Goehring,	Malie,	Shambach,
Baker,	Gorham,	Marcus, J.,	Sheridan,
Beaver,	Goss,	Marcus, J. C.,	Smith, G. A.,
Behney,	Greeby,	Marshall, J. G.,	Smith, H. J.,
Bell, F. A.,	Griffith,	Marshall, W. F.,	Smith, H.,
Bell, W. T.,	Grimes,	Mathay,	Smith, J. W.,
Bentley,	Guerin,	McBride,	Soffel,
Berger,	Gundy,	McCann,	Sowers,
Betts,	Haas,	McCaig,	Spangler,
Blair,	Haines,	McClure,	Speiser,
Bluett,	Harer,	McCurdy,	Stark,
Blumberg,	Haslett,	McDaniel,	Staudenmeier,
Brenneman,	Haws,	McGowan,	Stavitski,
Brewster,	Heffernan,	McKim,	Steedle,
Bromley,	Heffran,	McVicar,	Sterling,
Brownmiller,	Henderson,	Metcalf,	Stevens, A. J.,
Burchinal,	Hetrick,	Miller,	Stofflet,
Burns,	Heyburn,	Minehart,	Stoner,
Bush,	Himes,	Moffatt,	Storb,
Clutton,	Holcombe,	Moore,	Storer,
Coldsmith,	Hollis,	Morrison,	Thomas, L. D.,
Conner,	Hontz,	Munley,	Thompson,
Coyne,	Hoover,	Myers, P. M.,	Van Alen,
Craig,	Horne,	Nolte,	Vickerman,
Diehm,	Howell,	O'Boyle,	Walker,
Dilsheimer,	Huber,	Ogle,	Weamer,
Donahue,	Irvin,	Orr,	Wells,
Driggs,	Johnson,	Parkinson,	Wettach,
Drinkhouse,	Jones, C. B.,	Patterson,	Whitehouse,
Dunn,	Jones, D. J.,	Peelor,	Whiteman,
Eaches,	Jones, E. P.,	Perry,	Williams, G. W.,
Earley,	Keene,	Pitts,	Williams, J. M.,
Edmonds,	Kelly,	Posey,	Woner,
Eshelman,	Kohler,	Post,	Wood, N.,
Evans, B. P.,	Korns,	Price,	Wood, W. P.,
Evans, J.,	Kunkle,	Raymond,	Wright,
Fields,	Labar,	Rhodes,	Zook,
Flinchbaugh,	Lafferty,	Richards,	Goodnough,
Flynn,	Lauver,	Rinn,	Speaker.
Fowler, A. I.,	Little,	Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 220, entitled:

An Act to amend section one hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

On the question,

Will the House agree to the bill on third reading?

Mr. SARIG. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend section 1, page 3, lines 16 and 17, by striking out and eliminating entirely from the bill the following: "controller of the city, borough, town or township, last created and which does," and insert in lieu thereof "controllers of the cities, boroughs, towns or townships last created, and which do."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 72 as follows:

An Act to amend section two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty four) entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-four) entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor" is hereby amended to read as follows

Section 2 If a majority of the voters voting upon such question at such election shall be in favor of the establishment of the hospital the county commissioners and board of trustees hereafter provided for shall have plans and specifications prepared and shall select and acquire a site for such hospital by purchase or condemnation with the same power and with the like procedure as land is now acquired under existing laws by school districts for school purposes the county commissioners exercising the authority exercised by school directors for that purpose Such plans and specifications and the location of such site shall be approved by the Commissioner of Health before the construction of any building is commenced

Upon the approval by the Commissioner of Health of the plans and specifications and the location of such hospital the hospital shall be constructed and equipped under the direction and supervision of the board of trustees and the county commissioners and in the same manner as other county buildings are constructed and equipped

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Albert,	Frazier,	Lauver,	Sample,
Allman,	Gallaher,	Long,	Sautter,
Anderson,	Gelder,	Lucas,	Schaeffer,
Armstrong,	Gilchrist,	Ludlow,	Schilling,
Arthur,	Glasgow,	Lynch,	Schleiter,
Asbury,	Goehring,	Mack,	Schoener,
Aston,	Golder,	MacKinney,	Schwartz,
Baker,	Goss,	Malie,	Shambach,
Beaver,	Greeby,	Marcus, J.,	Smith, H. J.,
Behney,	Griffith,	Marcus, J. C.,	Smith, H.,
Bell, F. A.,	Grimes,	Marshall, J. G.,	Smith, J. W.,
Bell, W. T.,	Gundy,	Marshall, W. F.,	Stark,
Bentley,	Haas,	McBride,	Staudenmeier,
Blair,	Harer,	McCann,	Stavitski,
Blumberg,	Harter,	McClure,	Stevens, A. J.,
Brenneman,	Haslett,	McCurdy,	Stevens, A. F.,
Brewster,	Haws,	McDaniel,	Stofflet,
Bromley,	Heffernan,	McDermott,	Stoner,
Brownmiller,	Heffran,	McGowan,	Storb,
Burchinal,	Henderson,	McKim,	Storer,
Burns,	Hetrick,	Miller,	Thomas, L. D.,
Bush,	Heyburn,	Minehart,	Thomas, M. G.,
Clutton,	Himes,	Moffatt,	Thompson,
Coldsmith,	Holcombe,	Moore,	Van Alen,
Diehm,	Hollis,	Morrison,	Vickerman,
Dietz,	Hoover,	Munley,	Walker,
Dilsheimer,	Horne,	Myers, G. C.,	Weamer,
Driggs,	Howell,	Myers, P. M.,	Wells,
Drinkhouse,	Huber,	O'Boyle,	Wettach,
Eaches,	Irvin,	Ogle,	Whitehouse,
Earley,	Johnson,	Orr,	Whiteman,
Edmonds,	Jones, C. B.,	Parkinson,	Williams, G. W.,
Eshelman,	Jones, D. J.,	Patterson,	Williams, J. M.,
Evans, B. P.,	Jones, E. P.,	Peelor,	Woner,
Evans, J.,	Kelly,	Pitts,	Wood, N.,
Fields,	Kennedy,	Posey,	Wood, W. P.,
Flinchbaugh,	Kohler,	Price,	Wright,
Flynn,	Kunkle,	Rhodes,	Zook,
Fowler, D.,	Labar,	Richards,	Goodnough,
Fratt,	Lafferty,	Rinn,	Speaker.

NAYS—3.

Alexander,	Craig,	Post,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 352, as follows:

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees and providing his compensation for such services

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" is hereby amended to read as follows

Section 3 On or before the fifteenth day of January one thousand nine hundred and twenty-two and on or before the fifteenth day of January of each year thereafter the owner of any dog six months old or over shall apply to the county treasurer of his respective county or to a qualified justice of the peace alderman magistrate or notary public of his respective district either orally or in writing for a license for each such dog owned or kept by him Such application shall state the breed sex age and color and marking of such dog and the name and address of the last previous owner and shall be accompanied by a license fee of one dollar for each male dog and each spayed female dog and a license fee of two dollars for each unspayed female dog The county treasurers of the several counties shall be agents of the Commonwealth for the issuing reporting and recording of such licenses and for the collection and reporting of license fees and for remitting fees and fines to the State Treasurer and for such services the said agents shall be allowed to re-

tain for their own use the sum of ten cents for each license issued which amount shall be paid by the applicant for the license in addition to the license fee above provided

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. COLDSMITH. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 279, as follows:

An Act to amend section forty-one paragraph (a) one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" making bonds and certificates of poor districts legal investments for trust funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section forty-one paragraph (a) one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphan's court in all matters relating to fiduciaries concerned with the estates of decedents" is hereby amended to read as follows

Section 41 (a) one When a fiduciary shall have in his hands any moneys the principal or capital whereof is to remain for a time in his possession or under his control and the interest profits or income whereof are to be paid away or to accumulate or when the income of real estate shall be more than sufficient for the purpose of the trust such fiduciary may invest such moneys in the stock or public debt of the United States or in the public debt of this Commonwealth or in bonds or certificates of debt now created or hereafter to be created and issued according to law by any of the counties cities boroughs townships or school districts or poor districts of this Commonwealth or in mortgages or ground-rents in this Commonwealth Provided That nothing herein contained shall authorize any fiduciary to make any investment contrary to the directions contained in the will of the decedent in regard to the investment of such moneys"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Albert,	Flinchbaugh,	Kunkle,	Richards,
Alexander,	Flynn,	Labar,	Rinn,
Allman,	Fowler, D.,	Lafferty,	Sample,
Anderson,	Fratt,	Lauver,	Sautter,
Armstrong,	Frazier,	Little,	Schaeffer,
Arthur,	Gallaher,	Lucas,	Schilling,
Asbury,	Gibbon,	Ludlow,	Schleiter,
Aston,	Gilchrist,	Mack,	Schoener,
Baker,	Glasgow,	MacKinney,	Schwartz,
Baldi,	Goehring,	Malie,	Smith, C. A.,
Beaver,	Golder,	Mangan,	Smith, H. J.,
Behney,	Gorham,	Marcus, J.,	Smith, H.,
Bell, F. A.,	Greeby,	Marshall, W. F.,	Smith, J. W.,
Bell, W. T.,	Griffith,	McBride,	Sowers,
Berger,	Grimes,	McCann,	Speiser,
Betts,	Guerin,	McCaig,	Stark,
Blair,	Gundy,	McClure,	Staudenmeier,
Bluett,	Haas,	McCurdy,	Staviski,
Blumberg,	Haines,	McDaniel,	Steedle,
Brenneman,	Harer,	McDermott,	Sterling,
Brewster,	Harter,	McKim,	Stevens, A. J.,
Bromley,	Haslett,	McVicar,	Stevens, A. F.,
Brownmiller,	Haws,	Metcalf,	Stoner,
Burchinal,	Heffernan,	Miller,	Storb,
Burns,	Heffran,	Minehart,	Storer,
Bush,	Henderson,	Moffatt,	Thomas, M. G.,
Chaplin,	Hetrick,	Moore,	Thompson,
Clutton,	Himes,	Morrison,	Van Alen,
Coldsmith,	Holcombe,	Munley,	Vickerman,
Conner,	Hollis,	Myers, G. C.,	Walker,
Diehm,	Hontz,	Myers, P. M.,	Wells,
Dietz,	Hoover,	Nolte,	Wettach,
Dilsheimer,	Howell,	O'Boyle,	Wheeler,
Donahoe,	Huber,	Ogle,	Whitehouse,
Driggs,	Irvin,	Orr,	Whiteman,
Drinkhouse,	Johnson,	Parkinson,	Williams, G. W.,
Dunn,	Jones, C. B.,	Patterson,	Williams, J. M.,
Eaches,	Jones, D. J.,	Peelor,	Woner,
Earley,	Jones, E. P.,	Perry,	Wood, N.,
Edmonds,	Keene,	Pitts,	Wood, W. P.,
Eshelman,	Kelly,	Post,	Wright,
Evans, B. P.,	Kennedy,	Price,	Zook,
Evans, J.,	Kohler,	Raymond,	Goodnough,
Fields,	Korns,	Rhodes,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 297, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania so as to permit the exemption from taxation of real and personal property owned occupied or used by any branch or post or camp of the Grand Army of the Republic the Spanish-American War Veterans the American Legion the Veterans of Foreign Wars and the Military Order of the Loyal Legion of the United States.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Albert,	Fields,	Labar,	Schaeffer,
Alexander,	Flynn,	Lauver,	Schilling,
Allman,	Fowler, A. I.,	Little,	Schleiter,
Anderson,	Fowler, D.,	Long,	Schoener,
Armstrong,	Fratt,	Lucas,	Schwartz,
Arthur,	Gallaher,	Ludlow,	Shambach,
Asbury,	Gibbon,	Lynch,	Smith, H. J.,
Baker,	Gilchrist,	Mack,	Smith, H.,
Baldi,	Glasgow,	MacKinney,	Sowers,
Beaver,	Goehring,	Marcus, J.,	Spangler,
Behney,	Golder,	Marcus, J. C.,	Speiser,
Bell, F. A.,	Gorham,	Marshall, J. G.,	Stark,
Bell, W. T.,	Goss,	Marshall, W. F.,	Staudenmeier,
Bentley,	Greeby,	McBride,	Stavitski,
Berger,	Griffith,	McCaig,	Steedle,
Blair,	Grimes,	McCann,	Sterling,
Bluett,	Guerin,	McClure,	Stevens, A. F.,
Brenneman,	Gundy,	McCurdy,	Stoffiet,
Brewster,	Haas,	McDaniel,	Stoner,
Bromley,	Harer,	McDermott,	Storb,
Brownmiller,	Harter,	McGowan,	Storer,
Burchinal,	Haslett,	Minehart,	Thomas, L. D.,
Burns,	Haws,	Moffatt,	Thomas, M. G.,
Bush,	Heffernan,	Moore,	Thompson,
Chaplin,	Heffran,	Morrison,	Van Alen,
Clutton,	Henderson,	Munley,	Walker,
Coldsmith,	Hetrick,	Nolte,	Weamer,
Conner,	Heyburn,	O'Boyle,	Wells,
Coyne,	Himes,	Ogle,	Wettach,
de Young,	Holcombe,	Parkinson,	Wheeler,
Diehm,	Hollis,	Patterson,	Whitehouse,
Dietz,	Hontz,	Peelor,	Whiteman,
Dilsheimer,	Horne,	Perry,	Williams, G. W.,
Donahue,	Howell,	Pitts,	Williams, J. M.,
Driggs,	Huber,	Posey,	Woner,
Drinkhouse,	Irvin,	Post,	Wood, N.,
Dunn,	Johnson,	Price,	Wood, W. P.,
Eaches,	Jones, D. J.,	Raymond,	Wright,
Earley,	Jones, E. P.,	Rhodes,	Zook,
Edmonds,	Keene,	Rinn,	Goodnough,
Eshelman,	Kohler,	Rippman,	Speaker.
Evans, B. P.,	Korns,	Sample,	
Evans, J.,	Kunkle,	Sautter,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 73, as follows:

An Act to amend section one article six chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "Providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one article six chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" which was as amended by an act approved the twenty-sixth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-one) entitled "An act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled 'An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" is hereby further amended to read as follows

"Section 1 Appointed officers of the borough shall receive such compensation for their services as the council shall prescribe and the compensation for the secretary solicitor and police shall be by annual salary the amount of which shall be fixed at the time of appointment and shall be in lieu of all and any other compensation whatsoever Provided That in case the solicitor shall be called upon to perform extraordinary legal services not within the scope of his routine duties he may be additionally compensated as the council shall prescribe

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. SPANGLER. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 219, entitled:

A Joint Resolution proposing an amendment to article seventeen section eight of the Constitution of the Commonwealth of Pennsylvania authorizing the granting of free passes or passes at a discount to clergymen

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Albert,	Flinchbaugh,	Kunkle,	Richards,
Allman,	Fratt,	Labar,	Rippman,
Anderson,	Frazier,	Lafferty,	Sample,
Armstrong,	Gallaher,	Little,	Sarig,
Arthur,	Gelder,	Long,	Sautter,
Asbury,	Gibbon,	Ludlow,	Schaeffer,
Baker,	Gilchrist,	Lynch,	Schilling,
Baldi,	Glasgow,	MacKinney,	Schleiter,
Beaver,	Goehring,	Marcus, J.,	Schoener,
Behney,	Gorham,	Marcus, J. C.,	Shambach,
Bell, F. A.,	Goss,	Marshall, J. G.,	Smith, G. A.,
Bell, W. T.,	Greeby.	McBride,	Smith, H. J.,
Bentley,	Grimes,	McCaig,	Smith, H.,
Berger,	Guerin,	McCann,	Smith, J. W.,
Bluett,	Gundy,	McClure,	Staudenmeier,
Blumberg,	Haas,	McCurdy,	Stavitski,
Boback,	Haines,	McDaniel,	Sterling,
Brewster,	Harer,	McDermott,	Stevens, A. J.,
Bromley,	Harter,	McGowan,	Stevens, A. F.,
Brownmiller,	Haslett,	McKim,	Stoffiet,
Burchinal,	Heffernan,	Miller,	Stoner,
Burns,	Heffran,	Moffatt,	Storb,
Bush,	Henderson,	Moore,	Storer,
Chaplin,	Hetrick,	Morrison,	Thomas, L. D.,
Coldsmith,	Himes,	Munley,	Thompson,

Conner,	Holcombe,	Myers, G. C.,	Van Alen,
Coyne,	Hoover,	Myers, P. M.,	Vickerman,
Diehm,	Horne,	Nolte,	Wells,
Dietz,	Howell,	O'Boyle,	Wettach,
Dilsheimer,	Huber,	Orr,	Whitehouse,
Donahue,	Irvin,	Parkinson,	Whiteman,
Driggs,	Johnson,	Peelor,	Williams, G. W.,
Drinkhouse,	Jones, C. B.,	Perry,	Williams, J. M.
Earley,	Jones, D. J.,	Pitts,	Woner,
Edmonds,	Jones, E. P.,	Post,	Wood, W. P.,
Eshelman,	Keene,	Price,	Wright,
Evans, B. P.,	Kennedy,	Raymond,	Zook,
Evans, J.,	Kohler,	Rhodes,	Goodnough,
Fields,	Korns,		Speaker.

NAYS—5.

Alexander,	Haws,	Lucas,	Patterson,
Craig,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 371, entitled:

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended

On the question,

Will the House agree to the bill on third reading?

Mr. GOEHRING. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 1, by striking out the word "which"

Amend section 1, page 2, line 13, by striking out the word "read", and inserting in lieu thereof the following: "is further amended to read"

Amend section 1, page 2, lines 14 to 28, by striking out the entire lines 14 to 28 both inclusive.

Amend section 1, page 3, lines 1 to 28, by striking out the entire lines 1 to 28, inclusive.

Amend section 1, page 4, line 8, by striking out the word "two", and inserting in lieu thereof the word: "one"

Amend section 1, page 4, line 8, by striking out the word "fifteen", and inserting in lieu thereof the word: "fifty"

Amend section 1, page 4, by inserting between lines 12 and 13 the following:

"For the loss of a thumb sixty per centum of wages during sixty weeks."

"For the loss of a first finger, commonly called index finger, sixty per centum of wages during thirty-five weeks."

"For the loss of a second finger, sixty per centum of wages during thirty weeks."

"For the loss of a third finger, sixty per centum of wages during twenty weeks."

"For the loss of a fourth finger, commonly called little finger, sixty per centum of wages during fifteen weeks."

"The loss of the first phalange of the thumb, or of any finger, shall be considered equivalent to the loss of one-half of such thumb or finger."

"The loss of more than one phalange of a thumb or finger, shall be considered equivalent to the loss of the entire thumb or finger."

Amend section 1, page 4, line 14 by inserting after the word "disability" the following: "or the permanent loss of the use of the hand, arm, foot, leg or eye, as hereinbefore provided"

Amend section 1, page 4, lines 21, 22, 23 and 24 by striking out all of said lines and eliminating the matter from the bill.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to,

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 34, as follows:

An Act to amend clause two of section three hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" by extending the power to tax property for lighting purposes in second class townships

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause two of section three hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" is hereby amended to read as follows

II On the petition of the owners of a majority of the lineal feet frontage along any highway or portion thereof in any village within the township to enter into contract with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said village with electric light gas light or other illuminant

The township supervisors shall levy for the maintenance of said lights an annual tax upon all the property including factories and places of business abutting upon the said highways and other public places in the district benefitted thereby based upon the assessment for county purposes Such tax shall be collected in the same manner as other taxes The collector of taxes shall receive the same commission as on the road tax No such tax shall be levied against any farm land nor against any property the residence upon which shall be more than five hundred feet from such highway

The township treasurer shall receive all such taxes collected for lighting the highways shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary The treasurer shall make a report to the auditors of the township annually

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Albert,	Fowler, D.,	Lafferty,	Sample,
Alexander,	Fratt,	Little,	Sautter,
Allman,	Frazier,	Long,	Schaeffer,
Anderson,	Gallaher,	Lucas,	Schilling,
Aston,	Gibbon,	Ludlow,	Schleiter,
Baker,	Gilchrist,	Lynch,	Schoener,
Beaver,	Glasgow,	MacKinney,	Schwartz,
Behney,	Goehring,	Malle,	Smith, H.,
Bell, F. A.,	Golder,	Mangan,	Smith, J. W.,

Bell, W. T.,	Gorham,	Marshall, W. F.,	Soffel,
Bentley,	Goss,	Mathay,	Spangler,
Berger,	Greeby,	McBride,	Speiser,
Betts,	Griffith,	McCaig,	Sprowls,
Blair,	Grimes,	McCann,	Stark,
Bluett,	Guerin,	McClure,	Staudenmeier,
Blumberg,	Haas,	McCurdy,	Stavitski,
Brenneman,	Haines,	McDaniel,	Steedle,
Brewster,	Harer,	McDermott,	Sterling,
Bromley,	Haslett,	McKim,	Stevens, A. J.,
Brownmiller,	Haws,	McVicar,	Stevens, A. F.,
Burchinal,	Heffernan,	Metcalf,	Stofflet,
Bush,	Heffran,	Millar,	Stoner,
Chaplin,	Henderson,	Miller,	Storb,
Clutton,	Hetrick,	Minehart,	Storer,
Coldsmith,	Heyburn,	Moffatt,	Thomas, L. D.,
Conner,	Himes,	Moore,	Thomas, M. G.,
Coyne,	Holcombe,	Morrison,	Thompson,
Craig,	Hollis,	Munley,	Van Alen,
Diehm,	Hontz,	Myers, G. C.,	Vickerman,
Dietz,	Hoover,	Myers, P. M.,	Walker,
Dilsheimer,	Horne,	Nolte,	Weamer,
Donahue,	Howell,	Ogle,	Wells,
Driggs,	Huber,	Orr,	Wettach,
Dunn,	Irvin,	Parkinson,	Whitehouse,
Eaches,	Johnson,	Patterson,	Whiteman,
Earley,	Jones, C. B.,	Peelor,	Williams, G. W.
Edmonds,	Jones, D. J.,	Pitts,	Williams, J. M.
Eshelman,	Jones, E. P.,	Posey,	Woner,
Evans, B. P.,	Keene,	Price,	Wood, N.,
Evans, J.,	Kelly,	Raymond,	Wood, W. P.,
Fields,	Kennedy,	Rhodes,	Wright,
Flinchbaugh,	Kohler,	Richards,	Zook,
Flynn,	Kunkle,	Rinn,	Goodnough,
Fowler, A. I.,	Labar,	Rippman,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 372, entitled:

An Act to amend section forty-five of an act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Law five hundred and nine) entitled "An act relating to county rates and levies and township rates and levies" by removing the exemption of females from arrest and imprisonment for non-payment of taxes

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, ladies and gentlemen of the House, I want to call your attention at the present time to the bill which is under consideration.

While it is true, perhaps, that the women now have equal rights with the men it seems to me that this is placing an extra hardship on a certain class of men. I do not believe, in the first place, in the imprisonment of a woman for the non-payment of taxes, and when you place that duty upon the tax collector, you will be placing a hardship upon him. He has his own troubles at the present time, and you can very well conceive, without much of an imagination, just how much condemnation, how much censure, will be placed on him if he places some women in jail for the non-payment of taxes. Yet, if this bill passes, the tax collector will be charged with his whole duplicate, including the collection of poll taxes charged against the women. Therefore, you are putting him in a position where he must make an arrest, and you are putting him in a position where his duties are not enviable at all, and I question whether in many districts of this State the tax collectors would not be wanting to give up their jobs rather than tackle a thing of this kind.

There is a remedy for this matter. I understand the motive why taxes are levied and then not collected, but there is a remedy and I would suggest a remedy, and later on I propose to offer a resolution submitting to the people of Pennsylvania an amendment to the Constitution whereby we can do away with the poll tax and all the personal property taxes, and submit something in its place which will bring about the purpose for which this bill was intended. For myself, calling your attention to the fact as I see it, I intend to vote against this bill.

Mr. MOFFATT. As the proposer of this bill, I want to agree with the gentleman who has just spoken, that it might in a few instances, throughout the state, embarrass the collectors of taxes, but I feel that such an action will be compensated by the amount of taxes that will be collected, which are now uncollectible. So long as the women have the right to vote, and exercise the right of franchise equal with the men, they should assume all the responsibilities. I stated to one of the lady members some time ago that they should have the privilege of being arrested with the men, but she objected and said it was a right they ought to have. I may say that I have received a number of communications from ladies and from the women's organizations, and they are in favor of having this right extended to them.

It is not fair that women should be exempt from the payment of taxes, when they have all the other benefits. I have had called to my attention one case where a tax collector went out to collect taxes from a lady, the wife of a very wealthy man; the husband was home and they laughed at him, telling him to go ahead and collect the taxes if he could. In fact, defied him to collect. On the way home from that trip he stopped at the home of a poor widow to collect her taxes. The widow gathered up all the money she had, nearly all she had and gladly paid it over because she appreciated it as a privilege. There is only one way that you can equalize the thing and that is by making all the women pay their taxes.

I question whether there will ever be, and I hope there will never be necessity for it, if this bill passes, of any woman being arrested. In my opinion, and I introduced this bill for the reason that I believe that they ought to be placed on equality with the men in this matter, the same as they are in all others.

Miss MARTHA THOMAS. Mr. Speaker, I should like to endorse what Mr. Moffatt has said. I believe the women of Pennsylvania are grateful to him for having introduced this bill. I do not believe there would be any difficulties in the collection of taxes. The women want to help in these difficulties, and I think we can do more by being put on the same level as the men are than in any other way. I hope that this bill will be passed.

Mr. OGLE. Mr. Speaker and members of the House, I was born in the age of chivalry. At that time there was a high regard in the Commonwealth for the female sex, regarded as the more dangerous of the two, but in the process of time, the women, through the gallantry of the men, have been permitted to step beyond the household threshhold, and to insinuate themselves into the public affairs of the Commonwealth, and because of their insistence they have been granted the right of franchise. From the earliest day, women have been exempted from arrest for the payment of taxes. It has always been regarded by the sober-minded, high-minded, chivalrous men of the State that the women were unable to protect themselves and they manfully stepped to the fore and undertook the protection of those

women. These female organizations that have sent up their petitions to this honorable Assembly asking that they be made amenable to arrest and incarceration in the common jails of the county, if they do not pay off their taxes, know not what they do. I, for one, will protect them from themselves, by voting against the bill. I say, it is the greatest absurdity in the world to argue here that this a financial matter and the State must have this revenue in order to meet the deficit that confronts us in the treasury. The little amount of taxes that would be refused to be paid by the women would be more than offset by the cost of their keep and care in the jails. This bill is ridiculous. Let us not forget, men, that we are men, and whether these women want to go to jail or not let us see that they shall not go to jail. I never had a gun in my life, and I don't own one now, but if any tax collector came to my front door and tried to arrest my wife and take her to jail, I don't know what I would do. If I had a neighbor who had a gun, I think I would borrow it. Gentlemen, let us stand up and show to the world that the spirit of chivalry has not been lost, notwithstanding we have today, women petitioning us for the passage of this measure.

Miss GALLAHER. Mr. Speaker, I wish to remind you that historically, the age of chivalry, the so-called age of man chivaltry was the age of woman's degradation. We feel that we have passed into a new era, and we cannot let things go as they have been in equity and justice to both men and women. It is not fair that some women shirk, and we know they are shirking, where they are very well able to pay, putting heavier burdens upon our men, and therefore upon their wives and their families, and on the grounds of equity and rightness, I ask that this bill be voted for and carried through.

Miss MACKINNEY. Mr. Speaker, I would like to say that the women of this State would appreciate very much being removed from the class in which we are now placed. We are exempt from a jail sentence with children and people of unsound minds. We would like to be placed in the same class as the men, and if Mr. Ogle or any other member of this House, when the tax collector appears at their door, would meet them with a checkbook instead of a shotgun, they would have no trouble. I hope you will vote for this bill.

Mr. OGLE. I simply desire to make the brief statement to the House in answer to the Representative from Butler County that I have always taken pleasure in meeting the tax collector with my checkbook in regard to the payment of the taxes of the female members of my household.

Mr. STOFFLET. Mr. Speaker and members of the House, it is a fact that we have women suffrage, but I cannot say yet that I am thoroughly reconciled to it. During the last campaign, a candidate who is a very close personal friend of mine made that same remark, and he said that he had in former years been in violent opposition to women suffrage, and he partly laid the blame on me, by reason of his close association and my opinions. He said in his remarks that the time when Solon was the great jurist; Phocion, a great legislator in Greece; when Socrates delivered his great orations and Demothsenes thrilled the world with his eloquence; when Phidias carved the immortal statue of Jupiter Olympias; Hypocrates laid the foundation of medicine; Archimedes laid the foundation of mathematics; when Alexander had conquered the world; when Napoleon had become the greatest military genius of all time and Solomon the wisest of men, that that was considered the Golden Age of thought. But, unfortunately, in those days women occupied a sphere in life little better than that of a slave. I must agree with him, but today we must also admit that woman is practically in the saddle. Now let us go back for one minute and see what has become of the illustrious men of olden times. Solon no longer is a jurist; the modern Solon is a justice of the peace; Phocion no longer passes laws, he is clerk in an insurance office; Demothsenes no longer orates; Socrates no longer thrills with his eloquence; Demothsenes calls out the trains at the railroad station and Socrates is an auctioneer; Phidias no longer carves the immortal Jupiter Olympias, he works in a stone quarry for a dollar and a half a day; Hypocrates no longer lays the foundations of any new cults in medicine, he peddles liniment; Alexander no longer conquers worlds, he is chief of police, and Napoleon is a constable, and Solomon, the wisest of all men is at home, diligently sweeping the kitchen, washing the dishes and taking care of the children, and his six hundred wives are down at a meeting of the womens' voters' league. But, having amused you for just a minute, I want to say in all seriousness that I shall vote "no" on this bill, and I hope that every man that wishes to protect woman from herself will do the same.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Allman,	Gallaher,	Long,	Price,
Anderson,	Gibbon,	Lucas,	Raymond,
Armstrong,	Glasgow,	Ludlow,	Richards,
Arthur,	Golder,	MacKinney,	Sautter,
Asbury,	Goss,	Malie,	Schleiter,
Baldi,	Griffith,	Mangan,	Smith, H. J.,
Behney,	Grimes,	Marcus, J.,	Soffel,
Bell, F. A.,	Guerin,	Marcus, J. C.,	Sowers,
Bell, W. T.,	Haas,	Marshall, J. G.,	Spangler,
Bentley,	Harer,	Marshall, W. F.,	Speiser,
Blair,	Haslett,	Mathay,	Sprowls,
Bluett,	Haws,	McBride,	Steedle,
Blumberg,	Heffernan,	McCaig,	Sterling,
Brewster,	Heffran,	McClure,	Storb,
Bromley,	Henderson,	McGowan,	Storer,
Chaplin,	Himes,	McKim,	Thomas, L. D.,
Clutton,	Hollis,	McVicar,	Thomas, M. G.,
Coldsmith,	Horne,	Moffatt,	Thompson,
Conner,	Huber,	Moore,	Vickerman.
Craig,	Irvin,	Morrison,	Wettach,
Dunn,	Jones, C. B.,	Myers, P. M.,	Whiteman,
Edmonds,	Jones, D. J.,	Nolte,	Williams, J. M.,
Evans, B. P.,	Jones, E. P.,	Orr.	Woner,
Fields,	Keene,	Parkinson,	Wood, N.,
Flinchbaugh,	Kelly,	Patterson,	Wood, W. P.,
Fratt,	Kennedy,	Peelor,	Goodnough.
Frazier,	Kunkle,	Pitts,	Speaker.

NAYS—82.

Albert,	Fowler, A. I.,	Lynch,	Schoener,
Alexander,	Fowler, D.,	Mack,	Schwartz,
Aston,	Gelder,	McCurdy,	Shambach,
Baker,	Gilchrist,	McDaniel,	Smith, H.,
Beaver,	Goehring,	McDermott,	Smith, J. W.,
Berger,	Gorham,	Metcalf,	Staudenmeier,
Betts,	Greeby,	Miller,	Stavitski,
Brenneman,	Gundy,	Minehart,	Stevens, A. J.,
Brownmiller,	Haines,	Munley,	Stevens, A. F.,
Burns,	Harter,	Myers, G. C.,	Stofflet,
Bush,	Hetrick,	O'Boyle,	Stoner,
Diehm,	Heyburn,	Ogle,	Van Alen,
Dilsheimer,	Holcombe,	Posey,	Walker,
Donahue,	Hontz,	Post,	Weamer,
Driggs,	Hoover,	Rhodes,	Wells,
Drinkhouse,	Howell,	Rinn,	Whitehouse,
Eaches,	Johnson,	Rippman,	Williams, G. W.
Earley,	Kohler,	Sample,	Wright,
Eshelman,	Labar,	Sarig,	Zook,
Evans, J.,	Lauver,	Schaeffer,	
Flynn,	Little,	Schilling,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

TIME OF NEXT MEETING.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 27, 1923.

Resolved (if the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening, March fifth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March fifth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

Senate Bill No. 13.

An Act enlarging the jurisdiction of the superior court of Pennsylvania by providing for appeals to it from certain orders judgments and sentences of the county court of Allegheny county of the Municipal court of Philadelphia and of all similar courts hereafter created

Senate Bill No. 14.

An Act to amend "An Act (approved May 5, 1899 (Pamphlet Laws two hundred and forty-eight) supplementing and amending an act entitled 'An Act to establish an Intermediate Court of Appeal regulating its constitution officers jurisdiction powers practice and its relation to the Supreme Court and other courts providing for the reports of its decisions the compensation of the judges and other officers and the practice and costs on appeals from its judgments' approved June 24 1895"

Senate Bill No. 34.

An Act to validate tax liens filed since the twenty-first day of May one thousand nine hundred and thirteen or which may be filed within six months after the approval of this act under the provisions of an Act approved the fourth day of June one thousand nine hundred and one entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" and providing for their collection

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL PLACED ON CALENDAR.

Mr. STEEDLE. Mr. Speaker, I move that House Bill No. 192, file folio 249, entitled:

An Act to amend section five of the act approved the seventeenth day of May, one thousand nine hundred and seventeen, (P. L. 208), entitled "An Act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength and purity.

be placed upon the calendar notwithstanding the negative recommendation of the committee.

Mr. BLUMBERG. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. STEEDLE. Mr. Speaker and members of the House, unfortunately, when this bill was before the Committee on Public Health and Sanitation, due to its haste in clearing its desk, and not extending to the gentleman from Philadelphia, Mr. Baldi, the sponsor of this bill, the courtesy of having him appear there to explain the provisions of the bill it was reported negatively four or five weeks prior to the action of the action of the Committee. Mr. Baldi gave me a notation to withdraw the section of the act, and it was the section which was leading to the most serious objection. I failed to make such notation to the committee. Our committee, and I, myself, want to be courteous to every member of this House, and due to my derelection and ignorance in not extending that courtesy, I told Mr. Baldi that I would move that the bill be placed on the calendar, notwithstanding the negative recommendation of the committee. I hope that the committee will support me in my action, and likewise the members of the House.

On the question recurring,

Will the House agree to the motion?

More than a majority of the members of the House having voted in the affirmative, the motion was agreed to.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 23.

An Act requiring the prothonotary of the court of common pleas to indicate on the proper index notice of the settlement satisfaction discontinuance or dismissal of any suit or proceeding in equity affecting the title to real estate

House Bill No. 25.

An Act to validate deeds, mortgages, and other instruments of writing which have been defectively acknowledged by husband and wife, prior to the fourth day of January, one thousand nine hundred and twenty-three.

House Bill No. 146.

An Act to amend an act approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122), entitled "An Act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended.

House Bill No. 147.

An Act to amend section five of the act approved the fourth day of June one thousand nine hundred and one (Pamphlet Law three hundred and sixty-four) entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" as amended

With information that the Senate has passed the same without amendment.

BILLS ON SECOND READING.

The SPEAKER. If there are no objections, the Chair will suspend the third reading calendar and take up bills on second reading. Are there objections? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 255, as follows:

A Supplement to an act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" creating a division in said bureau to enforce the laws of the Commonwealth relating to said bureau

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Bureau of Medical Education and Licensure shall immediately after the passage of this act create a division within the bureau in the Department of Public Instruction to have charge and supervision over the enforcement of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" and its amendments to which this is a supplement and all other laws of the Commonwealth relating to the Bureau of Medical Education and Licensure and persons licensed to practice by said bureau

Section 2 For the purpose of enforcing said laws and of locating and convicting violators of this act the bureau shall employ in said enforcement division such investigators interpretors chemists attorneys stenographers and assistants as may be necessary and fix their compensation There shall be appointed in said division a supervising inspector who shall direct such investigations as are necessary to determine who are practicing illegally in the Commonwealth any form of practice defining and regulated by the Bureau of Medical Education and Licensure This division shall obtain such evidence as may be necessary to prosecute through its attorneys violators of this act or any provisions thereof and all fines imposed through the violation of this act which may be collected shall be paid to the treasurer of the bureau and by him paid into the State treasury for use in the enforcement of this act and for such purposes such moneys are hereby specifically reappropriated

All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 281, entitled:

An Act to amend section two of Article sixteen of an act entitled "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania" approved the twenty-fifth day of June one thousand nine hundred and nineteen

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of Article sixteen of an act entitled "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania" approved the twenty-fifth day of June one thousand nine hundred and nineteen which reads as follows

"Section 2 At the municipal election held in such city in the year one thousand nine hundred and nineteen and in every fourth year thereafter city councilmen shall be elected in the various State senatorial districts in such city in proportion to the number of assessed voters residing in each such district as determined by the last assessment completed according to law at least three months prior to said election One councilman shall be elected for each unit of twenty thousand assessed voters residing in each such district and one for any fractional portion of such unit in excess of fifty per cent thereof residing in such district over and above all entire units Provided however That if at any time hereafter the women of this Commonwealth shall be given the right to vote the unit of representation aforesaid shall be forty thousand assessed voters instead of twenty thousand as above provided And provided further That such assessment list may be corrected prior to August first of one thousand nine hundred nineteen and of every fourth year thereafter by striking therefrom names of voters not residing in the district at the time of such revision and by adding the names of voters then residing therein but not included in said assessment The number of councilmen to be elected from each such district shall be determined by the county commissioners on August first of one thousand nine hundred nineteen and of every fourth year thereafter on the basis of the said lists as revised The registration commissioners in each city of the first class shall be empowered and it shall be their duty in case of petitions filed by one or more qualified voters objecting to names on the assessor's list or in case of personal application of voters to be added to said lists to hear said petitions or applications and to strike from the list the names of persons who are not voters then residing within the district and to add the names of voters then residing within the district but who were not included in said assessment Such petitions shall be filed and personal applications made not later than July fifteenth of such years and shall be acted upon not later than July twenty-fifth thereof Councilmen shall be nominated and elected according to law and those receiving the highest votes shall be declared elected to the number to which each such district is entitled councilmen shall serve for the period of four years from the first Monday in January following their election If any vacancy shall happen in the office of Councilman the vacancy may be filled at the next general municipal or special election occurring not less than thirty days thereafter but the councilman thus elected shall serve only the unexpired term" be and the same is hereby amended to read as follows

"Section 2 At the municipal election held in such city in the year one thousand nine hundred and twenty-three and in every fourth year thereafter city councilmen shall be elected in the various State senatorial districts in such city in proportion to the whole number of persons in each such senatorial district as determined by the decennial census of the United States taken in the year one thousand nine hundred and twenty One councilman shall be elected for each unit of eighty thousand persons in each such district and one for any fractional portion of such unit in excess of fifty per cent thereof in each such district over and above all entire units The number of councilmen to be elected from each such district shall be determined by the County Commissioners on August first of the year one thousand nine hundred and twenty-three and of every fourth year thereafter on the basis of the said decennial

census of the United States taken in the year one thousand nine hundred and twenty Councilmen shall be nominated and elected according to law and those receiving the highest number of votes shall be declared elected to the number to which each such district is entitled Councilmen shall serve for the period of four years from the first Monday in January following their election If any vacancy shall happen in the office of Councilman the vacancy may be filled at the next general municipal or special election occurring not less than thirty days thereafter but the Councilman thus elected shall serve only the unexpired term

On the question,

Will the House agree to the section?

Mr. DUNN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 8 by striking out the words "which reads" and inserting in lieu thereof the following: "is amended to read"

Amend section 1, page 1, line 9 to 13 by striking out lines 9 to 13 both inclusive.

Amend section 1, page 2, lines 1 to 29 by striking out the lines 1 to 29 both inclusive.

Amend section 1, page 3, lines 1 to 17 by striking out the lines 1 to 17 both inclusive.

Amend section 1, page 3, line 19 by underscoring the word "twenty"

Amend section 1, page 3, line 20 by underscoring the word "three"

Amend section 1, page 3, line 19 by inserting before the word "twenty" the following: "nineteen"

Amend section 1, page 3, line 22 by underscoring the word "whole"

Amend section 1, page 3, line 23 by inserting before the word "persons" the following: "assessed voters residing"

Amend section 1, page 3, line 23 by underscoring the words "persons" and "senatorial"

Amend section 1, page 3, line 24 by inserting before the word "decennial" the following: "last assessment completed according to law at least three months prior to said election"

Amend section 1, page 3, line 24 by underscoring the words "decennial census of the United States"

Amend section 1, page 3, line 24 by inserting after the word "States" the following: "completed at least three months prior to said election"

Amend section 1, page 3, lines 24 and 25 by striking out the words "taken in the year one thousand nine hundred and twenty"

Amend section 1, page 3, line 26 by underscoring the word "eighty"

Amend section 1, page 3, line 26 by inserting before the word "eighty" the following: "twenty"

Amend section 1, page 3, line 27 by underscoring the word "persons"

Amend section 1, page 3, line 27 by inserting before the word "persons" the following: "assessed voters residing"

Amend section 1, page 3, line 29 by inserting after the word "thereof" the following: "residing"

Amend section 1, page 3, line 29 by underscoring the word "each"

Amend section 1, page 4, line 1 by inserting after the word "units" the following:

"Provided, however, That, if at any time hereafter the women of this Commonwealth shall be given the right to vote, the unit of representation aforesaid shall be forty thousand assessed voters instead of twenty thousand as above provided: And provided further, That such assessment lists may be corrected prior to August first of one thousand nine hundred nineteen, and of every fourth year thereafter by striking therefrom names of voters not residing in the district at the time of such revision and by adding the names of voters then residing therein but not included in said assessment."

Amend section 1, page 4, line 3 by underscoring the words "the year"

Amend section 1, page 4, line 4 by inserting before the word "twenty-three" the following: "nineteen"

Amend section 1, page 4, line 4 by underscoring the word "twenty-three"

Amend section 1, page 4, line 5 by inserting before the word "decennial" the following: "list as revised. The registration commissioners in each city of the first class shall be empowered, and it shall be their duty in case of petitions filed by one or more qualified voters objecting to names on the assessor's list, or in case of personal application of voters to be added to said lists, to hear said petitions or applications, and to strike from the lists the names of persons who are not voters then residing within the district, and to add the names of voters then residing within the district but who were not included in said assessment. Such petitions shall be filed and personal applications made, not later than July fifteenth of such years, and shall be acted upon not later than July twenty-fifth thereof"

Amend section 1, page 4, line 5 by underscoring the word "decennial"

Amend section 1, page 4, line 6 by underscoring the words "census of the United States"

Amend section 1, page 4, line 6 by inserting after the word "States" the following: "completed at least thirty days prior to said election"

Amend section 1, page 4, lines 6 and 7 by striking out the words "taken in the year one thousand nine hundred and twenty"

Amend section 1, page 4, line 9 by underscoring the words "number of"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend Section two of Article XVI of an act entitled, "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania," approved the twenty-fifth day of June, one thousand nine hundred and nineteen.

On the question,

Will the House agree to the title?

Mr. DUNN. Mr. Speaker, I desire to offer the followiug amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1 by inserting after the word "act" the following: "approved the twenty-fifth day of June, one thousand nine hundred and nineteen, (P. L. 581)"

Amend title, page 1, lines 4 and 5 by striking out the words "approved the twenty-fifth day of June, one thousand nine hundred and nineteen"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 267, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held or pending pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hun-

dred and seventy-four, entitled, "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

PETITION.

RELATIVE TO APPROPRIATIONS TO PHILADELPHIA SCHOOL DISTRICT.

Mr. JOSEPH MARCUS. Mr. Speaker, I would like to present at this time a petition from the Board of Education of the School District of Philadelphia, praying for a continuance of the present salary schedule for teachers, with the promised financial aid from the state as enacted by the Act of 1921, and ask that the copies thereof be distributed among the members, and that the original communication be referred to the Committee on Education.

The SPEAKER. The petition is referred to the Committee on Education.

RECESS.

The SPEAKER. If there are no objections, the Chair will declare a recess until 4:30 o'clock this afternoon.

Whereupon, (at 12:55 P. M.) the House took a recess until 4:30 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:30 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 47. (HOUSE BILL No. 480).

An Act to amend section eleven of the act approved the thirteenth day of June, one thousand eight hundred and forty (Pamphlet Laws, six hundred and eighty-three), entitled "A Supplement to an act entitled 'An Act relating to the elections of this Commonwealth' passed the second day of July, Anno Domini, one thousand eight hundred and thirty-nine and for other purposes, allowing constables mileage for advertising, elections and compensation for advertising elections where there is more than one polling place in a district, said mileage and compensation to be paid by counties.

Referred to Committee on Elections.

SENATE BILL No. 95. (HOUSE BILL No. 481).

An Act for the prevention of fraud and the protection of the public health relating to milk, cream or skimmed milk, whether or not condensed evaporated, concentrated, dried, powdered or dessicated, prohibiting the introduction of foreign fats into them, regulating the sale of and defining condensed, concentrated and evaporated milk, stipulating penalties for the infraction thereof and providing for the enforcement thereof.

Referred to Committee on Agriculture.

SENATE BILL No. 33. (HOUSE BILL No. 482).

An Act to amend section seven of the act approved the tenth day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, four hundred and nineteen), entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" as amended.

Referred to Committee on Elections.

SENATE BILL No. 142. (HOUSE BILL No. 483).

A supplement to the act approved the seventeenth day of June nineteen hundred and fifteen (Pamphlet Laws one thousand and twelve) entitled "An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" as amended by the act of June fourth nineteen hundred and seventy-five) entitled "An Act to amend sections one two and three of an act approved the seventeenth day of June one thousand nine hundred and fifteen (Pamphlet Laws ten hundred and twelve) entitled "An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rate of interest and charges therefor requiring penalties for the violation of this act' "

Referred to the Committee on Judiciary General.

SENATE BILL No. 154. (HOUSE BILL No. 484).

An Act to validate acts done by or rights accrued to corporations before the recording of their charters.

Referred to Committee on Judiciary General.

SENATE BILL No. 159. (HOUSE BILL No. 485).

An Act to amend section one hundred of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty), entitled "An Act concerning townships and revising, amending and consolidating the law relating thereto".

Referred to Committee on Counties & Townships.

REPORTS FROM COMMITTEES.

Mr. SOWERS, from the Committee on Judiciary General, reported as committed, House Bill No. 411, entitled:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships;" and revising, amending and consolidating the laws relating thereto."

Mr. BLUETT, from the Committee on Judiciary Special, reported as committed, House Bill No. 277, entitled:

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the 24th day of May 1921, under the provisions of an act approved the fourth day of June, 1901, entitled: "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distribution the proceeds of such sales" and its supplements and amendments thereto; and providing for their collection.

Mr. FRAZIER, from the Committee on Military, reported as committed, House Bill No. 257, entitled:

An Act constituting a commission to make an investigation of the condition of disabled World War Veterans of Pennsylvania and to take appropriate action to assure such veterans of relief and full benefits and advantages; and making an appropriation.

Mr. STONER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 280, entitled:

An Act providing for the assessment and collection as benefits from the abutting property owners, of the borough's

share of the cost of the improvement of a street which forms part of a State Highway, where such improvement has been heretofore made by the State Highway Department.

Mr. EACHES, from the Committee on Labor and Industry, reported as committed, House Bill No. 79, entitled:

An Act to promote the public health by providing for one day of rest in seven for employes in certain employments.

Mr. GELDER, from the Committee on Public Roads, reported as committed, House Bill No. 203, entitled:

An Act relating to and regulating the speed of motor vehicles driven through cemeteries and burial grounds; and providing penalties for violation thereof.

Mr. KUNKLE, from the Committee on Judiciary General, reported as committed House Bill No. 425, entitled

An Act to amend an act, approved the ninth day of April, one thousand nine hundred and thirteen, (Pamphlet Laws forty-six), entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department."

Mr. STERLING, from the Committee on Judiciary General, reported as committed House Bill No. 433, entitled:

An Act to amend section one of an act approved the twentieth day of April, one thousand nine hundred and twenty-one, (Pamphlet Laws 167), entitled "An act to amend sections two and three of the act, approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and nineteen), entitled 'An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies,' as amended, by imposing certain duties on all persons having charge of dead human bodies required to be buried at the public expense; requiring immediate notice of all such bodies; limiting the time within which bodies may be claimed; fixing the expense of burial on claimants; and taking away the preference of incorporated anatomical societies, schools, colleges, physicians, and surgeons of the county wherein the death occurs."

Mr. ALLEN J. STEVENS, from the Committee on Military, reported as amended House Bill No. 325, entitled:

An Act to require counties to cause the graves of honorably discharged soldiers, sailors and marines to be decorated with flags on Memorial Day.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER. The Chair desires to say at this time that it considers regular sessions tomorrow advisable for the reason that so much time has been taken up with hearings. If it meets with the approval of the House, a session will be held tomorrow morning at 11:00 o'clock, and a short session at 4:00 o'clock to receive reports of committees. If there are bills on the third reading calendar tomorrow, they will be taken up.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 26, as follows:

An Act to amend section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" providing for the sale of the real and personal property of a decedent without known heirs kindred or surviving spouse and the payment of the net proceeds of such sale into the State Treasury

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" is hereby amended to read as follows

Section 24 In default of all such known heirs or kindred or surviving spouse competent to take as aforesaid the real and personal estate of such intestate remaining after the payment of all just debts and legal charges shall be sold by the executor or administrator of the estate and the net proceeds of such sale shall be by him paid into the State Treasury for the use of the Commonwealth Such sale shall be made only under the supervision of the court having jurisdiction of the estate and in accordance with the laws of the Commonwealth providing for the payment into the State Treasury of unclaimed funds in the hands of fiduciaries

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albert,	Fowler, A. I.,	Little,	Schleiter,
Alexander,	Fowler, D.,	Lucas,	Schoener,
Anderson,	Fratt,	Lynch,	Schwartz,
Armstrong,	Frazier,	Mack,	Shambach,
Arthur,	Gallaher,	MacKinney,	Smith, J. W.,
Asbury,	Gelder,	Malie,	Sowers,
Aston,	Gibbon,	Marcus, J. C.,	Spangler,
Baker,	Gilchrist,	Marshall, J. G.,	Speiser,
Beaver,	Glasgow,	Marshall, W. F.,	Sprowls,
Behney,	Goehring,	Mathay,	Stark,
Bell, F. A.,	Golder,	McBride,	Staudenmeier,
Bell, W. T.,	Gorham,	McCaig,	Stavitski,
Bentley,	Goss,	McCann,	Steedle,
Berger,	Greeby,	McClure,	Sterling,
Betts,	Griffith,	McCurdy,	Stevens, A. F.,
Blair,	Grimes,	McDaniel,	Stofflet,
Bluett,	Gundy,	McDermott,	Stoner,
Blumberg,	Harer,	Metcalf,	Storb,
Boback,	Harter,	Miller,	Storer,
Brenneman,	Haslett,	Minehart,	Thomas, L. D.,
Brownmiller,	Haws,	Moffatt,	Thomas, M. G.,
Burns,	Heffernan,	Moore,	Thompson,
Bush,	Heffran,	Morrison,	Van Alen,
Chaplin,	Hetrick,	Munley,	Vickerman,
Coldsmith,	Heyburn,	Myers, G. C.,	Walker,
Conner,	Himes,	Nolte,	Weamer,
Craig,	Holcombe,	O'Boyle,	Wells,
Diehm,	Hollis,	Ogle,	Wettach,
Dietz,	Hontz,	Orr,	Wheeler,
Dilsheimer,	Hoover,	Parkinson,	Whitehouse,
Driggs,	Howell,	Patterson,	Whiteman,
Drinkhouse,	Huber,	Peelor,	Williams, G. W.,
Dunn,	Irvin,	Perry,	Williams, J. M.,
Eaches,	Jones, C. B.,	Pitts,	Woner,
Earley,	Jones, D. J.,	Posey,	Wood, N.,
Edmonds,	Jones, E. P.,	Post,	Wood, W. P.,
Eshelman,	Kelly,	Price,	Wright,
Evans, B. P.,	Kennedy,	Rhodes,	Zook,
Evans, J.,	Kohler,	Richards,	Goodnough,
Fields,	Korns,	Rippman,	Speaker.
Flinchbaugh,	Kunkle,	Sample,	
Flynn,	Lauver,	Schilling,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 364, entitled:

An Act relating to the recording of the certificates of incorporation of domestic corporations, providing for the recording of certified copies thereof in certain cases, validating the recording of such certified copies heretofore recorded and making the record of such certified copy competent evidence for all purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albert,	Fowler, D.,	Lafferty,	Sautter,
Alexander,	Fratt,	Long,	Schaeffer,
Allman,	Frazier,	Lucas,	Schilling,
Anderson,	Gallaher,	Ludlow,	Schleiter,
Armstrong,	Gelder,	Mack,	Schoener,
Arthur,	Gibbon,	MacKinney,	Schwartz,
Asbury,	Gilchrist,	Marcus, J.,	Shambach,
Aston,	Glasgow,	Marcus, J. C.,	Smith, G. A.,
Baker,	Goehring,	Marshall, J. G.,	Smith, H.,
Baldi,	Golder,	McBride,	Smith, J. W.,
Behney,	Goss,	McCaig,	Sowers,
Bell, F. A.,	Greeby,	McCann,	Spangler,
Bell, W. T.,	Griffith,	McClure,	Speiser,
Bentley,	Grimes,	McCurdy,	Sprowls,
Blair,	Guerin,	McDaniel,	Stark,
Bluett,	Gundy,	McGowan,	Staudenmeier,
Blumberg,	Haas,	McKim,	Stavitski,
Brewster,	Haines,	McVicar,	Steedle,
Bromley,	Hall,	Metcalf,	Sterling,
Brownmiller,	Harer,	Miller,	Stevens, A. F.,
Burchinal,	Harter,	Minehart,	Stoner,
Burns,	Haws,	Moffatt,	Storb,
Bush.	Heffernan,	Moore,	Storer,
Chaplin,	Heffran,	Morrison,	Thomas, L. D.,
Clutton,	Henderson,	Munley,	Thomas, M. G.,
Coldsmith,	Hetrick,	Myers, P. M.,	Thompson,
Coyne,	Heyburn,	Nolte,	Van Alen,
Craig,	Himes,	O'Boyle,	Vickerman,
Diehm,	Holcombe,	Ogle,	Walker,
Dietz,	Hollis,	Orr,	Weamer,
Dilsheimer,	Hontz,	Patterson,	Wells,
Donahue,	Hoover,	Peelor,	Whitehouse,
Drinkhouse,	Horne,	Perry,	Whiteman,
Dunn,	Huber,	Pitts,	Williams, G. W.,
Eaches,	Irvin,	Posey,	Williams, J. M.,
Earley,	Jones, C. B.,	Price,	Woner,
Edmonds,	Jones, D. J.,	Raymond,	Wood, N.,
Evans, B. P.,	Jones, E. P.,	Rhodes,	Wood, W. P.,
Evans, J.,	Kelly,	Richards,	Wright,
Flinchbaugh,	Kennedy,	Rippman,	Zook,
Flynn,	Kunkle,	Sample,	Goodnough, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 302, as follows:

An Act to amend section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-six) entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An Act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-six) entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An Act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine" which was amended by an act approved the thirty-first day of May one thousand nine hundred and nineteen (Pamphlet Laws three hundred and fifty-three) entitled "An Act to amend section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven entitled 'An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting tne number of tipstaves to be appointed and repealing an act of Assembly entitled 'An Act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine'" is hereby further amended to read as follows

Section 1 Be it enacted et cetera That in the counties of this Commonwealth which contain more than ninety thousand and less than one hundred and fifty thousand inhabitants the court criers of the several courts shall be paid an annual salary of one thousand dollars and the tipstaves shall be paid an annual salary of not to exceed nine hundred dollars said salaries to be paid monthly out of the treasury of the particular county in which the services shall be rendered Provided however That in none of the counties falling within the provisions of this act shall there be more than six tipstaves employed at one time

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153.

Albert,	Gibbon,	MacKinney,	Schoener,
Alexander,	Gilchrist,	Marshall, W. F.,	Schwartz,
Arthur,	Glasgow,	McCaig,	Shambach,
Asbury,	Goehring,	McCann,	Sheridan,
Aston,	Goss,	McClure,	Smith, H.,
Baker,	Greeby,	McCurdy,	Smith, J. W.,
Behney,	Griffith,	McDermott,	Soffel,
Bell, F. A.,	Grimes,	McGowan,	Sowers,
Bell, W. T.,	Guerin,	McKim,	Spangler,
Bentley,	Haas,	Metcalf,	Speiser,
Berger,	Haines,	Millar,	Sprowls,
Blair,	Harer,	Miller,	Stark,
Blumberg,	Harter,	Minehart,	Staudenmeier,
Boback,	Haws,	Moffatt,	Staviski,
Brenneman,	Heffernan,	Moore,	Steedle,
Brewster,	Heffran,	Morrison,	Sterling,
Bromley,	Henderson,	Munley,	Stevens, A. J.,
Burns,	Hetrick,	Myers, G. C.,	Stevens, A. F.,
Bush,	Heyburn,	Myers, P. M.,	Stoner,
Clutton,	Himes,	Nolte,	Thomas, L. D.,
Coldsmith,	Holcombe,	O'Boyle,	Thomas, M. G.,
Conner,	Hontz,	Ogle,	Thompson,
Coyne,	Hoover,	Orr,	Van Alen,
Craig,	Howell,	Parkinson,	Vickerman,
Dietz,	Huber,	Patterson,	Walker,
Dilsheimer,	Irvin,	Peelor,	Wells,
Drinkhouse,	Jones, C. B.,	Perry,	Wettach,
Dunn,	Keene,	Pitts,	Wheeler,
Eaches,	Kelly,	Posey,	Whitehouse,
Earley,	Kennedy,	Post,	Whiteman,
Edmonds,	Kohler,	Price,	Williams, G. W.,
Evans, B. P.,	Labar,	Raymond,	Williams, J. M.,
Evans, J.,	Lafferty,	Rhodes,	Woner,
Fields,	Little,	Richards,	Wood, N.,
			Wood, W. P.,

Flynn,	Long,	Rippman,	Wright,
Fowler, A. I.,	Lucas,	Sample,	Zook,
Fowler, D.,	Lynch,	Sautter,	Goodnough,
Gallaher,	Mack,	Schilling,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 365, as follows:

An Act to amend section one of the act approved the fifteenth day of March one thousand nine hundred and eleven (Pamphlet Laws twenty) entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf by prohibiting the introduction as evidence of certain testimony or records

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifteenth day of March one thousand nine hundred and eleven (Pamphlet Laws twenty) entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf" is hereby amended to read as follows

Section 1 Be it enacted et cetera That hereafter any person charged with any crime and called as a witness in his own behalf shall not be asked for any purpose whatsoever any question nor shall the Commonwealth be permitted to affirmatively introduce into evidence any testimony or record tending to show that he has committed or been charged with or been convicted of any offense other than the one wherewith he shall then be charged or tending to show that he has been of bad character or reputation unless

One He shall have at such trial personally or by his advocate asked questions of the witness for the prosecution with a view to establish his own good reputation or character or has given evidence tending to prove his own good character or reputation or

Two He shall have testified at such trial against a co-defendent charged with the same offense

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, may I interrogate the sponsor of the bill?

The SPEAKER. Will the gentlemen from Allegheny, Mr. Goehring, permit himself to be interrogated?

Mr. GOEHRING. I will.

The SPEAKER. The gentleman will proceed.

Mr. EDMONDS. May I ask the sponsor if he does not think that the language of the first five lines of section one is so ambiguous as to require a little clarification. The statement is, "That hereafter any person charged with any crime and called as a witness in his own behalf shall not be asked for any purpose whatsoever any question." Now is goes on to establish rules of testimony concerning character, but it may be that someone will consider that to mean that when a defendant is put on the witness stand he is not subject to any cross examination whatever. It seems to me that if there is the possibility of that meaning that perhaps it might be well if the sponsor of the bill would clarify it somewhat.

Mr. GOEHRING. Mr. Speaker, the gentleman from Philadelphia has hit really the weak spot of this bill. The representative from Somerset, Mr. Ogle, called my attention to that and I told him if he would allow it to go through on third reading I would have it amended before the Senate, because that might be a good thought.

Mr. EDMONDS. I am perfectly satisfied. I know that the intention of the gentleman is the same intention that we all have with reference to the matter.

Mr. GOEHRING. I might say to the members that the act of 1911 was passed to protect a defendant who did not introduce evidence as to his prior reputation. In other words, suppose I would assault you, and I was the defendant, and my attorney asked me, "Goehring, did you strike that man on that day?" "Did you hit him." "No, I didn't." "Cross examine." In other words, the district attorney could not bring in any evidence against me that happened six or seven years ago where I went into court and plead not guilty to hitting a man. Understand? But if a man introduces evidence as to his good reputation, then, if the district attorney has any record behind him he has a perfect right to introduce it. That is the purpose of this bill. The act of 1911 was followed up until the Superior Court rendered a decision last November, wherein it said that if a defendant went on the stand in his own behalf the Commonwealth was perfectly at liberty to ask him any question it wanted. Many a time a man is convicted not on the evidence against him in the particular case, but on his past record. They lose sight of it, the jury does, and for that reason unless a man introduces evidence as to his reputation or his good character, the door is closed. But this does not prevent after the man is convicted, when he comes up for sentence by the court, the district attorney may produce his past record to the court. Do you understand, gentlemen?

Shall the bill pass finally?

On the question recurring,

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Albert,	Flynn,	Labar,	Rippman,
Alexander,	Fowler, A. I.,	Lafferty,	Sample,
Allman,	Fowler, D.,	Lauver,	Sarig,
Anderson,	Fratt,	Little,	Schleiter,
Arthur,	Frazier,	Lucas,	Schwartz,
Aston,	Gallaher,	Mack,	Shambach,
Baker,	Gelder,	MacKinney,	Sheridan,
Baldi,	Gilchrist,	Mangan,	Smith, H.,
Beaver,	Glasgow,	Marcus, J. C.,	Smith, J. W.,
Behney,	Goehring,	Marshall, W. F.,	Sowers,
Bell, F. A.,	Golder,	McBride,	Spangler,
Bell, W. T.,	Greeby,	McCaig,	Speiser,
Bentley,	Griffith,	McCann,	Sprowls,
Berger,	Grimes,	McClure,	Stark,
Betts,	Gundy,	McDaniel,	Staudenmeier,
Blair,	Haas,	McDermott,	Stavitski,
Bluett,	Haines,	McGowan,	Steedle,
Blumberg,	Hall,	McKim,	Sterling,
Boback,	Harter,	Metcalf,	Stevens, A. J.,
Brewster,	Haslett,	Millar,	Stevens, A. F.,
Bromley,	Haws,	Miller,	Stoner,
Burns,	Heffran,	Minehart,	Thomas, L. D.,
Bush,	Henderson,	Moffatt,	Thomas, M. G.,
Coldsmith,	Hetrick,	Moore,	Thompson,
Conner,	Heyburn,	Morrison,	Van Alen,
Coyne,	Himes,	Munley,	Vickerman,
Craig,	Hollis,	Myers, P. M.,	Weamer,
Diehm,	Hontz,	Nolte,	Wells,
Dietz,	Hoover,	O'Boyle,	Wheeler,
Dilsheimer,	Horne,	Ogle,	Whitehouse,
Driggs,	Howell,	Orr,	Whiteman,
Drinkhouse,	Huber,	Parkinson,	Williams, G. W.,
Dunn,	Irvin,	Peelor,	Wood, W. P.,
Eaches,	Jones, C. B.,	Perry,	Wright,
Earley,	Jones, D. J.,	Pitts,	Zook,
Edmonds,	Jones, E. P.,	Posey,	Goodnough,
Eshelman,	Keene,	Post,	Speaker.
Evans, B. P.,	Kelly,	Price,	
Evans, J.,	Kohler,	Raymond,	
Fields,	Kunkle,	Richards,	

NAYS—3.

Brenneman,	Kennedy,	Wettach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 143, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albert,	Flynn,	Long,	Richards,
Alexander,	Fowler, D.,	Lucas,	Rippman,
Anderson,	Fratt,	Ludlow,	Sample,
Armstrong,	Frazier,	Lynch,	Sarig,
Aston,	Gallaher,	Mack,	Sautter,
Baldi,	Gibbon,	MacKinney,	Schaeffer,
Beaver,	Gilchrist,	Mangan,	Schwartz,
Behney,	Glasgow,	Marcus, J.,	Shambach,
Bell, F. A.,	Goehring,	Marcus, J. C.,	Sheridan,
Bell, W. T.,	Golder,	Mathay,	Smith, H.,
Bentley,	Goss,	McBride,	Smith, J. W.,
Berger,	Greeby,	McCaig,	Soffel,
Betts,	Griffith,	McCann,	Sowers,
Blair,	Grimes,	McClure,	Spangler,
Bluett,	Guerin,	McCurdy,	Speiser,
Blumberg,	Hall,	McDaniel,	Sprowls,
Brenneman,	Harer,	McDermott,	Stark,
Brewster,	Harter,	McKim,	Staudenmeier,
Bromley,	Heffran,	McVicar,	Stavitski,
Brownmiller,	Henderson,	Metcalf,	Sterling,
Burchinal,	Hetrick,	Miller,	Stevens, A. J.,
Burns,	Heyburn,	Minehart,	Stevens, A. F.,
Bush,	Himes,	Moffatt,	Storb,
Chaplin,	Hollis,	Moore,	Thomas, L. D.,
Coldsmith,	Hontz,	Morrison,	Thomas, M. G.,
Colville,	Hoover,	Munley,	Thompson,
Conner,	Horne,	Myers, P. M.,	Van Alen,
Coyne,	Howell,	Nolte,	Vickerman,
Diehm,	Irvin,	O'Boyle,	Weamer,
Dietz,	Jones, C. B.,	Ogle,	Wells,
Dilsheimer,	Jones, D. J.,	Orr,	Wettach,
Driggs,	Jones, E. P.,	Parkinson,	Whitehouse,
Drinkhouse,	Keene,	Patterson,	Whiteman,
Dunn,	Kelly,	Peelor,	Williams, G. W.
Eaches,	Kennedy,	Perry,	Williams, J. M.
Earley,	Kohler,	Pitts,	Woner,
Edmonds,	Korns,	Posey,	Wood, W. P.,
Eshelman,	Kunkle,	Post,	Wright,
Evans, B. P.,	Labar,	Price,	Zook,
Evans, J.,	Lauver,	Raymond,	Goodnough,
Fields,	Little,	Rhodes,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to, and (at 5:00 o'clock P. M.), the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 28, 1923.

The House met at 11:00 o'clock A. M.
The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty and Eternal God, Thou who has been from everlasting to everlasting the same unchangeable God, with whom there is no variableness nor shadow of turning, we come into Thy presence this morning to give grateful acknowledgment for every blessing received and every good possessed.

We pray Thee that Thou wouldst look upon us this morning with compassion and pardon the transgressions of our lives, and let us not forget all Thy benefits toward us. Pour out Thy spirit upon all men. We pray that Thou wouldst bless the manhood of this great Nation and State of ours with that nobility of soul and dedication of life and service to the good of the country, as will glorify Thee. O Lord, God Almighty, grant Thy blessing to the womanhood and the motherhood of this country. We thank Thee, our Father, this morning, that womanhood has passed through the days of her servitude and that today she stands on a par with man, not only before Thee, but before the children of men. May she so function in this new relation as to reflect Thy glory and eternal praise.

Bless the members of this Assembly with every blessing of grace, wisdom and power that will enable them to discharge the sacred obligations they owe this State. We realize that here, every element of human thought clamors for expression through legislative enactment. Endow the members of this Assembly with that discriminative judgment that will enable them to separate the wheat from the chaff, that Thy name may be glorified and blessed through their enactments. We ask it in Jesus' name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Miss Grimes, the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. HETRICK. HOUSE BILL No. 471.

An Act to amend sections one, two and three of an act approved the twenty-fourth day of April, one thousand eight hundred and eighty-five, (P. L. 9), entitled "An Act to amend an act, entitled 'An Act to provide for the destruction, and to prevent the spread of Canada thistles,' approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two," extending the provisions of said act to cichorium intybus the weed commonly known as chickory or succory.

Referred to the Committee on Agriculture.

By Mr. BURCHINAL. HOUSE BILL No. 472.

An Act to amend sections five and six of the act approved the second day of May one thousand eight hundred and ninety-nine (P. L. 184) entitled, "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," by requiring all dealers and venders to keep accurate books of account and empowering the appraisers to examine the same.

Referred to the Committee on Ways and Means.

By Mr. MILLER. HOUSE BILL No. 473.

An Act making an appropriation to the United Charities of Hazelton, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BUSH. HOUSE BILL No. 474.

An Act authorizing and regulating the manner in which township supervisors may improve and repair sections of State Highways.

Referred to the Committee on Public Roads.

By Mr. BUSH. HOUSE BILL No. 475.

An Act to amend section two hundred and thirty-five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships and revising, amending, and consolidating the law relating thereto," as amended.

Referred to the Committee on Counties and Townships.

By Miss GRIMES. HOUSE BILL No. 476.

An Act creating, regulating and defining the powers of a County Planning Commission, and authorizing the creation of a county plan in counties of the second class; requiring the county commissioners to furnish to the commission, before passage, resolutions relating to county improvements to roads, lands, buildings or means of communication; authorizing the commission to report suggestions to the county commisioners concerning improvements, and to appear in court with reference thereto; authorizing the making of a county map and plan, including territory extending three miles beyond the county limits, showing proposed improvements in roads, lands, buildings and means of communication; making it unlawful to record plans of land with streets or highways intended for dedication to public use, except in boroughs or cities, without first securing approval from the commission; and making disapproval of a plan by the commission a refusal of proposed dedication.

Referred to the Committee on Counties and Townships.

By Mr. STAVITSKI. HOUSE BILL No. 477.

An Act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain speci-

fied ages; by restricting their hours of labor, and regulating certain conditions of their employment; and defining the procedure in procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith.

Referred to the Committee on Labor and Industry.

By Mr. DAVID FOWLER. HOUSE BILL No. 478.

An Act to provide for the nomination of candidates for President of the United States at primaries and the appointment of delegates to the national conventions by the candidates of each party receiving the largest number of votes.

Referred to the Committee on Elections.

By Mr. DAVID FOWLER. HOUSE BILL No. 479.

An Act to authorize municipal corporations to own and operate certain industries and to issue bonds for the payment of the same; providing that certain securities shall not be considered as part of the municipal debt.

Referred to the Committee on Municipal Corporations.

By Mr. ALLEN J. STEVENS. HOUSE BILL No. 486.

An Act to amend section two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one, (P. L. 908), entitled, "An Act regulating the closing of public highways, and providing for the locating, marking, and maintenance of detours necessitated by such closing," and providing penalties.

Referred to the Committee on Public Roads.

By Mr. STAVITSKI. HOUSE BILL No. 487.

An Act to amend sections five, six, eight and nine, and to repeal sections seven, ten, eleven and twelve of Article One, Chapter eight, of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs;" providing for the election of councilmen at large.

Referred to the Committee on Municipal Corporations.

By Mr. STAVITSKI. HOUSE BILL No. 488.

An Act to repeal the act approved the twenty-seventh day of February, one thousand eight hundred and sixty-five, (P. L. 225), entitled "An Act empowering railroad companies to employ special police force."

Referred to the Committee on Railroads.

By Mr. STAVITSKI. HOUSE BILL No. 489.

An Act to repeal the act approved the seventh day of June, one thousand nine hundred and one, (P. L. 508), entitled "An Act relative to the appointment of special police for street passenger railways incorporated under the laws of this Commonwealth."

Referred to the Committee on Electric Railways.

By Mr. PERRY. HOUSE BILL No. 490.

An Act imposing a State tax upon the gross receipts received in the operation of places of public entertainment or amusement; providing for its collection; and imposing penalties.

Referred to Committee on Ways and Means.

By Mr. PERRY. HOUSE BILL No. 491.

An Act making an appropriation to the Northeastern Hospital of Philadelphia, Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. STORB. HOUSE BILL No. 492.

An Act making an appropriation to the Pottstown Hospital, Pottstown, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. STORB. HOUSE BILL No. 493.

An Act making an appropriation to the Pottstown Homeopathic Hospital, Pottstown, Pennsylvania.

Referred to Committee on Appropriations.

By Miss BENTLEY. HOUSE BILL No. 494.

An Act validating certain proceedings of counties, cities, boroughs, townships, school districts, and other incorporated districts, or municipalities, had pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled, "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto and validating bonds, certificates of indebtedness and securities issued in pursuance of such proceedings.

Referred to Committee on Municipal Corporations.

By Mr. GELDER. HOUSE BILL No. 495.

An Act making an appropriation to the State Highway Department for the payment of rewards to townships of the second class.

Referred to Committee on Appropriations.

By Mr. ASTON. HOUSE BILL No. 496.

An Act to amend section one, article eight of the act approved the twenty-seventh day of June, one thousand nine hundred and thirteen (Pamphlet Laws five hundred sixty-eight), entitled "An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating and extending existing laws in relation thereto," as amended.

Referred to Committee on Municipal Corporations.

By Mr. ASTON. HOUSE BILL No. 497.

An Act relating to the appointment of sanitary policemen in cities of the third class, providing for a civil service board; providing for and regulating examinations, the manner of appointments and the manner and power of removal of such employees and providing a method for fixing compensation of a secretary of such board.

Referred to Committee on Municipal Corporations.

By Mr. CHAPLIN. HOUSE BILL No. 498.

An Act to amend section one of the act approved the first day of June, one thousand nine hundred and seven (Pamphlet Laws three hundred sixty-four), entitled "An Act to increase the pay of jurors and witnesses in this Commonwealth," as amended.

Referred to Committee on Counties and Townships.

REPORTS FROM COMMITTEES.

Mr. EDMONDS, from the Committee on Appropriations, reported as committed House Bill No. 390, entitled:

A Joint Resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations; prescribing the powers and duties of said commission, and making an appropriation.

Mrs. PITTS, from the Committee on Judiciary Local, reported as committed House Bill No. 296, entitled:

An Act to amend section fifty-five of an act approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth."

Mr. KEENE, from the Committee on Judiciary Local, reported as committed House Bill No. 278, entitled:

An Act to amend and supplement part of clause (d), section seven of the Act, approved the fifth day of May, one thousand nine hundred eleven (Pamphlet Laws, one hundred

ninety-eight), entitled "An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," as amended, by providing for the procedure in cases of desertion and nonsupport and the manner of taking testimony in such cases, and providing for appeals therein.

Mr. HASLETT, from the Committee on Judiciary Local, reported as committed House Bill No. 380, entitled:

An Act to amend section one of the act approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws ten hundred seventy-two), entitled, "An Act providing a method for establishing title to land acquired at a sale for unpaid taxes."

Mr. BLUETT, from the Committee on Judiciary Special, reported as committed, House Bill No. 382, entitled:

An Act relating to the leasing of real property, making it unlawful to dispossess tenants or recover leased property except after thirty days notice, prohibiting the execution of leases containing waivers of the provisions of this act and voiding certain leases.

Mr. SCHOENER, from the Committee on Judiciary Special, reported as committed, House Bill No. 366, entitled:

An Act to amend section two of an act approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws two hundred seventy-nine), entitled "An Act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth; to the effect thereof; to transcribing the evidence taken upon the trial of any case; to the correction and perfection of such transcript for the purposes of review; and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case."

Mr. GOEHRING, from the Committee on Judiciary General, reported as committed, House Bill No. 373, entitled:

An Act to amend an act approved June 15, 1911 (Pamphlet Laws nine hundred fifty-five), entitled "An Act making state taxes, unpaid bonus, interest, penalties and all public accounts a first lien upon the franchise and property of corporations, companies, associations, joint-stock associations and limited partnerships against which the same may be settled; providing for enforcing the payment thereof, and for the furnishing of certificates as to the existance of such liens upon application thereof; and repealing section four of the act approved April sixteenth, one thousand eight hundred and twenty-seven," by extending its provisions to include individuals and providing for attorney's commissions, making such commissions part of said claims and giving such commissions and costs the same priority as said taxes, bonus, interest and penalties.

Mr. GOEHRING, from the Committee on Judiciary General, reported as committed, House Bill No. 374, entitled:

An Act to amend Section 1 of an act approved June 1, 1907, (Pamphlet Laws three hundred and eighty-three) entitled "An Act regulating the collection of taxes and other claims and demands due the Commonwealth, and providing for six per centum interest thereon, and an attorney's commission."

Mr. POST, from the Committee on Judiciary Local, reported as committed House Bill No. 27, entitled

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and nineteen, (P. L. 461), entitled "An Act to provide for the removal or retirement of judges of the Supreme, Superior, common pleas, orphans', municipal, and county court, permanently disqualified by reason of physical or mental disability to perform their regular judicial functions or duties, and providing for the payment of compensation to them during the balance of the term for which they may have been elected, and in certain cases, for the remainder of their lives after resignation or retirement, and for filling the vacancies caused thereby; providing for judges who have been retired or who may have retired or resigned under provisions of previous acts or otherwise; and repealing certain acts."

Mr. FRAZIER, from the Committee on Judiciary Local, reported as committed House Bill No. 227, entitled

An Act to further amend the fifth section of an act, entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred fifty housand inhabitants, and to provide for the election of judges thereof," approved May nineteenth, Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six), as amended, by fixing and determining the salaries of the assistant clerks of said court in counties of the first, second, third, and fourth classes.

Mr. PRICE, from the Committee on Judiciary Special, reported as committed House Bill No. 206, entitled

An Act to further amend section three of the act approved the nineteenth day of April, one thousand nine hundred and one, (P. L. 88), entitled "An Act relating to replevin, and regulating the practice in cases where the writ of replevin is issued," as amended; providing for the impounding of property where an affidavit is filed before the issuing of the writ.

Mr. GOLDER, from the Committee on Appropriations, re-reported as amended House Bill No. 225, entitled

A Supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (P. L. 1173), entitled "An Act constituting a commission to make an investigation of the battlefields of France and Belgium, and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War; defining the powers and duties of the Commission; and making an appropriation;" continuing said commission; providing for the erection of certain memorials in France and Belgium; and making an appropriation.

Mr. HENDERSON, from the Committee on Judiciary Local, reported as committed House Bill No. 8, entitled

An Act empowering the State Treasurer to procure bonds for State officers and employes.

Mr. JOHN G. MARSHALL, from the Committee on Banks and Banking, re-reported as amended House Bill No. 66, entitled

An Act to amend part of section nine of the act approved the twenty-first day of May, one thousand nine hundred and nineteen, (P. L. 209), entitled "An Act relating to the organization, maintenance, and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing certain acts;" changing the charges to be paid by building and loan associations for examinations.

REPORT OF THE DOLLAR SAVINGS BANK OF PITTSBURGH.

The Speaker laid before the House the reports of the Dollar Savings Bank of Pittsburgh for the years 1921 and 1922.

(For reports see appendix)

REPORT OF THE SAVING FUND SOCIETY OF GERMANTOWN.

The Speaker laid before the House the sixty-eighth annual statement of the Saving Fund Society of Germantown.

(For report see appendix)

REPORT OF THE PENNSYLVANIA STATE COLLEGE.

The Speaker laid before the House the Report of the Treasurer of the Pennsylvania State College for the fiscal year ending June 30, 1922.

(For report see appendix)

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

House Bill No. 23.

An Act requiring the prothonotary of the court of common pleas to indicate on the proper index notice of the settlement satisfaction discontinuance or dismissal of any suit or proceeding in equity affecting the title to real estate.

House Bill No. 25.

An Act to validate deeds, mortgages, and other instruments of writing which have been defectively acknowledged by husband and wife, prior to the fourth day of January, one thousand nine hundred and twenty-three.

House Bill No. 146.

An Act to amend an act approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122), entitled "An Act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended.

House Bill No. 147.

An Act to amend section five of the act approved the fourth day of June one thousand nine hundred and one (Pamphlet Law three hundred and sixty-four) entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" as amended

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESIGNATION OF POSTMASTER.

The SPEAKER. The Chair lays before the House the following resignation:

South Brownsville, Pa., February 28, 1923.

Mr. Thomas Garvin, Chief Clerk, House of Representatives, Harrisburg, Pa.

Dear Sir: I hereby tender my resignation as Postmaster of the House of Representatives, to which office I was appointed by the present Assembly. With kindest regards, I am,

Yours very respectfully,
Wm. C. Richie,
Postmaster.

ELECTION OF POSTMISTRESS.

Mr. McCAIG. Mr. Speaker, I move that Mrs. Anna D. Schoonover, of Connellsville, Fayette County, be declared elected by this House as Postmistress for the remainder of the session of 1923, vice William C. Richie, resigned.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

OATH OF OFFICE ADMINISTERED TO POSTMISTRESS.

At the request of the Speaker, Mrs. Anna D. Schoonover, who was elected Postmistress of the House for the remainder of the session of 1923, presented herself at the Bar of the House, and the oath of office, as required by law, was administered to her by the Speaker.

RESIGNATION OF ASSISTANT SERGEANT-AT-ARMS.

The SPEAKER. The Chair lays before the House the following resignation:

I hereby tender my resignation as Assistant Sergeant-at-Arms House of Representatives, Harrisburg, to take effect, March 1, 1923.

William F. Collier.

ELECTION OF ASSISTANT SERGEANT-AT-ARMS.

Mr. McCAIG. Mr. Speaker, I move that Mr. George Erdman, of 1109 Beaver St., Pittsburgh, be declared elected by this House as Assistant Sergeant-at-Arms for the remainder of the session of 1923, vice William F. Collier, resigned.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

RESIGNATION OF CLERK TO COMMITTEE.

The SPEAKER. The Chair lays before the House the following resignation:

I hereby wish to tender my resignation as Clerk of the Committee, at Harrisburg, House of Representatives.

Regretting my inability to continue in this capacity, I am,

Very truly yours,
Frank M. Graham.

ELECTION OF CLERK TO COMMITTEE.

Mr. McCAIG. Mr. Speaker, I move that Mr. William R. McGill, of 2326 Venango Street, Philadelphia, be declared elected by this House as clerk to committee for the remainder of the session of 1923, vice Frank R. Graham, resigned.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The moton was agreed to.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER. The Chair desires to say at this time that when bills are reported from a committee, they must be signed by the member making the report, and must show how they are reported, whether as committed or as amended.

LEAVES OF ABSENCE.

Mr. ZOOK asked and obtained leave of absence for Mr. F. A. Bell, on account of illness.

Mr. ZOOK asked and obtained leave of absence for Mr. McCurdy, on account of death in the family.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 275, as follows:

An Act providing for the recovery and collection of taxes assessed on either real or personal property by action of assumpsit against the owner or owners of the real or personal property upon which or against the owner of which the said taxes have been assessed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the other remedies provided by law that all counties cities boroughs incorporated towns townships school district and poor districts may proceed for the collection of any taxes lawfully imposed and assessed on either real or personal property of any

nature or character including stocks bonds mortgages and money at interest or assessed against the owner or owners of such real or personal property by action of assumpsit against the owner or owners thereof such action to be brought before any Magistrate Justice of the Peace or Court of Record of competent jurisdiction depending on the amount involved with similar rights of appeal as in other actions of assumpsit Judgments obtained in such actions of assumpsit to collect any of the taxes aforesaid shall include interest and penalties as provided by law and shall have the same effect to all intents and purposes as judgments in other cases Upon such judgments a writ of execution may be issued as in other actions of assumpsit for the collection thereof together with costs of suit without any stay of execution and no defendant in any such judgment shall have the right to any exemption of property levied upon to collect the same The provisions of this act shall extend to and include all taxes whereon a tax claim has been heretofore or may be hereafter entered against the property assessed as a lien of record Provided further That this act shall also extend to and include all taxes real or personal heretofore assessed which became due and payable at any time not exceeding six (6) years prior to the passage of this act

Section 2 All acts or parts of acts and all laws inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 267, as follows:

An Act validating certain proceedings and elections of counties cities boroughs townships school districts and other incorporated districts or municipalities had and held or pending pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all proceedings and elections heretofore had and held by or at present pending in any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method or procedure specified by the provisions of an act of Assembly entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April one thousand eight hundred and seventy-four and the acts amendatory thereof and supplementary thereto where the majority of votes cast at such election was in favor of the increase of indebtedness be and the same are hereby ratified confirmed and made valid notwithstanding the authorities of such county city borough township school district or incorporated district signified their desire for such increase of indebtedness by a resolution instead of by an ordinance as required by said act amendments and supplements and said resolution was not advertised as is required by law for the advertisement of ordinances All of the bonds securities and obligations issued or to be issued in pursuance of every such election are hereby made valid binding obligations of every such county city borough township school district or incorporated district Provided All the other requirements of law concerning such procedure election and issue of bonds have been complied with

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 255, entitled:

A Supplement to an act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violation thereof; and repealing all acts or parts of acts inconsistent therewith," creating a division in said bureau to enforce the laws of the Commonwealth relating to said bureau.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. STEEDLE. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. McCAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 281, as follows:

An Act to amend section two of Article sixteen of an act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Law five hundred and eighty-one) entitled "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of Article sixteen of an act entitled "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania" approved the twenty-fifth day of June one thousand nine hundred and nineteen is amended to read as follows

"Section 2 At the municipal election held in such city in the year one thousand nine hundred and twenty-three and in every fourth year thereafter city councilmen shall be elected in the various State senatorial districts in such city in proportion to the whole number of persons in each such senatorial district as determined by the decennial census of the United States completed at least three months prior to said election. One councilman shall be elected for each unit of eighty thousand persons in each such district and one for any fractional portion of such unit in excess of fifty per cent thereof in each such district over and above all entire units The number of councilmen to be elected from each such district shall be determined by the County Commissioners on August first of the year one thousand nine hundred and twenty-three and of every fourth year thereafter on the basis of the said decennial census of the United States completed at least thirty days prior to said election Councilmen shall be nominated and elected according to law and those receiving the highest number of votes shall be declared elected to the number to which each such district is entitled Councilmen shall serve for the period of four years from the first Monday in January following their election If any vacancy shall happen in the office of Councilman the vacancy may be filled at the next general municipal or special election occurring not less than thirty days thereafter but the Councilman thus elected shall serve only the unexpired term

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albert,	Fields,	Korns,	Sample,
Alexander,	Flinchbaugh,	Kunkle,	Sarig,
Anderson,	Fowler, D.,	Labar,	Sautter,
Armstrong,	Frazier,	Lauver,	Schilling,
Arthur,	Gallaher,	Little,	Schoener,
Aston,	Gelder,	Long,	Shambach,
Baldi,	Gibbon,	Lucas,	Sheridan,
Beaver,	Gilchrist,	Ludlow,	Smith, H.,
Behney,	Glasgow,	Mack,	Smith, J. W.,
Bell, W. T.,	Goehring,	MacKinney,	Soffel,
Bentley,	Golder,	Malie,	Sowers,
Berger,	Gorham,	Marcus, J.,	Sprowls,
Betts,	Goss,	Marcus, J. C.,	Stark,
Blair,	Griffith,	McCaig,	Staudenmeier,
Bluett,	Grimes,	McCann,	Stavitski,
Blumberg,	Haas,	McDermott,	Steedle,
Boback,	Harer,	McKim,	Stevens, A. J.,
Brenneman,	Harter,	McVicar,	Stevens, A. F.,
Brewster,	Haslett,	Metcalf,	Stofflet,
Bromley,	Haws,	Millar,	Stoner,
Burns,	Heffernan,	Miller,	Storb,
Bush,	Heffran,	Minehart,	Storer,
Chaplin,	Henderson,	Moffatt,	Thomas, L. D.,
Coldsmith,	Hetrick,	Morrison,	Thomas, M. G.,
Conner,	Himes,	Myers, P. M.,	Van Alen,
Craig,	Holcombe,	Nolte,	Vickerman,
Diehm,	Hollis,	Ogle,	Walker,
Dietz,	Hontz,	Orr,	Wells,
Dilsheimer,	Hoover,	Parkinson,	Wettach,
Donahue,	Horne,	Peelor,	Wheeler,
Driggs,	Howell,	Pitts,	Whiteman,
Drinkhouse,	Huber,	Posey,	Williams, J. M.,
Dunn,	Johnson,	Post,	Woner,
Eaches,	Jones, C. B.,	Price,	Wood, N.,
Earley,	Jones, D. J.,	Raymond,	Wood, W. P.,
Edmonds,	Jones, E. P.,	Rhodes,	Wright,
Eshelman,	Keene,	Richards,	Zook,
Evans, B. P.,	Kelly,	Rinn,	Goodnough,
Evans, J.,	Kennedy,	Rippman,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 220, as follows:

An Act to amend section one hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by section one of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and twenty-three) entitled "An Act to amend sections one hundred one one hundred sixteen as amended one hundred seventeen two hundred twelve as amended and three hundred one as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and providing for the creation of union school districts and the government thereof by adding to article one sections one hundred twenty-seven one hundred twenty-eight one hundred twenty-nine and one hundred thirty" is hereby further amended to read as follows

Section 101 Each city incorporated town borough or township in this Commonwealth now existing or hereafter created shall constitute a separate school district to be designated and known as the "School District of ....." except that where such city incorporated town borough or township or a part of the school district remaining after its separation would constitute a fourth class school district in which case it shall remain a part of the school district to which it formerly belonged unless the change to a new school district is approved by the State Board of Education In determining whether or not such approval shall be given the State Board of Education shall investigate the necessity therefore and take into consideration the welfare of the pupils and taxpayers of such proposed new school district as well as the effect upon the existing school districts Where any school district shall so be constituted of two or more municipal districts the auditors or the controller of the city borough town or township last created and which does not form a separate school district shall meet annually with the auditors of the school district and participate in the audit of the school accounts and such auditors or controller shall have the same rights and powers as are conferred by this act upon the auditors of school accounts any two or more school districts as herein constituted may by a majority vote of the electors of each of said districts affected and in the manner hereinafter provided be formed into a union school district The several school districts thus established and formed shall be and hereby are divided into four classes as follows

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Albert,	Frazier,	Lafferty,	Richards,
Alexander,	Gelder,	Lauver,	Rinn,
Anderson,	Gilchrist,	Little,	Rippman,
Arthur,	Glasgow,	Lucas,	Sample,
Aston,	Goehring,	Ludlow,	Sarig,
Baker,	Goss,	Mack,	Schleiter,
Baldi,	Greeby,	MacKinney,	Schoener,
Behney,	Griffith,	Mangan,	Shambach,
Bell, W. T.,	Guerin,	Marcus, J. C.,	Sheridan,
Bentley,	Gundy,	Marshall, W. F.,	Smith, H. J.,
Berger,	Haas,	McBride,	Smith, H.,
Blair,	Haines,	McCaig,	Smith, J. W.,
Bluett,	Hall,	McCann,	Staudenmeier,
Brenneman,	Harter,	McClure,	Stavitski,
Brewster,	Haslett,	McDaniel,	Steedle,
Bromley,	Haws,	McDermott,	Stevens, A. J.,
Brownmiller,	Heffran,	McKim,	Stevens, A. F.,
Burns,	Henderson,	McVicar,	Stoner,
Coldsmith,	Hetrick,	Metcalf,	Storb,
Conner,	Heyburn,	Miller,	Storer,
Craig,	Himes,	Minehart,	Thomas, L. D.,
Dietz,	Holcombe,	Moffatt,	Van Alen,
Donahue,	Hollis,	Moore,	Vickerman,
Driggs,	Hoover,	Morrison,	Walker,
Drinkhouse,	Horne,	Myers, P. M.,	Weamer,
Dunn,	Howell,	Nolte,	Wells,
Eaches,	Irvin,	Ogle,	Wettach,
Earley,	Jones, C. B.,	Parkinson,	Whitehouse,
Edmonds,	Jones, D. J.,	Patterson,	Whiteman,
Evans, B. P.,	Jones, E. P.,	Peelor,	Williams, J. M.,
Evans, J.,	Keene,	Perry,	Wood, N.,
			Wood, W. P.,

Fields,	Kennedy,	Pitts,	Wright,
Flinchbaugh,	Kohler,	Post,	Zook,
Fowler, D.,	Kelly,	Price,	Goodnough,
Fratt,	Labar,	Rhodes,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 371, as follows:

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (c) of section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by section one of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and sixty-six) entitled "An Act to amend clause (c) section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled 'An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder'" is further amended to read as follows

(c) For all disability resulting from permanent injuries of the following classes the compensation shall be exclusively as follows

For the loss of a hand sixty per centum of wages during one hundred and seventy-five weeks

For the loss of an arm sixty per centum of wages during two hundred and fifteen weeks

For the loss of a foot sixty per centum of wages during one hundred and fifty weeks

For the loss of a leg sixty per centum of wages during two hundred and fifteen weeks

For the loss of an eye sixty per centum of wages during one hundred and twenty-five weeks

For the loss of a thumb sixty per centum of wages during sixty weeks

For the loss of a first finger commonly called index finger sixty per centum of wages during thirty-five weeks

For the loss of a second finger sixty per centum of wages during thirty weeks

For the loss of a third finger sixty per centum of wages during twenty weeks

For the loss of a fourth finger commonly called little finger sixty per centum of wages during fifteen weeks

The loss of the first phalange of the thumb or of any finger shall be considered equivalent to the loss of one-half of such thumb or finger

The loss of more than one phalange of a thumb or finger shall be considered equivalent to the loss of the entire thumb or finger

For the loss of any two or more such members not constituting total disability or the permanent loss of the use of the hand arm foot leg or eye as hereinbefore provided sixty per centum of wages during the aggregate of the periods specified for each

For serious and permanent disfigurement of the head or face of such a character as to produce an unsightly appearance and such as is not usually incident to the employment sixty per centum of the wages not to exceed one hundred and fifty weeks

Unless the board shall otherwise determine the loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand and amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of the use of a hand arm foot leg or eye shall be considered as the equivalent of the loss of such hand arm foot leg or eye

This compensation shall not be more than twelve dollars per week nor less than six dollars per week Provided That if at the time of injury the employe receives wages of less than six dollars per week then he shall receive the full amount of such wages per week as compensation

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Albert,	Fowler, D.,	Lafferty,	Schilling,
Alexander,	Frazier,	Little,	Schleiter,
Armstrong,	Gelder,	Long,	Shambach,
Arthur,	Gibbon,	Ludlow,	Sheridan,
Aston,	Gilchrist,	Mack,	Smith, H.,
Baldi,	Goehring,	MacKinney,	Smith, J. W.,
Beaver,	Gorham,	Marshall, W. F.,	Staudenmeier,
Behney,	Goss,	McBride,	Stavitski,
Bell, W. T.,	Greeby,	McCaig,	Steedle,
Bentley,	Griffith,	McCann,	Stevens, A. J.,
Berger,	Gundy,	McClure,	Stofflet,
Blair,	Haines,	McDermott,	Stoner,
Bluett,	Hall,	Miller,	Storb,
Bromley,	Harer,	Minehart,	Storer,
Brownmiller,	Harter,	Moffatt,	Thomas, L. D.,
Burns,	Haslett,	Moore,	Thompson,
Bush,	Haws,	Morrison,	Van Alen,
Chaplin,	Heffran,	Munley,	Vickerman,
Coldsmith,	Henderson,	Myers, P. M.,	Walker,
Craig,	Hetrick,	Nolte,	Weamer,
Diehm,	Himes,	Ogle,	Wettach,
Dilsheimer,	Holcombe,	Orr,	Wheeler,
Donahue,	Hontz,	Patterson,	Whitehouse,
Driggs,	Hoover,	Peelor,	Whiteman,
Drinkhouse,	Horne,	Perry,	Williams, G. W.
Dunn,	Howell,	Pitts,	Williams, J. M.
Eaches,	Huber,	Posey,	Woner,
Earley,	Johnson,	Price,	Wood, N.,
Edmonds,	Jones, C. B.,	Raymond,	Wood, W. P.,
Eshelman,	Jones, D. J.,	Rhodes,	Wright,
Evans, B. P.,	Jones, E. P.,	Richards,	Zook,
Evans, J.,	Kelly,	Rinn,	Goodnough,
Fields,	Korns,	Sample,	Speaker.
Flinchbaugh,	Kunkle,	Sarig,	
Fowler, A. I.,	Labar,	Schaeffer,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 192, entitled:

An Act to amend section five of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and eight) entitled "An Act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation

thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 268, entitled:

An Act to repeal the act approved the eleventh day of May, one thousand nine hundred twenty-one, (Pamphlet Laws 479) entitled "An Act imposing a State tax on anthracite coal; providing for the assessment and collection thereof; and providing penalties for the violation of this act."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

MISS BENTLEY IN THE CHAIR.

BILLS ON FIRST READING.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 423, entitled:

An Act authorizing boards of county commissioners to cooperate with the Bureau of Animal Industry of the Department of Agriculture; and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious diseases of livestock and poultry.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 375, entitled:

An Act to amend section six hundred twenty-seven of an act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred and nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any part thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 276, entitled:

An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances and for water rents or rates, sewer rates and lighting rates; the procedure upon claims filed therefor, the methods of preserving such liens and enforcing payments of such claims; the effect of judicial sales of the properties liened, the distribution of the proceeds of such sales and the redemption of the property therefrom, the lien of taxes for the years one thousand nine hundred and twenty-one, one thousand nine hundred and twenty-two and one thousand nine hundred and twenty-three and of municipal claims for work done within six months of the passage of this act, and the procedure on tax and municipal claims filed under other and prior Acts of Assembly.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 329, (Senate Bill No. 69), entitled:

An Act relating to the incorporation of banks and trust companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 411, entitled:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending and consolidating the laws relating thereto."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 277, entitled:

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one, under the provisions of an act approved the fourth day of June, one thousand nine hundred and one, entitled: "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distributing the proceeds of such sales," and its supplements and amendments thereto; and providing for their collection.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 257, entitled:

An Act constituting a commission to make an investigation of the condition of disabled World War Veterans of Pennsylvania and to take appropriate action to assure such veterans of relief and full benefits and advantages; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 280, entitled:

An Act providing for the assessment and collection as benefits from the abutting property owners, of the borough's share of the cost of the improvement of a street which forms part of a State Highway, where such improvement has been heretofore made by the State Highway Department.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 79, entitled:

An Act to promote the public health by providing for one day of rest in seven for employes in certain employments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 203, entitled:

An Act relating to and regulating the speed of motor vehicles driven through cemeteries and burial grounds; and providing penalties for violation thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 425, entitled:

An Act to amend an act, approved the ninth day of April, one thousand nine hundred and thirteen (Pamphlet Laws forty-six), entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 433, entitled:

An Act to amend section one of an act approved the twentieth day of April, one thousand nine hundred and twenty-one, (Pamphlet Laws 167), entitled "An Act to amend sections two and three of the act, approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and nineteen), entitled 'An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies,' as amended, by imposing certain duties on all persons having charge of dead human bodies required to be buried at the public expense; requiring immediate notice of all such bodies; limiting the time within which bodies may be claimed; fixing the expense of burial on claimants; and taking away the preference of incorporated anatomical societies, schools, colleges, physicians, and surgeons of the county wherein the death occurs."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 325, entitled:

An Act to require counties to cause the graves of honorably discharged soldiers, sailors and marines to be decorated with flags on Memorial Day.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

SPEAKER GOODNOUGH IN THE CHAIR.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move that the House do now adjourn until Monday evening, March 5, 1923, at 9:00 o'clock.

The motion was agreed to, and (at 11:55 o'clock A. M.) the House adjourned until Monday evening, March 5, 1923, at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1923 — 125th of the General Assembly

Vol. 7 — HARRISBURG, PA., MONDAY, MARCH 5, 1923. — No. 21.

SENATE

MONDAY, MARCH 5, 1923.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our heavenly Father, we thank Thee for Thy Son, Jesus Christ. We are very glad that He came into the world, not only as the Redeemer of men, but to give us an example of right and true living. We thank Thee for his splendid courage, that he met his foes face to face and never quailed; that the policy of cunning was far from his vocabularly, that he marched breast forward to meet every task and every duty, and that He stood firm as the everlasting hills for truth and uprighteousness. We thank Thee for his superb manhood. O Lord, grant that we in our day and generation may be close imitators of the Lord Jesus Christ. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal approved.

PETITIONS.

PRAYING FOR REPEAL OF LAW PLACING TAX ON ANTHRACITE COAL.

Mr. BUCKMAN presented petitions of citizens of Bucks County, praying for repeal of law placing tax on anthracite coal.

Which were referred to the Committee on Mines and Mining.

PROTESTING AGAINST PASSAGE OF HOUSE BILL NO. 119.

Mr. MacDADE presented petitions of County Commissioners of Delaware County, protesting against passage of House Bill No. 119.

Which was referred to the Committee on Elections.

FAVORING BUDGET.

He also presented petition of Delaware County League of Women Voters, favoring budget.

Which was referred to the Committee on Appropriations.

FAVORING SENATE BILL NO. 99.

He also presented petition of members of Marple Presbyterian Church, Broomall, favoring passage of Senate Bill No. 99.

Whcih was referred to the Committee on Law and Order.

AGAINST BILL TO CODIFY BUILDING ASSOCIATION LAWS.

He also presented petition of The Second Media Loan and Savings Association protesting against the bill to codify Building and Association laws.

Which was referred to the Committee on Banks and Building and Loan Associations.

FAVORING BILL NO. 99.

The CHAIR presented petitions of Third Moravian Church, Philadelphia, and Wharton Memorial Methodist Episcopal Church, Philadelphia, favoring passage of Senate Bill No. 99.

Which was referred to the Committee on Law and Order.

AGAINST HOUSE BILL No. 354.

Mr. Patton presented petition of Philadelphia Board of Trade, protesting against passage of House Bill No. 354,

Which was referred to the Committee on Banks and Building and Loan Associations.

LEAVES OF ABSENCE.

Mr. LESLIE asked and obtained leave of absence for the Senator from Allegheny, Mr. Einstein, on account of illness.

Mr. EYRE asked and obtained leave of absence for the Senator from Philadelphia, Mr. Vare, for the balance of the week.

Mr. DeWITT asked and obtained leave of absence for the Senator from Monroe, Mr. Huffman.

REPORTS FROM COMMITTEES.

Mr. SMITH, from the Committee on Elections, reported as committed, Senate Bill No. 143, entitled:

An Act to amend section one of the act approved July 12, 1913, (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National Party conventions, and of certain party officers, including State Committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State Committee of a political party to

make and to alter, amend and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation;" as amended.

Mr. WOODWARD, from the Committee on Pensions and Gratuities, reported as committed, Senate Bill No. 138, (House Bill No. 37), entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

Mr. HARRIS, from the Committee on New Counties and County Seats, Re-reported as committed, Senate Bill No. 100, entitled:

An Act to amend section ten of an act approved June 27, 1895, (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

Also from the Committee on New Counties and County Seats, re-reported as committed, Senate Bill No. 118, entitled:

An Act providing that the county controller shall be made a party defendant in all suits against any county.

Mr. STITES, from the Committee on Law and Order, reported as amended, Senate Bill No. 99, entitled:

An Act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; providing for penalties, forfeitures and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

BILLS INTRODUCED.

Mr. DAVIS read in his place and presented to the Chair Senate Bill No. 233, entitled:

An Act to further amend section one of an act approved March 5, A. D. 1906, (P. L. 63), entitled "An Act to provide for the personal registration of electors in cities of the third class of the Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions."

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 234, entitled:

An Act establishing as a State Highway a certain section of public road in the county of Lackawanna.

Which was committed to the Committee on Public Roads and Highways.

Mr. PHIPPS read in his place and presented to the Chair Senate Bill No. 235, entitled:

An Act relative to the burial of the bodies of deceased widows of soldiers, sailors and marines at county expense.

Which was committed to the Committee on Military Affairs.

Mr. LESLIE read in his place and presented to the Chair Senate Bill No. 236, entitled:

An Act making an appropriation to the South Side Hospital of Pittsburgh Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 237, entitled:

An Act to amend section 17, article seven of chapter six of an act approved May 14, 1915 (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs."

Which was committed to the Committee on Judiciary General.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 238, entitled:

An Act making an appropriation to the J. C. Blair Memorial Hospital, of Huntingdon, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 239, entitled:

An Act making an appropriation to the Nason Hospital Association, of Roaring Spring, Blair County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 240, entitled:

An Act to amend section six of an act approved June 20, 1917 (P. L. 618), entitled "An Act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations, the manner of appointments, and the manner and power of removal of employes of said department; and providing for fixing compensation," as amended.

Which was committed to the Committee on Municipal Affairs.

Mr. CULBERTSON read in his place and presented to the Chair Senate Bill No. 241, entitled:

An Act to amend section one of the act approved June 3, 1915, (P. L. 807), entitled "An Act relating to municipal Improvements and the collecting of assessments therefore."

Which was committed to the Committee on Municipal Affairs.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 242, entitled:

An Act to amend section one, eleven, twelve and fourteen of and to add section eight (a) to an act entitled "An Act to regulate the practice of esteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," approved March 19, 1909, (P. L. 46); providing additional qualifications for a member of the State Board of Osteopathic Examiners; providing for the examination and licensing of osteopathic physicians to practice surgery, regulating the practice of the same and requiring additional qualification therefor," defining osteopathy and providing for the effect of reports and certificates made by osteopathic physician and granting additional powers to the Board of Osteopathic Examiners to revoke licenses.

Which was committed to the Committee on Public Health and Sanitation.

Mr. ARON read in his place and presented to the Chair Senate Bill No. 243, entitled:

An Act to regulate the pay of witnesses in this Commonwealth.

Which was committed to the Committee on Judiciary General.

Mr. McCLINTOCK read in his place and presented to the Chair Senate Bill No. 244, entitled:

An Act making an appropriation to the Western Pennsylvania Hospital.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 245, entitled:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital and Dispensary of Pittsburgh.

Which was committed to the Committee on Appropriations.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 246, entitled:

An Act making an appropriation to the Trustees of the State Hospital for the Insane for the southeastern district of Pennsylvania, located at Norristown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. STEELE read in his place and presented to the Chair Senate Bill No. 247, entitled:

An Act supplementing and amending an act approved May 25, 1921, (P. L. 1159), entitled "An Act authorizing certain corporations to issue preferred or common stock of one or more classes; providing for the manner of issuance, restrictions and regulations in the manner of voting thereof, and the rights and privileges of the holder thereof; validating certain acts of corporations not participated in by the holders of non-voting stock; and repealing all acts and parts of acts inconsistent therewith," further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value, and regulating such issuing of said stock

Which was referred to the Committee on Corporations.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 248, entitled:

An Act making an appropriation to the Indiana Hospital of Indiana County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SPROWLS read in his place and presented to the Chair Senate Bill No. 249, entitled:

An Act making it unlawful to wilfully enter upon land posted or advertised as private property for certain purposes, providing a penalty and providing for its collection; and repealing inconsistent acts.

Which was committed to the Committee on Judiciary General.

Mr. CHRISTLEY read in his place and presented to the Chair Senate Bill No. 250, entitled:

An Act establishing a certain section of public road in the county of Armstrong as a State Highway and providing for the construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 251, entitled:

An Act making an appropriation to the Mercy Hospital of Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 252, entitled:

An Act making an appropriation to the Western Temporary Home of Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 253, entitled:

An Act making an appropriation to the Home for Veterans of the Grand Army of the Republic and Wives, Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. BERNTHEIZEL read in his place and presented to the Chair Senate Bill No. 254, entitled:

An Act making an appropriation to the Home for Widows and Single Women of Lebanon and Lebanon County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 255, entitled:

An Act making an appropriation to the Good Samaritan Hospital of Lebanon, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 256, entitled:

An Act fixing the manner in which electors may qualify with respect to age when registering for election purposes in cities of the first, second and third classes.

Which was committed to the Committee on Elections.

Mr. EYRE read in his place and presented to the Chair Senate Bill No. 257, entitled:

An Act authorizing the county commissioners to appropriate county moneys to incorporate agricultural and horticultural societies and associations.

Which was committed to the Committee on Agriculture.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 258, entitled:

An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships and revising, amending, and consolidating the law relating thereto, fixing the compensation of township auditors.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 259, entitled:

An Act to amend Route Three Hundred and Sixty-two of the act approved the twenty-second day of July, one thousand nine hundred and thirteen, (P. L. 948), entitled "An Act establishing certain public roads as State Highways, and providing for their construction and maintenance at the expense of the Commonwealth."

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 260, entitled:

An Act to amend Route Three Hundred and Twenty-six of the act approved the twenty-second day of July, one thousand nine hundred and thirteen, (P. L. 948), entitled "An Act establishing certain public roads as State Highways, and providing for their construction and maintenance at the expense of the Commonwealth."

Which was committed to the Committee on Public Roads and Highways.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 261, entitled:

An Act making an appropriation to the Northern Home for Friendless Children of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MACDADE read in his place and presented to the Chair Senate Bill No. 262, entitled:

An Act to prohibit in cities of the third class the construction or erection of morgues or public or community vaults, crypts, or mausoleums, where the building containing such morgues, vaults, crypts, or mausoleums is wholly or partially above the surface of the ground, and to prohibit the repair, improvement, reconstruction and use of buildings for such purposes where the same have not been so used heretofore.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 263, entitled:

An Act to amend section one of an act approved the eighth day of May, one thousand nine hundred and nine, (P. L. 475), entitled "An Act to provide that admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself, without more, operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth; and to provide that disbarment or suspension of any attorney by the said Supreme Court shall of itself, without more, operate as a disbarment or suspension of such attorney as an attorney in every other court of this Commonwealth," as amended; by requiring the approval of the local board of examiners to entitle attorneys-at-law to practice before the different courts.

Which was committed to the Committee on Judiciary General.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 264, entitled:

An Act to establish as a State highway, a certain section of public road in the County of Lehigh.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 265, entitled:

An Act to establish as a State Highway, a certain section of the public road in the Township of Salisburg, County of Lehigh.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 266, entitled:

An Act providing for only one assessment of all property for taxation in cities of the third class within this Commonwealth directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such assessors, to perform all other duties now performed by the county assessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes, city, school, county, poor and other taxes to be levied on said assessment.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 267, entitled:

An Act relating to the collection of city, county, school, poor and other taxes in the several cities of the third class in this Commonwealth, providing that the city treasurer of each of said cities shall be the collector of the said several taxes, prescribing his duties, providing for his compensation, authorizing him to appoint deputy collectors and clerks and providing for their compensation.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 268, entitled:

A Joint Resolution proposing an amendment to article four section eight of the Constitution of the Commonwealth of Pennsylvania prohibiting after adjournment the appointment to office of any person whose nomination, the Senate failed to confirm.

Which was committed to the Committee on Judiciary General.

QUESTION OF PERSONAL PRIVILEGE.

Mr. EYRE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Chester, Mr. Eyre, will state his question of personal privilege.

Mr. EYRE. Mr. President, I hold in my hand a copy of a paper published in the City of Philadelphia, the North American, of date Friday, March 2nd, 1923. In large letters at the top of said publication I read "Penrose, Baker and Vare named in Rum Fraud Case." The headlines of the paper are misleading insofar as the text of the article itself is concerned. I think, in due justice to the publication, that a mistake was made, as I have been told by one of the attaches of the paper to-day. I do not believe that it was probably the intention of those connected with the paper in high official position to do the injustice to two officers of this Senate that has been done by the publication of that article with reference to the Secretary of the Senate, whose mouth is closed, because he does not have a voice on the floor of the Senate, and to myself. The members of the Senate of Pennsylvania have honored me with the highest office that it is possible for them to give to one of their fellow-members. The Senate of Pennsylvania has session after session honored the Secretary of this Senate with election to the highest desk position in this body, and I think it is only fair to the members of the Senate of Pennsylvania that they should have before them all the facts in connection with this publication and the only basis there is for an article of that kind. The fact of the matter is that if the seeking of employment for my friends is a crime, then I plead guilty, but if the effort to select or to help the deserving high grade men to a position is not a crime, then I am not guilty of any crime, nor is the Secretary of this Senate guilty of any crime. I cannot imagine a more degrading crime to be charged with than that of association with bootleggers in the rum traffic. I think it is as despicable a crime as any man can be charged with.

I hold in my hand a copy of the bill of particulars in the United States District Court of the City of Philadelphia, handed to me by Honorable George Coles, the United States District Attorney for the Eastern District, and I shall read from that bill of particulars, prepared by Mr. Coles, the only reference, or the only possible reason that could be given by any newspaper for the publication of an article, or of headlines of that description.

On page 20 of said bill of particulars I find a copy of a letter addressed to Mr. Leighton C. Taylor, Washington, D. C. signed by Slater, in which he says: "I particularly call your attention to letter dated October 7th from W. Harry Baker, regarding Mr. Harry J. Ellinger, Harrisburg, Pa., but as yet we have not received the application and photograph therein mentioned".

And then on page 17 of the same bill of particulars, furnished by the United States District Attorney, I find a letter addressed to William C. McConnell, Washington, D. C., signed Slater, in which he says: "I am enclosing correspondence from W. Harry Baker, relative to A. S. Cooper, which is self-explanatory. Mr. Cooper's name was submitted to Mr. Haynes for approval, but we have not heard from him as yet. Mr. Baker submits the name of Mr. Baumgartner in the place of Mr. Cooper and if this is agreeable to you have Mr. Baumgartners name substituted for Mr. Cooper's."

That is the whole story so far as it concerns the Secretary of this Senate, and I submit to you, Mr. President and gentlemen of the Senate, whether a more scurrilous imputation could be made against the distinguished Secretary of this Senate than that which names him in a rum fraud case.

I submit to you whether or not there is the least scintilla of reason for connecting the name of W. Harry Baker with this nefarious work. So far as this concerns the President Pro tempore of this body, I again read from page 23, in letters addressed to William C. McConnell, Washington, D. C., signed Slater: "Yesterday Senator Eyre called at this office with Mr. William H. Clark, who had been appointed by Washington as a Federal Prohibition Agent. Mr. Clark declining to accept the appointment Senator Eyre then recommended William Davis, Sadsburyville, Chester County, Pa., to substitute for Mr. Cark. If you happen to be in Mr. Haynes' office you might take the matter up with him. I have not advised the Department of Mr. Clark's refusal to accept the appointment. I did call Mr. Taylor and ask him to confirm the appointment of Mr. Davis. The latter called me and stated that they agreed upon Mr. Davis but would write me a letter, but have not yet received this letter."

That is the entire reference to the President Pro tempore of this body that is made in that article upon which these charges are founded, and I submit to you, Mr. President and members of this Senate, that Mr. William Davis was appointed. Mr. William Davis is still performing the duties of enforcement officer to the entire satisfaction of the Enforcement Department at the seat at Washington, and I ask you whether or not newspapers should with impunity be allowed to defame the name and reputation of men upon that sort of evidence. It is not pleasant to have that sort of reading go into the home where, no matter what the newspapers may think of us, our wives and children do think pretty well of us, and I submit to you, Mr. President and Members of the Senate, whether or not it is not time that a halt be called upon publications of this character, that are intended to do incalculable injury to the reputation of men. Your friends, of course, will not believe that you are connected with that sort of work, but when the public reads, in flaming head lines, at the head of a paper such as that those words, it is calculated to condemn the man and his character for time to come.

The matter is in your hands, Mr. President and gentlemen of the Senate. As the President Pro tempore I think it is only fair to you, as it is to myself, to make to you this full explanation of all that I have had to do with this matter. It is in your hands. I would seek and welcome the most rigid inquiry into the whole proposition, if you care to make it. I thank you for the attention you have given. I appeal to you as fair minded men, as you all are, to know whether or not, if you had been assailed, you would have done less than I have done in appealing to the members of the Senate and giving them facts upon which they can act if they see fit.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 41, as follows:

An Act fixing the salary of sheriffs in counties of the eighth class requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sheriff in each county of the eighth class shall receive an annual salary of twelve hundred dollars ($1200) Such salary in addition to any expenses which may be incurred by such sheriff in the performance of his duties shall be paid by the county from moneys in the county treasury

Section 2 All fees of office and mileage which shall be received and collected by the sheriff in any county of the eighth class in the performance of his duties shall be hereafter paid into the county treasury by such sheriff for the use of the county and no part of such fees shall be retained by such sheriff The sheriff in said counties shall not be entitled to any additional fees or compensation for the care and maintenance of prisoners but the actual expense for such care and maintenance of prisoners shall be paid by the county from the county treasury upon itemized bills rendered from time to time

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Daix,	Kutz,	Phipps,
Baldwin,	Davis,	Lanius,	Salus,
Barr,	Derrick,	Leslie,	Schantz,
Berntheizel,	DeWitt,	Long,	Smith,
Betts,	Eyre,	MacDade,	Snyder,
Brown,	Harris,	Mansfield,	Sones,
Buckman,	Heaton,	McClintock,	Sprowls,
Christley,	Homsher,	McNichol,	Steele,
Clark,	Jones,	Miller,	Stites,
Craig,	Joyce,	Norton,	Weaver,
Culberston,	Krause,	Patton,	Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 85 entitled:

An Act authorizing cities of the third class to regulate the location of businesses trades and industries the location

size and use of buildings and the areas of yards, courts and open spaces.

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

Mr. MACDADE. Mr. President, I ask unanimous consent to amend section 3, page 3, line 6, by inserting after the word "building" the word "in."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. DAIX. Mr. President, I ask that Senate Bill No. 112, on third reading, entitled:

An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed for purposes which have been proved or may prove impracticable, impossible or inadvisable, for any other lawful municipal purpose; or to provide for the cancellation of the authority to borrow such moneys.

go over in its order.

The PRESIDENT. Is there any objection? The Chair hears none.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 208, (House Bill No. 158) on third reading, entitled:

An Act to amend section sixteen of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry.

be recommitted to the committee on Corporations.

Mr. EYRE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 131, as follows:

An Act validating certain proceedings and elections of counties cities boroughs townships school districts and other municipalities or incorporated districts had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all proceedings and elections heretofore had and held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method or procedure specified by the provisions of an Act of Assembly entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April one thousand eight hundred and seventy-four and the acts amendatory thereof and supplementary thereto where the majority of votes cast at each election was in favor of the increase of indebtedness be and the same are hereby ratified confirmed and made valid notwithstanding the authorities of such county city borough township school district or other municipality or incorporated district either did not or by separate and independent action did not prior to the ordinance or vote in pursuance of which notice of election was given to the electors signify their desire for such increase of indebtedness or did not in the words of the act and amendments and supplements aforesaid authorizing such increase signify their desire for such increase of indebtedness and notwithstanding the ballots were not certified or signed by the county commissioners or did not contain a brief statement of the purpose of the proposed increase of indebtedness or were not printed on the official ballot after the list of candidates but were printed on separate ballots and notwithstanding full complete and proper return of the votes was not made to the proper court or counted by the court or a record showing the results made and certified by the clerk of said court to the proper authorities of such district or municipality and notwithstanding any defect or informality in the manner of holding or giving notice of such election and notwithstanding any mistake in stating the amount or percentage of the existing debt or the percentage of the proposed increase or patent error of orthography or of numerical statement or any or all of the ballots all of the bond securities and obligations issued or to be issued in pursuance of every such election are hereby made valid binding obligations of every such county city borough township school district or other muicipality or incorporated district Provided That all the other requirements of law concerning such procedure election and issue of bonds have been complied with and provided further That the provisions of this act shall not apply in any instance where the validity of such election or of any issue of bonds or other security based thereon has been made the subject of litigation in any court of the Commonwealth prior to the approval of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania, authorizing the State to issue bonds to the amount of one hundred millions of dollars for the improvement of the highways of the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 11, entitled:

An Act authorizing the Governor to appoint a commission to provide for the construction, erection and dedication of a memorial to Joseph T. Rothrock; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 31, entitled:

An Act authorizing the Governor to appoint a commission to provide for the construction, erection and dedication in the City of Chester of a monument to the memory of John Morton; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 53, entitled:

An Act fixing the per diem compensation of registry or assistant assessors in townships of the first class for the performance of election duties; and the method of ascertaining the number of days employed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 98, entitled:

An Act to repeal an act, approved April 8, 1868 (P. L. 73) entitled "A Supplement to an act relating to counties and townships, and county and township officers, approved April 15, 1834, relating to public buildings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 139, (House Bill No. 132), entitled:

An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 167, (House Bill No. 179) entitled:

An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings, where no legal or valid contract was entered into as required by law.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 191, entitled:

An Act to amend section one of the act approved the seventh day of July, 1913 (P. L. 693) entitled "An Act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon as provided by Article 18, Section 1, of the Constitution."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 194, entitled:

A supplement to an act approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," providing a procedure to incur or to increase indebtedness where the existing indebtedness is less than two per centum but the amount to be incurred exceeds two per centum of the assessed value of the taxable property; and providing that this act shall apply to pending proceedings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 199, entitled:

An Act to exempt certain real estate of the American Legion from taxation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 206, (House Bill No. 51), entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 206, (House Bill No. 51), the bill just read, be recommitted to the Committee on Appropriations.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 210, (House Bill No. 208) entiled:

An Act to amend section two of the act approved March 13, 1815 (P. L. 150) entitled "An Act concerning divorces" as amended authorizing prothontaries and clerks of the court of common pleas to make affidavits to petitions and libels and validating prior proceedings in which such affidavits were taken.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 211, (House Bill No. 233) entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and Corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 213, (House Bill No. 76), entitled:

An Act to amend Sections five and ten of the Act approved the nineteenth day of April Anno Domini one thousand nine hundred and one (Pamphlet Laws, eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 217, entitled:

An Act to amend section one of an act approved April 13, 1887 (P. L. 21), entitled "An Act for the establishment of a uniform standard of time throughout the Commonwealth;" prohibiting the adoption of other standards of time.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 217, the bill just read, be re-committed to the Committee on Judiciary General, for amendment.

Mr. SALUS: Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BUCKMAN: Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. Woodward.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Woodward, permit himself to be interrogated?

Mr. WOODWARD: Mr. President, I will.

Mr. BUCKMAN: Mr. President, I would like to ask the purpose of this motion?

Mr. WOODWARD: Mr. President, we wish to amend the bill further so as to include cities of the first class.

Mr. BUCKMAN: Mr. President, I hope that this motion will not prevail. If this bill means anything it means uniformity throughout the state. There is no reason why there should be one law for Philadelphia and some other law in some other part of the state. I ask the Senate to vote against this motion to recommit this bill. It has been duly considered by the Committee on Judiciary General.

Mr. WOODWARD: Mr. President, the Philadelphia members of the Judiciary General Committee remonstrated when this bill was reported out and it was understood that this bill would be sent back for amendment, to allow Philadelphia to have day light saving. That was the understanding when the bill left the committee.

Mr. BUCKMAN. Mr. President, I was present at that meeting and I have no such recollection. I do have a slight recollection, however, that something was said about it being recommitted for the purpose of a hearing. If the Senator wants a hearing on it I have no objection, but if it is the understanding in this Senate that it is to be recommitted for the purpose of amendment I certainly object to it.

Mr. WOODWARD. Mr. President, I am perfectly willing to have a hearing.

Mr. BUCKMAN: Mr. President, when will that hearing be arranged?

Mr. WOODWARD: Mr. President, at the convenience of the Senator from Bucks, Mr. Buckman.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

MOTION TO READ BILLS THE FIRST TIME.

Mr. SNYDER. Mr. President, I move that all bills reported from committees at to-day's session be read the first time.

Mr. EYRE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 143, entitled:

An Act to amend section one of the act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to take, and to later, amend, and revise rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; as amended.

And said bill having been read at leugth the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 138, (House Bill No. 37) entitled:

A Joint Resolution proposing an amendment to article ine, section four, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 99, entitled:

An Act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; providing for penalties, forfeitures and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced presented communications in writing from his Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILLS NOS. 13 AND 14.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following bills:

Senate Bill No. 13, entitled, "An Act enlarging the jurisdiction of the Superior Court of Pennsylvania by providing for appeals to it from certain orders, judgments and sentences of the County Court of Allegheny County, of the Municipal Court of Philadelphia, and of all similar courts hereafter created".

Senate Bill No. 14, entitled, "An Act to amend "An Act (approved May 5, 1899, P. L. 248), supplementing and amending an act entitled 'An Act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice, and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers, and the practice and costs on appeals from its judgments,' approved June 24, 1895," (P. L. 212).

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL NO. 34.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 5, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 34, entitled, "An Act to validate tax liens filed since the twenty-first day of May, one thousand nine hundred and thirteen, or which may be filed within six months after the approval of this Act, under the provisions of an act, approved the fourth day of June, one thousand nine hundred and one, entitled, 'An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales,' and providing for their collection".

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR.

DEPUTY COMMISSIONER OF HEALTH, MEMBER BOARD OF TRUSTEES PENNSYLVANIA STATE COLLEGE MEMBERS BOARD OF TRUSTEES OF PENNSYLVANIA SOLDIERS AND SAILORS HOME AT ERIE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 5. 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following:

William C. Turnbull, M. D., of Cresson, Cambria County, for appointment as Deputy Commissioner of Health, vice John D. McLean, M. D., resigned, to serve until annulled.

Frederick Rasmussen, of Harrisburg, for appointment as a Member of the Board of Trustees of Pennsylvania State College, vice Hiester V. White, to serve until July 1, 1925.

Doctor J. A. Stackhouse, of Erie, Harold F. Mook, of Erie, and Duncan Sinclair, of Brownsville, for appointment as Members of the Board of Trustees of the Pennsylvania Soldiers and Sailors Home at Erie, to serve until the third Wednesday in January 1925. (Stackhouse and Mook, World War Veterans: Sinclair, Spanish American War Veteran).

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 5, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ADAMS COUNTY.

Maurice J. Sterner, New Oxford, March 12, 1923.

ALLEGHENY COUNTY.

Miss Lelia Parker Calderwood, Pittsburgh, March 17, 1923.
Frank F. Canuti, Pittsburgh, March 12, 1923.
Guissepe Cuda, Pittsburgh, March 1, 1923.
Howard F. Good, Pittsburgh, March 9, 1923.
Miss Emma M. Naller, Pittsburgh, March 13, 1923.
C. R. Hobson, Homestead, March 11, 1923.
Leon J. Norpanty, Pittsburgh, March 4, 1923.
Chas. G. Krapf, McKeesport, March 17, 1923.
Raymond L. Beety, Pittsburgh, March 9, 1923.
J. J. Meisel, Pittsburgh, February 21, 1923.
Miss M. Portman, Pittsburgh, March 9, 1923.
W. S. Stone, Pittsburgh, March 9, 1923.
John J. Sweeney, Pittsburgh, March 9, 1923.
Fred W. Young, Pittsburgh, March 17, 1923.
Harry E. Haring, Pittsburgh, February 23, 1923.

BERKS COUNTY.

Miss M. Bessie Detweiler, Reading, March 13, 1923.
William G. Yoder, Sinking Springs, March 17, 1923.

CAMBRIA COUNTY.

Miss Ella M. Flanagan Johnstown, March 1, 1923.

CARBON COUNTY.

Frank Romano, Mauch Chunk, March 11, 1923.

CLARION COUNTY.

D. C. Gathers, Mayport, March 11, 1923.

COLUMBIA COUNTY.

J. C. Rutter, Jr., Bloomsburg, March 18, 1923.
Frank F. Zarr, Bloomsburg, March 9, 1923.

CUMBERLAND COUNTY.

Robert W. Peffer, Boiling Springs, March 9, 1923.

DAUPHIN COUNTY.

Harry S. Gilbert, Millersburg, March 17, 1923.
J. P. Middour, Harrisburg, March 17, 1923.

DELAWARE COUNTY.

Albert E. Noll, Media, March 16, 1923.

ERIE COUNTY.

H. H. Nichols, Girard, March 1, 1923.
William Noble, Erie, March 17, 1923.
Robert A. Patterson, Corry, March 11, 1923.
Don. F. Smith, Corry, March 17, 1923.

FAYETTE COUNTY.

Joseph H. Bush, Brownsville, March 1, 1923.

GREENE COUNTY.

S. K. Stronsnider, Waynesburg, February 21, 1923.

HUNTINGDON COUNTY.

Taylor L. Archey, Mount Union, March 17, 1923.

LACKAWANNA COUNTY.

Moses K. Clifford, Clarks Summit, March 10, 1923.

LANCASTER COUNTY.

T. Roberts Appel, Lancaster, March 12, 1923.
I. S. Arnold, Lancaster, March 12, 1923.
Edgar L. Matterer, Lancaster, March 11, 1923.

LAWRENCE COUNTY.

Michael Conti, New Castle, March 12, 1923.

LEBANON COUNTY.

Samuel H. Fentz, Lebanon, March 14, 1923.
M. B. Nye, Lebanon, March 17, 1923.

LEHIGH COUNTY.

Jas. D. Faust, Bethlehem, March 12, 1923.

LUZERNE COUNTY.

William W. Cooper, Wilkes-Barre, March 7, 1923.
P. A. Sammon, Pittston, March 19, 1923.

LYCOMING COUNTY.

S. B. Breigbaum, Williamsport, March 10, 1923.

McKEAN COUNTY.

Lester H. Simons, Bradford, March 9, 1923.

MONTGOMERY COUNTY.

John M. Dettra, Norristown, March 16, 1923.
James B. Dolan, Cynwyd, March 9, 1923.
Charles Cleaver Evans, Norristown, March 9, 1923.

NORTHAMPTON COUNTY.

Chas. B. Brunner, Easton, March 16, 1923.
William L. Naler, Easton, March 17, 1923.

PHILADELPHIA COUNTY.

Benjamin Alexander, Philadelphia, March 3, 1923.
H. S. Cripps, Philadelphia, March 11, 1923.
John J. Donnelly, Philadelphia, March 17, 1923.
Howard A. Dougherty, Philadelphia, March 11, 1923.
Lawrence Farrell, Philadelphia, March 13, 1923.
James N. Glenson, Philadelphia, March 17, 1923.
Conrad Goldner, Philadelphia, March 17, 1923.
B. F. Bawley, Jr., Philadelphia, March 17, 1923.
Eugene E. Hogle, Philadelphia, March 9, 1923.
Mortimer A. Jones, Philadelphia, March 16, 1923.
Miss Miriam E. Levy, Philadelphia, March 11, 1923.
Alexander Lieberman, Philadelphia, March 15, 1923.
David N. Nevin, Philadelphia, March 9, 1923.
W. A. O'Donnell, Philadelphia, March 11, 1923.
Miss Iola B. Hanck, Philadelphia, March 15, 1923.
Milton D. Schweiger, Philadelphia, March 15, 1923.
Geo. H. Smyth, Philadelphia, March 15, 1923.
J. A. Stroebele, Philadelphia, March 14, 1923.
Charles D. Thomas, Philadelphia, March 15, 1923.
Miss Bertha S. Walker, Philadelphia, March 17, 1923.
Louis P. Weiss, Philadelphia, March 17, 1923.
Miss Eliza J. Wilkinson, Philadelphia, March 12, 1923.
Geo. W. Worman, Philadelphia, March 9, 1923.

POTTER COUNTY.

J. F. Benson, Galeton, March 11, 1923.

SCHUYLKILL COUNTY.

Enoch Deubenspeck, New Ringgold, March 17, 1923.
Charles S. Henry, Tower City, March 16, 1923.

VENANGO COUNTY.

J. G. Gilmore, Oil City, March 1, 1923.
Leo A. McCracken, Oil City, March 8, 1923.

WASHINGTON COUNTY.

Miss Louise Carroll, Washington, March 9, 1923.
Miss Elizabeth M. Shean, Canonsburg, March 15, 1923.

WESTMORELAND COUNTY.

G. A. McDowell, Greensburg, March 14, 1923.

YORK COUNTY.

George S. Dellinger, York, March 17, 1923.
Charles M. Fry, York, March 16, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 5, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Allen S. Amdur, Pittsburgh.
Louis V. Sarach, Pittsburgh.
Joseph R. Hayden, Pittsburgh.
M. S. Metcalfe, Pittsburgh.
Miss Louise E. Roth, Pittsburgh.
Leon Rudjki, Pittsburgh.
S. E. Spence, Pittsburgh.
W. L. Zimmer, Pittsburgh.

BEAVER COUNTY.

C. W. Sargent, Beaver.

BEDFORD COUNTY.

W. B. Sarndollar, Everett.

CAMBRIA COUNTY.

Bernard S. Hollern, Ashville.

CLEARFIELD COUNTY.

F. Cortes Bell, Clearfield.

COLUMBIA COUNTY.

Paul E. Ward, Bloomsburg.

CRAWFORD COUNTY.

Miss Marguerite F. Wane, Titusville.
Miss Carrie A. McKinney, Meadville.

CUMBERLAND COUNTY.

Paul N. Bender, Enola.

DAUPHIN COUNTY.

Miss Marion R. Berry, Middletown.

LANCASTER COUNTY.

Lester E. Roberts, Mount Joy.

LEHIGH COUNTY.

Frank L. Kremlich, Bethlehem.

MONTGOMERY COUNTY.

Daniel Signore, Ambler.

PHILADELPHIA COUNTY.

Albert J. Cohen, Philadelphia, 2237 N. 31st. St.
Alfred Griffith, Philadelphia, 511 Chestnut St.
N. M. Jackson, Philadelphia, 564 Woodlawn.
Max Jacobs, Philadelphia, 6229 Marchwood Ave.
M. Jacob Markmann, Philadelphia, 6511 N. 11th St.
Henry G. Maser, Philadelphia, 4255 Mantua Ave,
Clifford A. Payton, Philadelphia, 3014 N. Mervine St.
Richard V. Sayers, Philadelphia, 1807 N. 22d St.
C. W. Sylvester, Philadelphia, 5906 Trinity Place.
Anthony Vignola, Philadelphia, City Hall.
Chas. A. Wheeler, Philadelphia, 615 Wynnewood Rd.

SOMERSET COUNTY.

Francis J. Mulcahy, Central City.

WARREN COUNTY.

Miss Marion A. Bryan, Warren.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 5, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named person to be a Notary Public, for the term of four years, to compute from the date of expiration of her present commission:

ALLEGHENY COUNTY.

Miss R. L. Raynor, Pittsburgh, Feb. 10, 1923.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Daix,	Kutz,	Phipps,
Baldwin,	Davis,	Lanius,	Salus,
Barr,	Derrick,	Leslie,	Schantz,
Berntheizel,	DeWitt,	Long,	Smith,
Betts,	Eyre,	MacDade,	Snyder,
Brown,	Harris,	Mansfield,	Sones,
Buckman,	Heaton,	McClintock,	Sprowls,
Christley,	Homsher,	McNichol,	Steele,
Clark,	Jones,	Miller,	Stites,
Craig,	Joyce,	Norton,	Weaver,
Culberston,	Krause,	Patton,	Woodward,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF MOTION TO RECOMMIT HOUSE BILL No. 51.

Mr. BARR. Mr. President, if I am in order, I would respectfully move to reconsider the vote by which Senate Bill No. 206, (House Bill No. 51), entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge.

was recommitted to the Committee on Approriations.

Mr. HARRIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SCHANTZ: Mr. President, the title of this bill is

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge.

That title implies that the bill involves an expenditure of money on the part of the Commonwealth. As the Chairman of the Committee on Appropriations of this Senate, I will move during this session to recommit to the Committee on Appropriations every bill that indicates in its title the expenditure of any money on the part of the Commonwealth, regardless of to what other committee or committees the bill may theretofore have been committed. I have no opposition to this bill. I know nothing about its contents, but I have asked it to be recommitted to the Committee on Appropriations that we may investigate it, get a record of its contents and the amount of probable expenditures by the Commonwealth, if any, and this course I intend to pursue with every bill that comes before the Senate hereafter, regardless of who the sponsor is, or what the contents of the bill may be.

That is my reason for making the motion, and I most respectfully ask this Senate to vote down this motion now. I explained the motive to the Senator from Allegheny, Mr. Barr, and he informed me that he would go to the mat and we might just as well have it done now as any time, and that is the proposition, Mr. President and gentlemen of the Senate, before you now, whether you want the Committee on Appropriations to be informed on every bill that involves any expenditure on the part of the Commonwealth during this session, and want to give us the opportunity to study them and to keep a record of the appropriations going out or not. The Senator from Allegheny, Mr. Barr, read me the riot act and said we will go to the mat and now we are on the mat.

Mr. BARR: Mr. President, since I have been here, in 1919, 1921 and 1923, I have never seen a bill yet that had any reference to the Appropriations Committee that did not read "and making an appropriation", and I challenge the Senator from Lehigh, Mr. Schantz, to show me one single bill that ever went to the Appropriations Committee that did not contain these words. I, therefore, told the Senator from Lehigh, Mr. Schantz, that this bill does not read in its title "and making an appropriation". This bill was before the Committee on Public Roads and Highways. A similar bill was passed, if you please, in 1921, by both the House and the Senate, and it was vetoed by the Governor of the State of Pennsylvania, for reasons that we need not here discuss.

The people who are friends of the bill will understand, and for the Senators of the State of Pennsylvania without the district of Allegheny it is not necessary either to take their time or to encumber the records with such reports. I now say to the Senator from Lehigh, Mr. Schantz, that there is something else in mind besides the fact that he moved that this bill go back to the Committee on Appropriations and if he had attended the sessions where this bill was released from the Committee on Public Roads and Highways he would understand my attitude fully. I do not mean to give offense to the Senator from Lehigh, but I do say that the people of Allegheny County, who pay more than one-fifth of all the taxes that are collected in this State of Pennsylvania, and who receive mighty little, perhaps not one tenth of one per cent, if you please, of the fifty million dollars of road bond money, which amount they must pay to the extent of one-sixth, that they now come into this Senate on a bill that has been passed by the House without one single vote against it, and it comes into the Senate, so far as I know, with every single one of the five Senators from Allegheny in favor of this bill, a bill that means the building of a bridge across a creek, or a railroad track, adjoins the town of North Versailles on the Lincoln Highway, a bridge that is dangerous, a bridge that should have been rebuilt years ago, and some day it is going to bring havoc and death to the people that cross that bridge; the bill was reported out; it is on first read-

ing, and now the Senator from Lehigh, because his clerks, if you please, say that it is an appropriation bill, immediately moves, without one iota of an investigation of the bill, and then gets up to defend his position, to say that it must go back to the appropriation Committee, because he believes that his clerks are right. I take it that every Senator had the chance to read that bill, and to inform himself that it is not an appropriation bill, and I say to you that the five Senators from Allegheny here present are in favor of placing this bill upon the calendar and put it on second reading, and that we five Senators from Allegheny County are entitled to that consideration. I ask every Senator in this assembly to show the courtesy to the five Senators from the County of Allegheny and accede to the request that I have made.

Mr. SALUS: Mr. President, I have no knowledge of this bill one way or the other, but I think the members of this Senate are aware of the fact that the most important committee of this Senate is the Committee on Appropriations. It is the keystone around which the entire Senate works. There can be no harm in supporting the Chairman of this Committee. The Senate Appropriations Committee is the biggest committee, I think, of all the committees appointed by yourself and in deference to the Chairman, without having any knowledge whatever on the subject, I think this Senate owes it to him to try and help him perform his duties in a manner that will be creditable not only to him but to every member of this Senate and to the State of Pennsylvania generally. I see no harm that can come from this bill going back and if the facts are as the Senator from Allegheny states, the bill will be immediately reported out. It will establish a precedent, if they do not support the Chairman of the Appropriations Committee. He is only trying to do his honest duty fairly and squarely and to fail to support him in this request will only establish a precedent that will be of no avail or benefit to any of us.

Mr. BARR. Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. Salus.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Salus, permit himself to be interrogated?

Mr. SALUS. Mr. President, I will.

Mr. BARR. Mr. President, I would like to ask the Senator from Philadelphia, Mr. Salus, whether there is anything in this bill that relates to an appropriation?

Mr. SALUS. Mr. President, the Act is what I read here, "and making an appropriation therefor." If there is no appropriation to be made then it should not have been put in the bill.

I want to say one thing further while I am on my feet, for the benefit of the Senator from Allegheny, Mr. Barr, that it has been the custom, established both by Senator Buckman when he was Chairman of the Appropriation Committee and also by Senator Daix when he was Chairman. This is nothing unusual. It has been the custom of the Senate since I have been a member of it, and I think that dates back to 1911, so there is nothing new in Senator Schantz's suggestion.

Mr. BARR. Mr. President, I ask the Senator whether or not he means to say that in the title it reads "making an appropriation therefor."

Mr. SALUS. Mr. President, I mean to say I have no knowledge of the bill at all and I am neither for or against the bill because I do not know. It is not on third reading and I am not compelled to read a bill or to vote on it until it comes to third reading. I have no interest in the bill one way or the other, but I do feel that I ought to support the Chairman of the Appropriations Committee, as his only object is to do his full duty and to do no harm to any of us or the State in general.

Mr. BARR. Mr. President, may I ask the Senator from Philadelphia, Mr. Salus, whether an appropriation bill does not carry with it the words "and making an appropriation therefor."

Mr. SALUS. Mr. President, not always.

Mr. BARR. Mr. President, can the Senator cite me one appropriation bill that does not carry that with it?

Mr. SALUS. Mr. President, I will be glad to meet the Senator in the Appropriations Committee to-morrow and we will go over all of them. I think the ones fixing salaries do not have that word in them. I have never been Chairman of the Appropriations Committeee, neither has Mr. Barr and think neither one of us are competent to be here as an authority on that matter.

Mr. BARR. Mr. President, I have no objection to the Appropriations Committee if that committee has anything to do with it. That is exactly the point I make. There is nothing in it that applies to the Appropriations Committee, and it looks pretty funny to me that the Senator from Lehigh should have made the motion after such a strong battle to get this bill out on the floor of the Senate, as the Senator from Allegheny, who is speaking, had to do before the Committee.

Mr. SCHANTZ. Mr. President, I just want to deny any motives insinuated by the Senator from Allegheny, Mr. Barr. Not a single Senator spoke to me about this bill for or against it. As he stated, I did not attend the meeting of the Committee when the bill was considered and reported to the Senate. My attention was directed to it by my clerks and that is why I have it, and certainly I feel it my duty to investigate a bill if it involves appropriations. As I have said, I have no opposition to the bill, it will be reported out promptly. If it does bind the State to the payment of any monies, which I am quite positive that it does, it either does that or the title is deceptive, and if the title is wrong it ought to be amended, but certainly in the title it implies that it binds the State to the payment of some money and that is all I want to ascertain. I have no objection to the bill, there is no hidden motive about it, all the cards are on the table and the only question is whether you will stand by your Committee on Appropriations that we will be able to investigate every bill that comes here which involves expenditure of any money and give us the opportunity to assist and stand by this administration in perfecting a program of economy. If you do then vote down this motion and support your Coommittee on Appropriations. If you adopt this motion then go to it haphazard, as you please.

Mr. BARR. Mr. President, in view of the attitude taken by the Senator from Lehigh, with the consent of the Senator who seconded this motion, I will withdraw it.

Mr. HARRIS. Mr. President, I withdraw my second to the motion.

The PRESIDENT. The motion is withdrawn.

HOUSE MESSAGE.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrnece bills of the House of Representatives as follows:

House Bill No. 26, (Senate Bill No. 269), entitled:

An Act to amend section twenty-four of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 429), entitled "An Act relating to the

descent and distribution of the real and personal property of persons dying in the state; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," providing for the sale of the real and personal property of a decedent without known heirs, kindred or surviving spouse, and the payment of the net proceeds of such sale into the State Treasury.

Which was committed to the Committee on Judiciary General.

House Bill No. 143, (Senate Bill No. 270), entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections.

Which was committed to the Committee on Judiciary General.

House Bill No. 220, (Senate Bill No. 271), entitled:

An Act to amend section one hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Which was committed to the Committee on Education.

House Bill No. 281, (Senate Bill No. 272), entitled:

An Act to amend Section two of Article XVI of an act entitled, "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania," approved the twenty-fifth day of June, one thousand nine hundred and nineteen.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 302, (Senate Bill No. 273), entitled:

An Act to amend section one of an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, (P. L. 86), entitled "An Act regulating the compensation of court criers and tipstaves, in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county; limiting the number of tipstaves to be appointed; and repealing an act of Assembly, entitled 'An Act to regulate the fees of court criers and tipstaves of the courts, in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants,' approved the twenty-ninth day of April, Anno Domini, one thousand nine hundred and nine," as amended.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 364, (Senate Bill No. 274), entitled:

An Act relating to the recording of certificates of incorporation of domestic corporations, providing for the recording of certified copies thereof in certain cases, validating the recording of such certified copies heretofore recorded and making the record of such certified copy competent evidence for all purposes.

Which was committed to the Committee on Judiciary General.

House Bill No. 365, (Senate Bill No. 275), entitled:

An Act to amend section one of the act approved the fifteenth day of March, one thousand nine hundred and eleven, (Pamphlet Laws twenty), entitled "An Act regulating in criminal trials the cross-examination of a defendant, when testifying in his own behalf," by prohibiting the introduction as evidence of certain testimony or records.

Which was committed to the Committee on Judiciary General.

House Bill No. 371, (Senate Bill No. 276), entitled:

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

Which was committed to the Committee on Corporations.

House Bill No. 267, (Senate Bill No. 277), entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held or pending pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled, "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Which was committed to the Committee on Judiciary General.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor David J. Davis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 23, entitled:

An Act requiring the prothonotary of the court of common pleas to indicate on the proper index notice of the settlement satisfaction discontinuance or dismissal of any suit or proceeding in equity affecting the title to real estate.

House Bill No. 25, entitled:

An Act to validate deeds, mortgages, and other instruments of writing which have been defectively acknowledged by husband and wife, prior to the fourth day of January, one thousand nine hundred and twenty-three.

House Bill No. 146, entitled:

An Act to amend an act approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 122), entitled "An Act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations," as amended.

House Bill No. 147, entitled:

An Act to amend section five of the act approved the fourth day of June one thousand nine hundred and one (Pamphlet Law three hundred and sixty-four) entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for pre-

serving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" as amended

Whereupon,

The PRESIDENT (Lieutenant-Governor David J. Davis) in the presence of the Senate signed the same.

MOTION TO APPOINT COMMITTEE TO INVESTIGATE NORTH AMERICAN ARTICLE.

Mr. SCHANTZ. Mr. President, I move that the Lieutenant-Governor as the President of the Senate, appoint a committee of three Senators to investigate the article appearing in the North American of the issue of Friday, March 2nd, 1923, to which Senator Eyre just referred, and report the facts back to the Senate at any early date.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. BALDWIN. Mr. President, I move that the Senate do now adjourn until eleven o'clock to-morrow morning.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.10 P. M. until Tuesday morning, March 6, 1923, at eleven o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 5, 1923.

The House met at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Rev. Lorenzo D. Thomas, a member of the House, offered the following prayer:

Gracious and Almighty God, Thou with whom are the issues of life and death, we come before Thee in the sacredness of this hour, earnestly beseeching Thee that Thou wouldst give unto us, every one,—those of us who are engaged in the affairs of this night—give unto us, we pray Thee, a spirit of sincere reverence for the things that are high and holy, and grant that our every action may be in keeping with what Thou wouldst have the actions of men engaged in the making of laws to be. Bless, we beseech Thee, every one in official relation to this House; and grant that upon the Chief Executive of this State, there may be the continual bestowment of enlightment and intelligence, such as Thou alone canst give. Help us in what we undertake to do during the present week, to remember whose we are and whom we serve. In Christ's name, we ask this. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Wednesday, February 28, 1923.

The Clerk proceeded to read the proceedings of Wednesday, February 28, 1923, when, on the motion of Mr. Moffatt, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED.

By Mr. GIBBON. HOUSE BILL No. 499.

An Act making an appropriation to the Wilkes-Barre City Hospital, Wilkes-Barre, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. MUNLEY. HOUSE BILL No. 500.

An Act to amend section two of the act approved the fifth day of March, one thousand nine hundred and six (Pamphlet Laws, sixty-three), entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," as amended; changing the compensation of the registrars.

Referred to Committee on Elections.

By Mr. MORRISON. HOUSE BILL No. 501.

An Act authorizing cities of the third class to appropriate moneys to State park commissions to provide improvements in State parks, and, with the consent of any such commission, to erect, construct, supervise, and maintain in such parks, bathing beaches, recreation centers, playgrounds, playfields, camp sites, boat houses, and boat landings.

Referred to Committee on Municipal Corporations.

By Mr. McKIM. HOUSE BILL No. 502.

An Act to further amend section Four of an act approved twenty-third day of June, one thousand nine hundred eleven, Pamphlet Laws one thousand one hundred twenty-three, entitled, "An Act establishing in each county a board of viewers; prescribing their duties; providing for their appointment as viewers, road juries, juries of view and commissioners to view land; and providing for the charges upon the respective counties in the matter of salaries, costs and expenses thereof", as the same was amended and supplements by subsequent acts, by providing for the compensation to be paid to the members of the board of viewers in the several classes of counties within this Commonwealth.

Referred to Committee on Counties and Townships.

By Mr. STOFFLET. HOUSE BILL No. 503.

An act to amend sub-section (a) of section four hundred and four of article four, section six hundred and one of article six, and section one thousand and two of article ten of the act approved the third day of June, one thousand nine hundred and fifteen, (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act."

Referred to the Committee on Forestry.

By Mr. STOFFLET. HOUSE BILL No. 504.

An Act to amend section one hundred and twenty-three of article twelve of an act approved the twenty-eighth day of July, one thousand nine hundred and seventeen, (P. L. 1215), entitled "An Act to revise, amend, and consolidate the law relating to fish, and providing penalties."

Referred to the Committee on Fisheries.

By Mr. KENNEDY. HOUSE BILL No. 505.

An Act relating to the opening of safe deposit boxes or similar receptacles of deceased persons. Imposing certain duties upon persons, associations, co-partnerships, and corporations engaged in the business of renting the same, upon persons having access thereto, and upon the auditor general and the register of wills of the proper county, and fixing penalties.

Referred to the Committee on Judiciary Special.

By Mr. KUNKLE. HOUSE BILL No. 506.

An Act providing for the bringing of actions at law for the recovery of damages for injuries received by employes in the course of employment when the injury is caused solely by the negligence of the employer; restoring certain defenses and providing for the crediting of compensation received on any verdict recovered.

Referred to the Committee on Insurance.

By Mr. KUNKLE. HOUSE BILL NO. 507.

An Act to amend section fifty-three, clause (a) of the act approved the seventh day of June, one thousand nine hundredand sevetneen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

Referred to the Committee on Judiciary General.

By. Mr. WHITEMAN. HOUSE BILL NO. 508.

An Act to validate certain municipal assessments, municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings for the collection of such assessments and claims.

Referred to the Committee on Municipal Corporations.

By. Mr. KOHLER. HOUSE BILL No. 509.

An Act to establish as a State Highway a certain section of public road in the county of Lackawanna.

Referred to the Committee on Public Roads.

By Mr. KOHLER. HOUSE BILL No. 510.

An Act establishing a State Highway in the county of Lackawanna providing for its location, construction, improvement, and maintenance by the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. KOHLER. HOUSE BILL No. 511.

An Act establishing a State Highway in the county of Lackawanna, providing for its location, construction, improvement, and maintenance by the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. FRATT. HOUSE BILL No. 512.

An Act making an appropriation to the Trustees of the State Hospital for the Insane for the southeastern district of Pennsylvania, located at Norristown, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BROMLEY. HOUSE BILL No. 513.

An Act making an appropriation to the Memorial Hospital, at Roxborough, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STEEDLE. HOUSE BILL No. 514.

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to certain aged persons, and providing for their burial; creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county; defining their powers and duties; providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators; making counties liable for certain expenses; providing penalties; and making an appropriation.

Referred to Committee on Appropriations.

By Mr. HORNE. HOUSE BILL No. 515.

An Act limiting rent as a preferred claim.

Referred to the Committee on Judiciary General.

By Mr. HORNE. HOUSE BILL No. 516.

An Act limiting rent as a preferred claim in bankruptcy proceedings.

Referred to Committee on Judiciary General.

By Mr. BREWSTER. HOUSE BILL No. 517.

An Act making an appropriation to the J. C. Blair Memorial Hospital, of Huntingdon, Pennsylvania.

Referred to Committee on Appropriations.

REPORT FROM COMMITTEE.

Mr. HARER, from the Committee on Appropriations, reported as amended, House Bill No. 82, entitled:

A Supplement to an act, entitled "An Act to provide for the ordinary expenses of the Executive, Judicial, and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and twenty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and twenty-one," as approved the twenty-seventh day of May, Anno Domini one thousand nine hundred and twenty-one, providing for deficiencies in certain appropriations made to the Executive, Judicial, and Legislative Departments by the act to which this is a supplement, and for other minor expenses incurred or to be incurred to May thirty-first, one thousand nine hundred and twenty-three, by certain of the Executive, Judicial and Legislative Departments, not provided for by said act.

LEAVES OF ABSENCE.

Mr. HOWELL asked and obtained leave of absence for Mr. Rhodes, on account of illness.

Mr. BURNS asked and obtained leave of absence for Mr. Colville, on account of illness.

Mr. HEFFERNAN asked and obtained leave of absence for Mrs. DeYoung.

Mr. W. P. WOOD asked and obtained leave of absence for Mr. Wheeler.

RECONSIDERATION OF VOTE.

Mr. VICKERMAN. Mr. Speaker, I move that the vote by which House Bill No. 250 (Senate Bill No. 6) entitled

An Act to amend section two of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty-four) entitled "An Act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing for the payment of the expenses thereof."

was defeated on final passage on Tuesday, February 26th, be reconsidered.

The SPEAKER. How did the gentlemen vote on the final passage of the bill?

Mr. VICKERMAN. Mr. Speaker, I voted in the negative.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman vote on the final passage of the bill?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I voted in the negative.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL RECOMMITTED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of a hearing and amendment.

Mr. McVICAR. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker declared the "ayes" appeared to have it.

Whereupon, a division was called for and one hundred and twenty-five members, or more than a majority of the House, having voted in the affirmative the question was determined in the affirmative and the motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. VICKERMAN. Mr. Speaker, I move that the vote by which this bill was recommitted to the Committee on Judiciary General be reconsidered.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring.

Shall the bill pass finally?

Mr. VICKERMAN. Mr. Speaker, I move that the vote by which the House agreed to this bill on third reading be reconsidered.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of a hearing and amendment.

Mr. GOLDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 380, entitled:

An Act to repeal the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and sixty-one), entitled "An Act to provide for the removal or retirement of judges of the Supreme Superior common pleas orphans' municipal and county court permanently disqualified by reason of physical or mental disability to perform their regular judicial functions or duties and providing for the payment of compensation to them during the balance of the term for which they may have been elected and in certain cases for the remainder of their lives after resignation or retirement and for filling the vacancies caused thereby providing for judges who have been retired or who may have retired or resigned under provisions of previous acts or otherwise and repealing certain acts"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. FREDERICK A. BELL. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Local for the purpose of amendment.

Mr. SCHWARTZ. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. SPANGLER. Mr. Speaker, I move that House Bill No. 73, file folio 363, entitled:

An Act to amend section one, article six, chapter seven, of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312), entitled "Providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs," as amended.

on page 4 of to-day's calendar, bills on third reading, postponed, be recommitted to the Committee on Judiciary General.

Mr. BIDELSPACHER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. LYNCH. Mr. Speaker, I move that House Bill No. 257, file folio 455, entitled:

An Act constituting a commission to make an investigation of the condition of disabled World War Veterans of Pennsylvania and to take appropriate action to assure such veterans of relief and full benefits and advantages; and making an appropriation.

on page 6 of to-day's calendar bills on second reading, be recommitted to the Committee on Appropriations.

Mr. COYNE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. BLUETT. Mr. Speaker, I move that House Bill No. 275, File Folio 329, entitled:

An Act providing for the recovery and collection of taxes assessed on either real or personal property by action of assumpsit against the owner or owners of the real or personal property upon which or against the owner of which the said taxes have been assessed.

on page 3 of to-day's calendar bills on third reading, be recommitted to the Committee on Judiciary Special for the purposes of a hearing and amendment.

Mr. DILSHEIMER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 390, entitled:

A Joint Resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations; prescribing the powers and duties of said commission, and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 296, entitled:

An Act to amend section fifty-five of an act approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 278, entitled:

An Act to amend and supplement part of clause (d), section seven of the Act, approved the fifth day of May, one thousand nine hundred eleven (Pamphlet Laws, one hundred ninety-eight), entitled "An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," as amended, by providing for the procedure in cases of desertion and nonsupport and the manner of taking testimony in such cases, and providing for appeals therein.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 380, entitled:

An Act to amend section one of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand seventy-two) entitled "An Act providing a method for establishing title to land at a sale for unpaid taxes"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 382, entitled:

An Act relating to the leasing of real property, making it unlawful to dispossess tenants or recover leased property except after thirty days notice, prohibiting the execution of leases containing waivers of the provisions of this act and voiding certain leases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 366, entitled:

An Act to amend section two of an act approved the eleventh day of May, one thousand nine hundred and eleven, (Pamphlet Laws two hundred seventy-nine), entitled "An Act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth; to the effect thereof; to transcribing the evidence taken upon the trial of any case; to the correction and perfection of such transcript for the purpose of review; and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 373, entitled:

An Act to amend an act approved June 15, 1911 (Pamphlet Laws nine hundred fifty-five), entitled "An Act making state taxes, unpaid bonus, interest, penalties and all public accounts a first lien upon the franchise and property of corporations, companies, associations, joint-stock associations and limited partnerships against which the same may be settled; providing for enforcing the payment thereof, and for the furnishing of certificates as to the existence of such liens upon application thereof; and repealing section four of the act approved April sixteenth, one thousand eight hundred and twenty-seven," by extending its provisions to include individuals and providing for attorney's commissions, making such commissions part of said claims and giving such commissions and costs the same priority as said taxes, bonus, interest and penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 374, entitled:

An Act to amend Section 1 of an act approved June 1, 1907, (Pamphlet Laws three hundred and eighty-three) entitled "An Act regulating the collection of taxes and other claims and demands due the Commonwealth, and providing for six per centum interest thereon, and an attorney's commission."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 227, entitled:

An Act to further amend the fifth section of an act, entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred and fifty housand inhabitants, and to provide for the election of judges thereof," approved May nineteenth, Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six), as amended, by fixing and determining the salaries of the assistant clerks of said court in counties of the first, second, third, and fourth classes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 206, entitled:

An Act to further amend section three of the act approved the nineteenth day of April, one thousand nine hundred and one, (P. L. 88), entitled "An Act relating to replevin, and regulating the practice in cases where the writ of replevin is issued," as amended; providing for the impounding of property where an affidavit is filed before the issuing of the writ.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 267, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held or pending pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196.

Albert,	Flynn,	Little,	Sarig,
Alexander,	Fowler, A. I.,	Long,	Sautter,
Allman,	Fowler, D.,	Lucas,	Schaeffer,
Anderson,	Fratt,	Ludlow,	Schilling,
Arthur,	Frazier,	Lynch,	Schleiter,
Asbury,	Gallaher,	Mack,	Schoener,
Aston,	Gelder,	MacKinney,	Schwartz,
Baker,	Gibbon,	Malie,	Shambach,
Baldi,	Gilchrist,	Mangan,	Sheridan,
Beaver,	Glasgow,	Marcus, J.,	Smith, H. J.,
Behney,	Goehring,	Marcus, J. C.,	Smith, H.,
Bell, F. A.,	Golder,	Marshall, J. G.,	Smith, J. W.,
Bell, W. T.,	Gorham,	Marshall, W. F.,	Soffel,
Bentley,	Goss,	Mathay,	Sowers,
Berger,	Greeby,	McBride,	Spangler,
Betts,	Griffith,	McCaig,	Sprowls,
Bidelspacher,	Grimes,	McCann,	Stark,
Blair,	Guerin,	McClure,	Staudenmeier,
Bluett,	Gundy,	McCurdy,	Stavitski,
Blumberg,	Haas,	McDaniel,	Steedle,
Boback,	Hall,	McGowan,	Sterling,
Brenneman,	Harer,	McKim,	Stevens, A. J.,
Brewster,	Harter,	McVicar,	Stevens, A. F.,
Bromley,	Haslett,	Metcalf,	Stofflet,
Brown,	Haws,	Millar,	Stoner,
Brownmiller,	Heffernan,	Miller,	Storb,
Burchinal,	Heffran,	Minehart,	Storer,
Burns,	Henderson,	Moffatt,	Thomas, L. D.,
Bush,	Hetrick,	Moore,	Thomas, M. G.,
Chaplin,	Heyburn,	Morrison,	Thompson,
Clutton,	Himes,	Munley,	Van Alen,
Coldsmith,	Hollis,	Myers, G. C.,	Vickerman,
Conner,	Hontz,	Myers, P. M.,	Walker,
Coyne,	Hoover,	Nolte,	Weamer,
Craig,	Howell,	O'Boyle,	Wells,
Diehm,	Huber,	Ogle,	Wettach,
Dietz,	Irvin,	Orr,	Whitehouse,
Dilsheimer,	Johnson,	Parkinson,	Whiteman,
Donahue,	Jones, C. B.,	Patterson,	Williams, G. W.
Driggs,	Jones, D. J.,	Peelor,	Williams, J. M.,
Drinkhouse,	Jones, E. P.,	Perry,	Woner,
Dunn,	Keene,	Pitts,	Wood, N.,
Eaches,	Kelly,	Posey,	Wood, W. P.,
Earley,	Kennedy,	Post,	Wright,
Edmonds,	Kohler,	Price,	Zook,
Eshelman,	Korns,	Raymond,	Goodnough,
Evans, B. P.,	Kunkle,	Richards,	Speaker.
Evans, J.,	Labar,	Rinn,	
Fields,	Lafferty,	Rippman,	
Flinchbaugh,	Lauver,	Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 66, as follows:

An Act to amend part of section nine of the act approved the twenty-first day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and nine) entitled "An Act relating to the organization maintenance and operation of the Banking Department and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing certain acts" changing the charges to be paid by building and loan associations for examinations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (b) of section nine of the act approved the twenty-first day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and nine) entitled "An act relating to the organization maintenance and operation of the Banking Department and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing certain acts" is hereby amended to read as follows

(b) All the expenses incurred in and about the conduct of the business of the Banking Department including the cost of the regular examinations of corporations and persons under the supervision of the Department the compensation of the commissioner deputy commissioners examiners and other employes of the department but excluding the furniture and conveniences mentioned in section eight of this act together with all other general or overhead expenses of the department shall be charged to and paid by the corporations and persons subject to the supervision of the department in equitable proportions at such times and in such manner as the Commissioner of Banking shall by general rule or regulations annually prescribe

Provided however, That building and loan associations shall not be examined more than once in each year, unless the condition of any building and loan association shall be such that in the opinion of the Commissioner of Banking an additional examination is necessary. And provided further, That the Commissioner of Banking may, upon the request of any building and loan association appoint a certified public accountant to make at the expense of the association the annual examination instead of an examiner of the Banking Department, and the building and loan association making such request shall be entitled to and furnished with a copy of the report of the examination.

Provided however That the charge for examination of building and loan associations shall not exceed the sum of twenty dollars for the first one hundred thousand dollars or fraction thereof of assets of said building and loan association and ten dollars for each additional one hundred thousand dollars or fraction thereof of assets

The expenses incurred in connection with any special examination or investigation of any corporation or person including a proportionate part of the salary of any examiner or other employe of the department engaged in such examination or investigation shall be charged to and paid by such corporation or person

On failure or refusal of any such corporation or person after thirty days written notice to pay any sum lawfully assessed or charged against it or him by the commissioner under the provisions of this clause the commissioner may at his option bring an action at law to recover the same or may take possession of the business and property of such corporation or person as provided in section twenty-one of this act

On the question,

Will the House agree to the bill on third reading?

On the question,

Shall the bill pass finally?

Mr. SCHLEITER. Mr. Speaker, and members of the House, There seems to be an impression among many members of the House that this bill is the Building and Loan code. In order to correct that impression I wish to state that it simply provides for the fees which are to be paid by the Building and Loan associations for their examination. It appears according to the Commissioner of Banking, that the fund which is now collected from the various Building and Loan Associations does not bring enough money into the treasury to cover the costs of the examination, and that examinations now are only made at the rate of 18 months apart. The increase simply provides for the employment of more examiners, and I believe that every well conducted building and loan associations will heartly agree with the provisions of this bill. The fees may seem excessive, the minimum, I believe is $20.00 for the first $100,000 of assets, and $10 for each additional $100,000 or fraction thereof. That should not prove a hardship to any building and loan association, and I certainly hope the members will place themselves on record as being in favor of the passage of this bill.

Mr. BLUETT. Mr. Speaker and members of the House, my recollection is that at the last session of the legislature there was a bill passed providing for the increase at that time of the charges to be made to building and loan associations for examination of their accounts. I protested against it, because I felt that all associations were paying as much as they should pay then for the examination of accounts, and

I think we should take the same course in regard to this bill because it is again increasing the charge of building associations for examination of their accounts. There was a time when building associations paid nothing and it was on the basis that building associations were mutual beneficial associations, for the benefit of the people of our state, to enable them to buy homes and to save their monies, and that if the Commonwealth were obliged to spend a few dollars in the examination of those accounts, it really went back to the benefit of the people themselves.

This bill not only increases the rates from a minimum of $10. per $100,000 to the minimum of $20 per $100,000, but it also has various other provisions in there, one of which, the last clause, gives the right of action for the recovery of it, and also it gives the right to the Banking Commissioner to send a special examiner down at any time that he sees fit and make an additional examination which will involve additional charges, and also to have a certified public accountant to go over the accounts in lieu of the bank examiner. It does seem to me, Mr. Speaker and members of the House, that building associations are already paying enough for the services rendered to them, because in many instances it takes the examiners very little time to examine the accounts, especially if they are well kept by the secretary, and also for the reason that I first stated, that it is for the benefit of the people of our state.

Mr. BALDI. Mr. Speaker, this bill will only give to those who hold shares in building and loan associations just what they think they are getting at the present time. There are in the neighborhood of four thousand building and loan associations in the state of Pennsylvania. The Banking Commissioner finds it impossible to cover every one of those building and loan asociations, so far as inspection is concerned, and asks for an increase from ten to twenty dollars. That amounts to twenty dollars on the first $100,000 as we have heard, and ten dollars for each additional $100,000 and fraction thereof. Now, that alone will give the Banking Commissioner enough money to cover new inspectors. This is only a protection to those, as my good friend before stated, the poor man who is trying to buy a house and save money, in other words, the stockholders of a building and loan. If, at the present time the thought of cutting down the appropriation for the banking department should happen to go through, it would eliminate, or perhaps permit the banking Commissioner to have just the same number of examiners as he has today. By putting this bill through and having it become a law the Banking Commissioner has the privilege and the right to appoint new inspectors in order that he may cover every building and loan in the state of Pennsylvania, solely for the protection of the stockholders.

Now, just a word for the special examination. That is where one or two or a few of the stockholders feel that the association is not as it should be, and upon request to the Banking Commissioner he in turn sends another inspector down, and so far as the extra charges are concerned, there are no extra charges other than where a building and loan might be in a bad condition, and surely the stockholders wont hesitate in paying that extra amount to find out just how weak their association is. I trust that you members of the House will consider this bill and bear one thing in mind, it is nothing more nor less than better protection for the stockholders of the building and loan associations.

Mr. BLUMBERG. Mr. Speaker, to my mind this bill is nothing more or less than an indirect method to tax building and loan associations. As the previous speaker, the first speaker from Philadelphia, has said, building and loan associations are tax exempt because they are purely mutual banking associations; in other words, profits earned by the associations revert to the members alone. In the session of 1921, the act, which is attempted to hereby amend, provided that the minimum on the first $100,000 of assets, or the maximum charge was $5. with a total minimum charge of $10.00. The present amendment provides that the minimum charge shall be $20 for the first $100,000, so that you see in the first $100,000 of the assets of a building and loan association there is an increase of $15.

Pennsylvania is leading in the United States in building and loan associations, and Philadelphia is probably the greatest city in the United States for building and loan associations. The building and loan associations have made Philadelphia a city of homes, and building and loan associations have flourished because they have been tax exempt and because they have not been over-regulated and over-harrassed by the state. How many scandals have you heard in building and loan associations of the 4,000 in the city? I can recall of but one in the city of Philadelphia within the last four years. That can happen, a scandal of that kind may happen whether it is examined once a year or once in three years, in other words it was simply the dishonesty of one of its officers in using his personal checks among the funds of the association. But building and loan associations in Pennsylvania are examined, and they are examined probably annually, sometimes it runs from a year and a year and a half and sometimes two years, but building and loan associations now get paid secretaries who know their work and there is a member of the bar who acts as solicitor and who governs the legal end of it. Now, it seems to me if we are going to, at each successive session, increase the amount necessary for examinations, we are simply taking from the building and loan treasury taxes in the nature of an examination fee. That is to be deplored. I say that building and loan associations have flourished because they have not been taxed and because they have not been over-regulated. I think that this Legislature will make a mistake if we do anything to force building and loan associations to take a step backward.

Mr. MILLER. Mr. Speaker, being connected with a building and loan association, I am safe to say that they are already overloaded. This bill in question is going to get us going, and it is going to get us coming, understand. The gentleman has made the remark that we have not enough examiners and that the bill provides that more examiners be appointed by the Banking Commissioner through this raise from five to twenty dollars. Why, they have got us going and they have got us coming, we are taxed to death as it is.

Mr. JOHN G. MARSHALL. Mr. Speaker, I want to correct two statements that have been made this evening in regard to the law for an examination of building and loan associations. In the first place, the bill that was passed two years ago, if I am correctly informed, did not increase the charge, to wit, the charge for examination of building and loan associations, because at that time there was no charge. There was a bill passed that provided for a minimum charge of ten dollars, and five dollars for each additional one hundred thousand dollars of assets or fraction thereof. This bill does not now under the statement of the gentleman from Philadelphia, increase the cost from five to twenty dollars, but it only increases it ten dollars for the minimum charge, for the reason that the original bill provided that the minimum charge be ten dollars, and in the case of the ten dollars, the bill provides that for the first one hundred thousand dollars, the minimum charge shall be twenty dollars.

Just a word in regard to the bill that we are considering. The facts of the case, members of the House, are that the present charges for the examination of building and loan associations do not begin to pay the cost of the examinations, and what is the result? The result is simply this: That a portion of that additional cost of the examination of building and loan associations in this state at the present time is being paid by the banks and trust companies of this State that are being examined by the State Banking Examiner.

The remainder of the cost is being paid out of the general appropriation, which is passed from time to time by this House, and I submit to the members of this House that building and loan associations are not philanthropic associations of this State. I say, further, it is not right that the banking institutions of this State, or other institutions who are depending upon it through the general appropriation of this Assembly, that they should pay a certain percentage of the examination of building and loan associations, the majority of which are paying more money and a larger percentage of profit to their stockholders than our banks are in this State. I say it is not fair. Perhaps, under the present budget submitted to this House, the appropriation for the banking department is not sufficient to carry on the different expenses of these examinations. The expense is paid by the building and loan associations, and does not come off of the borrowers who are borrowing money and paying in their weekly dues, but it is paid out of the general profit, which in no way affects the stockholders or borrowers of those associations. I hope the members of this House will support this bill, and not only give the Banking Examiner an opportunity to properly examine building and loan associations of this State, which should be done in order to protect the stockholders, but also to give them the justice which should be exercised in that department so far as it relates to trust companies and other banking institutions of this State.

Mr. McCURDY. Mr. Speaker, I represent a county that has forty and some odd building and loan associations. Among that number of associations, I don't know of any that is in bad repute. The building and loan associations of this State are one of the assets of this great Commonwealth of ours. The building and loan associations is a gateway for the working man, the poor man to acquire for himself a shelter, whereby he may house his family and become an interested and intelligent citizen. I don't believe that it is necessary to impose any additional expense upon the management of these building and loan associations. It has a tendency to discourage, and if we discourage the building and loan associations by over-taxation and over-regulation, they will pass out of existence, and we will be at the mercy of some other financial pirates and the industry of home building will be very much relegated to the rear. I believe that we should encourage the building of homes. There is nothing that adds so much to our Commonwealth as that of encouraging its citizens to own a home. When a man becomes a home owner, he becomes an interested citizen, and he takes part in the civic affairs of this great Commonwealth. Ladies and gentlemen, I hope you will vote to defeat this bill.

Mr. BALDI. Mr. Speaker, a few years ago, the number of building and loan associations in the state of Pennsylvania was very small, and I think it is a tribute to the state to maintain such a large number of them at the present time. I think it is no more than right that we meet the spirit of the growth of the building and loan associations. This increase in tax will amount to a very, very small amount to the stockholders, and I trust that you will take that into consideration in considering the bill.

Mr. GUERIN. Mr. Speaker, before this bill was heard in the committee, the members of the Pennsylvania League of Building Associations were present and the secretary of the association and the counsel for the association agreed with the committee that this was a fair charge, and while ten dollars may seem a very large amount, the men who are used to finance and figures will find that it is only one tenth of one per cent. I don't think that any association would hesitate a moment to pay that amount of money for the additional security which it will give to the stockholders of the association.

Mr. DILSHEIMER. Mr. Speaker and ladies and gentlemen of this House, I have been connected with B. & L. associations for quite a number of years. In my experience here in this House, whenever there was a measure of this kind before the House, it always was voted down for the reason that B. & L. associations are the friends of the poor and middle class people. Now, it is not a matter of its effect, it is the danger involved in this bill by taxation to each and every building and loan association. What will be the next? This it only a beginning. I want to say to you gentlemen tonight it is our duty to uphold and protect our building and loan associations in the state of Pennsylvania. They are the friends of the poor working class of people, and the quicker we vote it down and not add more expense thereto, the better it is for us all. I ask you, in all fairness to the B. & L. associations to vote this bill down.

Mr. SPANGLER. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Baldi.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Baldi, permit himself to be interrogated?

Mr. BALDI. Yes, sir.

The SPEAKER. The gentleman will proceed.

Mr. SPANGLER. For information, I would like to ask the gentleman from Philadelphia, Mr. Baldi, whether this measure has the sanction of the banking department?

Mr. BALDI. It does.

Mr. SPANGLER. Does the banking department deem that this legislation is necessary for the better security of building and loan associations?

Mr. BALDI. It does.

Mr. SPANGLER. Mr. Speaker and gentlemen of the House, it appears to me that the extra cost called for by this bill is not very large, and if, in the wisdom of the banking commissioner, he deems it wise that building and loan associations should be protected by having the necessary number of examiners examine their securities, it would be a very small thing for the members of this House to vote in opposition to this measure. I cannot see that the small funds that are asked here are going to injure any banking institution, or any building and loan association, and surely the members in this House can take the word of the Banking Commissioner when he comes in here with a bill in the name of security for the these institutions, and when they say on the floor of this House that a bill that has for its purpose the protection and the security of the principal of the working man's investment, that that is an invasion of his funds and of his savings, it seems to me that that is a most peculiar form of reasoning.

I think the chief aim of every banking institution is to be sure that its principal is safe, and the only way that the banking commissioner can insure the principal of the funds invested in building and loan associations is to see that there are proper inspections of those funds, and that the security

is not jeopardized. I, therefore, feel that the argument presented by the gentleman from Philadelphia, Mr. Baldi and my able friend, the gentleman from Beaver, Mr. Marshall, are unanswerable and should be listened to by the members of this House.

Mr. BLUETT. Mr. Speaker, it is not my thought to question the banking department in asking for additional monies with which to run the department, but it is my thought that building and loan associations, as I said, are mutual beneficial savings associations for the benefit of the poor people of our State, to enable them to buy homes and to save their monies. It has not been so long ago that building associations were so regarded, not only in our State, but also in the United States, and as a consequence, they were exempt from taxation. Recently, however, certain interests have endeavored to bring building associations, for some reason or other, into the class where they will be subjected to taxation the same as banks, as well as the the same as other corporations are taxed. It was with that idea in mind that the original plan of the banking department to tax them a minimum of five dollars was passed. It was with the same idea that the banking department two years ago was opposed when they asked for a minimum charge of ten dollars, and it is with the same idea that they come to you now to pass this bill, because they are continually coming to the Legislature at every session and asking that the taxes, or the charges which are in the nature of a tax, for the examination of building association accounts be increased. I would venture a guess that if we were to pass this legislation now, that two years hence, the banking department will be again coming and asking for another one hundred per cent increase, and then it will not be long before building associations are placed in the same category as other corporations and are taxed in the same manner.

Mr. ARMSTRONG. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Blumberg.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Blumberg, permit himself to be interrogated?

Mr. BLUMBERG. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. ARMSTRONG. I understood the gentleman from Philadelphia to say that he had never known of but one building association in Philadelphia that liquidated?

Mr. BLUMBERG. I said within the past two years.

Mr. ARMSTRONG. Within the past two years. Do you know anything about the Olympic Building & Loan Association of Philadelphia?

Mr. BLUMBERG. No, sir.

Mr. ARMSTRONG. It is now in liquidation by reason of mismanagement, by reason of failure and shortage of $42,000. Have you ever heard of the Home Providers Association?

Mr. BLUMBERG. Yes, I have heard of that association.

Mr. ARMSTRONG. Do you know that it is in process of liquidation.

Mr. BLUMBERG. I can answer the gentleman from Armstrong by saying that out of a total of twenty-five hundred building and loan asociations in Philadelphia, four are in the process of liquidation.

Mr. ARMSTRONG. By reason of mismanagement.

Mr. BLUMBERG. Yes.

Mr. ARMSTRONG. With a total loss of one hundred and thirty-five thousand dollars.

Mr. BLUMBERG. I don't know what their total loss was, but I repeat, as I said, previously that this bill provides only for one examination a year, which substantially building and loan associations are getting now.

Mr. ARMSTRONG. Do you know that the building and loan associations at the present time are only getting an examination once every twenty-two months?

Mr. BLUMBERG. I know that that is not so.

Mr. ARMSTRONG. You do. How often are they being examined?

Mr. BLUMBERG, I am interested in ten building and loan associations in Philadelphia in the capacity of solicitor, and each one of those ten associations have been examined within the past sixteen months.

Mr. ARMSTRONG. Do you know that we appropriated $70,000 in 1921 for the examination of building and loan associations?

Mr. BLUMBERG. I will answer that by saying that if the State appropriated several times that amount, it ought to do it in the nature of encouragement to building and loan associations, that it redounds to the benefit of this State.

Mr. ARMSTRONG. Mr. Speaker and gentlemen of the House, I submit to you whether it would not have been economy on the part of building and loan associations to have the examination about every six months rather than lose, the stockholders lose, the amount of $135,000 by mismanagement.

Mr. HEFFERNAN. Mr. Speaker, and members of the House; at the present time I am treasurer of two building and loan associations of Philadelphia, and have been the organizer of possibly six, but at the present time I am treasurer of three. Our building and loan associations have been examined, possibly, on an average of about every two years, or two and one half years. I think that it is a very good idea to have building and loan associations to be examined more frequently than they are. I don't doubt the sincerity of secretaries of building and loan associations, but in many instances, they are not qualified to produce even a proper and full report. Very often that report is taken from books of the association by those who are able to do so. Every year, at the close of the annual meeting, a committee of three is appointed from the stock holders as an auditing committee. That auditing committee examines the books just as they are presented to them by the secretary, and they take in most instances the word of the secretary for the figures. Now, I think building and loan associations should be examined immediately after the annual report, because the banking department in Harrisburg here expects each secretary at the end of the year to furnish the department with a regular annual statement, and it is required by law that they shall do that at the annual meeting. There is a motion made that the secretary's and treasurer's books shall be examined by an auditing committee and the report of the examination shall be forwarded to Harrisburg to the banking department. The examiner brings that report back to Philadelphia with him, and it is from that report that he begins to examine the books from the last month of the fiscal year. We will say the last month of the year is December. That bank examiner should come along about February or March, I don't think, in my judgment, that over fifteen months should elapse between each examination, because very often in that time there is a change of officers. sometimes new secretaries are elected; sometimes new treasurers are elected and it is well that the banking department keep in touch with all the associations. I am in favor of this bill, and you might think it strange for me to ask to have my own books examined, but as treasurer

of a building society, I feel I owe it to the association to have my books examined every twelve or fifteen months, because when they go out to sell stock to the prospective stockholders, one of the things they say to them is the association is under the care of the bank examiner, and it is a great thing to say that a building and loan association is under the banking department. And what does it mean? The building society of 1500 shares is not considered a very large building society, and that is not a cent a share. We have from two to four to six hundred stock holders. What would two or fifteen dollars be to them to grant that security for the money they have been putting in from month after month, because the shares don't mature for eleven to eleven and one-half years, and it is well for poor people to feel that their money is being well conserved and looked after in proper form. And I think that this bill should pass, because I don't consider that it is too much to examine the books of any association.

Mr. DUNN. Mr. Speaker, ladies and gentlemen of the House, probably the district that I come from is the most important district in regard to building and loan associations that there is in the State of Pennsylvania, because the first building and loan association was instituted and organized in Frankford, my home, probably one hundred years ago. Therefore, we claim that distinction. I judge in my district we have probably twenty-five building and loan associations. While this bill was on the calendar, I received letters from those associations, asking me to vote against this bill. I am a member of a building and loan association, and I have been a director of a building and loan association for twenty-five years. We are looking at it to make homes for working people, and that is right in the location where this building and loan association is planted. We have $1,000,000 worth of assets, and we have over eighteen hundred stockholders, and for twenty-five years, while I have been on the security committee of that association, there is not one of the directors that received a penny, not one of the security committee received a penny for the services rendered. There is not one of the borrowers who wants money for a home that asks for any premium for the monies loaned to them. They come in and ask for $1,500, $2,000 or $2,500, and they get the full amount. We are running it on that principle, because we have been there for fifty-two years, and we are running it on the principle of a mutual association, to help working people in our district to secure homes, and we have been doing that. If I had not promised and mailed that promise to those building and loan associations in my district, that I will vote against this kind of legislation, perhaps I might have considered it differently, but they requested me to vote against this. My association today under the act, pays sixty dollars for the audit, two days, and the examiner comes down there and he gets sixty dollars for it. We increase it almost one hundred per cent, and he will do the work in two days, and I think it is unfair and that the rate at the present time is sufficient.

If our State, on the principle of economy, wishes to cut down the expenses of the Banking Commissioner to force the building and loan associations to pay an additional $100,000 into the banking fund, then it is time for us, as members of this General Assembly, interested in these thousands and thousands of people of our Commonwealth, to give it to the Banking Commissioner out of the funds of the State.

Mr. STOFFLET. Mr. Speaker and members of the House, if the gentlemen of the House keep on talking a little longer, I will find out how many of them are in favor of the building and loan associations. The only interest I have in this bill is that I received letters from every association in my district, asking me to vote against this bill. I didn't ask their reasons. As for myself, I am not interested in building and loan associations. I am no stockholder, but I will be, if I have money enough left at the end of the session. But the whole thing looks to me just a little bit like a certain business transaction that took place many years ago when my grandfather was a young man. In those days, every country store keeper sold liquor. A man by the name of Levers kept a country store in Northampton County up along the Blue Mountains. In the immediate neighborhood lived an old trapper who lived by hunting, fishing and trapping. One day he came down to the store and he said to Mr. Levers, "give me a pound of crackers." Mr. Levers weighed out the crackers, tied them up and put them down on the counter. The old trapper said, "How much are they?" Mr. Levers said, "Ten cents." "What you got in that bottle up there?" Mr. Levers said, "whiskey." "How much is that?" "Ten cents." I have heard that it is more now. "Well," he says, "I believe I'd rather have the whiskey than the crackers." So, Lever says, "All right." He got down the bottle, and the trapper took a drink. After he had taken his drink, he wiped off his mouth and started for the door. Then Mr. Levers said, "Hold on; come back, you forgot something." "No," he says, "I guess not." "Why, you didn't pay me for that whiskey." "Why," he says, "I gave you the crackers for it." "Yes, but you didn't pay me for the crackers." "I didn't get them, either." Then the store keeper got busy. He got his lead pencil, and after he had covered two sheets of paper, he said, "Look here, your arithmetic is all right, but I don't want your business. Get out of here."

Now, no matter how much examination we have of building and loan associations, or how few, this bill plainly increases the cost thereof. We throw all kinds of safeguards around our banks and our bankers and still they go wrong with much greater frequency than our building and loan associations do. I cannot see that this will add one single bit of safety to the stock-holders of the association, and I shall, therefore vote against it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—66.

Armstrong,	Frazier,	Kelly,	Schleiter,
Arthur,	Gallaher,	Kennedy,	Spangler,
Asbury,	Gelder,	Ludlow,	Sprowls,
Aston,	Glasgow,	Marshall, J. G.,	Stark,
Baker,	Golder,	Mathay,	Sterling,
Baldi,	Griffith,	McClure,	Stevens, A. F.,
Behney,	Grimes,	McDaniel,	Thomas, L. D.,
Bidelspacher,	Guerin,	McVicar,	Thomas, M. G.,
Blair,	Haas,	Millar,	Vickerman,
Brown,	Hall,	Morrison,	Wells,
Burchinal,	Harer,	Ogle,	Whitehouse,
Bush,	Heffernan,	Parkinson,	Whiteman,
Chaplin,	Henderson,	Peelor,	Williams, G. W.,
Clutton,	Hetrick,	Pitts,	Wright,
Eaches,	Himes,	Price,	Goodnough,
Earley,	Irvin,	Raymond,	Speaker.
Edmonds,	Keene,	Richards,	

NAYS—128.

Albert,	Fields,	Lafferty,	Perry,
Alexander,	Flinchbaugh,	Lauver,	Posey,
Allman,	Flynn,	Little,	Rinn,
Anderson,	Fowler, A. I.,	Long,	Rippman,
Beaver,	Fowler, D.,	Lucas,	Sample,
Bell, F. A.,	Fratt,	Lynch,	Sarig,
Bell, W. T.,	Gibbon,	Mack,	Sautter,
Bentley,	Gilchrist,	MacKinney,	Schaeffer,
Berger,	Goehring,	Malie,	Schoener,

Betts,	Gorham,	Mangan,	Schwartz,
Bluett,	Goss,	Marcus, J.,	Shambach,
Blumberg,	Greeby,	Marcus, J. C.,	Sheridan,
Boback,	Gundy,	Marshall, W. F.,	Smith, G. A.,
Brenneman,	Haines,	McBride,	Smith, H. J.,
Brewster,	Harter,	McCann,	Smith, H.,
Bromley,	Haslett,	McCaig,	Smith, J. W.,
Brownmiller,	Haws,	McCurdy,	Sowers,
Burns,	Heffran,	McDermott,	Staudenmeier,
Coldsmith,	Heyburn,	McGowan,	Stevens, A. J.,
Conner,	Hollis,	McKim,	Stofflet,
Coyne,	Hontz,	Metcalf,	Stoner,
Craig,	Hoover,	Miller,	Storb,
Diehm,	Howell,	Minehart,	Storer,
Dietz,	Huber,	Moffatt,	Thompson,
Dilsheimer,	Johnson,	Moore,	Walker,
Donahue,	Jones, C. B.,	Munley,	Weamer,
Driggs,	Jones, D. J.,	Myers, G. C.,	Wettach,
Drinkhouse,	Jones, E. P.,	Myers, P. M.,	Williams, J. M.,
Dunn,	Kohler,	Nolte,	Woner,
Eshelman,	Korns,	O'Boyle,	Wood, N.,
Evans, B. P.,	Kunkle,	Orr,	Wood, W. P.,
Evans, J.,	Labar,	Patterson,	Zook,

Less that the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 332, as follows:

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any deed of conveyance or mortgage heretofore executed purporting to be the act and deed of a corporation or specifically therein naming the corporation as the grantor or party of the first part shall have been erroneously executed by failure to affix the coporate seal or otherwise and erroneously acknowledged by any officers of such corporation or shall have been executed and acknowledged by the officers of such corporation in the manner prescribed by law for the execution and acknowledgment of deeds and mortgages by individuals but in such manner as to show that they were signing or acknowledging the said deed or mortgage in their official capacity such deed or mortgage is hereby ratified confirmed and made valid as the act and deed of the corporation and shall be taken to be of the same validity and effect as if properly executed and acknowledged in the manner prescribed by law for the execution and acknowledgment of deeds and mortgages by corporations Provided That no case heretofore judicially decided shall be affected by this act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 192, as follows:

An Act to amend section five of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and eight) entitled "An Act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and eight) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" which reads as follows

"Section 5 Each applicant for examination and registration as a pharmacist shall pay to the Pennsylvania Board of Pharmacy an examination fee of five dollars ($5.00) If the said applicant passes a satisfactory examination and complies with the rules and regulations and with the terms and conditions of this act of Assembly then the said board shall grant the applicant registration and a certificate of competency and qualification as a pharmacist upon the payment of a fee of twelve dollars ($12.00) provided said fee shall be paid to the said board within thirty days of the time that the said applicant is notified that a satisfactory examination has been passed

Each applicant for examination and registration as assistant pharmacist must pay a fee of three dollars ($3.00) to the Pennsylvania Board of Pharmacy and if the said applicant passes a satisfactory examination and complies with the rules and regulation of the Pennsylvania Board of Pharmacy for the enforcement of this act of Assembly and with the terms and conditions of this act of Assembly the said board shall grant the said applicant registration and a certificate of competency and qualification as an assistant pharmacist upon payment of a fee of five dollars ($5.00) provided that said fee shall be paid to the said board within thirty (30) days of the time when the said applicant is notified that a satisfactory examination has been passed"

is hereby amended to read as follows

Section 5 Each applicant for examination and registration as a pharmacist shall pay to the Pennsylvania Board of Pharmacy an examination fee of five dollars ($5.00) If the said applicant passes a satisfactory examination and complies with the rules and regulations and with the terms and conditions of this act of Assembly then the said board shall grant the applicant registration and a certificate of competency and qualification as a pharmacist upon the payment of a fee of twelve dollars ($12.00) provided said fee shall be paid to the said board within thirty days of the time that the said applicant is notified that a satisfactory examination has been passed

Each applicant for examination and registration as assistant pharmacist must pay a fee of three dollars ($3.00) to the Pennsylvania Board of Pharmacy and if the said applicant passes a satisfactory examination and complies with the rules and regulations of the Pennsylvania Board of Pharmacy for the enforcement of this act of Assembly and with the terms and conditions of this act of Assembly the said board shall grant the said applicant registration and a certificate of competency and qualification as an assistant pharmacist upon payment of a fee of five dollars ($5.00) provided that said fee shall be paid to the said board within thirty (30) days of the time when the said applicant is notified that a satisfactory examination has been passed

Any person who has had not less than ten years' practical experience as defined and provided in section four of this act and shall have been engaged in the military or naval forces of the United States for a period of at least one year shall be registered as an assistant pharmacist without examination upon the payment of a registration fee of twenty-five dollars ($25.00) and shall be granted the certificate of competency provided for in this act

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for a third reading.

BILL RECOMMITTED.

Mr BALDI. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation for the purpose of amendment.

Mr. GOLDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 268, entitled:

An Act to repeal the act approved the eleventh day of May one thousand nine hundred twenty-one (Pamphlet Laws four hundred and seventy-nine) entitled "An Act imposing a State tax on anthracite coal providing for the assessment and collection thereof and providing penalties for the violation of this act"

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-nine) entitled an act "Imposing a State tax on anthracite coal providing for the assessment and collection thereof and providing penalties for the violation of this act" be and the same is hereby repealed

Mr. HARER offered the following amendment to be known as section 2.

"Section 2. This repeal shall take effect and become operative on the first day of January, one thousand nine hundred and twenty-five."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section?

It was agreed to.

The title was read as follows:

An Act to repeal the act approved the eleventh day of May, one thousand nine hundred twenty-one, (Pamphlet Laws 479) entitled "An Act imposing a State tax on anthracite coal; providing for the assessment and collection thereof; and providing penalties for the violation of this act."

On the question,

Will the House agree to the title?

Mr. HARER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Add to the title at the end thereof, the following: "and fixing the date when said repeal shall take effect."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Ageeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 423, as follows:

An Act authorizing boards of county commissioners to cooperate with the Bureau of Animal Industry of the Department of Agriculture and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious disease of livestock and poultry

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of county commissioners of any county is hereby authorized to appropriate money from county funds for the purpose of controlling and suppressing dangerous infectious disease of livestock and poultry in cooperation with the Department of Agriculture of Pennsylvania through the Bureau of Animal Industry

Section 2 For the purpose of carrying out the provisions of this act the board of county commissioners may enter into agreements with the Pennsylvania Bureau of Animal Industry concerning terms rules regulations and practices for conducting the work

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 276, entitled:

An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates the procedure upon claims filed therefor the methods for perserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom the lien of taxes for the years one thousand nine hundred and twenty-one one thousand nine hundred and twenty-two and one thousand nine hundred and twenty-three and of municipal claims for work done within six months of the passage of this act and the procedure on tax and municipal claims filed under other and prior Acts of Assembly

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "taxes" as used in this act means any county city borough incorporated town township school bridge road or poor taxes

The word "highway" as used in this act means the whole or any part of any public street public road public lane public alley or other public highway

The words "tax claim" as used in this act mean the claim filed to recover taxes

The words "municipal claim" as used in this act mean the claim filed to recover for the grading guttering macadamizing or otherwise improving the cartways of any public highway for grading curbing recurbing paving repaving constructing or repairing the footways thereof for laying waterpipes gaspipes culverts sewers branch sewers or sewer connections therein for assessments for benefits in the opening widening or vacation thereof or in the changing of watercourses or the construction of sewers through private lands or in highways of townships of the first class or in the acquisition of sewers and drains constructed and owned by individuals or corporations and of rights in and to use the same for the removal of nuisances or for water-rates lighting-rates or sewer-rates

The word "claimant" as used in this act means the plaintiff or use-plaintiff in whose favor the claim is filed as a lien

The word "contractor" as used in this act means the person or persons who are under contract with the legal plaintiff performed the work for which the lien is given

The word "property" as used in this act means the real estate subject to the lien and against which the claim is filed as a lien

The word "owner" as used in this act means the person or persons in whose name the property is registered if

registered according to law and in all other cases means any person or persons in open peaceable and notorious possession of the property as apparent owner or owners thereof if any or the reputed owner or owners thereof in the neighborhood of such property

The word "municipality" as used in this act means any county city borough incorporated town township school district and poor district

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. BLUETT. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special for amendment and hearing.

Mr. DILSHEIMER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 329 (Senate Bill No. 69), entitled:

An Act relating to the incorporation of banks and trust companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 411, as follows:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the laws relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand one hundred and five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 1105 Townships of the first class may construct sewers and drains in any street or alley or through or on or over private property The costs damages and expenses of the construction of any such sewers or drains shall be assessed upon the properties accommodated or benefited in either of the following methods

(a) By an assessment pursuant to township ordinance of each lot or piece of land in proportion to its frontage abutting on the sewer allowing such reduction in the case of properties abutting on more than one sewer as the ordinance may specify No assessment by frontage shall be made on properties of such a character as not to be lawfully subjected to such manner of assessment and each abutting property shall be assessed with not less than the whole amount of the benefit accruing to it and legally assessable

(b) By an assessment upon the several properties abutting on the sewer in proportion to benefits the amount of the charge on which property shall be ascertained as provided in Sections five hundred and fifty-three to five hundred and sixty-four both inclusive of this act

(c) When a township is divided into sewer districts the assessment in each district may be by different methods or the different methods of assessment may be used in the same district

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 277, entitled:

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefore the methods of preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales and its supplements and amendments thereto and providing for their collection

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all liens heretofore filed in the office of the Prothonotary of the various counties by any city of this Commonwealth after the passage of the act of assembly approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred and eighty-nine) entitled "An Act providing when how and to what extent liens upon seated real property shall be allowed for county bridge road borough incorporated town township school district and poor taxes the procedure upon tax claims filed therefor the methods for preserving such tax liens and enforcing payment of such liens the effect of judicial sales of the property liened and the manner of distributing the proceeds of such sale" be and the same are hereby validated and made effectual as if the above said act had not been passed

All such tax liens so filed in the office of the Prothonotary by any of the cities of this Commonwealth shall be collected in the manner provided in the act of assembly approved the fourth day of June one thousand nine hundred and one (Pamphlet Laws page three hundred sixty-four) entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the property liened and the manner of distributing the proceeds of such sales" and its several supplements and amendments thereto and with like force and effect as if the said act of May twenty-fourth one thousand nine hundred and twenty-one (Pamphlet Laws page one thousand eighty-nine) had not been passed Provided the tax liens in all other respects be legal and valid and provided further that this act shall not apply to any case already adjudicated or to any suits now pending and undetermined

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. BLUETT. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special for a hearing and amendment.

Mr. DILSHEIMER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 280, as follows:

An Act providing for the assessment and collection as benefits from the abutting property owners of the borough's share of the cost of the improvement of a street which forms part of a State Highway where such improvement has been heretofore made by the State Highway Department

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore the State Highway Department has permanently improved a defined width of any street in a borough which street constitutes a section or part of a State Highway and the borough has agreed by ordinance with the State Highway Department to pay a part of the cost of the improvement so made if the borough has failed to pay its part of such permanent improvement so agreed upon or has neglected to pass any ordinance assessing the cost thereof or any part of the cost thereof on the owners of real estate abutting on the line of the improvement or has not had authority by law to assess the cost of such permanent improvement upon the real estate abutting on the improvement such borough is hereby authorized to nereafter provide by ordinance for the assessment by the foot-front rule of the part of the cost of the permanent improvement so made by the State Highway Department and agreed to be paid by the borough upon the owners of real estate abutting on the improvement or to so assess any part of the cost of such improvement

Section 2 The proceedings in any such case shall be the same as is now provided by law for the assessment and the collection of the cost of improving any additional width of any street in any borough constituting a section or a part of a State Highway by the State Highway Department where by law the cost of such additional width may be collected by assessment by the foot-front rule from real estate abutting along the improvement

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 79, as follows:

An Act to promote the public health by providing for one day of rest in seven for employes in certain employments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every employer of labor whether a person partnership or corporation engaged in carrying on any factory or mercantile establishment in this State shall allow every person except those specified in section two employed in such factory or mercantile establishment at least twenty-four consecutive hours of rest in every seven consecutive days No employer shall operate any such factory or mercantile establishment on Sunday unless he shall have complied with section three Provided however That this act shall not authorize any work on Sunday not now authorized by law

Section 2 This act shall not apply to

(1) Janitors

(2) Watchmen

(3) Employes whose duties include no work on Sunday other than

(a) Setting sponges in bakeries

(b) Caring for live animals

(c) Maintaining fires

(d) Superintendents or foremen in charge

(e) Employes in dairies creameries milk condensaries milk power factories milk sugar factories milk shipping stations butter and cheese factories ice cream manufacturing plants and milk bottling plants where not more than seven persons are employed

Section 3 Before operating on Sunday every employer shall post in a conspicuous place on the premises a schedule containing a list of his employes who are required or allowed to work on Sunday and designating the day of rest for each and shall file a copy of such schedule with the Commissioner of Labor The employer shall promptly file with the said commissioner a copy of every change in such schedule No employe shall be required or allowed to work on the day of rest so designated for him If there shall be practical difficulties or unnecessary hardships in carrying out the provisions of this section the Industrial Board may make a variation therefrom if in the opinion of a majority of the members of the said board after due hearing upon petition filed such variation may be warranted and if the spirit of the act will be observed and substantial justice done Such variations shall be by resolution adopted by a majority vote shall describe the condition under which it shall be permitted and shall apply to substantially similar conditions The variations shall be published in the same manner as the rules and regulations of the board and a properly indexed record of variations shall be kept by the board

Section 4 Every employer shall keep a time-book showing the names and addresses of all employes and the hours worked by each of them in each day and such time-book shall be open to inspection by the Commissioner of Labor

Section 5 Every employer who violates the provisions of this act or any of them shall be liable to the State for a penalty of one hundred dollars for each offense recoverable by civil action by the Commissioner of Labor

Section 6 This act shall take effect on the first day of January one thousand nine hundred and twenty-four

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 203, as follows:

An Act relating to and regulating the speed of motor vehicles driven through cemeteries and burial grounds and providing penalties for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person shall drive a motor vehicle through any cemetery or burial ground at a rate of speed exceeding one mile in six minutes Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof in a summary proceeding shall be sentenced to pay a fine of not exceeding one hundred dollars and in default of the payment of such fine and costs of prosecution be imprisoned for a period not exceeding thirty days and the court in which such conviction is had shall certify such conviction to the State Highway Commissioner who shall suspend or revoke the license issued to such person for a period of one year following such suspension or revocation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 425, entitled:

An Act to amend an act approved the ninth day of April one thousand nine hundred and thirteen (Pamphlet Laws forty-six) entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That part of section one of the act approved the ninth day of April one thousand nine hundred and thirteen (Pamphlet Laws forty-six) entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department" which was amended in part by the act approved the twenty-eighth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and forty-one) entitled "An Act to amend an act approved the ninth day of April one thousand nine hundred and thirteen (Pamphlet Laws page forty-six) entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department" is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of June one thousand nine hundred and thirteen the clerks and other employes in the Department of the Auditor General and their salaries shall be as follows

A revenue deputy at seven thousand five hundred dollars ($7,500) per annum

A disbursing deputy at seven thousand five hundred dollars ($7,500) per annum

An assistant deputy at six thousand dollars ($6,000) per annum

A chief clerk at three thousand five hundred dollars ($3,500) per annum

Ten additional clerks who may be assigned by the Auditor General to any bureau as needed each the sum of one thousand five hundred dollars ($1,500) per annum

Three filing index clerks each at one thousand four hundred ($1,400) per annum

Two stenographers each at one thousand five hundred dollars ($1,500) per annum

One stenographer at one thousand four hundred dollars ($1,400) per annum

One messenger at one thousand two hundred dollars ($1,200) per annum

One night watchman at nine hundred dollars ($900) per annum

On the question,

Will the House agree to the section?

Mr. BEHNEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 26, by inserting after the word "filing" the following: and

Amend section 1, page 2, line 27, by inserting after the word "hundred" the following: dollars

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend an act, approved the ninth day of April, one thousand nine hundred and thirteen, (Pamphlet Laws forty-six), entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department."

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 433, entitled:

An Act to amend section one of an act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and sixty-seven) entitled "An Act to amend sections two and three of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and nineteen) entitled 'An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies' as amended by imposing certain duties on all persons having charge of dead human bodies required to be buried at the public expense requiring immediate notice of all such bodies limiting the time within which bodies may be claimed fixing the expense of burial on claimants and taking away the preference of incorporated anatomical societies colleges physicians and surgeons of the county wherein the death occurs"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and sixty-seven) entitled "An act to amend sections two and three of an act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and nineteen) entitled 'An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies' as amended by imposing certain duties on all persons having charge of dead human bodies required to be buried at the public expense requiring immediate notice of all such bodies limiting the time within which bodies may be claimed fixing the expense of burial on claimants and taking away the preference of incorporated anatomical societies schools colleges physicians and surgeons of the county wherein the death occurs" is hereby amended to read as follows

Section 2 All public officers agents and servants and all officers agents and servants of any and every county city township borough district and other municipality and of any and every almshouse prison morgue hospital or other municipality or other public institution and all other persons having charge or control over dead human bodies required to be buried at the public expense are hereby required to immediately notify the said board of distribution or such person or persons as may from time to time be designated by said board or its duly authorized officers or agent whenever any such body or bodies come to his or their possession charge or control and shall without fee or reward deliver such body or bodies and permit and suffer the said board and its agents and the physicians and surgeons from time to time designated by them who may comply with the provisions of this act to take and remove all such bodies to be used within the State for the advancement of medical science Such notice shall be given to the board of distribution in all cases but no such body shall be delivered if any relative by blood or marriage shall claim the body for burial at the expense of such relative within seventy-two hours after death but the body shall be surrendered to said claimant for interment nor shall any such body be delivered if any friend or any representative of a fraternal society of which deceased was a member or a representative of any charitable organization shall claim the said body for burial within seventy-two hours after death said burial to be at the expense of such friend fraternal society or charitable organization nor shall the body be delivered if said person was a traveller who died suddenly or was an honorably discharged soldier sailor or marine of the United States or of the militia of the State of Pennsylvania in which case said body shall be buried in accordance with the provisions of existing laws In case of the death of any person whose body is required to be buried at the public expense and the duly authorized officer or agent of the board deems such body unfit for anatomical purposes he shall notify in writing the poor directors over-

seers or in counties in which there are no poor directors or overseers then the county commissioners of the county where such person died who shall direct some person to take charge of the body of such deceased indigent person and cause it to be buried and draw warrants upon the treasurer of their county for the payment of such expenses which expenses shall not be less than thirty-five dollars nor more than fifty dollars on each body buried in accordance with the provisions of this act except in all counties of the first and second class where the Coroner of such county having the custody or control of the body of such deceased indigent person shall direct some person to take charge of the body and cause it to be buried and shall draw warrants upon the Treasurer of the county for the payment of such expense which expense shall not be less than five dollars nor more than ten dollars for each body buried in accordance with the provisions of this act

Wherever through the failure of any person to deliver the body of a deceased indigent as required by this act such body shall become unfit for anatomical purposes and is so certified by the duly authorized officer or agent of said board of distribution such body shall be buried in accordance with the provisions of this act and the person so failing to deliver such body shall pay to the county treasurer the expense so incurred and upon the refusal or failure of such person on demand to pay such expenses the poor directors or overseers or in counties in which there are no poor directors or overseers then the county commissioners shall bring suit to recover the same to be recovered as debts of like amount are by law collectible

On the question,

Will the House agree to the section?

Mr. GOLDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 27, by removing the underscoring from under the words "and all other"

Amend section 1, page 3, line 1, by removing the underscoring from under the word "persons"

Amend section 1, page 3, lines 14 and 15, by striking out the words in brackets "but no such notice need be given nor shall any such body"

Amend section 1, page 3, line 15, by removing the underscoring from under the words "Such notice shall be given to the"

Amend section 1, page 3, line 16, by striking out the underscoring under the entire line.

Amend section 1, page 3, lines 18 and 19, by striking out the words in brackets "within a reasonable time which shall not be less than forty-eight hours"

Amend section 1, page 3, line 19, by striking out the underscoring under the words "at the expense of"

Amend section 1, page 3, line 20, by striking out the underscoring under the words "such relative"

Amend section 1, page 3, line 20, by inserting before the word "seventy-two" the following: "thirty-six"

Amend section 1, page 3, lines 26 and 27, by striking out the following: "a reasonable time which shall not be less than forty-eight."

Amend section 1, page 3, line 27, by inserting before the word "seventy-two" the following:

"twenty-four"

Amend section 1, page 4, line 1, by striking out the following: "the notice be given or"

Amend section 1, page 4, line 1, by striking out the underscoring under the words "the body of"

Amend section 1, page 4, line 2, by underscoring the words "a traveller who died suddenly or was"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of an act approved the twentieth day of April, one thousand nine hundred and twenty-one, (Pamphlet Laws 167), entitled "An Act to amend sections two and three of the act, approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and nineteen), entitled 'An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies,' as amended, by imposing certain duties on all persons having charge of dead human bodies required to be buried at the public expense; requiring immediate notice of all such bodies; limiting the time within which bodies may be claimed; fixing the expense of burial on claimants; and taking away the preference of incorporated anatomical societies, schools, colleges, physicians, and surgeons of the county wherein the death occurs."

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. GOLDER. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. BALDWIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 325 as follows:

An Act to require counties to cause the graves of honorably discharged soldiers sailors and marines to be decorated with flags on Memorial Day

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the county commissioners of each county to provide flags on each Memorial Day with which to decorate the graves of all honorably discharged soldiers sailors and marines buried within the county The flags to be used for said purposes shall be of one standard size and shall be purchased at the expense of the county from moneys in the county treasury

Section 2 The said flags shall be furnished to various veterans organizations in such numbers as they shall require for their respective communities

Section 3 The moneys expended by any county under the provisions of this act shall be in addition to moneys now required or permitted by law to be appropriated by counties for Memorial Day purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 225, as follows:

A Supplement to an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-three) entitled "An Act constituting a commission to make an investigation of the battlefields of France and Belgium and to select points for the erection of monuments and markers of appropriation design to commemorate the achievements of Pennsylvania soldiers during the World War defining the powers and duties of the commission and making an appropriation" continuing said commission providing for the erection of certain memorials in France and Belgium and making an appropriation

Whereas The commission appointed in accordance with the provisions of the act of May twenty-seventh one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-three) to make an investigation of the battlefields of France and Belgium and to select points for the erection of monuments and markers has made its report to the General Assembly in accordance with said act and

Whereas Said commission has in its report indicated the points where it recommends that memorials be erected the character of each memorial and the approximate cost thereof and

Whereas Said members of the commission by reason of their services in the World War and the results of their investigations as noted in the report referred to above are familiar with the battlefields of France and Belgium and the services of the Pennsylvania soldiers sailors and marines and

Whereas Said commission has lived within the appropriation made by the General Assembly of one thousand nine hundred twenty-one and has a balance left to be returned to the treasury of the Commonwealth therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the commission appointed by the Governor pursuant to the provisions of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-three) entitled "An Act constituting a commission to make an investigation of the battlefields of France and Belgium and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War defining the powers and duties of the commision and making an appropriation" to which this is a supplement shall be continued and such commission shall proceed to carry into effect the provisions of said act and shall provide for the purchase erection construction and dedication of the following memorials in France and Belgium

(1) The purchase of the Chateau Site adjoining the Place du Chateau from the town of Varennes Department of Meuse France and the erection thereon of a State memorial in honor of the citizen of Pennsylvania who served on the battlefields of France and Belgium and to perpetuate the memories of those who fell in the War against Germany and her allies

(2) The construction and erection of a bridge spanning the Vesle River between Fismes and Fismettes Department of Aisne in France to replace the wooden bridge built by the United States Army Engineers (still in use) as a memorial to the twenty-eighth division formerly the National Guard Pennsylvania

(3) The construction and erection of a memorial monument at Montfaucon Department of Meuse in France in honor of Pennsylvanians who served in the seventy-ninth division

(4) The construction and erection of a memorial monument at Nantillois Department of Meuse in France in honor of Pennsylvanians who served in the eightieth division and

(5) The construction and erection of a memorial monument at Audenarde in Belgium in honor of the fifty-third field artillery brigade withdrawn from the twenty-eighth division and transferred to the ninety-first division in Belgium

Section 2 The commission continued by this act shall serve without compensation and shall have and possess all the powers granted by the act to which this is a supplement and shall have power to enter into such contracts as may be deemed necessary to acomplish the purposes for which it was created and continued

Section 3 The sum of three hundred thousand dollars ($300,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission for the purposes of the erection construction and dedication of said memorials and the expenses of the commission incident thereto and in the expenditure of said appropriation including all expenses approximately the following sums from said appropriation shall be set aside for the said memorials

(1) State Memorial at Varennes one hundred and eighty thousand dolars ($180,000)

(2) Twenty-Eighth Division Memorial Bridge at Fismes Fismettes thirty thousand dollars ($30,000)

(3) Seventy-Ninth Division Memorial Monument at Montfaucon fifty-five thousand dollars ($55,000)

(4) Eightieth Division Memorial Monument at Nantillios France twenty thousand dollars ($20,000) and

(5) Fifty-third Field Artillery Brigade Memorial Monument at Audenarde Belgium fifteen thousand dollars ($15,000)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 8, entitled:

An Act empowering the State Treasurer to procure bonds for State officers and employes

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Treasurer shall procure from a corporation or corporations authorized by law to act as sureties in the Commonwealth good and sufficient bonds which shall be approved by the Attorney General to meet the requirements of law in the case of all State officers and employes required by statute to give bond to the Commonwealth for the faithful performance of their official duties The cost of said bonds shall be paid out of a specific appropriation to be made to the State Treasurer Such bonds shall be placed in the care custody and safe keeping of the State Treasurer

On the question will the House agree to the section?

BILLS RECOMMITTED.

Mr. VICKERMAN. Mr. Speaker, I move this bill be recommitted to the Committee on Judiciary Local.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. DRINKHOUSE. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to, and (at 10:45 P. M.) the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

TUESDAY, MARCH 6, 1923.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our heavenly Father, we thank Thee for the multitude of Thy mercies. We are grateful for the everyday blessings that sometimes seem so common that we are tempted to overlook their real value. We thank Thee for health and strength, for food and raiment and for shelter; and then we praise Thee for the privilege of living in this age and in this land, the land where every door of opportunity is wide open; and then we thank Thee for the hope of that day that reaches out beyond the present world and the present life. May we prove our gratitude, not only with the tribute of our lips, but with the gratitude of our hearts and lives. May Thy blessing rest upon the Senate during this day's session. Bless our Commonwealth, our nation and all nations of the world. For Jesus Christ's sake. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE.

Mr. CLARK asked and obtained leave of absence for the Senator from Cambria, Mr. Stineman.

REPORTS FROM COMMITTEES.

Mr. CRAIG, from the Committee on Judiciary General, reported as committed, Senate Bill No. 263, entitled:

An Act to amend section one of an act approved the eighth day of May, one thousand nine hundred and nine, (P. L. 475), entitled "An Act to provide that admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself, without more, operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth; and to provide that disbarment or suspension of any attorney by the said Supreme Court shall of itself, without more, operate as a disbarment or suspension of such attorney as an attorney in every other court of this Commonwealth," as amended; by requiring the approval of the local board of examiners to entitle attorneys-at-law to practice before the different courts.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 231, (House Bill No. 279), entitled:

An Act to amend section forty-one, paragraph (a) one of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitition of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees thereof; for appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphan's court in all matters relating to fiduciaries concerned with the estates of decedents," making bonds and certificates of poor districts legal investments for trust funds.

Mr. STEELE, from the Committee on Education, reported as committed, Senate Bill No. 223, entitled:

An Act to amend sections one thousand one hundred and seven, one thousand one hundred and nine, one thousand one hundred and seventeen, and one thousand one hundred and twenty-one, as amended and section one thousand one hundred and thirty-one of the act approved May 18, 1911, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith."

Mr. PHIPPS, from the Committee on Military Affairs, reported as committed, Senate Bill No. 232, (House Bill No. 297), entitled:

A Joint Resolution proposing an amendment to article nine, section one, of the Constitution of the Commonwealth of Pennsylvania, so as to permit the exemption from taxation of real and personal property owned, occupied or used by

any branch or post or camp of the Grand Army of the Republic, the Spanish-American War Veterans, the American Legion, the Veterans of Foreign Wars, and the Military Order of the Loyal Legion of the United States.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 229, (House Bill No. 211), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania, for any lawful purpose defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto making an appropriation of the proceeds of such bonds for the purposes intended providing for the payment of interest on, and the redemption of, such bonds by the Sinking Fund Commission and fixing the compensation of the loan and transfer agent of the Commonwealth in connection therewith.

Mr. MILLER, from the Committee on Education, reported as committed, Senate Bill No. 271, (House Bill No. 220), entitled:

An Act to amend section one hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Mr. LONG, from the Committee on Judiciary General, reported as committed, Senate Bill No. 124, (House Bill No. 15), entitled:

An Act providing the method in which amendatory legislation shall be printed in the session laws and for the interpretation thereof. Whereas the Constitution of the Commonwealth in Article 3 Section 6 provides "No law shall be revived amended or the provisions thereof extended or conferred by reference to its title only but so much thereof as is revived amended extended or conferred shall be re-enacted and published at length" and Whereas said section in the case of amendatory laws provides only for the re-enactment of the part of law amended and not for a recital of the part of the existing law which is amended therefore.

Mr. LESLIE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 274, (House Bill No. 364), entitled:

An Act relating to the recording of the certificates of incorporation of domestic corporations, providing for the recording of certified copies thereof in certain cases, validating the recording of such certified copies heretofore recorded and making the record of such certified copy competent evidence for all purposes.

Mr. CLARK, from the Committee on Education, reported as committed, Senate Bill No. 129, entitled:

An Act to amend sections five hundred and forty and five hundred and forty-one as amended, of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. DAIX, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 214, (House Bill No. 122), entitled:

An Act to regulate and restrain the hawking, vending and peddling of fish, fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth.

Mr. MacDADE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 225, (House Bill No. 372), entitled:

An Act to amend section forty-five of an act approved the fifteenth day of April, one thousand eight hundred and thirty-four (Pamphlet Laws five hundred nine), entitled "An Act relating to county rates and levies and township rates and levies," by removing the exemption of females from arrest and imprisonment for non-payment of taxes.

BILLS INTRODUCED.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 278, entitled:

An Act authorizing the Governor to appoint a commission which, with a similar commission of the State of New Jersey, is authorized to acquire, purchase, maintain, and operate ice boats on the Delaware River to keep said river open to navigation.

Which was committed to the Committee on Appropriations.

Mr. ARON read in his place and presented to the Chair Senate Bill No. 279, entitled:

An Act making an appropriation to the Children's Homeopathic Hospital, of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. NORTON read in his place and presented to the Chair Senate Bill No. 280, entitled:

An Act making an appropriation to the Reading Hospital, of Reading, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. STEELE read in his place and presented to the Chair Senate Bill No. 281, entitled:

An Act to establish as a State Highway a certain section of public road in the county of Snyder.

Which was committed to the Committee on Public Roads and Highways.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 282, entitled:

An Act concerning liability for participation in branches of fiduciary obligations and to make uniform the law with reference thereto.

Which was committed to the Committee on Judiciary General.

Mr. BROWN read in his place and presented to the Chair Senate Bill No. 283, entitled:

An Act making an appropriation to the Brownsville General Hospital, Brownsville, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 284, entitled:

An Act making an appropriation to the Cottage State Hospital, Cottage Avenue, Connellsville, Fayette County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 285, entitled:

An Act making a deficiency appropriation to the Cottage State Hospital, situated in Connellsville, Fayette County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 286, entitled:

An Act making an appropriation to the Punxsutawney Hospital Association, of Punxsutawney, Jefferson County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 287, entitled:

An Act relating to the preparation of a new Constitution of the Commonwealth by a convention and its adoption or rejection by the people, and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 288, entitled:

An Act making an appropriation to the Berwick Hospital, Berwick, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 289, entitled:

An Act to amend section one of the act approved the twenty-second day of April, one thousand nine hundred and fifteen, (P. L. 1), entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry; fixing their duties and salaries, and increasing the salaries of the chief medical inspector, chief of the bureau of statistics and information, and the chief clerk;" by providing for additional supervising inspectors.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 290, entitled:

An Act making an appropriation to the Bloomsburg Hospital, Bloomsburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. JOYCE read in his place and presented to the Chair Senate Bill No. 291, entitled:

An Act to amend section one of the act approved the twenty-third day of May, one thousand nine hundred and seven, (P. L. 225), entitled "An Act providing for the payment of the premiums on bonds of county, city, borough, school-district, and township employes;" extending the provisions thereof to officers.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 292, entitled:

An Act to amend section ten of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 293, entitled:

An Act to amend section six of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled, "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 294, entitled:

An Act to amend sections two and five of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 473), entitled "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors or marines, designated as 'deceased service men'; defining the term 'deceased srvice man'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

Which was committed to the Committee on Military Affairs.

Also read in his place and presented to the Chair Senate Bill No. 295, entitled:

An Act to repeal the act approved the eighth day of June, one thousand nine hundred and fifteen, (P. L. 915), entitled "An Act to fix the salaries of the deputies in the offices of the clerk of the courts, county controller, recorder of deeds, county treasurer, chief deputy sheriff, and chief clerk to the county commissioners, in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population."

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 296, entitled:

An Act to amend section two of the act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 94), entitled "An Act authorizing the establishment by counties of hospitals, for the treatment of persons afflicted with tuberculosis: providing for the management and maintenance thereof; and authorizing the incurring of indebtedness and the levy of taxes therefor," by empowering the county commissioners and county controller, where such office exists, to take by eminent domain proceedings land necessary for the establishment of such hospitals; giving the board of trustees power concurrent with the county commissioners and county controler in reference to the planning and construction of such hospitals.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 297, entitled:

An Act to quiet the title to real estate; and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has formerly been held or conveyed by, to, or for corporations not authorized by law to hold the same.

Which was committed to the Committee on Judiciary General.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 298, entitled:

An Act making an appropriation to the Lancaster General Hospital, Lancaster, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 299, entitled:

An Act making an appropriation to the Home for Friendless Children, of Lancaster, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 300, entitled:

An Act making an appropriation to the Thaddeus Stevens Industrial School of Pennsylvania, at Lancaster, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. DAVIS read in his place and presented to the Chair Senate Bill No. 301, entitled:

An Act authorizing the several counties, incorporated towns, and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans, and of the Army of the Philippines, and to each post of the American Veterans of Foreign Service, in the respective counties, boroughs, and towns, to aid in defraying the expenses of Memorial Day.

Which was committed to the Committee on Military Affairs.

Also read in his place and presented to the Chair Senate Bill No. 302, entitled:

An Act authorizing and empowering the county treasurers in counties of the third class to appoint a solicitor prescribing his duties, and providing for the compensation of such solicitor.

Which was committed to the Committee on Judiciary General.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 303, entitled:

An Act to amend section 3 and section 4 of an act approved the fifth day of May one thousand nine hundred and twenty-one entitled "An Act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith a contract based upon payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties."

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 304, entitled:

An Act making an appropriation to the Polyclinic Hospital of the University of Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 305, entitled:

An Act making an appropriation to the Medico Chirurgical Hospital of the University of Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 306, entitled:

An Act making an appropriation to the Hospital of the University of Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 307, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the Graduate School of Medicine.

Which was committed to the Committee on Appropriations.

TIME OF NEXT MEETING.

Mr. DAIX offered the following resolution, which was twice read, considered and agreed to.

Resolved (If the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening March Twelfth at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March Twelfth at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECONSIDERATION OF MOTION TO APPOINT COMMITTEE OF THREE TO INQUIRE INTO ARTICLE PUBLISHED IN THE NORTH AMERICAN.

Mr. SCHANTZ. Mr. President, I move to reconsider the vote by which the President was authorized to appoint a committee of three to make inquiry into the article contained in the North American on Friday, March 2, 1923.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the motion?

Mr. SCHANTZ. Mr. President, I ask unanimous consent to withdraw the motion.

The PRESIDENT. Is there objection? The Chair hears none.

VOTE OF CONFIDENCE IN OFFICERS OF THE SENATE.

Mr. SNYDER: Mr. President, after carefully reading over the bill of particulars as prepared by United States District Attorney Coles in connection with the publication of the article contained in the North American on Friday last, and after hearing the statement made by Senator Eyre, I am fully convinced that it is not necessary to make further inquiry into the situation.

I therefore move that the Senate hereby express its entire confidence in the interity and honesty of the officers of this Senate whose names were mentioned in the publication referred to.

Mr. JONES. Mr. President, I take great pleasure in seconding the motion.

The motion was agreed to.

RECESS.

Mr. CRAIG. Mr. President, I move that the Senate do now take a recess for fifteen minutes for the purpose of giving an opportunity to present testimonial to the Honorable Edward E. Beidleman, formerly Lieutenant-Governor of the Commonwealth, and that the Chair appoint a Committee of three senators to escort Lieutenant-Governor Beidleman to the Senate Chamber.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair appoints the Senator from Beaver, Mr. Craig, the Senator from Lycoming, Mr. Sones, and the Senator from Dauphin, Mr. Smith, as a committee to wait upon Mr. Beidleman and escort him to the Senate Chamber.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate wil be in order.

MOTION TO PRINT IN LEGISLATIVE JOURNAL PROCEEDINGS ATTENDING PRESENTATION OF TESTIMONIAL TO HONORABLE EDWARD E. BEIDLEMAN.

Mr. DAIX. Mr. President, having been in recess during the presentation of testimonial to the Honorable Edward E. Beidleman, I move you that the proceedings which attended the same be transcribed and printed in the Legislative Journal.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 85, as follows:

An Act authorizing cities of the third class to regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of promoting the public health safety order convenience prosperity and general welfare cities of the third class may by ordinance regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces therein and may make different regulations for different districts thereof and may alter the same but no alteration of such regulations may be made except by the affirmative vote of not less than two-thirds of the elected or appointed members of the council or other local legislative body having jurisdiction

Section 2 It shall be the duty of the city planning commission of said cities where such bodies exist of a committee of the council or such other commission or committee as may be created by the council for the purpose to recommend to the council the boundaries of districts and appropriate regulations and restrictions to be imposed therein Such body shall make a tentative report and hold public meeting thereon before submitting its final report at such time as the council may require after such final report council shall afford persons interested an opportunity to be heard at a time and place to be specified in a notice of hearing to be published for ten consecutive days in a daily newspaper or newspapers of general circulation in said cities And the said cities shall not determine the boundaries of any district nor impose any regulations or restrictions until after the final report and after said hearing before council

The council of said cities may from time to time after public notice and hearing amend supplement or change said regulations restrictions or district boundaries Provided That if a protest against a proposed amendment supplement or change be presented duly signed by the owners of twenty per centum or more of the frontage proposed altered or by the owners of twenty per centum of the frontage immediately in the rear thereof or by the owners of twenty per centum of the frontage directly opposite the frontage proposed to be altered a three-fourths vote of the members of council shall be required

Section 3 This act shall not apply to any existing or proposed building or extension thereof used or to be used by public service corporations if upon petition of the corporation the Public Service Commission shall after a public hearing decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Salus,
Baldwin,	Derrick,	Leslie,	Schantz,
Barr,	DeWitt,	Long,	Sisson,
Berntheizel,	Eyre,	MacDade,	Smith,
Betts,	Harris,	Mansfield,	Snyder,
Brown,	Heaton,	McClintock,	Sones,
Buckman,	Homsher,	McNichol,	Sprowls,
Christley,	Jones,	Miller,	Steele,
Clark,	Joyce,	Norton,	Stites,
Craig,	Krause,	Patton,	Weaver,
Culberston,	Kutz,	Phipps,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators haying voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 112, entitled:

An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed for purposes which have been proved or may prove impracticable, impossible or inadvisable, for any other lawful municipal purpose; or to provide for the cancellation of the authority to borrow such moneys.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Salus,
Baldwin,	Derrick,	Leslie,	Schantz,
Barr,	DeWitt,	Long,	Sisson,
Berntheizel,	Eyre,	MacDade,	Smith,
Betts,	Harris,	Mansfield,	Snyder,
Brown,	Heaton,	McClintock,	Sones,
Buckman,	Homsher,	McNichol,	Sprowls,
Christley,	Jones,	Miller,	Steele,
Clark,	Joyce,	Norton,	Stites,
Craig,	Krause,	Patton,	Weaver,
Culberston,	Kutz,	Phipps,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 131, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved April 20, 1874, entitled "An Act to regulate the manner of increasing

the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. STITES. Mr. President, I ask unanimous consent to amend section 1, page 2, line 9, by striking out the word "each" and inserting in lieu thereof the word "such"; also page 3, line 3, by inserting after the word "holding" the words "mode of conducting"; also line 3, by inserting after the word "election" the words "or in the form of the ballot"; also line 7, by striking out the word "or" after the word "statement" and inserting in lieu thereof the word "on"; also line 7, by striking out the last word in the line "all" and inserting in lieu thereof the word "All"; also line 7, by inserting after the word "ballots" the following: "and notwithstanding and discrepancy between the amount of the proposed increase of indebtedness as contained in the published and posted advertisements and in the printed ballot"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1, as follows:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of one hundred millions of dollars for the improvement of the highways of the Commonwealth

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section four of article nine which reads as follows

"Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repeal invasions insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth" be amended so as to read as follows

Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenues repeal invasions suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenues shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of one hundred millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 11, as follows:

An Act authorizing the Governor to appoint a commission to provide for the construction erection and dedication of a memorial to Joseph T. Rothrock and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is hereby authorized to appoint a commission of five citizens to be known as the "Joseph T Rothrock Memorial Commission" The commission shall organize by the election of a chairman and secretary The commission is authorized to secure a boulder from any of the State forest lands and locate the same in an appropriate spot in the borough of McVeytown in the county of Mifflin as a memorial commemorating the services to the forestry interests of the State of Joseph T. Rothrock an early pioneer in forestry in Pennsylvania

Section 2 The sum of fifteen hundred dollars ($1,500) or so much thereof as may be necessary is hereby appropriated to the commission Payments from said appropriation shall be made in the usual manner by warrant of the Auditor General drawn on the State Treasurer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 31, as follows:

An Act authorizing the Governor to appoint a Commission to provide for the construction erection and dedication in the city of Chester of a monument to the memory of John Morton and making an appropriation

Whereas John Morton a citizen of the State of Pennsylvania was a member of the first American Congress which assembled in New York in the year one thousand seven hundred and sixty-five and of the second American Congress which assembled in the city of Philadelphia in the year one thousand seven hundred and seventy-four and

Whereas said John Morton was a signer of the Declaration of Independence and his vote by breaking an existing tie vote decided the question of American Independence and

Whereas said John Morton held many other public positions and rendered great service for the welfare of the American people and for the benefit of the State of Pennsylvania therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 The Governor is hereby authorized to appoint a commission of five citizens to be known as the John Morton Monument Commission which shall provide for the construction erection and dedication in the city of Chester of a suitable monument or memorial to the memory of John Morton The Commission shall organize by the selection of a chairman and secretary and shall have power to enter into any and all contracts deemed necessary to carry into effect the provisions of this act

Section 2 That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the Commission for the purposes of carrying out the provisions of this act This appropriation is made contingent upon the raising by the citizens of the city of Chester and the vicinity of a sum of at least fifteen thousand dollars ($15,000) to be applied to the cost of the construction erection and dedication of said monument and no part of said appropriation shall be paid until proof has been produced to the satisfaction of the Auditor General that said sum of fifteen thousand dollars ($15,000) is available for said purposes Payments from said appropriation shall be made upon requisition of the chairman of the Com-

mission by warrant of the Auditor General on the State Treasurer in the usual manner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 53, as follows:

An Act fixing the per diem compensation of registry or assistant assessors in townships of the first class for the performance of election duties and the method of ascertaining the number of days employed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of each registry or assistant assessor in each township of the first class performing duties relating to elections to keep an account of the several days he or she was actually employed in the performance of his or her duties and to make return of the same to the county commissioners verified by oath or affirmation and for each day so employed he or she shall receive the sum of five dollars to be paid by the county

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Snate Bill No. 98, entitled:

An Act to repeal an act approved the eighth day of April one thousand eight hundred and sixty-eight (Pamphlet Laws seventy three) entitled "A supplement to an act relating to counties and townships and county and township officers approved April fifteenth one thousand eight hundred and thirty-four relating to public buildings"

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the eighth day of April one thousand eight hundred and sixty-eight (Pamphlet Laws seventy-three) entitled "A Supplement to an act relating to counties and townships and county and township officers approved April fifteenth one thousand eight hundred and thirty-four relating to public buildings" is hereby repealed

The title of the bill was read as follows:

An Act to repeal an act, approved April 8, 1868 (P. L. 73) entitled "A Supplement to an act relating to counties and townships, and county and township officers, approved April 15, 1834, relating to public buildings.

On the question,

Will the Senate agree to the title?

Mr. CRAIG. Mr. President, I move to amend title page 1 line 1 by striking out the word "eighth" and inserting in lieu thereof the word "ninth,"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 99, entitled:

An Act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; providing for penalties, forfeitures and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections, of the bill were read as follows and agreed to.

An Act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this entire act is an exercise of the power granted by Amendment XVIII of the Constitution of the United States and of the police power of this Commonwealth for the protection of the public welfare health peace safety and morals of the people of this Commonwealth and all of its provisions shall be liberally construed for the accomplishment of these purposes

Definitions

Section 2 (a) The phrase "intoxicating liquors" as used in this act shall mean anything found and determined from time to time to be intoxicating by act of Congress passed pursuant to and in the enforcement of the Constitution of the United States of America

(b) The word "person" shall mean and include natural persons associations partnerships and corporations for whatever purpose organized

(c) The word "officer" shall mean and include all sheriffs deputy sheriffs constables state and municipal policemen county and city detectives and any other persons authorized to serve warrants.

(b) The term "private dwelling" shall be construed not only in its ordinary sense but also to include the room or rooms used and occupied not transiently but solely as a residence in an apartment house hotel or boardinghouse

Manufacture of and Traffic in Intoxicating Liquor Prohibited

Section 3 It shall be unlawful for any person to manufacture sell offer for sale barter furnish transport possess or deliver within or import into or export out of this Commonwealth any intoxicating liquor for beverage purposes except as hereinafter provided

Exemption as to Private Dwelling Burden of Proof

Section 4 It shall not be unlawful however to possess intoxicating liquor for beverage purposes in one's bona fide private dwelling while the same is occupied and used by him as his dwelling only provided such liquor was lawfully acquired prior to the passage of this act and is for use only for the personal consumption of the owner thereof and his family residing in such dwelling and of his bona fide guests when entertained by him therein which entertainment shall not be deemed an unlawful furnishing Provided however That proof of the possession of such intoxicating liquor shall be prima facie evidence that the same was acquired possessed and used in violation of this act

Advertisement and Manufacture of and Traffic in Implements Substances and so forth used to Manufacture

Section 5 It shall be unlawful for any person to advertise manufacture sell offer for sale or possess for sale any utensil contrivance machine preparation compound tablet cap-

sule confection substance formula direction or receipt designed or intended for use in the unlawful manufacture of intoxicating liquor

Nuisances

Section 6 Any room house building boat vehicle structure or place where intoxicating liquor is manufactured sold offered for sale bartered furnished or possessed in violation of this act and all intoxicating liquor and property kept or used in maintaining the same is hereby declared to be a common nuisance and any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties hereinafter provided

Injunction to Abate Nuisances

Section 7 An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General of the State or by the district attorney of the respective county or by the solicitor of any municipality Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists a temporary writ of injunction shall forthwith issue restaining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the intoxicating liquor or other things used in connection with the violation of this act constituting such nuisance No bond shall be required in instituting such proceedings It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no intoxicating liquor shall be manufactured sold offered for sale bartered furnished or possessed in such room house building structure boat vehicle or place or any part thereof Upon the decree of the court ordering such nuisance to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the Court may in its discretion permit it to be occupied or used if the owner lessee tenant or occupant thereof shall give bond with sufficient surety to be approved by the Court making the order in the penal and liquidated sum of not less than five hundred dollars ($500.00) payable to the Commonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that intoxicating liquor will not thereafter be manufactured sold offered for sale bartered furnished possessed or otherwise disposed of therein or thereon and that he will pay all fines costs and damages that may be assessed for any violation of this Act upon said property

Search Warrants

Section 8 Whenever any individual makes complaint in writing before any alderman justice of the peace or magistrate supported by his oath or affirmation and subscribed to by him alleging that there is probable cause to believe and that he has just and reasonable grounds for believing and does believe that intoxicating liquor is unlawfully manufactured sold offered for sale bartered furnished or possessed or that any mash still implement or other property designed or intended for use in the unlawful manufacture sale or furnishing of intoxicating liquor is possessed in or upon any room house building boat vehicle structure receptacle premises or any other place or thing whatsoever said complaint describing the said place or thing to be searched and the thing or things to be seized as nearly as may be and setting forth probable cause the said alderman justice of the peace or magistrate if it be made to apear that there is probable cause for such belief shall issue a warrant to search the said place or thing and seize the said thing or things described in the aforesaid complaint said search warrant describing the place or thing to be searched and the thing or things to be sized as nearly as may be and being directed to any officer or officers commanding him or them to make search by day or by night of the room house building boat vehicle structure receptacle premises or any other place or thing whatsoever therein described for any such thing or things and if any such be there found to seize the same and to make a return of said warrant together with the thing or things so seized or taken to the said alderman justice of the peace or magistrate for disposition according to law Said officer or officers may arrest without warrant and bring before the alderman justice of the peace or magistrate who issued said search warrant the person or persons found in possession or custody of the said thing or things so seized

Provided That no search warrant shall issue to search any private dwelling occupied as such unless intoxicating liquor is unlawfully manufactured sold or furnished therein or unless any mash still or other property designed for the unlawful manufacture of intoxicating liquor is therein kept or unless it or some part of it is used as a store shop saloon restaurant hotel boarding-house warehouse public garage or other place of business or unless such private dwelling is a place of public resort

If no person shall be found in the possession thereof or upon preliminary hearing the person or persons so arrested shall be bound over to appear at the Court of Quarter Sessions of the Peace or the person or persons so arrested shall be discharged having denied the ownership or possession thereof it shall be the duty of the said alderman justice of the peace magistrate to deliver the said thing or things so seized or taken to the district attorney or the person designated by him to be held by him subject to such disposition by the Court as is hereinafter provided

The right to a search warrant as provided for in this section shall be in addition to all other rights of search and seizure now existing under law

Seizure of Vehicle Conveyance Craft or Receptacle Unlawfully Transporting Intoxicating Liquor

Section 9 When any officer shall discover any person in the act of transporting in violation of this act intoxicating liquor in any wagon buggy motor vehicle water or air craft or other vehicle or receptacle or otherwise it shall be his duty to seize any and all intoxicating liquor and container found therein being transported contrary to law with or with out a warrant Whenever intoxicating liquor transported or possessed illegally shall be so seized by any officer he shall take possession of the vehicle and team or motor vehicle boat air or water craft or any other conveyance or receptacle and shall arrest any person in charge thereof Such officer shall proceed at once to make information against the person or persons so arrested and shall forthwith file an inventory of the property so seized with the magistrate and serve a copy of such inventory on the party in charge at the time of seizure In the event that no person shall be found in possession of said intoxicating liquor or container or of said vehicle team conveyance craft or receptacle or the person so arrested shall be discharged having denied the ownership or possession thereof or the person so arrested is held for court it shall be the duty of the officer having custody of said intoxicating liquor and property so seized to forthwith deliver possession thereof to the district attorney of the county wherein said seizure occurred or to the person designated by him to abide the judgment of the court as hereinafter set forth

Provided however That the said vehicle team conveyance craft or receptacle shall be returned to the owner upon the execution by him of a good and valid bond with sufficient sureties in the sum double the value of the property to be approved by the magistrate alderman or justice of the peace or a Judge of the Court of Quarter Sessions conditioned that the said vehicle team conveyance or craft shall be delivered to the district attorney of the county or the person designated by him at the time of the condemnation proceedings hereinafter provided in this act to abide the judgment of the Court or otherwise to remain in full force and virtue said bond to be payable to the Commonwealth of Pennsylvania for the use of the county in which said conviction is had Said bond shall be returned to the Court of Quarter Sessions and there held to abide the final disposition of the case

Penalties

Section 10 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than five thousand dollars ($5,000.00) or undergo an imprisonment of not more than three (3) years or both at the discretion of the court

Certain Seized Property Declared Contraband and For Provisions for Disposal or Sale of Same

Section 11 (A) No property rights shall exist in any intoxicating liquor or property designed for the manufacture or sale of intoxicating liquor intended for use in violating any of the provisions of this act or which has been so used but upon possession or use of any such intoxicating liquor or property in violation of this act the same shall be deemed contraband and shall be forfeited to the Commonwealth.

Upon the transportation of intoxicating liquor in violation of this act the wagon buggy team motor vehicle water or air craft or other vehicle or receptacle in which it is so transported shall be forfeited to the Commonwealth subject to the provisions herein set forth

No such intoxicating liquor or property or vehicle team conveyance craft receptacle or other property when in the custody of the law or of any officer shall be seized or taken therefrom on any writ of replevin or other like process

(B) If upon hearing before the Court of Quarter Sessions or a Judge thereof it apears that any such intoxicating liquor or property so in the custody of the law or of any officer was so possessed or intended for use in violating any of the provisions of this act or has been so used such intoxicating liquor and property shall be adjudged forfeited and condemned and shall be disposed of as hereinafter provided or if upon such hearing it appears that any vehicle team conveyance craft receptacle or other property seized under the provisions of this act had been used for the unlawful transportation of intoxicating liquor such vehicle team conveyance craft receptacle and other property shall be adjudged forfeited and condemned and shall be disposed of as hereinafter provided unless the Court shall otherwise order

(1) Upon conviction of any person of a violation of this act the Court shall order and direct the sheriff of the county to destroy all such condemned intoxicating liquor and property seized or obtained from such defendant or defendants except that the court may order the same or any part thereof to be delivered to a hospital for its use and make return to the Court of compliance with said order Except that any vehicle team conveyance or craft seized under the provisions of this act shall be disposed of as hereinafter provided

(II) In any case in which (a) the defendant is acquitted of a violation of this act and denies the ownership or possession thereof or (b) no claimant appears for same or (c) appearing is unable to sustain his claim therefor the Court shall order all such condemned intoxicating liquor and property (except vehicles teams conveyances and crafts) publicly destroyed by the sheriff of the county Provided the Court may order the same or any part thereof to be delivered to a hospital for its use Return of compliance with said order shall be made by the sheriff to the Court

(III) In the case of any vehicle team conveyance or craft seized under the provisions of this act and condemned as aforesaid the Court shall order a public sale thereof by the sheriff of the county notice of which sale shall be given in the same manner as notice is required to be given of the sale of personal property under a writ of fieri facias the proceeds of such sale to be paid to the county treasurer for the use of the county In the event that any such vehicle team conveyance or craft is when so seized held and possessed under a bailment lease or contract and the legal title thereto is in another person who shall prove that the unlawful use for which the same was seized was without his knowledge or consent then the claim of the bailor for money due under said bailment lease or contract shall attach to and be paid out of the funds derived from said sale after payment of costs and the balance be distributed as above provided

(C) In addition to the provisions aforesaid the Court shall in its order of condemnation and in every conviction under this act where it shall appear that intoxicating liquor was unlawfully transported in a motor vehicle declare that the license issued by the State Highway Department for any motor vehicle so forfeited and condemned or issued to any defendant convicted of transporting intoxicating liquor in any motor vehicle shall be forfeited and revoked and it shall be the duty of the clerk of the court in which such conviction is had or order of condemnation made to certify such conviction to the State Highway Commissioner who shall suspend or revoke the license issued for such motor vehicle or to such person and no other license shall be issued to such person or for such motor vehicle for a period of one (1) year following such suspension or revocation Provided that a license may be issued for such motor vehicle after the public sale thereof as above provided

(D) (I) The proceedings for the forfeiture or condemnation of all property the destruction or sale of which is provided for in subsections (II) and (III) of Clause (B) of this section shall be in rem in which the Commonwealth shall be the plaintiff and the property the defendant A petition shall be filed in the Court of Quarter Sessions of the Peace verified by oath or affirmation of any officer or citizen containing the following (a) a description of the property so seized (b) a statement of the time and place where seized (c) the owner if known (d) the person or persons in possession if known (e) an allegation that same had been possessed or used or was intended for use in violation of this act (f) and a prayer for an order of forfeiture that the same be adjudged forfeited to the Commonwealth and condemned and be ordered sold or destroyed (as the case may be) according to law unless cause be shown to the contrary

(II) A copy of said petition shall be served personally on said owner if he can be found within the jurisdiction of the court or upon the person or persons in possession at the time of the seizure thereof Said copy shall have endorsed thereon a notice as follows

"To the Claimant of Within Described Property

"You are hereby required to file an answer to this petition setting forth your title in and right to possession of said property within fifteen (15) days from the service hereof and you are also notified that if you fail to file said answer a decree of forfeiture and condemnation will be entered against said property

Said notice shall be signed by petitioner or his attorney or the district attorney

(III) If the owner of said property is unknown or outside the jurisdiction of the Court and there was no person in possession of said property when seized or such person so in possession cannot be found within the jurisdiction of the Court notice of said petition shall be given by the sheriff by advertisment in a newspaper of general circulation published in the county where such property shall have been seized once a week for three (3) successive weeks Said notice shall contain a statement of the seizure of said property with a description thereof the place and date of seizure and shall direct any claimants thereof to file a claim therefor on or before a date given in said notice which date shall not be less than twenty-one (21) days from the date of the first publication

(IV) Upon the filing of any claim for said property setting forth a right of possession thereot the case shall be deemed at issue and a time be fixed for the hearing thereof

(V) At the time of said hearing if the Commonwealth shall produce evidence that the property in question was unlawfully possessed or used the burden shall be upon the claimant to show (a) that he is the owner of said property (b) that he lawfully acquired the same (c) that it was lawfully used and possessed by him and (d) in the event that it shall appear that the property was unlawfully used by a person other than the claimant then such claimant shall show that such unlawful use was without his knowledge or consent

(VI) Any person claiming the ownership of or right of possession to any intoxicating liquor vehicle team conveyance craft or other property the disposition of which is provided for in this section may at any time prior to the sale thereof present his petition to the Court alleging his lawful ownership thereof or right of possession thereto and if upon public hearing thereon due notice of which having been given to the district attorney such claimant shall prove by competent evidence to the satisfaction of the Court that said intoxicating liquor vehicle team conveyance craft or property was lawfully acquired possessed and used by him or if it appearing that the property was unlawfully used by a person other than the claimant he shall prove that such unlawful use was without his knowledge or consent then the Court may order the same returned to said claimant otherwise it shall be destroyed or sold (as the case may be) as hereinabove provided

VII Unless either the Commonwealth or the claimant shall demand a jury trial within five (5) days after the conclusion of the hearing the right to such jury trial shall be deemed to have been waived.

(E) The provisions of this section shall apply to the disposition of any intaxicating liquor or property in the custody

of the law or of any officer at the time of the passage of this act

The County Commissioner to Provide Facilities for Storage

Section 12 The county commissioners of each county shall provide the district attorney with suitable facilities for the storage and safe-keeping of all intoxicating liquor or other property seized or held under the provisions of this act

Evidence Pleadings

Section 13 In any prosecution under this act when proof has been given in evidence of the manufacture sale offering for sale bartering furnishing transportation possession delivery importation or exportation of any intoxicating liquor the same shall be prima facie evidence that the same was so manufactured sold offered for sale bartered furnished transported possessed delivered imported or exported for beverage purposes but this presumption shall not apply to the manufacturing furnishing transportation possession delivery importation or exportation of medicines nor to the sale of such by or to registered pharmacists and regularly licensed physicians nor to the sale of intoxicating liquor for medicinal purposes to a duly registered pharmacist physician or surgeon or by any such pharmacist upon the prescription of a duly licensed physician or surgeon nor shall it apply to anything unfit for beverage purposes or to extracts ordinarily used for culinary purposes And this act shall not apply to such extracts when intended to be used for flavoring anything which when so flavored shall not violate the provisions of this act

It shall be unnecessary in any complaint information indictment or other pleadings to negative any proviso or exception contained in this act

No Person Excused from Testifying—Immunity—Liable for Perjury

Section 14 No person shall be excused on the ground that it may tend to incriminate him or subject him to a penalty of forfeiture from attending and testifying or producing books papers documents and other evidence in obedience to a subpoena of any court in any suit or proceeding based upon or growing out of any alleged violation of this act but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing as to which in obedience to a subpoena and under oath he may so testify or produce evidence but no person shall be exempt from prosecution and punishment for perjury committed in so testifying

Saving Clause

Section 15 Nothing in this act shall affect any case in which it shall appear that the crime therein charged was committed prior to the date of the approval hereof but such offenders may be prosecuted and punished as if this act had not been passed under and in accordance with laws then in force and for such purpose such laws are hereby specifically saved from repeal

Jurisdiction of Offense When Delivery Made by Carrier

Section 16 In case of a sale or furnishing of intoxicating liquor where the delivery thereof was made by a common or other carrier (whether the same be an interstate shipment or an intra-state shipment) the sale and furnishing and delivery shall be deemed to be made in the county wherein the delivery was made by such carrier to the consignee his agent or employee or in the county wherein the sale was made or from which the shipment was made and prosecution for such sale or furnishing or delivery may be had in any such county A prosecution in one county may be pleaded in bar of a prosecution in another county for the same offense The Court in the county first securing jurisdiction shall proceed to final disposition of the action

If Any Section Held Invalid Remainder of Act in Force

Section 17 If any provision of this act shall be held by any court to be unconstitutional such judgment shall not affect any other section or provision of the same It is hereby declared as a legislative intent that this act would have been passed had such unconstitutional provision not been included therein

Repealing Clause

Section 18 The following acts and parts of acts viz the act approved the thirteenth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred and eight) entitled "An act to restrain and regulate the sale of vinous spirituous malt or brewed liquors or any admixtures thereof" and its amendment approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seven) entitled "An act amending an act approved the thirteenth day of May one thousand eight hundred and eighty-seven entitled 'An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof' by prohibiting the manufacture sale offering for sale transportation importation exportation furnishing or possession for beverage purposes of anything determined and found to be intoxicating by act of Congress passed pursuant to and in the enforcement of the Constitution of the United States of America and by restraining and regulating the sale of vinous spirituous malt or brewed liquors or any admixtures thereof fit for beverage purposes other than such as are from time to time determined and found to be intoxicating by any such act of Congress" be and the same are hereby repealed.

All other acts and parts of acts inconsistent with this act are hereby repealed. The repeal of any such acts shall not operate to revive any act general local or special heretofore repealed or superseded

The title of the bill was read as fallows:

An Act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license law

On the question,

Will the Senate agree to the title?

Mr. SNYDER. Mr. President, I move to amend title, line 5, by inserting after the word "thereof" the following: "defining intoxicating liquor"

Mr. LONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

TELEGRAM RELATING TO SENATE BILL NO. 99.

Mr. BARR. Mr. President, I ask unanimous consent to read a telegram which I received concerning Senate Bill No. 99.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, the telegram reads as follows:

"C. M. Barr, Harrisburg, Pa. Judge Shafer, the President Judge of Allegheny County, today announced postponement of license court hearings until April 2nd, owing to the uncertainty of legislation which is now pending at Harrisburg which would abolish saloons."

Mr. PRESIDENT. I offer the telegram, in support of the contention that the Chairman of the Law and Order committee has made, that unless action is had on this bill there is going to be some hardship worked throughout the State.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 100, as follows:

An Act to amend section ten of an act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" is hereby amended to read as follows

Section 10 That from and after the passage of this act all contracts made by the commissioners of said county involving an expenditure exceeding three hundred dollars shall be in writing and shall immediately after their execution be filed with the controller but no contract shall be made nor the payment thereof certified by the controller for over three hundred dollars unless when made with the lowest and best bidder after due notice to be published by the controller when directed by the commissioners if he approve the purpose of the proposals invited all bids to be received by the controller under seal and to be in his presence opened by the commissioners and the contracts awarded of which awards the controller shall keep a record and he shall certify no warrants for contracts not made agreeably thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 118, as follows:

An Act providing that the county controller shall be made a party defendant in all suits against any county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter when any suit shall be brought against any county of this Commonwealth it shall be the duty of the plaintiff to make the county controller of the county if such office exists in such county a party defendant to such suit

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed fora third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 138, (House Bill No. 37), entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 139, (House Bill No. 132), entitled:

An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 143, as follows:

An Act to amend section one of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" which as amended by the act approved the eighteenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and forty-four) entitled "An Act to amend the first sixth and seventh sections of an act entitled 'An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen so as to change the time for filing petitions of nomination and the time for the organization of the State committees" is hereby further amended to read as follows

Section 1 That hereafter all candidates of political parties as herein defined for the office of United States Senator for the office of Representative in Congress for all elective State county city ward borough township school district and election division or district offices and for all other elective public offices except that of presidential elector shall be nominated and delegates and alter-

nate delegates to National party conventions and State committeemen shall be elected at primaries held in accordance with the provisions of this act and in no other manner. All such party officers as are required by the rules of the several political parties to be elected by the vote of the party electors shall be elected at primaries held in accordance with the provisions of this act excepting members of the National committee who shall be elected as hereinafter provided in the years when candidates for the office of President of the United States are to be nominated every qualified elector of a political party herein defined to be a political party within the State shall have opportunity at the primaries held in such years subject to the provisions of this act to vote his preference for one person to be the candidate of his political party for President This act shall not apply to the nominations of candidates to be voted for at special elections to fill vacancies except when such special election is held at the time of a regular election and such vacancy occurred or existed at least sixty days prior to the regular primary antecedant to such regular election and nothing herein contained shall prevent any body of electors not constituting a political party from nominating candidates by nomination papers as is now or may hereafter be provided by law

The State committee of each political party may make such rules for the government of such State committee not inconsistent with law as it may deem expedient and may also revoke or alter or amend in any manner not inconsistent with law any present or future rules of such State committee

National committeemen shall be elected by the State committee of each respective party unless the rules of the National party otherwise provide in which case they shall be elected in the manner provided by the rules of the National party and all State committeemen shall be elected by Senatorial districts Each Senatorial district shall be entitled to elect two State committeemen and two State committeewomen as members of the State committee except where a Senatorial district is composed of more than one county or part of a county in which event the electors residing in each county or part of a county embraced in said Senatorial district shall be entitled to elect one State committeeman and one State committeewoman The State committeemen and State committeewomen thus elected shall meet for organization not later than the fifth Wednesday following their election at such hour and place as shall be designated by the State chairman of each respective party The said State committeemen and State committeewomen of all parties shall be elected at the Spring primary

Vacancies happening at any time in the office of National committeeman shall be filled by the State committee of the respective party unless the rules of the National party otherwise provide in which case vacancies shall be filled in the manner provided by the rules of the National party

Vacancies happening at any time in the office of State committeeman and committeewoman shall be filled by the city or county committee of the respective parties Provided That when said vacancy occurs in a county composed of more than one Senatorial district the members of the city or county committee embraced within the Senatorial district in said county shall elect said committeeman and committeewoman and when a vacancy occurs in a Senatorial district composed of more than one county or part of a county the members of the county committee embraced within said county or part of a county shall elect said committeeman and committeewoman

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 167, (House Bill No. 179), entitled:

An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings, where no legal or valid contract was entered into as required by law.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 191, as follows:

An Act to amend section one of the act approved the seventh day of July one thousand nine hundred and thirteen (Pamphlet Laws six hundred and ninety-three) entitled "An Act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon as provided by Article eighteen section one of the Constitution"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one of the act approved the seventh day of July one thousand nine hundred and thirteen (Pamphlet Laws six hundred and ninety-three) entitled "An Act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon as provided by Article eighteen section one of the Constitution" is hereby amended to read as follows

Section 1 Be it enacted et cetera That unless the General Assembly shall prescribe otherwise with respect to any particular proposed amendment or amendments the manner and time of submitting to the qualified electors of the State any proposed amendment or amendments to the Constitution for the purpose of ascertaining whether the same shall be approved by a majority of those voting thereon the said amendment or amendments heretofore or which may hereafter be proposed and which have not been submitted to the qualified electors of the State shall be submitted to the qualified electors of the State for the purpose aforesaid at either the municipal or general election occurring at least three months after the date upon which such proposed amendment or amendments shall have been agreed to for the second time by a majority of the members elected to each House of the General Assembly as provided in Article eighteen section one of the Constitution Said election shall be opened held and closed upon said election day in the manner and within the hours at and within which the said election is directed to be opened held and closed and in accordance with the provisions of the election laws of the Commonwealth of Pennsylvania and the amendments thereof and supplements thereto Such proposed amendment or amendments to the Constitution shall be so printed in full upon the ballots and followed by the words "Yes" and "No" as to give each voter a clear opportunity to express his approval or disapproval of said proposed amendment or amendments by a cross mark (x) in a square of sufficient size at the right of the words "Yes" or "No"

If for any reason whatsoever it appears that any such proposed amendment or amendments cannot be or were not legally submitted to the qualified electors of the State at the municipal election occurring at least three months after the date upon which such proposed amendment or amendments have been agreed upon for a second time by the Members of the General Assembly such amendment or amendments shall not be held to fail but the same shall be submitted or again be re-submitted to the qualified electors for their approval in the manner herein provided at the next succeeding general election

The provisions of this act are severable and if any of its provisions are held to be unconstitutional such decision shall not affect or impair the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been passed had such unconstitutional provision not been included therein

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 194 as follows:

A Supplement to an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" providing a procedure to incur or to increase indebtedness where the existing indebtedness is less than two per centum but the amount to be incurred exceeds two per centum of the assessed value of the taxable property and providing that this act shall apply to pending proceedings

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the corporate authorities of any county city borough township school district or municipality or incorporated district shall for any lawful purpose desire or have heretofore expressed their desire to incur or to increase the indebtedness of any such county municipality or district and the total existing indebtedness if any is or was less than two per centum of the assessed value of the taxable property but the amount to which such debt is or was to be incurred or increased shall make the total indebtedness more than two per centum but not more than seven per centum of the assessed value of the taxable property then in any such case the entire indebtedness to be incurred whether the same be for any one or more lawful purposes may be authorized with the assent of the electors duly obtained at a public election in accordance with existing laws

Section 2. Before issuing any obligation or security it shall be the duty of the principal officer or officers of such county municipality or district to prepare a statement showing the actual indebtedness of such county municipality or district the amount of the last preceding assessed valuation of the taxable property therein the amount of the indebtedness to be incurred and the form number and date of maturity of the obligations to be issued therefor and he or they shall make and append thereto an oath or affirmation of the truth of the facts therein stated and shall file the said statement in the office of the clerk of quarter sessions of the county

In any such proceeding it shall not be necessary to prepare or to file separate statements in the office of the clerk of the court of quarter sessions showing separately the amount of said indebtedness less than two per centum of the assessed valuation and the amount in excess of said two per centum but not more than seven per centum but the filing of one statement as provided in this act shall be sufficient

Section 3. Except as otherwise provided in this act such indebtedness shall be incurred or increased in the manner provided by existing law

This act shall apply to all pending proceedings where the indebtedness was authorized in the manner hereinbefore provided

Section 4. All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. SCHANTZ. Mr. President, I ask that Senate Bill No. 199, on second reading, entitled:

An Act to exempt certain real estate of the American Legion from taxation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 210, (House Bill No. 208), entitled:

An Act to amend section two of the act approved March 13, 1815 (P. L. 150) entitled "An Act concerning divorces" as amended authorizing prothontaries and clerks of the court of common pleas to make affidavits to petitions and libels and validating prior proceedings in which such affidavits were taken.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 211, (House Bill No. 233), entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and Corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 213, (House Bill No. 76), entitled:

An Act to amend Sections five and ten of the Act approved the nineteenth day of April Anno Domini one thousand nine hundred and one (Pamphlet Laws, eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT OF STATE FAIR AND EXPOSITION FOR THE COMMONWEALTH OF PENNSYLVANIA.

The CHAIR laid before the Senate the Report of the State Fair and Exposition for the Commonwealth of Pennsylvania.

(For report see Appendix.)

BILL RECOMMITTED.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 99, on third reading, entitled:

An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for berevage purposes and articles and substances designed or intended for use in the manufacture thereof providing for penalties fortfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

be recommitted to the committee on Law and Order,

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

MANAGER STATE INDUSTRIAL HOME FOR WOMEN AT MUNCY.

March 6, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Senator Charles W. Sones, of Williamsport, Lycoming County, for reappointment as a Manager of the State Industrial Home for Women, at Muncy, to serve until March 3, 1926.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 6, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years to compute from the date of confirmation.

ALLEGHENY COUNTY.

Miss Adelaide F. Bowden, Pittsburgh, Pa.
Robert E. Chew, Pittsburgh, Pa.
James R. Fry, Jr., Oakmont, Pa.
Henry J. Volz, Pittsburgh, Pa.
John H. Whitfield, Braddock, Pa.

DAUPHIN COUNTY.

Miley T. Sheaffer, Harrisburg, Pa.

ERIE COUNTY.

Gilbert L. Schultz, Erie, Pa.

LANCASTER COUNTY.

Mark C. Shulenberger, Lititz, Pa.

LUZERNE COUNTY.

Francis J. Beckley, Nanticoke, Pa.

MERCER COUNTY.

W. S. Richards, Hickery, Pa.

MONTGOMERY COUNTY.

Miss Margaret A. Hastings, Conshohocken.

NORTHAMPTON COUNTY.

Walter K. Geyer, Hellertown.

PHILADELPHIA COUNTY.

Everett P. Geddes, Germantown, Philadelphia.
J. Hans Gelpke, 3101 N. Marston St., Phila.
Miss Ella L. Goeppert, 1904 E. Cambria St., Phila.
Grover Kederis, 3650 Arch St., Phila.
Herbert John Littig, 5527 Elliott St., Phila.
James McIntyre, 4214 Lancaster Ave., Phila.
Edward J. Murphy, 316 Chestnut St., Phila.
Manuel S. Chuva Rames, 5555 Pemberton St., Phila.
H. B. Randall, 269 N. Wilton St., Phila.
Roy Reinard, 28 W. Ashmead Place, Phila.
Benj. F. Savage, 4142 Aspen St., Phila.
Clarence A. Whitley, 1509 Foulkrod St., Phila.

WASHINGTON COUNTY.

Fred W. Brady, Charleroi.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 6, 1923.

To the Honorable, The Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Waldo P. Breeden, Pittsburgh, March 12, 1923.
Sol Buckstein, Pittsburgh, January 7, 1923.
Wm. J. Sossong, Carnegie, March 10, 1923.
David K. Thompson, Pittsburgh, March 10, 1923.

BEAVER COUNTY.

Paulus E. Koehler, Monaca, March 11, 1923.

BERKS COUNTY.

Henry B. Hintz, Temple, January 21, 1923.

BLAIR COUNTY.

H. G. Greene, Altoona, March 9, 1923.

CAMBRIA COUNTY.

Fred Doerr, Johnstown, February 25, 1923.

ERIE COUNTY.

Vincent Leonetti, Erie, March 9, 1923.

GREENE COUNTY.

Edward C. Fordyce, Pine Bank, March 15, 1923.

LACKAWANNA COUNTY.

Miss Ella A. Hawks, Scranton, March 9, 1923.
M. J. Reedy, Archbald, March 16, 1923.

PHILADELPHIA COUNTY.

C. Coulter Benkert, Philadelphia, March 9, 1923.
Thomas M. Dalzell, Philadelphia, March 17, 1923.
M. M. Hamilton, Philadelphia, March 15, 1923.
Geo. A. Jennis, Philadelphia, March 9, 1923.
Thos. J. Mallon, Philadelphia, March 3, 1923.
Ralph M. Reeve, Philadelphia, March 9, 1923.

YORK COUNTY.

J. A. Miller, Red Lion, March 6, 1923.
Miss C. L. Moody, York, March 9, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 6, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be NOTARIES PUBLIC for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ADAMS COUNTY.

Miss Mary Eden, Gettysburg.

ALLEGHENY COUNTY.

Frank Brose, Pittsburgh.
John J. Cronin, Pittsburgh.
Eugene Jones, Pittsburgh.
Miss Mary G. Moran, Pittsburgh.
John H. Wade, North Fayette Township.
R. C. Davis, Pittsburgh.
H. Wade English, West View.
Maurice Finkelhor, Pittsburgh.
Anton Weiszmiller, Pittsburgh.
Miss Rose Danahey, Pittsburgh.
Mrs. Estelle Martin, Pittsburgh.
Israel A. Simon, Pittsburgh.

Joseph H. Wagner, Braddock.
Miss Cecilia F. Blazek, Pittsburgh.
Miss Nellie E. Critchlow, Pittsburgh.
Miss A. M. Davis, Pittsburgh.
Eli H. Hatfield, Pittsburgh.
James H. Irons, Ben Avon.
John McKelvie, Pittsburgh.
W. R. Shoup, Pittsburgh.
John Smiljanich, McKeesport.
Lester L. Swaney, East Pittsburgh.
Percy Read Warwick, Pittsburgh.
T. E. Clinton, Pittsburgh.
H. A. Stander, Pittsburgh.
George W. Cooper, Pittsburgh.
Miss Alice F. Englehart, Pittsburgh.
Miss Amelia F. Fisher, Pittsburgh.
Miss M. T. Steinkirchner, Pittsburgh.
Miss Gertrude Stout, Pittsburgh.
Miss Margaret H. Skillen, Pittsburgh.
Sydned H. Shaw, Pittsburgh.
Henry S. Lau, Pittsburgh.
Joseph L. McLane, McKeesport.
A. L. Silverman, Pittsburgh.
John W. Fink, Pittsburgh.
Miss I. K. Higgins, Pittsburgh.
Andrew M. Schuler, Pittsburgh.
John Haniak, Pittsburgh.
J. M. Hoffman, Pittsburgh.
E. A. Molenske, Pittsburgh.
Henry S. Bepler, Pittsburgh.
Joseph Harris, Pittsburgh.
Miss Ida M. Miller, Pittsburgh.
Wm. F. Walsh, Pittsburgh.
W. R. Rugh, Pittsburgh.
Arthur A. Smith, Pittsburgh.
Miss Mildred E. Weimer, McKeesport.
Harry G. Bebout, Pittsburgh.
Miss Helen M. Fitzharris, Pittsburgh.
Miss Jessie Rupert, Pittsburgh.
Frank N. Young, Avalon.
John W. Hare, Jr., Braddock.
Rudolph J. Pallan, Pittsburgh.
Miss H. E. Sholes, Pittsburgh.
Miss Elizabeth Speer, Pittsburgh.
Jas. N. Bebout, Pittsburgh.
Peter J. Glaser, Avalon.
John R. Jamieson, Pittsburgh.
Miss Margaret C. Keeble, Pittsburgh.
George F. Miller, North Versailles Township.
Walter G. Powell, Pittsburgh.
R. P. Andres, Pittsburgh.
T. R. Fisher, Pittsburgh.
Frank Gunning, Pittsburgh.
Mrs. Catherine M. Hoyt, Pittsburgh.
Percy J. Langster, Pittsburgh.
Miss Eva Butler, McKeesport.
Francis A. Cheeks, Collier Township.
Walter R. Landefeld, Carrick.
Harry S. Musser, Munhall.
Gilbert F. Wagner, Mt. Oliver.
J. W. Cashdollar, Pittsburgh.
O. A. Meyer, Pittsburgh.
William P. Edge, North Versailles Township.
Ralph H. Hughes, Pittsburgh.
Miss A. M. McMackin, Pittsburgh.
Robert S. Beatty, Pittsburgh.
Harry L. Horton, Carnegie.
Joseph R. Siemon, Forward Township.
J. I. Warfel, Plumb Township.
Wm. P. Johnston, Pittsburg.
Miss Leah Paul, Pittsburgh.
Anthony A. Wally, Braddock.
Salvatore Cirapompa, Pittsburgh.
Herbert Schiel, Pittsburgh.
Max M. Pochapin, Pittsburgh.
Nicholas J. Sepp, Pittsburgh.
J. H. Wilkins, Pittsburgh.
G. F. Dernerth, Homestead.
Frederick G. Magnus, Oakmont.
Michael Schram, Pittsburgh.
Aloys Koett, Overbrook.
Harold L. Wilson, Pittsburgh.
E. C. Lowenstein, Wilkinsburg.
Edward J. Wilson, Pittsburgh.

Wm. T. Hibbs, Pittsburgh.
Albert J. Kunzler, Pittsburgh.
Fred Shoemaker, Pittsburgh.
A. L. Goldstrom, McKeesport.
Clifford W. McKee, Sharpsburg.
Calvin Karlin, Pittsburgh.
William E. Brown, Pittsburgh.
A. L. Francis, Pittsburgh.
F. R. Sanderson, Oakdale.
Louis Zimmermann, Pittsburgh.
George W. Brown, Pittsburgh.
A. H. Gerber, Pittsburgh.
W. L. Nicklas, Pittsburgh.
Terence A. Murphy, Pittsburgh.
Mrs. Isabel C. Kadlec, Pittsburgh.
Carson D. Weil, Pittsburgh.
J. A. Murphy, Pittsburgh.
Russell George MacDonald, Aspinwall.
Joseph M. Bauer, Millvale.
Clair H. Allen, Plum Township.
Jos. Mosti, Bridgeville.
Miss Rose McCarty, Pittsburgh.
Miss Mathilda Klages, Pittsburgh.
Jos. Wilkinson, Pittsburgh.
Maurice E. Golomb, Pittsburgh.
Louis J. Groudine, Pittsburgh.
William E. Lang, Pittsburgh.
Jno. G. Lawnton, Pittsburgh.
Samuel H. Patterson, Pittsburgh.
Miss Isabella D. Baldwin, Sewickley.
S. M. Hamilton, Pittsburgh.
Ira W. Boyle, Pittsburgh.
Miss B. W. McPherson, Sewickley.
Miss Margaret W. Meyer, Pittsburgh.
Louis V. Hartman, McCandless Township.
H. W. Laudermilch, Pittsburgh.
Joseph H. Lindsay, Pittsburgh.
Samuel F. Kerr, Pittsburgh.
Charles R. Koontz, Pittsburgh.
Walter J. Lloyd, Pittsburgh.
W. D. N. Rogers, Pittsburgh.
W. E. Ross, Richland Township.
Thomas D. Reno, Carnegie.
Howard Cramblet, McKeesport.
E. W. Moore, Neville, Township.
Otto A. Zange, McKees Rocks.
Miss Clementine Bauer, Bellevue.
Miss Olive Cummings, Pittsburgh.
Miss Nell McKenry, Pittsburgh.
A. W. Neillie, Pittsburgh.
Henry Silverstein, Pittsburgh.
George H. Bock, Pittsburgh.
Harry Woods Grier, Pittsburgh.
Mark F. Quinn, Wilkinsburg.
J. W. Rowland, McKeesport.
W. D. Waldschmidt, Pittsburgh.
William J. Wallace, Pittsburgh.
Saul Perlman, Pittsburgh.
R. D. Ritchey, Sewickley.
William N. Shook, Pittsburgh.
Carl H. Lenz, Pittsburgh.
George W. West, McKeesport.
John A. Brownlee, Dormont.
Miss Anna Curren, Pittsburgh.
Miss Ruth D. Finley, Pittsburgh.
John F. Jeha, Pittsburgh.
Robert B. Orr, Pittsburgh.
Geo. M. Weaver, Findley Township.
L. H. Keil, Sharpsburg.
Mrs. Bertha E. Park, Pittsburgh.
Emanuel E. Eiseman, Pittsburgh.
George B. Haudenshield, Scott Township.
Miss L. Herman, Pittsburgh.
Denny Logan, Richland Township.
Miss Elenora Wess, Pittsburgh.
George B. Crawford, Pittsburgh.
Chas. M. Miller, Braddock.
Howard O. Rogers, Pittsburgh,
John J. Alexander, Pittsburgh.
Benjamin D. Ludin, Pittsburgh.
Chas. D. Charlton, Pittsburgh.
Miss G. L. Liddell, Pittsburgh.
A. M. Seibert, Pittsburgh.
Miss Margaret A. Brady, Pittsburgh.

George W. Richards, Jr., Pittsburgh.
Chas. Kaltenhauser, Pittsburgh.
E. C. Leonhart, Pittsburgh.
Miss Cora D. Teevans, Pittsburgh.
Edward B. Davis, Pittsburgh.
Alex deHaan, Pittsburgh.
Miss Nettie A. Henry, Pittsburgh.
Leo R. Horstman, Pittsburgh.
Frank Momeyer, Pittsburgh.
Mrs. Sadie Rohrich, Pittsburgh.
Miss K. Louise Miller, Pittsburgh.
Elmer K. Rupp, Pittsburgh.
Miss Katherine McAllister, Pittsburgh.
A. J. Fink, Pittsburgh.
A. J. Katchmar, Rankin.
Mrs. Bertha Furman, Pittsburgh.
John Meyer, Pittsburgh.
F. C. Teets, Crafton.
John E. Crowley, Pittsburgh.
John V. Mountain, Heidelberg.
Robert H. Thompson, Pittsburgh.
Miss Rose M. King, Pittsburgh.
Blythe S. Weddell, Pittsburgh.
F. C. Bauer, Pittsburgh.
Edward D. Munn, Pittsburgh.
W. P. Walker, Pittsburgh.
E. G. Baxendell, Clairton.
Thomas Paton, Dormont.
Wm. F. Pflumm, Pittsburgh.
Miss Hazel Bolvin, Pittsburgh.
Miss M. L. Brackemeyer, Pittsburgh.
Charles L. Kolesar, Pittsburgh.
John F. Merdian, Millvale.
Theo. J. Schaub, Pittsburgh.
Miss Jane F. Lawler, Pittsburgh.
Miss Margaret E. Tully, Pittsburgh.
Charles Chamberlin, Dormont.
A. M. Lee, Pittsburgh.
Ernest W. Beach, Pittsburgh.
Oscar I. Harter, Pittsburgh.
James P. Steinmann, Pittsburgh.
Adolph Greenberger, Pittsburgh.
Miss Margaret Kiley, Cheswick.
John T. Mechem, Pittsburgh.
W. W. Parshley, Stowe Township.
Saul Chersky, Pittsburgh.
Guy M. Keatley, Pittsburgh.
Charles Earl Roth, Oakmont.
Chas. P. Walther, Jr., Pittsburgh.
F. J. Gratzer, Pittsburgh.
William Herb, Pittsburgh.
Dominic J. Mosti, Bridgeville.
Miss Marguerite W. Rinker, Pittsburgh.
Howard S. Jones, Pittsburgh.
Miss Nellie B. McPoland, Pittsburgh.
Eliada J. Cady, Pittsburgh.
William J. Dohler, Pittsburgh.
J. P. Kurcina, McKees Rocks.
Geo. P. Letsche, Pittsburgh.
W. J. McGreevy, Pittsburgh.
Mrs. Mabel E. Jackson, Pittsburgh.
Benj. H. Moore, Pittsburgh.
Miss Anna C. Schaefer, Pittsburgh.
Daniel L. Yergey, Pittsburgh.
John T. Brown, Pittsburgh.
George W. Sanderson, Wall.
Charles D. Borland, Pittsburgh.
William W. Matson, Pittsburgh.
John H. Seiferth, Pittsburgh.
Michael T. Gorham, East Pittsburgh.
James Scott Burke, Pittsburgh.
Miss Mathilda E. Heid, Pittsburgh.
Thomas McCaffery, Pittsburgh.
W. C. McClure, Hays.
Herman P. Young, Pittsburgh.
Miss A. L. Caplan, Pittsburgh.
L. C. Dunn, Pittsburgh.
Joseph W. Edmundson, Pittsburgh.
Louis Napoleon, Pittsburgh.
E. C. Speer, Wilkinsburg.
R. F. Wallace, Pittsburgh.
Mrs. Mary Rose Jewell, Pittsburgh.
Miss Mary E. Kelley, Pittsburgh.
Miss Lila V. Henshaw, Pittsburgh.
L. G. Wesley Orr, Pittsburgh.
Edward R. Boden, Pittsburgh.
William Leicher, Millvale.
Albert L. McCully, Pittsburgh.
Miss Jane D. McMunn, Crafton.
I. J. Szczygiel, Pittsburgh.
H. E. McCleary, McKeesport.
Joseph J. Gretter, Pittsburgh.
R. O. Hodgson, Pittsburgh.
Miss Nell Boose, Pittsburgh.
Charles H. Crane, Pittsburgh.
Miss Blanche I. Cumming, Springdale.
Percy A. English, Pittsburgh.
Miss Grace Horn, Pittsburgh.
Miss Margaret Kenny, Pittsburgh.
Gilbert B. Weiss, Pittsburgh.
Adolph Demme, Pittsburgh.
R. S. Ellis, Pittsburgh.
Charles Homer Johnson, Pittsburgh.
Albert J. Martin, Turtle Creek.
Miss A. M. Slater, Pittsburgh.
Herman J. Goretzka, Duquesne.
Miss Kathryn McNamara, Pittsburgh.
Miss Evelyn P. McPherson, Pittsburgh.
Miss Sara Taggart, Pittsburgh.
Domenico N. DeLuca, North Braddock.
Thomas N. Donaldson, Pittsburgh.
Moses L. Koppelman, Pittsburgh.
James J. Lloyd, Pittsburgh.
H. Joseph Mansmann, Mt. Lebanon Township.
George Rosenthal, Pittsburgh.
A. O. Ross, Pittsburgh.
Miss Myrtle M. Rankin, McKeesport.
Ralph A. Rohrich, Dormont.
George E. Ashton, East Pittsburgh.
Miss E. G. Burgdorf, Pittsburgh.
Anton Paur, Pittsburgh.
Mrs. Mary H. Daly, Pittsburgh.
N. J. Janczak, Knoxville.
Jas. E. Linhart, Pittsburgh.
Miss Olive G. Richardson, Pittsburgh.
Frank P. Heil, Pittsburgh.
Miss Jane L. McDonald, Pittsburgh.
Miss C. E. Moore, Pittsburgh.
W. P. Fife, McKeesport.
Chas. A. Seibert, Pittsburgh.
Miss V. Grace Baird, Pittsburgh.
Mrs. Marion S. Keyser, Pittsburgh.
P. D. Rand, Pittsburgh.
Edward Reynolds Richardson, Pittsburgh.
A. J. Richey, Pittsburgh.
Grahame Coffey, Pittsburgh.
Miss A. W. Pickering, Pittsburgh.
Miss Carrie K. Gehring, Pittsburgh.
Peter A. Burens, Clairton.
Edwin Kifer, Plum Township.
J. H. Marquis, Pittsburgh.
Mrs. Jennie E. Hunter, Hays.
Walter F. Shenk, Pittsburgh.
Miss Margaret L. Carlin, Pittsburgh.
Miss Flora E. Rall, Pittsburgh.
Jacob Roeser, Pittsburgh.
Samuel M. Apter, Braddock.
J. G. Camp, Tarentum.
Mrs. A. G. Kalmer, Pittsburgh.
M. B. Donnelly, Pittsburgh.
Thomas A. Gordon, Pittsburgh.
John G. Rupp, Pittsburgh.
Thomas J. Knee, Turtle Creek.
Clifton C. Robertson, Pittsburgh.
Miss E. K. Schwer, Pittsburgh.
George A. Kappler, Pittsburgh.
Glenn H. Lindquist, Tarentum.
J. P. Aland, Pittsburgh.
Thomas E. McDowell, Duquesne.
Mrs. J. B. Murphy, Pittsburgh.
Frank Demjan, McKees Rocks.
James C. Morton, Pittsburgh.
N. E. Snitzer, Pittsburgh.
Miss Hazel M. Butler, Pittsburgh.
W. M. Hall, Dormont.
Ferruccio Ronchetti, Bridgeville.
Geo. A. Tessmer, Pttsburgh.
Gilbert R. Voltz, Pittsburgh.

Jesse L. Watson, Pittsburgh.
John A. Virostek, Pittsburgh.
Samuel Blank, Pittsburgh.
E. M. Sharah, Braddock.
Joseph A. Shedlock, Pittsburgh.
Miss Ida Mae Bowman, Pittsburgh.
Charles Duhurst Delphey, Jr., Pittsburgh.
Miss Mary F. Maloy, Pittsburgh.
Miss Margaret McDonnell, Pittsburgh.
Hedrick C. Warren, Pittsburgh.
Howard S. Bates, Pittsburgh.
James W. Bridges, Dormont.
Miss Anna Edna Flister, Pittsburgh.
John F. Henn, Pittsburgh.
Blaine Ewing, Elizabeth.
Jos. W. Beeh, Pittsburgh.
Mrs. Elvina W. Haydn, Pittsburgh.
Abraham Lefkowitz, Pittsburgh.
Frank D. McNamara, Pittsburgh.
Miss Gretchen B. Buske, Pittsburgh.
P. J. DeMuth, Pittsburgh.
Leo C. Gaertner, Pittsburgh.
Joseph T. Peoples, Pittsburgh.
Edward F. Lehmann, Tarentum.
Mrs. Sara A. Aller, Pittsburgh.
Miss Mildred Davis, Pittsburgh.
Geo. H. Fink, Pittsburgh.
Mrs. Ida B. Weaver, Pittsburgh.
L. L. Leith, Dormont.
Miss Irene M. Fitzsimmons, Pittsburgh.
John H. Hillman, Pittsburgh.
Frank J. Irvin, Pittsburgh.
Harold C. Lowe, Pittsburgh.
Harry W. Maybury, Pittsburgh.
Anton P. G. Schweickardt, Pittsburgh.
Miss Anna R. Spiegle, Pittsburgh.
E. F. Younger, Pittsburgh.
Louis J. Reizenstein, Rosslyn Farms.
Mrs. L. Kathryn Albright, Pittsburgh.
William P. Cunningham, Pittsburgh.
Charles A. Kline, Pittsburgh.
Moreland H. Lynch, Pittsburgh.
G. H. Pifer, Pittsburgh.
George F. Franks, Carnegie.
James K. Goodwin, McKeesport.
Jacob Altman, Pittsburgh.
Miss Emma Hafeli, Pittsburgh.
J. H. Kitay, Pittsburgh.
Matthew P. McClure, Pittsburgh.
John W. Davies, Munhall.
J. C. Stills, Hays.
Edward H. Fey, Duquesne.
R. L. Kelley, Mt. Lebanon Township.
Hyman Levin, Pittsburgh.
Victor E. Voss, Pittsburgh.
George M. Maloney, Pittsburgh.
J. O. Bower, Bellevue.
Miss Rudell C. Cassidy, Pittsburgh.
David Friedman, Pittsburgh.
Mrs. Hazel G. Holding, Pittsburgh.
Willam Kroeger, Duquesne.
Miss Olive E. McCully, Pittsburgh.
F. A. W. Schaum, Pittsburgh.
Samuel K. Schultz, McKees Rocks.
Harry R. Edelman, Jr., Pittsburgh.
Thomas J. McAdams, Pittsburgh.
Miss Adah E. Morgan, Pittsburgh.
Walter C. Riffle, Pittsburgh.
Meyer H. Sachs, Pittsburgh.
C. C. Wager, Pttsburgh.
John A. Walsh, Pittsburgh.
Murrell W. Wining, Pittsburgh.
Edward D. Benter, Jr., Pittsburgh.

ARMSTRONG COUNTY.

Willis Clawson, Kiskiminetas Twp.
William Lewis Nall, Kittanning.
Joseph Dentici, Kittanning.
G. B. Foster, Freeport.
J. G. Jones, Kittanning.
P. B. Dunigan, Kittanning.
Mrs. Edna M. Shotts, Kittanning.
Louis G. Goldman, Ford City.
R. T. McFarlane, Kittanning.
James M. Small, Leechburg.
Ardo M. Essenwein, Kittanning.

BEAVER COUNTY.

William Coghlan, Midland.
Roger Cope, Beaver Falls.
B. H. Schewe, Rochester Twp.
S. W. Fullerton, Beaver Falls.
Samuel Samuels, Beaver Falls.
Otto F. Franklin, New Brighton.
Miss Gertrude Zeigler, Ambridge.
Miss Uno McCally, Beaver.
C. E. Coleman, Rochester.
Joseph L. Borgia, Ambridge.
Christian Henderson, Woodlawn.
H. J. Peters, Beaver Falls.
Mrs. Bertha E. Cole, Hopewell Twp.
James W. Moore, Rochester.
J. D. Strock, Beaver Falls.
William Shmandrak, Woodlawn.
Mrs. Marie Bennett, Beaver.
Morgan H. Sohn, Woodlawn.
Elmer E. McPherson, Beaver Falls.
Charles W. Barnhart, Beaver.

BEDFORD COUNTY.

C. A. Bradley, Saxton.
Cyrus H. Sell, Woodbury.
Harry B. Gallaher, Bedford.

BERKS COUNTY.

Jacob B. Ketner, S. Heidelberg Twp.
Neal E. Nycé, Reading.
John W. Rhode, Kutztown.
George E. Thomas, Reading.
Jacob F. Hertzog, Reading.
Miss Kathryn H. Nagle, Reading.
Thomas K. Piechowski, Reading.
Edwin Himmelberger, Reading.
James E. Keen, Reading.
Mrs. Maude E. Faire, Reading,
Wm. M. Stottlemeyer, Reading.
Miss Rose L. Kiedeisch, Reading.
Philip I. Haring, Boyertown.
Guy B. Reiff, Reading.
Geo. B. Kerchner, Greenwich Twp.
C. Hunter Biehl, Wyomissing.
C. W. Willman, Mount Penn.
Jacob Swope, Bethel Twp.
Edwin E. Trostle, Reading.
Mrs. Marguerite N. Martin, Reading.
Roy Toms, Boyertown.
Harvey F. Dierolf, Boyertown.
Paul J. D. Himmelreich, Reading.
James H. S. Putt, Robesonia.
Harvey A. Miller, Topton.
O. W. Lindgren, Reading.
Mrs. Dorothy B. Driscoll, Reading.
Z. K. Zychewicz, Reading.
Harold C. Blankenbiller, West Reading.
Miss Ada E. Fox, Reading.
John Hendler, Reading.
Miss Helen V. Gross, Reading.
Miss Mary I. Musser, Reading.
Robt. D. Bausher, Hamburg.
Mrs. Bessie Maulfair, Reading.
W. Howard Spenser, Reading.
Miss Anna Dickinson, Reading.
Charles B. Spatz, Boyertown.
Philip A. Roberts, Reading.
H. A. Deibert, Reading.
Mrs. Ruth S. Bowers, Reading.
Edwin W. Moyer, Reading.
Miss Marie A. Boas, Reading.
Adam M. Ruth, Sinking Springs.
Charles R. Cohen, Reading.
Lester Flemming, Reading.
Miss Edna M. Rauch, Reading.
J. Brooke Althouse, Temple.
A. E. Hossler, Hamburg.
Carl H. Hoffman, Reading.
Paul F. Foster, Reading.

Frederick Wm. Weisser, Reading.
Mrs. Lucille D. Gilder, Reading.
Frank W. Matz, Mohnton.

BLAIR COUNTY.

Miss Blanche M. Davis, Hollidaysburg.
William P. Schaefer, Logan Twp.
Mrs. Elsie L. Hudson, Altoona.
R. D. Lorenz, Roaring Spring.
J. R. Wike, Roaring Spring.
C. W. Betting, Altoona.
Miss Kathryn R. Morrison, Altoona.
Miss Annie K. Miller, Altoona.
Miss Eva J. Lykens, Altoona.
Byron S. Meek, Altoona.
Miss Anna G. Hartsock, Hollidaysburg.
Chas. E. Burket, Greenfield Twp.
Chester B. Wray, Altoona.
C. D. Green, Roaring Spring.
John A. Gibbons, Altoona.

BRADFORD COUNTY.

Chas. M. Culver, Towanda.
Mrs. Jane S. Innes, Canton.
W. M. Shelton, Towanda.
Miss Evalena G. Hakes, Towanda.

BUCKS COUNTY.

Watson J. Simons, Morrisville.
Lewis R. Walton, Bensalem Twp.
Marshall E. Yost, Plumstead Twp.
L. G. Needles, Doylestown.
Joshua H. Cooper, Tullytown.
Lester D. Johnson, Tullytown.
Calvin W. Moyer, Quakertown.
Mark Thatcher, Perkasie.
Francis J. Byers, Bristol.
Albert M. Tucker, Bristol Twp.
Frank H. Hartman, Quakertown.
Arthur E. Flagler, Perkasie.
Miss Catherine E. Kraft, Bristol.

BUTLER COUNTY.

Miss Olive J. Tomb, Butler.
O. J. Johnson, Evansburg.
John K. Kelly, Butler.
Zeno F. Henninger, Butler.
E. E. Young, Butler.
William M. Sullivan, Butler.
Miss Anna E. Heim, Butler.
H. T. Rattigan, Butler.
Harry U. Flowers, Harmony.
O. E. Gilmore, Petrolia.
John W. Krisko, Butler.
Albert R. Hill, Butler.
Ralph E. Forsythe, Butler.
Oliver P. Markle, Butler.
Wilbert J. McCaslin, Butler.
Edward J. Powers, Butler.
Thomas Henry Greer, Jr., Butler.
John Everett Forsythe, Butler.
Vincenzo DeMatteis, Butler.
Wm. K. Hess, Butler.
G. J. Yoas, Butler.

CAMBRIA COUNTY.

Herman A. Luther, Ebensburg.
Miss Ella M. Flanagan, Johnstown.
Peter Smorto, Spangler.
James P. Conley, Cresson.
Miss Mary A. Cullen, Johnstown.
Miss Rachel J. Thomas, Johnstown.
Albert Seigh,Johnstown.
Miss Helen H. Cover, Johnstown.
Harvey O. Thomas, South Fork.
W. Boyd Snowden, East Conemaugh.
Peter G. Stormer, Johnstown.
David A. Westover, Barnesboro.
M. I. Gardner, Johnstown.
Gary E. Bell, Johnstown.
Miss Mary Given, Johnstown.
I. J. Wissinger, Adams Twp.
E. D. Blough, Stonycreek Twp.
Mrs. Gertrude E. Brady, Ebensburg.
Harry Carnahan, Nanty Glo.
Jno. H. Hinkle, Johnstown.
William W. Daugherty, Johnstown.
J. Frank Horty, Johnstown.
James M. Jones, Johnstown.
J. W. Veil, Johnstown.
Ralph M. Wisor, Johnstown.
Miss Anna Mulvehill, Johnstown.
Mrs. Claire Salinger, Johnstown.
George A. Foster, Johnstown.
Miss Freda M. Karr, Johnstown.
Miss Olga M. Pfister, Johnstown.
J. Harrison Westover, Spangler.
L. B. Costlow, Nanty Glo.
W. G. Brown, Blacklick Twp.
John Vukobratovic, Johnstown.
George C. Mellinger, Johnstown.
Stephen Eperjessy, Johnstown.
Peter L. Goisovich, Johnstown.
William V. Kukets, Portage.
Miss Grace T. Leonard, Johnstown.

CAMERON COUNTY.

Norman A. Smith, Emporium.

CARBON COUNTY.

A. A. Ziegenfus, Palmerton.
Michael Bonacci, Banks Twp.
William H. Niehoff, Lehighton.
Frank X. York, Mauch Chunk.
E. D. Borger, Palmerton.

CENTRE COUNTY.

Earl C. Musser, Bellefonte.
H. S. Mabee, Bellefonte.
Walter R. Mason, State College.
William H. Williams, Worth Twp.
W C. Dorward, State College.

CHESTER COUNTY.

Jas. A. Sharp, Atglen.
William Treffeisen, Coatesville.
Ernest L. Bricker, Coatesville.
Thomas H. Nields, West Nottingham Twp.
Mrs. A. Maude Geiger, Elverson.
Miss Sara G. Nesbitt, West Chester.
Robert A. Pannebaker, Downingtown.
Wm. F. Riddle, Coatesville.
Frank F. Walker, Easttown Twp.
Joshua P. Lamborn, Easttown Twp.
E. Wilber Elston, West Chester.
Thomas M. Redmond, West Chester.
Ralph H. Walter, Kennett Square.
Alfred M. Wilson, Oxford.

CLARION COUNTY.

Thomas Brown, Edenburg.
Miss Grace Stuart, Rimersburg.
J. E. Armagost, Rimersburg.
O. A. Nystrom, Piney Twp.
Russell C. Hepler, Clarion.
L. R. Himes, New Bethlehem.

CLEARFIELD COUNTY.

Geo. S. Beckwith, DuBois.
W. Elbridge Brown, Clearfield.
John L. Lightner, Beccaria Twp.
Jno. M. Bain, Clearfield.
Chalmers Roland Lord, Irvona.
Miss Jennie E. Bailey, Clearfield.
Harry E. Ward, DuBois.
J. A. Green, Irvona.
Mrs. Jane D. Shope, Karthaus Twp.
M. B. McCarthy, Osceola.

CLINTON COUNTY.

John U. Shaffer, Renovo.
Miss Bessie McCloskey, Lock Haven.
Clarence R. Rossman, Beech Creek.

COLUMBIA COUNTY.

Mrs. Mary A. Kreischer, Cleveland Twp.
Emery W. Whitmire, Berwick.
Miss Nellie L. Imboden, Bloomsburg.
Clyde I. Kelchner, Bloomsburg.
Albert W. Andrews, Bloomsburg.
Mrs. Ella Wallace, Berwick.
Eugene E. Cadman, Millville.
Lloyd B. Skeer, Bloomsburg.

CRAWFORD COUNTY.

S. P. Miller, Meadvile.
Miss Florence E. Wilcox, Titusville.
Mrs. Leah C. Eckels, Conneautville.
Mrs. Clara I. Hunter, Meadville.
Miss Mae G. Foley, Titusville.
Mrs. Nona G. Oxford, Meadville.
Mrs. Anna Cutter, Meadville.
Harry E. Sherman, Meadville.
Robert C. Curtis, Cochranton.
Charles B. Stegner, Titusville.

CUMBERLAND COUNTY.

Mrs. Percy Harman, Mt. Holly Springs.
John Robertson, Mechanicsburg.
F. B. Sellers, Jr., Carlisle.
Mrs. Hattie N. Frehn, Carlisle.
Miss Margaret E. Groh, Carlisle.
H. W. Solomon, Lemoyne.
C. U. Shambaugh, Southampton Twp.

DAUPHIN COUNTY.

Charles M. Hartrick, Derry Twp.
Miss Marguerite E. Robinson, Harrisburg.
D. A. Sherk, Harrisburg.
Miss Claire E. Eckles, Harrisburg.
Paul St. Pierre, Harrisburg.
Miss Mary E. Kauffman, Harrisburg.
Mrs. Tamson V. Wertz, Susquehanna Twp.
LeRoy E. Koons, Penbrook.
Miss Ethel M. Spahr, Harrisburg.
Lloyd L. Marcus, Harrisburg.
Miss Anna C. Roth, Harrisburg.
W. E. Montgomery, Harrisburg.
Emanuel Cohen, Harrisburg.
Roy A. Zeiders, Harrisburg.
Thomas Montgomery, Harrisburg.
Carl B. Shelley, Harrisburg.
James F. Lutz, Harrisburg.
Miss Minnie A. Tittle, Harrisburg.
John S. Hoppes, Harrisburg.
John R. Taylor, Harrisburg.
Albert M. Bell, Paxtang.
Austin E. Aumiller, Harrisburg.
Miss Grace D. Saul, Harrisburg.
Sam P. Lerch, Penbrook.
H. D. Schriver, Harrisburg.
Emory B. Dunkel, Susquehanna Twp.
B. F. Kelsey, Steelton.
Miss Gertrude Ludes, Harrisburg.
Miss Rae Freiberger, Harrisburg.
J. P. Jackson, Harrisburg.
Fred T. Spear, Harrisburg.
John W. Martin, Harrisburg.
Miss Esther M. Perry, Harrisburg.
Miss Nettie P. Hemperly, Harrisburg.
Harry B. Bryant, Harrisburg.
Clarence H. Sigler, Harrisburg.
O. V. Mentzer, Harrisburg.
Miss Anna B. Short, Harrisburg.
Charles J. Ernst, Harrisburg.
John H. Schuster, Harrisburg.
Chester M. Buffington, Harrisburg.
F. David Clark, Harrisburg.
Ray M. Dague, Harrisburg.
Mrs. M. E. Holtz, Harrisburg.
Harry B. Gladfelter, Harrisburg.
Clayton M. Fickes, Harrisburg.
C. Vernon Rettew, Harrisburg.
Hugh Benedict, Harrisburg.
Miss Caretta M. Miller, Harrisburg.
Raymond C. Smith, Harrisburg.
John M. Glaser, Harrisburg.
Mrs. Sue K. Parsons, Harrisburg.
Clarence W. Aungst, Harrisburg.
E. S. Nailor, Harrisburg.
Howard W. Brown, Harrisburg.
Mrs. Kate Ernst Ranck, Harrisburg.
James E. Ruby, Middletown.
Miss E. M. Lee, Harrisburg.
Miss Marie E. Hartman, Harrisburg.
Samuel Handler, Harisburg.
Mrs. M. E. Kohnlein, Harrisburg.
Miss A. M. Strominger, Harrisburg.

DELAWARE COUNTY.

E. A. Howell, Chester.
Michael J. Nolan, Chester.
J. Elmer Watts, Haverford Twp.
Charles Parker, Swarthmore.
Adam Dankowsky, Tinicum Twp.
Frederick P. D. Hazell, Norwood.
Mrs. Elizabeth G. Nelson, Clifton Heights.
Mrs. Mary Stewart Howarth, Chester.
Julius Wolson, Chester.
W. R. Pennington, Chester.
Aloysius L. Wall, Upper Darby Twp.
Chas. M. Davis, Radnor Twp.
Wm. A. Powers, Radnor Twp.
J. Lawson Crothers, Marcus Hook.
Edward L. Donnelly, Lansdowne.
Miss Anita E. McKinney, Chester.
Edwin Penrose Hannum, Concord Twp.
Miss Margaret B. Lee, Chester.
E. H. Benjamin, Chester.
W. Alrich Price, Chester.
Charles Walton Hale, Radnor Twp.
Milton J. Melhorn, Darby Twp.
Miss Helen M. Dougherty, Upper Darby Twp.
Miss Mabel Mathues, Upper Darby Twp.
Mrs. Grace S. Ewing, Chester.
Robt. Jack, Jr., Sharon Hill.
Harry J. Turner, Chester.
Wm. C. Devereaux, Radnor Twp.
Miss Mary C. Rhoads, Media.
Miss Mary R. Bulger, Chester.
Miss Mae Mager Stokley, Chester.
Louis Abrahams, Darby.
Ralph O. Hall, Chester.
Thomas A. Sheridan, Millbourne.
Chas. S. Boles, Radnor Twp.
Miss Helen S. Hendrickson, Upper Darby Twp.
Thomas J. Ralston, Jr., Upper Darby Twp.
Miss H. B. Hawkins, Upper Darby Twp.
Arthur C. Lyndall, Chester.
Miss Emily S. Alexander, Chester.
W. R. Davis, Chester.
H. H. Patterson, Media.
Miss Grace Smith Cairns, Radnor Twp.
Walter A. McClatchy, Upper Darby Twp.
William H. Given, Jr., Ridley Park.
Robert S. Hunter, Lansdowne.
Jas. B. Miller, Eddystone.
Clinton M. Roth, Haverford Twp.
Miss Sara C. Robb, Chester.
Robert C. Whitaker, Upper Darby Twp.

ELK COUNTY.

T. A. Russel, Jay Twp.
Fred McFarlin, Ridgway.
William Cheatle, St. Marys.
Miss Marjorie A. Moore, Ridgway.
Miss Alice Wilson, Ridgway.
Floyd D. Roof, Ridgway.
Geo. J. Green, St. Marys.
Walter W. Gleason, Johnsonburg.
Albert G. Brehm, St. Marys.

ERIE COUNTY.

Miss Lillian Jameson, Erie.
Miss Bernice Borland, Erie.
Willard Howe, Erie.
Roy B. Way, Erie.
Miss Florence P. Simas, Erie.

D. A. Sawdey, Erie.
Edward J. Crowell, Erie.
Louis A. Pease, North East.
F. O. Reed, Erie.
William F. Liljenberg, Erie.
Miss Anna M. Tanner, Erie.
Miss Anna M. Tanner, Erie.
James Robaskiewicz, Erie.
Geo. A. Fluegel, Erie.
Blaine Kincaid, Corry.
Carl J. E. Burghart, Erie.
H. T. Foster, Erie.
William J. Robinson, Erie.
Miss Mary Crawford, Erie.
Arthur H. Watkins, Erie.
Miss E. M. Pierce, Erie.
C. B. Porter, Corry.
J. S. Dick, Erie.
Joseph Phillips, Erie.
Clarence J. Denmark, Erie.
Miss Clara B. Roth, Erie.
Edward C. Hanley, Erie.
Miss Mary E. Gardner, Union City.
Geo. W. Stevens, Erie.
Oscar A. Benning, Erie.
Miss Anna F. Hartman, Erie.
Miss Mildred M. Kendall, Erie.
Carlton M. Randall, Erie.
John H. Boyd, Erie.
Miss Emma Scherscing, Erie.
Miss Florence R. Weiblen, Erie.
William Stirling, Erie.

FAYETTE COUNTY.

Martin J. Berish, Masontown.
Ralph M. Younkin, Connellsville.
Mrs. Katherine P. Jackson, Uniontown.
Walter S. Dillinger, Point Marion.
Joseph W. Easton, Uniontown.
Antonio Tassone, Redstone Twp.
Edward Hamer, Jr., Fayette City.
Carl B. Rider, Springhill Twp.
Howard H. Hileman, Brownsville.
A. J. Fast, German Twp.
Karl Robbins, German Twp.
Joseph L. Moore, Uniontown.
Mrs. Eugenia M. Howard, Uniontown.
Wilbur F. Holland, Uniontown.
Chas. Schepis, Connellsville.
Charles A. Wick, Brownsville.
Miss Helen L. Woodhall, Uniontown.
J. F. Devlin, Point Marion.
Miss Florence Lemmon, Uniontown.
H. O. Hornbake, South Brownsville.
Miss Anna W. Strong, Uniontown.
Herbert R. Sisler, Uniontown.
Raymond Craig, Luzerne Twp.
S. P. Crynock, Luzerne Twp.
G. C. Dils, Luzerne Twp.
D. M. Spangler, Redstone Twp.
Alex. R. Duncan, Dunbar.
W. H. Williams, Dunbar.
Carlo Rossi, Uniontown.
Mrs. Charlotte D. Fiat, German Twp.
Clarence A. Rocks, Uniontown.
Isaac E. Moyer, South Brownsville.
Guido A. Mazzoni, Uniontown.
Thomas B. Szabo, Brownsville.
C. C. Montgomery, Point Marion.
Thomas B. Jaquette, Uniontown.
Harold S. Bierer, Point Marion.
Ernest E. Coffman, Menallen Twp.
George Macko, Sr., Menallen Twp.
Miss Gertrude Morley, Uniontown.
Milo K. Ruse, Point Marion.
N. Dale Johnson, Uniontown.
Paul E. Gates, Uniontown.
Paul Calvaresi, Redstone Twp.

FRANKLIN COUNTY.

Charles M. Deatrich, St. Thomas Twp.
Frank M. Petrie, Waynesboro.
S. G. Van Scyoc, Fannett Twp.
C. N. Binkley, Antrim Twp.
Adam J. Bauer, Chambersburg.
Miss Daisey E. Mower, Chambersburg.

FULTON COUNTY.

Miss Jeanette Stouteagle, McConnellsburg.
L. L. Cunningham, Wells Twp.

GREENE COUNTY.

Mrs. Myrtle Hartley, Waynesburg.
Frank F. Sutton, Waynesburg.
M. W. Bissett, Springhill Twp.
Claire Minor, Monongahela Twp.

HUNTINGDON COUNTY.

Frank L. Saylor, Mount Union.

INDIANA COUNTY.

Miss Iva M. Cunningham, Indiana.
James B. Green, Plumville.
R. A. Kelly, Burrell Twp.
R. M. Allen, Blairsville.
H. H. Hamill, Plumville.
V. C. Gahagan, West Mahoning Twp.
Loy S. Beringer, Green Twp.
R. L. McIlwain, Saltsburg.
R. H. Dixon, Clymer.
R. Stanley Graff, Black Lick Twp.
Stephen Zasadny, Indiana.
Howard J. Burkett, Green Twp.
Alfonso DeGaetano, Indiana.
J. S. Curry, Indiana.
R. J. McConnaughey, Homer City.

JEFFERSON COUNTY.

M. B. Porter, Corsica.
Mrs. Katheryn Kohler, Brookville.
F. C. Snyder, Ringgold Twp.
Jno. F. Brown, Brookville.
J. Roy Meneely, Punxsutawney.
Antonio Marinaro, Reynoldsville.
Dillis Allen, Warsaw Twp.
Mrs. Fanny M. Adams, Punxsutawney.
H. E. Markle, Summerville.
James P. Devlin, Punxsutawney.
William H. McElroy, Brookville.
Charles Calviello, Brookville.
Walter Dennison, Punxsutawney.

JUNIATA COUNTY.

W. A. Martin, Port Royal.

LACKAWANNA COUNTY.

James D. Jordan, Scranton.
H. G. Baker, Carbondale.
J. E. Brennan, Carbondale.
Joseph F. Gunster, Scranton.
Miss C. R. Shapiro, Scranton.
Robert P. Silverstein, Scranton.
George A. Swan, Jr., Scranton.
Howard G. Isby, Clark's Summit.
Miss Mable H. Jifkins, Scranton.
Frank L. Hawley, Scranton.
T. L. Hoban, Scranton.
Barry Searle, Jr., Carbondale.
George Perlin, Scranton.
Frank J. Caine, Scranton.
Miss Louise M. Schmidt, Scranton.
Miss Juel C. Haggerty, Scranton.
John W. Griffith, Scranton.
Frank S. Geklinsky, Oldforge.
Miss Mary D. McLean, Scranton.
W. A. Jennings, Scranton.
John M. Kelly, Scranton.
Miss Sarah M. Walsh, Scranton.
Miss Helen L. Powell, Scranton.
Frank M. Wymbs, Scranton.
Miss Grace A. Brock, Blakely.
Miss Helen M. Lingfelter, Carbondale.
Miss Bessie Schrager, Scranton.

Michael Popeck, Dickson City.
Jacob Eckersley, Scranton.
F. M. Francis, Dalton.
Mrs. Hattie R. Mechlouitz, Scranton.
Miss Sadie E. Phillips, Scranton.
Miss Elizabeth Donahue, Scranton.
Antonio Perri, Carbondale.
Harold Hallet, Scranton.
Miss Ludwina O. Barry, Carbondale Twp.
Joseph F. Conrad, Scranton.
Louis Block, Scranton.
Miss Mary D. M. Oliver, Scranton.
E. J. Walsh, Scranton.
Miss Genevieve D. Hefferon Scranton.
Maurice V. Cummings, Scranton.
C. M. Hepburn, Scranton.
Walter A. Meskunas, Scranton.
Walter H. Cooper, Scranton.
Edward J. Grady, Scranton.
Chester A. Thomas, Scranton.
Miss Mae R. Farrell, Dickson City.
Miss Helen F. Gilroy, Scranton.
Miss Hanna C. Walsh, Scranton.
Frank Berger, Old Forge.
Harold H. White, Scranton.
Miss Gertrude S. Briskey, Scranton.
Miss Belle H. Gross, Scranton.
Paul J. Motts, Dickson City.
Otto A. Maxion, Scranton.
Miss Loretta Dorsey, Scranton.
W. J. Lynott, Olyphant.
W. D. Stowe, Scranton.
John J. Favini, Winton.
Geo. T. Richard, Scranton.
Geo. T. Prichard, Scranton.
Nicholas Morell, Dunmore.
Belardino Limoncelli, Scranton.
Everett H. Cooke, Scranton.
John T. Gilmartin, Carbondale.
Miss Loretta A. Burke, Scranton.
Miss Adeline O'Neill, Scranton.
H. J. Spencer, Clark's Summit.
J. H. Clarke, Scranton.

LANCASTER COUNTY.

H. K. Ober, Elizabethtown.
Barton Y. Plank, Terre Hill.
H. S. Witmer, East Earl Twp.
Miss Britannia Eby, Lancaster.
H. S. Mentzer, Lancaster.
Jno. F. Heinitsh, Lancaster.
A. A. Landis, Ephrata.
A. K. Spurrier, Lancaster.
Mrs. Minerva G. Coble, Elizabethtown.
Lloyd L. Lively, Lancaster.
C. Leonard Ellmaker, Lancaster.
Herbert H. Zimmerman, Lancaster.
George W. Leonard, Jr., Lancaster.
Miss Esther L. Metzler, Lancaster.
Miss Marguerite A. Zahm, Lancaster.
Hubert Miller, Lancaster.
Guy C. Eaby, Paradise Twp.
J. A. Long, Lancaster.
Mrs. Kathryn H. Grant, Christiana.
Miss Florence Lefever, Manheim.
B. H. Stahl, Lancaster.

LAWRENCE COUNTY.

J. Q. L. Roberts, New Castle.
Arthur O. Dunn, New Castle.
Harry M. Long, New Castle.
Ed. E. Marshall, New Castle.
Miss E. A. Brown, Ellwood City.
George W. Muse, New Castle.
A. J. Goldman, New Castle.
Charles Matthews, Jr., New Castle.
G. Wilfred Thomas, New Castle.
Wm. W. Stevenson, New Castle.
C. A. Patterson, New Castle.
John M. Bevan, New Castle.
W. Walter Braham, New Castle.
A. S. Leslie, New Castle.
Joseph S. W. Smith, New Castle.

LEBANON COUNTY.

Miss Ruth Weist, Lebanon.
Peter R. Bensick, Lebanon.
Andrew M. Henry, Lebanon.
Miss Ellen I. Thiel, Lebanon.
Miss Elizabeth C. Patschke, Lebanon.
Miss Alma R. Gerhart, Lebanon.
Mrs. S. H. Mussina, West Cornwall Twp.

LEHIGH COUNTY.

Russell W. Erdman, Allentown.
Miss Mary M. Connell, Bethlehem.
F. T. L. Keiter, Allentown.
Geza Bolez, Allentown.
Miss Alma M. Viehdorfer, Allentown.
Myles R. Werley, Allentown.
D. M. Garraham, Allentown.
Miss Myrtle L. Kratz, Allentown.
Florent H. Kishline, Bethlehem.
Miss Blanche E. Maben, Allentown.
Joseph L. McGinley, Allentown.
Miss Carrie M. Otto, Allentown.
John J. Geiger, Allentown.
Miss Edna L. Hoffman, Allentown.
E. J. Nagle, Allentown.
Palmer A. Semmel, Slatington.
Miss Mildred H. Baker, Allentown.
Otto A. Benner, Fountain Hill.
G. E. Smell, Bethlehem.
Mrs. Mame E. Schwartz, Allentown.
Melvin M. Waterbor, Allentown.
D. Karpowich, Allentown.
Irwin H. Herman, Allentown.
George C. Fullager, North Whitehall Twp.
Charles M. Ruhe, Allentown.
Tilden A. J. Kelchner, Allentown.
Miss Phebe S. Dinkey, Allentown.
Wm. E. Seitz, Allentown.
Charles Benjamin Kistler, Allentown.
Miss Irene S. Nuss, Allentown.
Max Dorworth, Allentown.
Wm. A. Harte, Allentown.
A. L. Hernandez, Allentown.

LUZERNE COUNTY.

Miss Mary A. Gibbons, Pittston.
J. Earl Keating, Pittston.
Vladimir Krajowski, Wilkes-Barre.
Mrs. Mabel B. Parsons, Wilkes Barre.
Floyd R. Carpenter, Wilkes-Barre.
R. Lewis Perna, Hazleton.
Miss Verna Balliet, Wilkes-Barre.
George Curran, Plymouth.
Edgar E. George, Wilkes-Barre.
J. Harold Flannery, Pittston.
Miss Marguerite A. Dorsch, Wilkes-Barre.
Miss Margaret M. McCarthy, Wilkes-Barre.
Louis K. Salsburg, Wilkes-Barre.
Thomas Dobson, Wilkes-Barre.
Frank E. Sosnowski, Nanticoke.
Mrs. Mary E. Veale, Hazleton.
Miss Clara M. Arleskie, Wilkes-Barre.
Luke L. Thayer, Wilkes-Barre.
Fred Jennings, Wilkes-Barre.
J. L. Stradling, Nanticoke.
Miss Regina M. Blewitt, Wilkes-Barre.
George Kuchar, Jr., Hazleton.
Miss Stella Saunders, Luzerne.
R. J. Kramer, Wilkes-Barre.
George I. Puhak, Hazleton.
William I. Williams, Edwardsville.
Miss Catherine Storz, Wilkes-Barre.
Joseph D. O'Donnell, West Hazleton.
W. F. Rozelle, West Wyoming.
Mrs. Edyth L. Banker, Wilkes-Barre.
Sister Mary Catherine McGann, Wilkes-Barre.
Jas. J. Rooney, Sugar Notch.
W. G. Alexander, Avoca.
Martin Bohinski, Plains Twp.
Miss Grace VanCott Stone, Wilkes-Barre.
Joseph VanDyke, Hazleton.
J. A. Williams, Wilkes-Barre.

Miss Anna M. Hanlon, Wilkes-Barre.
Miss Mary A. Ryder, Wilkes-Barre.
Wm. T. Hetler, Nescopeck.
Miss Helen O. Brocious, Wilkes-Barre.
Miss Emma C. Berger, Hazleton.
Miss Olive Ellsworth, Wilkes-Barre.
James F. Besecker, Wyoming.
Bruce Grant, Wilkes-Barre.
Morgan Llewellyn, Nanticoke.
Edward R. A. Nolan, Pittston.
Miss M. T. Thompson, Wilkes-Barre.
John T. Feldman, Wilkes-Barre.
Geo. H. Jones, Hazleton.
Miss Sadie E. Desiderio, Wilkes-Barre.
Miss Mable Scott, Wilkes-Barre.
Michael Babey, Wilkes-Barre.
Louis T. Gentilini, Hazleton.
Miss Mary Hayes, Freeland.
Bernard F. O'Neill, Wilkes-Barre.
Charles B. Waller, Wilkes-Barre.
Miss Omahlee B. Brady, Wilkes-Barre.
Harry W. Taylor, Wilkes-Barre.
Butler O. Bower, Shickshinny.
R. R. VanHorn, Kingston.
Edward M. Humphreys, Kingston.
Abdiel Phillips, Plymouth.
Charles Horton, Nanticoke.
Mrs. Blanche MacKeeby Lenahan, Wilkes-Barre.

LYCOMING COUNTY.

William Van Person, Williamsport.
John G. Candor, Williamsport.
Samuel Weymouth, Williamsport.
Miss Priscilla Kinkead, Williamsport.
Miss Blanche Gage, Williamsport.
Nelson L. Allen, Williamsport.
Lyell Shearer Spangle, Williamsport.
Fay Clair Doane, Jersey Shore.
Wm. H. Losch, Jersey Shore.
Charles Eugene Kemp, Williamsport.
A. M. Stiber, Williamsport.
Miss F. Mabel Betts, Williamsport.
Henry A. Bussler, Williamsport.
Jacob S. Cranmer, South Williamsport.
Ocean W. Good, Williamsport.
C. C. Worthington, Muncy.
Sam'l R. Williams, Williamsport.
Chester J. Brooks, Williamsport.
Miss H. Leone Ladley, Williamsport.
Miss Ruth M. Seaman, Williamsport.
Spencer W. Hill, Williamsport.
Hugh Gilmore, Williamsport.
Thomas Richardson, Williamsport.
Miss Gertrude VanHorne, Williamsport.

McKEAN COUNTY.

James George, Bradford.
H. G. Berkhouse, Kane.
Webster G. Drew, Bradford.
Miss Doris Alger, Bradford.
Paul D. Ballard, Kane.
C. W. Morrison, Bradford.
C. A. Watson, Bradford.
David Garfunkle, Farrell.
Miss Grace M. Royal, Sharon.
Miss Mary Croll, Greenville.
Nathan Lavine, Sharon.
Jos. A. Franek, Farrell.
Michael Bobby, Farrell.
C. E. Marsteller, Wheatland.
John F. Ferdinando, Sharon.
Miss May Onions, Sharon.
Daniel B. Bowser, Grove City.
Arthur M. Barnette, Grove City.
Miss Sadie Boffey, Sharon.
Miss Elsie B. Powell, Perry Twp.
Miss Ruth Templeton, Greenville.
Miss Clara E. Wolfe, Grove City.

MIFFLIN COUNTY.

David C. Hamaker, Lewistown.
James F. Morgan, Lewistown.
Phineas M. Taylor, Lewistown.

MONROE COUNTY.

William T. McNulty, Stroudsburg.
William Vernoy, Barrett Twp.
David F. Bruch, Stroud Twp.
Miss Eva G. Treible, East Stroudsburg.
Miss Helen T. Hughes, East Stroudsburg.

MONTGOMERY COUNTY.

F. W. Scheuren, Collegeville.
Irwin B. Reifsnyder, Pottstown.
Miss Mary L. Dreshman, Norristown.
Alexander Norden, Abington Twp.
Thomas A. Foulke, Ambler.
Mrs. E. Frances Wirth, Jenkintown.
Morris W. Wilson, Cheltenham Twp.
John F. Stamm, Pottstown.
C. Raymond Eppehimer, Pottstown.
Charles R. Swartley, Lansdale.
Paul S. Johnson, West Conshohocken.
Eck Carson, Plymouth Twp.
Robert E. Slonaker, Pottstown.
Mrs. Catharine L. Ely, Lower Moreland Twp.
Cornelius A. Desimone, Conshohocken.
Chas. H. Davis, Upper Providence Twp.
Carl J. Gossler, Hatboro.
Charles Comly, Cheltenham Twp.
Leslie John Shoemaker, Norristown.
Lyle C. Miller, Rockledge.
Miss Florence Yerger, Pottstown.
Robert J. Boyd, Lower Merion Twp.
Harvey L. Landis, Royersford.
Giles L. Stephens, Pottstown.
Elias H. Gilbert, Pottstown.
Lewis C. Detwiler, Norristown.
H. N. Lafferty, Pottstown.
E. E. North, Lower Merion Twp.
B. Frank Christman, Pottstown.
Paul L. Diefenderfer, Pottstown.
Torris Thomsen, Abington Twp.
Fred F. Renninger, Cheltenham Twp.
John DiCio, Norristown.
E. Raymond Ambler, Abingtown Twp.
Mrs. Martha V. Belinski, Jenkintown.
Frank Kenneth Moore, Norristown.
Otto Quinque, Norristown.
Raymond Ellis, West Norriton Twp.
A. H. Crockett, Upper Merion Twp.
Thomas W. Cronin, Lower Merion Twp.
Francis J. McCormick, Norristown.

NORTHAMPTON COUNTY.

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Miss Anna M. Cranmer, Bethlehem.
George W. Lennox, Easton.
Miss Mildred E. Milchsack, Bethlehem.
Geo. J. Moran, Northampton.
Adolphus W. Warwick, Easton.
Harry Joseph Miller, Bethlehem.
John J. Mayrosh, Jr., Nazareth.
E. J. Lagouros, Bethlehem.
F. S. Williams, Pen Argyl.
J. A. Happel, Tatamy.
J. R. Brader, Easton.
Joseph L. Agrest, Bethlehem.
James E. Missmer, North Catasauqua.
Chester A. Harvey, West Easton.
Herber W. Dawes, Wilson.
Miss Meriam Seipel, Easton.
Wood Lane Moore, Easton.
Miss Isabella G. Hyde, Easton.
Miss Amelia Blaine, Lower Mt. Bethel Twp.
Bernhardt D. Mayer, Easton.
John L. Prendergast, Easton.
Wm. C. Bader, Bethlehem.
Norman J. Hall, Lehigh Twp.
Russell D. Sandt, Palmer Twp.
Mrs. Laura G. Wilson, Easton.
H. S. Rice, Wilson.
J. M. Brandau, Easton.
Miss Esther A. Bellmer, Easton.
Miss Nelle M. Rebert, Easton.
Mrs. Eva S. Freed, Bethlehem.

Harry F. Bartholomew, Hellertown.
Ray F. Hoover, Bethlehem.
Mrs. Evelyne M. Agrest, Bethlehem.

NORTHUMBERLAND COUNTY.

Samuel Gubin, Sunbury.
James Christiano, Shamokin.
Walter Hill, Shamokin.
Mrs. Marietta Feudale, Mount Carmel.
Marlin S. Unger, Shamokin.
Frank Scicchitano, Shamokin.
George W. Haupt, Sunbury.
George W. Stroup, Kulpmont.
Miss Mary M. Breslin, Mt. Carmel.
Miss Sarah Starook, Shamokin.
Conrad G. Graeber, Shamokin.
H. M. Danser, Shamokin.
F. A. Chichoskie, Coal Twp.
Ralph T. McCreary, Northumberland.
George W. Strausser, Mount Carmel.
Willard K. Burd, Shamokin.
Allen M. Ressler, Upper Mahanoy Twp.
John W. Timmes, Shamokin.
John J. Barni, Shamokin.
P. H. Tye, Mount Carmel.
W. J. Bryan Bloom, Sunbury.

PERRY COUNTY.

J. LeRue Hess, Duncannon.

PHILADELPHIA COUNTY.

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Miss Harriet Weingarten.
Samuel Fried.
Harry C. McDade, Jr.,
Charles J. Schaefer.
Solus S. Scharf.
Albert G. F. Curran.
George B. Dunn.
Samuel Bever.
Mrs. Caroline Marie Kinsey.
John M. Lamb.
J. Vernon Radel.
Chas. Schneeberg.
James A. Carney.
Louis R. Giordano.
Frank P. Hood.
Miss Edna A. MacFarland.
Mrs. Clarie E. Powell.
H. S. J. Sickel.
Benjamin H. Solot.
William E. Vollmer.
Joel Weinman.
Thomas H. Young.
James W. McCully.
Matteo Moffa.
Geo. A. Willmanns.
Joseph Bonn.
Reuben Cohen, Jr.
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Miss Amelia H. Ecker.
Mrs. Nan M. Gaffney.
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Francis J. Morrissey.
James A. O'Brien.
Wayne L. Perry.
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Robert F. Bonner.
Edward H. Buckley.
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Simon Weiss.
Edward P. Worthington.
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George H. Schellinger.
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Abraham Weitzenfeld.
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Edward W. Stille.
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Hyman Alter.
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Herbert Goldberg.
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Emil Otto Kraemer.
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O. E. Heim.
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G. Clinton Oertle.
Barkev K. Papajian.
Abraham Pereyra.
William Wolf.
Edward Abrams.
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Hiram B. Calkins.
John A. Dermit.
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Jacob Krebs.
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C. P. Paisley.
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A. J. Roggenburger.
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Wilbur E. McCormick.
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Cornelius J. McNutt.
Miss Lena A. Smith.
Miss E. L. Tyson.
Joseph Collins Allen.
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Miss Kathryn H. Fenlon.
Frank V. Graham.
Miss Ellen Christine Lisby.
Samuel Snyder.
Herman Tonkin.
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Miss Jane M. Simons.
C. Eugene Titman.
Nathaniel Barr.
Benjamin Clavner.
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Joseph Gershman.
Samuel Goldstein.
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Samuel Zinman.
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H. Gordon Abrams.
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Abraham Presser.
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J. Franklin Lippincott.
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Louis C. Poprawski.
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David Bloom.
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Levin A. Dix, Jr.,
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Wm. J. McColgan.
Walter H. Mensch.
Sanford L. Miller.
Frederick Stevenson.
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Miss Marie L. Baxter.

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Victor K. Schneider.
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George Wylie Beuhler.
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Paul Hackett.
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Meyer Mordell.
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Milford Bendiner.
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Sidney Klein.
George T. Norcross.
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John R. Knopf.
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James F. Molony.
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E. Roy Olewine.
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Horace V. Williams.
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Hugh J. Maguire.
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Marquis D. Brunner.
Domenico DiFilippo.
Morris Gross.

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Harry Sussman.
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Mrs. G. B. Hargis.
John M. Barry.
F. J. Dembczynski.
Miss Lucy Dougherty.
Miss Helen L. Irwin.
Mrs. B. Lillian Jefferson.
Edward E. Long.
Max May.
Mrs. Elmira R. Peters.
Miss M. Ethel Rich.
Geo. E. Bauer.
William M. Burstein.
Walter F. Logan.
William P. Mautz.
William Cherry.
Robert L. Hazlett.
Eugene L. Keller.
Edward G. Kelley.
John C. Lowrey.
George J. Meng, Jr.
P. J. Merrigan.
George Alexander Scheer, Jr.
Mrs. Louis E. Walz.
A. C. Carrigan.
Jos. P. Carroll.
Lorri D'Alessandro.
Samuel J. Kendis.
Miss Mary E. McCourt.
Morton R. Rosen.
Miss Hanna M. Rothkugel.
J. Ralph Satterthwaite.
Eugene V. Smith.
John J. Templeton.
George M. Wark.
Joseph Green.
George I. Haggerty.
Harry W. Hartley.
Joseph H. J. Hasson.
Harry Janofsky.
Wm. L. Robinson.
Mrs. Lena S. Scheindlinger.
Miss D. Smith.
Michael M. Smolens.
Miss Marie R. Spingler.
Mrs. Irene E. Stacy.
Frank W. Strayline.
Miss E. P. Town.
Robert C. Young.
Howard L. Davis.
Francis X. Delany.
Mrs. Lillian S. Fairfax.
John G. Fallon.
Miss M. B. Heritage.
Julius Levin.
Alexander McKeown.
Samuel N. Ostroff.
Raymond S. Shortlidge.
Walter B. Siddall.
Chas. G. Slatcher.
Nelson G. Templeton.
Harry C. Alderfer.
Charles W. Arrison.
Miss Sara S. Baskin.
Fred Berger.
Miss Lucille F. Brown.
John F. Goldthwaite.
Edward W. Harris.
Paul J. Kolsun.
Wm. J. Manning.

James J. McShain.
Thomas O'Donnell.
Carl A. Oesterle.
Louis Raksin.
James Ward.
Alfred A. Becker.
Joseph Cozzone.
Edward T. Ems.
Isador Gershman.
Melvin E. Strycker.
Miss Theresa R. Suntheimer.
F. A. Bond.
John J. Finnegan.
Joseph J. Lavery.
Oliver A. McMillen.
Benjamin Rosenbaum.
Maurice L. Snyderman.
Mrs. Anna R. Wathne.
Mrs. Florence A. Carter.
Franklin H. Bates.
Miss Margaret M. Bradley.
E. Lewis Cannon.
John A. Clark.
Walter G. Drake.
Leon Engles.
George T. Fleming.
Benjamin Friedman.
Andrew W. Grier.
James F. Hagan.
Richard Hill Jr.
Miss Mary H. Hoeger.
N. Ernest Johns.
Frederick G. Kempin.
Wm. F. Lepold.
Louis J. Lopez.
Bernard J. McGuire.
Charles Miller.
Miss Anna Mynar.
Charles A. Oakes.
Robert J. Patton.
Miss Margaret C. Reily.
Domenic S. Ricci.
William Robinson, Sr.
Harry Romm.
Erwin R. Sauers.
Wayne C. Donch
Jerome S. Friedman.
Meyer E. Greenspan.
Chas. W. Kaiser.
J. Raymond Kelly.
Elwood E. Kieser.
Edw. F. McLain.
Samuel E. Phillips.
Miss Grace V. Roedel.
Jos. J. Carlin.
William I. Feldscher.
Miss Adelaide Forte.
Dixey M. Hilliard.
Miss Florence E. Johnson.
Miss Kathryn R. Johnston.
Miss Dorthy Kuder.
Benjamin Perlstein.
Mark M. Woldow.
Miss Lillian A. Dart.

POTTER COUNTY.

Wm. Arthur Ham, Galeton.
Geo. B. Sharp, Austin.
C. M. McGinnis, Genesee Twp.

SCHUYLKILL COUNTY.

Harold L. Lebo, Pottsville.
Michael Boruch, Minersville.
William C. Howell, Pottsville.
A. T. Ignatovig, Minersville.
Eugene F. Sowers, Tamaqua.
Miss Katherine G. Adam, Mahanoy City.
Norman M. Stauffer, Ringtown.
Joseph E. Lynch, Pottsville.
Ray B. Serfass, Pottsville.
Robert M. Freeburn, Pottsville.
Max Gellert, Pottsville.
Edward L. Muench, Pottsville.
Arthur A. Achenbach, Pine Grove.
John Tatusko, Frackville.
S. J. Mockaitis, Shenandoah.
G. T. Burd, Pottsville.
Miss Carrie T. Hess, Pottsville.
J. Wallace McCool, Pottsville.
Miss A. C. Auber, Pottsville.
Charles E. Alter, Pottsville.
Joseph W. Miernicki, Shenandoah.
Jerome K. Singer, Pottsville.
Mrs. Ellie S. Schumacher, Port Carbon.
David W. Bechtel, Pottsville.
Francis E. Moore, Pottsville.
J. M. Richards, Pottsville.
Leon W. Aiken, Tamaqua.
Thomas L. O'Donnell, Pottsville.
Leroy F. Kaufman, Tower City.
Alfred A. Schwalm, Hegins Twp.
John Leitzel, Upper Mahantongo Twp.
Michael J. O'Connor, Cass Twp.
Miss L. Marie Gutzler, Warren.
Leon M. Brobst, Mahanoy City.
J. E. Higgins, Pottsville.
A. W. Buffington, Tower City.
C. P. Reing, Mahanoy City.

SOMERSET COUNTY.

D. Guy Floto, Meyersdale.
Jean E. Naugle, Hooversville.
Michael J. Hurley, Conemaugh Twp.
Steve C. Petnar, Jr., Central City.
Harvey S. Whipperman, Somerset Twp.
John B. Wilson, Somerset.
Jas. J. Hintenach, Jenner Twp.
Stewart J. Walker, Somerset.
W. M. G. Day, Rockwood.
H. H. Shumaker, Rockwood.

SULLIVAN COUNTY.

Miss Marie Kunes, Dushore.

SUSQUEHANNA COUNTY.

Miss Josephine M. Williams, Montrose.
F. A. Davies, Montrose.
John A. Dutchman, Forest City.
David R. Maxey, Forest City.
Thos. A. Doherty, Susquehanna Depot.

TIOGA COUNTY.

Chas. S. Rockwell, Blossburg.
Andrew J. Dort, Delmar Twp.
Vernon M. Field, Tioga.
Ross A. Mitchell, Jackson Twp.
Miss Gladys O'Keefe, Westfield.
Fred T. Evans, Wellsboro
Clyde W. Bailey, Wellsboro.

UNION COUNTY.

T. M. Getgen, Mifflinburg.
Charles W. Klose, Mifflinburg.
Samuel H. Strunk, Mifflinburg.
Miss Kathryn Eisley, Lewisburg.
Benton E. Herrold, Lewisburg.
Clair Groover, Lewisburg.

VENANGO COUNTY.

O. P. Morrow, Rockland Twp.
G. H. W. Sherman, Oil City.
Miss Minnie Feldman, Franklin.
H. G. Johnson, Oil City.
H. L. Rider, Franklin.
Miss Gertrude Way, Franklin.
S. P. Moorhead, Franklin.
Elmer W. Rice, Clintonville.
Alfred J. McCuen, Oil City.
J. Guy McCutcheon, Franklin.
Miss Katherine F. Sutman, Franklin.
Miss Mable Prenatt, Franklin.
Miss Jane Reagle, Franklin.
A. C. W. Smith, Oil City.
Grover C. Davis, Franklin.

Johnston Hall, Oil City.
Miss Bertha L. May, Franklin.
Miss Esther Thorn, Franklin.
Vincent O. Farrell, Franklin.
J. H. Contino, Oil City.
W. A. Keller, Oil City.

WARREN COUNTY.

Miss Alice B. Wilson, Warren.
Miss Marion B. Cook, Warren.
Miss L. Marie Gutzler, Warren.
Clark E. Nelson, Warren.
Franz V. Clicquennoi, Warren.
Miss Ethel E. Donaldson, Warren.
Miss Ruth E. Woodin, Warren.
I. G. Darling, Warren.
Miss Marcella Butterfield, Warren.
Mrs. Tula H. Jenkins, Warren.
Miss Mary E. Smith, Warren.
Warren M. Stone, Warren.
Miss Gertrude G. Deible, Warren.
Miss Ethel B. Bladensperger, Warren.
H. H. McWethy, Warren.
Miss Bertha D. Hagle, Warren.

WASHINGTON COUNTY.

Miss Carrie D. Lewis, Washington.
Michael H. Breza, Donora.
Peter McLaughlin, Monongahela.
Miss Marie A. Bowers, Washington.
J. T. Neel, Donora.
Miss Minnie S. Hayes, Washington.
Mrs. Mary L. Pete Dalbey, Monongahela.
Nicola Pizzica, Monongahela.
R. A. Schettler, Donora.
Carl F. Mills, West Brownsville.
W. A. Barnes, Independence Twp.
P. Dwight Mallchuck, Independence Twp.
Miss Anna M. Gentile, Washington.
Clyde B. Cope, Charleroi.
Miss Hazel V. Henry, Washington.
W. H. McCracken, Peters Twp.
Carmine M. Conforti, Monongahela.
Miss G. J. Clark, Monongahela City.
Harry G. Lightcap, California.
J. S. Waltz, West Alexander.
J. Glenn Baker, Donora.
Miss Margaret G. Patterson, Washington.
H. R. Emerick, Fallowfield Twp.
J. J. Smith, East Bethlehem Twp.
Miss Margaret E. Suffolk, Donora.
John F. Carmichael, Washington.
J. T. Allen, Nottingham Twp.
John O. Brannan, McDonald.
F. R. Gladden, McDonald.
Miss Mildred L. Hawn, Washington.
Mrs. Gertrude A. Banner, Houston.
Miss Clara Crabb, Charleroi.
John J. Guggie, Charleroi.
Mrs. Mary G. Wonsetler, Canton Twp.
R. E. Jager, Monongahela City.
Herbert A. Gellis, Washington.
Charles J. Merz, Chartiers Twp.
Miss Beatrice Wingett, Washington.
Jack A. Richman, Washington.
James M. Boone, Washington.
John A. Gallo, Charleroi.
Guy C. Russell, Burgettstown.
Geo. A. Vandrome, Donora.
Miss Garnett Sumney, Washington.
Mrs. Myrtle B. Fetherlin, Washington.
Mrs. Laura Gordon, Washington.
Miss Alice B. Craven, West Brownsville.
Miss Matilda Langenbacher, Washington.

WAYNE COUNTY.

Harlan P. Woodward, Hawley.
Mrs. Dorothy Edwards, Waymart.
Geo. W. Hayward, Waymart,
J. D. Brennan, Jr., Mount Pleasant Twp.
Miss Maud S. Howe, Lake Twp.

WESTMORELAND COUNTY.

John C. Keffer, Ligonier.
Miss Julia M. Joyce, Greensburg.
A. B. Adams, West Newton.
Miss Lorena Green, Greensburg.
Carl Woodward. Monessen.
Armstrong Henry, Rostraver Twp.
Charles Hill, Adamsburg.
Clay H. Stahl, Hempfield Twp.
George E. Tempest, Rostraver Twp.
Harry A. Westerman, New Kensngton.
Paul D. Klingensmith, Greensburg.
J. H. Royed, Greensburg.
Miss Agnes Murphy, Greensburg.
Joseph Bonidy, New Kensington.
Thos. P. Herron, Irwin.
Miss Ida C. Rush, Unity Twp.
Charles T. Myers, Jr., Jeannette.
Joseph Hutchie, New Kensington.
C. L. Cottom, Parnassus.
E. N. Miller. Cook Twp.
Carl A. Wiegand, Scottdale.
Chauncey W. Perry, Sewickley Twp.
Norman V. B. Ziegler, New Kensington.
H. L. Heckman, Greensburg.
Miss Mildred I. Callaham, Greensburg.
J. A. Hays, Donegal.
F. H. Meyer, New Kensington.
William B. Jones, Jr. Smithton.
G. F. Buell, Ligonier.
Miss Fannie Cohen, Greensburg.
Mrs. Elizabeth B. Rodgers, Irwin.
Gilbert S. Seese, Scottdale.
W. O. Williams, Monessen.
A. T. Evans, Sewickley Twp.
J. C. Wilson, Vandergrift.
Miss Lou M. Story, Latrobe.
Miss Agnes A. Schuster, Scottdale.
Miss Mary E. Murphy, Greensburg.
H. W. Boyer, South West Greensburg.
Miss G. L. Braden, Latrobe.
Thomas R. Ross, Greensburg.
Jack F. McIntire, Sr., Vandergrift.
J. A. Walton, Greensburg.
A. P. Byrne, Scottdale.
Robert W. Moorhead, New Kensington.
Miss Laura McGraw, Ligonier.
Dixon O. Cochran, Greensburg.
Joseph Springer, Monessen.
F. J. Ambrose, Jr., Arnold.
Miss Mary S. Carnahan, Vandergrift.
Edward J. Ferris, Jeannette.
W. Dick Hunter, Greensburg.
Charles B. Wood, Scottdale.
Joseph P. Baron, New Kensington.
Robert C. Barr, New Kensington.
S. L. Beymer, Parnassus.
Harry E. Dunbar, Sewickley Twp.
Arthur R. Guiney, New Kensington.
R. D. Rickerson, Franklin Twp.
Mrs. Jennie Steiner, New Kensington.

WYOMING COUNTY.

R. E. Frear, Tunkhannock.

YORK COUNTY.

Miss Helen C. Riedel, York.
C. D. Garrett, Hanover.
Franklin M. Beecher, York.
H. J. Yohe, York.
Miss Edna B. Howett, York.
Mrs. Elsie E. Minet, Spring Garden Twp.
John C. Krebs, Hanover.
Miss A. Viola Wagaman, Penn Twp.
Harold Brittain Gilman, York.
Hugh B. Hostetter, Hanover.
R. F. Culbertson, York.
George E. Baumeister, York.
H. J. Stambaugh, Hanover.
Miss Augusta Breadle, York.
Paul S. Raub, Red Lion.
Miss H. L. Davis, York.
Frederick N. Gartside, York.

Miss Florence K. Selak, York.
Paul M. Garrett, Hanover.
M. M. McGuigan, York.
Miss M. Marie Wagner, West York.
Marlet C. Ness, York.
John B. Rutledge, York.
Miss M. E. Gates, York.
Paul E. Sell, Hanover.
Wm. M. Gearhart, Jr., York.
Miss Emma C. Michael, Hanover.
Vernice A. Stinger, York.

GIFFORD PINCHOT.

COMMISSIONERS OF DEEDS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 6, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be COMMISSIONERS OF DEEDS, for the term of five years to compute from the dates set opposite their names, respectively:

Charles J. Draude, Laurel Springs, N. J., May 13, 1921.
William Hunter, Belfast, Ireland, May 25, 1921.
Marcellus Donald Redlich, Vienna, Austria, June 1, 1921.
James J. Teeling, Newark, N. J., June 8, 1921.
Joseph Fiell, New York, N. Y., July 7, 1921.
Lucius I. Wright, Atlantic City, N. J., July 21, 1921.
Charles T. Campbell, Cape May, N. J., August 23, 1921.
Mrs. M. Annie McRae, St. Petersburg, Fla., August 27, 1921.
Thomas V. Fields, Jersey City, N. J., September 13, 1921.
Miss Laura E. Smith, New York, N. Y., January 19, 1922.
Mary H. Esher, Seaside Heights, N. J., February 3, 1922.
Isaac R. Hitt, Washington, D. C., February 19, 1922.
Frederick B. Blackman, New York, N. Y., March 27, 1922.
Martin J. Dinkelspiel, San Francisco, Calif., March 27, 1922.
George H. Corey, New York, N. Y., August 26, 1922.
Albert C. Stephany, Atlantic City, N. J., October 18, 1922.
Julian Ostro, New York, N. Y., November 20, 1922.
Roger Wisner, New York, N. Y., November 29, 1922.
David L. Ostro, New York, N. Y., December 20, 1922.
John Moran, Drumshanbo, Ireland, December 21, 1922.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. EYRE,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. EYRE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Daix,	Kutz,	Phipps,
Baldwin,	Davis,	Lanius,	Salus,
Barr,	Derrick,	Leslie,	Schantz,
Berntheizel,	DeWitt,	Long,	Sisson,
Betts,	Eyre,	MacDade,	Smith,
Brown,	Harris,	Mansfield,	Snyder,
Buckman,	Heaton,	McClintock,	Sprowls,
Christley,	Homsher,	McNichol,	Steele,
Clark,	Jones,	Miller,	Stites,
Craig,	Joyce,	Norton,	Weaver,
Culberston,	Krause,	Patton,	Woodward,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. EYRE. Mr. President, I move that the Executive Session do now rise.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

REPORT OF SLATE COMMITTEE.

Mr. HOMSHER. Mr. President, I am instructed by the Slate Committee to report the following nomination of employee of the Senate, and move his election.

TRANSCRIBING CLERK.

Edward N. Crosman, Haverford, Montgomery County, vice James A. Steck, resigned.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. I therefore declare the person named in the motion as having been duly elected an employee of the Senate for the Session of 1923.

HOUSE MESSAGES.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, March 6, 1923.

Resolved (If the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening March Twelfth at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March Twelfth at nine o'clock.

HOUSE CONCURS IN SENATE BILL NO. 69.

He also returned to the Senate, Senate Bill No. 69, entitled:

Senate Bill No. 69, entitled:

An Act relating to the incorporation of banks and trust companies.

with the information that the House has passed the same without amendment.

REPORT FROM COMMITTEE.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 206 (House Bill No. 51), entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge.

BILL SIGNED.

The PRESIDENT (Lieutenant-Governor David J. Davis) announced that the Chief Clerk having reported that the following, bill had passed both houses of the General As-

sembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 69, entitled:

An Act relating to the incorporation of banks and trust companies.

Whereupon,

The PRESIDENT (Lieutenant-Governor David J. Davis) in the presence of the Senate signed the same.

RECESS.

Mr. ARON. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE.

HOUSE BILL FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurence bills of the House of Representatives as follows:

House Bill No. 79, (Senate Bill No. 308), entitled:

An Act to promote the public health by providing for one day of rest in seven for employes in certain employments

Which was committed to the Committee on Judiciary Special.

House Bill No. 203, (Senate Bill No. 309), entitled:

An Act relating to and regulating the speed of motor vehicles driven through cemeteries and burial grounds and providing penalties for violation thereof

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 225, (Senate Bill No. 310), entitled:

A Supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (P. L. 1173), entitled "An Act constituting a commission to make an investigation of the battlefields of France and Belgium, and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War; defining the powers and duties of the commission; and making an appropriation;" continuing said commission; providing for the erection of certain memorials in France and Belgium; and making an appropriation.

Which was committed to the Committee on Appropriations.

House Bill No. 280, (Senate Bill No. 311), entitled:

An Act providing for the assessment and collection as benefits from the abutting property owners, of the borough's share of the cost of the improvement of a street which forms part of a State Highway, where such improvement has been heretofore made by the State Highway Department.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 325 (Senate Bill No. 312), entitled:

An Act to require counties to cause the graves of honorably discharged soldiers sailors and marines to be decorated with flags on Memorial Day

Which was committed to the Committee on Military Affairs.

House Bill No. 332, (Senate Bill No. 313), entitled:

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged

Which was committed to the Committee on Judiciary General.

House Bill No. 423, (Senate Bill No. 314), entitled:

An Act authorizing boards of county commissioners to cooperate with the Bureau of Animal Industry of the Department of Agriculture; and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious disease of livestock and poultry.

Which was committed to the Committee on Agriculture.

House Bill No. 425, (Senate Bill No. 315), entitled:

An Act to amend an act, approved the ninth day of April, one thousand nine hundred and thirteen (Pamphlet Laws forty-six), entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department."

Which was committed to the Committee on Appropriations.

REPORTS FROM COMMITTEE.

Mr. CRAIG. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CRAIG, from the Committee on Banks and Building and Loan Associations reported as committed, Senate Bill No. 163, entitled:

An Act relating to the organization, maintenance and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of 1919; with table of contents.

Also from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 164, entitled:

An Act regulating banks, trust companies, title insurance companies, savings banks, and private bankers, codifying and revising the laws relating thereto, and providing penalties for the violation thereof; with table of contents.

MOTION TO READ BILLS THE FIRST TIME.

Mr. EYRE. Mr. President, I move that all bills reported from committees at to-day's session be read the first time.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 129, entitled:

An Act to amend sections five hundred and forty, and five hundred and forty-one as amended, of an act, approved May 18, 1911 (P. L. 309) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 163, entitled:

An Act relating to the organization, maintenance and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of 1919; with table of contents.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 164, entitled:

An Act regulating banks, trust companies, title insurance companies, savings banks, and private bankers, codifying and revising the laws relating thereto, and providing penalties for the violation thereof; with table of contents.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 214, (House Bill No. 122), entitled:

An Act to regulate and restrain the hawking, vending and peddling of fish, fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 223, entitled:

An Act to amend sections one thousand one hundred and seven, one thousand one hundred and nine, one thousand one hundred and seventeen, and one thousand one hundred and twenty-one, as amended, and section one thousand one hundred and thirty-one of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 225, (House Bill No. 372), entitled:

An Act to amend section forty-five of an act approved the fifteenth day of April one thousand eight hundred and thirty-four (P. L. 609) entitled "An Act relating to county rates and levies and township rates and levies" by removing the exemption of females from arrest and imprisonment for non-payment of taxes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 229, (House Bill No. 211), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for any lawful purpose defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto making an appropriation of the proceeds of such bonds for the purposes intended providing for the payment of interest on and the redemption of such bonds by the Sinking Fund Commission and fixing the compensation of the loan and transfer agent of the Commonwealth in connection therewith.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 231, (House Bill No. 279), entitled:

An Act to amend section for one paragraph (a) one of the act approved June 7, 1917 (P. L. 447) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities, accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof, contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges, the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised, the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents, the audit and review of accounts of fiduciaries refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries, the rights, powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante, absentia, the recording and registration of decrees, reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" making bonds and certificates of poor districts legal investments for trust funds.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 232, (House Bill No. 297), entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania so as to permit the exemption from taxation of real and personal property owned occupied or used by any branch or post or camp of the Grand Army of the Republic the Spanish-American War Veterans and American Legion the Veterans of Foreign Wars and the Military Order of the Loyal Legion of the United States.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 263, entitled:

An Act to amend section one of an act approved May 8, 1909, (P. L. 475), entitled "An Act to provide that admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of the Commonwealth shall of itself, without more, operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth; and to provide that disbarment or suspension of any attorney by the said Supreme Court shall of itself, without more, operate as a disbarment or suspension of such attorney as an attorney in every other court of this Commonwealth," as amended; by re-

quiring the approval of the local board of examiners to entitle attorneys-at-law to practice before the different courts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 271, (House Bill No. 220), entitled:

An Act to amend section one hundred and one of an act approved May 18, 1911 (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith" as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 274, (House Bill No. 364), entitled:

An Act relating to the recording of certificates of incorporation of domestic corporations, providing for the recording of certified copies thereof in certain cases, validating the recording of such certified copies heretofore recorded and making the record of such certified copies competent evidence for all purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. DAIX. Mr. President, I move that the Senate do now adjourn.

Mr. EYRE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2 P. M., until Monday evening March 12, 1923, at nine o'clock.

PRESENTATION OF TESTIMONIAL TO HONORABLE EDWARD E. BEIDLEMAN.

Mr. CRAIG. Mr. President, your Committee take pleasure in presenting the Honorable Edward E. Beidleman.

Mr. CRAIG. Mr. President and gentlemen of the Senate, I suppose that the same question arises in your minds that has often arisen in mine, that is, what it means to us to be a Senator. I do not mean in a material way, but in the things that count, what is there about being a member of this body that compensates us for the many disagreeable things that go with being a member of this body. It means, of course, many hours of long, hard work. It means absence from our homes and our families, tedious traveling on railroad trains, many discomforts and many disappointments. Of course, with it also we get many hours of happiness, many opportunities to be of service to our people at home and the State, we get the self-gratification that comes from knowing that we have done our duty well, but I have always thought the thing about being a member of this body that was most important, that meant most to me, the thing that I expect to remember longest and to be of benefit and gratification to me in the days when I have gone away from here and am no longer a part of the activities that go on here, the most pleasing thing of it all then will be the opportunity membership here has given me to make friendships, to associate with you men, whose respect I have craved, whose society and companionship I have enjoyed. It has given me the opportunity to make lifelong friendships, friendships that I never expect to forget. It has brought to me a wealth of splendid associations that I think will stay with me all my life, and that will content me in the days to come when my activities here will live only in my memory, and, Mr. President, of all the acquaintances that I have made, of all the friendships that I have enjoyed, of all the companionships that have meant most to me, I remember way up at the head of the list my friendship, my companionship with Eddie Beidleman. When I came here, now nearly eight years ago, I became acquainted almost, I think, the first day with Eddie, who was then a member of this body. Never once in the years that have gone by since then, whether he was a Senator on the floor, as I was, or a presiding officer of the Senate, as we made him, or the Lieutenant-Governor of the Commonwealth, which position was given him by the people, have I found him anything else than a square, honest true frend. My fellow-Senators, you know it is mighty hard for a new man, a greenhorn, who knows nothing about the procedure here to get along. You have to sit around here simply filling a chair for a long time before you know what is going on, and what you want to do, or how to do it. I was in that position and the man who helped me find myself, who advised me what to do and how to do it, and to whom I always felt free to go for kindly advise and counsel, was our friend Beidleman.

I do not want to refer to Mr. Beidleman as Governor Beidleman, or the Honorable Mr. Beidleman. Among the boys here in the Senate he has always been known as "Eddie", whether he was in the Senate presiding over the body, or the Lieutenant-Governor of the Commonwealth and I am sure he would rather have us call him by his first name than by any of these titles that he has so well merited and has won. He has been a friend to every one of us. I do not mean by that he has always done what we thought he ought to do. Many times he has had occasion to disagree with me and with some of the others here, but Eddie always said what he meant, and more than that, he always meant what he said. He never had anything to conceal, he was always open and above board. If he did not like your legislation he always said so. If he promised to go along with it he always took off his coat and helped to put it through. I think that he has been a real true friend to us here, and I am sure he has to any other man who needed his friendship and his counsel and his help, and I know he never denied it to any of us. His guiding hand has helped us along our rocky way, his counsel has been of inestimable value to those of us who did not know all that we might have known about the procedure here, he has always stood for the younger fellows here and helped them along in their way. We made him President of our body but it did not change Eddie a bit, he was just the same fellow he was after he moved up there that he was back here on the floor, and when he became Lieutenant-Governor of the Commonwealth he did not have to buy a larger size hat then, he was just the same fellow that he had always been.

I remember, gentlemen of the Senate, two years ago now, he did me the honor of coming out to my district to make an Armistice Day speech in my own home town. We had a little reception there, at which everybody came in to meet him, not only the white-collared fellows, but the boys from the streets, the steelworkers, the toilers at our steel mills, many of them with their greasy clothes on, on their way home from work, and after he had gone back to Harrisburg every time I met one of those friends of mine who met Beidleman there they said the same thing, and they said

"Why this fellow is an honest to God man, he is not swelled up a bit, we like him."

I am not going to say any more, there are other and more eloquent men in this body can add their tribute to what I have said. We are presenting him with a slight testimonial of our esteem, not that I think Beidleman would ever need this little testimonial to keep us in mind, not that I think he would need anything of this kind to keep remember the days he spent here in the Senate, but just to put us under obligations to him to repay the things that we owe him. We want him to have something that he will not be able to forget. There is not very much that can be said on occasions like this that have not been said many times before. The only thing that we can do is to express in our homely way the sentiments to a man that has been with us and a friend of ours these many years. I do not want to indulge in any oratorical flights, I thought I would not quote any poetry when I started and the only thought that I can remember of a poetic nature that in the least seems apt is to paraphrase something that Whitcomb Riley said, and I am mighty glad that I can paraphrase something that Riley said, because he was the same kind of a fellow that Eddie Beidleman is, Eddie got right down under your skin next to your heart and made you feel that he was a real pal of ours and he said samething that, changed to suit the occassion, ran like this:

"We love and respect you and we venerate your name,
For the name of Eddie Beidleman and true manhood's the same."

Mr. EYRE. Mr. President and Gentlemen of the Senate, I am not only pleased but glad to add my slight tribute to what already has been said in relation to our friend Eddie Beidleman. I regret very much that I cannot say it as well as it has already been said, but I can say it with as much feeling and with as much depth of real sincere friendship as any man on the floor of this Senate. I first became acquainted with Eddie Beidleman when he was a member of the House of Representatives. I knew him during his membership in the House and his membership in the Senate of Pennsylvania, and as has been well said of him, he was the same Eddie Beidleman in the Senate that we knew over in the House. When he ascended to the office of President pro tem, of this body, I became for the first time a member of this body and he was the first man to welcome me, and as President Pro Tem of this body gave to me the appointment of Chairman of the Committee on Public Roads and Highways, which I sought at his hands. He has never forgotten his friends, he has always been true, loyal and devoted to those friends. He is a real man and he is a man in whose friendship we can always repose confidence, his word is one hundred per cent good. Once Eddie Beidleman gave you his word, you did not have to wonder whether that pledge would be carried out, the moment he told you that he would do a thing, it was as good as done, because he always kept his word and never forgot his promise. When he ascended to the high office of Lieutenant Governor of Pennsylvania he continued as the same Eddie Beidleman and, like my friend and colleague Senator Craig, I delight in calling him by his first name, as he delights in calling all of his friends by their first name. I remember upon many occasions during his official term that when we needed a speaker down in Chester County for a Board of Trade meeting or some other function of that nature, he never turned a deaf ear to us. A request to Eddie Beidleman from a friend was always equal to a command because he never failed to respond, and, at great inconvenience and expense to himself many times, has neglected his own private affairs to do a friendly turn for the members of this body, and I know that it is a pleasure to every man in this body equal to that of myself, to show to him this slight mark of esteem, of friendship and goodwill. He, like some of the rest of us, has felt the pangs of the poisoned pen and vituperations poured out against him, undeserved, but his friends were never shaken in their confidence by these utterances. It only made his friends that much more his sincere and devoted, knowing full well how unjustified those vituperations were. Eddie Beidleman never did a mean thing in his life, he is not capable of doing a mean thing. He never did an illegal thing in his life, for he is not capable of doing or performing an illegal act, and in this slight token of appreciation of friendship his friends in the Senate have asked him to accept at their hands we hope that in treading over those rugs he may at all times feel the pulsations of friendship which eminate from the hearts of every man in this Senate, and we believe that the day is not far distant when he will be called to higher honors in his state and nation and we know he will perform the functions of any place to which he is called with the same fidelity, with the same care and the courage to himself and friends that he has performed in those places of high trust that he has already occupied. We wish for Eddie Beidleman, our friend, continued success in whatever line his inclinations may lead him and we pledge to him our support and cooperation at all times and under all conditions.

Mr. SALUS. Mr. President and members of the Senate: In speaking on any subject or theme anyone can make a better talk if you have a good subject. In this case, so far as the subject is concerned, the speaker is at a disadvantage, because Eddie Beidleman is not a good subject. A man who has done everything right in all his life leaves no room for comparison and all that I, or all that the other members of this Senate can say is that Eddie Beidleman is right. You cannot improve on right. You cannot improve on a man who has done everything he has ever done, or was asked to do, strictly in accordance with the things that are one hundred per cent. correct, and so it is hard to say anything about Eddie Beidleman, excepting that he is Eddie Beidleman, and that he is in a class all by himself, and I know that is just the way we all feel about him. This ought to be a big day for Dauphin County, it ought to be a big day for the City of Harrisburg, and I know it is, because I feel that the people who are his neighbors and companions must be proud, as they always are, of him, but particularly must they be proud on a day like this when the representatives of all the people of Pennsylvania get together, and, as a token or expression of their feelings for him, are willing and anxious to ask him to accept this small gift at their hands, in order that he may feel that we at all times have appreciated his kindly work.

I can myself just picture how Senator Beidleman feels at this time, sitting up there; I know that he feels uncomfortable because he is the kind and character of a man who does what he does out of the goodness of his heart, for the self-satisfaction of knowing that he does right, that he is treating his fellow-citizens fairly with expectation of neither reward nor laudation from any one. I think these kindly remarks made in his presence make him feel uncomfortable. It would make any big man feel uncomfortable and while he is happy to be here, I know he will be glad when this ceremony is over and he can go away and enjoy himself and not have to listen to these remarks made of him, which he so justly deserves. Someone said this morning, "Those rugs are beautiful, they are large, where can Beidleman put them? Surely his home has no room big enough in which these rugs can be used." Why of course Beidle-

man's home cannot use those rugs, they are too big, they were never bought by the Committee in charge with that thought in mind. The Committee in charge were men of foresight, men who knew, and they bought those two rugs to place in the Executive Mansion in 1927, when we Senators will be welcomed at the Executive Mansion without a visiting card, the same as will be the members of the House of Representatives, when all the persons of the Commonwealth shall be treated with equality. We are all commoners, we are all proud of him and the leader of the commoners of Pennsylvania is Edward E. Beidleman of Dauphin County.

Mr. DAIX. Mr. President and gentlemen of the Senate, after listening to the remarks of my colleague, Mr. Salus, from Philadelphia, I do not think it amiss to say that I feel a certain devotion that was not stirring within my breast ten or fifteen minutes ago. I have listened with rapt attention to what has been said by the various Senators when they entered the hall of the Senate Chamber in the beginning of their career and I probably can go back just one step beyond that and say that I recall that in November, 1912, when I had the honor of being elected a member of this august body there was a great jurist in the City of Philadelphia, who said to me "Gus, when you go there I want you to keep close to Eddie Beidleman," and while at that time it seemed somewhat odd and strange to me, because I did not know the man, as time went on I found the reason why. It was not only for the ability that this jurist knew that this man possessed, but it was in addition to this he realized what a great man he was in every sense of the work, an honest man and a moral man, and that being a friend to all he wanted a younger member for the first time he stepped within the Senate Chamber to come in contact with such a man. It is very difficult I agree with the other speakers, on an occasion like this, to know just exactly what to say, and I think when the sentiments come from the heart even more than from the lips, they speak volumes of truth that no pen can write and that only hearts can express. I agree with the Senator from Chester County when he says that no scurrilous tongue nor poisonous pen can ever injure a man like Dauphin County has had in the Senate of Pennsylvania. Mr. President, reputation is what people think we are, character is what God knows us to be, and the character of this man is not only written in the annals or in the archives but in the hearts of the members of the Senate and it is written on the book that is a greater thing, and carries with it more than us men of mortal life can say and so to Eddie Beidleman as I always wrote to him and called him, I will say to Governor Beidleman that on behalf of the Senate of Pennsylvania I want him to take this one little gift from us and always remember there goes with it loving hearts, loving friendships and an overwhelming amount of honest love.

The PRESIDENT. Any man who has served the Commonwealth so faithfully and honorably both as a member of this honorable body and as the Lieutenant-Governor needs no introduction, especially to us fellow members, but it does afford me very great pleasure at this time to simply present your old time, warm friend, Eddie Beidleman.

HONORABLE EDWARD E. BEIDLEMAN. Mr. President, and members of the Senate, when I left this rostrum, on the 16th of last January, I thought I had gone from it for the last time, and I did not feel that I would be called back on an occasion as pleasant as this one is to-day. I am very much like I was at the commencement of this session, when for the first time in my whole connection with it I lost a word. It was when a request for unanimous consent was asked to resolve the Senate into executive session for the first time I was unable to find the word to properly call the body into that session. I find myself in that position this morning, I cannot find words to express the feeling which I have for the members of the Senate, and the many Senators with whom I have associated during my many years connection with. I started my legislative career on the House side and when I came into the Senate of 1913 I observed a very great difference between being a member of the lower house and being a member of this one. I had had some observations of the Senate because when I entered upon the study of law my preceptor was then a member of this body and I very naturally followed the Senate and its proceedings. Besides that, long before my preceptor was a member of this body my old and lifelong friend, Harry Baker, was a page boy in this body. I had known him and I was interested in his rise and his career, and my love and affection has always been very great for the members of this body. I recognize that when a man enters into public life it must be with the expectation that he must take the vituperation to which my friend, the Senator from Chester, has referred, and unless a man intends to expect such vituperation and attack upon him, in my opinion, he has no business to enter upon the field of public life. There is only one thing that it is necessary for a man in public life to have in mind and that is the desire to always ask himself if the matter that is up for consideration, in his opinion, is right and for the benefit of the constituency that he represents; and always during my legislative career I tried to determine what was the right thing to do and whether or not newspapers affirmed my judgment it was the performance of the duty which I felt belonged to me and I alone was answerable to the constituency which I represented.

In this body we have always been known as the one lot of men with the courage to stand up for what is right for the people of Pennsylvania and notwithstanding the many attacks that have been made upon this Senate in the past it has always weathered the storm and I know it will continue to weather the storm and be regarded as I have always regarded it and as my colleagues have always regarded it, as the best legislative body in the world. I feel that I have been unduly honored by the members of this Senate as its President Pro Tempore and subsequently by the people of the Commonwealth as its Lieutenant-Governor. I have never had a single difference of opinion with a single member of this Senate as its presiding officer. I recall only one time when my old friend, the Senator from Blair, in his zeal and his interest and desire to accomplish his pet legislation, a point of order was raised and I know his feelings were hurt that morning when I was obliged to decide the question according to the rules of order, and notwithstanding his injured feelings he came, after the Senate adjourned, and called my attention to the fact that I was right and he appreciated the fact that I had the courage to stand up notwithstanding it was a question of public moment in which the eyes of the people of Pennsylvania were directed to the Senate of Pennsylvania, It is when your fellows come and say that they believe you are right and acted in accordance with the courage of your convictions that makes one feel it is worth while to have the pleasant association of the members of this Senate.

I want to express from the bottom of my heart my appreciation and affection for the members of this Senate and to thank them for this beautiful present that they have made me this morning. These rugs will fit two rooms in the house in which I have lived for many years and I know of no place I can go where I can have such tender affection for the men with whom I was associated for so many years than with

my own family. They will enjoy with me the beautiful gift which you have given me and they will always be in the rooms in my house where during my waking hours I will be with them, and while in that home can feel the affection and regard which I have always had, and which I am confident has always been reciprocal by the members of this Senate.

I want to say that I thank every one of you, and not along the line of the suggestion which was made by the Senator from Beaver, when I went to Woodlawn in his own county, at his instance and request, because of my desire to oblige him, because I felt it was a duty and obligation that I owed to him notwithstanding the fact that I have gone out of this Senate, the same feeling remains and if there is at any time any favor or anything that I can say for the members of this Senate I am just as subject to call as I have always been, and I will be glad to respond and give my aid and attention to anything that you, my fellow-members of so many years have always given to me. I thank you from the bottom of my heart and I retire now with the feeling of affection such as it is impossible for me to express.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 6, 1923.

The House met at 11:00 o'clock A. M.
The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Rev. Lorenzo D. Thomas, a member of the House, offered the following prayer:

Our Father, who art in Heaven, we come before Thee at this time, conscious of our needs and conscious of thy power to help. We thank Thee that Thou art the God that giveth new blessings with each recurring sunrise; and we thank Thee that even though the sun does not shine in the heavens to our observation, we have every reason to believe that behind the clouds the sun still shines; and we would pray that the same figure may be observed in the things that we would undertake to do today. We thank Thee for clarified vision; we thank Thee for a rarified atmosphere; and grant, then, Lord, that our hearts may be in keeping with Thy will concerning us in this day's work, for Christ's sake. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Morrison, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED.

By Mr. GIBBON. HOUSE BILL No. 518.

An Act making an appropriation to the Mercy Hospital at Wilkes-Barre, Pennsylvania.

Referred to the Committee on Appropriations.

By Miss GALLAHER. HOUSE BILL No. 519.

An Act to amend section one of the act approved the twelfth day of June, one thousand nine hundred and nineteen, (P. L. 450), entitled "An Act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys, and to incur indebtedness and issue bonds and other highways and State-aid highways or any public highway in any county of the Commonwealth, and providing the method for applying for said moneys, and for the approval thereof by the State Highway Department in certain cases;" permitting the improvement of public highways other than State and State-aid highways without the approval of the State Highway Department.

Referred to the Committee on Public Roads.

By Mr. ALEXANDER. HOUSE BILL No. 520.

An Act to establish as a State Highway a certain section of public road in the county of Delaware.

Referred to the Committee on Public Roads.

By Mr. ALEXANDER. HOUSE BILL No. 521.

An Act imposing an emergency State luxury tax; providing for its collection; restricting the use of the revenue derived therefrom; and fixing penalties.

Referred to the Committee on Ways and Means.

By Mr. HEFFERNAN. HOUSE BILL No. 522.

An Act providing that no real estate shall be exposed to sale by reason of execution proceedings upon first mortgages and bonds accompanying the same, unless all lien holders of record shall have been notified.

Referred to the Committee on Judiciary General.

By Mr. CRAIG. HOUSE BILL NO. 523.

An Act to further amend section five of the act approved the thirty-first day of March, one thousand eight hundred and seventy-six, (P. L. 13), entitled "An Act to carry into effect section five, of article fourteenth, of the constitution, relative to the salaries of county officers and the payment of fees received by them into the state or county treasury, in counties containing over one hundred and fifty thousand inhabitants," as amended.

Referred to the Committee on Counties and Townships.

By Mr. KOHLER. HOUSE BILL NO. 524.

An Act to amend part of section one of an act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455), entitled, "An Act to fix the number of representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

Referred to the Committee on Legislative Apportionment.

By Mr. KOHLER. HOUSE BILL No. 525.

An Act establishing a State highway in the County of Lackawanna providing for its location, construction, improvement and maintenance by the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. KOHLER. HOUSE BILL No. 526.

An Act establishing a State Highway in the County of Lackawanna; providing for its location, construction, improvement and maintenance by the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. KOHLER. HOUSE BILL No. 527.

An Act establishing a State highway in the County of Lackawanna; providing for its location, construction, improvement and maintenance by the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. HALL. HOUSE BILL No. 528.

An Act to amend section seven, article six, of the act approved the twenty-seventh day of June, one thousand nine hundred and thirteen, (P. L. 568) entitled, "An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto".

Referred to the Committee on Municipal Corporations.

By Mr. EDMONDS. HOUSE BILL No. 529.

An Act concerning aeronautics and to make uniform laws with reference thereto.

Referred to the Committee on Judiciary General.

By Mr. EDMONDS. HOUSE BILL No. 530.

An Act to amend section fifteen of an act approved the thirtieth day of January, one thousand eight hundred and seventy-four, (P. L. 31), entitled, "A further supplement to the act regulating elections in this Commonwealth"; providing for the appointment of registry assessors in cities of the first class by the registration commissioners.

Referred to the Committee on Elections.

By Mr. EDMONDS. HOUSE BILL No. 531.

An Act providing for the abatement of nuisances caused by the improper or defective paving or encroaching fences in alleys in cities of the first class, for the establishment of lines and grades for, and the grading, paving or repaving of said alleys, and the grading of private alleys hereafter laid out, and for apportioning the cost and for the filing of liens therefor.

Referred to the Committee on Municipal Corporations.

By Mr. EDMONDS. HOUSE BILL No. 532.

An Act to provide for the registration and protection of artificial, assumed trade or association names, titles or designations.

Referred to Committee on Judiciary Special.

By Mr. ASTON. HOUSE BILL No. 533.

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital, at Wilkes-Barre, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. HASLETT. HOUSE BILL No. 534.

An Act to amend Route Number ninety-one of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highway, solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain the certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships boroughs, and incorporated towns with Commonwealth governing same; providing for the minumum width of State highways and State-aid highways and kind of material to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Referred to the Committee on Public Roads.

By Mr. HASLETT. HOUSE BILL No. 535.

An Act providing a method of annexation of cities, boroughs, townships or parts of townships to cities of the third class; regulating the proceedings pertaining thereto; and repealing inconsistent legislation.

Referred to the Committee on Municipal Corporations.

By Mr. DUNN. HOUSE BILL No. 536.

An Act to amend sections two, three, four, five, as amended, seven, nine and ten of the act approved the thirtieth day of March, one thousand nine hundred and seventeen, (P. L. 21), entitled "An Act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith."

Referred to Committee on Judiciary General.

By Mr. HOWELL. HOUSE BILL No. 537.

An Act to amend Route number one hundred and thirty-six of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of townships or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and

requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of material to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. RIPMAN. HOUSE BILL No. 538.

An Act to establish as a State Highway a certain section of public road in the county of Perry.

Referred to the Committee on Public Roads.

By Mr. HESS. HOUSE BILL No. 539.

An Act establishing a certain section of public road in the county of Armstrong as a State Highway and providing for the construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. GIBBON. HOUSE BILL No. 540.

An Act prohibiting persons from concealing, changing or destroying manufacturers' serial numbers, or identification marks upon machines or apparatus or from knowingly having any such machine in the possession; and prescribing penalties for violation thereof.

Referred to the Committee on Manufacturers.

By Mr. ASTON. HOUSE BILL No. 541.

An Act to amend an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended; by authorizing the court of Quarter Sessions to abolish all wards existing in any township of the first class, and to re-divide such township into new wards.

Referred to the Committee on Counties and Townships.

By Mr. STONER. HOUSE BILL No. 542.

An Act making an appropriation to the Home for Colored Children, Termon Avenue, Twenty-seventh Ward, Pittsburgh, Pennsylvania, or its successor.

Referred to the Committee on Appropriations.

By Mr. DAVID FOWLER. HOUSE BILL No. 543.

A joint resolution creating a legislative committee to investigate the coal supply situation; defining the powers and duties of said commission and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. BIDELSPACHER. HOUSE BILL No. 544.

An Act establishing a certain public road in the County of Lycoming, as a State Highway, and providing for the construction, and maintenance at the expense of the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. PEELOR. HOUSE BILL No. 545.

An Act to amend sections one and two of an act approved the second day of May, one thousand eight hundred and ninety-nine, (P. L. 163) entitled, "An Act legalizing, and making it lawful to build, fences constructed in whole or in part of wire along the public highways, and as division fences," permitting the use of fences of wire with barbs.

Referred to the Committee on Judiciary Local.

By Mr. HARER. HOUSE BILL No. 546.

An Act making an appropriation to the Pennsylvania Board of Pharmacy.

Referred to the Committee on Appropriations.

By Miss MARTHA G. THOMAS. HOUSE BILL No. 547.

An Act to provide for the appointment of a Commission to suggest revisions and amendments to the statutes of the State of Pennsylvania which relate to children especially those which relate to dependent, defective, delinquent, neglected, incorrigible or illegitimate children; defining the powers and duties of the commission; authorizing the examination of documents, records and papers and making an appropriation to meet the expenses of said Commission.

Referred to the Committee on Appropriations.

By Mr. GROVER C. MYERS. HOUSE BILL No. 548.

An Act to establish as a State Highway a certain section of public road in the County of Adams.

Referred to the Committee on Public Roads.

By Mr. MILLER. HOUSE BILL No. 549.

An Act legalizing the issuance of free transportation by railroad companies to certain police officers.

Referred to the Committee on Railroads.

By Mr. PARKINSON. HOUSE BILL No. 550.

An Act making an appropriation to the Waynesburg Hospital, of Waynesburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. MOFFATT. HOUSE BILL No. 551.

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312), entitled, "An Act providing a system of government for boroughs and revising, amending, and consolidating the law relating to boroughs," by adding an additional sub-section to section nine of article seven of chapter six thereof to empower boroughs without petition of property owners, to grade, pave, curb, macadamize or otherwise improve public streets, or parts thereof, and assess the entire cost thereof against the owners of the property abutting thereon when said streets or parts thereof do not exceed one thousand feet in length and connect two streets theretofore paved and improved.

Referred to the Committee on Municipal Corporations.

By Mr. ALFRED I. FOWLER. HOUSE BILL No. 552.

An Act to amend section five hundred and forty-two of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled, "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" as amended.

Referred to the Committee on Education.

By Mr. MINEHART. HOUSE BILL No. 553.

An Act making an appropriation to the Chambersburg Hospital, at Chambersburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. DONAHUE. HOUSE BILL No. 554.

An Act to establish as a State Highway a certain public road in the County of Bucks.

Referred to the Committee on Public Roads.

By Mr. LORENZO D. THOMAS. HOUSE BILL No. 555.

An Act requiring contracts and sub-contracts doing certain construction work to file a bond to cover the wages of employes and cost of material used therein: Providing the procedure to be followed in bringing suit on such bonds; making the person owning, occupying or controlling the property liable for such wages and material upon the failure

of the contractor and making the contractor liable for the same upon the failure of the sub-contractor, to file such bonds.

Referred to the Committee on Judiciary General.

By Mr. McDANIEL. HOUSE BILL No. 556.

An Act requiring counties of the third and fourth classes to establish a pension fund for the employes of such counties, and providing for the administration of such fund and payments therefrom.

Referred to the Committee on Counties and Townships.

By Mr. McDANIEL. HOUSE BILL No. 557.

An Act relating to the assignment of rights to receive or recover a debt, or money.

Referred to the Committee on Judiciary General.

By Mr. VAN ALEN. HOUSE BILL No. 558.

An Act suppdementing and amending the act approved the twenty-fifth day of May, one thousand nine hundred and twenty-one, (P. L. 1159), entitled "An Act authorizing certain corporations to issue preferred or common stock of one or more classes; providing for the manner of issuance, restrictions and regulations in the manner of voting thereof, and the rights and privileges of the holders thereof; validating certain acts of corporations not participated in by the holders of non-voting stock; and repealing all acts and parts of acts inconsistent therewith," further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value, and regulating such issuing of said stock.

Referred to the Committee on Judiciary Special.

By Mr. LUDLOW. HOUSE BILL No. 559.

An Act regulating the manner in which boroughs and first class townships may secure the services of State Police; providing for their payment and discipline; defining their powers and duties and the authority to which they are subject; providing for the appointment of temporary troopers and officers, and making an appropriation.

Referred to the Committee on Municipal Corporations.

By Mr. DRIGGS. HOUSE BILL No. 560.

An Act to repeal the act approved the twenty-third day of February, one thousand eight hundred and seventy, (P. L. 223), entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy, in said county," and the act approved the nineteenth day of May, one thousand eight hundred and seventy-one, (P. L. 983), entitled "A supplement to an act, entitled 'An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy, in said county,' passed the twenty-third day of February, Anno Domini one thousand eight hundred and seventy."

Referred to the Committee on Judiciary General.

By Mr. O'BOYLE. HOUSE BILL No. 561.

An Act enabling the boroughs of this Commonwealth to adopt and enforce zoning regulations.

Referred to the Committee on Municipal Corporations.

By Mr. KUNKLE. HOUSE BILL No. 562.

An Act making an appropriation to the Home for the Aged of Westmoreland County, at Greensburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. KUNKLE. HOUSE BILL No. 563.

An Act to amend section one of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 899), entitled "An Act regulating service of process from the courts of common pleas or other courts of record, and extending the territorial jurisdiction thereof in certain cases;" by authorizing the service of writs of summons in any county of the Commonwealth, and to repeal section two of said act.

Referred to the Committee on Judiciary General.

By Mr. ZOOK. HOUSE BILL No. 564.

An Act making an appropriation to the Nason Hospital Association, of Roaring Spring, Blair County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. DRIGGS. HOUSE BILL No. 565.

An Act to establish as a State Highway a certain section of public road in the county of Bradford.

Referred to the Committee on Public Roads.

By Mr. BURNS. HOUSE BILL No. 566.

An Act to amend article one, section one, of the act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determination by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains', by amending section nine thereof; repealing the act approved the thirty-first day of May one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals.' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading car,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" extending the provisions of said act to corporations, joint-stock companies or associations, domestic or foreign, their lessees, assignees, trustees

and receivers, and to individuals, partnerships and associations engaged in the production, sale or distribution of coal, and defining and declaring the same to be public service companies.

Referred to the Committee on Judiciary General.

By Mr. DRIGGS. HOUSE BILL No. 567.

An Act making an appropriation to the Robert Packer Hospital.

Referred to the Committee on Appropriations.

By Mr. BUSH. HOUSE BILL No. 568.

An Act prohibiting the operation of enclosed motor and auto busses carrying passengers for hire unless the same are provided with proper exits.

Referred to the Committee on Judiciary Special.

By Mr. ASBURY. HOUSE BILL No. 569.

An Act to protect all persons in their equal rights regardless of race, color or creed in places of public accomodation, entertainment, education or amusement and providing penalty for violation of the same.

Referred to the Committee on Judiciary General.

By Mr. WRIGHT. HOUSE BILL No. 570.

An Act to establish as a State Highway a certain section of public road in the counties of Bedford and Cambria.

Referred to the Committee on Public Roads.

By Mr. BURD P. EVANS. HOUSE BILL No. 571.

An Act to amend section three hundred and twenty-five of an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled, "An Act concerning townships; and revising, amending, and consolidating the law relating thereto" changing the compensation of townships auditors.

Referred to the Committee on Counties and Townships.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 572.

An Act making an appropriation to the Bethel Orphanage, located at Osceola, Tioga County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 573.

An Act making an appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania, located at Blossburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 574.

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania, located at Blossburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WEAMER. HOUSE BILL No. 575.

An Act to establish as a State Highway a certain section of public road in the County of Bucks.

Referred to the Committee on Public Roads.

By Mr. VICKERMAN. HOUSE BILL No. 576.

An Act to amend section eleven, and fifteen as amended, and repealing section twenty-one of the act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make and to alter amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation;" by limiting the right of assistance to voters, extending the power of the court to open ballots boxes, and abolishing the office of watchers at primary elections.

Referred to the Committee on Elections.

By Mr. GRIFFITH. HOUSE BILL No. 577.

An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto;" fixing the compensation of township auditors.

Referred to Committee on Counties and Townships.

By Mr. WILLIAM F. MARSHALL. HOUSE BILL No. 578.

An Act to amend route two hundred and forty-eight, of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. GOEHRING. HOUSE BILL No. 579.

An Act providing for the location construction, operation, maintenance and vacation of public roads or highways, bridges, tunnels subways and underground roads within second class counties of this Commonwealth, either wholly or partly within the territorial limits of cities, boroughs and townships thereof, and the taking over by the county of such improvements from township making such improvements county improvements; establishing procedure for undertaking or vacating of improvements by the county commissioners, and the mode of taking exceptions thereto; providing for the entry upon and appropriation of property for the purpose of planing and making improvements, the compensation to be paid therefor, and the payment of damages and the assessment of benefits resulting from such improvements, and the manner in which such damages and benefits may be determined; providing for the filing, reviving and collecting of liens arising from assessment of benefits thereunder; providing for the payments of the costs and expenses of such construction, and improvement and the maintenance and operation thereafter; providing for the letting of contracts for such improvements or maintenance and for the making of such improvement or the maintenance thereof by the county commissioners themselves; defining the duties of the county commissioners with reference to such county improvements and authorizing them to employ the necessary persons and maintain the necessary equipment to perform their duties; providing for the contracting by counties of the second class with railway or transportation companies for the concurrent use of county improvement; authorizing the levy of a tax and the issuance of bonds by counties of the second class to provide funds for said purposes; providing for the entry upon and appropriation by said counties of highways, streets and properties of cities and boroughs necessary for such improvements, and for the maintenance and control of said highways, streets, and properties by said counties after said entry and appropriation; requiring the county commissioners of said counties to prepare a county road plan, and prohibiting the award of damages for the taking of improvements made by persons within the lines located on said plan after its adoption, and requiring the removal by the owner of improvements made within the lines of relocated highways on said plan; authorizing the county commissioners of said counties to appoint persons to inspect, repair and control county roads with power to enforce laws; and authorizing the county commissioners of said counties to establish regulations for the use of county roads, including penalties for violations.

Referred to the Committee on Counties and Townships.

By Mr. BREWSTER. HOUSE BILL No. 580.

An Act making an appropriation to the J. C. Blair Memorial Hospital of Huntingdon, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ALEXANDER. HOUSE BILL No. 581.

An Act imposing a poll tax for county purposes on male and female residents over the age of twenty-one years; and abolishing the occupation tax.

Referred to Committee on Counties and Townships.

By Mr. O'BOYLE. HOUSE BILL No. 582.

An Act to repeal an act approved the sixteenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred seventy-nine), entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or coupnty prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safe-keeping, discipline and employment of prisoners and the government and management of said jails or county prisons."

Referred to Committee on Counties and Townships.

By Mr. HUBER. HOUSE BILL No. 583.

An Act making an appropriation to the Home for Friendless Women and Children of the City of Scranton.

Referred to Committee on Appropriations.

By Mr. STONER. HOUSE BILL No. 584.

An Act making an appropriation to the Curtis Home of Western Avenue, North Side, Pittsburgh or its successor.

Referred to Committee on Appropriations.

By Mr. BIDELSPACHER. HOUSE BILL No. 585.

An Act establishing a certain public road in the county of Lycoming, as a State highway, and providing for the construction and maintenance at the expense of the Commonwealth.

Referred to Committee on Public Roads.

By Mr. CONNER. HOUSE BILL No. 586.

An Act imposing a State tax upon crude petroleum; providing for the settlement and collection thereof, and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. CONNER. HOUSE BILL No. 587.

An Act imposing a State tax upon natural gas; providing for the settlement and collection thereof; and providing penalties.

Referred to the Committee on Ways and Means.

By Miss GRIMES. HOUSE BILL No. 588.

An Act to regulate the allotting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plat prior to the sale, conveyance or mortgaging of any part thereof and providing penalties for the violation of the act.

Referred to the Committee on Judiciary Local.

By Mr. McCAIG. HOUSE BILL No. 589.

An Act making an appropriation to Saint Francis Hospital, of Pittsburgh.

Referred to the Committee on Appropriations.

By Mr. McCAIG. HOUSE BILL No. 590.

An Act making an appropriation to the Orphan Asylum of the Holy Family, of Emsworth, Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 591.

An Act making a re-appropriation to the Montefiore Hospital Association of Western Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 592.

An Act making an appropriation to the Montefiore Hospital Association of Western Pennsylvania, located at Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. DUNN. HOUSE BILL No. 593.

An Act providing compensation for the residents of this Commonwealth who served in military or naval forces of the United States during the World War; imposing certain duties on the Adjutant General; making an appropriation and repealing inconsistent legislation.

Referred to the Committee on Appropriations.

By Miss MARTHA G. THOMAS. HOUSE BILL No. 594.

An Act authorizing the county commissioners to appropriate county moneys to incorporated agricultural and horticultural societies and associations.

Referred to the Committee on Agriculture.

REPORTS FROM COMMITTEES.

Mr. CONNER, from the Committee on Ways and Means, reported as committed House Bill No. 346, entitled:

An Act to amend section seventeen of the act approved the seventeenth day of June, one thousand nine hundred and thirteen, (Pamphlet Laws five hundred seven), entitled, "An Act to provide revenue for state and county purposes and in cities coextensive with counties for city and county purposes, imposing taxes upon certain classes of personal property, providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith, and modifying existing legislation which provided for raising revenue for state purposes," as amended.

Mr. ANDERSON, from the Committee on Agriculture, reported as committed House Bill No. 259, entitled:

An Act relating to the drainage of wet and spouty lands, by providing for the construction of surface or under drains over lands owned by others.

Mr. BURD P. EVANS, from the Committee on Agriculture, reported as committed House Bill No. 471, entitled:

An Act to amend sections one, two and three of an act approved the twenty-fourth day of April, one thousand eight hundred and eighty-five, (P. L. 9), entitled "An Act to amend an act, entitled 'An Act to provide for the destruction, and to prevent the spread of Canada thistles,' approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two," extending the provisions of said act to cichorium intybus the weed commonly known as chickory or succory.

Mr. ALEXANDER, from the Committee on Ways and Means, reported as committed House Bill No. 472, entitled:

An Act to amend sections five and six of the act approved the second day of May one thousand eight hundred and ninety-nine (P. L. 184) entitled, "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," by requiring all dealers and venders to keep accurate books of account and empowering the appraisers to examine the same.

Mr. SPROWLS, from the Committee on Banks and Banking, reported as committed House Bill No. 288, entitled:

An Act relating to the organization, maintenance and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of 1919; with table of contents.

Mr. JOSEPH C. MARCUS, from the Committee on Banks and Banking, reported as committed House Bill No. 287, entitled:

An Act regulating banks, trust companies, title insurance companies, savings banks, and private bankers, codifying and revising the laws relating thereto, and providing penalties for the violation thereof; with table of contents.

Mr. IRVIN, from the Committee on Agriculture, reported as committed House Bill No. 481 (Senate Bill No. 95), entitled:

An Act for the prevention of fraud and the protection of the public health relating to milk, cream or skimmed-milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated, prohibiting the introduction of foreign fats into them, regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof.

Mr. RAYMOND, from the Committee on Agriculture, reported as amended House Bill No. 328 (Senate Bill No. 67), entitled:

An Act to further amend section four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred ninety-five) entitled "An Act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade mark stock and poultry food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuffs sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expense of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled 'An Act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven" as amended fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs.

Mr. CONNER, from the Committee on Law and Order, reported with a negative recomendation House Bill No. 446, entitled:

An Act to repeal the act approved the third day of June, one thousand nine hundred and nineteen, (P. L. 366), entitled "An Act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; providing for a State Police Force, and defining the powers and duties of the same, including the enforcement of laws relating to game, fish, forestry, and water supply, and certain other laws, and including the collection of information useful for the detection of crime, and the apprehension of criminals; providing for the equipment, maintenance, and transportation of such police; providing for barracks and substations therefor; and prescribing penalties," and the amendments thereto.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER. The Chair would again call attention to the fact that bills being reported from committees must be signed by the member making the report, and endorsed to show whether amended or as committed.

REPORT OF THE STATE FAIR COMMISSION.

The SPEAKER laid before the House the report and plans for an agricultural fair and industrial exposition for the Commonwealth of Pennsylvania.

(For report, see appendix).

LEAVE OF ABSENCE.

Mr. FREDERICK A. BELL asked and obtained leave of absence for Mr. McCurdy.

GRANTING USE OF HALL OF HOUSE TO COMMITTEE ON MUNICIPAL CORPORATIONS.

Mr. DAVID J. JONES. Mr. Speaker, the committee on Municipal Corporations proposed to hold a public hearing at 2:00 o'clock this afternoon, on House Bill No. 254, the enabling act, and it was the intention of the Committee to hold that hearing in room 522, but there are a number of representatives from various first, second and third class cities here and it may be possible that room 522 would be too small. Therefore, we ask permission to use the floor of the House if we find it necessary at 2:00 o'clock to-day.

The SPEAKER. If there are no objection leave is granted. The Chair hearing none, leave is granted.

BILLS ON THIRD READING.

Agreably to order,

The House proceeded to the third reading and consideration of House Bill No. 332, entitled:

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Albert,	Evans, J.,	Kunkle,	Richards,
Alexander,	Fields,	Labar,	Rippman,
Allman,	Flinchbaugh,	Lafferty,	Sample,
Anderson,	Fowler, A. I.,	Lauver,	Sautter,
Armstrong,	Fowler, D.,	Little,	Schaeffer,
Arthur,	Frazier,	Long,	Schilling,
Asbury,	Gallaher,	Lucas,	Schleiter,
Aston,	Gelder,	Ludlow,	Schoener,
Baker,	Gibbon,	Lynch,	Schwartz,
Baldi,	Gilchrist,	Mack,	Shambach,
Beaver,	Glasgow,	MacKinney,	Sheridan,
Behney,	Goehring,	Malie,	Smith, H. J.,
Bell, F. A.,	Golder,	Mangan,	Smith, H.,
Bell, W. T.,	Gorham,	Marcus, J.,	Smith, J. W.,
Bentley,	Greeby,	Marcus, J. C.,	Soffel,
Berger,	Griffith,	Marshall, W. F.,	Stark,
Betts,	Grimes,	McBride,	Staudenmeier,
Bidelspacher,	Gundy,	McCaig,	Stavitski,
Blair,	Haas,	McCann,	Steedle,
Bluett,	Hall,	McClure,	Sterling,
Blumberg,	Harer,	McDaniel,	Stevens, A. F.,
Brenneman,	Harter,	McDermott,	Stevens, A. J.,
Brewster,	Haslett,	McGowan,	Stoner,
Bromley,	Haws,	McVicar,	Storb,
Brown,	Heffran,	Metcalf,	Storer,
Burchinal,	Henderson,	Miller,	Thomas, L. D.,
Burns,	Hetrick,	Minehart,	Thomas, M. G.,
Bush.	Heyburn,	Moffatt,	Thompson,
Chaplin,	Himes,	Moore,	Van Alen,
Clutton,	Hollis,	Morrison,	Walker,
Coldsmith,	Hontz,	Munley,	Weamer,
Conner,	Hoover,	Myers, G. C.,	Wells,
Craig,	Horne,	Myers, P. M.,	Wettach,
Diehm,	Howell,	Nolte,	Whitehouse,
Dietz,	Huber,	O'Boyle,	Whiteman,
Dilsheimer,	Irvin,	Ogle,	Williams, G. W.
Driggs,	Johnson,	Orr,	Williams, J. M.,
Drinkhouse,	Jones, C. B.,	Parkinson,	Woner,
Dunn,	Jones, D. J.,	Peelor,	Wood, N.,
Eaches,	Jones, E. P.,	Perry,	Wood, W. P.,
Earley,	Keene,	Pitts,	Wright,
Edmonds,	Kennedy,	Posey,	Zook,
Eshelman,	Kohler,	Price,	Goodnough,
Evans, B. P.,	Korns,	Raymond,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 268, as follows:

An Act to repeal the act approved the eleventh day of May one thousand nine hundred twenty-one (Pamphlet Laws four hundred and seventy-nine) entitled "An Act imposing a State tax on anthracite coal providing for the assessment and collection thereof and fixing the date when said repeal shall take effect and providing penalties for the violation of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-nine) entitled an act "Imposing a State tax on anthracite coal providing for the assessment and collection thereof and providing penalties for the violation of this act" be and the same is hereby repealed

Section 2. This repeal shall take effect and become operative on the first day of January, one thousand nine hundred and twenty-five."

On the question,

Will the House agree to the Bill on third reading?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, with the consent of the gentleman from Lackawanna, I would request that the further consideration of this bill be postponed until the gentleman from Lycoming, Mr. Harer, is in his seat.

BILL POSTPONED.

Mr. DAVID FOWLER. Mr. Speaker, I had in mind the placing of this bill on the postponed calendar, and I now move you that further consideration of this bill be postponed for the present.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 423, entitled:

An Act authorizing boards of county commissioners to cooperate with the Bureau of Animal Industry of the Department of Agriculture; and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious diseases of livestock and poultry.

And said bill having been read at leugth the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189.

Albert,	Fowler, A. I.,	Kunkle,	Richards,
Alexander,	Fowler, D.,	Labar,	Rinn,
Allman,	Fratt,	Lafferty,	Rippman,
Anderson,	Frazier,	Lauver,	Sample,
Armstrong,	Gallaher,	Little,	Sarig,
Arthur,	Gelder,	Lucas,	Schaeffer,
Asbury,	Gibbon,	Ludlow,	Schilling,
Aston,	Gilchrist,	Lynch,	Schleiter,
Baker,	Glasgow,	Mack,	Schoener,
Baldi,	Goehring,	MacKinney,	Schwartz,
Beaver,	Golder,	Malie,	Shambach,
Behney,	Gorham,	Mangan,	Sheridan,
Bell, F. A.,	Goss,	Marcus, J.,	Smith, G. A.,
Bell, W. T.,	Greeby,	Marcus, J. C.,	Smith, H. J.,
Bentley,	Griffith,	Marshall, J. G.,	Smith, H.,
Berger,	Grimes,	Marshall, W. F.,	Smith, J. W.,
Betts,	Guerin,	Mathay,	Soffel,
Bidelspacher,	Gundy,	McBride,	Sowers,
Blair,	Haas,	McCaig,	Sprowls,
Bluett,	Haines,	McCann,	Stark,
Blumberg,	Hall,	McClure,	Staudenmeier,
Boback,	Harer,	McDaniel,	Stavitski,
Brewster,	Harter,	McDermott,	Steedle,
Bromley,	Haslett,	McGowan,	Sterling,
Brown,	Haws,	McKim,	Stevens, A. J.,
Burns,	Heffernan,	McVicar,	Stofflet,
Bush,	Heffran,	Metcalf,	Stoner,
Chaplin,	Henderson,	Miller,	Storer,
Clutton,	Hetrick,	Minehart,	Thomas, L. D.,
Coldsmith,	Heyburn,	Moffatt,	Thomas, M. G.,
Conner,	Himes,	Moore,	Thompson,

Coyne, Holcombe, Morrison, Van Alen,
Craig, Hollis, Munley, Vickerman,
Diehm, Hontz, Myers, G. C., Walker,
Dietz, Hoover, Myers, P. M., Weamer,
Dilsheimer, Horne, Nolte, Wettach,
Driggs, Howell, O'Boyle, Whitehouse,
Drinkhouse, Huber, Ogle, Whiteman,
Dunn, Irvin, Orr, Williams, J. M.,
Eaches, Johnson, Parkinson, Woner,
Earley, Jones, C. B., Patterson, Wood, N.,
Edmonds, Jones, D. J., Peelor, Wood, W. P.,
Eshelman, Jones, E. P., Perry, Wright,
Evans, B. P., Keene, Pitts, Zook,
Evans, J., Kelly, Posey, Goodnough,
Fields, Kennedy, Post, Speaker.
Flinchbaugh, Kohler, Price,
Flynn, Korns, Raymond,

NAYS—1.

Millar,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 329 (Senate Bill No. 69), entitled:

An Act relating to the incorporation of banks and trust companies

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Albert, Flynn, Labar, Sautter,
Alexander, Fowler, A. I., Lauver, Schaeffer,
Allman, Fowler, D., Little, Schilling,
Anderson, Fratt, Long, Schleiter,
Armstrong, Frazier, Lucas, Schwartz,
Arthur, Gallaher, Ludlow, Shambach,
Aston, Gelder, MacKinney, Sheridan,
Baker, Gibbon, Malie, Smith, G. A.,
Baldi, Gilchrist, Mangan, Smith, H. J.,
Beaver, Glasgow, Marcus, J., Smith, H.,
Behney, Goehring, Marcus, J. C., Smith, J. W.,
Bell, F. A., Golder, Marshall, J. G., Sowers,
Bell, W. T., Gorham, Marshall, W. F., Sprowls,
Bentley, Goss, McBride, Stark,
Berger, Greeby, McCaig, Staudenmeier,
Betts, Griffith, McCann, Stavitski,
Bidelspacher, Grimes, McClure, Steedle,
Blair, Guerin, McDaniel, Stevens, A. J.,
Bluett, Haas, McDermott, Stevens, A. F.,
Blumberg, Haines, McKim, Stoffiet,
Boback, Hall, McVicar, Storb,
Brewster, Harer, Metcalf, Storer,
Bromley, Harter, Miller, Thomas, L. D.,
Brown, Haslett, Minehart, Thomas, M. G.,
Burchinal, Haws, Moffatt, Thompson,
Burns, Heffernan, Moore, Van Alen,
Bush, Heffran, Morrison, Vickerman,
Chaplin, Henderson, Munley, Walker,
Clutton, Hetrick, Myers, G. C., Weamer,
Coldsmith, Heyburn, Myers, P. M., Wells,
Conner, Himes, Nolte, Wettach,
Coyne, Hollis, O'Boyle, Whitehouse,
Craig, Hoover, Ogle, Whiteman,
Diehm, Horne, Orr, Williams, G. W.
Dietz, Huber, Parkinson, Williams, J. M.,
Dilsheimer, Irvin, Patterson, Woner,
Donahue, Johnson, Peelor, Wood, N.,
Driggs, Jones, C. B., Perry, Wood, W. P.,
Dunn, Jones, D. J., Pitts, Wright,
Eaches, Jones, E. P., Posey, Zook,
Earley, Keene, Price, Goodnough,
Edmonds, Kelly, Richards, Speaker.
Evans, B. P., Kennedy, Kunkle, Rippman,
Evans, J., Korns, Rinn, Sample,
Fields,

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 411, entitled:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending and consolidating the laws relating thereto."

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McVICAR. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 280, entitled:

An Act providing for the assessment and collection as benefits from the abutting property owners, of the borough's share of the cost of the improvement of a street which forms part of a State Highway, where such improvement has been heretofore made by the State Highway Department.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Albert, Flynn, Kunkle, Richards,
Alexander, Fowler, A. I., Labar, Sample,
Allman, Fowler, D., Lauver, Sarig,
Anderson, Fratt, Little, Sautter,
Armstrong, Frazier, Long, Schaeffer,
Arthur, Gallaher, Lucas, Schilling,
Asbury, Gelder, Ludlow, Schleiter,
Aston, Gibbon, Lynch, Schwartz,
Baker, Gilchrist, Mack, Shambach,
Baldi, Glasgow, Malie, Sheridan,
Beaver, Goehring, Mangan, Smith, G. A.,
Behney, Golder, Marcus, J., Smith, H. J.,
Bell, F. A., Gorham, Marcus, J. C., Smith, H.,
Bell, W. T., Goss, Marshall, J. G., Smith, J. W.,
Bentley, Greeby, Mathay, Sowers,
Berger, Griffith, McBride, Spangler,
Bidelspacher, Grimes, McCaig, Sprowls,
Blair, Guerin, McCann, Stark,
Bluett, Gundy, McClure, Staudenmeier,
Blumberg, Haas, McDaniel, Stavitski,
Boback, Haines, McDermott, Steedle,
Brenneman, Hall, McGowan, Stevens, A. J.,
Brewster, Harer, McKim, Stevens, A. F.,
Brown, Haslett, McVicar, Stoner,
Burchinal, Haws, Metcalf, Storb,
Burns, Heffernan, Millar, Storer,
Bush, Heffran, Miller, Thomas, L. D.,
Chaplin, Henderson, Minehart, Thomas, M. G.,
Clutton, Hetrick, Moffatt, Thompson,
Coldsmith, Heyburn, Moore, Van Alen,
Conner, Himes, Morrison, Vickerman,

Coyne,	Hollis,	Munley,	Walker,
Craig,	Hoover,	Myers, G. C.,	Weamer,
Diehm,	Horne,	Myers, P. M.,	Wettach,
Dietz,	Howell,	Nolte,	Whitehouse,
Dilsheimer,	Huber,	O'Boyle,	Whiteman,
Donahue,	Irvin,	Ogle,	Williams, G. W.
Driggs,	Johnson,	Orr,	Williams, J. M.
Drinkhouse,	Jones, C. B.,	Parkinson,	Woner,
Dunn,	Jones, D. J.,	Patterson,	Wood, N.,
Eaches,	Jones, E. P.,	Peelor,	Wood, W. P.,
Earley,	Keene,	Perry,	Wright,
Edmonds,	Kelly,	Pitts,	Zook,
Evans, B. P.,	Kennedy,	Posey,	Goodnough,
Evans, J.,	Kohler,	Price,	Speaker.
Fields,	Korns,	Raymond,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADDRESS BY HON. M. CLYDE KELLY.

Mr. McKIM. Mr. Speaker, I recognize in the House this morning a visitor in the person of the Honorable M. Clyde Kelly, representing the thirtieth district of Pennsylvania in Congress, and also a former member of this House in the session of 1913, and I would request that he be extended the courtesies of the House and to be asked to say a few words to us this morning.

The SPEAKER. The Chair has great pleasure in presenting to the House the Hon. M. Clyde Kelly, a former member of this House, who has graduated to the halls of Congress.

Hon. M. CLYDE KELLY. Mr. Speaker and members of the legislature, this is the first time that I have ever had the opportunity of saying a word from this sacred desk, although it has been a number of years since I was a member of this body. In the olden days I used to speak from the last sat in the last row of the House of Representatives, not from this chair here. I certainly appreciate the honor it is to say a word to my former colleagues of this great body. Pennsylvania has a wonderful record as far as her legislature is concerned, and I am sure that she is carrying on that work in a splendid degree.

I was introduced to a session of the Massachusetts House some time ago by a former speaker who introduced me to that audience by saying that he took pleasure in introducing Congressman Kelly whom he said comes from out there in Pennsylvania where they make iron and steel for a living, and I had to take a good deal of time to prove that we didn't all steal for a living over in the old Keystone State.

It is a wonderful thing to be able to look int the faces of those charged with the responsibility for this old Keystone State, and after having left a week's session in Washington where I was up almost all night for seven nights in succession, I can say at least that I am gazing at a much better looking audience than I possibly could in the House down in Washington.

I want to say just one word, and that is, the place that Pennsylvania has in Washington, and her recent record has brought that point to a still higher place. Pennsylvania in the days when Joseph Reed was president of the Continental Congress, was the epitome of patriotism, and when that old patriot was offered the best job in the colonies, and was offered a great sum of money if he would only vote for a discontinuance of the fight against Great Britain, he simply responded in the tone of Pennsylvania, "I am a poor man, but as poor as I am, there is not money enough in George III's coffers to buy me." That was Pennsylvania in the beginning, and I believe that is Pennsylvania now.

In this great day when there is chaos on every side, when I have seen territories in Europe myself that were on the verge of anarchy and Bolshevism and ruin, when I have seen peasants on their knees at night praying to Almighty God to bless them, and as they did so with their eyes fixed on little American flags that seemed to be in every spot in all that country, I felt in the viewing of all that, that our country, that America, is a light for the world, and Pennsylvania the Keystone State is in the molding of the destiny of America more than any other state.

It is a proud privilege to be a Keystone man or woman in a day like this; a proud privilege indeed when the world is looking to America to see what government of the people and for the people and by the people shall be.

I think the most beautiful sight perhaps I ever saw in my life was in Germany in 1919, just three months after the armistice when I came suddenly from the city of Coblentz, out on that River Rhine, the lordliest river in Europe, and as I stopped on its blue bosom, and it extended ahead of me I looked straight across and I saw the fortress Ehrenbreitstein, the Gibralter of Germany, the strongest fortress in the world, and which the Kaiser said was so strong that all the armies of the world could not set a foot upon its ramparts. There it was an armored mountain, on top of it a fortress like that of the olden days, and on top of the fortress on top of the mountain there was a staff that ran out in the sunshine there, whipping and snapping in the breeze of the enemy country, there from the impregnable Ehrenbreitstein, an emblem of good to every believer of in democracy, an emblem of evil to every believer of autocracy, there in Germany was the Star Spangled Banner of America. Who put it there? Men of the Keystone State at the forefront, nearly one-tenth of all those soldiers were from Pennsylvania and one-eighth of all the money came from Pennsylvania, and Pennsylvania was at the forefront of that war for democracy.

Now, it may be in this day you are dealing with problems of democracy and peace, and I am confident that the members of this legislature, ladies and gentlemen alike, will deal with them in the spirit of patriotism, in the spirit of the vision of the future, even as they have done down all the days of the past, and in the days of the war when the nations stood on the balance. I wish for you all success as Pennsylvania Legislators; I wish for you the commendation of the Keystone State which deserves the best representation that anyone can give; I wish for you that when you return after this session is over, as we have ended down at Washington, when the gavel drops finally for adjournment without date of the session, that you shall go back to your districts with the commendation of the citizenship, the sovereign power in Pennsylvania, realizing that you have stood fairly and squarely by the Constitution of the United States, the Constitution of Pennsylvania and the laws of the State and the nation. Let no act of yours be in violation of those instruments; they are the fundamental fabric of our land and of our State, and you shall know that in this pivotal time you have had an opportunity in a dynamic day, in a thrilling moment for the sake of old Pennsylvania. Pennsylvania made history in 1776 and is making it again today in full measure.

I thank you for the splendid opportunity of addressing you.

The SPEAKER. I am sure that the members of the House appreciate the words from the former member.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 79, entitled:

An Act to promote the public health by providing for one day of rest in seven for employes in certain employments

On the question,

Will the House agree to the bill on third reading?

Mr. FLYNN. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Lackawanna, Mr. David Fowler, permit himself to be interrogated?

Mr. DAVID FOWLER. Mr. Speaker, I will.

Mr. FLYNN. Mr. Speaker, I would like to ask the gentleman to explain the purpose of this bill.

Mr. DAVID FOWLER. Mr. Speaker and members of the House, I would not think it would need any explanation after the gentleman was right over here at my desk and I told him all I knew about the bill, but he said, "I am going to have some fun with you anyway". I realize that he is not serious in his remarks, but I am going to explain a little about it anyway. Two years ago this bill was before this Assembly, and it was passed by a large majority. This bill has in mind one day of rest in every seven. The bill is backed not only by labor organizations, and I am accused of representing only labor organizations, but also by all the churches in Pennsylvania. I want to say to you that we have just listened to a wounderful speech about Pennsylvania, and I do not think we could do anything better for Pennsylvania than to pass this bill. You all want to do something for Pennsylvania, but if you will pass this one day of rest in seven, you will be doing something worth while. This bill creates no hardship upon any employer, because it merely provides that where an industry is employing a certain number of men, that they employ an extra man or two to relieve the employes in the industry. For industries that are on a seven day or less basis, it does not create any hardship upon them. In certain industries they say they are compelled to work on Sunday and that it would be impossible to hire certain men. Now then it is provided for in the bill that they can take the matter before the Commissioner of Labor and Industry and the Industry Commissioner will grant them permission to work on Sunday or on any other day, if it is necessary. I want to say to you, from statistics of this State and other states, that I feel that it is absolutely necessary that there be one day of rest. Mr. Gary of the U. S. Steel Corporation, was in favor of such a measure two years ago, and only recently Rockerfeller approved of the same thing. They say it can be done. When we find such big employers as that talking about such a measure, I do not think we should have any fear. We know that past history teaches us that the American workman has produced a great deal more than the workmen in any other country, and the reason for that is due to the fact they are given time for recreation and time for rest. Now for the benefit of the new members here, let me just quote to you especially from the mining industry, which was not disputed in the last session.

Let us take the mining industry. Germany produced 274 tons of coal per man for one year; France produced 218 tons of coal; Belgium produced 183 tons per man; Austria produced 184 tons; Japan produced 125 tons; India produced 90 tons per man per year, and the American coal miner produced 942 tons per man per year due to the fact that he worked under proper conditions and had time to rest. You know that where you provide proper rest for employes and eliminate fatigue, that you are doing something for the working man, and the working man is doing the very same thing for you in increased production. I attended the efficiency conference in this very room which was called by Governor Brumbaugh, I think in 1917, and there were assembled here leaders of industry, heads of railroads, heads of the steel industry, the heads of the largest manufacturies in the United States and labor organizations, and it was proven here that 50 per cent of the men killed or injured in this State, or other states, were either killed or injured after 3 o'clock in the afternoon. Why? Because of fatigue. Why should not we provide for the workers a day of rest, when it is absolutely proven in this House that we get overworked in two days? I can say that I know that my good friend, Mr. Flynn is tired here, as well as I am, after two or three day's work. I believe that each and every one will vote for this bill. Let us make it unanimous for once.

Mr. FLYNN. I fully realize the humanitarian interests that the gentleman has expressed in this bill, but as it is an old friend, having been before the legislature for many years past,without success in being enacted, I feel it my duty to present to the present membership the purpose of the bill. In the first place, it provides one day's rest in seven, with certain exceptions, including janitors and a few others. Therefore, it would affect practically all of the vast mass of industry in Pennsylvania. In this respect, that there are oftentimes when it is necessary in the operation of a manufacturing plant, to work some portion of the crew on Sunday to do repair work or to get the plant in readiness for operation on Monday morning. We know that under the present statutes of Pennsylvania, that work on Sunday, unnecessary work on Sunday is prohibited. Therefore, in that respect, this bill cannot possibly accomplish any good purpose; but the real purpose of the bill, as I see it, is simply an effort to harrass and place a hardship on the industries of this state.

Mr. JEFFERSON W. SMITH. I believe in 1921, the legislative body passed this bill, the same bill that is now upon the calendar. The largest employer of labor in this country is the Postal Department. They have made it obligatory upon the postal employees that they only work six days per week. I have worked for seventeen years in the postal service, and I saw the time when we worked twelve, fourteen, and sixteen hours a day, and eventually got down to eight hours a day; and at the present time they have reduced the working period of the clerks and letter carriers to six days a week. Now, I don't see why it is not necessary, we do not say in this bill that a person shall not work on Sunday, but we do say that he shall have one day of rest out of seven; and I don't see why, under the conditions, that any employer of labor, after the government has demonstrated to the country that they can take the employes of the postal service, that employes thousands and tens of thousands of employes and only allows them to work six days a week, why we should not re-enact the legislation here today that we did in 1921. There is no good reason whatsoever for an employer to impose upon a man that he shall work seven days a week, and I hope this bill will pass as it did in 1921.

Mr. LORENZO D. THOMAS. Mr. Speaker and members of the House, it grieves me somewhat that there must needs be discusion of this bill today. I was sure, when we took action on this measure two years ago, that that was the finish of any such agitation. We know that every argument that could possibly be advanced by the employers of labor was advanced at that time, and we also know that the ablest representatives that the manufacturer could place upon the floor of this House to take care of their interests, was placed

there. We know that the weight of intelligence was back of everything that he said, and we are conscious of this truth and fact at this time, that every argument that could be advanced against the enactment of that law, or the passing of that bill to make it a law was successfully answered and the opposition was successfully squelched, even without an effort hardly on the part of those who were the proponents and those that were the friends of the bill. Now, the reason why it failed to become a law two years ago, as we understand, and as we know, was because of the lateness of the time in which it passed this House, and it was not because of any outstanding opposition in the Senate; it was not because of the fact that the Governor at that time had anything whatever against the equity that was proposed in that bill, but it was merely because it fell by the wayside, that is all.

This morning we come before you and tell you that while we are sorry for the necessity of discussion, that we are just so satisfied that this is a law that is basic in its work. I could produce at this time a large employer of labor, and I would ask that man to repeat for you a word that he passed to me yesterday in regard to the necessity of Sunday labor, in regard to the necessity of working seven days in the week, and I am sure that that man would be able to convince you that much of the work that is done in those factories and those places of industry, is unnecessary insofar as it could be done upon some other occasion. I would like to cite you just one instance that came to me in the course of my regular work. Like our friend a little while ago said that some folks make iron and steel for a living, or steal for a living, we have something besides the duty that brings us to Harrisburg to look after. I am unfortunately placed in that list of men who have to work on Sunday. It is my big day, it is my busy day. But, I have men, or have had men in my congregation who were so careful to conserve the welfare and the well-being of their families that they would go to their employers and ask them for the privilege of taking a holiday even to a Sunday school picnic on that one day. In order that they may lose nothing, they wanted the privilege of working on Sunday, and as they were such good men and so needed in the industry in which they were employed that the privilege was granted them. Why, sure, they went on the holiday or picnic and they didn't lose a cent on payday because they worked on Sunday. We know about these things, we know that the mills are just filled with that kind of a condition, and we know and are satisfied that there must be some restrictive measure, and we are sure that after the events of the last few moments, we are satisfied of this that Pennsylvania will not be behind other states in the Union in putting through a welfare program that is not dependent upon a welfare board for its complete observance. We, the people of Pennsylvania, we the lawmakers of Pennsylvania, are going to see that the old law, the fundamental, the basic law of civilization, enlightenment and refinement, is going to be observed and for man and for beast there shall be one day of rest in seven.

Mr. SARIG. Ladies and gentlemen of this House, I was surprised that there should be any opposition in this House to a bill of this character. Only a few moments ago, we listened to a very eloquent address on Pennsylvania, her position in the nation and her position in the world. Yet of all the fine things, of all the great things that we have in the Commonwealth of Pennsylvania, the greatest are the men and women; and it is the men and women of Pennsylvania who have made this great Commonwealth what it is today. I want to say that Pennsylvania stands first as one of the great as industrial states of this nation. It stands out prominently as one of the great industrial centers of the world, and what has put Pennsylvania into that high position? It is its men and women, the workers; it is the industrial force of Pennsylvania that has placed her where she is today—has placed her on that proud pinnacle about which we just heard a few moments ago.

Now, here is a bill that is for the welfare and for the interest of the workers, the men and women in this great Commonwealth; and why should we as members of this body, come here and argue over a bill that is plainly for the interests of every worker, every man and women in Pennsylvania? We are proud, as I have said, of Pennsylvania, its high industrial position, but we must not forget that it is the men and women, the workers of Pennsylvania, who have placed her in the position that she holds today. Why, then should we stand here and argue over a measure of this kind? I think a measure of this kind should be passed by this body without any opposition.

Mr. SCHLEITER. Mr. Speaker and members of the House, I don't believe that this ought to be argued from the standpoint of labor or of the employer. It seems to me that it should be a question entirely of justice. I have received a number of communications from my constituents, asking me to vote against this bill, and in every case they have a selfish reason. It would disarrange their system, and it could not help but do that because it would be absolutely necessary to make changes which for awhile would be a hardship. I have long believed that I am not entitled to anything that I am not perfectly willing and able to give to every one else. I have believed and I hope to believe to the end of my days, that great doctrine of the immortal Jefferson was absolutely right—"equal rights for all and special privileges for none." Now, my friends, not one of these employers who have telegraphed to me or who have written to me is willing to forego one day's rest in seven. Few offices today find any of the managers or any of the employers in them on Saturday afternoon. They are out enjoying their day of golf, and they are perfectly entitled to do that, but in so doing they should have no objections, in fact they should be glad—in fact they should insist that their employes do likewise. A system which has the power, which can say to you that you must work 365 days in the year, and every fourth year 366 days, or you have no job, is wrong. I am an employer of labor myself, and I would never dream of asking any of our men to work on the Sabbath day, and then ask him to work the six succeeding days. We are all men of the same clay; we all have the same aspirations; we all have the same hopes, and after all we all have the same fundamental rights, and those rights should not be denied to anyone, whether he is fortunate enough to be in a position of an employer, or unfortunate enough to be in the position of an employee where seven days in the week is the rule. The Pennsylvania Manufacturers Association sends out a pamphlet, or bulletin I believe they call it, with reference to this bill, and it says it should be defeated, and gives as a reason that no man is required to work seven days in the week unless he wants to do so. I challenge that. As a member of the Pennsylvania Chamber of Commerce I challenge that. That is not true. Now it seems to me that this is a moral question. It seems to me that we ought to view this matter in that light, and that we ought to be perfectly willing and anxious to grant to our fellowman exactly that which we demand and want for ourselves.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Albert,	Frazier,	Long,	Sarig,
Alexander,	Gallaher,	Lucas,	Sautter,
Allman,	Gelder,	Ludlow,	Schaeffer,
Anderson,	Gibbon,	Lynch,	Schleiter,
Armstrong,	Gilchrist,	Mack,	Schwartz,
Arthur,	Golder,	MacKinney,	Shambach,
Aston,	Gorham,	Malie,	Sheridan,
Baker,	Goss,	Mangan,	Smith, G. A.,
Baldi,	Greeby,	Marcus, J.,	Smith, H. J.,
Beaver,	Griffith,	Marcus, J. C.,	Smith, H.,
Behney,	Grimes,	Marshall, J. G.,	Smith, J. W.,
Bell, F. A.,	Guerin,	Marshall, W. F.,	Sowers,
Bell, W. T.,	Gundy,	McBride,	Spangler,
Berger,	Hall,	McCaig,	Staudenmeier,
Betts,	Harter,	McCann,	Stavitski,
Blair,	Haslett,	McClure,	Steedle,
Bluett,	Haws,	McDaniel,	Sterling,
Blumberg,	Heffernan,	McDermott,	Stevens, A. J.,
Boback,	Heffran,	McGowan,	Stevens, A. F.,
Brenneman,	Henderson,	McKim,	Stofflet,
Brewster,	Hetrick,	McVicar,	Stoner,
Bromley,	Himes,	Metcalf,	Storb,
Brownmiller,	Hollis,	Miller,	Storer,
Burchinal,	Hontz,	Minehart,	Thomas, L. D.,
Burns,	Hoover,	Moffatt,	Thomas, M. G.,
Bush,	Horne,	Moore,	Thompson,
Chaplin,	Howell,	Munley,	Van Alen,
Clutton,	Huber,	Myers, G. C.,	Vickerman,
Coldsmith,	Irvin,	Nolte,	Weamer,
Diehm,	Johnson,	O'Boyle,	Wells,
Dietz,	Jones, C. B.,	Ogle,	Wettach,
Dilsheimer,	Jones, D. J.,	Orr,	Whitehouse,
Driggs,	Jones, E. P.,	Parkinson,	Whiteman,
Drinkhouse,	Keene,	Patterson,	Williams, G. W.
Dunn,	Kelly,	Peelor,	Williams, J. M.,
Eaches,	Kennedy,	Perry,	Woner,
Earley,	Kohler,	Pitts,	Wood, N.,
Edmonds,	Korns,	Price,	Wood, W. P.,
Eshelman,	Kunkle,	Raymond,	Wright,
Evans, J.,	Labar,	Richards,	Zook,
Fields,	Lafferty,	Rinn,	Goodnough,
Fowler, A. I.,	Lauver,	Rippman,	Speaker.
Fowler, D.,	Little,	Sample,	

NAYS—17.

Brown,	Flinchbaugh,	Haines,	Sprowls,
Conner,	Flynn,	Harer,	Walker,
Craig,	Fratt,	Morrison,	
Donahue,	Glasgow,	Myers, P. M.,	
Evans, B. P.,	Haas,	Posey,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 203, entitled:

An Act relating to and regulating the speed of motor vehicles driven through cemeteries and burial grounds and providing penalties for violation thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Albert,	Fields,	Lauver,	Sautter,
Alexander,	Flinchbaugh,	Little,	Schaeffer,
Allman,	Fowler, A. I.,	Lucas,	Schilling,
Anderson,	Fowler, D.,	Ludlow,	Schleiter,
Armstrong,	Gallaher,	Mack,	Schoener,
Arthur,	Gelder,	MacKinney,	Schwartz,
Aston,	Gibbon,	Malie,	Shambach,
Baker,	Goehring,	Marcus, J.,	Sheridan,
Baldi,	Golder,	Marcus, J. C.,	Smith, G. A.,
Beaver,	Goss,	Marshall, J. G.,	Smith, H. J.,
Bell, F. A.,	Greeby,	Marshall, W. F.,	Smith, H.,
Bell, W. T.,	Griffith,	Mathay,	Smith, J. W.,
Bentley,	Grimes,	McBride,	Sowers,
Berger,	Guerin,	McCaig,	Spangler,
Blair,	Gundy,	McCann,	Stark,
Bluett,	Haas,	McClure,	Staudenmeier,
Blumberg,	Haines,	McDaniel,	Stavitski,
Boback,	Hall,	McDermott,	Steedle,
Brewster,	Harter,	McGowan,	Sterling,
Bromley,	Haslett,	McVicar,	Stevens, A. J.,
Brown,	Haws,	Metcalf,	Stevens, A. F.,
Brownmiller,	Heffernan,	Miller,	Stoner,
Burchinal,	Heffran,	Minehart,	Storb,
Burns,	Henderson,	Moffatt,	Storer,
Bush,	Hetrick,	Munley,	Thomas, L. D.,
Clutton,	Himes,	Myers, G. C.,	Thomas, M. G.,
Coldsmith,	Hollis,	Myers, P. M.,	Van Alen,
Conner,	Hontz,	Nolte,	Vickerman,
Coyne,	Hoover,	O'Boyle,	Walker,
Craig,	Horne,	Ogle,	Weamer,
Diehm,	Huber,	Orr,	Wells,
Dietz,	Irvin,	Parkinson,	Wettach,
Dilsheimer,	Johnson,	Patterson,	Whitehouse,
Donahue,	Jones, C. B.,	Peelor,	Whiteman,
Driggs,	Jones, D. J.,	Perry,	Williams, G. W.,
Drinkhouse,	Jones, E. P.,	Pitts,	Williams, J. M.,
Dunn,	Keene,	Posey,	Woner,
Eaches,	Kelly,	Price,	Wood, N.,
Earley,	Kennedy,	Raymond,	Wood, W. P.,
Edmonds,	Kohler,	Richards,	Wright,
Eshelman,	Korns,	Rinn,	Zook,
Evans, B. P.,	Labar,	Rippman,	Goodnough,
Evans, J.,	Lafferty,	Sample,	Speaker.

NAYS—2.

Chaplin,	Moore,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

TIME OF NEXT MEETING.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 6, 1923.

Resolved (If the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening March Twelfth at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March Twelfth at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 425, as follows:

An Act to amend an act approved the ninth day of April one thousand nine hundred and thirteen (Pamphlet Laws forty-six) entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the

authority of the same That part of section one of the act approved the ninth day of April one thousand nine hundred and thirteen (Pamphlet Laws forty-six) entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department" which was amended in part by the act approved the twenty-eighth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and forty-one) entitled "An Act to amend an act approved the ninth day of April one thousand nine hundred and thirteen (Pamphlet Laws page forty-six) entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department" is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of June one thousand nine hundred and thirteen the clerks and other employes in the Department of the Auditor General and their salaries shall be as follows

A revenue deputy at seven thousand five hundred dollars ($7,500) per annum

A disbursing deputy at seven thousand five hundred dollars ($7,500) per annum

An assistant deputy at six thousand dollars ($6,000) per annum

A chief clerk at three thousand five hundred dollars ($3,500) per annum

Ten additional clerks who may be assigned by the Auditor General to any bureau as needed each the sum of one thousand five hundred dollars ($1,500) per annum

Three filing and index clerks each at one thousand four hundred ($1,400) per annum

Two stenographers each at one thousand five hundred dollars ($1,500) per annum

One stenographer at one thousand four hundred dollars ($1.400) per annum

One messenger at one thousand two hundred dollars ($1,200) per annum

One night watchman at nine hundred dollars ($900) per annum

On the question,

Will the House agree to the bill on third reading?

Mr. OGLE. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Lebanon, Mr. Behney, permit himself to be interrogated?

Mr. BEHNEY. I will, Mr. Speaker.

Mr. OGLE. Mr. Speaker, I would like to ask whether this increases or decreases the number of employes in the office of the Audtior General?

Mr. BEHNEY. Mr. Speaker, it decreases by seven the number of traveling auditors. The bill is only amended by striking out the provision requiring the Auditor General to employ seven traveling auditors.

Mr. OGLE. Has the Auditor General said that he can do away with the traveling auditors?

Mr. BEHNEY. He said that it would not be necessary to have the seven. The Auditor General says that the work can be done more economically an defficiently by the elimination of these seven traveling auditors.

Mr. OGLE. This bill then has the approval of the Auditor General?

Mr. BEHNEY. It has, sir.

On the question recurring,

Will the House agree to the bill on third reading.

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Albert,	Evans, B. P.,	Jones, E. P.,	Pitts,
Alexander.	Evans, J.,	Keene,	Price,
Anderson,	Fields,	Kelly,	Raymond,
Armstrong,	Flinchbaugh,	Kennedy,	Richards,
Aston,	Fowler, A. I.,	Kohler,	Sample,
Baker,	Fowler, D.,	Korns,	Sarig,
Beaver,	Fratt,	Kunkle,	Sautter,
Behney,	Frazier,	Labar,	Schwartz,
Bell, F. A.,	Gallaher,	Lafferty,	Shambach,
Bell, W. T.,	Gelder,	Lauver,	Smith, G. A.,
Bentley,	Gibbon,	Little,	Smith, H.,
Berger,	Gilchrist,	Long,	Stark,
Betts,	Glasgow,	Lucas,	Staudenmeier,
Bidelspacher,	Goehring,	Ludlow,	Steedle,
Bluett,	Goss,	Lynch,	Sterling,
Blumberg,	Greeby,	MacKinney,	Stevens, A. J.,
Brenneman,	Griffith,	Marcus, J. C.,	Stevens, A. F.,
Brewster,	Grimes,	Marshall, W. F.,	Stoner,
Bromley,	Gundy,	McBride,	Storb,
Brown,	Haas,	McClure,	Storer,
Brownmiller,	Hall,	McDaniel,	Thomas, L. D.,
Burchinal,	Harter,	McDermott,	Van Alen,
Burns,	Haslett,	McGowan,	Weamer,
Bush,	Heffernan,	McKim,	Wells,
Chaplin,	Heffran,	McVicar,	Whitehouse,
Coldsmith,	Henderson,	Metcalf,	Whiteman,
Conner,	Hetrick,	Minehart,	Williams, G. W.
Craig,	Himes,	Moffatt,	Williams, J. M.
Diehm,	Holcombe,	Moore,	Wood, N.,
Dietz,	Hollis,	Munley,	Wood, W. P.,
Dilsheimer,	Hontz,	Myers, G. C.,	Wright,
Driggs,	Hoover,	Myers, P. M.,	Zook.
Drinkhouse,	Horne,	Nolte,	Goodnough,
Dunn,	Howell,	Ogle,	Speaker.
Eaches,	Huber,	Orr,	
Earley,	Irvin,	Patterson,	
Edmonds,	Jones, C. B.,	Peelor,	

NAYS—7.

Boback,	Johnson,	McCann,	Sheridan,
Gorham,	Mangan,	Miller,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order

The House proceeded to the third reading and consideration of House Bill No. 325, entitled:

An Act to require counties to cause the graves of honorably discharged soldiers sailors and marines to be decorated with flags on Memorial Day

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189.

Albert,	Flynn,	Lauver,	Sautter,
Alexander,	Fowler, A. I.,	Little,	Schaeffer,
Allman,	Fowler, D.,	Long,	Schilling,
Anderson,	Fratt,	Lucas,	Schleiter,
Armstrong,	Frazier,	Ludlow,	Schoener,
Arthur,	Gallaher,	Lynch,	Schwartz,
Asbury,	Gelder,	Mack,	Shambach,
Aston,	Gibbon,	MacKinney,	Sheridan,
Baker,	Gilchrist,	Maile,	Smith, G. A.,
Baldi,	Goehring,	Mangan,	Smith, H. J.,
Beaver,	Golder,	Marcus, J.,	Smith, H.,
Behney.	Gorham,	Marcus, J. C.,	Smith, J. W.,
Bell, F. A.,	Goss,	Marshall, W. F.,	Soffel,
Bell, W. T.,	Greeby,	Mathay,	Sowers,
Bentley,	Griffith,	McBride,	Spangler,
Betts,	Grimes,	McCaig,	Sprowls,
Bidelspacher,	Gundy,	McCann,	Stark,
Blair,	Haas,	McClure,	Staudenmeier,
Bluett,	Haines,	McDaniel,	Steedle,
Blumberg,	Hall,	McDermott,	Sterling,
Boback,	Harer,	McGowan,	Stevens, A. J.,
Brenneman,	Harter,	McKim,	Stevens, A. F.,
Brewster,	Haslett,	McVicar,	Stofflet,
Bromley,	Haws,	Metcalf,	Stoner,
Brown,	Heffernan,	Millar,	Storb,

Burchinal,	Heffran,	Miller,	Storer,
Burns,	Henderson,	Minehart,	Thomas, L. D.,
Bush,	Hetrick,	Moffatt,	Thomas, M. G.,
Chaplin,	Heyburn,	Moore,	Thompson,
Clutton,	Himes,	Morrison,	Van Alen,
Coldsmith,	Hollis,	Munley,	Vickerman,
Conner,	Hontz,	Myers, G. C.,	Walker,
Coyne,	Hoover,	Myers, P. M.,	Weamer,
Craig,	Horne,	Nolte,	Wells,
Diehm,	Howell,	O'Boyle,	Wettach,
Dilsheimer,	Huber,	Ogle,	Whitehouse,
Donahue,	Irvin,	Orr,	Whiteman,
Driggs,	Johnson,	Parkinson,	Williams, G. W.
Drinkhouse,	Jones, C. B.,	Patterson,	Williams, J. M.
Dunn,	Jones, D. J.,	Peelor,	Woner,
Eaches,	Jones, E. P.,	Perry,	Wood, N.,
Earley,	Keene,	Pitts,	Wood, W. P.,
Edmonds,	Kelly,	Posey,	Wright,
Eshelman,	Kennedy,	Raymond,	Zook,
Evans, B. P.,	Kohler,	Richards,	Goodnough,
Evans, J.,	Kunkle,	Rinn,	Speaker.
Fields,	Labar,	Rippman,	
Flinchbaugh,	Lafferty.	Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 225, entitled:

A Supplement to an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-three) entitled "An act constituting a commission to make an investigation of the battlefields of France and Belgium and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War defining the powers and duties of the commission and making an appropriation continuing said commission providing for the erection of certain memorials in France and Belgium and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. VAN ALEN. The bill which is before us for consideration at this time is a supplement to an act which was passed in the 1921 session of the legislature. This act provided for a commission composed of five ex-service men who had seen service in the American Expeditionary Forces to investigate the battlefields of France and Belgium for the purpose of selecting sites for monuments and markers on those battlefields where Pennsylvania troops fought. This commission performed its duties, and in accordance with the provisions of the act, made a report to the General Assembly of 1923. On the fifth of February every member of the General Assembly was provided with a copy of that report, and are undoubtedly familiar with its provisions.

The bill which we are now considering simply carries out the recommendations contained in that report and provides an appropriation for the erection of those memorials. It has been well considered among the members of the commission, who were unanimous in the selection of the sites, and whose unanimity was confirmed by various veterans' organizations which are interested therein. We have considered and heard of the financial stringency at this time and therefore the minimum appropriation with which these memorials could be erected was asked for. It is essential for several reasons that these memorials should be erected at this time. Primarily among those reasons are those of finance today. In France and Belgium the price of labor and materials is below normal, and with the low value of the franc, $300,000 at this time will do what $500,000 will do several years hence. In addition to these financial reasons some of these memorials are of a utilitarian nature. For instance the memorial bridge to the Twentieth-eighth Divisin across the Vesle River between Fismes and Fismett is now simply a wooden structure placed there by United States army engineers during the fight. That bridge is still in use, and while it has been repaired from time to time it cannot last much longer. In fact it was the intention of the French governmental engineers to start constructing a new modern bridge in October of 1922, but in order that this State might erect a memorial that would not only have a sentimental but a utilitarian value, we have pursuaded the French to defer the erection of that bridge until this session of our Legislature, when we might be able to give them some assistance.

The sites selected on Montfaucon, perhaps one of the most outstanding points on the battlefield front in France due to its eminence, is another site that is very prominent. The ruins on this site are being repaired and held as they are today by the French as a memorial, and it is their intention to only allow one monument to be erected thereon. Pennsylvania has the assurance that theirs will be that monument if a decision is made within a reasonable time.

There is ample precedent for this work, not only upon the battlefields in this country of the civil war, but even upon the battlefields of France where Missouri and Massachusetts either have completed, or have under construction similar memorials, and a representation from Tennessee was visiting the battlefields at the same time at which your commission was present.

It may be of some interest to you to know the attitude of those people toward Americans and Pennsylvanians in particular, and whether it was with Albert, King of the Belgians, witn whom we may have been talking, and who remembered so well the valor displayed by the Fifty-third Artillery Brigade when they were fighting in Belgium which by the way was the only Pennsylvania organization that did fight in Belgium, or whether it was the little peasant boy with his wooden shoes and black apron, perhaps wearing the cap of the French poilou, or the discarded cap of the American soldier, they all knew the American. The gratitude to Americans was great, but above all, in the localities where our troops were, the Pennsylvania troops they knew that there was some place like Pennsylvania and even if they didn's know whether Philadelphia was in Pennsylvania, or Pennsylvania was in Pittsburgh, they knew a feeling, a deep feeling of appreciation for our boys.

With the exception of the monument, in Belgium and the bridge between Fismes and Fismett, there are three memorials to be situated in a comparatively close area. The proposed site of the memorial at Varannes is within twelve miles of the proposed memorial for the Seventy-ninth Division at Montfaucon. Coming from Montfaucon toward Varannes you pass through the little town of Nantillois made famous by the Pennsylvania boys of the Eighteith Division who relieved that town from the oppression of the Germans. Going through Nantillois toward Varannes you come to the American cemetery at Romaigne and this members of the House, is one of the most sacred spots in Europe to us. As one standing in front of the adminstration buildings occupied by the Graves Registation Service and looking over the little knoll as far as your eye can reach, you see at the crest the American flag flying, and beneath that flag

see row upon row of graves. Truly a picture of troops in formation, and as you stand there one cannot help but realize that this really is a military force, that those men have never been discharged from the service of the country which they died to save, and still in the olive drab of mother earth, they are today America's outpost of civilization. No chevrons of silver or gold decorate their uniforms, but still marks of deeper significance tell the mute story of their sacrifice. and whether those markers happen to be the six-pointed star of Bethlehem or the cross of Christ, indicative of the greatest sacrifice rendered unto man, we all realize that they are Americans, thousands of them Pennsylvanians. And as we stood there with bared heads the conception of a great memorial by Pennsylvania arose within out breast and the prayer was offered that Pennsylvania at this time would do her part that the deeds of those heroes may continue to be an inspiration, and their memory a benediction.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,	Evans, J.,	Korns,	Sarig,
Alexander,	Fields,	Kunkle,	Sautter,
Allman,	Flinchbaugh,	Labar,	Schilling,
Anderson,	Flynn,	Lauver,	Schleiter,
Armstrong,	Fowler, A. I.,	Little,	Schwartz,
Arthur,	Fowler, D.,	Long,	Shambach,
Aston,	Frazier,	Lucas,	Sheridan,
Baker,	Gallaher,	Ludlow,	Smith, G. A.,
Baldi,	Gelder,	Lynch,	Smith, H. J.,
Beaver,	Gibbon,	Mack,	Smith, H.,
Behney,	Gilchrist,	Mangan,	Smith, J. W.,
Bell, F. A.,	Glasgow,	Marcus, J.,	Sowers,
Bell, W. T.,	Goehring,	Marcus, J. C.,	Spangler,
Bentley,	Golder,	Marshall, W. F.,	Sprowls,
Berger,	Gorham,	Mathay,	Stark,
Bidelspacher,	Goss,	McBride,	Staudenmeier,
Blair,	Greeby,	McCaig,	Stavitski,
Bluett,	Griffith,	McCann,	Steedle,
Blumberg,	Grimes,	McClure,	Sterling,
Boback,	Haas,	McDaniel,	Stevens, A. J.,
Brenneman,	Haines,	McDermott,	Stevens, A. F.,
Brewster,	Hall,	McKim,	Storb,
Bromley,	Harer,	Metcalf,	Storer,
Brown,	Harter,	Miller,	Thomas, L. D.,
Brownmiller,	Haslett,	Minehart,	Thomas, M. G.,
Burchinal,	Haws,	Moffatt,	Thompson,
Burns,	Heffernan,	Moore,	Van Alen,
Bush,	Heffran,	Morrison,	Walker,
Chaplin,	Henderson,	Myers, G. C.,	Weamer,
Clutton,	Hetrick,	Myers, P. M.,	Wells,
Coldsmith,	Heyburn,	Nolte,	Wettach,
Coyne,	Himes,	O'Boyle,	Whitehouse,
Craig,	Holcombe,	Ogle,	Whiteman,
Diehm,	Hontz,	Orr,	Williams, G. W.,
Dietz,	Horne,	Parkinson,	Williams, J. M.,
Dilsheimer,	Howell,	Patterson,	Woner,
Donahue,	Huber,	Peelor,	Wood, N.,
Driggs,	Irvin,	Pitts,	Wood, W. P.,
Drinkhouse,	Johnson,	Posey,	Wright,
Dunn,	Jones, C. B.,	Price,	Zook,
Eaches,	Jones, D. J.,	Raymond,	Goodnough,
Earley,	Jones, E. P.,	Richards,	Speaker.
Edmonds,	Kelly,	Rippman,	
Eshelman,	Kennedy,	Sample,	
Evans, B. P.,	Kohler,	Rinn,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 375, entitled:

An Act to amend section six hundred twenty-seven of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" as amended

The first section was read follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six hundred twenty-seven of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which as amended by an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and fifty-eight) entitled "An act to amend section six hundred twenty-seven of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith'" which reads as follows

"Section 627 The board of school directors of any district may permit the use of its school grounds and buildings for social recreation and other proper purposes under such rules and regulations as the board may adopt and shall make such arrangements with any city borough or township authorities for the improvement care protection and maintenance of school buildings and grounds for school park play or other recreation purposes as it may see proper and any board of school directors may make such arrangements as it may see proper with any officials or individuals for the temporary use of school property for schools playgrounds social recreation or other proper educational purposes primaries and election" is hereby further amended to read as follows

Section 627 The board of school directors of any district may permit the use of its school grounds and buildings for social recreation and other proper purposes and shall be required to permit the use of its school grounds and buildings for proper educational purposes when the board of school directors believes it will not be disadvantageous to the regular use of said school grounds and buildings under such rules and regulations as the board may adopt and shall make such arrangements with any city borough or township authorities for the improvement care protection and maintenance of school buildings and grounds for school park play or other recreation purposes as it may see proper and any board of school directors may make such arrangements as it may see proper with any official or individual for the temporary use of school property for schools playgrounds social recreation or other proper educational purposes primaries and elections

On the question,

Will the House agree to this section?

Mr. HORNE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 8, by striking out the word "which"

Amend section 1, page 2, line 21, by striking out the words "which reads" and inserting in lieu thereof: "is further amended to read"

Amend section 1, page 2, lines 23 to 29, by striking out lines 23 to 29, both inclusive.

Amend section 1, page 3, lines 1 to 7, by striking out lines 1 to 7, both inclusive.

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section six hundred twenty-seven of an act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred and nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any part thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of he Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 390, as follows:

A Joint Resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations prescribing the powers and duties of said commission and making an appropriation

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That a joint legislative committee of the Commonwealth of Pennsylvania is hereby constituted consisting of three Members of the Senate to be appointed by the President of the Senate and four Members of the House to be appointed by the Speaker of the House to examine the laws of this State and of other states and countries relating to taxation to investigate generally in respect of systems and methods of taxation particularly with regard to the best methods of equitably and effectually reaching all property which should be subjected to taxation and avoiding conflicts and duplication of taxation on the same property and to prepare the needed legislation to carry such methods into effect in this Commonwealth Such committee shall serve without compensation excepting their salary as members of the Legislature

Section 2 The said committee is hereby authorized to sit at Harrisburg or elsewhere within the Commonwealth to choose a chairman from among its own members to employ a secretary and counsel and such other assistants as may be needed to take testimony subpoena witnesses and compel the production of books documents and papers and otherwise have all the powers of a legislative committee

Section 3 The said committee on or before February first one thousand nine hundred and twenty-five (1925) shall report the result of its investigation to the General Assembly together with such proposed legislative measures as it deems advisable to carry its recommendations into effect

Section 4 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary be and the same is hereby appropriated for the defraying of the expense of said committee to be paid upon the certificate of the chairman of such committee by warrant of the Auditor General on the State Treasurer in the usual manner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 296, as follows:

An Act to amend section fifty-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fifty-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth" which reads as follows

"Section 55 If any person shall set up or establish or cause to be set up or establish in any house room out-house tent booth arbor or other place whatsoever any game or device of address or hazard with cards dice billiard balls shuffle boards or any other instrument article or thing whatsoever heretofore or which hereafter may be invented used and employed at which money or other valuable thing may or shall be played for or staked or betted upon or if any person shall procure permit suffer and allow persons to collect and assemble in his house room out-house booth tent arbor or other place whatsoever under his control for the purpose of playing at and staking or betting upon such game or device of address or hazard money or other valuable thing or if any person being the owner tenant lessee or occupant of any house room out-house tent booth arbor or other place whatsoever shall lease hire or rent the same or any part thereof to be used and occupied or employed for the purpose of playing at or staking and betting upon such game or device of address or hazard for money or other valuable thing the person so offending in either of the enumerated cases shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment not exceeding one year The owner of such house room out-house tent booth arbor or other place whatsoever who shall have knowledge that any such game or device of address or hazard as aforesaid has been set up in or upon the said premises and shall not forthwith cause complaint to be made against the person who has set up or established the same shall be deemed and held to have knowingly leased hired or rented the said premises for the said unlawful purposes Provided That this act shall not be construed to apply to games of recreation and exercise such as billiards bagatelle ten pins et cetera where no betting is allowed"

is hereby amended to read as follows

Section 55 If any person shall set up or establish or cause to be set up or established either in the open or in any house room out-house tent booth arbor or other place whatsoever any game or device of address or hazard with cards dice billiard balls shuffle boards or any other instrument article or thing whatsoever heretofore or which hereafter may be invented used and employed at which money or other valuable thing may or shall be played for or staked or betted upon or if any person shall procure permit suffer and allow persons to collect and assemble in his house room out-house booth tent arbor or other place whatsoever under his control for the purpose of playing at and staking or betting upon such game or device of address or hazard money or other valuable thing or if any person being the owner tenant lessee or occupant of any house room out-house tent booth arbor or other place whatsoever shall lease hire or rent the same or any part thereof to be used and occupied or employed for the purpose of playing at or staking and betting upon such game or device of address or hazard for money or other valuable thing the

person so offending in either of the enumerated cases shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment not exceeding one year The owner of such house room out-house tent booth arbor or other place whatsoever who shall have knowledge that any such game or device of address or hazard as aforesaid has been set up in or upon the said premises and shall not forthwith cause complaint to be made against the person who has set up or established the same shall be deemed and held to have knowingly leased hired or rented the said premises for the said purposes Provided That this act shall not be construed to apply to games of recreation and exercise such as billiards bagatelle ten pins et cetera where no betting is allowed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 278, as follows:

An Act to amend and supplement part of clause (d) section seven of the act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred ninety-eight) entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" as amended by providing for the procedure in cases of desertion and nonsupport and the manner of taking testimony in such cases and providing for appeals therein

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of clause (d) of section seven of the Act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred ninety-eight) entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" which was amended by the act approved the twenty-fifth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred forty-five) and the act approved the nineteenth day of March one thousand nine hundred fifteen (Pamphlet Laws six) and the act approved the twelfth day of June one thousand nine hundred nineteen (Pamphlet Laws four hundred fifty-five) reads as follows

"In desertion and nonsupport cases and appeals from summary conditions and judgments for penalties the practice shall be as is now provided by law provided That in desertion and nonsupport cases there shall be no preliminary hearing before a magistrate or justice of the peace but the information in all cases shall be made before the county court or before an alderman or justice of the peace which or who shall thereupon issue its or his warrant of arrest and the person accused shall be immediately brought before the court for trial If such information is made before an alderman or justice of the peace the person arrested on such warrant shall be bound over to the county court with one sufficient surety Any justice of the peace or magistrate may admit to bail for a hearing before the court persons arrested on original warrant issued out of the county court" is hereby further amended and supplemented to read as follows

"In desertion and nonsupport cases and appeals from summary convictions and judgments for penalties the practice shall be as is now provided by law Provided That in desertion and nonsupport cases there shall be no preliminary hearing before a magistrate or justice of the peace but the information in all cases shall be made before the county court or before an alderman or justice of the peace which or who shall thereupon issue its or his warrant of arrest and the person accused shall be immediately brought before the court for trial If such information is made before an alderman or justice of the peace the person arrested on such warrant shall be bound over to the county court with one sufficient surety Any justice of the peace or magistrate may admit to bail for a hearing before the court persons arrested on original warrant issued out of the county court and further providing that all desertion and nonsupport cases hereafter tried and heard in said Court shall have the hearings thereon held by a Judge of said Court in an open public formal and orderly manner without assistance from a layman probation officer investigator or other persons sitting with or attached to or connected with said Court and the testimony therein shall be taken and received under and in accordance with the rules of evidence recognized by law for the hearing of law cases and disputes and with the same formality as in civil suits and with the privilege of open and public examination and cross-examination of parties and witnesses by either party or Counsel therefor and private secret and informal hearings are hereby forbidden"

No report of any probation officer or other investigator or person whether written or oral affecting or relating to any case shall be received heard or considered privately by the Judge presiding in said case and shall only be received publicly and under the rules of evidence by law established nor shall any order decree or verdict be made or received except publicly in open Court in the presence of the parties or their counsel

At the request of either party in such case personally or by Counsel the testimony shall be taken stenographically at the cost of the county and transcribed in case of appeal at the expense of the county and such testimony when transcribed and certified by the Trial-Judge shall also become part of the record

Upon the making or rendering by said Court or Judge of any order decree or verdict either party to said proceeding may within five days appeal without leave to the Court of Common Pleas upon the payment of accrued costs and the filing of a bond with sufficient surety with the Clerk of said Court in the sum of not less than two hundred dollars nor more than five hundred dollars conditioned for the appearance of the party appealing in the Common Pleas for hearing within thirty days thereafter and further conditioned for the compliance with the order decree or payment of the verdict if after hearing said case in the Common Pleas the said lower Court is affirmed and such appeal shall be perfected by filing a certified copy of the record with the Prothonotary of the Court of Common Pleas the said prothonotary shall keep a Desertion and Non Support Appeal Docket and enter said appeal therein and also prepare weekly a list of such cases for hearing thereon by a Judge of the Common Pleas Court not more than twenty days after said appeal is filed The costs to be charged by said Prothonotary shall be not greater than is now charged for entering and docketing an action in assumpsit

The Court of Common Pleas shall arrange for the hearing of such cases de novo on the merits and in the same formal manner as prescribed herein for such original hearing and within twenty days from the date of filing such appeal and said Court may affirm modify enlarge or reverse said order decree or verdict and such decision shall be final and shall be made effective in such manner in said Court as may be prescribed by rule

All laws or parts of laws inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Miss GRIMES. Mr. Speaker, I move that this bill be recommitted to the committee on Judiciary Local for a hearing.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 380, entitled:

An Act to amend section one of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand seventy-two) entitled

"An act providing a method for establishing title to land acquired at a sale for unpaid taxes"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand seventy-two) entitled "An act providing a method for establishing title to land acquired at sale for unpaid taxes" is amended to read as follows

Section 1 Be it enacted et cetera That in all cases where land has been heretofore sold or shall be hereafter sold for unpaid taxes the purchaser at such sale or his successor in title may present his petition under oath to the court of common pleas of the county wherein the land is situate setting forth (a) the location of the lands by metes and bounds or if it be in a recorded plan of lots the plan number of the lot and the place of record of the plan (b) the names of the former owners reputed owners persons in possession or any other person having or claiming to have a right to interest in claim against said land if any there be and (c) that upon diligent inquiry no person has been found who has or claims to have any right title or interest in or claim against said land unless it be those named in the petition thereupon a rule shall be granted upon the persons named in the petition and generally upon all other persons not named in the petition who have or claim to have any right title or interest in or claim against the said land to appear within sixty days from the service of the rule and show cause why the title of the petitioner to said land should not be adjudicated and decreed valid and indefeasible as against all rights or claims whatsoever the rule may be made returnable to such term or return day as may be fixed by the court and shall be entered of record in the appearance docket of said court and duly indexed therein and also in the ejectment index of said court as to persons domiciled within the county the rule shall be served and returned as writs of summons are served and returned as to those persons who do not have their domicile within the county in which the rule is issued or those whose domicile is outside of the State the rule may be served by mailing a true and attested copy of the petition and rule by registered letter to his or their last known address if any

In addition thereto the court shall direct that notice by one advertisement in a newspaper of general circulation in the county where the land is situated be given to all persons including those named in the petition to appear on or before the return day of the rule and show cause why the title of the petitioner should not be adjudicated and decreed valid and indefeasible as against all rights or claims whatsoever the advertisement shall be made at least sixty days before the return day of the said rule

On the question,

Will the House agree to the section?

Mr. PARKINSON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1 page 1 line 7 by striking out the word "for" in inserting in lieu thereof the word "of"

Amend Section 1 page 1 line 7 by inserting after the word "at" the word "of"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend section one of the act approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws ten hundred seventy-two), entitled, "An Act providing a method for establishing title to land acquired at a sale for unpaid taxes."

On the question,

Will the House agree to the title?

Mr. PARKINSON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title page 1 line 4 by striking out the word "for" and inserting in lieu thereof the word "of"

On the question,

Will the House agree to the amendments?

It was agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 382, entitled:

An Act relating to the leasing of real property making it unlawful to dispossess tenants or recover leased property except after thirty days notice prohibiting the execution of leases containing waivers of the provisions of this act and voiding certain leases

The first, second and third section were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any landlord or any person or persons association co-partnership or corporation owning and leasing real estate by themselves or through their agents to dispossess any tenant or recover and repossess any leased premises for any purpose whatsoever whether by and under the terms of any lease or otherwise except after thirty days, notice thereof in writing served upon said tenant

Section 2 No person may legally sign any lease containing the waiver of any of the rights conferred by the foregoing section and all leases hereafter executed containing any waiver of said provisions are declared void and against public policy

Section 3 Nothing herein contained shall be taken to repeal any act or acts fixing any longer period of time for the giving of notice to remove from leave or vacate leased premises in certain cases

The fourth section was read as follows:

Section 4 All other acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the section?

Mr. McDERMOTT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 4 page 2 line 8 by striking out the word "other"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An Act relating to the leasing of real property, making it unlawful to dispossess tenants or recover leased property except after thirty days notice, prohibiting the execution of leases containing waivers of the provisions of this act and voiding certain leases.

And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 366, as follows:

An Act to amend section two of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and seventy-nine) entitled "An act relating to the time and manner of taking exception in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case".

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Law two hundred and seventy-nine) entitled "An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taking upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exception need not be taken where the decisions of the court appears in the proceedings of a case" is hereby amended to read as follows.

Section 2 A general exception may be taken to the charge without allowance by the trial judge and without the assignment of any reason therefore at any time before the verdict is rendered or thereafter by leave of the court and it shall be thereupon noted by the official stenographer and shall have all the effect of exceptions duly written out signed and sealed by the trial judge at the time of the trial

Such exception shall operate and be construed to be an exception to the charge as a whole and to each and every part thereof and to the answer of the court to each and every point where requests for charge are filed and to the failure or refusal of the court to answer any requests filed but it shall not operate or be construed to be an exception to any matters of fact inadvertently misstated by the court unless the court's attention is called to the alleged misstatement prior to the taking of such exception

When an exception is so taken the charge points and answers shall be filled and become part of the record for the purpose of assignment of errors without any requests that the charge be reduced to writing and filed of record and without any request that the points and answers be filed of record with the charge

On the question,
Will the House agree to the section?

BILL RECOMMITTED.

Mr. McVICAR. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special for the pupose of a hearing.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 373, as follows:

An Act to amend an act approved June fifteenth one thousand nine hundred and eleven (Pamphlet Laws nine hundred and fifty-five) entitled "An Act making State taxes unpaid bonus interest penalties and all public accounts a first lien upon the franchise and property of corporations companies associations joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof and repealing section four of the act approved April sixteenth one thousand eight hundred and twenty-seven" by extending its provisions to include individuals and providing for attorneys' commissions making such commissions part of said claim and giving such commissions and costs the same priority as said taxes bonus interest and penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an Act approved June fifteenth one thousand nine hundred and eleven (Pamphlet Laws nine hundred and fifty-five) entitled "An Act making State taxes unpaid bonus interest penalties and all public accounts a first lien upon the franchise and property of corporations companies associations joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof and repealing section four of the act approved April sixteenth one thousand eight hundred twenty-seven" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all State taxes imposed under the authority of any law of this Commonwealth now existing or that may hereafter be enacted and unpaid bonus interest penalties and all public accounts settled against any individual corporation company association joint-stock associations or limited partnership shall be a first lien upon the franchise and property both real and personal of such individual corporation company association joint-stocfl association or limited partnership from the date when they are settled by the Auditor General or by the Auditor General and State Treasurer

Whenever such taxes bonus interest penalties and public accounts are not paid within sixty (60) days from the date of their settlement as aforesaid and no appeal has been taken from such settlement in the method provided by law the Auditor General may employ counsel without the approval of the Attorney General to collect the same and such counsel is authorized and directed to add to such claim for taxes bonus interest penalties and other public accounts and collect from such individual corporation company association joint-stock association or limited partnership for the purpose of compensating such counsel so employed a commission based on the amount collected at the following rates viz ten per centum on the first five hundred dollars ($500) five per centum on the next two thousand dollars ($2,000) and two and one-half per centum on any amount in excess of two thousand five hundred dollars ($2,500) which commissions together with costs shall have the same priority and lien as said taxes bonus interest penalties and other public accounts and shall be paid by such individual corporation company association joint-stock association or limited partnership and whenever the franchise or property of an individual corporation company association joint-stock association or limited partnership shall be sold at a judicial sale and in all cases of assignment or bankruptcy the auditor general shall have like powers in the appoint-

ment of counsel for the collection of all taxes interest bonus penalties and public accounts due the Commonwealth and all such taxes interest bonus penalties and public accounts due the Commonwealth together with an attorney's commission as above provided and costs shall first be allowed and paid out of the proceeds of such sale before any judgment mortgage or any other claim or lien against such individual corporation company association joint-stock association or limited partnership

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. WHITEMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. DAVID J. JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 374, as follows:

An Act to amend section one of an Act approved June first one thousand nine hundred and seven (Pamphlet Laws three hundred and eighty-three) entitled "An Act regulating the collection of taxes and other claims and demands due the Commonwealth and providing for six per centum interest thereon and an attorney's commission"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one of an act approved June first one thousand nine hundred and seven (Pamphlet Laws three hundred and eighty-three) entitled "An Act regulating the collection of taxes and other claims and demands due the Commonwealth and providing for six per centum interest thereon and an attorney's commission" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on all claims for taxes where appeals have been taken from settlements made by the Auditor General or by the Auditor General and State Treasurer or other demands due the Commonwealth collected by the Attorney General or any attorney employed by him and acting under his direction there shall be paid and recovered for the use of the Commonwealth an attorney's commission of five per centum upon the amount of recovery not exceeding ten thousand dollars and upon the amount of recovery in excess of ten thousand dollars such commission in case of dispute as shall be allowed by the Court having jurisdiction of the controversy not exceeding five per centum in addition to interest at the rate of six per centum per annum Provided That the payment of such attorney's commission or interest shall not be deemed to affect liability for any penalty payable under existing laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. WHITEMAN. Mr. Speaker, I move that this bill be recommitted to the committee on Judiciary General for the purpose of amendment.

Mr. DAVID J. JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 227, as follows:

An Act to further amend the fifth section of an act entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fifth section of an act entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof "approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) which as last amended by an act entitled "An Act to amend the fifth section of an act approved the nineteenth day of May Anno Domini one thousand eight hundred and seventy-four entitled 'An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof 'as amended by an act approved the sixth day of May Anno Domini one thousand nine hundred and nine entitled 'An Act to further amend the fifth section of an act entitled 'An Act relating to the organization and jurisdiction of the orphans' court and establishing a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof' approved May nineteenth Anna Domini eighteen hundred and seventy-four as amended by an act approved the twenty-ninth day of April Anno Domini eighteen hundred ninety-seven fixing and determining the salaries of the assistant clerks of said court 'by vesting the appointment of the first assistant clerk of said courts in the respective judges thereof and providing that this amendment shall not apply to counties having a population over seven hundred thousand "approved the thirty-first day of March one thousand nne hundred and fifteen (Pamphlet Laws forty-one) and "An Act to further amend the fifth section of an act approved the twenty-fifth day of May Anno Domini one thousand nine hundred and twenty-one which reads as follows

Section 5 The register of wills of each and every county containing over one hundred fifty thousand inhabitants in which a separate orphans' court is or may be hereafter established shall be clerk of such orphans' court and subject to its directions in all matters pertaining to his office The judge or judges of said court in counties containing a population of less than seven hundred thousand may appoint the first assistant clerk and the said register of wills may with the consent and approval of said court appoint additional assistant clerks Said clerks shall receive annual salaries payable monthly by the treasurer of said respective counties as follows to wit In countes of the first and second class the first assistant four thousand dollars the second assistant three thousand and the third assistant twenty-three hundred dollars and in counties of the third class the first assistant thirty-five hundred dollars the secand assistant twenty-five hundred dollars AND THE THIRD ASSISTANT EIGHTEEN HUNDRED DOLLARS and in counties of the fourth class the first assistant twenty-five hundred dollars the second assistant two thousand dollars and the third assistant fourteen hundred dollars the annual salaries of all other assistants to be fixed by the judge or judges of the said court but said annual salaries not to exceed two thousand dollars each in counties of the first and second class FIFTEEN HUNDRED DOLLARS EACH IN COUNTIES OF THE THIRD CLASS and twelve hundred dollars each in counties of the fourth class which salaries shall be paid

out of the fees of said office paid into the treasury of the county upon bills attested by said register and countersigned by a judge of said court But in the event that the fees received in said office of register of wills be not sufficient to fully pay the register and his assistants then payment shall be made in full to the said register of wills but to his assistants in manner as follows namely where there are more than one assistant then the balance of fees remaining to the credit of said office of register of wills shall be divided among each of said assistants in proportion as his salary shall stand to the whole is amended to read as follows

Section 5 .The register of wills of each and every county containing over one hundred fifty thousand inhabitants in which a separate orphans' court is or may be hereafter established shall be clerk of such orphans' court and subject to its direction in all matters pertaining to his office The judge or judges of said court in counties containing a population of less than seven hundred thousand may appoint the first assistant clerk and the said register of wills may with the consent and approval of said court appoint additional assistant clerks said clerks shall receive annual salaries payable monthly by the treasurer of said respective counties as follows to wit In counties of the first and second class the first assistant four thousand dollars the second assistant three thousand and the third assistant twenty-three hundred dollars AND IN COUNTIES OF THE THIRD CLASS the first assistant thirty-five hundred dollars the second assistant twenty-five hundred dollars AND THE THIRD ASSISTANT TWENTY-ONE HUNDRER DOLLARS and in counties of the fourth class the first assistant twenty-five hundred dollars the second assistant two thousand dollars and the third assistant fourteen hundred dollars the annual salaries of all the assistants to be fixed by the judge or judges of the said court but said annual salaries not to exceed two thousand dollars each in counties of the first and second class EIGHTEEN HUNDRED DOLLARS EACH IN COUNTIES OF THE THIRD CLASS and twelve hundred dollars each in counties ofthe fourth class which salaries shall be paid out of the fees of said office paid into the treasury of the county upon bills attested by said register and countersigned by a judge of said court But in the event that the fees received in said office of register of wills be not sufficient to fully pay the register and his assistants then payment shall be made in full to the said register of wills but to his assistants in manner as follows namely. where there are more than one assistant then the balance of fees remaining to the credit of said office of register of wills shall be divided among each of said assistants in proportion as his salary shall stand to the whole

Section 2 That all acts and part of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 206, entitled:

An Act to further amend section three of the act aproved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before issuing of the writ

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued" which was amended by the act approved the fourteenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and sixty-three) entitled "An Act to supplement and amend section three of an act entitled 'An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued' approved the nineteenth day of April nineteen hundred and one permitting replevied property to be impounded in certain cases and regulating the practice in such cases" is hereby further amended to read as follows

Section 3 The court or in vacation time a judge thereof at chambers may grant leave to any person upon an affidavit filed that the goods and chattels so replevied belong to him to intervene as party defendant in such suit and the defendant or party so intervening may file a counter bond within seventy-two hours after such goods or chattels have been replevied during which time said goods and chattels shall remain in the posession of the sheriff and which time may be extended by the court or in vacation time a judge thereof at chambers upon cause shown Such counter bond shall be given to the Commonwealth of Pennsylvania for the use of the parties interested in the same amount as the original bond and with like conditions Where several parties claim the right to give a counter bond and have possession of said goods and chattels the party who is in actual or constructive possession of the goods and chattels at the time the writ of replevin was served shall upon entering the proper counter bond be entitled to have said goods and chattels

Provided That in any action of replevin hereafter to be brought where the defendant or person intervening in such action claiming title to the property replevied shall enter a claim property bond therefor if the plaintiff at the time he files his bond and before the writ is issued did aver that by reason of the nature of such property or of any special circumstances connected with his alleged ownership thereof the actual pecuniary value of such property will not compensate him for the loss thereof the court or in vacation time any judge thereof at chambers shall order such property to be impounded in the custody of the sheriff or such other person as the court or in vacation time any judge thereof at chambers may designate to abide the final determination of the action provided the plaintiff shall exhibit an estimate of the probable necessary charges and expenses of the storage care or keep of such property pending the final determination of such action and shall pay or secure the payment of such charges and expenses as the court or in vacation time any judge thereof at chambers shall approve

The amount of such security shall be fixed by the court or in vacation time by any judge thereof at chambers and said security shall be approved in the same manner as now provided for the approval of the security entered by the plaintiff on the issuing of the writ of replevin The bond shall be to the Commonwealth and shall be for the use of any party interested in the payment of the storage care or keep of the impounded property

Upon the final determination of such action the property so impounded shall be delivered to the party who shall have successfully maintained his title thereto and the charges and expenses of the storage care or keep of such property shall be assessed as costs of suit and shall be recoverable from the unsuccessful party in the same manner as damages and costs are now recoverable in action of replevin

On the question,

Will the House agree to the section?

Mr. ALEXANDER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1 page 1 line 11 by striking out the word "three" and inserting in lieu thereof the word "third".

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to further amend section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before issuing of the writ

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 82, entitled:

A Supplement to an act entitled, "An Act to provide for the ordinary expenses of the Executive, Judicial, and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and twenty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and twenty-one," as approved the twenty seventh day of May, Anno Domini one thousand nine hundred and twenty-one, providing for deficiencies in certain appropriations made to the Executive, Judicial, and Legislative Departments by the act to which this is a supplement, and for other minor expenses incurred or to be incurred to May thirty-first, one thousand nine hundred and twenty-three, by certain of the Executive, Judicial and Legislative Departments, not provided for by said act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE.

Mr. MATHAY. Mr. Speaker, I ask unanimous consent to report a bill from committee at this time.

The SPEAKER. Are there any objections? The Chair hears none, and the report will be received.

Mr. MATHAY, from the Committee on Ways and Means, reported as committed, House Bill No. 426, entitled:

An Act to amend Section 30 of an Act approved June 1, 1889 (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine."

RECESS.

Mr. HAWS. Mr. Speaker, I move that this House do now take a recess until 4:30 this afternoon.

The motion was agreed to, and at 1:25 P. M. the House took a recess until 4:30 P. M.

AFTER RECESS.

The House reconvened at 4:30 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

SENATE MESSAGE.

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

Senate Bill No. 41, (House Bill No. 618)

An Act fixing the salary of sheriffs in counties of the eighth class requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

Referred to the Committee on Counties and Townships.

Senate Bill No. 85 (House Bill No. 619)

An Act authorizing cities of the third class to regulate the location of businesses trades and industries the location size and use of buildings and the areas of yards, courts and open spaces.

Referred to the Committee on Municipal Corporations.

Senate Bill No. 112 (House Bill No. 620)

An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed for purposes which have proved or may prove impracticable impossible or inadvisable for any other lawful municipal purpose or to provide for the cancellation of the authority to borrow such moneys.

Referred to the Committee on Judiciary Special.

REPORTS FROM COMMITTEES.

Mr. STERLING, from the Committee on Municipal Corporations, reported as committed, House Bill No. 389, entitled:

An Act to amend chapter six, article twenty, section three, of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve), entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs."

Mr. STERLING, from the Committee on Municipal Corporations, reported as committed, House Bill No. 470, entitled:

An Act to amend sections one and two of the act approved the twenty-third day of June, one thousand nine hundred and seventeen, (P. L. 639), entitled "An act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment, and providing a system of control and administration for the distribution thereof," extending said act to cities of the second class.

Mr. MATHAY, from the Committee on Judiciary General, reported as committed, House Bill No. 449, entitled:

An Act to amend paragraph one, section five, of the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, (P. L. 73), entitled, "An Act to provide for the incorporation and regulation of certain corporations," as amended; changing the effect of the by-laws of corporations.

Mr. GIBBON, from the Committee on Municipal Corporations, reported as amended, House Bill No. 75, entitled:

An Act to further amend section five of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties, regulating the procedure therein and providing for the expenses thereof", approved the fifth day of May, one thousand nine hundred and eleven as amended by an act entitled "An Act amending section five of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties, regulating the procedure therein and providing for the expenses thereof', approved the fifth day of May, Anno Domini, one thousand nine hundred and eleven, by changing the manner of appointment and of determining the number, duties and compensation of clerks and other assistants", approved the fourteenth day of May, one thousand nine hundred and fifteen, by changing the manner of fixing the compensation of clerks and other assistants, directing the same to be fixed by the salary board of which the president-judge of said court shall constitute a member when such salaries are fixed.

Mr. ALEXANDER, from the Committee on Judiciary General, reported as committed, House Bill No. 450, entitled:

An Act to further amend clause three, section one of an act approved the eighth day of May, one thousand eight hun-

dred and fifty-four (Pamphlet laws six hundred forty-four), entitled, "A further supplement to the act entitled, 'An Act concerning divorces'" as amended by taking away the right of support or alimony in certain cases.

Mr. POSEY, from the Committee on Municipal Corporations, reported as committed House Bill No. 398, entitled:

An Act to amend clause four, section six, article one of chapter seven of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising, amending, and. consolidating the law relating to boroughs."

Mr. JOSEPH MARCUS, from the Committee on Judiciary General, reported as amended House Bill No. 22, entitled:

An Act concerning conditional sales of cattels attached or to be attached to realty and regulating the recording and effect thereof and providing remedies and penalties.

Mr. STONER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 283, entitled:

An Act to further amend section four of the act approved the twentieth day of May, one thousand nine hundred and fifteen, (P. L. 566), entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and payment of such pensions," as amended; providing a pension for employes who have not reached the age of sixty years, but who have become permanently disabled after eighteen years of service.

Mr. BLUMBERG, from the Committee on Public Health and Sanitation, reported as Committed, House Bill No. 362, entitled:

An Act to empower and authorize any school or college of optometry organized, operated and conducted not for profit, which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study.

Mr. GEORGE A. SMITH from the Committee on Military, reported as amended, House Bill No. 447, entitled:

An Act to amend section five of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 473;), entitled "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors or marines, designated as 'deceased service men'; defining the term 'deceased service men'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

Mr. LITTLE from the Committee on Municipal Corporations, reported as committed, House Bill No. 494, entitled:

An Act validating certain proceedings of counties, cities, boroughs, townships, school districts, and other incorporated districts, or municipalities, had pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled, "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto and validating bonds, certificates of indebtedness and securities issued in pursuance of such proceedings.

Mr. DRINKHOUSE, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 327 (Senate Bill No. 19), entitled:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale, offering for sale, exposing for sale, and having in possession with intent to sell of adulterated or deleterious ice cream including coated ice cream and the coating thereof, fixing a standard of butter fat for ice cream providing penalties for the violation thereof and providing for the enforcement thereof.

Mr. MILLAR, from the Committee on Judiciary General, reported with a negative recommendation House Bill No. 363, entitled:

An Act to amend section three of the act approved the nineteenth day of April, one thousand nine hundred and one, (P. L. 88), entitled "An Act relating to replevin, and regulating the practice in cases where the writ of replevin is issued," as amended.

Mr. SOWERS, from the Committee on Judiciary General, reported with a negative recommendation House Bill No. 436, entitled:

An Act regulating the mortgaging of real property by married persons.

Mr, WHITMAN, from the Committee on Judiciary General reported as committed House Bill No. 331 (Senate Bill No. 102), entitled

An Act amending Section 4 of the Act entitled, "An Act regulating the practice bail, costs and fees on appeals to the Supreme Court and Superior Court" approved the nineteenth day of May, one thousand eight hundred and ninety-seven, (Pamphlet Laws, sixty-seven), by providing a shorter period within which to appeal in cases where loss and hardship would otherwise result to the estates of decedents.

Mr. LUDLOW, from the Committee on Judiciary General, reported as committed House Bill No. 484 (Senate Bill No. 154), entitled:

An Act to validate acts done by or rights accrued to corporations before the recording of their charters.

Mr. SOWERS, from the Committee on Judiciary General, re-reported as committed House Bill No. 373, entitled:

An Act to amend an act approved June fifteenth, one thousand nine hundred and eleven (P. L. 955) entitled "An Act making state taxes unpaid bonus, interest, penalties and all public accounts a first lien upon the franchise and property of corporations, companies, associations, joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof, and repealing section four of the act approved April sixteen one thousand eight hundred and twenty-seven," by extending its provisions to include individuals and providing for attorneys' commissions, making such commissions part of said claim and giving such commissions and costs the same priority as said taxes, bonus, interest and penalties.

Mr. SOWERS, from the Committee on Judiciary General, re-reported as committed House Bill No. 374, entitled:

An Act to amend section one of an act approved June first, one thousand nine hundred and seven (Pamphlet Laws three hundred and eighty-three) entitled "An Act regulating the collection of taxes and other claims and demands due the Commonwealth and providing for six per centum interest thereon and an attorney's commission."

USE OF THE HALL OF THE HOUSE GRANTED TO ANGELINA KAUFMAN AND OSCAR NEUFELD.

Mr. ARMSTRONG. Mr. Speaker, I move that the use of the Hall of the House be granted to Angelina Kaufman and Oscar Neufeld to exhibit in the hall of the House on Tuesday evening, March 13, 1923, at 8:00 o'clock, a motion picture on the subject of the illegal trafficking of drugs, entitled "The Greatest Menace."

Mr. STERLING. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL SIGNED BY SPEAKER.

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title were publicly read as follows:

Senate Bill No. 69.

An Act relating to the incorporation of banks and trust companies

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADDRESS BY HON. WILLIAM D. UPSHAW.

Mr. SCHLEITER. Mr. Speaker, the Honorable Mr. Upshaw of Georgia, Congressman from that State, is on the floor of the House, and I would be very much pleased to have the courtesy of the floor extended to Mr. Upshaw, and I so move.

Mr. RIPMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The Chair has great pleasure in introducing to the House the Hon. William D. Upshaw Congressman from the sovereign state of Georgia.

The HON. WILLIAM D. UPSHAW, Mr. Speaker, and gentlemen and ladies of the House, my heart responds gratefully to this recognition. I never dreamed that I would be some day introduced to the legislature of this great Keystone State. I have had my ambitions as a redheaded, freckled faced country boy in Georgia. I walked between my plow handles dreaming of the great things I wanted to do in the world, and I actually used to make speeches, Mr. Speaker, to an old Georgia mule that I believed I would speak some day in Congress, and I could actually repeat to you some of the sentences I perpetrated on that old Georgia mule. To be honest about it, the mule died soon after hearing my speeches, and as they had such an effect on the mule, I have been wanting to try them on Congress ever since.

It was a genuine disappointment that I could not have the fellowship this morning on the train coming from Washington, and appear before your honorable body with my golden-hearted colleague, Congressman Kelly from the Pittsburgh district. I do not know just how many congressmen there are from the Pittsburgh district but we know that Kelly held out somewhere over near Pittsburgh, but a drive of 42 miles in the face of a blinding snow made me a few minutes late in getting over, and I would have counted it a positive cause for personal bankruptcy in feeling if I had reached here after this session of the House had ended.

I don't know exactly what is expected to be said by a Democratic Congressman in a legislature that is supposed to be hopelessly and helplessly Republican. I am glad, Mr. Speaker, that it is not quite as bad as it was when I spoke to the Senate in Maine. By some strange sort of illustration of personal depravity, or total depravity, the whole blooming Senate of Maine was Republican, and I told them that one lone Democrat among all those Republicans made me think of the old countryman down in East Tennessee, where the community is also somewhat perverse politically. There was a community meeting, and when the deliberations were over, some goodnatured fellow arose with a twinkle in his eye and said, "Mr. Chairman, we all know Squire Johnson here. We know that he is a good neighbor and a man every inch a man, and has only one fault and that is he is a Democrat." For East Tennessee is badly Republican. "We don't think he means any harm by it, and we believe if he would have a chance to be born over again he would be born a Republican, but we would love to have Squire Johnson tell us how he feels, one lone Democrat among thirty-nine Republicans." Squire Johnson began to get up in sections, until he towered six feet seven inches above the crowd. He took his quid from this side and put it over on the other until he looked like the picture of Brown's mule, then he took deliberate aim at a knot hole on the floor and squirted tobacco juice through that hole. Squaring himself he said, "Well, neighbors, I will tell you just how I feel. I feel like a great big ear of corn among a lot of little nubbins." I got out alive from the Maine legislature, and I am glad that it is not quite so lonesome here, that there are,—how many? some three dozen or more who are brands escaped from the Republican burning, who are here to hold aloft the torch that keeps a Georgia Democrat from feeling wholly lonesome.

And yet may I say this before I stop: I believe in my soul, Mr. Speaker, I have got more friends amongst the Republicans in Congress than I have amongst the Democrats. That is for the same reason that white sheep eat more grass than black sheep, just more white sheep. But may I say with genuine earnestness that my fellowship with Congress in the last four years, just closing my second term, and entering my third, has been a revelation tome. I have been delighted, inspired, and enriched by the high personnel of Congress. I know some of you are smiling now and you are wondering how that can be consistent with a certain bit of publicity that came out a few weeks ago when the gentleman from Georgia made a perfectly innocent speech, just 13 minutes long, calling on the higher-ups to practice the prohibition that they proposed to enforce on the lower-downs, the masses. I didn't know but somebody might find that I was the man that made that speech and move not to extend the courtesy of the floor, to suggest that a man who would say a thing like that to a lot of higher-ups like the Pennsylvania legislature was personna non grata to the whole body. But after all I have greatly appreciated, and you know every man must speak a word of his specialty, if at all, and I have greatly appreciated the response that has come from many a man who used to count himself on the other side, he has taken my hand and said "Editor, congressman, senator, or what-not-Upshaw, whatever the difference that was held, we are all on one side now, we are on the side of the Constitution and the law. I say this further word before I sit down. I don't know whether it is counted proper, Mr. Speaker, to announce the main plank in the next platform of the party to which I belong. I will announce it now. It will be the integrity of the Constitution, the majesty of duly constituted law and personal and national sobriety, and after the Democrats have done that much they will not nominate a man who meddles with the bottle or who personally violates the spirit of the 18th amendment, and may the Lord have mercy on you Republicans if you do any less than that.

Mr. Speaker, May I add this postscript to what I had expected or thought to say? I cannot divorce myself, as I look upon men who are leaders in their respective communities, I cannot divorce myself from the tremendous impact of the responsibility of legislative leadership. I must remember that holding up the hands of your own great, golden-hearted fearless Governor, whom I have loved and honored for many years, and whose name is a synonym of all that is splendid in citizenship, I must remember that it is the part, the supremest part of duty of a legislature to stand behind the pedestal where the faith and the votes of his county, his district, has placed him, in teaching to Pennsylvania, to Georgia, to America a new and full meaning of civilization, the fact that civilization does not exist and government is not maintained in order that men may clip their coupons and count

their cash; that civilization does not exist and government is not maintained in order that railroads may belt the continent like nerves of steel; that civilization does not exist and government is not maintained in order that factories may turn their wheels to the music and march of progress. For all the factories and all the farms and all the mines and all the everything that we call concrete wealth would not sell tomorrow at high noon before the door of the most splendidly beautiful capitol building that I have ever seen on American soil, that would not sell for a dollar, for there is no concrete abstract wealth in mines or factories, or stocks, if there were no boys and girls in Pennsylvania to give value to those things that we call wealth. And we are the people. It is yours, Oh, my colleagues, for we are fellow legislators it is yours and mine to help the youth of Pennsylvania, of America, declared by Jacob Reis to be the tomorrow of this Republic, to realize that property is but trash except as it is related to the development and the guardianship of the children that we love better than the red drops that gather in our hearts. You are to stand, therefore, for all things that mean better schools, all things that mean the program humanitarian, and illustrating to that youth the two boys who may sometime marry my two little girls that great supreme lesson of the influence of God-fearing citizenship, that evolves the dream of Goldsmith's village preacher, "Lord give us the words and lead the way." I thank you.

The SPEAKER. The Legislature is honored and has had great pleasure in listening to the remarks of the gentleman from Georgia.

ADJOURNMENT.

Mr. HALL. Mr. Speaker, I move that this House do now adjourn until 10:00 o'clock tomorrow morning.

The motion was agreed to, and (at 5:05 o'clock P. M.), the House adjourned until tomorrow morning at 10:00 o'clock.

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HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 7, 1923.

The House met at 10:00 o'clock A. M.
The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty and eternal God, Thou that rulest in the heavens and upon the earth, and holdeth the destiny of men and nations in the hollow of thy hand, we would give Thee hearty thanks this morning for every blessing received from Thy hand; and pray that Thou wouldst grant to vouchsafe to the members of this Assembly those gifts and graces necessary to the full and faithful discharge of every obligation. May Thy blessing rest upon the Governor of this Commonwealth; bring to his aid the best that all his advisors can give. Bless the Speaker of this House, and all who have to do with the affairs of state. We ask it in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The CLERK proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Heffernan, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED.

By Miss GRIMES. HOUSE BILL No. 595.

An Act to further amend section three of an act approved the nineteenth day of March, one thousand nine hundred and fifteen (P. L. 5) entitled, "A further supplement to an act entitled, 'An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof', approved the fifth day of May, one thousand nine hundred and eleven; constituting the said court the juvenile court of said county, and prescribing its organization, jurisdiction, and powers therein and otherwise" as amended, by requiring the salary board to fix the salaries of all employes of such juvenile court.

Referred to the Committee on Counties and Townships.

By Mr. EDMONDS. HOUSE BILL No. 596.

An Act providing for written agreements of letting or lease or leases for occupancy of premises as a dwelling house, an apartment or apartment house.

Referred to the Committee on Judiciary General.

By Mr. EDMONDS. HOUSE BILL No. 597.

An Act to regulate rent received by a landlord or lessor, from a tenant or lessee, for occupancy of premises as a dwelling house, an apartment or apartment house, and providing for the determination of said rental by petition to the court of common pleas; and prescribing the procedure to carry said act into effect.

Referred to the Committee on Judiciary General.

By Mr. LUDLOW. HOUSE BILL No. 598.

An Act declaring the construction to be given deeds, wills and other instruments in writing in which real and personal property is donated, granted, devised or bequeathed, either directly or in trust for the benefit of one or more persons for years or for life or upon condition, with remainder over to the heirs or next of kin or to the persons thereunto entitled under the interstate laws or other similar or equivalent phrase.

Referred to the Committee on Judiciary Special.

By Mr. SHERIDAN. HOUSE BILL No. 599.

An Act making an appropriation to the Pittston Hospital Association, of the city of Pittston, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. THOMPSON. HOUSE BILL No. 600.

An Act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic, the United-Spanish War Veterans and American Legion a part of the public records of the State; and providing for their publication and distribution.

Referred to the Committee on Military.

By Mr. GUNDY. HOUSE BILL No. 601.

An Act establishing as a State Highway a certain abandoned turnpike in the counties of Clinton and Union, and providing for its construction, improvement and maintenance by the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. HAINES. HOUSE BILL No. 602.

An Act making an appropriation to the Trustees of the University of Pennsylvania for the Veterinary School of Medicine.

Referred to the Committee on Appropriations.

By Mr. HALL. HOUSE BILL No. 603.

An Act concerning declaratory judgments and decrees and to make uniform the law relating thereto.

Referred to the Committee on Judiciary General.

By Mr. GUNDY. HOUSE BILL No. 604.

An Act to establish as State Highways certain abandoned or condemned turnpikes now under the jurisdiction of county commissioners.

Referred to the Committee on Public Roads.

By Mr. LITTLE. HOUSE BILL No. 605.

An Act to amend section one of Article two of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws, twenty), entitled, "An Act

for the government of cities of the second class," as amended, by changing the name of the Department of Charities to the Department of Public Welfare.

Referred to Committee on Judiciary Local.

By Mr. GELDER. HOUSE BILL No. 606.

An Act to further amend an act approved the third day of June, one thousand eight hundred and ninety-five (Pamphlet Laws, one hundred thirty), entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers, and other streams which have been declared public highways by act of Assembly, where such bridges have been destroyed by flood, fire or other casualty; providing for the appointment of viewers and inspectors, and the payment of the cost of rebuilding such bridges;" providing for the rebuilding of decayed and unsafe bridges, and certain bridges on State highways.

Referred to Committee on Public Roads.

By. Mr. STONER. HOUSE BILL No. 607.

A Joint Resolution, proposing an amendment to Section Fifteen of Article Five of the Constitution of the Commonwealth of Pennsylvania.

Referred to Committee on Constitutional Reform.

By. Mr. JOSEPH C. MARCUS. HOUSE BILL No. 608.

An Act making an appropriation to the Tuberculosis League of Pittsburgh.

Referred to Committee on Appropriations.

By Mr. CLUTTON. HOUSE BILL No. 609.

An Act to establish as a State highway a certain section of public road in the county of Somerset.

Referred to the Committee on Public Roads.

By Mr. LUDLOW. HOUSE BILL No. 610.

An Act to amend section seventy-four of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 382), entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth."

Referred to the Committee on Judiciary General.

By Mr. ANDREW F. STEVENS. HOUSE BILL No. 611.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art.

Referred to the Committee on Appropriations.

By Mr. BIDELSPACHER. HOUSE BILL No. 612.

An Act authorizing the election of a solicitor of townships by supervisors of second class townships in county convention assembled, defining the duties of said solicitor of townships, regulating the salary and the manner of payment thereof to the solicitor of townships.

Referred to the Committee on Counties and Townships.

By Mr. MOORE. HOUSE BILL No. 613.

An Act making an appropriation to Kane Summit Hospital Association of Kane, McKeen County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. MOORE. HOUSE BILL No. 614.

An Act making an appropriation to the Bradford Hospital, of the city of Bradford.

Referred to the Committee on Appropriations.

By Mr. MOORE. HOUSE BILL No. 615.

An Act making an appropriation to the Commonwealth Humane Society.

Referred to the Committee on Appropriations.

By Mr. GRIFFITH. HOUSE BILL No. 616.

An Act to amend sections two and three of the act approved the thirtieth day of January, one thousand eight hundred and seventy-four, (P. L. 31), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended.

Referred to the Committee on Elections.

By Mr. CRAIG. HOUSE BILL No. 617.

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; invesments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents;" so as to permit the orphans' court in its discretion to permit a corporation appointed as trustee in the place of an executor or executors, trustee or trustees, dying, renouncing, dismissed or refusing to act, to give its own bond without surety.

Referred to the Committee on Judiciary General.

By Mr. STONER. HOUSE BILL No. 621.

An Act making an appropriation to Saint John's General Hospital, of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. GOLDER. HOUSE BILL No. 622.

An Act making an appropriation to the Northwestern General Hospital, of Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 623.

An Act to amend section five of an act approved the nineteenth day of May, one thousand eight hundred and seventy-four (Pamphlet Laws, two hundred six), entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants, and to provide for the election of Judges thereof," as amended, by changing the provision for appointment of first assistant clerks so as to conform to the Constitution and giving to the Court and Register of Wills joint power to modify the salaries fixed for any assistant clerk.

Referred to Committee on Judiciary General.

By Mr. KOHLER. HOUSE BILL No. 624.

An Act fixing the time for the Statute of Limitations to begin to run against the right of action for damages in certain cases.

Referred to Committee on Judiciary General.

By Mr. KOHLER. HOUSE BILL No. 625.

An Act providing for the inspection of certain mined out areas occupied by or about to be occupied by certain buildings, and providing penalties.

Referred to Committee on Mines and Mining.

By Mr. STERLING. (By Request). HOUSE BILL No. 626.

An Act to amend section two thousand two hundred and twenty-three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the provision relating to the tenure of the superintendent of schools in a school district of the first class.

Referred to the Committee on Education.

By Mr. McBRIDE. HOUSE BILL No. 627.

An Act making a deficiency appropriation for the payment of the salaries of the judges of the county court of Allegheny County.

Referred to the Committee on Appropriations.

By Mr. WHITEMAN. HOUSE BILL No. 628.

An Act making an appropriation to the Latrobe Hospital, Latrobe, Pennsylvania.

Referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. BROMLEY, from the Committee on Judiciary Special, reported as committed, House Bill No. 409, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held pursuant to the provisions of an act, approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase therefor," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections.

Mr. DIEHM, from the Committee on Legislative Apportionment, reported as committed, House Bill No. 262, entitled:

An Act to amend part of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455), entitled "An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the constitution.

Mr. CRAIG, from the Committee on Judiciary Special, reported as committed, House Bill No. 406, entitled:

An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire use, encumber, and dispose of such real estate and rights and interests in, in the nature of, or in respect to, real estate, in Pennsylvania, as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this state; defining certain of their powers, rights and liabilities in connection therewith; regulating the exercise of said rights by foreign public service corporations; repealing certain acts and validating certain titles, rights and interests heretofore acquired.

Mr. WILLISTON P. WOOD, from the Committee on Game, re-reported as amended, House Bill No. 174, entitled:

An Act to protect the public safety by prohibiting the discharge of fire-arms or other weapons within one hundred and fifty yards of any dwelling house or residence without the consent of the owner or tenant thereof and prohibiting the destruction and abuse of certain property by persons while hunting or trapping.

Mr. SOWERS, from the Committee on Judiciary General, re-reported with a negative recommendation, House Bill No. 61, entitled:

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred and ninety-three, (P. L. 344), entitled "An Act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will; and enabling them to sue and to testify against each other in certain cases" authorizing a married woman to mortgage her real property without the joinder of her husband.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 82, as follows:

A Supplement to an act entitled "An Act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and twenty-one" as approved the twenty-seventh day of May Anno Domini one thousand nine hundred and twenty-one providing for deficiencies in certain appropriations made to the Executive Judicial and Legislative Departments by the act to which this is a supplement and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by certain of the Executive Judicial and Legislative Departments not provided for by said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or so much thereof as may be necessary for deficiencies in certain appropriations made to the Executive Judicial and Legislative Departments by the act to which this is a supplement and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by certain of the Executive Judicial and Legislative Departments not provided for by said act be and the same are hereby specifically appropriated to the several objects hereinafter named to be made in the manner prescribed by law and to be paid out of any moneys in the treasury not otherwise appropriated Provided That all sums hereby appropriated shall be paid on the warrant of the Auditor General drawn upon the State Treasurer unless otherwise prescribed by law and provided further that out of the amount hereby appropriated to the Senate and House of Representatives there shall also be paid salaries and mileage for any additional officers and employes for the session of one thousand nine hundred and twenty-three as may be authorized during said session

Section 2 For the payment of the deficiencies in certain appropriations made to and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by the following named executive departments of the State Government the following sums or so much thereof as may be necessary to be paid in the manner prescribed by law

EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR

For the payment of the deficiency in the expenses incident to the participation in the procedure of the organization known as the Governors' Conference for the years one thousand nine hundred and twenty one and one thousand nine hundred and twenty-two the sum of two hundred dollars ($200)

DEPARTMENT OF THE SECRETARY OF THE COMMONWEALTH

For the payment of the deficiency of the expenses for the publication in the various newspapers of the State the several amendments to the Constitution of the Commonwealth for the two fiscal years ending the thirty-first day of May one thousand nine hundred and twenty-three the sum of forty-nine thousand seven hundred seventy-four dollars ($49,774) or so much thereof as may be necessary

TREASURY DEPARTMENT

For the payment of the deficiency in clerk hire messengers and watchmen including payment of such extra and temporary clerks as the State Treasurer may find it necessary to employ for the purpose of balancing and transferring accounts making new indices listing and depositing receipts of the motor fund expense of collecting the tax on gasoline or rendering any other general assistance to the regular clerical force and for the payment of postage express charges traveling expenses of the State Treasurer or employes of the department while on departmental business and for other necessary expenses of the department the sum of eighty-six thousand five hundred and twenty-seven dollars ($86,527) or so much there of as may be necessary

DEPARTMENT OF PUBLIC GROUNDS AND BUILDINGS

For the payment of the deficiency in the appropriation for salaries of the chief and assistant engineeers of the Capitol power plant and all other employes required in conducting cleaning and making repairs necessary for the safety and keeping of the buildings and grounds the sum of forty thousand dollars ($40,000.) or so much thereof as may be necessary

For the payment of the deficiency in the appropriation for the cost of general supplies including stationery supplies furniture fuel repairs alterations and improvements and other matters required by the Legislature the several departments boards and commissions of the State Government and the Executive Mansion as set forth and included in the general annual schedule of supplies for the State Government the sum of one hundred eighty-five thousand dollars ($185,000) or so much thereof as may be necessary

For the deficiency in the appropriation for advertising the annual schedule of supplies the sale of unserviceable furnishings the readvertising of the annual schedule when necessary and all other advertisements as authorized by the Board of Commissioners of Public Grounds and Buildings and the Superintendent the sum of two thousand dollars ($2,000) or so much thereof as may be necessary.

For the deficiency in the appropriation for the payment of cost of electric current gas and steam for light heat and power for the public grounds and buildings where not supplied from the Capitol power plant the sum of sixteen thousand nine hundred dollars ($16,900) or so much thereof as may be necessary.

For the deficiency in the appropriation for the payment of rental charges for telephone service and other patented leased office devices the cost of toll and long distance telephone messages and telegrams for the Legislature the several departments boards and commissions of the State Government and the Executive Mansion the sum of forty seven thousand dollars ($47,000) or so much thereof as may be necessary

For the deficiency in the appropriations for the payment of the rent of offices and rooms outside of the Capitol Building for the accommodation of departments boards and commissions of the State Government the sum of seventeen thousand five hundred dollars ($17,500) or so much thereof as may be necessary

DEPARTMENT OF PUBLIC PRINTING AND BINDING

For the deficiency in the appropriation for the payment of paper envelopes and other supplies of printing binding ruling lithographic printing cuts plates of salaries and wages of employes and of advertising proposals for executing the state printing the sum of three hundred thousand dollars ($300,000) or so much thereof as may be necessary.

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

For the payment of accrued indemnity claims for animals destroyed to prevent the spread of dangerous communicable diseases the sum of two hundred thirty-five thousand dollars ($235,000) or so much thereof as may be necessary

ADJUTANT GENERAL'S DEPARTMENT

For the payment of annual allowance to National Guard organizations passenger and freight transportation rifle practice allowances repairs to auto trucks expenses of inspectors and other unpaid obligations for the fiscal year ending May thirty-first one thousand nine hundred and twenty-three the sum of eighty-eight thousand seven hundred twenty-six dollars ($88,726)

For officers' annual allowance claims due and filed eighty-five hundred dollars ($8,500)

For the payment of claims of officers' annual allowance to be filed for the fiscal year ending May thirty-first one thousand nine hundred and twenty-three fifty-three hundred dollars ($5,300)

STATE BOARD OF EXAMINERS OF ARCHITECTS

For the deficiency in the appropriation for the necessary expenses of the said board the sum of two thousand dollars ($2,000) or so much thereof as may be necessary

RETIREMENT OF STATE EMPLOYES

For the deficiency in the appropriation covering the amount of salaries of State employes who may be retired by resignation the sum of forty-nine thousand two hundred and four dollars ($49,204) or so much thereof as may be necessary

JUDICIAL DEPARTMENT

Section 3 For the payment of the deficiencies in certain appropriations made to and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by the Judicial Branch of the State Government

For the payment of the deficiency in the salary of the Judges of the Courts of Common Pleas learned in the law in the several judicial districts in the Commonwealth for the two years ending May thirty-first one thousand nine hundred and twenty-three the sum of eighteen thousand dollars ($18,000)

For the payment of the deficiency in the salaries of the orphans' court judges in the several judicial districts in which separate orphans' courts have been established by law for two years ending May thirty-first one thousand nine hundred and twenty-three the sum of ten thousand five hundred dollars ($10,500)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 328 (Senate Bill No. 67), as follows:

An Act to further amend section four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred ninety-five) entitled "An Act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade-mark stock and poultry-food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuff sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expense of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled 'An Act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth

day of May one thousand nine hundred and seven" as amended fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and ninety-five) entitled "An Act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry food and patented proprietary or trade mark stock and poultry food possessing nutritive value combined with medicinal properties denning concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuff sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expenses of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled 'An Act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven" which was amended by the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred ninety) entitled "An Act to amend sections two three and four of an act approved the third day of May Anno Domini one thousand nine hundred and nine (Pamphlet Laws three hundred and ninety-five) entitled 'An act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade-mark stock and poultry-food possessing nutritive value combined with medicinal properties denning concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuff sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground cornstalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expenses of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled "An Act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof" et cetera approved the twenty-eight day of May one thousand nine hundred and seven' by enlarging the scope of the term 'concentrated commercial feeding-stuffs' and providing for the collection of license fees for the sale thereof and by including certain other substances as adulterants" is hereby further amended to read as follows

Section 4 Each and every manufacturer importer agent person corporation or firm on or before the first day of January of each year or before selling offering or exposing for sale in this Commonwealth any concentrated commercial feeding-stuffs as defined in section two of this act shall register and file annually with the Secretary of Agriculture a certified statement of the names and number of each kind or brand of such concentrated commercial feeding-stuffs that he shall offer for sale during the next ensuing year and a copy of the analysis of each one of such brands as required by section one of this act and he or they shall pay to the Secretary of Agriculture the sum of twenty-five dollars for each and every brand of such concentrated commercial feeding-stuffs to be sold or offered for sale within the Commonwealth except brands of (a) pure wheat bran (b) pure wheat middlings (c) pure wheat mixed feed (d) pure rye bran (e) pure rye middlings (f) pure rye mixed feed (g) pure buckwheat bran (h) pure buckwheat middlings (i) pure buckwheat feed being by-products resulting from the milling of pure wheat rye and buckwheat in the manufacture of wheat rye and buckwheat flour and (j) pure corn meal made by grinding and bolting corn and (k) pure corn and oats chop made by grinding together or by grinding separately and mixing together pure corn and oats standards for which brands shall be fixed by the Secretary of Agriculture in which cases he shall pay to the Secretary of Agriculture the sum of six dollars instead of twenty-five dollars for each and every such brand to be sold or offered for sale within the Commonwealth All moneys so received shall be immediately paid by the Secretary of Agriculture to the State Treasury for the use of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. MINEHART. Mr. Speaker, I would like to ask Mr. Coldsmith to further postpone House Bill No. 352, for further consideration.

Mr. COLDSMITH. Mr. Speaker, I move that House Bill No. 352, file folio 531, on page 4 of today's calendar, Bills on Third Reading Postponed, entitled:

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An Act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected in the State Treasury; and making an appropriation thereof; and providing penalties;" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees; and providing his compensation for such services.

be recommitted to the Committee on Agriculture for the purpose of a hearing.

Mr. RICHARDS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 346, entitled:

An Act to amend section seventeen of the act approved the seventeenth day of June, one thousand nine hundred and thirteen, (Pamphlet Laws five hundred seven), entitled, "An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes, imposing taxes upon certain classes of personal property, providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith, and modifying existing legislation which provided for raising revenue for State purposes," as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 259, entitled:

An Act relating to the drainage of wet and spouty lands, by providing for the construction of surface or under drains over lands owned by others.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 471, entitled:

An Act to amend sections one, two and three of an act approved the twenty-fourth day of April, one thousand eight hundred and eighty-five, (P. L. 9), entitled "An Act to amend an act, entitled 'An Act to provide for the destruction, and to prevent the spread of Canada thistles,' approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two," extending the provisions of said act to cichorium intybus the weed commonly known as chickory or succory.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 472, entitled:

An Act to amend sections five and six of the act approved the second day of May one thousand eight hundred and ninety-nine (P. L. 184) entitled, "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," by requiring all dealers and venders to keep accurate books of account and empowering the appraisers to examine the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 288, entitled:

An Act relating to the organization, maintenance and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of 1919; with table of contents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 287, entitled:

An Act regulating banks, trust companies, title insurance companies, savings banks, and private bankers, codifying and revising the laws relating thereto, and providing penalties for the violation thereof; with table of contents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 481 (Senate Bill No. 95), entitled:

An Act for the prevention of fraud and the protection of the public health relating to milk, cream or skimmed milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated, prohibiting the introduction of foreign fats into them, regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 426, entitled:

An Act to amend Section 30 of an Act approved June 1, 1889 (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 389, entitled:

An Act to amend chapter six, article twenty, section three, of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve), entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 470, entitled:

An Act to amend sections one and two of the act approved the twenty-third day of June, one thousand nine hundred and seventeen, (P. L. 639), entitled "An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment, and providing a system of control and administration for the distribution thereof," extending said act to cities of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 449, entitled:

An Act to amend paragraph one, section five, of the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, (P. L. 73), entitled, "An Act to provide for the incorporation and regulation of certain corporations," as amended; changing the effect of the by-laws of corporations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 75, entitled:

An Act to further amend section five of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act amending section five of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May Anno Domini one thousand nine hundred and eleven by changing the manner of appointment and of determining the number duties and compensation of clerks and other assistants" approved the fourteenth day of May one thousand nine hundred and fifteen by changing the manner of fixing the compensation of clerks and other assistants directing same to be fixed by the salary board of which the president-judge of said court shall constitute a member when such salaries are fixed

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 450, entitled:

An Act to further amend clause three, section one of an act approved the eighth day of May, one thousand eight hundred and fifty-four (Pamphlet laws six hundred forty-four), entitled, "A further supplement to the act entitled, 'An Act concerning divorces'" as amended by taking away the right of support or alimony in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 398, entitled:

An Act to amend clause four, section six, article one of chapter seven of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 22, entitled:

An Act concerning conditional sales of chattels attached or to be attached to realty and regulating the recording and effect thereof and providing remedies and penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 283, entitled:

An Act to further amend section four of the act approved the twentieth day of May, one thousand nine hundred and fifteen, (P. L. 566), entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and payment of such pensions," as amended; providing a pension for employes who have not reached the age of sixty years, but who have become permanently disabled after eighteen years of service.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 362, entitled:

An Act to empower and authorize any school or college of optometry organized, operated and conducted not for profit, which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 447, entitled:

An Act to amend section five of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 473), entitled "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors or marines, designated as 'deceased service men'; defining the term 'deceased service men'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 494, entitled:

An Act validating certain proceedings of counties, cities, boroughs, townships, school districts, and other incorporated districts, or municipalities, had pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled, "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto and validating bonds, certificates of indebtedness and securities issued in pursuance of such proceedings.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 327 (Senate Bill No. 19), entitled:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale, offering for sale, exposing for sale, and having in possession with intent to sell of adulterated or deleterious ice cream including coated ice cream and the coating thereof, fixing a standard of butter fat for ice cream providing penalties for the violation thereof and providing for the enforcement thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 331 (Senate Bill No. 102), entitled:

An Act amending Section 4 of the act entitled "An Act regulating the practice bail, costs and fees on appeals to the Supreme Court and Superior Court" approved the nineteenth day of May, one thousand eight hundred and ninety-seven, (Pamphlet Laws, sixty-seven), by providing a shorter period within which to appeal in cases where loss and hardship would otherwise result to the estates of decedents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 484 (Senate Bill No. 154), entitled:

An Act to validate acts done by or rights accrued to corporations before the recording of their charters

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. STEEDLE. Mr. Speaker, I move that House Bill No. 255, file folio 229, on page 4 of today's calendar, Bills on Third Reading Postponed, entitled:

A supplement to an act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for re-

vocation and suspension of licenses by said bureau; and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith;" creating a division in said bureau to enforce the laws of the Commonwealth relating to said bureau.

be recommitted to the Committee on Public Health and Sanitation for the purpose of a hearing.

Mr. McCAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. PARKINSON. Mr. Speaker, I move that House Bill No. 380, file folio 501, on page 2 of today's calendar, Bills on Third Reading, entitled:

An Act to amend section one of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand seventy-two) entitled "An Act providing a method for establishing title to land at a sale for unpaid taxes"

be recommitted to the Committee on Judiciary Local for the purpose of a hearing.

Mr. HEFFRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I move that the House do now adjourn until Monday evening, March 12, 1923, at 9:00 o'clock.

The motion was agreed to, and (at 10:45 A. M.) the House adjourned until Monday evening, March 12, 1923, at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

Session 1923 — 125th of the General Assembly

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SENATE

MONDAY, MARCH 12, 1923.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor, David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Father, we have faith in Thee, we believe that Thou dost hear and answer prayer. It is, therefore, with full confidence that we come to Thee to-night. May Thy blessing upon us all, upon the Governor of this State, upon the Lieutenant-Governor, upon the President Pro Tempore of this body, and upon all these Senators as they have come together to enter upon the legislative activities of the new week. Be thou in their midst. Thou knowest how many matters of far reaching importance will come before them. Grant that in private discussion, in public debate and in final action they may be guided from on high. Bless our nation and grant that throughout the world truth, justness and righteousness may enthrone. We ask it in the Redeemer's Name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING PASSAGE OF SENATE BILL NO. 99.

Mr. CRAIG presented petitions of First Presbyterian Church of Freedom, and Council of Grace Evangelical Lutheran Church of Rochester, favoring Senate Bill No. 99.

Which were referred to the Committee on Law and Order.

Mr. BARR presented petitions of Methodist Protestant Church, Turtle Creek; Presbyterian Church, Millvale; United Presbyterian Church, Aspinwall; St. James Lutheran Church, Emsworth; Presbyterian Church, Wilmerding; United Brethren Church, Wall; Methodist Church, Ben Avon; Presbyterian Church, Tarentum; Reformed Church, Turtle Creek; W. C. T. U., Bellevue; Methodist Church, Turtle Creek; East Bellevue Methodist Church, Bellevue; Methodist Episcopal of Brackenridge; Men's Bible Class, Presbyterian Church, Sharpsburg; Bellevue Methodist Church, Avalon; Forest Avenue United Presbyterian Church, Ross Township; Union Centenary Methodist Episcopal Church, Sharpsburg; Official Board of First Methodist Protestant, Turtle Creek; Millvale Presbyterian Church, Millvale; United Presbyterian Church, Turtle Creek; Aspinwall United Presbyterian Church, Aspinwall; St. James Lutheran Church, Emsworth; First Presbyterian Church, Wilmerding; United Brethren Church, Wall; Ben Avon Methodist Episcopal Church, Ben Avon; Central Presbyterian Church, Tarentum; Calvary Reformed Church, Turtle Creek; First Christian Chuch, McKees Rocks; McMaster's Methodist Episcopal Church, Turtle Creek; The Brotherhood of the East Bellevue Methodist Episcopal Church, West View; Epworth League of First M. E. Church, Wilmerding; Members of Bellevue W. C. T. U.

Which were referred to the Committee on Law and Order.

He also presented, resolution of the directors of the Brackenridge Building and Loan Association, protesting against codification of the Building and Loan Association Laws.

Which was referred to the Committee on Banks and Building Loan Association.

OPPOSING TAX ON OIL AND GAS.

The CHAIR presented petition opposing bill placing tax on oil and gas.

Which was referred to the Committee on Finance.

LEAVES OF ABSENCE.

Mr. CRAIG asked and obtained leave of absence for the Senator from Philadelphia, Mr. Patton, on account of illness.

The CHAIR asked and obtained leave of absence for the Senator from Allegheny, Mr. Leslie, for tonight's session.

REPORTS FROM COMMITTEES.

Mr. DAVIS, from the Committee on Military Affairs, reported as committed, Senate Bill No. 301, entitled:

An Act authorizing the several counties, incorporated towns, and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans, and of the Army of the Philippines, and to each post of the American Veterans of Foreign Service, in the respective counties, boroughs, and towns, to aid in defraying the expenses of Memorial Day.

Also from the Committee on New Counties and County Seats re-reported as amended, Senate Bill No. 40, entitled:

An Act fixing the salary of the prothonotary in counties of the eighth class; and providing for the payment of all fees and commissions into the county treasury.

Mr. PHIPPS, from the Committee on Elections, reported as committed, Senate Bill No. 198, entitled:

An Act to amend section seventy-four of an act approved the second day of July, 1831, (P. L. 519), entitled "An act relating to the Elections of this Commonwealth," as amended.

Also from the Committee on Military Affairs, reported as committed, Senate Bill No. 235, entitled:

An Act relative to the burial of the bodies of deceased widows of soldiers, sailors and marines at county expense.

Mr. STITES, from the Committee on Law and Order, re-reported as amended, Senate Bill No. 99, entitled:

An Act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

Mr. BUCKMAN, from the Committee on Corporations, re-reported as amended, Senate Bill No. 208, (House Bill No. 158), entitled:

An Act to amend sections sixteen, twenty-six, twenty-seven, twenty-eight and twenty-nine of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry and changing the procedure for assessing damages done by dogs.

Also from the Committee on Corporations, reported as Committed, Senate Bill No. 276, (House Bill No. 371), entitled:

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

Mr. SMITH, from the Committee on Public Health and Sanitation reported as committed, Senate Bill No. 227, (House Bill No. 72), entitled:

An Act to amend section two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty four) entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor"

BILLS INTRODUCED.

Mr. CRAIG read in his place and presented to the Chair Senate Bill No. 316, entitled:

An Act to amend chapter seven of an act approved May 14, 1915, (P. L. 312), entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," by creating a Borough Planning Department, defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the borough, and for three miles beyond the borough limits; and to regulate the making and use of certain public improvements until said plans are approved by said department by a park or other municipal commission.

Which was committed to the Committee on New Counties and County Seats.

Mr. KRAUSE, read in his place and presented to the Chair Senate Bill No. 317, Entitled:

An Act making an appropriation to Saint Luke's Homeopathic Hospital, of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 318, entitled:

An Act making appropriation to the Mount Sinai Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. QUIGLEY read in his place and presented to the Chair Senate Bill No. 319, entitled:

An Act establishing a State highway in the counties of Clarion, Forest, Elk and McKean; providing for its location, construction improvement and maintenance by the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 320, entitled:

An Act authorizing the Secretary of Agriculture separately or jointly with the county commissioners to provide for the installation of rural index maps and signs; and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. HARRIS, read in his place and presented to the Chair Senate Bill No. 321, entitled:

An Act to amend section one of article of an act, approved March 7, 1901, entitled "An act for the government of cities of the second class."

Which was committed to the Committee on Municipal Affairs.

Mr. CULBERTSON read in his place and presented to the Chair Senate Bill No. 322, entitled:

An Act to amend route number one hundred and ninety-three of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468) entitled, "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employees; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenence, and repair of said State Highways, solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties over same; requiring boroughs and incorporated towns to maintain certain State highways wholly or in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring au-

thority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways, providing method of application for State-aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township county borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width for State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No 323, entitled:

An Act to further amend section two of an act approved the twentieth day of June, (P. L. 521) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located herein, to transfer the stock of such corporation or banking association standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal."

Which was committed to the Committee on Banks and Buildings and Loan Associations.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 324, entitled:

An Act to amend section two thousand one hundred five of the act approved May 18, 1911, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first, second and third classes.

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 325, entitled:

An Act to amend section six of an act aproved June 26, 1895 (P. L. 27) entitled "An Act to provide for the incorporation of institutions of learning with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law, and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees; and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas, with power to confer degrees, in cases where such colleges have, at the time of the passage of this act, a specified amount of capital or resources," as amended; by prescribing additional requirements for institutions conferring degrees; making certain exceptions therefrom; and imposing certain duties on the State Council of Education.

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 326, entitled:

An Act to amend section one of the act approved June 2, 1919 (P. L. 363) entitled "An act to quiet the title of real estate by providing that the sale of real estate of any bankrupt or insolvent debtor shall pass the title of such real estate freed from any claims for, or rights to, any statutory interest inchoate of the spouse of the bankrupt or insolvent debtor;" extending the provisions of said act to include courtesy, tenancy by courtesy, dower, and right of dower.

Which was committed to the Committee on Judiciary General.

Mr. McCLINTOCK, read in his place and presented to the Chair Senate Bill No. 327, entitled:

An Act to provide for the personal registration of electors in cities of the second class of this Commonwealth, to make such registration a condition of the right to vote in such cities; to provide penalties for violation of its provisions, and repealing all acts or parts of acts inconsistent herewith.

Which was committed to the Committee on Elections.

Mr. JOYCE read in his place and presented to the Chair Senate Bill No. 328, entitled:

An Act requiring county commissioners to rebuild or repair county brridges closed to vehicular traffic or destroyed.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 329, entitled:

An Act making an appropriation to the Armory Board to erect and construct an armory in the city of Wilkes-Barre.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 330, entitled:

An Act to amend section six and clause (c) of section seven of an act approved the twelfth day of July, one thousand nine hundred and nineteen, (P. L. 933), entitled "An Act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners, defining the power and duties of said board of examiners, and providing penalties for the violation of this act."

Which was committed to the Commottee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 331, entitled:

An Act making an appropriation to the Wilkes-Barre City Hospital, Wilkes-Barre, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 332, entitled:

An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder.

Which was committed to the Committee on Judiciary General.

Mr. LONG read in his place and presented to the Chair Senate Bill No. 333, entitled:

An Act making an appropriation to the Children's Aid Society, of Franklin County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 334, entitled:

An Act making an appropriation to the Chambersburg Hospital, at Chambersburg, Pennsylvania.

Which was committeed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 335, entitled:

An Act making an appropriation to the Waynesboro Hospital, Waynesboro, Pennsylvania.

Which was committeed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 336, entitled:

An Act making an appropriation to the Annie M. Warner Hospital, Gettysburg, Adams County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 337, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highway solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads, defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended; by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 338, entitled:

An Act to further amend clause four of section three hundred and eighty-six, of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended, and repealing an additional amendment to said clause, approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 857).

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 339, entitled:

An Act providing for participation of the Commonwealth in the construction of a memorial bridge across the Delaware River at Washington Crossing, and the appointment of a bridge commission, and appropriating money therefor.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 340, entitled:

An Act authorizing the sheriff of any county, when directed by the commissioners thereof, to appoint one or more special deputies to act as County Police who shall be equipped with uniforms and motorcycles and paid by the county to patrol its roads and state highways therein and to cooperate with state and municipal police for the enforcement of the law and apprehension of criminals, with all the powers of such police and constables as well as the authority of deputy sheriffs.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 341, entitled:

An Act fixing the mileage chargeable by sheriffs, requiring its payment in advance in certain cases, and providing for its taxation and collection as sheriff's costs when unpaid.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 342, entitled:

An act authorizing each sheriff in counties of the first, second, third, fourth, and fifth classes to appoint a Sheriff's Solicitor to be paid by the proper county, and prescribing the duties and salary of such Solicitor.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 343, entitled:

An Act to amend section two of an act, approved the twenty-sixth day of May, one thousand eight hundred and ninety-seven (P. L. 95), entitled "An Act relating to proceedings where goods or chattles have been levied upon or

seized by the sheriff, and claimed to belong to others than the defendent in the executing or process", as amended.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 344, entitled:

An Act requiring certain compensation and expenses of extra helpers needed and employed to assist any sheriff to perform special services to be paid by persons or corporations or governing agencies being directly benefited thereby or, if not collectible from any such beneficiary, by the proper county; empowering sheriffs to compel prepayment of such compensation and expenses in certain cases, unless indemnified before such services are rendered; limiting the sheriff's liability for such compensation or expenses and providing for the taxation and collection of same as sheriff's costs or by suit for the benefit of the sheriff or helper entitled thereto.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 345, entitled:

An Act to amend section two of the act, approved the eleventh day of July, one thousand nine hundred and one, (P. L. 663) entitled "An Act to regulate and establish the fees to be charged by Sheriffs in this Commonwealth, and to provide for the taxation and collection of the same."

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 346, entitled:

An Act authorizing the sheriffs of the several counties of this Commonwealth or organize themselves into a State Association for the purpose of holdiug annual meetings to secure more uniformity and co-operation in the conduct of their offices and providing for the payment of certain expenses in connection with such meetings by the various counties.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 347, entitled:

An Act empowering any chief deputy appointed by deed of any sheriff in any county of this Commonwealth to perform any duty incumbent upon such sheriff, until a written revocation of such appointment be recorded, with like effect as if such official act had been done by the sheriff in person, regardless of the ability or temporary disability of such sheriff to act, while such sheriff continues in office.

Which was committed to the Committee on Judiciary General.

Mr. DERRICK read in his place and presented to the Chair Senate Bill No. 348, entitled:

An Act to establish as a State Highway a certain section of public road in the county of Bedford.

Which was committed to the Committee on Public Roads and Highways.

Mr. DAVIS read in his place and presented to the Chair Senate Bill No. 349, entitled:

An Act affecting the collection of county, city, poor and school taxes in second and third class cities; establishing the office of receiver of taxes; defining its jurisdiction and powers; abolishing the office of county or ward assessor within cities accepting the terms of this act; imposing duties upon the various officers of counties, second and third class cities, poor districts and school districts, and providing that this act shall become operative as to any second or third class city only upon the acceptance of its terms by ordinance of the council of said city.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 350, entitled:

An Act to amend route number one hundred and sixty-eight of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiriing the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 351, entitled:

An Act establishing a State Highway in the County of Lackawanna; providing for its location, construction, improvement, and maintenance by the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 352, entitled:

An Act to provide compensation for loss of life or property, due to surface subsidence, caused by the mining of coal, minerals or other materials from beneath the surface of lands of this Commonwealth; declaring waiver clauses in release of

damages, in such cases to be against public policy; and providing security for payment of compensation in certain cases.

Which was committed to the Committee on Mines and Mining.

The Chair (by request of Mr. Patton) read in his place and presented to the Chair Senate Bill No. 353, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania so as to consolidate the courts of Common Pleas of Philadelphia County.

Which was committed to the Committee on Judiciary General.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 131, as follows:

An Act validating certain proceedings and elections of counties cities boroughs townships school districts and other municipalities or incorporated districts had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all proceedings and elections heretofore had and held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method or procedure specified by the provisions of an Act of Assembly entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April one thousand eight hundred and seventy-four and the acts amendatory thereof and supplementary thereto where the majority of votes cast at each election was in favor of the increase of indebtedness be and the same are hereby ratified confirmed and made valid notwithstanding the authorities of such county city borough township school district or other municipality or incorporated district either did not or by separate and independent action did not prior to the ordinance or vote in pursuance of which notice of election was given to the electors signify their desire for such increase of indebtedness or did not in the words of the act and amendments and supplements aforesaid authorizing such increase signify their desire for such increase of indebtedness and notwithstanding the ballots were not certified or signed by the county commissioners or did not contain a brief statement of the purpose of the proposed increase of indebtedness or were not printed on the official ballot after the list of candidates but were printed on separate ballots and notwithstanding full complete and proper return of the votes was not made to the proper court or counted by the court or a record showing the results made and certified by the clerk of said court to the proper authorities of such district or municipality and notwithstanding any defect or informality in the manner of holding mode of conducting or giving notice of such election or in the form of the ballot and notwithstanding any mistake in stating the amount or percentage of the existing debt or the percentage of the proposed increase or patent error of orthography or of numerical statement or any or all of the ballots and not withstanding any discrepancy between the amount of the proposed increase of indebtedness as contained in the published and posted advertisements and in the printed ballot all of the bond securities and obligations issued or to be issued in pursuance of every such election are hereby made valid binding obligations of every such county city borough township school district or other muicipality or incorporated district Provided That all the other requirements of law concerning such procedure election and issue of bonds have been complied with and provided further That the provisions of this act shall not apply in any instance where the validity of such election or of any issue of bonds or other security based thereon has been made the subject of litigation in any court of the Commonwealth prior to the approval of this act

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SISSON. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. SISSON. Mr. President, I voted "aye".

Mr. HOMSHER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HOMSHER. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SISSON. Mr. President, I ask unanimous consent to amend section 1, page 2, line 23, by inserting after "ness" the following: "notwithstanding the authorities of such county, city, borough, township, school district or incorporated district, signified their desire for such increase of indebtedness by a resolution instead of by an ordinance as required by said act, amendments and supplements and said resolution was not advertised as is required by law for the advertisement of ordinances"

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania, authorizing the State to issue bonds to the amount of one hundred millions of dollars for the improvement of the highways of the Commonwealth.

And said bill having been read at length the third time, and agreed to

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Bernthelzel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 11, entitled:

An Act authorizing the Governor to appoint a commission to provide for the construction, erection and dedication of a memorial to Joseph T. Rothrock; and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 31, entitled:

An Act authorizing the Governor to appoint a commission to provide for the construction, erection and dedication in the City of Chester of a monument to the memory of John Morton; and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 53, entitled:

An Act fixing the per diem compensation of registry or assistant assessors in townships of the first class for the performance of election duties; and the method of ascertaining the number of days employed.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 98, as follows:

An Act to repeal an act approved the eighth day of April one thousand eight hundred and sixty-eight (Pamphlet Laws seventy three) entitled "A supplement to an act relating to counties and townships and county and township officers approved April fifteenth one thousand eight hundred and thirty-four relating to public buildings"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the eighth day of April one thousand eight hundred and sixty-eight (Pamphlet Laws seventy-three) entitled "A Supplement to an act relating to counties and townships and county and township officers approved April fifteenth one thousand eight hundred and thirty-four relating to public buildings" is hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 100, entitled.

An Act to amend section ten of an act approved June 27, 1895, (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix.			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 118, entitled:

An Act providing that the county controller shall be made a party defendant in all suits against any county.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. DAIX. Mr. President, I ask that Senate Bill No. 138, (House Bill No. 132), on third reading, entitled:

(H. R. No. 37) A joint resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania (Mr. Dunn)

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 139, (House Bill No. 132), entitled:

An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 143, entitled:

An Act to amend section one of the act approved July 12, 1913, (P. L. 719), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National Party conventions, and of certain party officers, including State Committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State Committee of a political party to make and to alter, amend and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation;" as amended.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SMITH. Mr. President, I ask unanimous consent to amend section 1, page 4, line 4, by striking out the word "in" and inserting in lieu thereof the word "in"; also page 5, line 9, by inserting after the word "in" the word "the"; also line 11 by underscoring the words "and State Committee women".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. SISSON. Mr. President, I ask that Senate Bill No. 167, (House Bill No. 179), on third reading, entitled:

An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings, where no legal or valid contract was entered into as required by law.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 191, entitled:

An Act to amend section one of the act approved the seventh day of July, 1913 (P. L. 693) entitled "An Act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon as provided by Article 18, Section 1, of the Constitution."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 194, entitled:

A supplement to an act approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," providing a procedure to incur or to increase indebtedness where the existing indebtedness is less than two per centum but the amount to be incurred exceeds two per centum of the assessed value of the taxable property; and providing that this act shall apply to pending proceedings.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 210, (House Bill No. 208), entitled:

An Act to amend section two of the act approved March 13, 1815 (P. L. 150) entitled "An Act concerning divorces" as amended authorizing prothontaries and clerks of the court of common pleas to make affidavits to petitions and libels and **validating prior proceedings in which such affidavits were** taken.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 211, (House Bill No. 233), entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and Corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culberston,	Kutz,	Salus,	Woodward,
Daix.			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 213, (House Bill No. 76), entitled:

An Act to amend Sections five and ten of the Act approved the nineteenth day of April Anno Domini one thousand nine hundred and one (Pamphlet Laws, eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culberston,	Kutz,	Salus,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Mr. DAIX. Mr. President, I move that the Senate do now proceed to the third reading and consideration of Senate Bill No. 138, (House Bill No. 37), on third reading, entitled:

A joint resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania

Mr. LONG. Mr. President, I section the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 138, (House Bill No. 37), entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culberston,	Kutz,	Salus,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 124, (House Bill No. 15), entitled:

An Act providing the method in which amendatory legislation shall be printed in the session laws and for the interpretation thereof. Whereas the Constitution of the Commonwealth in Article 3 Section 6 provides "No law shall be revived amended or the provisions thereof extended or conferred by reference to its title only but so much thereof as is revived amended extended or conferred shall be re-enacted and published at length" and Whereas said section in the case of amendatory laws provides only for the re-enactment of the part of law amended and not for a recital of the part of the existing law which is amended therefore.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 129, as follows:

An Act to amend sections five hundred and forty and five hundred and forty-one as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and forty of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 540 In all school districts of the third and fourth class in this Commonwealth the school taxes shall be levied and assesed upon all the property upon which the county taxes are levied and assessed" is hereby amended to read as follows . . .

Section 540 In all school districts of the third class excepting school districts of that class which are located wholly within the boundary lines of cities of the third class and where such third class school districts compromise the same territory as such city of the third class in which the same is so located as aforesaid and in all school districts of the fourth class in this Commonwealth the school taxes shall be levied and assessed upon all the property upon which the county taxes are levied and assessed

In all school districts of the third class in this Commonwealth which are located wholly within the boundary lines of any city of the third class in said Commonwealth and where third class school districts compromise the same territory as such city of the third class in which the same is so located the school taxes shall be levied and assessed on the real estate and personal property therein as contained in the assessment made for city tax purposes

Section 2 That section five hundred and forty-one of said act which as amended by the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and eight) entitled "An act to amend sections five hundred and thirty-seven five hundred thirty-nine as amended five hundred forty-one five hundred forty-two as amended five hundred forty-three five hundred fifty-six five hundred fifty-seven and five hundred fifty-eight as amended and to repeal section five hundred forty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith'" which reads as follows

"Section 541 In order to enable the board of school directors in each district of the third or fourth class in this Commonwealth to assess and levy the necessary school taxes required by such district each year the county commissioners in each county shall on or before the first day of April in each year at the expense of the county furnish to each school district of the third or fourth class therein for its use to be retained by it a properly certified duplicate of the last adjusted valuation of all real estate personal property and residents or inhabitants made taxable for county purposes in such school district stating the name of each taxable and the valuation description and kind of property and a list of the residents or inhabitants assessed all of which real estate personal property and residents or inhabitants are hereby made taxable for school purposes in each district of the third or fourth class is hereby further amended to read as follows

Section 541 In order to enable the board of school directors in each district of the third class other than school districts of that class which are located wholly within the boundary lines of cities of the third class and when such third class school districts compromise the same territory as such city of the third class in which the same is so located as aforesaid and in each district of the fourth class in this Commonwealth to assess and levy the necessary school taxes required by such district each year the county commissioners in each county shall on or before the first day of April in each year at the expense of the county furnish to each school district of the third class other than school districts of that class which are located wholly within the boundary lines of cities of the third class and where such third class school districts compromise the same territory as such city of the third class in which the same is so located as aforesaid and to each district of the fourth class therein for its use to be retained by it a properly certified duplicate of the last adjusted valuation of all real estate personal property and residents or inhabitants made taxable for county purposes in such school district stating the name of each taxable and the valuation description and kind of property and a list of the residents or inhabitants assessed all of which real estate personal property and residents or inhabitants are hereby made taxable for school purposes in each school district of the third and fourth class

In order to enable the board of school directors in all school districts of the third class in this Commonwealth which are located wholly within the boundary lines of any city of the third class in said Commonwealth and where such third class school district compromises the same territory as such city of the third class in which the same is so located to levy and assess the necessary school taxes required by such school district each year the city clerk or other proper official shall annually on or before the first day of April in each year at the expense of the city furnish to each school district of the third class mentioned in this paragraph for its use to be retained by it a properly certified duplicate of the last adjusted valuation of all real estate personal property and a list of all residents or inhabitants made taxable in such school district of the third class mentioned in this paragraph stating the name of each taxable the valuation and kind of property assessed all of which real estate personal property and residents or inhabitants are hereby made taxable for school purposes in each such school district of the third class The properly certified duplicate herein required to be furnished each of such school districts of the third class at the expense of the city shall consist of a bound book or books printed and indexed according to the form to be submitted by the secretary of the board of school directors of each school district to the city clerk or other proper official on or before the first day of March of each year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 163, on second reading, entitled:

An Act relating to the organization, maintenance and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of 1919; with table of contents.

be recommitted to the committee on Banks and Building and loan Associations.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

Mr. CRAIG. Mr. President, I move that Senate bill No. 164, on second reading, entitled:

An Act regulating banks, trust companies, title insurance, companies, savings banks, and private bankers, codifying and revising the laws relating thereto, and providing penalties for the violation thereof; with table of contents.

be recommitted to the committee on Banks and Building and Loan Associations

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

Mr. CULBERTSON. Mr. President, I move that Senate Bill No. 214, (House Bill No. 122), on second reading, entitled:

An Act to regulate and restrain the hawking, vending and peddling of fish, fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth.

be recommitted to the committee on Judiciary Special.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 199, entitled:

An Act to exempt certain real estate of the American Legion from taxation.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all real estate owned by duly incorporated Posts of the American Legion in their actual use and occupation for Post purposes and which apply the entire revenue thereof to the support and repair of such real estate or to increase the efficiency and facilities thereof and of said Post be and the same is hereby exempt from State county city borough road township school and poor and all other tax or taxes

On the question,

Will the Senate agree to the section?

Mr. SCHANTZ. Mr. President, I move to amend section 1, page 1, line 4, by inserting after the word "Posts" the words "or Camps; also line 5 by inserting after the word "Legion" the following: "United Spanish War Veterans and of the Army of the Phillipines, American Veterans of Foreign Service, Military Order of the Loyal Legion and the Grand Army of the Republic; also line 6 by inserting after the word "post" the words "or Camp".

Mr. DAIX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act to exempt certain real estate of the American Legion from taxation

On the question,

Will the Senate agree to the title?

Mr. SCHANTZ. Mr. President, I move to amend the title, line 1 by striking out the words "the American Legion" and inserting in lieu thereof the following "certain organizations of war veterans".

Mr. DAIX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 206, (House Bill No. 51), as follows:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when a state highway crosses a creek rivulet or river which is the boundary line between two boroughs or two townships of the first class or between a borough and a township of the first class and over which creek rivulet or river a bridge has heretofore been erected so as to avoid crossing at grade the tracks of any railroad company or companies on either or both sides of said creek rivulet or river and it is necessary for the safety and convenience of the traveling public that a new bridge be erected it shall be the duty of the Commonwealth to construct said new bridge under the direction and supervision and upon such location as may be approved by the State Highway Commissioner

The plans and specifications for said bridge shall be prepared by the State Highway Commissioner and be submitted by him to the proper county authorities and to the railroad company or companies for their approval

In the event that the State Highway Commissioner the county and the railroad company or companies cannot agree upon the plans and specifications submitted by the State Highway Commissioner the Public Service commission upon application of any of the said parties after public hearing shall adopt plans and specifications for said bridge making such change or changes therein as to them may seem just and proper whereupon it shall be the duty of the Commonwealth to construct said bridge in accordance with said plans and specifications

Section 2 When the plans for said bridge are completed it shall be the duty of the State Highway Commissioner to endeaver to agree with the County Commissioners of the county in which said bridge is situated and the railroad company or companies owning or leasing the track or tracks over which said bridge crosses as to the portion the State the county and railroad company or companies shall pay of the damages cost and the expenses of the construction of said bridge and the portion of the cost of maintenance thereof

Section 3 In the event the parties cannot agree as provided for in section two it shall be the duty of the Public Service Commission upon application of any of said parties after hearing to proportion the costs damages and expenses of the construction of said bridge and the future maintenance thereof among the State County and railroad company or companies in such proportion as said Commission may deem just and proper.

Section 4 The amount found by the Public Service Commission to be due and owing to the Commonwealth by any County and railroad company or companies shall be final and conclusive and if the said County railroad company or companies fail or neglect to pay said amount within ninety days after the completion of said bridge the Attorney General shall bring suit against such delinquent county or railroad company or companies to recover the amount due in the same manner as debts of like amount are now by law recoverable.

Section 5 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 223, as follows:

An Act to amend sections one thousand one hundred and seven one thousand one hundred and nine one thousand one hundred and seventeen and one thousand one hundred and twenty-one as amended and section one one thousand one hundred and thirty-one of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special of local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand one

hundred and seven of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 1107 Every convention of school directors held for the purpose of electing a county superintendent shall organize by electing a president a secretary and at least two tellers from the directors present" is hereby amended to read as follows

Section 1107 Every convention of school directors held for the purpose of electing a county superintendent shall organize by electing a president a secretary and at least two tellers from the directors present No person other than a qualified elector shall be permitted in any such convention during its deliberations

Section 2 That section one thousand one hundred and nine of said act which reads as follows

"Section 1109 The county superintendent shall furnish to the president of such convention a direct duplicate list of all the school directors in the said county in the district over which said superintendent has supervision said list to be arranged alphabetically by districts And in taking the vote the president or secretary shall call in alphabetical order by district the list thus furnished and each director present shall when his name is called rise and announce the name of the candidate for whom he desires to vote The tellers shall keep correct tally of the vote as cast and report the same to the president who shall announce the vote to the convention" is hereby amended to read as follows

Section 1109 The county superintendent shall furnish to the president of such convention a correct duplicate list of all the school directors in said county in the districts over which said superintendent has supervision said list to be arranged alphabetically by districts. Any vote for the election for county superintendent shall be by ballot and each director shall upon the call of his name deposit his ballot with the name of the person written or printed thereon in a box provided for that purpose The tellers shall count the vote as cast and report the same to the president who shall announce the vote to the convention

Section 3 That section one thousand one hundred and seventeen of said act which reads as follows

"Section 1117 Every school director attending a convention for the election of a county superintendent shall be paid the sum of two dollars and mileage at the rate of three cents per mile for each mile necessary to be traveled between the county seat and the home of such director such sum to be paid by the school district in which the director resides by a proper order drawn on the treasurer of such district" is hereby amended to read as follows

Section 1117 Every school director shall attend the convention for the election of a county superintendent and shall be paid the sum of five dollars and mileage at the rate of ten cents per mile for each mile necessary to be traveled between the county seat and the home of such director such sum to be paid by the school district in which the director resides by a proper order drawn on the treasurer of such district

Section 4 That section one thousand one hundred and twenty-one of said act which was amended by the act approved the twenty-seventh day of May one thousand nine hundred and nineteen (Pamphlet Laws three hundred) entitled "An act to amend sections one thousand one hundred and twenty-one and one thousand one hundred and thirty of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith' as amended reads as follows

"Section 1121 The annual salary of each county superintendent elected or appointed under the provisions of this act shall be paid by the State from appropriations made for this purpose or from the appropriations for the public schools and shall be fifteen dollars ($15.00) for each of the first one hundred schools within his jurisdiction at the time of his election and ten dollars ($10.00) for each additional school Provided That the salary of a county superintendent shall not be less than two thousand dollars ($2,000) per annum nor more than twenty-five hundred dollars ($2,500) per annum but a convention of school directors assembled for the purpose of electing a county superintendent may vote him a salary greater than the amount he would receive by this act such increase to be paid in all cases out of the school fund apportioned to the school districts over which such county superintendent has supervision before the same is distributed The salaries of county superintendents shall be paid monthly

In addition to the said salary each county superintendent shall be entitled to receive annually a sum not to exceed five hundred dollars for the payment of the actual and necessary expenses incurred in visting schools within his district in attending educational meetings and in the performance of such other official duties as may be requred by him by law Payments shall be made monthly on account of such expenses to any such county superintendent by requisition of the Superintendent of Public Instruction upon the Auditor General upon the production to him of itemized vouchers in the usual manner" is hereby further amended to read as follows

Section 1121 The annual salary of each county superintendent elected or appointed under the provisions of this act shall be paid by the State from appropriations made for this purpose or from the appropriations for the public schools and shall be fifteen dollars ($15.00) for each of the first one hundred schools within his jurisdiction at the time of his election and ten dollars ($10.00) for each such additional school Provided That the salary of a county superintendent shall not be less than two thousand dollars ($2,000) per annum nor more than twenty-five hundred dollars ($2,500) per annum but a convention of school directors assembled for the purpose of electing a county superintendent may before the election of any superintendent vote him a salary greater than the amount he would receive by this act such increase to be paid in all cases out of the school fund apportioned to the school districts over which such county superintendent has supervision before the same is distributed The salaries of county superintendents shall be paid monthly.

In addition to the said salary each county superintendent shall be entitled to receive annually a sum not to exceed five hundred dollars for the payment of the actual and necessary expenses incurred in visiting schools within his district in attending educational meetings and in the performance of such other official duties as may be acquired by him by law Payments shall be made monthly on account of such expenses to any such county superintendent by requisition of the Superintendent of Public Instruction upon the Auditor General upon the production to him of itemized vouchers in the usual manner

Section 5 That section one thousand one hundred and thirty-one of said act which reads as follows

"Section 1131 Every assistant county superintendent shall diligently visit the schools assigned him by the county superintendent and shall under his direction supervise and direct the work of the schools and see that each school is equal to the grade for which it was established and that there is as far as practicable uniformity in the courses of study of the several grades respectively and shall when so directed by the county superintendent the Superintendent of Public Instruction or a State Inspector of High Schools direct or conduct examinations for promotion or graduation He shall also inspect school property and see that the requirements of the law as to buildings grounds equipment and sanitary arrangements are fully observed and complied with During the school terms and vacations he shall assist the county superintendent in his work and perform such other duties in connection with the public schools of the county as may be assigned him by the county superintendent Provided however That the duties herein prescribed for the assistant county superintendents shall in no case be construed to lessen or limit the duty and responsibility of the county superintendent to visit all the schools under his jurisdiction as frequently as possible" is hereby amended to read as follows

Section 1131 In counties where there is more than one assistant county superintendent, the superintendent shall divide the county into an equal number of districts and assign an assistant county superintendent to each district Every assistant county superintendent shall diligently visit the

schools assigned him by the county superintendent and shall under his direction supervise and direct the work of the schools and see that each school is equal to the grade for which it was established and that there is as far as practicable uniformity in the courses of study of the several grades respectively and shall when so directed by the county superintendent the Superintendent of Public Instruction or a State Inspector of High Schools direct or conduct examinations for promotion or graduation He shall also inspect school property and see that the requirements of the law as to buildings grounds equipment and sanitary arrangements are fully observed and complied with He shall be accountable to the county superintendent for the performance of his duties During the school terms and vacations he shall assist the county superintendent in his work and perform such other duties in connection with the public schools of the county as may be assigned him by the county superintendent Provided however That the duties herein prescribed for the assistant county superintendent shall in no case be construed to lessen or limit the duty and responsibility of the county superintendent to visit all the schools under his jurisdiction as frequently as possible

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 225, (House Bill No. 372), entitled:

An Act to amend section forty-five of an act approved the fifteenth day of April, one thousand eight hundred and thirty-four (P. L. 509), entitled "An Act relating to county rates and levies and township rates and levies," by removing the exemption of females from arrest and imprisonment for non-payment of taxes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 229, (House Bill No. 211), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for any lawful purpose defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto making an appropriation of the proceeds of such bonds for the purposes intended providing for the payment of interest on and the redemption of such bonds by the Sinking Fund Commission and fixing the compensation of the loan and transfer agent of the Commonwealth in connection therewith.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 231, (House Bill No. 279), entitled:

An Act to amend section forty-one paragraph (a) one of the act approved June 7, 1917 (P. L. 447) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities, accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof, contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges, the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised, the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents, the audit and review of accounts of fiduciaries refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries, the rights, powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante, absentia, the recording and registration of decrees, reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" making bonds and certificates of poor districts legal investments for trust funds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 232, (House Bill No. 297), entitled:

A Joint Resolution proposing an amendment to article one, section one, of the Constitution of the Commonwealth of Pennsylvania, so as to permit the exemption from taxation of real and personal property owned, occupied or used by any branch or post or camp of the Grand Army of the Republic, the Spanish-American War Veterans, the American Legion, the Veterans of Foreign Wars, and the Military Order of the Loyal Legion of the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 263, as follows:

An Act to amend section one of an act approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and seventy-five) entitled "An act to provide that admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself without more operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth and to provide that disbarment or suspension of any attorney by the said Supreme Court shall of itself without more operate as a disbarment or suspension of such attorney as an attorney in every other court of this Commonwealth" as amended by requiring the approval of the local board of examiners to entitle attorneys-at-law to practice before the different courts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and seventy-five) entitled "An act to provide that admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself without more operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth and to provide that the disbarment or suspension of any attorney by the said Supreme Court shall of itself without more operate as a disbarment or suspension of such attorney

as an atorney in every other court of this Commonwealth" which as amended by section one of the act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and fifty-one) entitled "An act to amend the act approved the eighteenth day of April one thousand nine hundred and nineteen (Pamphlet Laws seventy-three) entitled 'An act to amend section one of the act approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and seventy-five) entitled "An act to provide that admission now had or that may here after be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself without more operate as an admission of such attorney as an atorney-at-law in every other court of this Comonwealth and to provide that disbarment or susupension of any attorney by the said Supreme Court shall of itself without more operate as a disbarment or suspension of such attorney as an attorney in every other court of this Commonwealth" requiring attorneys-at-law to file certificates of admission in the Supreme Court before admission in other courts and fixing the fees of the prothonotaries of the Supreme and other courts in conection therewith' providing for the filing of such certificates of admission with clerks of courts and fixing their fees" reads as follows

"Section 1 Be it enacted et cetera That admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall qualify such attorney for admission to practice as an attorney-at-law in every other court of this Commonwealth and shall operate as an admission of such attorney in any other court of this Commonwealth upon his filing in the office of the prothonotary or clerk of said court a certificate of admission in the Supreme Court and the payment to such prothonotary or clerk of a fee of one dollar Such certificate shall be granted by the prothonotary of the Supreme Court upon application and the payment of a fee of one dollar to any person legally entitled thereto and shall be in the following form

Know All Men By These Presents That.....
.....was duly admitted to practice as an attorney-at-law in the Supreme Court of the Commonwealth of Pennsylvania on the .....day of .....
and that he is now a qualified member in good standing

Witness my hand and official seal this.....
day of .....is hereby further amended to read as follows

Section 1 Be it enacted et cetera That admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall upon the approval of the local examining board qualify such attorney for admission to practice as an attorney-at-law in every other court of this Commonwealth and upon such approval shall operate as an admission of such attorney in any other court of this Commonwealth upon his filing in the office of the prothonotary or clerk of said court a certificate of admission in the Supreme Court and a certificate of approval from the local examining board and the payment to such prothonotary or clerk of a fee of one dollar Such certificate shall be granted by the prothonotary of the Supreme Court upon application and the payment of a fee of one dollar to any person legally entitled thereto and shall be in the following form

Know All Men By These Presents That.....
.....was duly admitted to practice as an attorney-at-law in the Supreme Court of the Commonwealth of Pensylvania on the.....day of .....
and that he is now a qualified member in good standing

Witness my hand and official seal this.....day of.....

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 271, (House Bill No. 220), entitled:

An Act to amend section one hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith." as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreebly to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 274, (House bill No. 364), entitled:

An Act relating to the recording of certificates of incorporation of domestic corporations, providing for the recording of certified copies thereof in certain cases, validating the recording of such certified copies heretofore recorded and making the record of such certified copy competent evidence for all purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BARR, Mr. President, I move that Senate Bill No. 223, on third reading, entitled:

An Act to amend sections one thousand one hundred and seven, one thousand one hundred and nine, one thousand one hundred and seventeen, and one thousand one hundred and twenty-one, as amended, and section one thousand one hundred and thirty-one of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

be recommitted to the Committee on Education.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE.

SENATE BILL NO. 67 RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 67, entitled:

An Act to further amend section four of the act approved the third day of May, one thousand nine hundred and nine, (P. L. 395), entitled "An Act regulating the sale of concentrated commercial feeding-stuffs, also of condimental stock and poultry-food, and patented, proprietary or trade-mark stock and poultry-food, possessing nutritive value combined with medicinal properties; defining concentrated commercial feeding-stuffs; prohibiting the adulteration of any feeding-stuff, sold, offered, or exposed for sale, in this State, with oat hulls, ground corn cobs, flax plant refuse, elevator chaff, cotton-seed hulls, ground corn stalks, rice hulls, peanut hulls, weed seeds, or other similar adulterants; providing for the collection of samples and analysis thereof by the Department of Agriculture, and the publication of information concerning the same; providing also for the expenses of the enforcement of the law, fixing penalties for its violation, and repealing act number two hundred and eleven, (Pamphlet Laws, one thousand nine hundred and seven, page two hundred and seventy-three), en-

titled 'An Act regulating the sale of wheat, rye, corn, and buckwheat-bran and middlings, or any admixture thereof,' et cetera, approved the twenty-eighth day of May, one thousand nine hundred and seven," as amended; fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. CLARK. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calender, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Amend section 1, page 5, line 11, by striking out the words "one dollar" and inserting in lieu thereof the words "six dollars."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culberston,	Kutz,	Salus,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVER OF SENATE BILL NO. 69.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, March 9, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 69, entitled "An Act relating to the incorporation of banks and trust companies".

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR.

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the followings:

Miss Margaret E. Patrick, of Burnside, for appointment as Justice of the Peace, in and for the Borough of Burnsire, Clearfield County, vice Charles B. Patrick, deceased, to serve until the first Monday of January 1924.

John L. Rich, of Greensboro, for appointment as Justice of the Peace, in and for the Township of Monongahela, Greene County, to serve until the first Monday of January 1924.

GIFFORD PINCHOT.

ALDERMAN AND COMMISSIONER OF DEEDS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following:

Harold E. Slade, of Lancaster, Lancaster County, for appointment as Alderman, in and for the Fifth Ward of the City of Lancaster, Lancaster County.

D. W. Barnard, of New York, N. Y., for appointment as Commissioner of Deeds for the State of Pennsylvania, with residence in New York, for a term of five years, to compute from date of confirmation.

GIFFORD PINCHOT.

ALDERMAN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Justus Englehardt of Scranton, for appointment as Alderman in and for the fourth Ward of the City of Scranton, Lackawanna County, vice F. L. Decker, resigned, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

BRIGADIER GENERAL, MEMBER ARMORY BOARD, MEMBER BOARD TRUSTEES OF STATE INSTITUTION FOR FEEBLE-MINDED OF WESTERN PENNSYLVANIA, MEMBER OF GENERAL GEORGE GORDON MEADE STATUE COMMISSION, MEMBERS OF PENNSYLVANIA COMMISSION TO CONSTRUCT BRIDGE OVER DELAWARE RIVER, MEMBER JOINT COMMISSION FOR ACQUISITION OF VARIOUS TOLL BRIDGES OVER DELAWARE RIVER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the followiug:

Edward Martin, of Washington, Pa., to be Brigadier General, Pennsylvania National Guard, for the term of five years from August 17, 1922, to rank from August 17, 1922.

Edward Martin, of Waynesburg, to be a Member of the Armory Board of the State of Pennsylvania, for the term of five years from July 25, 1921.

Marshall Phipps, of Franklin, to be a Member af the Board of Trustees of the State Institution for Feeble Minded of Western Pennsylvania, at Polk, for the term of three years from May 1, 1921.

John E. Baker, of York, to be a Member of the General George Gordon Meade Statue Commission from June 1, 1921, until annulled.

Richard Weglein, of Philadelphia, and Samuel M. Vauclain, (Delaware County), Philadelphia, to be Members of the Pennsylvania Commission to Construct a Bridge over the Deleware River Connecting Philadelphia and Camden, from May 31, 1921, until annulled.

Clarence J. Buckman, of Langhorne, to be a Member of the Joint Commission for the Acquisition of the Various Toll Bridges over the Delaware River between Pennsylvania and New Jersey, from May 31, 1921, until annulled.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Miss Mary C. Anstead, Pittsburgh, Mar. 9, 1923.
M. Aull, Pittsburgh, Mar. 9, 1923.
George Haramie, Pittsburgh, Mar. 18, 1923.
C. H. Maurhoff, Brackenridge, Mar. 3, 1923.
Harry L. McGuire, West Elizabeth, Mar. 22, 1923.
H. Earl McKinney, Pittsburgh, Mar. 18, 1923.
Miss Helen L. Quatchak, Pittsburgh, Mar. 24, 1923.
Julius C. Schmidt, Pittsburgh, Mar. 24, 1923.
Miss M. A. Schwalm, Pittsburgh, Mar. 23, 1923.
Wm. J. Seib, Pittsburgh, Mar. 24, 1923.
W. G. Stern, Pittsburgh, Mar. 18, 1923.
Leroy M. Stephens, Pittsburgh, Mar. 19, 1923.
John A. Tannehill, Pittsburgh, Mar. 18, 1923.
Chas. A. Waldschmidt, Pittsburgh, Mar. 11, 1923.
Miss Mathilda C. Zauner, Pittsburgh, Mar. 8, 1923.

BERKS COUNTY.

Harry Egolf, Reading, Mar. 20, 1923.
Miss Cora C. Mays, Reading, Mar. 25, 1923.
Adam L. Otterbein, Reading, Mar. 21, 1923.

BRADFORD COUNTY.

Bernardo Cacchione, Sayre, Mar. 25, 1923.

BUTLER COUNTY.

Harry L. Graham, Butler, Mar. 14, 1923.

CAMBRIA COUNTY.

Miss Minnie Jarvie, South Fork, Mar. 18, 1923.
Geo. H. Masters, Johnstown, Mar. 24, 1923.
Julius Pannek, Gallitzin, Mar. 22, 1923.

CARBON COUNTY.

J. Monroe Miller, Summit Hill, Mar. 24, 1923.

CHESTER COUNTY.

John G. Hobek, Coatesville, Mar. 24, 1923.
Mrs. Katie T. McDade, Phoenixville, Mar. 24, 1923.

CRAWFORD COUNTY.

Miss Margaret M. Addle, Meadville, Mar. 22, 1923.
John Henry Fisher, Titusville, Mar. 25, 1923.

DAUPHIN COUNTY.

Miss Margaret J. Wieseman, Harrisburg, Mar. 24, 1923.

DELAWARE COUNTY.

William S. Atchison, Sharon Hill, Mar. 3, 1923.
Felix Santilli, Chester, Mar. 17, 1923.

ERIE COUNTY.

Herman J. Curtze, Erie, Mar. 18, 1923.
Miss Charlotte A. Masten, Erie, Mar. 19, 1923.
Mrs. Gladys A. Riede, Erie, Mar. 11, 1923.

FAYETTE COUNTY.

C. C. Garletts, Brownsville, Feb. 21, 1923.
Chauncey D. Harader, Uniontown, Mar. 23, 1923.
Kenneth Porter, S. Brownsville, Mar. 10, 1923,
Jesse T. Ross, Brownsville, Feb. 24, 1923.
Joseph Vecchio, Uniontown, Mar. 1, 1923.

INDIANA COUNTY.

Arthur T. Carney, Blairsville, Mar. 23, 1923,

LACKAWANNA COUNTY.

Leslie H. Simons, Scranton, Mar. 23, 1923.

LANCASTER COUNTY.

Edward P. DeHaven, Salisbury Mar. 25, 1923.

LEHIGH COUNTY.

Miss Sue O. Hofford, Allentown, Mar. 23, 1923.

LUZERNE COUNTY.

Harold J. Mahon, Pittston, March 23, 1923.
Philip T. Myers, Kingston, March 24, 1923.
Miss Christella M. O'Neil, Pittston, March 24, 1923.
W. J. Parry, Luzerne, March 21, 1923.
Edward F. Rafferty, Wilkes-Barre, March 23, 1923.
John Yourishin, Hazleton, March 24, 1923.

LYCOMING COUNTY.

Giglio Oreste, Williamsport, March 18, 1923.

MERCER COUNTY.

R. A. Irvine, Farrell, March 24, 1923.
G. R. Johnston, Sharon, March 24, 1923.

MONTGOMERY COUNTY.

Norman W. Gray, Conshohocken, March 24, 1923,
Miss Lizzie Weiss, Norristown, March 22, 1923.

NORTHAMPTON COUNTY.

William H. Nagle, Easton, March 23, 1923.

NORTHUMBERLAND COUNTY.

Paul J. Durdach, Shamokin, January 7, 1923.
Thomas A. Foltz, Shamokin, March 25, 1923.
Geo. W. Marshall, Shamokin, March 24, 1923.

PHILADELPHIA COUNTY.

James J. Boyle, Philadelphia, March 17, 1923.
James J. Burns, Philadelphia, March 19, 1923.
Chas. W. Chain, Philadelphia, March 18, 1923.
John M. Cook, Jr. Philadelphia, March 24, 1923.
Thomas Descano, Philadelphia, March 10, 1923.
Charles M. Grass, Philadelphia, March 24, 1923.
Antoni Janiszowski, Philadelphia, March 23, 1923.
Miss J. Lutheraia Kauffman, Philadelphia, March 9, 1923.
Charles E. Koob, Philadelphia, March 18, 1923.
David C. Kratzok, Philadelphia, March 9, 1923.
Sidney Lee Livers, Philadelphia, March 24, 1923.
Thomas H. Maginniss, Jr. Philadelphia, March 9, 1923.
Mrs. Nellie H. Maloney, Philadelphia, March 18, 1923.
Allen C. Middleton, Philadelphia, March 20, 1923.
Chas. Fred Miller, Philadelphia, March 20, 1923.
John J. Minnick, Philadelphia, March 21, 1923.
Leon Nathan, Philadelphia, March 22, 1923.
Homer Parsons, Philadelphia, March 22, 1923.
Miss Kathleen A. S. Quigley, Philadelphia, February 17, 1923.
D. Audley Reuben, Philadelphia, March 24, 1923.
Miss Ella Robb, Philadelphia, March 9, 1923.
Thomas S. Russo, Philadelphia, March 22, 1923.
Rufus E. Sadler, Philadelphia, March 20, 1923.
Joseph K. Seidle, Philadelphia, March 9, 1923.
Bertram K. Wolfe, Philadelphia, March 24, 1923.

SCHUYLKILL COUNTY.

John J. Kilker, Girardville, March 22, 1923.
William M. Marsh, Gordon, March 20, 1923.
Charles A. Millet, Tamaqua, March 20, 1923.
B. V. O'Hare, Shenandoah, March 25, 1923.
George E. Runkle, Pottsville March 20, 1923.
Charles D. Thompson, Port Carbon, March 20, 1923.

TIOGA COUNTY.

William J. Ordway, Elkland, March 24, 1923.

WESTMORELAND COUNTY.

Paul S. Barnhart, Greensburg, March 24, 1923.
Elmer H. Wright, Greensburg, March 18, 1923.

YORK COUNTY.

George F. Saubel York, March 24, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Claude B. Brown, 1501 Penn Ave., Pittsburgh.
Kenneth Buffington, 617 Union Arcade, Pittsburgh.
R. A. Harris, 1319 Berger Bldg., Pittsburgh.
Wm. M. McNally, 149 Home St., Pittsburgh.
Chas. E. Rerman, 630 Monongahela St., Glassport.

BEAVER COUNTY.

Crescenzo Viccone, Alipuippa, Pa.

BLAIR COUNTY.

Miss Anna M. Feeney, Altoona.
N. C. McConahy, Tyrone.
Lemuel A. Woomer, Altoona.

CAMBRIA COUNTY.

D. H. Kempfor, Vintoldale.

DAUPHIN COUNTY.

E. Herman Shelley, Harrisburg.

JEFFERSON COUNTY.

Felix C. V. Gatti, Punxsutawney.

LEHIGH COUNTY.

Elmer L. Schwartz, Allentown.

LUZERNE COUNTY.

Miss Emma Frisbie, Wilkes-Barre.

NORTHAMPTON COUNTY.

William M. Goodwin, Bethlehem.
Martin J. Hildenberger, Bethlehem.

PHILADELPHIA COUNTY.

A. Culver Boyd, 806 N. American Bldg., Philadelphia.
George F. Braun, 301 N. 18th St., Philadelphia.
Schuyler T. Farringer, 122 Tasker St., Philadelphia.
Jos. J. Foley, 3041 N. 7th St., Philadelphia.
Mrs. Gertrude M. Gould, 667-669 N. Broad St., Philadelphia.
N. M. Heckman, 2033 Market St., Philadelphia.
L. A. Jacquette, 205 N. 22d St., Philadelphia.
Robert J. Keegan, Jr., 720 West York St., Philadelphia.
France C. B. Kent, 205 Lafayette Bldg., Philadelphia.
Frank Lamalfa, 1130 McKean St., Philadelphia.
Miss Louise F. Littig, 827 Real Estate Tr. Bldg., Phila.
S. Miler Mack, 6748 Old York Road, Philadelphia.
Sydney J. Markovitz, 321 Market St., Philadelphia.
Robert McCracken, 66 N. 34th St., Philadelphia.
Benjamin W. McVoy, S. E. Cor. 6th & Walnut Sts., Phila.
H. S. Mehring, 16 Overhill Road, Philadelphia.
Emanuel Nageli, Jr., 1204 N. 44th St., Philadelpia.
Anthony J. Sabia, 4104 N. Fifth St., Philadelphia.
Mrs. Stefania Szweda, 2705 E. Allegheny Ave., Philadelphia.
G. Daniel Taylor, 3550 Germantown Ave., Philadelphia.
Adolph J. Van Thuyne, 425 Vine St., Philadelphia.
Chas. A. Wolfe, 2214 Walnut St., Philadelphia.

WARREN COUNTY.

Miss Sarah Mitchell, Warren.

WESTMORELAND COUNTY.

Hugh H. Henderson, Youngwood.
A. H. Snyder, New Kensington.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Miss Blance B. Ransick, McKeesport, March 9, 1923.

BUCKS COUNTY.

Miss Margaret F. Leatherman, Bristol, March 26, 1923.

LACKAWANNA COUNTY.

Herbert L. Taylor, Scranton, March 25, 1923.

LEHIGH COUNTY.

Charles L. Walters, Allentown, March 9, 1923.

MIFFLIN COUNTY.

E. Bruce Alexander, Belleville, March 26, 1923.

MONTGOMERY COUNTY.

Clement Comly, Flourtown, March 24, 1923.
Warren M. Cornell, Hatboro, March 3, 1923.

NORTHAMPTON COUNTY.

P. S. Weiss, Easton, March 26, 1923.

PHILADELPHIA COUNTY.

Francis M. Dougherty, Philadelphia, March 18, 1923.
Harry Green, Philadelphia, March 26, 1923.
Wm. H. Heston, Philadelphia, March 26, 1923.
F. Roland O'Brien, Lansdowne, March 9, 1923.

SOMERSET COUNTY.

Robert Cook, Meyersdale, March 26, 1923.

WESTMORELAND COUNTY.

R. B. McDowell, Ligonier, March 17, 1923.

YORK COUNTY.

Isaac H. Stubbs, Delta, March 26, 1923.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. VARE,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. VARE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Davis,	Lanius,	Schantz,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Christley,	Huffman,	Miller,	Stineman,
Clark,	Jones,	Norton,	Stites,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Quigley,	Weaver,
Daix,	Kutz,	Salus,	Woodward,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. VARE. Mr. President, I move that the Executive Session do now rise.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 82, (Senate Bill No. 354), entitled:

A Supplement to an act entitled, "An Act to provide for the ordinary expenses of the Executive, Judicial, and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and twenty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and twenty-one," as approved the twenty seventh day of May, Anno Domini one thousand nine hundred and twenty-one, providing for deficiencies in certain appropriations made to the Executive, Judicial, and Legislative Departments by the act to which this is a supplement, and for other minor expenses incurred or to be incurred to May thirty-first, one thousand nine hundred and twenty-three, by certain of the Executive, Judicial and Legislative Departments, not provided for by said act.

Which was committed to the Committee on Appropriations.

House Bill No. 206, (Senate Bill No. 355), entitled:

An Act to further amend section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued as amended providing for the impounding of property where an affidavit is filed before the issuing of the writ

Which was committed to the Committee on Judiciary General.

House Bill No. 296, (Senate Bill No. 356), entitled:

An Act to amend section fifty-five of an act approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth."

Which was committed to the Committee on Judiciary General.

House Bill No. 375, (Senate Bill No. 857), entitled:

An Act to amend section six hundred twenty-seven of an act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred and nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any part thereof, that are or may be inconsistent therewith," as amended.

Which was committed to the Committee on Education.

House Bill No. 390, (Senate Bill No. 358), entitled:

A Joint Resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations; prescribing the powers and duties of said commission, and making an appropriation.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE.

Mr, BUCKMAN. Mr. President, I ask unaminous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Elections, reported as committed, Senate Bill No. 233, entitled:

An Act to further amend section one of an act approved March 5, A. D. 1906, (P. L. 63), entitled "An Act to provide for the personal registration of electors in cities of the third class of the Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions."

MOTION TO READ BILLS THE FIRST TIME.

Mr. BALDWIN. Mr. President, I move that all bills reported from committees at to-day's session be read the first time.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 198, entitled:

An Act to amend section seventy-four of an act approved July 2, 1839 (P. L. 519), entitled "An Act relating to the Elections of this Commonwealth," as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 227, (House Bill No. 72), entitled:

An Act to amend section two of an act approved May 20, 1921 (P. L. 944), entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incuring of indebtedness and the levy of taxes therefor."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 235, entitled:

An Act relative to the burial of the bodies of deceased widows of soldiers, sailors and marines at county expense.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 276, (House Bill No. 371), entitled:

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 301, entitled:

An Act authorizing the several counties, incorporated towns, and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans, and of the Army of the Philippines, and to each post of the American Veterans of Foreign Service in the respective counties, boroughs, and towns, to aid in defraying the expenses of Memorial Day.

And said bill having been read at length the first time,

Ordered, To be laid for second reading.

ERRATUM.

Page 356, line 30, "Vare" should read: "Eyre".

ADJOURNMENT.

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow morning, at eleven o'clock.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.19 P. M., until Tuesday morning, March 13, 1923, at 11 o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 12, 1923.

The House met at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

O Lord, Thou God of Light and truth and love, we come into Thy presence this evening hour to thank Thee for every gift received from Thy hands; for the preservation of our lives; for the degree of health and strength which we enjoy, which makes possible our participation in the opening of this Legislature at this hour. As the members of this House return to the tasks here in hand, with problems complex and perplexing awaiting their solution, we pray Thy divinest blessing to rest upon them, qualifying them in mind and heart for the proper discharge of every duty resting upon them. To this end, bless the Speaker of this House and the Governor of the Commonwealth, and all who have to do with the betterment of our state. We ask it in Jesus' name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of th proceedings of Wednesday, March 7, 1923.

The Clerk proceeded to read the proceedings of Wednesday, March 7, 1923, when, on motion of Mr. CLUTTON, th further reading was dispensed with and the Journal ap proved.

BILLS INTRODUCED AND REFERRED.

By Mr. GIBBON. HOUSE BILL No. 629.

An Act making an appropriation to the Armory Boar to erect and construct an armory in the City of Wilkes Barre.

Referred to the Committee on Appropriations.

By Miss BENTLEY. HOUSE BILL No. 630.

An Act to amend section one thousand two hundred an four, and to repeal section one thousand two hundred an eight of an act approved the eighteenth day of May, on thousand nine hundred and eleven, (P. L. 309), entitled "A Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof that are or may be inconsistent therewith."

Referred to the Committee on Education.

By Mr. KOHLER. HOUSE BILL No. 631.

An Act providing for the safety of the lives and health of residents in districts through and within which illuminating gas is and has heretofore been conveyed on and over mine, mining, or mined out areas; making it unlawful to convey illumniating gas through pipes or conduits extending through or over certain ground and providing penalties.

Referred to the Committee on Mines and Mining.

By Mr. LUDLOW. HOUSE BILL No. 632.

An Act to amend an act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 991) entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department," by exempting certain corporations from the provisions thereof.

Referred to the Committee on Judiciary General.

By Mr. WILLISTON P. WOOD. HOUSE BILL No. 633

An Act to amend section one of the act approved the twelfth day of June, one thousand nine hundred and one (P. L. 559), entitled "An Act to provide for the election of one person to fill the office of prothonotary, one person to fill the office of clerk of the courts of general quarter sessions and over and terminer, one person to fill the office of register of wills and clerk of the orphans' court, and one person to fill the office of the recorder of deeds, in counties containing forty thousand inhabitants and hereafter created separate judicial districts, under the Constitution"; providing that said act shall be in effect only upon the acceptance thereof.

Referred to the Committee on Judiciary Special.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No 634.

An Act making an appropriation to the Good Samaritan Hospital, at Westfield, Tioga County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. JOHN G. MARSHALL. HOUSE BILL No. 635

An Act to amend section six of the act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L 473), entitled, "An Act providing for the burial of certain

persons who are, have been, or shall be soldiers, sailors, or marines, designated "as deceased service men"; defining the term 'deceased service man'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

Referred to the Committee on Judiciary Local.

By Mr. MINEHART. HOUSE BILL No. 636.

An Act to amend sections sixteen, twenty-six, twenty-seven, twenty-eight, twenty-nine and forty-three, and to repeal section thirty-nine of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An Act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties;" by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry; providing for the return to the various counties of money remaining after the payment of damages and expenses; changing the procedure for assessing damages done by dogs, and extending the provisions thereof to cities of the first class.

Referred to the Committee on Agriculture.

By Mr. DUNN (By request). HOUSE BILL No. 637.

An Act to provide for the incorporation and regulation or credit union associations; restricting use of term "Credit union;" conferring certain powers and duties upon the Commissioner of Banking; establishing in the Department of Banking a bureau of credit unions, fixing its duties and providing for the appointment and compensation of a superintendent and clerical force for said bureau.

Referred to the Committee on Banks and Banking.

By Mr. STONER. HOUSE BILL No. 638.

An Act supplementing an act, entitled "An act amending an act, entitled 'A Supplement to an act, entitled "An Act for the government of cities of the second class," approved the seventh day of March, one thousand nine hundred and one; authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards, courts and open spaces, and to regulate and restrict the location of trades and industries, and the location of buildings for specified uses; and to make regulations for trades and industries and for the use of buildings; and, for the above purposes, to divide the cities into districts; and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein; and providing the method of adoption of said districts, regulations, and restrictions, and the method of amendment or change thereof," approved the twenty-first day of June, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, five hundred seventy)," providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities, establishing the procedure upon said appeals, authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties, and authorizing said appeals to be advanced.

Referred to the Committee on Municipal Corporations.

By Mr. McKIM. HOUSE BILL No. 639.

An Act authorizing the purchase and consolidation of water or water power companies organized prior to the first day of April, one thousand nine hundred and five, and providing the manner in which such merger shall be affected.

Referred to the Committee on Corporations.

By Mr. McKIM. HOUSE BILL No. 640.

An Act making an approriation to the Ladies of the Grand Army of the Republic Home Department of Pennsylvania, at Hawkins Station, Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. McKIM. HOUSE BILL No. 641.

An Act making a deficiency appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb.

Referred to the Committee on Appropriations.

By Mr. McKIM. HOUSE BILL No. 642.

An Act making an appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb.

Referred to the Committee on Appropriations.

By M. WONER. HOUSE BILL No. 643.

An Act to amend section one thousand four hundred and six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Referred to Committee on Education.

By Mr. McDANIEL. HOUSE BILL No. 644.

An Act to amend section three of the act approved the thirtieth day of June one thousand nine hundred and nineteen, (P. L. 678), entitled "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles, limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended, by requiring motor vehicles to be equipped with certain containers for the display of registration certificates.

Referred to the Committee on Public Roads.

PETITIONS.

FAVORING PASSAGE OF HOUSE BILL NO. 79.

The SPEAKER presented a petition from the State Federation of Pennsylvania women favoring the passage of House Bill No. 79.

Referred to the Committee on Labor and Industry.

FAVORING PASSAGE OF HOUSE BILL No. 221.

The SPEAKER presented petitions from the Third Moravian Church of Philadelphia, The Men's Bible Class of the First Presbyterian Church of Charleroi, Pennsylvania and the First United Presbyterian Church of Pittsburgh favoring the passage of House Bill No. 221

Referred to the Committee on Law and Order.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS No. 23, 146 AND 147.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 9, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following bills:

House Bill No. 23, entitled, "An Act requiring the prothonotary of the court of common pleas to indicate on the proper index notice of the settlement satisfaction discontinuance or dismissal of any suit or proceeding in equity affecting the title to real estate".

House Bill No. 146, entitled, "An Act to amend an act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-two) entitled 'An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired and to validate the conveyances and other instruments of said corporations' as amended".

House Bill No. 147, entitled, "An Act to amend section five of the act approved the fourth day of June one thousand nine hundred and one (Pamphlet Law three hundred and sixty-four) entitled ' An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefore the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales' as amended".

GIFFORD PINCHOT.

LEAVE OF ABSENCE.

The SPEAKER asked and obtained leave of absence for Mr. Schilling.

BILL PLACED ON THE CALENDAR.

Mr. GUERIN. Mr. Speaker, I move that House Bill No. 61, file folio 21, entitled:

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred and ninety-three, (P. L. 344), entitled "An Act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will; and enabling them to sue and to testify against each other in certain cases" authorizing a married woman to mortgage her real property without the joinder of her husband,

be placed upon the calendar, notwithstanding the negative recommendation of the Committee.

Mr. McGOWAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER announced the "ayes" appeared to have it.

Whereupon, a division was called for, and 125 members having voted in the affirmative, the question was determined in the affirmative, and the motion was agreed to.

BILL INTRODUCED AND REFERRED.

The SPEAKER. The Chair asks unanimous consent to refer a bill at this time, which was introduced tonight. Are there any objections? The Chair hears none.

By Mr. WHITEMAN. HOUSE BILL No. 665.

An Act making an appropriation to the Department of Public Instruction for deficiencies in appropriations for the support of public schools, normal school, public school agencies and vocational eduction

Referred to the Committee on Appropriations.

BILL RECOMMITTED.

Mr. McDERMOTT. Mr Speaker, I move that House Bill No. 382, file folio 559, entitled:

An Act relating to the leasing of real property making it unlawful to dispossess tenants or recover leased property except after thirty days' notice prohibiting the execution of leases containing waivers of the provisions or this act and voiding certain leases

on page 2 of today's calender. bills on third reading, be recommitted to the Committee on Judiciary Special.

Mr. KORNS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL PLACED ON CALENDAR.

Mrs. PITTS. Mr. Speaker, I move that House Bill No. 436, file folio 847, entitled:

An Act regulating the mortgaging of real property by married persons

be placed on the calendar notwithstanding the negative recommendation of the Committee on Judiciary General.

Mr. MILLAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 409, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held pursuant to the provisions of an act, approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase therefor," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 262, entitled:

An Act to amend part of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455), entitled "An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the constitution.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 406, entitled:

An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire use, encumber, and dispose of such real estate and rights and interests in, in the nature of, or in respect to, real estate, in Pennsylvania, as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this state; defining certain of their powers, rights and liabilities in connection therewith; regulating the exercise of said rights by foreign public service corporations; repealing certain acts and validating certain titles, rights and interests heretofore acquired.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 375, as follows:

An Act to amend section six hundred twenty-seven of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six hundred twenty-seven of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which as amended by an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and fifty-eight) entitled "An act to amend section six hundred twenty-seven of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith'" which reads as follows

Section 627 The board of school directors of any district may permit the use of its school grounds and buildings for social recreation and other proper purposes and shall be required to permit the use of its school grounds and buildings for proper educational purposes when the board of school directors believes it will not be disadvantageous to the regular use of said school grounds and buildings under such rules and regulations as the board may adopt and shall make such arrangements with any city borough or township authorities for the improvement care protection and maintenance of school buildings and grounds for school park play or other recreation purposes as it may see proper and any board of school directors may make such arrangements as it may see proper with any official or individual for the temporary use of school property for schools playgrounds social recreation or other proper educational purposes primaries and elections

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Albert,	Fowler, D.,	Lafferty,	Sautter,
Alexander,	Fratt,	Lauver,	Schaeffer,
Allman,	Frazier,	Little,	Schleiter,
Anderson,	Gallaher,	Long,	Schoener,
Armstrong,	Gelder,	Ludlow,	Schwartz,
Arthur,	Gibbon,	Lynch,	Shambach,
Aston,	Gilchrist,	MacKinney,	Smith, G. A.,
Baker,	Glasgow,	Marcus, J.,	Smith, H. J.,
Baldi,	Goehring,	Marcus, J. C.,	Smith, H.,
Beaver,	Golder,	Marshall, J. G.,	Smith, J. W.,
Behney,	Gorham,	Marshall, W. F.,	Sowers,
Bell, F. A.,	Goss,	Mathay,	Spangler,
Bell, W. T.,	Greeby,	McBride,	Speiser,
Bentley,	Griffith,	McCaig,	Sprowls,
Berger,	Grimes,	McCann,	Stark,
Betts,	Guerin,	McClure,	Staudenmeier,
Bidelspacher,	Gundy,	McCurdy,	Stavitski,
Blair,	Haas,	McDaniel,	Sterling,
Bluett,	Hall,	McDermott,	Stevens, A. J.,
Boback,	Harer,	McKim,	Stevens, A. F.,
Brenneman,	Harter,	McVicar,	Stofflet,
Brewster,	Haslett,	Millar,	Stoner,
Bromley,	Haws,	Miller,	Storb,
Brown,	Heffran,	Minehart,	Storer,
Brownmiller,	Henderson,	Moffatt,	Thomas, L. D.,
Burchinal,	Hetrick,	Moore,	Thomas, M. G.,
Burns,	Heyburn,	Munley,	Thompson,
Bush,	Himes,	Myers, G. C.,	Van Alen,
Chaplin,	Holcombe,	Myers, P. M.,	Vickerman,
Clutton,	Hollis,	Nolte,	Walker,
Colville,	Hontz,	Ogle,	Weamer,
Conner,	Hoover,	Orr,	Wells,
Craig,	Horne,	Parkinson,	Wettach,
Dietz,	Howell,	Patterson,	Wheeler,
Dilsheimer,	Huber,	Peelor,	Whitehouse,
Donahue,	Irvin,	Perry,	Whiteman,
Driggs,	Johnson,	Pitts,	Williams, G. W.,
Dunn,	Jones, C. B.,	Posey,	Williams, J. M.,
Eaches,	Jones, D. J.,	Post,	Woner,
Earley,	Jones, E. P.,	Price,	Wood, N.,
Edmonds,	Keene,	Raymond,	Wood, W. P.,
Eshelman,	Kelly,	Rhodes,	Wright,
Evans, B. P.,	Kennedy,	Richards,	Zook,
Evans, J.,	Kohler,	Rinn,	Goodnough,
Fields,	Korns,	Rippman,	Speaker.
Flinchbaugh,	Kunkle,	Sample,	
Fowler, A. I.,	Labar,	Sarig,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 390, entitled:

A Joint Resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations prescribing the powers and duties of said commission and making an appropriation

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, and members of this House, I want to say just a few words about this resolution. In the first place, it in no way conflicts or interferes with any present commissions on the subject of taxation. It seems to be the impression of some few people, who have not read the resolution, that the purpose of this resolution is to raise more taxes. That is just the opposite of the purpose of this resolution. The purpose of the resolution is to investigate or inquire into the taxation system of this and other states with the idea of getting some system less oppressive and less burdensome; a system that will reduce the burden of taxation in Pennsylvania. From my investigation and from my inquiry, inquiry of a casual character, I am convinced that with a proper committee this can be done. I therefore, ask you to vote for it.

I want to say further than that, that this resolution has the endorsement of the Governor. The Governor believes it is a move in the right direction.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Alexander,	Edmonds,	Kohler,	Rippman,
Allman,	Evans, B. P.,	Kunkle,	Sample,
Anderson,	Fields,	Labar,	Sarig,
Armstrong,	Flynn,	Little,	Sautter,
Arthur,	Fowler, A. I.,	Lucas,	Schaeffer,
Aston,	Fowler, D.,	Ludlow,	Schoener,
Baker,	Fratt,	Mack,	Schwartz,
Beaver,	Frazier,	MacKinney,	Shambach,
Behney,	Gallaher,	Marcus, J.,	Sheridan,
Bell, F. A.,	Gelder,	Marshall, J. G.,	Smith, H. J.,
Bell, W. T.,	Gibbon,	Marshall, W. F.,	Smith, H.,
Bentley,	Gilchrist,	Mathay,	Smith, J. W.,
Betts,	Glasgow,	McBride,	Speiser,
Bidelspacher,	Golder,	McCaig,	Sprowls,
Blair,	Goss,	McClure,	Stark,
Bluett,	Greeby,	McCurdy,	Staudenmeier,
Blumberg,	Griffith,	McDaniel,	Stavitski,
Brenneman,	Grimes,	McDermott,	Stevens, A. J.,
Brewster,	Guerin,	McKim,	Stofflet,
Bromley,	Haines,	McVicar,	Storb,
Brown,	Hall,	Metcalf,	Storer,
Brownmiller,	Harer,	Miller,	Thomas, L. D.,
Burchinal,	Haslett,	Moffatt,	Thompson,
Burns,	Haws,	Moore,	Van Alen,
Bush,	Heffran,	Morrison,	Vickerman,
Chaplin,	Henderson,	Munley,	Wells,
Clutton,	Hetrick,	Nolte,	Wheeler,
Coldsmith,	Himes,	Parkinson,	Whitehouse,
Conner,	Holcombe,	Patterson,	Whiteman,
Craig,	Hontz,	Peelor,	Williams, G. W.,
de Young,	Hoover,	Perry,	Williams, J. M.,
Diehm,	Horne,	Pitts,	Woner,
Dietz,	Howell,	Posey,	Wood, N.,
Dilsheimer,	Irvin,	Post,	Wood, W. P.,
Driggs,	Jones, C. B.,	Price,	Wright,
Dunn,	Jones, D. J.,	Rhodes,	Zook,
Eaches,	Keene,	Richards,	Goodnough,
Earley,	Kelly,	Rinn,	Speaker.

NAYS—7.

Albert,	Johnson,	Raymond,	Stoner,
Gorham,	Kennedy,	Schleiter,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 296, entitled:

An Act to amend section fifty-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisons of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Albert,	Eshelman,	Keene,	Richards,
Alexander,	Evans, B. P.,	Kelly,	Rinn,
Allman,	Evans, J.,	Kennedy,	Rippman,
Anderson,	Flinchbaugh,	Kohler,	Sample,
Armstrong,	Flynn,	Korns,	Sarig,
Arthur,	Fowler, A. I.,	Kunkle,	Sautter,
Aston,	Fowler, D.,	Labar,	Schleiter,
Baker,	Gallaher,	Lauver,	Schoener,
Baldi,	Gelder,	Little,	Schwartz,
Beaver,	Gibbon,	Long,	Sheridan,
Behney,	Gilchrist,	Ludlow,	Smith, G. A.,
Bell, F. A.,	Glasgow,	Lynch,	Smith, H. J.,
Bell, W. T.,	Golder,	Mack,	Smith, H.,
Bentley,	Gorham,	Marcus, J. C.,	Speiser,
Berger,	Goss,	Marshall, W. F.,	Sprowls,
Betts,	Greeby,	Mathay,	Stark,
Bidelspacher,	Griffith,	McBride,	Staudenmeier,
Blair,	Grimes,	McCaig,	Stavitski,
Bluett,	Haas,	McClure,	Stevens, A. J.,
Blumberg,	Haines,	McCurdy,	Stevens, A. F.,
Boback,	Hall,	McDaniel,	Stoner,
Brenneman,	Harer,	McDermott,	Storb,
Brewster,	Harter,	McKim,	Storer,
Bromley,	Haslett,	Metcalf,	Thomas, L. D.,
Brown,	Haws,	Moffatt,	Thompson,
Brownmiller,	Heffran,	Moore,	Van Alen,
Burchinal,	Henderson,	Morrison,	Vickerman,
Burns,	Hetrick,	Munley,	Walker,
Bush,	Heyburn,	Myers, G. C.,	Weamer,
Chaplin,	Himes,	Myers, P. M.,	Wells,
Clutton,	Holcombe,	Nolte,	Wettach,
Coldsmith,	Hollis,	O'Boyle,	Wheeler,
Conner,	Hontz,	Ogle,	Whitehouse,
Craig,	Hoover,	Orr,	Whiteman,
Diehm,	Horne,	Parkinson,	Woner,
Dietz,	Howell,	Patterson,	Wood, N.,
Dilsheimer,	Huber,	Peelor,	Wood, W. P.,
Donahue,	Irvin,	Pitts,	Wright,
Driggs,	Johnson,	Posey,	Zook,
Dunn,	Jones, C. B.,	Post,	Goodnough,
Earley,	Jones, D. J.,	Price,	Speaker.
Edmonds,	Jones, E. P.,	Raymond.	

NAYS—3.

Lucas,	Miller,	Minehart,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 227, entitled:

An Act to further amend the fifth section of an act, entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof," approved May nineteenth, Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six), as amended, by fixing and determining the salaries of the assistant clerks of said court in counties of the first, second, third, and fourth classes.

On the question,

Will the House agree to the bill on third reading?

Mr. GIBBON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend page 2, line 4, by striking out the word "as" and inserting in lieu thereof the word: "was"

Amend page 2, line 4, by striking out beginning with the words "entitled 'An act to amend et cetera" down to and including the word "whole" in line 16, page 4, and inserting in lieu thereof the following: "approved the twenty-fifth day of May, one thousand nine hundred and twenty-one, (P. L. 1108), entitled "An act to further amend the fifth section of an act entitled 'An act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphan's court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof' approved May nineteenth, Anno Domini, eighteen hundred and seventy-four (Pamphlet Laws, two hundred and six), as amended, by fixing and determining the salaries of the assistant clerks of said court in counties of the first, second, third, and fourth classes."

Amend page 4, line 16, by inserting after the word "is" the following: "hereby further"

Amend page 4, line 21, by inserting at end of word "direction" the letter: "s"

Amend page 5, line 6, by underlining the word "twenty-one" and inserting in brackets the following: "eighteen"

Amend page 5, line 10, by striking out the word "the"

which follows the word "all" and inserting in lieu thereof the word: "other"

Amend page 5, line 13, by underlining the word "eighteen" and inserting in brackets the following: "fifteen"

Amend page 5, line 22, by adding to the word "assistant" the letter "s"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 206, as follows:

An Act to further amend section three of the act aproved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before issuing of the writ

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued" which was amended by the act approved the fourteenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and sixty-three) entitled "An Act to supplement and amend section three of an act entitled 'An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued' approved the nineteenth day of April nineteen hundred and one permitting replevied property to be impounded in certain cases and regulating the practice in such cases" is hereby further amended to read as follows

Section 3 The court or in vacation time a judge thereof at chambers may grant leave to any person upon an affidavit filed that the goods and chattels so replevied belong to him to intervene as party defendant in such suit and the defendant or party so intervening may file a counter bond within seventy-two hours after such goods or chattels have been replevied during which time said goods and chattels shall remain in the posession of the sheriff and which time may be extended by the court or in vacation time a judge thereof at chambers upon cause shown Such counter bond shall be given to the Commonwealth of Pennsylvania for the use of the parties interested in the same amount as the original bond and with like conditions Where several parties claim the right to give a counter bond and have possession of said goods and chattels the party who is in actual or constructive possession of the goods and chattels at the time the writ of replevin was served shall upon entering the proper counter bond be entitled to have said goods and chattels

Provided That in any action of replevin hereafter to be brought where the defendant or person intervening in such action claiming title to the property replevied shall enter a claim property bond therefor if the plaintiff at the time he files his bond and before the writ is issued did aver that by reason of the nature of such property or of any special circumstances connected with his alleged ownership thereof the actual pecuniary value of such property will not compensate him for the loss thereof the court or in vacation time any judge thereof at chambers shall order such property to be impounded in the custody of the sheriff or such other person as the court or in vacation time any judge thereof at chambers may designate to abide the final determination of the action provided the plaintiff shall exhibit an estimate of the probable necessary charges and expenses of the storage care or keep of such property pending the final determination of such action and shall pay or secure the payment of such charges and expenses as the court or in vacation time any judge thereof at chambers shall approve

The amount of such security shall be fixed by the court or in vacation time by any judge thereof at chambers and said security shall be approved in the same manner as now provided for the approval of the security entered by the plaintiff on the issuing of the writ of replevin The bond shall be to the Commonwealth and shall be for the use of any party interested in the payment of the storage care or keep of the impounded property

Upon the final determination of such action the property so impounded shall be delivered to the party who shall have successfully maintained his title thereto and the charges and expenses of the storage care or keep of such property shall be assessed as costs of suit and shall be recoverable from the unsuccessful party in the same manner as damages and costs are now recoverable in action of replevin

And said bill having read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albert,	Flinchbaugh,	Lafferty,	Sarig,
Alexander,	Flynn,	Lauver,	Sautter,
Allman,	Fowler, A. I.,	Little,	Schaeffer,
Anderson,	Fowler, D.,	Ludlow,	Schleiter,
Armstrong,	Fratt,	Lynch,	Schoener,
Arthur,	Frazier,	Mack,	Schwartz,
Aston,	Gallagher,	MacKinney,	Shambach,
Baker,	Gelder,	Malie,	Sheridan,
Baldi,	Gibbon,	Marshall, J. G.,	Smith, G. A.,
Behney,	Gilchrist,	Marshall, W. F.,	Smith, H. J.,
Bell, F. A.,	Glasgow,	Mathay,	Smith, H.,
Bell, W. T.,	Gorham,	McBride,	Smith, J. W.,
Bentley,	Goss,	McCaig,	Soffel,
Bidelspacher,	Greeby,	McCann,	Sowers,
Blair,	Griffith,	McClure,	Spangler,
Bluett,	Grimes,	McCurdy,	Speiser,
Blumberg,	Haas,	McDaniel,	Stark,
Boback,	Haines,	McGowan,	Staudenmeier,
Brenneman,	Hall,	McKim,	Stavitski,
Brewster,	Harer,	McVicar,	Steedle,
Bromley,	Harter,	Metcalf,	Stevens, A. J.,
Brown,	Haslett,	Miller,	Stevens, A. F.,
Brownmiller,	Heffran,	Minehart,	Stofflet,
Burchinal,	Henderson,	Moffatt,	Stoner,
Bush,	Hetrick,	Moore,	Storb,
Chaplin,	Heyburn,	Morrison,	Storer,
Clutton,	Himes,	Munley,	Thomas, L. D.,
Coldsmith,	Holcombe,	Myers, G. C.,	Thompson,
Conner,	Hollis,	Myers, P. M.,	Van Alen,
Coyne,	Hontz,	Nolte,	Vickerman,
Craig,	Hoover,	O'Boyle,	Walker,
de Young,	Horne,	Ogle,	Weamer,
Diehm,	Howell,	Orr,	Wells,
Dietz,	Huber,	Parkinson,	Wettach,
Dilsheimer,	Irvin,	Patterson,	Wheeler,
Donahue,	Johnson,	Peelor,	Whitehouse,
Driggs,	Jones, C. B.,	Perry,	Whiteman,
Drinkhouse,	Jones, D. J.,	Pitts,	Williams, G. W.,
Dunn,	Jones, E. P.,	Posey,	Williams, J. M.,
Eaches,	Keene,	Post,	Woner,
Earley,	Kelly,	Price,	Wood, N.,
Edmonds,	Kennedy,	Raymond,	Wood, W. P.,
Eshelman,	Kohler,	Rhodes,	Wright,
Evans, B. P.,	Korns,	Richards,	Zook,
Evans, J.,	Kunkle,	Rinn,	Goodnough,
Fields,	Labar,	Sample,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 373, entitled:

An Act to amend an act approved June fifteenth, one thousand nine hundred and eleven (P. L. 955) entitled "An Act making state taxes unpaid bonus, interest, penalties and all public accounts a first lien upon the franchise and property of corporations, companies, associations, joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof, and repealing section four of the act approved April sixteen one thousand eight hundred and twenty-seven," by extending its provisions to include individuals and providing for attorneys' commissions, making such commissions part of said claim and giving such commissions and costs the same priority as said taxes, bonus, interest and penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. WHITEMAN. Mr. Speaker, I ask unaminous consent to offer amendments at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend page 513, line 24, by inserting after the word "partnership" the following: "Provided however, that the Auditor General shall not so employ counsel until after he shall first have given ten days' notice in writing of his intention so to do to such individual, corporation, company, association, joint-stock association, or limited partnership."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 374, entitled:

An Act to amend section one of an act approved June first, one thousand nine hundred and seven (Pamphlet Laws three hundred and eighty-three) entitled "An Act regulating the collection of taxes and other claims and demands due the Commonwealth and providing for six per centum interest thereon and an attorney's commission."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. WHITMAN. Mr. Speaker, I move that House Bill No. 374, file folio 515, be placed upon the postponed calendar.

Mr. DAVID J. JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 82, entitled:

A Supplement to an act entitled "An Act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and twenty-one" as approved the twenty-seventh day of May Anno Domini one thousand nine hundred and twenty-one providing for deficiencies in certain appropriations made to the Executive Judicial and Legislative Departments by the act to which this is a supplement and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by certain of the Executive Judicial and Legislative Departments not provided for by said act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS.—177

Albert,	Eshelman,	Kennedy,	Rinn,
Alexander,	Evans, B. P.,	Kunkle,	Rippman,
Allman,	Evans, J.,	Labar,	Sample,
Anderson,	Flynn,	Lafferty,	Sarig,
Armstrong,	Fowler, A. I.,	Lauver,	Sautter,
Arthur,	Fowler, D.,	Long,	Schleiter,
Aston,	Fratt,	Lucas,	Schoener,
Baker,	Frazier,	Ludlow,	Schwartz,
Baldi,	Gallaher,	Lynch,	Shambach,
Beaver,	Gelder,	MacKinney,	Sheridan,
Behney,	Gibbon,	Marcus, J.,	Smith, G. A.,
Bell, F. A.,	Gilchrist,	Marcus, J. C.,	Smith, H. J.,
Bell, W. T.,	Glasgow,	Marshall, J. G.,	Smith, H.,
Bentley,	Golder,	Marshall, W. F.,	Smith, J. W.,
Berger,	Gorham,	Mathay,	Soffel,
Betts,	Goss,	McBride,	Sowers,
Bidelspacher,	Greeby,	McCann,	Speiser,
Blair,	Griffith,	McClure,	Sprowls,
Bluett,	Grimes,	McCurdy,	Stark,
Blumberg,	Gundy,	McDaniel,	Staudenmeier,
Boback,	Haas,	McDermott,	Stavitski,
Brenneman,	Haines,	McGowan,	Steedle,
Brewster,	Hall,	Metcalf,	Sterling,
Bromley,	Harer,	Miller,	Stevens, A. J.,
Brown,	Haslett,	Minehart,	Stevens, A. F.,
Brownmiller,	Haws,	Moffatt,	Stofflet,
Burchinal,	Heffran,	Moore,	Stoner,
Burns,	Henderson,	Morrison,	Storb,
Bush,	Hetrick,	Munley,	Storer,
Chaplin,	Heyburn,	Myers, G. C.,	Thomas, L. D.,
Clutton,	Himes,	Myers, P. M.,	Thompson,
Coldsmith,	Holcombe,	Nolte,	Walker,
Colville,	Hollis,	O'Boyle,	Weamer,
Conner,	Hontz,	Ogle,	Wells,
Craig,	Hoover,	Orr,	Wettach,
de Young,	Horne,	Parkinson,	Wheeler,
Diehm,	Howell,	Patterson,	Whiteman,
Dietz,	Huber,	Peelor,	Williams, G. W.,
Dilshelmer,	Irvin,	Perry,	Williams, J. M.,
Donahue,	Johnson,	Pitts,	Wood, N.,
Driggs,	Jones, C. B.,	Posey,	Wood, W. P.,
Dunn,	Jones, D. J.,	Post,	Zook,
Eaches,	Jones, E. P.,	Price,	Goodnough,
Earley,	Keene,	Raymond,	Speaker.
Edmonds,	Kelly,	Rhodes,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 328 (Senate Bill No. 67), entitled:

An Act to further amend section four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred ninety-five) entitled "An Act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade mark stock and poultry food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuffs sold

offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expense of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled 'An Act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven" as amended fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BREWSTER. Mr. Speaker, this bill was one that was originally prepared by the State Millers' Association and for the relief of millers over this State. Originally they paid a license fee, or were compelled to pay a license fee, of $25.00 on each of the several brands of grain mentioned in the bill. The bill then was presented to the Senate for the relief of these millers and the license fee was fixed at $1.00. However, the Committee on Agriculture opposed that because it did not meet with the requirements for the analysis of the respective products mentioned in the bill. The committee on Agriculture finally agreed on the sum of $6.00, which shall be the license fee. Now that is agreed upon the Department of Agriculture and simply to meet the cost of analysis of these products, which is actually $5.99, I am informed, and this bill therefore meets with the approval at $6.00 license fee, as you can see, it is not on the calendar, and it meets with the approval of the Department of Agriculture.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,	Evans, B. P.,	Korns,	Sample,
Alexander,	Evans, J.,	Kunkle,	Sautter,
Allman,	Fields,	Labar,	Schaeffer,
Anderson,	Flinchbaugh,	Lafferty,	Schoener,
Armstrong,	Flynn,	Lauver,	Schwartz,
Arthur,	Fowler, A. I.,	Little,	Shambach,
Aston,	Fowler, D.,	Long,	Sheridan,
Baker,	Frazier,	Lucas,	Smith, G. A.,
Baldi,	Gallaher,	Ludlow,	Smith, H. J.,
Beaver,	Gelder,	Mack,	Smith, H.,
Behney,	Gibbon,	MacKinney,	Smith, J. W.,
Bell, F. A.,	Gilchrist,	Mangan,	Spangler,
Bell, W. T.,	Glasgow,	Marcus, J.,	Speiser,
Bentley,	Golder,	Marshall, W. F.,	Sprowls,
Berger,	Goss,	McBride,	Stark,
Betts,	Greeby,	McCaig,	Staudenmeier,
Bidelspacher,	Griffith,	McCann,	Stavitski,
Blair,	Grimes,	McClure,	Stevens, A. J.,
Bluett,	Gundy,	McCurdy,	Stevens, A. F.,
Blumberg,	Haas,	McGowan,	Stoner,
Brewster,	Haines,	McKim,	Storb,
Bromley,	Hall,	Metcalf,	Storer,
Brown,	Harer,	Millar,	Thomas, L. D.,
Brownmiller,	Harter,	Miller,	Thomas, M. G.,
Burchfinal,	Haslett,	Minehart,	Thompson,
Burns,	Haws,	Moffatt,	Van Alen,
Bush,	Heffran,	Morrison,	Vickerman,
Chaplin,	Henderson,	Munley,	Walker,
Clutton,	Hetrick,	Myers, G. C.,	Wells,
Coldsmith,	Himes,	Myers, P. M.,	Wettach,
Colville,	Holcombe,	Nolte,	Wheeler,
Conner,	Hollis,	O'Boyle,	Whitehouse,
Craig,	Hontz,	Ogle,	Whiteman,
de Young,	Hoover,	Orr,	Williams, G. W.,
Diehm,	Horne,	Parkinson,	Williams, J. M.,
Dietz,	Howell,	Patterson,	Woner,
Dilsheimer,	Huber,	Peelor,	Wood, N.,
Donahue,	Irvin,	Pitts,	Wood, W. P.,
Driggs,	Johnson,	Posey,	Wright,
Drinkhouse,	Jones, C. B.,	Post,	Zook,
Dunn,	Jones, D. J.,	Price,	Goodnough,
Eaches,	Jones, E. P.,	Raymond,	Speaker.
Earley,	Keene,	Rippman,	
Edmonds,	Kelly,	Richards,	
Eshelman,	Kennedy,	Rinn,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 174, as follows:

An Act to protect the public safety by prohibiting the discharge of fire-arms or other weapons within one hundred and fifty yards of any dwelling house or residence without the consent of the owner or tenant thereof and prohibiting the destruction and abuse of certain property by persons while hunting or trapping

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person to shoot or discharge any fire-arm or deadly weapon within one hundred and fifty yards of any occupied dwelling house or residence or any barn stable or other building used in connection with such occupied dwelling house or residence without the permission of the owner or tenant thereof

It is unlawful for any person while hunting or trapping to leave gates or bars open or to break down or destroy fences or tear down rail or post or wood or stone piles or through carelessness to injured live stock of any kind

Section 2 Any person violating the provisions of this act shall upon conviction in summary proceedings be sentenced to pay a fine of twenty-five dollars Any person in default of payment of such fine and costs shall undergo imprisonment in the county jail for a period of ten days

Section 3 Every State policeman local policeman constable game protector or other peace officer may arrest without warrant any person caught in the act of violating any of the provisions of this act All fines collected shall be paid into the funds of the county where the offense was committed

Section 4 All acts and parts of acts inconsistent with this act are repealed

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. BEAVER. Mr. Speaker, I move that this bill be recommitted to the Committee on Game for the purpose of amendment.

Mr. FREDERICK A. BELL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL INTRODUCED AND REFERRED.

The SPEAKER. The Chair asks unanimous consent to refer a bill at this time, which was introduced tonight. Are there objections? The Chair hears none.

By Mr. WHITEMAN. HOUSE BILL No. 698.

An Act lapsing certain appropriations available for expenditure by the Department of Public Instruction.

Referred to the Committee on Appropriations.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 346, as follows:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" which was amended by the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and fifty-five) entitled "An Act amending section seventeen of an act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled 'An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes'" is hereby further amended to read as follows

Section 17 That all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other State or of the United States and doing business in this Commonwealth and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable in the year one thousand nine hundred and nineteen and annually thereafter for State purpose at the rate of four mills on each dollar of the nominal value thereof Provided That in cases where under the provisions of this section any private corporation shall become liable for such taxes upon evidence of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation if such indebtedness is assumed or the corporation become liable to pay the interest thereon prior to the first day of October in any year to notify any person who may or may theretofore have been liable to the payment of any taxes upon such evidence of indebtedness that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed by this section for the ensuing year and thereupon the liability of such person for the payment of any taxes for said ensuing year upon such evidence of indebtedness shall cease and in case any such taxes shall have been assessed against such person the same shall be exonerated by the proper authorities Where any such evidence of indebtedness shall be so assumed or the corporation become liable to pay the interest thereon prior to the first day of October in any year and the corporation shall fail or neglect to notify the person liable to taxation upon such evidence of indebtedness of the fact that it has assumed such indebtedness or has become liable to pay the interest thereon and is required to deduct and pay the taxes due thereon for the ensuing year the corporation shall nevertheless become liable for such taxes and shall not be permitted to deduct such taxes from the interest due upon such evidence of indebtedness In any case where any such evidence of indebtedness previously exempt from tax or otherwise shall be assumed or the corporation become liable to pay the interest thereon on the first day of October or a day subsequent thereto in any year the corporation shall not become liable for any taxes for the year in which such evidence of indebtedness was assumed or the corporation became liable to pay such interest but shall become liable for the taxes of the ensuing year and shall not be permitted to deduct the taxes for the said ensuing year from the interest due upon said evidence of indebtedness but in all such cases said notice shall be given before the first day of October of the year following and any notice so given shall relieve the holders of the obligation from the payment of any taxes for the year subsequent thereto Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deduction from interest due as hereinbefore provided

Provided That this section shall not aply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company and Provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said saving institution having no capital stock and Provided further That the provisions of this act shall not apply to fire-companies fireman's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions and Provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals and Provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all scrip bonds certificates and evidence of indebtedness made taxable under this section are not taxable under section one (1) of the act to which this is an amendment and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under section one (1) of said act

Provided That in cases where under the provisions of this section any private corporation shall become liable for such taxes upon evidence of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation if such indebtedness is assumed or the corporation become liable to pay the interest thereon prior to the first day of October in any year to notify any person who may or may theretofore have been liable to the payment of any taxes upon such evidence of indebtedness that the corporation has asumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed by this section for the ensuing year and thereupon the

liability of such person for the payment of any taxes for said ensuing year upon such evidence of indebtedness shall cease and in case any such taxes shall have been assessed against such person the same shall be exonerated by the proper authorities Where any such evidence of indebtedness shall be so assumed or the corporation become lible to pay the interest thereon prior to the first day of October in any year and the corporation shall fail or neglect to notify the person liable to taxation upon such evidence of indebtedness of the fact that it has assumed such indebtedness or has become liable to pay the interest thereon and is required to deduct and pay the taxes due thereon for the ensuing year the corporation shall nevertheless become liable for such taxes and shall not be permitted to deduct such taxes from the interest due upon such evidence of indebtedness In any case where any such evidence of indebtedness shall be assumed or the corporation become liable to pay the interest thereon on the first day of October or a day subsequent thereto in any year the corporation shall not become liable for any taxes for the year in which such evidence of indebtedness was assumed or the corporation became liable to pay such interest but shall become liable for the taxes of the ensuing year and shall not be permitted to deduct the taxes for the said ensuing year from the interest due upon said evidence of indebtedness but in all such cases said notice shall be given before the first day of October of the year following and any notice so given shall relieve the holders of the obligation from the payment of any taxes for the year subsequent thereto Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deduction from interest due as hereinbefore provided

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. EDMONDS. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of amendment.

Mr. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 259, as follows:

An Act relating to the drainage of wet and spouty lands by providing for the construction of surface or under drains over lands owned by others

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when the owner or owners of wet or spouty land shall desire to improve the same for agricultural purposes by surface or under drains or both and when for any cause it becomes necessary to extend said drains upon or over the land of other owners in order to render them effectual the person or persons so desiring to drain may present a petition to the court of quarter sessions of the county wherein such land may be setting forth the situation thereof and the necessity for an extension of the proposed drain or drains upon or over the land of such other owners and specifying the probable extent

Section 2 Thereupon the said court shall appoint three viewers from the board of county viewers to view the proposed drain or drains and if they or a majority shall agree that there is occasion for an extension of such drain or drains in order to effect the agricultural improvement and development of said land they or a majority of them shall proceed to lay out the same having respect to the shortest distance and the best ground for the location thereof and in such manner as shall do the least injury to private property

Section 3 The viewers shall make report of their proceedings to the next term of said court and shall in such report assess the damages on behalf of the person entitled thereto if any in their opinion will ensue from such extension The report shall also be accompanied with a plot or draft of the drain or drains by them laid out specifying whether the same shall be surface or under drains The expense of the said view shall be paid by the persons applying for the same

Section 4 The proceedings before the said court the assessment of damages for property injured and the proceedings upon said report in the court in which is it filed shall be in conformity with the law providing for the laying out and opening of public roads

Section 5 Upon the production of proof before the court that the damages so assessed have been paid to the party to whom the same were awarded or to the clerk of the court of quarter sessions for the use of such party the court may confirm the report and thereupon issue an order authorizing the party petitioning to excavate and construct said drain or drains in the manner as laid out and directed in and by said report

The petitioner his heirs and assigns are empowered and required to keep and maintain said drain or drains in good order and repair and in default thereof the court shall have power upon due proof of the facts to them made and after hearing to order and direct the said drain or drains to be closed up and vacated

Nothing contained in this act shall authorize the overflowing of any land not specifically provided for in the report

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 471, entitled:

An Act to amend sections one two and three of an act approved the twenty-fourth day of April one thousand eight hundred and eighty-five (Pamphlet Laws nine) entitled "An act to amend an act entitled 'An act to provide for the destruction and to prevent the spread of Canada thistles' approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty-two" extending the provisions of said act to chicorium intybus the weed commonly known as chickory or succory

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-fourth day of April one thousand eight hundred and eighty-five (Pamphlet Laws nine) entitled "An act to amend an act entitled 'An act to provide for the destruction and to prevent the spread of Canada thistles' approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty-two" is hereby amended to read as follows

Section 1 That from and after the passage of this act it shall be the duty of every person or persons and of every corporation holding land or lands in any county or counties of this Commonwealth either by lease or otherwise on which any Canada thistles or weeds commonly known as Canada thistles or chicorium intybus the weed commonly known as chickory or succory may be growing to cut the same so as to prevent such weeds from going to seed and the seed of the same from ripening and every person or persons or corporation as aforesaid who shall or may have land as aforesaid and who shall neglect or refuse to comply with the provisions of this act shall forfeit and pay a fine of fifteen dollars to the treasurer of the school district in which such land may be situated to be recovered the same as debts of like amount are now by law recoverable

The second section was read as follows:

Section 2 That section two of said act is hereby amended to read as follows

Section 2 That if any person or persons or corporation so holding lands as aforesaid on which any Canada thistles or the weeds commonly known as such or chickorium intybus the weed commonly known as chickory or succory shall be growing and likely to ripen seed thereon shall neglect or refuse to cut and destroy the same so as to prevent the seed thereof from ripening it shall and may be lawful for any person or persons who may consider themselves aggrieved or about to be injured by such neglect or refusal to inform by written notice any constable or supervisor of the township or district in which the said weeds may be growing whose duty it shall then be to give five days notice in writing to such person or persons or corporation to cut and destroy such weeds and on their neglect or refusal to cut and destroy the same at the end of five days it shall be the duty of the officer giving such notice to enter upon such premises with such other person or persons as he may employ and cut down and destroy such weeds and the said officer or other persons so employed shall be entitled to recover from such person or persons or corporation owning or holding land as aforesaid compensation for necessary man labor horse labor and machinery at the same rate as paid by the township or district for similar work on the roads and the officer serving such notice shall likewise be entitled to a fee of fifty cents together with six cents mileage for each mile circular necessarily traveled to be recovered as debts of like amount before any justice or court in said counties

On the question,
Will the House agree to the section?

Mr. HETRICK. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 20, by inserting after the word "act" the following: "as amended by an act approved the twelfth day of April, one thousand nine hundred and twenty-one, (Pamphlet Laws 124), entitled "An act to amend section two of an act, approved the twenty-second day of March, one thousand eight hundred sixty-two (Pamphlet Laws, one hundred sixty-four), entitled 'An act to provide for the destruction, and to prevent the spread of Canada thistles,' as amended."

Amend section 2, page 2, line 20, by inserting after the word "hereby" the word: "further"

On the question,
Will the House agree to the amendments?
They were agreed to,
On the question,
Will the House agree to the section as amended?
It was agreed to.

The third section was read as follows:

Section 3 That section three of said act is hereby amended to read as follows

Section 3 It shall be the duty of the supervisor or supervisors of the public roads or highways in every township or district as aforesaid to cut and destroy in the same manner all such weeds on or along such roads and in case of unseated or mountain lands whenever it shall come to the knowledge of either the supervisor or constable of the existence of any such weeds thereon it shall be his duty to notify the owner or owners or agents of said lands in writing giving ten days' notice to cut and destroy the same as aforesaid and upon failure to comply at the end of ten days such officer or any person or persons employed by him shall proceed in the manner hereinbefore provided with like fees and compensation and if any such constable or supervisor shall neglect or refuse to perform his duties as prescribed by this act he shall be liable to a fine of ten dollars the same to be used for and recovered as aforesaid by the party or parties aggrieved or about to be injured by such neglect or refusal

On the question,
Will the House agree to the section?

Mr. HETRICK. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 4, line 14, by striking out the word "used" and inserting in lieu thereof the word: "sued"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read as follows:

An Act to amend sections one, two and three of an act approved the twenty-fourth day of April, one thousand eight hundred and eighty-five, (P. L. 9), entitled "An Act to amend an act, entitled 'An Act to provide for the destruction, and to prevent the spread of Canada thistles,' approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two," extending the provisions of said act to cichorium intybus the weed commonly known as chickory or succory.

On the question.
Will the House agree to the title?

Mr. HETRICK. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Title, page 1, line 1, by inserting after the word "two" the following: "as amended"

On the question.
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispended with,

The House proceeded to the second reading and consideration of House Bill No. 472, entitled:

An Act to amend sections five and six of the act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and eighty-four) entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax" by requiring all dealers and venders to keep accurate books of account and empowering the appraisers to examine the same

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and eighty four) entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax" is hereby amended to read as follows

Section 5 It shall be the duty of each vender of or dealer in goods wares and merchandise to keep a book or a set of books in which shall be entered a complete and truthful record of all business transacted and which shall be open to inspection by the mercantile appraiser Such venders and dealers shall fill up the blank prepared as beforesaid by the Auditor General and return the same to the mercantile appraiser of the proper county within ten days from the date of the receipt thereof with an affidavit certifying to the correctness of the return so made If any vender of or dealer in goods wares and merchandise refuses to make a return as required by this act to the mercantile appraiser when requested so to do it shall be the duty of the mercantile to report the same immediately to the county treasurer whereupon it shall be the duty of the county treasurer to require the owner or business manager to appear before him in person with the books and accounts of his mercantile establishment for interrogation and examination and the county treasurer shall have power to issue subpoenas and attachments to be served by any constable or sheriff and to compel the attendance of the owner or any clerk bookkeeper or officer connected with said business to produce such books and papers as he may deem expedient to secure information necessary to ascertain and fix the amount of business transacted during the calendar year preceding that for which a mercantile license tax is to be paid After the county treasurer has ascertained from the best evidence that can be secured the amount or volume of business transacted during the calender year preceding that to which the license is to be issued he shall settle an account in the usual mode against the owner or owners of such establishments for the amount of mercantile tax due under the classification hereinbefore provided If any vender or dealer shall fail to keep a complete record of all business transacted herein provided or if any such person shall wilfully make or cause to be made any false entry in such record or refuse to permit a mercantile appraiser to examine such record or if the owner proprietor or any other person connected with the business who is subpoenaed refuses to produce the books and papers and appear before the county treasurer for the purpose of giving the information required by this act of Assembly he shall be liable to a penalty of one thousand dollars to be collected in the manner provided by law The county treasurer shall settle an account against the owner or owners so neglecting or refusing to make the report as aforesaid with a certified copy of said settlement shall be fowarded to the vender of or dealer in goods wares or merchandise which settlement when so made shall be subject to appeal for thirty days from the date thereof and if not appealed from within that time it shall be final and conclusive If an appeal is not taken as hereinbefore provided within the period authorized by law it shall be the duty of the county treasurer of the proper to proceed to collect the amount due as mercantile taxes are in other cases collected

On the question,

Will the House agree to the section?

Mr. BURCHINAL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 27, by inserting after the "secure" the word the

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section six of said act is hereby amended to read as follows

Section 6 It shall be the duty of each mercantile appraiser appointed under the provisions of this act to foward by mail at least ten days prior to date when he makes a personal visit to the place of business of every person whom he is required by law to ascertain and assess a blank prepared for distribution by the Auditor General as hereinbefore provided It shall be the further duty of the mercantile appraisers after mailing the blank as hereinbefore provided in the several cities and counties of this State personally to visit the store or other place of business of every vender of or dealer in goods wares and merchandise and at the time of such visit to require each vender or dealer to make a return under oath or affirmation of the goods sold for the preceding calendar year on the blank fowarded and he is hereby empowered to examine the books and records kept by such vender or dealer and to administer an oath or affirmation for the purpose herein required If the mercantile appraiser is dissatisfied with the return so made by the vender or dealer he shall ascertain and assess the mercantile license tax according to the classification so made He shall also leave a written or printed notice to be prepared and furnished by the Auditor General specifying the classification and amount of license money to be paid by such person to this State and also the time and place when and where an appeal will be held as required by law The appeal shall be held by the county treasurer acting in conjunction with the mercantile appraiser at such date as shall conform with law in all counties except where there is a board of mercantile appraisers in which case the board shall hear all appeals Any vender or dealer subject to the provisions of this act who is dissatisfied with the rating so made by the mercantile appraiser shall have the right of appeal to the mercantile appraiser and county treasurer who are required to hear him on the day so fixed for the appeal if the vender or dealer is still dissatisfied with the finding of the county treasurer and mercantile appraiser or board of appraisers in reference to the proper classification of said vender or dealer he shall have the right of appeal to the court of common pleas of the proper county which appeal the said court is required to hear and determine within twenty days after such appeal shall be taken or at the next sitting thereof If any person fails to attend the appeal before the county treasurer and mercantile appraiser board of appraisers or the court he shall not thereafter be permitted in a suit for the recovery of said mercantile license tax to set up as a defense either that he is not a vender of or dealer in goods wares or merchandise or any other ground of defense which might have been heard and determined either by said county treasurer and mercantile appraiser board of appraisers or the court of common pleas on appeal as aforesaid

On the question,

Will the House agree to the section?

Mr. BURCHINAL. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 4, line 21, by underscoring the words "the book and re-"

Amend section 2, page 4, line 23, by removing the underscoring from under the words, "an oath or affirmation for"

Amend section 2, page 4, line 24, by underscoring the word "quired"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agreed to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend sections five and six of the act approved the second day of May one thousand eight hundred and ninety-nine (P. L. 184) entitled, "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," by requiring all dealers and venders to keep accurate books of account and empowering the appraisers to examine the same.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 481 (Senate Bill No. 95), entitled:

An Act for the prevention of fraud and the protection of the public health relating to milk, cream or skimmed milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated, prohibiting the introduction of foreign fats into them, regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 426, entitled:

An Act to amend Section thirty of an Act approved June first one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section thirty of an Act approved June first one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled "An act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" is hereby amended to read as follows

Section 30 That in the settlement by the Auditor General and State Treasurer of all accounts for taxes due the Commonwealth they shall charge interest upon the amount of tax or balance or balances found due the Commonwealth at the rate of twelve per centum per annum from thirty days after the time said taxes or balances become due and payable to the time of the settlement of the same and all balances due the Commonwealth on accounts settled by the Auditor General and State Treasurer shall bear interest from sixty days after date of settlement at the rate of twelve per centum per annum until the same are paid and any judgment recovered thereon except where appeals have been taken from settlements made by the Auditor General or by the Auditor General and State Treasurer shall bear interest at the rate of twelve per centum per annum until paid and where one or more resettlements have been made the balances finally found to be due the Commonwealth on such accounts shall bear interest at the rate of twelve per centum per annum from sixty days after the date of the first or original settlement and the payment of interest as aforesaid shall not relieve any corporation from any of the penalties or commissions prescribed by law for neglect or refusal to furnish reports to the Auditor General or to pay any claim due to the Commonwealth from such corporation Provided That the Auditor General shall first have sent to such corporation a statement of the amount due

On the question,

Will the House agree to the section as amended?

Mr. BEHNEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, line 7, by striking out one of the quotation marks before the word "An"

Amend Sec. 1, page 1, line 7, by inserting a single quotation mark after the word "taxation"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title section was read as follows:

An Act to amend Section 30 of an Act approved June 1, 1889 (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine."

On the question,

Will the House agree to the title?

Mr. BEHNEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 4 by striking out one of the quotation marks before the word "An".

Amend title, page 1, line 5 by striking out one of the quotation marks after the word "taxation".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 389, as follows:

An Act to amend chapter six article twenty section three of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That chapter six article twenty section three of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" which reads as follows

"(b) FOREIGN DEALERS

Section 3 Boroughs may license foreign dealers in merchandise or their agents having no permanent place of business in such boroughs but temporarily engaged in selling merchandise either by wholesale or by retail Such license shall not exceed the amount imposed on resident merchants engaged in like business The provisions of this section shall not apply to sales by sample" is hereby amended to read as follows

Section 3 Boroughs may license the following foreign dealers in merchandise or their agents who are temporarily engaged in selling or dealing in merchandise either by wholesale or retail within such boroughs

(a) Those having no permanent place of business within the State

(b) Those having a permanent place of business in the State but not within such boroughs The fee for such license provided for under class (b) shall not exceed the amount imposed on resident merchants engaged in like business

The provisions of this section shall not apply to sales by sample

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 470, as follows:

An Act to amend sections one and two of the act approved the twenty-third day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and thirty-nine) entitled "An act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the distribution thereof" extending said act to cities of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-third day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and thirty-nine) entitled "An act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the distribution thereof" is hereby amended to read as follows

Section 1 Be it enacted et cetera That cities of the first and second class may appropriate moneys for the maintenance and care of destitute families of persons sentenced in such cities to imprisonment whose families are and were at the time of the conviction of such person domiciled within such cities of the first and second class

Section 2 That section two of said act is hereby amended to read as follows

Section 2 The councils of such cities of the first and second class shall designate a department of the city government to have the control and disbursement of any such appropriation and may provide such employes and fix their salaries as may be necessary to carry this act into effect

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 449, as follows:

An Act to amend paragraph one section five of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three entitled "An Act to provide for the incorporation and regulation of certain corporations" as amended changing the effect of the by-laws of corporations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph one section five of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An Act to provide for the incorporation and regulation of certain corporations" which was amended by the act approved the fourteenth day of May one thousand eight hundred and ninety-one (Pamphlet Laws sixty-one) entitled "An Act to amend the fifth section of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four defining the officers of corporations and allowing certain officers receiving salaries to be directors and receive compensations" is hereby further amended to read as follows

Section 5 The by-laws of every corporation created under the provisions of this statute or accepting the same shall be deemed and taken to be the law for the internal government and management of the corporation only and shall be in conformity with the charter of the corporation the Constitution and laws of this Commonwealth and the Constitution of the United States The by-laws shall not be construed to affect the rights of parties not officers members or stockholders of the corporation who deal with the corporation and who have no knowledge of the contents of the by-laws except such parties as deal under such circumstances as require them to taken notice of the by-laws of the corporation They shall be made by the stockholders or members of the corporation at a general meeting called for that purpose unless the charter prescribes another body or a different mode They shall prescribe the time and place of meeting of the corporation the powers and duties of its officials and such other matters as may be pertinent and necessary for the business to be transacted and may contain penalties for the breach thereof not exceeding twenty-dollars No transaction by any person with an officer or agent of a corporation within the apparent scope of the authority of such officer or agent shall be held invalid by reason of any by-law of such corporation unless such person shall have knowledge thereof at the time of the transaction

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 75, entitled,

An Act to further amend section five of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act amending section five of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May Anno Domini one thousand nine hundred and eleven by changing the manner of appointment and of determining the number duties and compensation of clerks and other assistants" approved the fourteenth day of May one thousand nine hundred and fifteen by changing the manner of fixing the compensation of clerks and other assistants directing same to be fixed by the salary board of which the president-judge of said court shall constitute a member when such salaries are fixed

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An act amending section five of an act entitled 'An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven by changing the manner of appointment and of determining the number duties and compensation of clerks and other assistants" approved the fourteenth day of May Anno Domini one thousand nine hundred and fifteen which reads as follows

"Section 5 The prothonotary of Allegheny county shall be the clerk of the court hereby created and shall assume and perform all of the duties of clerk thereof At each place designated for the holding of said court there shall be established an office in charge of a clerk or clerks appointed by the prothonotary with the approval of the majority of the

judges of said court who shall have the custody of the seal to be kept in such place as well as of the docket of the court and of all papers pertaining to the business of the court at such place The number duties and compensation of said clerks to be fixed by a majority of the judges of said court and such compensation to be paid out of the treasury of Allegheny county in the manner in which other county expenses are now paid by law All other necessary assistants shall be appointed by a majority of the judges of said court and their number duties and compensation shall be fixed by a majority of the judges of said court and their compensation shall be paid out of the treasury of Allegheny county in the manner in which other county expenses are now paid by law" be and the same is hereby amended to read as follows

"Section 5 The prothonotary of Allegheny County shall be the clerk of the court hereby created and shall assume and perform all of the duties of clerk thereof at each place designated for the holding of said court there shall be established an office in charge of a clerk or clerks appointed by the prothonotary with the approval of the majority of the judges of said court who shall have the custody of the seal to be kept in such place as well as of the docket of the court and of all papers pertaining to the business of the court at such place The number and duties of said clerks to be fixed by a majority of the judges of said court The compensation of said clerks to be fixed by the salary board which shall be paid out of the treasury of Allegheny county in the manner in which other county expenses are now paid by law The president-judge of said court shall constitute a member of the salary board when such salaries are to be fixed All other necessary assistants shall be appointed and their number and duties fixed by a majority of the judges of said court The compensation of said assistants shall be fixed by the salary board which shall be paid out the treasury of Allegheny county in the manner in which other county expenses are now paid by law The president-judge of the said court shall constitute a member of the salary board when such salaries are to be fixed"

On the question,

Will the House agree to the section?

Miss GRIMES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, lines 18 and 19 by striking out the words "which reads as follows" and inserting in lieu thereof "is hereby amended to read as follows:"

Amend section 1, page 2, line 20 by striking out the quotation marks at the beginning of said line.

Amend section 1, page 3, line 14 by striking out the quotation marks after the word "law" and by striking out the words "be and" and inserting in lieu thereof the following: "Provided, however, That the compensation of clerks and assistant clerks other than court clerks and assistant court clerks, shall be fixed by the salary board, and shall be paid out of the treasury of Allegheny county in the manner in which other county expenses are now paid by law. The president judge of the said court shall constitute a member of the salary board when such salaries are to be fixed."

Amend section 1, page 3, by striking out the whole of lines 15 to 29 both inclusive.

Amend section 1, page 4, by striking out lines 1 to 12 both inclusive.

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to further amend section five of an act entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties, regulating the procedure therein and providing for the expenses thereof", approved the fifth day of May, one thousand nine hundred and eleven as amended by an act entitled "An act amending section five of an act entitled 'An act to establish a county court for the county of Allegheny and prescribing its powers and duties, regulating the procedure therein and providing for the expenses thereof', approved the fifth day of May, Anno Domini, one thousand nine hundred and eleven, by changing the manner of appointment and of determining the number, duties and compensation of clerks and other assistants", approved the fourteenth day of May, one thousand nine hundred and fifteen, by changing the manner of fixing the compensation of clerks and other assistants, directing same to be fixed by the salary board of which the president-judge of said court shall constitute a member when such salaries are fixed.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Mr. SCHLEITER. Mr. Speaker and members of the House, I solemnly protest against the way we are trying to do business in this House. It seems to be a farce for the people of the State of Pennsylvania to elect men and women o come down here to the capitol city and transact the business of the State. The business is being conducted in a way that very very few of the members of the House can hear what is being said or done. I was on the point a moment ago, Mr. Speaker, to offer at least a suggestion that the House adjourn for about ten minutes in order to give the members and the visitors time to conclude their visiting to the end that the House could get down to the business for which they have been sent here by the people of this Commonwealth. I don't like to be considered a crank but I don't believe any well conducted business, I don't care how small it may be, any schoolroom could exist or could get away with their work as we are trying to do here. I think it is high time that order be maintained to the end that we can do our work and go home to our constituents and don't need to be ashamed.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 450, as follows:

An Act to further amend clause three section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred forty-four) entitled "A further supplement to the act entitled 'An act concerning divorces' " as amended by taking away the right of support or alimony in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause three section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred forty-four) entitled "A further supplement to the act entitled 'An act concerning divorces' " as amended by the act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred eight) entitled "An act amending section three of an act entitled 'An act concerning divorces' approved the eighth day of May one thousand eight hundred and fifty-four enlarging the same so as to include indignities to the person of the husband" is hereby amended to read as follows

III Where a wife shall have by cruel and barbarous treatment or indignities to his person rendered the condition of her husband intolerable or life burdensome

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 398, as follows:

An Act to amend clause four section six article one of chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for borough and revising amending and consolidating the law relating to boroughs"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pensylvania in General Asembly met and it is hereby enacted by the authority of the same That clause four section six article one of chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for borough and revising amending and consolidating the law relating to boroughs" which was amended by section eighteen of an act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and four) entitled "An act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled 'An act providing a system of government for borough and revising amending and consolidating the law relating to boroughs' and repealing certain acts relating to boroughs" is hereby amended to read as follows

IV Except where otherwise in this act provided to publish once in one newspaper printed in the county every enactment regulation ordinance or other general law fixing a penalty for violation thereof at least ten days before the same shall take effect It shall not be necessary to advertise any ordinance or resolution where advertisement is not specifically required by this act but no such ordinance or resolution shall take effect until ten days after its passage

Section 2 This act shall become effective ten days after its passage and approval by the Governor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading,

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 283, as follows:

An Act to amend section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils there of and out of the treasury of said cities and regulating the administration and the payment of such pensions" as amended providing a pension for employes who have not reached the age of sixty years but who have become permanently disabled after eighteen years of service

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" which was amended by section two of the act approved the fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighty-nine) entitled "An act to amend sections three four five six and eleven of an act approved the twentieth day of May one thousand nine hundred and fifteen entitled 'An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions'" is hereby further amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city or other public employment as aforesaid Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay into the board of pensions monthly an amount equal to two per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled while in the service after eighteen years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office Provided That in cases where the nature of such disability is such as to disable the employe from performing any work whatsoever either within or without the scope of his regular duties or within or without the service of such city or county the board may upon a recommendation of the three practicing physicians herein provided for retire upon pension such applicant after a service of eighteen years Provided further That the benefits of this amendment shall apply to members of the pension fund who have been contributors to the said fund for five years or more The pension paid to any one employe shall not exceed one hundred dollars per month

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 362, entitled:

An Act to empower and authorize any school or college of optometry organized operated and conducted not for profit which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any school college or institution organized operated and conducted not for profit teaching optometry which shall have a prescribed course of study for a period of not less than two years in such study of optometry shall have the right and authority to grant to and confer upon any student who has finished the prescribed course of study satisfactory to the faculty of such institution the degree of Doctor of Optometry

On the question,

Will the House agree to the section?

Mr. PERRY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section one by inserting after the word "institution" line 4 the words "incorporated under the laws of Pennsylvania".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections were separately read and agreed to as follows:

Section 2 That nothing in this act contained shall be construed to permit such person or student receiving such degree to practice optometry within this Commonwealth unless he shall first have obtained a certificate of licensure from the State Optometry Board nor shall the receiving of such degree by any person who shall also have received a certificate of licensure to practice optometry qualify or authorize him to practice optometry by any other means than described in Section one of the act of the thirtieth day of March one thousand nine hundred and seventeen Pamphlet Laws ten

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act to empower and authorize any school or college of optometry organized operated and conducted not for profit which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study

On the question,

Will the House agree to the title?

Mr. PERRY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title by adding after the word "college" first line the words "or institution".

Amend title, line two after the word "Optometry" by inserting "incorporated under the laws of Pennsylvania".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 447, entitled:

An Act to amend section five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death" is hereby amended to read as follows

Section 5 It shall also be the duty of the county commissioners of each county in this State upon or at any time subsequent to the death of any service man as defined herein who shall be buried within their counties under the provisions of this act or any prior act on the application of any relatives or on the application of any friends of such deceased service man if such application by friends has been approved by any organization of veterans of any war in which the United States was engaged and provided that there be no objection by the nearest relative to cause a headstone to be placed at the head of the grave of each deceased service man containing his name and if possible the organization to which he belonged or in which he served in letters raised or cut in at least three-sixteenths of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base and the expense for the same shall be paid out of the funds of the county in which such deceased service man died or shall have his legal residence Provided however That the expense shall not exceed the sum of fifty dollars for each headstone and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payent of said expense in favor of the party or parties furnishing such headstone

On the question,

Will the House agree to the section?

Mr. EARLEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 2, lines 12 and 13 by striking out the underscoring under the following words: "on the application of any" preceding the word "relatives"

Amend sec. 1, page 2, lines 13 and 14 by underscoring the following words: "on the application of any" preceding the word "friends"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to, as follows:

An Act to amend section five of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 473), entitled "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors or marines, designated as 'deceased service men'; defining the term 'deceased service men'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 494, as follows:

An Act validating certain proceedings of counties cities boroughs townships school districts and other incorporated districts or municipalities had pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds certificates of indebtedness and securities issued in pursuance of such proceedings

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all proceedings heretofore had by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method or procedure specified by the provisions of an act of Assembly entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April one thousand eight hundred and seventy-four and the acts amendatory thereof and supplementary thereto be and the same are hereby ratified confirmed and made valid notwithstanding the authorities of such county city borough township school district or incorporated district did not before issuing any such bonds certificates of indebtedness or securities file with the Clerk of the Court of Quarter Sessions of the proper county a statement showing the actual indebtedness of such district the amount of the last preceding assessed valuation of the taxable property therein the amount of debt to be incurred the form number and date of maturity of the obligations to be issued therefor and sworn to by the proper officer All of the bonds certificates of indebtedness and securities issued in pursuance of proceedings are hereby made valid binding obligations of every such county city borough township school district or incorporated district Provided Such indebtedness did not exceed the amount allowed by law And provided further The provisions of this act shall not apply in any instance where the validity of such proceedings or of any issue of bonds or other security based thereon has been already made the subject of litigation in any Court of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 327 (Senate Bill No. 19), entitled:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale, offering for sale, exposing for sale, and having in possession with intent to sell of adulterated or deleterious ice cream including coated ice cream and the coating thereof, fixing a standard of butter fat for ice cream providing penalties for the violation thereof and providing for the enforcement thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 331 (Senate Bill No. 102), entitled:

An Act amending Section 4 of the act entitled "An Act regulating the practice bail, costs and fees on appeals to the Supreme Court and Superior Court" approved the nineteenth day of May, one thousand eight hundred and ninety-seven, (Pamphlet Laws, sixty-seven), by providing a shorter period within which to appeal in cases where loss and hardship would otherwise result to the estates of decedents.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 484 (Senate Bill No. 154), entitled:

An Act to validate acts done by or rights accrued to corporations before the recording of their charters.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL INTRODUCED AND REFERRED.

The SPEAKER. The Chair asks unanimous consent to refer a bill at this time, which was introduced tonight. Are there objections? The Chair hears nine.

By Mr. LUDLOW. HOUSE BILL No. 702.

An Act to amend Section 3 and Section 4 of an Act approved the fifth day of May one thousand nine hundred and twenty-one entitled "An Act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith a contract based upon payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties."

Referred to the Committee on Banks and Banking.

RECONSIDERATION OF VOTE.

Mr. HEYBURN. Mr. Speaker, I move that the vote by which House Bill No. 66, file folio 477, entitled:

An Act to amend part of section nine of the act approved the twenty-first day of May, one thousand nine hundred and nineteen, (P. L. 209), entitled "An Act relating to the organization, maintenance, and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations, and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing certain acts;" changing the charges to be paid by building and loan associations for examinations.

was defeated on March 5th be reconsidered.

Mr. BALDI. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. BALDI. Mr. Speaker and members of the House, the purpose of calling this bill up at this time and moving for the reconsideration of the vote is to have it reinstated on the calendar and then having it referred to the committee for the purpose of amendment.

Mr. BLUETT. Mr. Speaker, last week I was opposed to the passage of this bill, but in going around and making inquiries I find it has been practically agreed that if the bill is referred back to the committee, a compromise will be made on the charges, and under those circumstances every

members of the House will probably be in favor of the bill as it comes back from the Committee.

On the question recurring,

Will the House agree to the motion?

The Speaker declared the ayes appeared to have it,

Whereupon, a division was called for, and one hundred and eleven members having voted in the affirmative the question was determined in the affirmative, and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. BALDI. Mr. Speaker, I move that the vote by which House Bill No. 66, file folio 477, passed third reading be reconsidered.

Mr. GOLDER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

HOUSE BILL No. 66 RECOMMITTED.

Mr. BALDI. Mr. Speaker, I move that House Bill No. 66, file folio 477, be recommitted to the Committee on Banks and Banking for the purpose of amendment.

Mr. GOLDER. Mr. Speaker, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. FLYNN. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to, and (at 10:50 P. M.) the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

Session 1923 — 125th of the General Assembly

Vol. 7 — HARRISBURG, PA., TUESDAY, MARCH 13, 1923. — No. 25.

SENATE

TUESDAY, MARCH 13, 1923.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer.

Our heavenly Father, be Thou with us during this new day of life upon which we enter. May Thy richest blessing rest upon the Senators as they take up the work that lies before them, and we pray Thee to bless them not only within these legislative halls, but be Thou with them in their private life, prosper them in their business, abundantly bless their homes, their wives and children, and all who are near and dear unto them. We pray Thee if any members of this body, or members of the families represented here are sick, that as the Great Physician Thou wilt lay Thy healing hand upon them and restore them to health. Guide us day by day in all our ways, and at last when life on earth is ended, bring us to the life more abundant on high. We ask all these blessings in the Redeemer's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. VARE, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING SENATE BILL NO. 99.

Mr. CRAIG presented petition of First Presbyterian Church of Beaver favoring passage of Senate Bill No. 99.

Which was referred to the Committee on Law and Order.

FAVORING PUBLIC HIGHWAY FROM MARCUS HOOK TO LIMA BY WAY OF VILLAGE GREEN.

Mr. MacDADE presented petitions of citizens of Middletown and Aston Township, favoring public highway from Marcus Hook to Lima by way of Village Green.

Which were referred to the Committee on Public Roads and Highways.

FAVORING PASSAGE OF SENATE BILL NO. 24.

He also presented petitions of the Councils of Chester and Eddystone favoring passage of Senate Bill No. 24.

Which were referred to the Committee on Public Roads and Highways.

PRAYING FOR SUFFICIENT APPROPRIATIONS TO PAY STATE REWARD, &c.

He also presented petition of Supervisors Convention praying for sufficient appropriation to pay State reward, &c.

Which was referred to the Committee on Appropriations.

PRAYING FOR SUFFICIENT FUNDS FOR EDUCATIONAL PURPOSES.

He also presented petition of the Delaware County praying for sufficient funds for Educational purposes.

Which was referred to the Committee on Appropriations.

PROTESTING AGAINST BILL GRADING TAXES, &c.

He also presented resolution of the Philadelphia Board of Trade protesting against bill grading taxes, &c.

Which was referred to the Committee on Judiciary General.

FAVORING APPROPRIATION TO JOHN MORTON MEMORIAL.

He also presented resolution of Chester Assembly, No. 48, Artisan Order of Mutual Protection, favoring an appropriation to John Morton Memorial.

Which was referred to the Committee on Appropriations.

FAVORING APPROPRIATION TO VETERINARY SCHOOL, UNIVERSITY OF PENNSYLVANIA.

He also presented resolution of the Philadelphia Society for Promoting Agriculture, favoring appropriation to Veterinary School, University of Pennsylvania.

Which was referred to the Committee on Appropriations.

PROTESTING AGAINST REPEAL OF FIREMEN'S TWO PER CENT RELIEF ACT.

The CHAIR presented resolution of Diamond Engine, Hose, Hook and Ladder Company No. 2, Hazelton, protesting against repeal of "Two Per Cent Act."

Which was referred to the Committee on Insurance.

The CHAIR also presented resolution of the Bureau of Fire of the City of Scranton, protesting against repeal of "Two Per Cent Act".

Which was referred to the Committee on Insurance.

FAVORING SENATE BILL NO. 99.

The CHAIR presented petitions of The First Church of Christ of Beaver and The United Presbyterian Congregation of Beaver, favoring the passage of Senate Bill No. 99.

Which were referred to the Committee on Law and Order.

LEAVE OF ABSENCE.

Mr. EYRE asked and obtained leave of absence for the Senator from Lycoming, Mr. Sones.

REPORTS FROM COMMITTEES.

Mr. SMITH, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 242, entitled:

An Act t o amend sections one, eleven, twelve and fourteen of and to add section eight (a) to an act entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," approved March 19, 1909, (P. L. 46); providing additional qualifications for a member of the State Board of Osteopathic Examiners; providing for the examination and licensing of osteopathic physicians to practice surgery, regulating the practice of the same and requiring additional qualifications therefor," defining osteopathy and providing for the effect of reports and certificates made by osteopathic physicians and granting additional powers to the Board of Osteopathic Examiners to revoke licenses.

Mr. CRAIG, from the Committee on Finance, reported as committed, Senate Bill No. 162, entitled:

An Act to amend section one of the act approved June 17, 1913, (P. L. 507), entitled "An Act to provide revenue for State and County purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes."

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 277, (House Bill No. 267), entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held or pending pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled, "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Mr. PHIPPS, from the Committee on Judiciary General reported as committed, Senate Bill No. 183, entitled:

An Act requiring prothonotaries to mark the time judgments are left at the office for entering; providing for the priority of such liens to be determined according to such time.

Mr. ARON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 61, entitled:

An Act to carry into effect section eleven of article one of the Constitution of Pennsylvania, by designating the manner the courts and the cases in which suits may be brought against the Commonwealth, defining the procedure in such cases, and providing for the payment of judgments, interest and costs by the Commonwealth.

Mr. DAIX, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 91, entitled:

An Act defining and providing for the regulation supervision, and licensing of resident and non-resident real estate brokers and real estate salesmen.

Mr. BETTS, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 16, entitled:

An Act to amend Clause 5 of Section 3 of an act entitled, "An Act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," approved the 13th day of May A. D. 1909, P. L. 520.

Mr. LONG, from the Committee on Judiciary General, reported as committed, Senate Bill No. 337, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highway solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads, defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended; by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages.

Mr. KUTZ, from the Committee on Judiciary General, reported as committed, Senate Bill No. 313, (House Bill No. 332), entitled:

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged.

Mr. JONES, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 176, entitled:

An Act making an appropriation to the State Highway Department for the improvement of certain portions of streets abutting on lands owned by the Commonwealth in Lackawanna County.

Mr. WOODWARD, from the Committee on Judiciary General, reported as committed, Senate Bill No. 356, (House Bill No. 296), entitled:

An Act to amend section fifty-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth"

Mr. BALDWIN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 302, entitled:

An Act authorizing and empowering the county treasurers in counties of the third class to appoint a solicitor prescribing his duties, and providing for the compensation of such solicitor.

Mr. SISSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 269, (House Bill No. 26), entitled:

An Act to amend section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" providing for the sale of the real and personal property of a decedent without known heirs kindred or surviving spouse and the payment of the net proceeds of such sale into the State Treasury

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 46, entitled:

An Act making an appropriation to carry into effect the provisions of an act approved July 9, 1919, (P. L. 814) entitled "An Act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River, connecting the city of Philadelphia and the city of Camden, and the approaches thereto; providing for a joint commission for that purpose, and defining its powers and duties; providing for an independent commission in this Commonwealth in relation thereto, and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadelphia; and providing for the acquiring, taking, and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridge upon its completion; and making an appropriation for the purposes of this act," and its amendments.

Mr. MacDADE, from the Committee on Judiciary General reported as committed, Senate Bill No. 30, entitled:

An Act to amend an act approved May 5, 1921, (P. L. 379), entitled "An Act to amend an act, approved the nineteenth day of June, one thousand nine hundred and eleven, (P. L. 1059), entitled 'An act extending the powers of judges of courts of quarter sessions and of oyer and terminer, in relation to releasing prisoners in jails and workhouses on parole,' by extending said act to include houses of correction, conferring similar powers on other courts of record, and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law;" providing the procedure in cases of parole; conferring power to parole upon the several courts instead of judges thereof; and fixing the time when petitions for parole may be first presented.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 75, entitled:

An Act to amend section seventy-five of an act approved March 31, 1860 (P. L. 382,) entitled "An act to consolidate, Revise and Amend the Penal Laws of this Commonwealth"; by providing that the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be.

BILLS INTRODUCED.

Mr. CULBERTSON read in his place and presented to the Chair Senate Bill No. 359, entitled:

A Joint Resolution proposing an amendment to section one article nine, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Finance.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 360, entitled:

An Act making an appropriation to the Mount Sinai Hospital, of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 361, entitled:

An Act making an appropriation to the McKeesport Hospital, McKeesport, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 362, entitled:

An Act regulating the practice of law in Courts not of record.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 363, entitled:

An Act to amend section one of an act approved the fifth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and forty-seven) entitled "An Act providing that hereafter proceedings in equity may be commenced without first filing a bill in equity, by the issuance of a writ of summons, which shall be issued by the prothonotary in the form prescribed by law for writs of summons in personal actions at law, and describing the cause as a proceeding in equity; and, unless and until otherwise provided by the Supreme Court equity rules, such summons shall be returnable and shall be served as writs of summons in personal actions at law are returnable and are served."

Which was committed to the Committee on Judiciary General.

Mr. McCLINTOCK read in his place and presented to the Chair Senate Bill No. 364, entitled:

An Act providing for the appointment of assistant district attorneys in second class counties of this Commonwealth, prescribing the powers and duties, and fixing their salaries.

Which was committed to the Committee on Judiciary General.

Mr. BROWN read in his place and presented to the Chair Senate Bill No. 365, entitled:

An Act to amend route number one hundred and seventeen of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing roads connecting county-seats, principal cities, and towns and extend-

ing to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 366, entitled:

An Act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 367, entitled:

An Act conferring upon the courts of Common Pleas power to decree the dissolution of corporations of the second class under certain circumstances.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 368, entitled:

An Act making an appropriation to the Uniontown Hospital Association, Uniontown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. NORTON read in his place and presented to the Chair Senate Bill No. 369, entitled:

An Act making an appropriation to the Home for Friendless Children, in the City of Reading, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. LONG read in his place and presented to the Chair Senate Bill No. 370, entitled:

A supplement to an act approved the thirteenth day of April, one thousand nine hundred and twenty-one, (P. L. 136), entitled "An Act providing for the appointment and expenses of a commission of three persons to codify and revise the laws relating to poor districts and the care of the poor, and making an appropriation;" continuing the commission appointed under the provisions of said act for the further period of two years, and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 371, entitled:

An Act making an appropriation to the Hospital of the Hahnemann Medical College and Hospital.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 372, entitled:

An Act making an appropriation to the Wills Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 373, entitled:

An Act making an appropriation to the Pensylvania Seamen's Friend Society, of Philadelphia, Pensylvania.

Which was committed to the Committee on Appropriations.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 374, entitled:

An Act making an appropriation to the House of Good Shepherd, Penn and Chew Streets, Germantown, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 375, entitled:

An Act making an appropriation to the Midnight Mission of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 376, entitled:

An Act making an appropriation to the Florence Crittenton Home located at one hundred and thirty-nine Queen Street, Germantown, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 377, entitled:

An Act making an appropriation to the Chestnut Hill Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 378, entitled:

An Act making an appropriation to the Germantown Dispensary and Hospital, Germantown, Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 379, entitled:

An Act making an appropriation to the Children's Aid Society of Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 380, entitled:

An Act making an appropriation for the Hospital Department of the Jewish Hospital Association of Philadelphia.

Which was committed to the Committee on Appropriations.

BILL SIGNED.

The PRESIDENT (Lieutenant-Governor David J. Davis) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

An Act to further amend section four of the act approved May 3, 1909 (P. L. 395), entitled "An Act regulating the sale of concentrated commercial feeding-stuffs, also of condimental stock and poultry-food, and patented, proprietary or trade-mark stock and poultry-food, possessing nutritive value combined with medicinal properties; defining concentrated commercial feeding-stuffs; prohibiting the adulteration of any feeding-stuff, sold, offered, or exposed for sale, in this State, with oat hulls, ground corn cobs, flax plant refulse, elevator chaff, cotton seed hulls, ground corn stalks, rice hulls, peanut hulls, weed seeds, or other similar adulterants; providing for the collection of samples and analysis thereof by the Department of Agriculture, and the publication of information concerning the same; providing also for the expenses of the enforcement of the law, fixing penalties for its violation, and repealing act number two hundred and eleven, (P. L. 1907, page 273), entitled 'An Act regulating the sale of wheat, rye corn and buckwheat-bran and middlings, or any admixture thereof' et cetera, approved May 28, 1907," as amended; by fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs.

Whereupon,

The PRESIDENT. (Lieutenant-Governor David J. Davis) in the presence of the Senate, signed the same.

HOUSE MESSAGES.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 25.

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, March 13, 1923.

Resolved (if the Senate concur), That House Bill No. 25, entitled:

An Act to validate deeds, mortgages, and other instruments of writing which have been defectively acknowledged by husband and wife, prior to the fourth day of January, one thousand nine hundred and twenty-three.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the consideration of Senate Bill No. 131, as follows:

An Act validating certain proceedings and elections of counties cities boroughs townships school districts and other municipalities or incorporated districts had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all proceedings and elections heretofore had and held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method or procedure specified by the provisions of an Act of Assembly entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April one thousand eight hundred and seventy-four and the acts amendatory thereof and supplementary thereto where the majority of votes cast at such election was in favor of the increase of indebtedness be and the same are hereby ratified confirmed and made valid notwithstanding the authorities of such county city borough township school district or other municipality or incorporated district either did not or by separate and independent action did not prior to the ordinance or vote in pursuance of which notice of election was given to the electors signify their desire for such increase of indebtedness or did not in the words of the act and amendments and supplements aforesaid authorizing such increase signify their desire for such increase of indebtedness notwithstanding the authorities of such county city borough township school district or incorporated district signified their desire for such increase of indebtedness by a resolution instead of by an ordinance as required by said act amendments and supplements and said resolution was not advertised as is required by law for the advertisement of ordinance and notwithstanding the ballots were not certified or signed by the county commissioners or did not contain a brief statement of the purpose of the proposed increase of indebtedness or were not printed on the official ballot after the list of candidates but were printed on separate ballots and notwithstanding full complete and proper return of the votes was not made to the proper court or counted by the court or a record showing the results made and certified by the clerk of said court to the proper authorities of such district or municipality and notwithstanding any defect or informality in the manner of holding mode of conducting or giving notice of such election or in the form of the ballot and notwithstanding any mistake in stating the amount or percentage of the existing debt or the percentage of the proposed increase or patent error of orthography or of numerical statement on any or all of the ballots and notwithstanding any discrepancy between the amount of the proposed increase of indebtedness as contained in the published and posted advertisements and in the printed ballot all of the bond securities and obligations issued or to be issued in pursuance of every such election are hereby made valid binding obligations of every such county city borough township school district or other muicipality or incorporated district Provided That all the other requirements of law concerning such procedure election and issue of bonds have been complied with and provided further That the provisions of this act shall not apply in any instance where the validity of such election or of any issue of bonds or other security based thereon has been made the subject of litigation in any court of the Commonwealth prior to the approval of this act

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Schantz,
Baldwin,	Derrick,	MacDade,	Sisson,
Barr,	Eyre,	Mansfield,	Smith,
Berntheizel,	Harris,	McClintock,	Snyder,
Betts,	Heaton,	McNichol,	Sprowls,
Brown,	Homsher,	Miller,	Steele,
Buckman,	Huffman,	Norton,	Stineman,
Christley,	Jones,	Patton,	Stites,

Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culberston,	Kutz,	Salus,	Woodward,
Daix,	Lanius,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. SMITH. Mr. President, I ask that Senate Bill No. 143, on final passage, entitled:

An Act to amend section one of the act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revise rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; as amended.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 40, as follows:

An Act fixing the salary of the prothonotary in counties of the eighth class and providing for the payment of all fees and commissions into the county treasury

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authorities of the same That the salary of the prothonotary in counties of the eighth class is hereby fixed at one thousand dollars per annum. All fees and commissions received and collected by the prothonotary in said counties shall be paid into the county treasury for the use of the county

Section 2 The provisions of this act shall not apply to or change the compensation of any prothonotary in office at the date of the approval of this act

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Schantz,
Baldwin,	Derrick,	MacDade,	Sisson,
Barr,	Eyre,	Mansfield,	Smith,
Berntheizel,	Harris,	McClintock,	Snyder,
Betts,	Heaton,	McNichol,	Sprowls,
Brown,	Homsher,	Miller,	Steele,
Buckman,	Huffman,	Norton,	Stineman,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culberston,	Kutz,	Salus,	Woodward,
Daix,	Lanius,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 99, on third reading, entitled:

An Act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

be recommitted to the Committee on Law and Order.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 124, (House Bill No. 15), entitled:

An Act providing the method in which amendatory legislation shall be printed in the session laws and for the interpretation thereof. Whereas the Constitution of the Commonwealth in Article 3 Section 6 provides "No law shall be revived amended or the provisions thereof extended or conferred by reference to its title only but so much thereof as is revived amended extended or conferred shall be re-enacted and published at length" and Whereas said section in the case of amendatory laws provides only for the re-enactment of the part of law amended and not for a recital of the part of the existing law which is amended therefore.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. SCHANTZ. Mr. President, this bill provides a new method of printing the amended Acts of Assembly. At the present time when an Act of Assembly is amended the amended or altered portion, is printed as a new act in the statutes in the Pamphlet Laws. This act provides that hereafter every amended Act of Assembly shall be printed with the eliminated parts of the old act still inserted but merely enclosed in brackets and that the inserted part shall be printed in italics. It may be true that this bill will save a little cost in the printing of the Pamphlet Laws, but I respectfully submit, gentlemen of the Senate, that it will be a great inconvenience to every attorney and to every other user of the Pamphlet Laws, it will lead to confusion and mistakes and is a method, that in my judgment, should not be adopted. When you have an Act of Assembly you ought to have it printed as it reads and there ought to be no extraneous or eliminated matter inserted therein, and it apears to me that while it is saving some money for the Commonwealth it is an act which leads to mistakes and confusion and causes much trouble for every user of the Pamphlet Laws.

Mr. WEAVER. Mr. President, I fear that the Senator from Lehigh overestimates the danger arising in the adoption

of this bill. I think the danger that might arise is much more than overbalanced by the amount of money that will be paid during the year. I know it is very easy for us to take counsel of our fears and take fright and run away frequently, but really I think it is a meritorious bill and ought to be passed. I surely think that the amount of money saved will more than justify any little inconvenience to the legal profession. It is the business of the legal profession to look after acts and see what change is really made in the act.

And the question, recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, vis:

YEAS—37.

Aron,	Culberston,	Lanius,	Quigley,
Baldwin,	Daix,	Long,	Smith,
Barr,	Davis,	MacDade,	Snyder,
Berntheizel,	Derrick,	Mansfield,	Steele,
Betts,	Eyre,	McClintock,	Stites,
Brown,	Harris,	McNichol,	Vare,
Buckman,	Homsher,	Miller,	Weaver,
Christley,	Jones,	Norton,	Woodward,
Clark,	Joyce,	Phipps,	
Craig,	Krause,		

NAYS—4.

Kutz,	Schantz,	Sisson,	Stineman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 129, entitled:

An Act to amend sections five hundred and forty and five hundred and forty-one as amended, of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Schantz,
Baldwin,	Derrick,	MacDade,	Sisson,
Barr,	Eyre,	Mansfield,	Smith,
Berntheizel,	Harris,	McClintock,	Snyder,
Betts,	Heaton,	McNichol,	Sprowls,
Brown,	Homsher,	Miller,	Steele,
Buckman,	Huffman,	Norton,	Stineman,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culberston,	Kutz,	Salus,	Woodward,
Daix,	Lanius,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 167, (House Bill No. 179), entitled:

An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings, where no legal or valid contract was entered into as required by law.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Schantz,
Baldwin,	Derrick,	MacDade,	Sisson,
Barr,	Eyre,	Mansfield,	Smith,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Sprowls,
Brown,	Homsher,	Miller,	Steele,
Buckman,	Huffman,	Norton,	Stineman,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culberston,	Kutz,	Salus,	Woodward,
Daix,	Lanius,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 199, as follows:

An Act to exempt certain real estate of certain organizations of war veterans from taxation

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all real estate owned by duly incorporated Posts or Camps of the American Legion United Spanish War Veterans and of the Army of the Philippines American Veterans of Foreign Service Military Order of the Loyal Legion and the Grand Army of the Republic in their actual use and occupation for Post or Camp purposes and which apply the entire revenue thereof to the support and repair of such real estate or to increase the efficiency and facilities thereof and of said Post be and the same is hereby exempt from State county city borough road township school and poor and all other tax or taxes

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as reguired by the constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Schantz,
Baldwin,	Derrick,	MacDade,	Sisson,
Barr,	Eyre,	Mansfield,	Smith,
Berntheizel,	Harris,	McClintock,	Snyder,
Betts,	Heaton,	McNichol,	Sprowls,
Brown,	Homsher,	Miller,	Steele,
Buckman,	Huffman,	Norton,	Stineman,

Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,	Lanius,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 206, (House Bill No. 51), entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost damages and expenses of Construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, vis:

YEAS—46.

Aron,	Davis,	Long,	Schantz,
Baldwin,	Derrick,	MacDade,	Sisson,
Barr,	Eyre,	Mansfield,	Smith,
Berntheizel,	Harris,	McClintock,	Snyder,
Betts,	Heaton,	McNichol,	Sprowls,
Brown,	Homsher,	Miller,	Steele,
Buckman,	Huffman,	Norton,	Stineman,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Curbertson,	Kutz,	Salus,	Woodward,
Daix,	Lanius,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 208, (House Bill No. 158), as follows:

An Act to amend sections sixteen twenty-six twenty-seven twenty-eight twenty-nine of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry and changing the procedure for assessing damages done by dogs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties"

is hereby amended to read as follows

Section 16 The State Treasurer shall establish a separate fund to be known as the "Dog Fund" into which all moneys collected under the provisions of this act shall be paid and from which all expenditures necessary in the carrying into effect the provisions of this act shall be paid All moneys in the dog fund from time to time are hereby specifically appropriated to the Department of Agriculture for the purpose of carrying into effect the provisions of this act and for the payment of indemnities for animals afflicted with dangerous contagious or infectious diseases as provided by law and for the payment of the salaries and expenses of the Director Deputy Director officers agents and employes of the Bureau of Animal Industry of the Department of Agriculture and for the enforcement of the provisions of the several Acts of Assembly charged to the Bureau of Animal Industry The money in the dog fund shall be paid to the use of the Department of Agriculture in advance from time to time as the same is required upon requisition by the Secretary of Agriculture The Auditor General shall upon requisition from time to time of the Secretary of Agriculture and the proper accounting for moneys already advanced from the fund draw his warrant upon the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes herein specified at the time such requisition is made.

Section 2 That section twenty-six of said act is hereby amended to read as follows

Section 26 Whenever any person sustains any loss or damage to any live stock or poultry by dogs or any live stock or poultry of any person is necessarily destroyed because of having been bitten by a dog such person or his agent or attorney may immediately after the damage was done complain to any township auditor or to any justice of the peace alderman or magistrate of the township town borough or city Such complaint shall be in writing shall be signed by the person making such complaint and shall state when where and how such damage was done and by whose dog or dogs if known Claims covering damage resulting from the bite of a rabid dog shall be made immediately following the death of the animal and shall be supported by a certificate from a licensed and duly qualified veterinarian or a report from the laboratory of the Bureau of Animal Industry to the effect that such animal was affected with rabies Such township auditor justice of the peace alderman or magistrate shall at once notify an auditor of the district if there be any and where there is no auditor then the controller of the district and together they shall at once examine the place where the alleged loss or damage was sustaned and the live stock or poultry injured or killed They shall then jointly fix a time for taking testimony relative to such claim and shall give notice of such time to the claimant and to the dog owner if known Such appraisers shall examine under oath or affirmation any witness called before them After making diligent inquiry in relation to such claim such appraisers shall determine whether any damage has been sustained and the amount thereof and if possible who was the owner of the dog or dogs by which such damage was done If the two appraisers can not agree as to the amount of damage sustained the Secretary of Agri-

culture through his officers or agents may appoint a disinterested citizen to assist in determining the amount of damage sustained

Any owner or keeper of such dog or dogs shall be liable to the owner of such live stock or poultry in a civil action for all damages and costs or to the Commonwealth to the extent of the amount of damages and costs paid by the Commonwealth as hereinafter provided

Section 3 That section twenty-seven of said act is hereby amended to read as follows

Section 27. Upon making the examination required in section twenty-six of this act the said appraisers shall immediately make a certificate signed and sealed by them that such appraisement was regularly and duly made If by such examination it appears that any damage has been sustained by the complainant the said appraisers shall deliver the report of such examination and all papers relating to the case to the claimant or his agent or attorney upon payment of the costs incurred to that time Such report shall by him be delivered to the Secretary of Agriculture

Section 4 That section twenty-eight of said act is hereby amended to read as follows

Section 28 Township auditors justices of the peace aldermen magistrates controllers and appointed appraisers for the special service required under sections twenty-six and twenty-seven of this act shall each receive two dollars for each case investigated and five cents per mile for each mile traveled to be paid by the claimant in each case In all cases where damages are awarded the fees paid by claimants shall be included in the amount of such damages

Section 5 That section twenty-nine of said act is hereby amended to read as follows

Section 29 Upon the Secretary of Agriculture receiving and approving such report if it appears thereby that a certain amount of damage has been sustained by the claimant he shall immediately draw his check in favor of the claimant for the amount of loss or damage such claimant has sustained according to such report together with necessary and proper costs incurred Such amount shall be paid from the advance requisition on the Dog Fund If such report is not approved and it is deemed advisable a further investigation may be made by the Secretary of Agriculture through his officers or agents to ascertain the amount of damage sustained No person shall receive payment for any claim until the township auditor justice of the peace alderman or magistrate before whom the claim was made had certified that due diligence was made to ascertain whose dog or dogs did the damage and that the carcasses of the live stock or poultry killed and for which damages have been assessed were buried within twenty-four hours after the assessment of damages The owners of any live stock or poultry killed by dogs or live stock necessarily destroyed because of having been bitten by a dog shall be paid a burial fee as follows For each horse stallion colt gelding mare bull bullock steer heifer cow mule jack jennet or burro two dollars and fifty cents each for each sheep ram lamb calf goat kid or swine two dollars each for each head of poultry domestic hare or rabbit ten cents each to be included in said report and paid as other damages under this section Where said carcasses are turned over to a scavenger or reduction plant no burial fee shall be allowed

Upon payment by the State of damages of live stock or poultry by dogs the rights of the owner of such live stock or poultry against the owner of a dog to the extent of the amount of damages so paid by the State shall inure to the benefit of the State

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Consttution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Schantz,
Baldwin,	Derrick,	MacDade,	Sisson,
Barr,	Eyre,	Mansfield,	Smith,
Berntheizel,	Harris,	McClintock,	Snyder,
Betts,	Heaton,	McNichol,	Sprowls,
Brown,	Homsher,	Miller,	Steele,
Buckman,	Huffman,	Norton,	Stineman,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,	Lanius,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 225, (House Bill No. 372) entitled:

An Act to amend section forty-five of an act approved the fifteenth day of April one thousand eight hundred and thirty-four (P. L. 509) entitled "An Act relating to county rates and levies and township rates and levies" by removing the exemption of females from arrest and imprisonment for non-payment of taxes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. CHRISTLEY. Mr. President, I have considered this bill as much as I can, and I want to say I cannot bring myself to think that this bill ought to be passed by this Senate at this time. All my life I have been in favor of woman suffrage and I voted for everything along that line and I am in sympathy with it, but to come to the point where a poor woman who perhaps has to earn her livelihood over a wash tub, and who has small children, that she shall be arrested under a warrant and placed in jail because she is unable to pay five dollars tax, I cannot bring myself to vote for a bill of that kind. The woman who desires at present, as the law now stands, to pay her tax, has a perfect right to pay that tax and to look everybody in the face an equal. She is not in any way humiliated and can pay the tax. I am speaking for the woman who cannot. I have been importuned by some of my good lady friends to vote for this bill, but under the circumstances I cannot see my way clear to vote for it and shall vote against it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—19.

Baldwin,	Eyre,	Mansfield,	Snyder,
Buckman,	Homsher,	Phipps,	Steele,
Clark,	Jones,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culbertson,	Long,	Smith,	

NAYS—24.

Aron,	Davis,	Kutz,	Quigley,
Barr,	Derrick,	MacDade,	Sisson,
Berntheizel,	Harris,	McClintock,	Sprowls,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Huffman,	Miller,	Stites,
Christley,	Joyce,	Norton,	Vare,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 229, (House Bill No. 211), on third reading entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for any lawful purpose defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto making an appropriation of the proceeds of such bonds for the purposes intended providing for the payment of interest on and the redemption of such bonds by the Sinking Fund Commission and fixing the compensation of the loan and transfer agent of the Commonwealth in connection therewith.

be recommitted to the Committee on Appropriations.

Mr. CRAIG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, do I understand the Senator from Beaver, Mr. Craig, to move to send the bill to the Committee on Appropriations?

Mr. CRAIG. Mr. President, for the information of the Senator from Allegheny, Mr. Barr, I will say I intend to so move, but Senator Schantz was recognized first, and moved that it be sent to the Committee on Appropriations.

Mr. BARR. Mr. President, I desire to interrogate the Senator from Lehigh, Mr. Schantz.

The PRESIDENT. Will the Senator from Lehigh, Mr. Schantz, permit himself to be interrogated?

Mr. SCHANTZ. Mr. President, I refuse to be interrogated.

Mr. BARR. Mr. President, there is nothing in this bill that has any reference to the Committee on Appropriations. I do not know where the bill came from, I do not know the source or the committee that reported the bill. I had no knowledge of the bill until I found it on the calendar. It did not have a hearing before the Committee on Banks and Building and Loan Associations, and that is where the bill properly belonged.

The PRESIDENT. The Chair is informed by the clerk that the Committee on Judiciary General had the bill for its consideration.

Mr. SCHANTZ. Mr. President, the title of the bill is:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania, for any lawful purpose defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto making an appropriation of the proceeds of such bonds for the purposes intended providing for the payment of interest on, and the redemption of, such bonds by the Sinking Fund Commission and fixing the compensation of the loan and transfer agent of the Commonwealth in connection therewith.

and for that reason I move to recommit it to the Committee on Appropriations.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 231, (House Bill No. 279), entitled:

An Act to amend section forty-one paragraph (a) one of the act approved June 7, 1917 (P. L. 447) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities, accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof, contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges, the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised, the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents, the audit and review of accounts of fiduciaries refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries, the rights, powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante, absentia, the recording and registration of decrees, reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" making bonds and certificates of poor districts legal investments for trust funds.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Schantz,
Baldwin,	Derrick,	MacDade,	Sisson,
Barr,	Eyre,	Mansfield,	Smith,
Berntheizel,	Harris,	McClintock,	Snyder,
Betts,	Heaton,	McNichol,	Sprowls,
Brown,	Homsher,	Miller,	Steele,
Buckman,	Huffman,	Norton,	Stineman,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,	Lanius,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 232, (House Bill No. 297), entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania so as to permit the exemption from taxation of real and personal property owned occupied or used by any branch or post or camp of the Grand Army of the Republic the Spanish-American War Veterans and American Legion the Veterans of Foreign Wars and the Military Order of the Loyal Legion of the United States.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

NAYS—46.

Aron,	Davis,	Long,	Schantz,
Baldwin,	Derrick,	MacDade,	Sisson,
Barr,	Eyre,	Mansfield,	Smith,

Berntheizel,	Harris,	McClintock,	Snyder,
Betts,	Heaton,	McNichol,	Sprowls,
Brown,	Homsher,	Miller,	Steele,
Buckman,	Huffman,	Norton,	Stineman,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,	Lanius,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 263, entitled:

An Act to amend section one of an act approved May 8, 1909, (P. L. 475), entitled "An Act to provide that admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of the Commonwealth shall of itself, without more, operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth; and to provide that disbarment or suspension of any attorney by the said Supreme Court shall of itself, without more, operate as a disbarment or suspension of such attorney as an attorney in every other court of this Commonwealth," as amended; by requiring the approval of the local board of examiners to entitle attorneys-at-law to practice before the different courts.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Aron,	Davis,	Kutz,	Phipps,
Baldwin,	Derrick,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Snyder,
Berntheizel,	Harris,	Mansfield,	Sprowls,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	McNichol,	Stineman,
Craig,	Huffman,	Miller,	Stites,
Culbertson,	Jones,	Norton,	
Daix,	Joyce,		

NAYS—3.

Buckman,	Salus,	Vare,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 271, (House Bill No. 220), entitled:

An Act to amend section one hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Schantz,
Baldwin,	Derrick,	MacDade,	Sisson,
Barr,	Eyre,	Mansfield,	Smith,
Berntheizel,	Harris,	McClintock,	Snyder,
Betts,	Heaton,	McNichol,	Sprowls,
Brown,	Homsher,	Miller,	Steele,
Buckman,	Huffman,	Norton,	Stineman,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,	Lanius,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 274, (House Bill No. 364), entitled:

An Act relating to the recording of certificates of incorporation of domestic corporations, providing for the recording of certified copies thereof in certain cases, validating the recording of such certified copies heretofore recorded and making the record of such certified copies competent evidence for all purposes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Schantz,
Baldwin,	Derrick,	MacDade,	Sisson,
Barr,	Eyre,	Mansfield,	Smith,
Berntheizel,	Harris,	McClintock,	Snyder,
Betts,	Heaton,	McNichol,	Sprowls,
Brown,	Homsher,	Miller,	Steele,
Buckman,	Huffman,	Norton,	Stineman,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,	Lanius,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 198, as follows:

An Act to amend section seventy-four of an act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An Act relating to the Elections of this Commonwealth" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventy-four of an act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An act relating to the Elections of this Commonwealth" which as amended by section one of an act approved the sixteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred and seventeen entitled "An Act amending section seventy-four of an act 'Relating to the elections of this Commonwealth' approved the second day of July Anno Domini one thousand eight hundred and thirty-nine" reads as follows

"Section 74 As soon as the election shall be finished the tickets list of taxables one of the lists of voters the tally-papers and one of the certificates of the oath or affirmation taken and subscribed by the inspectors judges and clerks shall all be carefully collected and deposited in one or more of the ballot-boxes and such box or boxes being closely bound round with tape shall be sealed by the inspectors and judges of the election and together with the remaining ballot-boxes shall within one day thereafter be delivered by one of the inspectors to the nearest justice of the peace who shall keep such boxes containing the tickets and other documents (said justice of the peace to receive the sum of three dollars per year for all services rendered in the care of the ballot-box or boxes placed in his custody said sum to be paid by the county treasurer upon an order drawn by the county commissioners) to answer the call of any persons or tribunal authorized to try the merits of such election and the other list of voters tally-papers and certificates shall be enclosed by the said inspectors and judge in a sealed cover directed to the prothonotary of the court of common pleas of the county and shall by some one of them be delivered into his office within three days thereafter where the same shall be filed is hereby further amended to read as follows

Section 74 As soon as the election shall be finished the tickets list of taxables one of the lists of voters the tally-papers and one of the certificates of the oath or affirmation taken and subscribed by the inspectors judges and clerks shall all be carefully collected and deposited in one or more of the ballot-boxes and such box or boxes being closely bound round with tape shall be sealed by the inspectors and judges of the election and together with the remaining ballot-boxes shall within one day thereafter be delivered by one of the inspectors to the nearest justice of the peace who shall keep such boxes containing the tickets and other documents (said justice of the peace to receive the sum of three dollars per year for one ballot-box and an additional dollar per year for each additional ballot-box for all services rendered in the care of the ballot-box or boxes placed in his custody said sum to be paid by the county treasurer upon an order drawn by the county commissioners) to answer the call of any persons or tribunal authorized to try the merits of such elections and the other list of voters tally-papers and certificates shall be enclosed by the said inspectors and judge in a sealed cover directed to the prothonotary of the court of common pleas of the county and shall by some one of them be delivered into his office within three days thereafter where the same shall be filed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this acse dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 227. (House Bill No. 72), entitled:

An Act to amend section two of an act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 944), entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis; providing for the management and maintenance thereof; and authorizing the incurring of indebtedness and the levy of taxes therefor."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 233, as follows:

An Act to further amend section one of an act approved the fifth day of March Anno Domini one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violation of its provisions"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the fifth day of March Anno Domni one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" which as amended by section one of an act approved the sixteenth day of June Anno Domini one thousand nine hundred and eleven (Pamphlet Laws one thousand fourteen) entitled "An Act amending sections one four five and ten of an act entitled 'An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions' approved the fifth day of March Anno Domini one thousand nine hundred and six and sections three seven and twelve of said act as amended by the act entitled "An Act amending sections three seven twelve and thirteen of an act entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" approved the fifth day of March Anno Domini one thousand nine hundred and six increasing the compensation of registrars in said cities and providing for an additional registration day approved the twenty-fifth day of May Anno Domini one thousand nine hundred and seven by further defining who may be appointed registrars increasing their terms of office changing the registration days and the form of register providing further regulations for the registration of electors and repealing all acts or parts of acts inconsistent herewith" reads as follows

"Section 1 Be it enacted et cetera That the county commissioners of each county in which is located cities or a city of the third class shall not later than June fifteenth in the year one thousand nine hundred and twelve and every fourth year thereafter appoint two registrars for each election precinct or ward to serve for a term of four years and until their successors are duly qualified The said registrars must be duly qualified electors of the precinct or ward for which they are appointed and must have been residents of the city in which said precinct or ward is situated for a period of two years before their said appointment and of the precinct or ward for one year immediately preceding the same They must be sober and judicious persons of good moral character able to read intelligently and to write legibly One of the said registrars shall be a member of the party polling the highest vote in excess of two percentum within the election precinct or ward at the last preceding presidential election for presidential elector and the other shall be a member of the party polling the next highest number of votes in excess of two percentum cast within the election precinct or ward at the last preceding presidential election for presidential eelctor It is the intent of this act that at all times the board of registrars shall be as nearly as may be evenly divided in political faith and therefore if it appears that at any time by reason of a change in political affiliations or because of error in the appointment the board is not so evenly divided any ten electors of the district may file a petition with the county commissioners setting forth the facts and praying that the changed or erroneous appointments may be revoked and another appointment made instead The county commissioners shall grant a public hearing and if they find the facts to be as

represented they shall give the relief asked for but no registrar shall be removed merely because his party at an election following his appointment has polled a less number of votes in the district than some other party No person who holds or is a candidate for a public office shall act as registrar

The county commissioner shall also be empowered to remove any of the said registrars for misconduct or malfeasance in office" is hereby further amended to read as follows

Section 1 Be it enacted et cetera That the county commissioners of each county in which is located cities or a city of the third class shall not later than July fifteenth in the year one thousand nine hundred and twenty-three and every year thereafter appoint two registrars for each election precinct or ward to serve for a term of one year and until their successors are duly qualified The said registrars must be duly qualified electors of the city for which they are appointed and must have been residents of the city for a period of two years before their said appointment They must be sober and judicious persons of good moral character able to read intelligently and to write legibly One of the said registrars shall be a member of the party polling the highest vote in excess of two per centum within the election precinct or ward at the last preceding presidential election for presidential elector It is the intent of this act that at all times the board of registrars shall be as nearly as may be evenly divided in political faith and therefore if it appears that at any time by reason of a change in political affiliations or because of error in the appointment the board is not so evenly divided any ten electors of the district may file a petition with the county commissioners setting forth the facts and praying that the changed or erroneous appointments may be revoked and another appointment made instead The county commissioners shall grant a public hearing and if they find the facts to be as represented they shall give the relief asked for but no registrar shall be removed merely because his party at an election following his appointment has polled a less number of votes in the district than some other party No person who holds or is a candidate for a public office shall act as registrar

The county commissioners shall also be empowered to remove any of the said registrars for misconduct or malfeasance in office

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 235, as follows:

An Act relative to the burial of the bodies of deceased widows of soldiers sailors and marines at county expense

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners in each county are hereby directed to expend the sum of seventy-five dollars ($75) from the county funds towards the funeral expenses of any widow of any person who served in the Army or Navy of the United States during any war in which the United States was engaged or served in the Army or Navy of the United States where a state or condition of war existed in the United States or any foreign country or territory or upon the high seas or who was in active service of the militia of the State of Pennsylvania under and in pursuance of any proclamations issued by the Governor during the Civil War and not duly mustered into the service of the United States and who was honorably discharged or relieved from such service upon due proof being made of such facts Provided however That the county commissioners shall not contribute any moneys toward the funeral expenses of any such widow of a soldier sailor or marine where the total expense of any such funeral including said allowance of seventy-five dollars shall exceed four hundred dollars

Section 2 It shall be the duty of the county commissioners before making any payment for the funeral expenses for the burial of the body of any widow of any soldier sailor or marine under the provisions of this act first to satisfy themselves by a careful inquiry into and examination of all the circumstances if such person is the widow of a soldier sailor or marine who served in the Army or Navy of the United States during a war in which the United States was engaged or served in the Army or Navy of the United States where a state or condition of war existed in the United States or any foreign country or territory or upon the high seas or was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamations issued by the Governor during the Civil War and not duly mustered into the esrvice of the United States and was honorably discharged or relieved from such service and that such widow died in their county or having died beyond their county shall have had a legal residence within their county at the time of her death

Section 3. It shall be the duty of the county commissioners of each county in this State to draw a warrant upon the treasurer of their county in the sum of seventy-five dollars ($75) for each body buried in accordance with the provisions of this act to be paid out of the funds of the county and such warrants shall be made payable only to the person or persons who shall have buried the bodies for which the warrants are to be so drawn. All public officers agents and servants and all officers agents and servants of any county city borough township or district or of any almshouse prison morgue hospital home or other public institution having the control or custody of the body of any deceased widow of an honorably discharged soldier sailor or marine whose body is entitled to be buried under the provisions of this act shall immediately upon the death of such widow notify the county commissioners of said county wherein such death may have occurred.

Section 4. The act approved the fifteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and thirty-two) entitled "An act relative to the burial of the bodies of certain indigent deceased widows at the county expense" and the amendments thereto are hereby repealed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 276, (House Bill No. 371), entitled:

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen, (Pamphlet Laws seven hundred and thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 301, as follows:

An Act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties boroughs and towns and to aid in defraying the expenses of Memorial Day

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the respective authorities of the

several counties boroughs and incorporated towns of this Commonwealth are hereby authorized to appropriate annually to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties boroughs or towns a sum not to exceed two hundred and fifty dollars ($250.00) and to aid in defraying the expenses of Memorial Day

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 227, (Senate Bill No. 381), entitled:

An Act to further amend the fifth section of an act, entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants, and to provide for the election of judges thereof," approved May nineteenth, Anno Domini eighteen hundred and seventy-four (Pamphlet Laws, two hundred and six), as amended, by fixing and determining the salaries of the assistant clerks of said court in counties of the first, second, third and fourth classes.

Which was committed to the Committee on Judiciary General.

House Bill No. 259, (Senate Bill No. 382), entitled:

An Act relating to the drainage of wet and spouty lands by providing for the construction of surface or under drains over lands owned by others

Which was committed to the Committee on Agriculture.

House Bill No. 373, (Senate Bill No. 383), entitled:

An Act to amend an act approved June fifteenth, one thousand nine hundred and eleven (P. L. 955) entitled "An Act making state taxes unpaid bonus, interest, penalties and all public accounts a first lien upon the franchise and property of corporations, companies, associations, joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof, and repealing section four of the act approved April sixteen one thousand eight hundred and twenty-seven," by extending its provisions to include individuals and providing for attorneys' commissions, making such commissions part of said claim and giving such commissions and costs the same priority as said taxes, bonus, interest and penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 374, (Senate Bill No. 384), entitled:

An Act to amend section one of an act approved June first, one thousand nine hundred and seven (Pamphlet Laws three hundred and eighty-three) entitled "An Act regulating the collection of taxes and other claims and demands due the Commonwealth and providing for six per centum interest thereon and an attorney's commission."

Which was committed to the Committee on Judiciary General.

House Bill No. 411, (Senate Bill No. 385), entitled:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending and consolidating the laws relating thereto."

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 471, (Senate Bill No. 386), entitled:

An Act to amend sections one, two and three of an act approved the twenty-fourth day of April, one thousand eight hundred and eighty-five, (P. L. 9), entitled "An Act to amend an act, entitled 'An Act to provide for the destruction, and to prevent the spread of Canada thistles,' approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-two," extending the provisions of said act to cichorium intybus the weed commonly known as chickory or succory.

Which was committed to the Committee on Agriculture.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 13, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate B. Morris Strauss of Shoemakersville, as Justice of the Peace, in and for the Borough of Shoemakersville, Berks ounty, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 13, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

W. R. Bell, 2960 Stafford St., Pittsburgh, March 9, 1923.
Tony Sassano, Stowe, March 4, 1923.

CAMBRIA COUNTY,

Mrs. Katherine O. Statler, Johnstown, March 9, 1923.

DAUPHIN COUNTY.

Max A. Kohn, Harrisburg, March 11, 1923.

LAWRENCE COUNTY.

Quincy A. McBride, New Castle, March 13, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 13, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I haye the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

J. A. Lynch, Pittsburgh, March 19, 1923.

BEAVER COUNTY.

Chas. Theo. Smith, Beaver Falls, March 9, 1923.

CLINTON COUNTY.

A. W. McCormick, Lock Haven, March 12, 1923.

FOREST COUNTY.

Henry A. Shipe, Marienville, March 24, 1923.

LUZERNE COUNTY.

Nicola Ciotola, Hazleton, March 11, 1923.

PHILADELPHIA COUNTY.

Edward S. Lower, Philadelphia, March 11, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 13, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

DELAWARE COUNTY.

Philip John Culhane, Lansdowne.
Miss Tacy D. Woodward, Media.

PHILADELPHIA COUNTY.

George M. Thuss, 329 Walnut St., Philadelphia.

SCHUYLKILL COUNTY.

W. Harold Thorn, St. Clair.

WESTMORELAND COUNTY.

Miss Lillian Kepner, Scottdale.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Schantz,
Baldwin,	Derrick,	MacDade,	Sisson,
Barr,	Eyre,	Mansfield,	Smith,
Berntheizel,	Harris,	McClintock,	Snyder,
Betts,	Heaton,	McNichol,	Sprowls,
Brown,	Homsher,	Miller,	Steele,
Buckman,	Huffman,	Norton,	Stineman,
Christley,	Jones,	Patton,	Stites,
Clark,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,	Lanius,		

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there any objections? The Chair hears none.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 387, entitled:

An Act making an appropriation to the Tabor Home for Children, Doylestown, Bucks County, Pa., for the two fiscal years begining June first, one thousand nine hundred and twenty-three, for the purpose of maintenance.

Which was committed to the Committee on Appropriations.

Mr. BARR. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there any objection? The Chair hears none.

Mr. Barr read in his place and presented to the Chair Senate Bill No. 388, entitled:

An Act relating to the assessment and valuation of property and occupations for the purpose of taxation in counties of the second class; creating a general board of tax appeal and a board of examiners for tax assessors; providing for the appointment of subordinate assessors of personal property and occupations, and for the annual assessment and valuation of personal property and occupations throughout the county and for the annual assessment and valuation of real property except in cities; making assessments and valuations for city purposes the basis for county valuations within such city, and imposing part of the cost of such assessments on the county; imposing certain duties on certain city officers; making certain city officers members of the general board of tax appeal in certain cases; abolishing the board for the assessment and revision of taxes; and providing penalties.

Whch was committed to he Committee on Municipal Affairs.

Mr. McCLINTOCK. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there any objection? The Chair hears none.

Mr. McCLINTOCK read in his place and presented to the Chair Senate Bill No. 389, entitled:

An Act creating a Department of Real Estate and Assessment in cities of the second class; providing for the appointment, qualifications, compensation and dismissal of a commissioner and deputy commissioners where a county tax assessors' examining board exists and where no such board exists; prescribing the powers and duties of such department with regard to valuing real property for any purpose, and in valuing and assessing property for the purpose of taxation; providing for annual assessments, the classification of real property for purposes of taxation into buildings on land and land exclusive of buildings, and the assessment of a less tax upon the buildings than upon the land exclusive of buildings; and abolishing the Department of Assessors.

Which was committed to the Committee on Municipal Affairs.

MOTION TO READ BILLS THE FIRST TIME.

Mr. DAIX. Mr. President, I move that all bills reported from committees at to-day's session be read the first time.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 16, entitled:

An Act to amend Clause 5 of Section 3 of an act entitled, "An Act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," approved the 13th day of May A. D. 1909, P. L. 520.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 30, entitled:

An Act to amend an act approved May 5, 1921, (P. L. 379), entitled "An Act to amend an act, approved the nineteenth day of June, one thousand nine hundred and eleven, (P. L. 1059), entitled 'An act extending the powers of judges of courts of quarter sessions and of oyer and terminer, in relation to releasing prisoners in jails and workhouses on parole,' by extending said act to include houses of correction, conferring similar powers on other courts of record and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law;" providing the procedure in cases of parole; conferring power to parole upon the several courts instead of judges thereof; and fixing the time when petitions for parole may be first presented.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 46, entitled:

An Act making an appropriation to carry into effect the provisions of an act approved July 9, 1919, (P. L. 824) entitled "An Act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River, connecting the city of Philadelphia and the city of Camden, and the approaches thereto; providing for a joint commission for that purpose, and defining the powers and duties; providing for an independent commission in this Commonwealth in relation thereto, and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadelphia; and providing for the acquiring, taking, and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridge upon its completion; and making an appropriation for the purposes of this act," and its amendments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 61, entitled:

An Act to carry into effect section eleven of article one of the Constitution of Pennsylvania, by designating the manner the courts and the cases in which suits may be brought against the Commonwealth, defining the procedure in such cases, and providing for the payment of judgments, interest and costs by the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 75, entitled:

An Act to amend section seventy-five of an act approved March 31, 1860 (P. L. 382), entitled "An Act to consolidate, Revise and Amend the Penal Laws of this Commonwealth," by providing that the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 91, entitled:

An Act defining and providing for the regulation, supervision, and licensing of resident and non-resident real estate brokers and real estate salesmen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 162, entitled:

An Act to amend section one of the act approved June 17, 1913, (P. L. 507) entitled "An Act to provide revenue for State and County purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 176, entitled:

An Act making an appropriation to the State Highway Department for the improvement of certain portions of streets abutting on lands owned by the Commonwealth in Lackawanna County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 183, entitled:

An Act requiring prothonotaries to mark the time judgments are left at the office for entering; providing for the priority of such liens to be determined according to such time.

Aad said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 242, entitled:

An Act to amend sections one, eleven, twelve and fourteen of and to add section eight (a) to an act entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," approved March 19, 1909, (P. L. 46); providing additional qualifications for a member of the State Board of Osteopathic Examiners; providing for the examination and licensing of osteopathic physicians to practice surgery regulating the practice of the same and requiring additional qualifications therefor defining osteopathy and providing for the effect of reports

and certificates made by osteopathic physicians and granting additional powers to the Board of Osteopathic Examiners to revoke licenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 269, (House Bill No. 23), entitled:

An Act to amend section twenty-four of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 429), entitled "An Act relating to the descent and distribution of the real and personal property of persons dying in the state; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," providing for the sale of the real and personal property of a decedent without known heirs, kindred or surviving spouse, and the payment of the net proceeds of such sale into the State Treasury.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 277, (House Bill No. 267), entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held or pending pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 302, entitled:

An Act authorizing and empowering the County Treasurers in counties of the third class to appoint a solicitor, prescribing his duties, and providing for the compensation of such solicitor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 313, (House Bill No. 332), entitled:

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 337, entitled:

An Act to amend section sixteen of an act approved May 31, 1911, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two deputy State Highway Commissioners, Chief Engineer, Chief draftsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State Line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads, defining highways and State aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended; by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 356, (House Bill No. 296), entitled:

An Act to amend section fifty-five of an act approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RECESS.

Mr. EYRE. Mr. President, I move that the Senate do now take a recess until 4:30 o'clock this afternoon.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, this morning we passed on second reading on page 6, of to-day's calender, Senate Bill 276, (House Bill No. 371), entitled:

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled "An act de-

fining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended.

It has been discovered that there is a typographical error, being a transposition of a phrase in this bill. I,therefore, move that it be recommitted to the Committee on Corporations, from which it came, for the purpose of amendment.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. DAVIS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAVIS, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 311, (House Bill No. 280), entitled:

An Act providing for the assessment and collection as benefits from the abutting property owners, of the borough's share of the cost of the improvement of a street which forms part of a State Highway, where such improvement has been heretofore made by the State Highway Department.

Mr. DAIX. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 84, entitled:

An Act relating to the acquisition of land for park purpose by any city in this Commonwealth in sections not entirely built up limiting time for condemnation by councils, or condemnation or purchase by Park Commissioners after same has been placed on city plan for park purposes by ordinance of councils or action of park commissioners and providing for removal from city plan upon failure to condemn or purchase within time specified herein.

Mr. BALDWIN. Mr. President, I ask unaminous consent to make report from committee at this time.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. BALDWIN, from the Committee on Municipal Affiairs, reported as committed, Senate Bill No. 240, entitled:

An Act to amend section six of an act approved June 20, 1917 (P. L. 618), entitled "An Act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations, the manner of appointments, and the manner and power of removal of employes of said department; and providing for fixing compensation," as amended.

Mr. STITES. Mr. President, I ask unaminous consent to make report from committee at this time.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. STITES, from the Committee on Law and Order, reported, as amended, Senate Bill No. 99, entitled:

An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for berevage purposes and articles and substances designed or intended for use in the manufacture thereof providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

Mr. CULBERTSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CULBERTSON, from the Committee on New Counties and County Seats, reported as amended, Senate Bill No. 226, (House Bill No. 34), entitled:

An Act to amend clause two of section three hundred and eighty-six of an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto"; by extending the power to tax property for lighting purposes in second class townships.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 354, (House Bill No. 82), entitled:

A Supplement to an act, entitled "An Act to provide for the ordinary expenses of the Executive, Judicial, and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and twenty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and twenty-one," as approved the twenty-seventh day of May, Anno Domini one thousand nine hundred and twenty-one, providing for deficiencies in certain appropriations made to the Executive, Judicial, and Legislative Departments by the act to which this is a supplement, and for other minor expenses incurred or to be incurred to May thirty-first, one thousand nine hundred and twenty-three, by certain of the Executive, Judicial and Legislative Departments, not provided for by said act.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 272, (House Bill No. 281), entitled:

An Act to amend Section two of Article XVI of an act entitled, "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania," approved the twenty-fifth day of June, one thousand nine hundred and nineteen.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 84, entitled:

An Act relating to the acquisition of land for park purposes by any city in this Commonwealth in sections not entirely built up limiting time for condemnation by councils or condemnation or purchase by Park Commissioners after same has been placed on city plan for park purposes by ordinances of councils or action or park commissioners and providing for removal from city plan upon failure to condemn or purchase within time specified herein.

And said bill having been read at length the first time,

Ordered, To be land aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 226, (House Bill No. 34), entitled:

An Act to amend clause two of section three hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (P. L. 840) entitled "An Act concerning townships and revising amending and

consolidating the law relating thereto" by extending the power to tax property for lighting purposes in second class townships

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 240, entitled:

An Act to amend section six of an act approved June 20, 1917 (P. L. 618), entitled "An Act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations the manner of appointments, and the manner and power of removal of employes of said department; and providing a method for fixing compensation," as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 272, (House Bill No. 281), entitled:

An Act to amend section two of Article XVI of an act entitled "An Act for the government of cities of the first class of the Commonwealth of Pennsylvania" approved the twenty-fifth day of June one thousand nine hundred and nineteen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 311, (House Bill No. 280), entitled:

An Act providing for the assessment and collection as benefits from the abutting property owners of the borough's share of the cost of the improvement of a street which forms part of a State Highway where such improvement has been heretofore made by the State Highway Department

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 354, (House Bill No. 82), entitled:

A supplement to an act entitled "An act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and twenty-one" as approved the twenty-seventh day of May Anno Domini one thousand nine hundred and twenty-one providing for deficiencies in certain appropriations made to the Executive Judicial and Legislative Department by the act to which this is a supplement and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by certain of the Executive Judicial and Legislative Department not provided for by said act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

SENATE BILL NO. 99 SPECIAL ORDER.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 99, entitled:

An Act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcholic liquor license law

be made a special order for to-morrow morning at 10:30.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED.

Mr. DAVIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAVIS read in his place and presented to the Chair Senate Bill No. 390, entitled:

An Act creating the "Anthracite Mine Cave Fund;" Appropriating a portion of the State Tax on anthracite coal to the use of the Pennsylvania State Anthracite Mine Cave Commission, and Imposing Duties upon the State Treasurer and Auditor General.

Which was committed to the Committee on Mines and Mining.

Also read in his place and presented to the Chair Senate Bill No. 391, entitled:

An Act Creating the "Anthracite Municipalities Fund;" appropriating pro rata according to population a portion of the tax on anthracite coal to the use of the Cities, Boroughs and Townships from which the anthracite coal taxed was removed in course of mining, and imposing duties upon the State Treasurer and Auditor General.

Which was committed to the Committee on Mines and Mining.

Mr. VARE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there any objection? The Chair hears none.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 392, entitled:

An Act making an appropriation to the Saint Agnes Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MILLER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there any objection? The Chair hears none.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 393, entitled:

An Act to amend sections forty-three, forty-four, forty-five and fifty of article seventeen, chapter six of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 394, entitled:

An Act to amend section fifteen as amended, and section seventeen of chapter six of article seven of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating thereto."

Which was committed to the Committee on New Counties and County Seats.

RECESS.

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 158.

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 158, entitled:

An Act to amend sections sixteen, of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry

HOUSE CONCURS IN SENATE BILL NO 19.

He also returned to the Senate, Senate Bill No. 19, entitled:

An Act for the protection of the public health; and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, having in possession with intent to sell, of adulterated or deleterious ice cream, including coated ice cream and the coating thereof; fixing a standard of butter fat for ice cream; providing penalties for the violation thereof; and providing for the enforcement thereof.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 102.

He also returned to the Senate, Senate Bill No. 102, entitled:

An Act amending section four of the act entitled "An Act regulating the practice, bail, costs and fees on appeals to the Supreme Court and Superior Court", approved May 19, 1897, Pamphlet Laws sixty-seven, by providing a shorter period within which to appeal in cases where loss and hardship would otherwise result to the estates of decedents.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 154.

He also returned to the Senate, Senate Bill No. 154, entitled:

An Act to validate acts done by or rights accrued to corporations before the recording of their charters.

with the information that the House has passed the same without amendment.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 283, (Senate Bill No. 395), entitled:

An Act to further amend section four of the act approved the twentieth day of May, one thousand nine hundred and fifteen, (P. L. 566), entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and payment of such pensions," as amended; providing a pension for employes who have not reached the age of sixty years, but who have become permanently disabled after eighteen years of service.

Which was committed to the Committee on Municipal Affairs.

Also House Bill No. 362, (Senate Bill No. 396) entitled:

An Act to empower and authorize any school or college of optometry organized operated and conducted not for profit which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study

Which was committed to the Committee on Education.

Also House Bill No. 447, (Senate Bill No. 397), entitled:

An Act to amend section five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service men' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

Which was committed to the Committee on Military Affairs.

Also House Bill No. 494, (Senate Bill No. 398), entitled:

An Act validating certain proceedings of counties, cities, boroughs, townships, school districts, and other incorporated districts, or municipalities, had pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled, "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto and validating bonds, certificates of indebtedness and securities issued in pursuance of such proceedings.

Which was committed to the Committee on Judiciary General.

ADJOURNMENT.

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until ten o'clock tomorrow morning.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:38 P. M. until Wednesday morning, March 14, 1923, at ten o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 13, 1923.

The House met at 11:00 o'clock A. M.
The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Gracious and all-wise God, our Father, we thank Thee this morning for the privileges we enjoy. We thank Thee for every blessing thou hast bestowed upon us, both material and spiritual. We pray for this great State of ours, for her institutions, especially those that have to do with the moulding and fashioning of the future citizens of this Commonwealth. Bless our schools and our colleges, endow them not only with material good, but endue them with the spirit of true patriotism and loyalty to them and Thy Word. May such legislation as will encourage them in their appointed tasks be here enacted. Bless all things that tend toward the betterment of humanity here and elsewhere. We ask it in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. MOORE the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED.

By Miss GRIMES. HOUSE BILL No. 645.

An Act to regulate the allotting or subdividing of land which includes the location of streets, lanes or alleys in Counties of the second class, except land within a city or borough, by requiring the recording in the office of the Recorder of Deeds of a map or plat prior to the sale, conveyance or mortgaging of any part thereof, and providing penalties for the violation of the act.

Referred to the Committee on Counties and Townships.

By Mr. RINN. HOUSE BILL No. 646.

An Act requiring safety gates to be erected or watchman stationed at certain railroad crossings; and providing, that in suits growing out of accidents at crossings where act has not been complied with, negligence of company shall be presumed and defense of contributory negligence forfeited.

Referred to the Committee on Judiciary General.

By Miss BENTLEY. HOUSE BILL No. 647.

An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of this Commonwealth, in counties of the sixth class, and to provide the time of paying the same.

Referred to the Committee on Judiciary Special.

By Miss BENTLEY. HOUSE BILL No. 648.

An Act making an appropriation to the Spencer Hospital, Meadville, Pennsylvania.

Referred to the Committee on Appropriations.

By Miss BENTLEY. HOUSE BILL No. 649.

An Act making an appropriation to the Titusville Hospital, at Titusville, Pennsylvania.

Referred to the Committee on Appropriations.

By Miss BENTLEY. HOUSE BILL No. 650.

An Act making an appropriation to the Meadville Children's Aid Society and Home for the Aged, Meadville, Crawford County, Pennsylvania.

Referred to the Committee on Appropriations.

By Miss BENTLEY. HOUSE BILL No. 651.

An Act making an appropriation to the Meadville City Hospital, Meadville, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. EDMONDS. HOUSE BILL No. 652.

An Act relating to suits against and service of process upon corporations organized and existing under the laws of the Commonwealth of Pennsylvania ceasing to do business, or ceasing to maintain an office within the Commonwealth, and the effect of such service.

Referred to the Committee on Judiciary General.

By Mr. McCAIG. HOUSE BILL No. 653.

An Act making an appropriation to the Lake Erie and Ohio River Canal Board of Pennsylvania for the payment of expenses incurred in printing, distributing and making available for public use, reports, maps, documents and records of the board, in securing the cooperation and aid of the Government of the United States and other public authorities, in the construction of the canal or waterway authorized to be constructed by the board, for the payment of incidental office expenses, and for the payment of salaries, fees and expenses.

Referred to the Committee on Appropriations.

By Mr. MOFFATT. HOUSE BILL No. 654.

An Act providing that in all cases of prosecutions for any crime or misdemeanor where the defendant has been discharged by any justice of the peace, alderman, burgess, mayor or other committing magistrate and in all cases of summary proceedings before said officers, the county shall not be liable for the costs unless the same are approved by the county controller in counties having a county controller or by the county solicitor in counties not having a county controller.

Referred to the Committee on Judiciary Local.

By Mr. DILSHEIMER. HOUSE BILL No. 655.

An Act making an appropriation to the Roosevelt Hospital, of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. McVICAR. HOUSE BILL No. 656.

An Act making an appropriation to the Allegheny Valley Hospital, at Tarentum, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BURD P. EVANS. HOUSE BILL No. 657.

An Act to amend section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled, "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the compensation of auditors of the accounts of school districts of the fourth class.

Referred to the Committee on Education.

By Mr. ANDERSON. HOUSE BILL No. 658.

An Act making an appropriation to the Grove City Hospital, in the Borough of Grove City, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SPROWLS. HOUSE BILL No. 659.

An Act declaring it a misdemeanor to stipulate for or receive or consent to agree to receive fees, commissions, gifts or things of value for procuring or endeavoring to procure loans or the purchase or discount of negotiable paper or other evidence of debt; and providing penalties for violation of this act.

Referred to the Committee on Banks and Banking.

By Mr. HIMES. HOUSE BILL No. 660.

An Act to amend route number sixty-six of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties form any further obligation and expense to improve or maintain the same, and relieving said townships or countes of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Referred to the Committee on Public Roads.

By Mr. EDMONDS. HOUSE BILL No. 661.

An Act making the report of the board of view, viewers, or jury of view, upon appeal to the court of common pleas, prima facie evidence of benefits therein assessed.

Referred to the Committee on Judiciary Local.

By Mr. EDMONDS. HOUSE BILL No. 662

An Act to repeal an act approved the twenty-first day of April, one thousand nine hundred and fifteen, (P. L. 159), entitled "An Act relating to the competency of witnesses and to the rules of evidence in proceedings arising from the exercise of the right of eminent domain."

Referred to the Committee on Judiciary Special.

By Mr. EDMONDS. HOUSE BILL No. 663.

An Act to amend sections five and six of an act approved the sixteenth day of May, one thousand nine hundred and nineteen, (P. L. 193), entitled " An Act to provide for the licensing and regulation of public dance halls and ball rooms, and for the regulation, supervision of public dances and balls in cities of the first, second and third class;" by making it the duty of the Mayor to investigate the character of applicants for dance hall and ball room licenses; and providing that no such license shall issue to any person of immoral character or who is an unfit person to hold such license, or who has been convicted of any crime.

Referred to the Committee on Municipal Corporations.

By Mr. STOFFLET. HOUSE BILL No. 664.

An Act to regulate and establish the fees to be charged by Justice of the Peace, Alderman and Magistrates in this Commonwealth.

Referred to the Committee on Judiciary Local.

By Mr. HORNE. HOUSE BILL No. 666.

An Act to amend section two thousand one hundred five of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first, second, and third classes.

Referred to the Committee on Education.

By Mr. SAMPLE. HOUSE BILL No. 667.

An Act providing for the return by the Board of Game Commissioners, to persons entitled thereto, of moneys erroneously paid into the State Treasury.

Referred to the Committee on Game.

By Mr. EDMONDS. HOUSE BILL No. 668.

An Act to amend section eight of an act approved the seventh day of June, one thousand nine hundred and eleven, (P. L. 668), entitled "An Act to restrain and regulate the use of billiard-tables, pool-tables, and bagatelle-boards or tables, kept and maintained for the use of the general public, for hire or reward, in cities of the first class in this Commonwealth; providing for the granting of licenses, and providing for punishments for the violation of the provisions of this act," by providing for the revocation of the licenses therein provided for when the place licensed shall, in the opinion of the Director of the Department of Public Safety, be so conducted as to be detrimental to the immediate neighborhood or when the licensee is not a person of good moral character or a fit person to hold such license; or when said place is frequented by immoral persons or managed in an improper or disorderly manner.

Referred to the Committee on Law and Order.

By Mr. ARMSTRONG. HOUSE BILL No. 669.

An Act to establish as a State Highway a certain section of public road in the county of Armstrong.

Referred to the Committee on Public Roads.

By Mr. ARMSTRONG. HOUSE BILL No. 670.

An Act to establish as a State Highway a certain section of public road in the county of Armstrong.

Referred to the Committee on Public Roads.

By Mr. VICKERMAN. HOUSE BILL No. 671.

An Act to amend sections one and three of the act approved the tenth day of June, one thousand nine hundred and nineteen, (P. L. 893) entitled "An Act providing for assistance to certain mothers; providing for the appointment of

boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties."

Referred to the Committee on Counties and Townships.

By Mr. WELLS. HOUSE BILL No. 672.

An Act making an appropriation to the Coudersport General Hospital at Coudersport, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. GILCHRIST. HOUSE BILL No. 673.

An Act to amend section two of the act approved the twenty-fifth day of July, one thousand nine hundred and seventeen, (P. L. 1180), entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River, and making an appropriation therefor."

Referred to the Committee on Appropriations.

By Mr. PATTERSON. HOUSE BILL No. 674.

An Act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering; providing for the appointment by the Governor of an examination board; defining the powers and duties of such board; regulating barber shops, barber schools and barber colleges and apprentices and students therein, and providing penalties.

Referred to the Committee on Public Health and Sanitation.

By Mr. WHITEMAN. HOUSE BILL No. 675.

An Act making a deficiency appropriation to the School Employees' Retirement Board.

Referred to the Committee on Appropriations.

By Mr. SPROWLS. HOUSE BILL No. 676.

An Act to provide a time limit for the preservation of the records in State banks and trust companies in this Commonwealth; and providing penalties for violation of the provisions of this Act.

Referred to the Committee on Banks and Banking.

By Mr. DAVID J. JONES. HOUSE BILL No. 677.

An Act to amend clause five, section nine, article seven of chapter six, and section thirteen, article seven of chapter six of an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled, "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs."

Referred to the Committee on Municipal Corporations.

By Mr. DAVID J. JONES. HOUSE BILL No. 678.

An Act to amend clause three, section 10, article two of chapter seven of the act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312) entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Referred to the Committee on Municipal Corporations.

By Mr. KOHLER. HOUSE BILL No. 679.

An Act imposing a State tax on tobacco grown or produced in this Commonwealth; providing for the assessment and collection thereof; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. KOHLER. HOUSE BILL No. 680.

An Act imposing a State tax on coal other than anthracite; providing for the assessment and collection thereof; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. DAVID J. JONES. HOUSE BILL No. 681.

An Act to amend the supplement to an act, approved the twenty-first day of May, one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight,) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth, in State hospitals for the insane,' approved the thirteenth day of June, Anno Domini, one thousand eight hundred and eighty-three," as amended, by fixing the maximum amount for maintenance weekly, per capita.

Referred to the Committee on Counties and Townships.

By DAVID J. JONES. HOUSE BILL No. 682.

An Act to amend the forty-first clause of section two, article one, chapter five, of the act, approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312) entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," as amended.

Referred to the Committee on Municipal Corporations.

By Mr. WELLS. HOUSE BILL No. 683.

An Act making an appropriation to the Northern Tier Home, Harrison Valley, Potter County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. PEELOR. HOUSE BILL No. 684.

An Act to amend section sixteen, clause (a), of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 415), entitled "An Act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom."

Referred to the Committee on Judiciary Special.

By Mr. DAVID J. JONES. HOUSE BILL No. 685.

An Act relating to the obligation of contracts heretofore or hereafter made by or with any municipal corporation in the State of Pennsylvania.

Referred to the Committee on Judiciary Special.

By Mr. DAVID J. JONES. HOUSE BILL No. 686.

An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole; and providing for the payment of their expenses and membership dues by counties.

Referred to the Committee on Counties and Townships.

By Mr. EDMONDS. HOUSE BILL No. 687.

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania so as to consolidate the courts of common pleas of Philadelphia County.

Referred to the Committee on Judiciary General.

By Mr. SARIG. HOUSE BILL No. 688.

An Act to repeal an act approved the first day of May, one thousand nine hundred and nineteen, (P. L. 103), entitled, "An Act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings; requiring the approval of the commission of the design and location of all public monuments, memorials, buildings, or other structures, and certain private structures, proposed to be erected anywhere in this Commonwealth other than in cities of the first and second classes."

Referred to the Committee on Public Buildings.

By Mr. RINN. HOUSE BILL No. 689.

An Act to establish as a State Highway a certain section of public road in the counties of Northampton and Lehigh.

Referred to the Committee on Public Roads.

By Mr. MILLAR. HOUSE BILL No. 690.

An Act requiring the judges of all courts of record to render their decisions within six months after the trial or argument of a case, or after a petition is presented.

Referred to the Committee on Judiciary General.

By Mr. DUNN. HOUSE BILL No. 691.

A Supplement to the act approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (P. L. 322) entitled, "An Act creating a commission to select an historic spot as a cemetery for the burial of bodies of soldiers, sailors, marines, war nurses, and members of the National Guard; defining the powers and duties of the Commission; and making an appropriation," extending the time for the making of the report of the Commission and making an additional appropriation.

Referred to the Committee on Military.

By Mr. ALEXANDER. HOUSE BILL No. 692.

An Act to repeal an act, approved the sixth day of April, one thousand eight hundred and two (Pamphlet Laws, two hundred sixty-five) entitled "An Act authorizing the sale of Provisions, Vegetables and Fruit in the markets of any city, borough, or corporate town within the Commonwealth."

Referred to the Committee on Agriculture.

By Mr. HEYBURN. HOUSE BILL No. 693.

An Act providing for the quarantine and control of the Japanese Beetle; imposing certain powers and duties on the Department of Agriculture; and providing penalties.

Referred to the Committee on Agriculture.

By Mr. WILLIAM T. BELL. HOUSE BILL No. 694.

An Act to amend an act approved the twenty-eighth day of March one thousand eight hundred seventy-nine, (P. L. 14), entitled, "An Act enabling wives of lunatics to release their right of dower in the real estate of their husbands," extending the provisions of said act to include wives of habitual drunkards and wives of epileptics, insane, weak-minded or feeble-minded persons.

Referred to the Committee on Judiciary Special.

By Mr. WILLIAM T. BELL. HOUSE BILL No. 695.

An Act to amend clause (a), section two and section seven of an act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 389), entitled, "An Act relating to the jurisdiction, powers, and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground-rent, leases, extinguishment of ground rents, partition, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and, for such purpose the laying out or dedication of roads, streets and alleys, or the vacation of such as have not been accepted by the public authorities, where the court shall be of opinion that such decree will be to the interest and advantage of all those interested; and where the legal title is held by minors, lunatics, habitual drunkards, or weak-minded persons, a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years; by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial, or charitable society or association, incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law; by a corporation, or individual or individuals, and is subject to a trust of any description whatever; by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory devises, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the State, have died, refused to act, unreasonably withhold consent, or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will, and the necessary power is not given to the executor, devisee, or appointee to make sale and conveyance; where a trust has been created, and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decree," extending the provisions of said act to cases where real estate or ground rent issuing thereout is held by an epileptic, insane, feeble-minded or weak-minded person, or by a wife whose husband is an habitual drunkard, or an epileptic, insane, feeble-minded or weak-minded person, declaring the effect of decrees as to barring dower, courtesy and interest of a surviving spouse under the intestate laws.

Referred to the Committee on Judiciary General.

By Mr. WONER. HOUSE BILL No. 696.

An Act provding for the maintenance by the Commonwealth of State-aid roads and highways in townships of the second class.

Referred to Committee on Public Roads.

By Mr. PATTERSON. HOUSE BILL No. 697.

An Act making it unlawful for any county, city, borough or incorporated town to prohibit the wearing of certain military insignia by its employees upon their uniforms.

Referred to Committee on Military.

By Mr. JOSEPH T. MARCUS. HOUSE BILL No. 699.

An Act making an appropriation to the Eye and Ear Hospital, of Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STEEDLE. HOUSE BILL No. 700.

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for a budget system.

Referred to the Committee on Constitutional Reform.

By Mr. STERLING. HOUSE BILL No. 701.

An Act to further amend sections ten and fourteen of the act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 711) entitled "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof;" as amended; by requiring all proceedings in civil cases before magistrates that are sought to be reviewed by appeal to be taken only to the Municipal Court; transferring original jurisdiction in certain civil cases from the court of common pleas to said court; providing that costs in all cases shall follow the judgment; and that certain judgments shall be final.

Referred to the Committee on Judiciary General.

By Mr. BEAVER. HOUSE BILL No. 703.

An Act making an appropriation to the Bellefonte Hospital, Bellefonte, Pennsylvania.

Referred to the Committee on Appropriations.

PETITIONS.

FAVORING PASSAGE OF HOUSE BILL No. 221.

Mr. HEFFRAN presented a petition from the Peter's Creek United Presbyterian Church favoring the passage of House Bill No. 221.

Referred to the Committee on Law and Order.

Mr. JOHN G. MARSHALL presented petitions from the United Presbyterian Church of Beaver, the First Presbyterian Church of Beaver, and the First Church of Christ of Beaver favoring the passage of House Bill No. 221.

Referred to the Committee on Law and Order.

The SPEAKER presented petitions from the First United Presbyterian Church of Crafton, The United Presbyterian Church of Ingram, The First M. E. Church of Carnegie, The Carnegie United Presbyterian Church of Carnegie, The United Presbyterian Church of Coraopolis, The United Presbyterian Church of Oakdale and The Union United Presbyterian Church of Robinson Township, Allegheny County.

Referred to the Committee on Law and Order.

FAVORING APPROPRIATION OF SUFFICIENT FUNDS TO PAY TOWNSHIP AWARDS.

Mr. SCHLEITER presented the petition of the supervisors of New Sewickley township, Beaver County, praying for sufficient appropriations to pay the township awards.

Referred to the Committee on Appropriations.

FAVORING PASSAGE OF HOUSE BILL No. 221.

The SPEAKER presented petitions from the Falls of the Schuylkill Presbyterian Church, The Devereaux Memorial M. E. Church of Philadelphia, the Tioga Presbyterian Church of Philadelphia, the Salem Evangelical Church of Pittsburgh, the Eighth United Presbyterian Church of Pittsburgh, Allegheny Reformed Presbyterian Church of Pittsburgh, and the California Avenue M. E. Church, favoring the passage of House Bill No. 221.

Referred to the Committee on Law and Order.

REPORTS FROM COMMITTEES.

Mr. EDMONDS, from the Committee on Appropriations, reported as committed House Bill No. 665, entitled:

An Act making an appropriation to the Department of Public Instruction for deficiencies in appropriations for the support of public schools, normal schools, public school agencies and vocational education.

Mr. McBRIDE, from the Committee on Elections, reported as committed House Bill No. 1, entitled:

An Act fixing the pay of election officers and clerks in cities of the first class.

Mrs. PITTS, from the Committee on Judiciary Local, reported as committed House Bill No. 383, entitled:

An Act to repeal the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, (Pamphlet Laws one thousand two hundred and seventy-three) entitled "An Act to authorize the compilation and publication of not less than two, nor more than four volumes of Statute at Large of Pennsylvania in addition to the sixteen volumes heretofore authorized; additional volumes being necessary to connect the Statutes at Large and the Pamphlet Laws of Pennsylvania in a serial and complete publication of the laws of the Province and Commonwealth; and to provide for the appointment of a Commissioner to control and supervise the preparation of said volumes, and of a competent person to compile and edit them; and making an appropriation therefor."

Mr. BROMLEY, from the Committee on Judiciary Special, reported as amended, House Bill No. 18, entitled:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary, county prison or house of detention, in this Commonwealth, and to provide penalties for the violation of this act.

Mr. HENDERSON, from the Committee on Judiciary Local, reported as committed, House Bill No. 545, entitled:

An Act to amend sections one and two of an act approved the second day of May, one thousand eight hundred and ninety-nine, (P. L. 163) entitled, "An Act legalizing, and making it lawful to build, fences constructed in whole or in part of wire along the public highways, and as division fences," permitting the use of fences of wire with barbs.

Mr. ARTHUR, from the Committee on Judiciary Local, reported as committed, House Bill No. 605, entitled:

An Act to amend section one of article two of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws, twenty), entitled, "An Act for the government of cities of the second class," as amended, by changing the name of the Department of Charities to the Department of Public Welfare.

Mr. FRAZIER, from the Committee on Judiciary Local, reported as committed House Bill No. 635, entitled:

An Act to amend section six of the act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 473), entitled, "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors, or marines, designated "as deceased service men"; defining the term 'deceased service man'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

Mr. STAUDENMEIER, from the Committee on Judiciary Local, reported as committed House Bill No. 588, entitled:

An Act to regulate the allotting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plat prior to the sale, conveyance or mortgaging of any part thereof and providing penalties for the violation of the act.

Mr. BROWN, from the Committee on Judiciary Local, reported as committed House Bill No. 403, entitled:

An Act to enable city, county, poor, ward, school, borough, and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties if the surety or sureties have paid the taxes, to collect taxes for the payment of which they have become personally liable, without having collected the same, by the expiration of the authority of their respective bonds, or by the expiration of the authority of their respective warrants, or by the expiration of their terms of office, and to extend the time for the collection of the same for a period of two years from the passage of this act.

Mr. McCLURE, from the Committee on Judiciary Special, reported as committed House Bill No. 558, entitled:

An Act supplementing and amending the act approved the twenty-fifth day of May, one thousand nine hundred and twenty-one, (P. L. 1159), entitled "An Act authorizing certain corporations to issue preferred or common stock of one or more classes; providing for the manner of issuance, restrictions and regulations in the manner of voting thereof, and the rights and privileges of the holders thereof; validating certain acts of corporations not participated in by the holders of non-voting stock; and repealing all acts and parts of acts inconsistent therewith," further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value, and regulating such issuing of said stock.

Mr. GEORGE W. WILLIAMS, from the Committee on Appropriations, reported as amended, House Bill No. 698, entitled:

An Act lapsing certain appropriations available for expenditure by the Department of Public Instructions.

Mr. WHITEMAN, from the Committee on Education, reported as committed House Bill No. 294, entitled:

An Act to amend section two hundred and six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" providing for the election of school directors and election officers in independent school districts, and limiting the terms of appointed directors in such districts created prior to the passage of this act.

Mr. WHITEMAN, from the Committee on Appropriations, reported as committed House Bill No. 432, entitled:

A Supplement to an act approved the third day of April, one thousand eight hundred and seventy-two, (P. L. 39), entitled, "An Act directing the sale of the bonds composing the Agricultural College land script fund, and authorizing the issue of a new bond in lieu thereof, and abolishing the board commissioners created by act of April first, one thousand eight hundred and sixty-three," providing for the renewal of the bond and the payment of accrued interest since the maturity of the same, and for the payment of interest hereafter to accrue thereon.

Mr. PRICE, from the Committee on Judiciary Special, reported as committed House Bill No. 388, entitled:

An Act providing that the negligence of a servant or employe of any municipality shall, under the rule of respondeat superior, be attributable to the municipality for his compensation or wages.

BILL ON FIRST READING.

Mr. EDMONDS asked and received unanimous consent to have House Bill No. 665 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 665, entitled:

An Act making an appropriation to the Department of Public Instruction for deficiencies in appropriations for the support of public schools, normal schools, public school agencies and vocational education.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

LEAVES OF ABSENCE.

Mr. BURNS asked and obtained leave of absence for Mr. Colville.

Mr. DILSHEIMER asked and obtained leave of absence for Mr. Drinkhouse.

Mr. FIELDS asked and obtained leave of absence for Mr. Heffernan on account of illness.

RESOLUTION RECALLING HOUSE BILL NO. 25 FROM THE GOVERNOR.

Mr. WHITEHOUSE offered the following resolution, which was twice read, considered and adopted:

In the House of Representatives, March 13, 1923.

Resolved, (if the Senate concur), That House Bill No. 25, Printer's No. 11, entitled "An Act to validate deeds, mortgages and other instruments of writing, which have been defectively acknowledged by husband and wife, prior to the fourth day of January, one thousand nine hundred and twenty-three," be recalled from the Governor for the purpose of amendment.

Ordered, that the Clerk present the same to the Senate for its concurrence.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 227, as follows:

An Act to further amend the fifth section of an act entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fifth section of an act entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof "approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) which was last amended by an act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred eight) entitled "An Act to further amend the fifth section of an act entitled 'An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof' approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes" is hereby further amended to read as follows

Section 5 The register of wills of each and every county containing over one hundred fifty thousand inhabitants in which a separate orphans' court is or may be hereafter established shall be clerk of such orphans' court and subject to its direction and in all matters pertaining to his office The judge or judges of said court in counties containing a population of less than seven hundred thousand may appoint the first assistant clerk and the said register of wills may with the consent and approval of said court appoint additional assistant clerks said clerks shall receive annual salaries payable monthly by the treasurer of said respective counties as follows to wit In counties of the first and second class the first assistant four thousand dollars the second assistant three thousand and the third assistant twenty-three hundred dollars AND IN COUNTIES OF THE THIRD CLASS the first assistant thirty-five hundred dollars the second assistant twenty-five hundred dollars AND THE THIRD ASSISTANT TWENTY-ONE HUNDRED DOLLARS and in counties of the fourth class the first assistant twenty-five hundred dollars the second assistant two thousand dollars and the third assistant fourteen hundred dollars the annual salaries of all other assistants to be fixed by the judge or judges of the said court but said annual salaries not to exceed two thousand dollars each in counties of the first and second class EIGHTEEN HUNDRED DOLLARS EACH IN COUNTIES OF THE THIRD CLASS and twelve hundred dollars each in counties of the fourth class which salaries shall be paid out of the fees of said office paid into the treasury of the county upon bills attested by said register and countersigned by a judge of said court But in the event that the fees received in said office of register of wills be not sufficient to fully pay the register and his assistants then payment shall be made in full to the said register of wills but to his assistants in manner as follows namely where there are more

than one assistant then the balance of fees remaining to the credit of said office of register of wills shall be divided among each of said assistants in proportion as his salary shall stand to the whole

Section 2 That all acts and part of acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Albert,	Flynn,	Lauver,	Schwartz,
Alexander,	Fowler, A. I.,	Long,	Shambach,
Allman,	Fowler, D.,	Lucas,	Sheridan,
Anderson,	Frazier,	Ludlow,	Smith, G. A.,
Armstrong,	Gallaher,	Mack,	Smith, H. J.,
Arthur,	Gelder,	MacKinney,	Smith, H.,
Aston,	Gibbon,	Mangan,	Smith, J. W.,
Baker,	Gilchrist,	Marshall, W. F.,	Sowers,
Baldi,	Glasgow,	McBride,	Speiser,
Beaver,	Goehring,	McCaig,	Sprowls,
Behney,	Golder,	McCann,	Stark,
Bell, F. A.,	Gorham,	McClure,	Staudenmeier,
Bell, W. T.,	Goss,	McCurdy,	Stavitski,
Bentley,	Greeby,	McDaniel,	Steedle,
Berger,	Griffith,	McDermott,	Sterling,
Betts,	Grimes,	McGowan,	Stevens, A. J.,
Blair,	Gundy,	McVicar,	Stevens, A. F.,
Blumberg,	Haas,	Minehart,	Stofflet,
Boback,	Haines,	Moffatt,	Stoner,
Brenneman,	Hall,	Moore,	Storb,
Brewster,	Harer,	Morrison,	Storer,
Bromley,	Haslett,	Munley,	Thomas, L. D.,
Brown,	Haws,	Myers, G. C.,	Thomas, M. G.,
Burns,	Henderson,	Nolte,	Thompson,
Bush,	Hetrick,	O'Boyle,	Van Alen,
Chaplin,	Heyburn,	Ogle,	Vickerman,
Clutton,	Himes,	Orr,	Walker,
Coldsmith,	Holcombe,	Parkinson,	Weamer,
Conner,	Hontz,	Peelor,	Wells,
Craig,	Hoover,	Perry,	Wettach,
de Young,	Horne,	Pitts,	Wheeler,
Diehm,	Howell,	Posey,	Whiteman,
Dietz,	Huber,	Post,	Williams, G. W.,
Dilsheimer,	Irvin,	Price,	Williams, J. M.,
Donahue,	Johnson,	Raymond,	Woner,
Driggs,	Jones, C. B.,	Richards,	Wood, N.,
Dunn,	Jones, D. J.,	Rinn,	Wood, W. P.,
Eaches,	Jones, E. P.,	Rippman,	Wright,
Earley,	Keene,	Sample,	Zook,
Edmonds,	Kennedy,	Sarig,	Goodnough,
Eshelman,	Kohler,	Sautter,	Speaker.
Evans, B. P.,	Korns,	Schaeffer,	
Evans, J.,	Kunkle,	Schleiter,	
Fields,	Labar,	Schoener,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 373, as follows:

An Act to amend an act approved June fifteenth one thousand nine hundred and eleven (Pamphlet Laws nine hundred and fifty-five) entitled "An Act making State taxes unpaid bonus interest penalties and all public accounts a first lien upon the franchise and property of corporations companies associations joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof and repealing section four of the act approved April sixteenth one thousand eight hundred and twenty-seven" by extending its provisions to include individuals and providing for attorneys' commissions making such commissions part of said claim and giving such commissions and costs the same priority as said taxes bonus interest and penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an Act approved June fifteenth one thousand nine hundred and eleven (Pamphlet Laws nine hundred and fifty-five) entitled "An Act making State taxes unpaid bonus interest penalties and all public accounts a first lien upon the franchise and property of corporations, companies associations joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof and repealing section four of the act approved April sixteenth one thousand eight hundred twenty-seven" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all State taxes imposed under the authority of any law of this Commonwealth now existing or that may hereafter be enacted and unpaid bonus interest penalties and all public accounts settled against any individual corporation company association joint-stock associations or limited partnership shall be a first lien upon the franchise and property both real and personal of such individual corporation company association joint-stock association or limited partnership from the date when they are settled by the Auditor General or by the Auditor General and State Treasurer

Whenever such taxes bonus interest penalties and public accounts are not paid within sixty (60) days from the date of their settlement as aforesaid and no appeal has been taken from such settlement in the method provided by law the Auditor General may employ counsel without the approval of the Attorney General to collect the same and such counsel is authorized and directed to add to such claim for taxes bonus interest penalties and other public accounts and collect from such individual corporation company association joint-stock association or limited partnership for the purpose of compensating such counsel so employed a commission based on the amount collected at the following rates viz ten per centum on the first five hundred dollars ($500) five per centum on the next two thousand dollars ($2,000) and two and one-half per centum on any amount in excess of two thousand five hundred dollars ($2,500) which commissions together with costs shall have the same priority and lien as said taxes bonus interest penalties and other public accounts and shall be paid by such individual corporation company association joint-stock association or limited partnership Provided however that the Auditor General shall not so employ counsel until after he shall first have given ten days' notice in writing of his intention so to do to such individual corporation company association joint-stock association or limited partnership and whenever the franchise or property of an individual corporation company association joint-stock association or limited partnership shall be sold at a judicial sale and in all case of assignment or bankruptcy the auditor general shall have like powers in the appointment of counsel for the collection of all taxes interest bonus penalites and public accounts due the Commonwealth and all such taxes interest bonus penalties and public accounts due the Comonwealth together with an attorney's commission as above provided and costs shall first be allowed and paid out of the proceeds of such sale before any judgment mortgage or any other claim or lien against such individual corporation company association joint-stock association or limited partnership

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albert,	Fratt,	Ludlow,	Schaeffer,
Alexander,	Frazier,	Lynch,	Schleiter,
Allman,	Gallaher,	Mack,	Schoener,
Anderson,	Gelder,	MacKinney,	Schwartz,
Armstrong,	Gibbon,	Mangan,	Shambach,
Arthur,	Gilchrist,	Marshall, W. F.,	Sheridan,
Aston,	Glasgow,	McBride,	Smith, H. J.,
Baker,	Goehring,	McCaig,	Smith, H.,
Baldi,	Golder,	McCann,	Smith, J. W.,
Beaver,	Goss,	McClure,	Soffel,
Behney,	Greeby,	McCurdy,	Sowers,

Bell, F. A.,	Griffith,	McDaniel,	Speiser,
Bell, W. T.,	Grimes,	McDermott,	Stark,
Bentley,	Guerin,	McGowan,	Staudenmeier,
Berger,	Haas,	McKim,	Stavitski,
Betts,	Haines,	McVicar,	Steedle,
Bidelspacher,	Hall,	Metcalf,	Sterling,
Blair,	Harter,	Minehart,	Stevens, A. J.,
Bluett,	Haslett,	Moffatt,	Stevens, A. F.,
Blumberg,	Haws,	Moore,	Stoner,
Brenneman,	Heffran,	Morrison,	Storb,
Brewster,	Henderson,	Munley,	Storer,
Bromley,	Hetrick,	Myers, G. C.,	Thomas, L. D.,
Brown,	Heyburn,	Myers, P. M.,	Thomas, M. G.,
Brownmiller,	Himes,	Nolte,	Thompson,
Bush,	Hollis,	O'Boyle,	Van Alen,
Chaplin,	Hontz,	Ogle,	Vickerman,
Clutton,	Horne,	Orr,	Walker,
Coldsmith,	Howell,	Parkinson,	Weamer,
Conner,	Huber,	Patterson,	Wells,
de Young,	Irvin,	Peelor,	Wettach,
Diehm,	Johnson,	Perry,	Wheeler,
Dilsheimer,	Jones, C. B.,	Pitts,	Whitehouse,
Dunn,	Jones, D. J.,	Posey,	Whiteman,
Eaches,	Jones, E. P.,	Post,	Williams, G. W.,
Earley,	Keene,	Price,	Williams, J. M.,
Edmonds,	Kennedy,	Raymond,	Woner,
Eshelman,	Kohler,	Rhodes,	Wood, W. P.,
Evans, B. P.,	Kunkle,	Richards,	Wright,
Evans, J.,	Labar,	Rinn,	Zook,
Flinchbaugh,	Lafferty,	Rippman,	Goodnough,
Flynn,	Little,	Sample,	Speaker.
Fowler, A. I.,	Long,	Sarig,	
Fowler, D.,	Lucas,	Sautter,	

NAYS—1.

Wood, N.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calender by Mr. WHITEMAN,

The House resumed the consideration on final passage of House Bill No. 374, entitled:

An Act to amend Section one of an Act approved June first one thousand nine hundred and seven (Pamphlet Laws three hundred and eighty-three) entitled "An Act regulating the collection of taxes and other claims and demands due the Commonwealth and providing for six per centum interest thereon and an attorney's commission"

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—179.

Albert,	Fowler, D.,	Labar,	Sarig,
Anderson,	Fratt,	Lauver,	Sautter,
Armstrong,	Frazier,	Little,	Schaeffer,
Arthur,	Gallaher,	Long,	Schleiter,
Aston,	Gelder,	Lucas,	Schoener,
Baker,	Gibbon,	Ludlow,	Schwartz,
Baldi,	Gilchrist,	Mack,	Sheridan,
Beaver,	Golder,	MacKinney,	Smith, G. A.,
Behney,	Gorham,	Mangan,	Smith, H. J.,
Bell, F. A.,	Goss,	Marshall, J. G.,	Smith, H.,
Bell, W. T.,	Greeby,	Marshall, W. F.,	Smith, J. W.,
Bentley,	Griffith,	Mathay,	Sowers,
Betts,	Grimes,	McBride,	Speiser,
Bidelspacher,	Guerin,	McCaig,	Sprowls,
Blair,	Gundy,	McCann,	Stark,
Blumberg,	Haas,	McClure,	Staudenmeier,
Boback,	Haines,	McCurdy,	Stavitski,
Brenneman,	Hall,	McDaniel,	Steedle,
Brewster,	Harer,	McDermott,	Sterling,
Bromley,	Harter,	McKim,	Stevens, A. J.,
Brown,	Haslett,	McVicar,	Stevens, A. F.,
Brownmiller,	Haws,	Metcalf,	Stoner,
Burchinal,	Heffran,	Minehart,	Storb,
Burns,	Henderson,	Moffatt,	Storer,
Bush,	Hetrick,	Moore,	Thomas, L. D.,
Clutton,	Heyburn,	Morrison,	Thomas, M. G.,
Coldsmith,	Himes,	Munley,	Thompson,
Coyne,	Holcombe,	Myers, G. C.,	Van Alen,
Craig,	Hollis,	Myers, P. M.,	Vickerman,
de Young,	Hontz,	Nolte,	Walker,
Diehm,	Hoover,	O'Boyle,	Weamer,
Dietz,	Horne,	Ogle,	Wells,
Dilsheimer,	Howell,	Orr,	Wettach,
Donahue,	Huber,	Parkinson,	Wheeler,
Driggs,	Irvin,	Peelor,	Whitehouse,
Dunn,	Johnson,	Perry,	Whiteman,
Eaches,	Jones, C. B.,	Pitts,	Williams, G. W.,
Earley,	Jones, D. J.,	Posey,	Williams, J. M.,
Edmonds,	Jones, E. P.,	Post,	Woner,
Evans, B. P.,	Keene,	Price,	Wood, N.,
Evans, J.,	Kelly,	Raymond,	Wood, W. P.,
Fields,	Kennedy,	Rhodes,	Wright,
Flinchbaugh,	Kohler,	Richards,	Zook,
Flynn,	Korns,	Rippman,	Goodnough,
Fowler, A. I.,	Kunkle,	Sample,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows, viz:

HOUSE BILL No. 37.

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania

HOUSE BILL No. 132.

An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class

HOUSE BILL No. 208.

An Act to amend section two of the act approved the thirteenth day of March, one thousand eight hundred and fifteen, (P. L. 150), entitled "An Act concerning divorces," as amended; authorizing prothonotaries and clerks of the Court of Common Pleas to take affidavits to petitions and libels; and validating prior proceedings in which such affidavits were taken.

HOUSE BILL No. 233.

An Act to quiet the title to real estate; and to enable citizens of the United States, and corporations authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

HOUSE BILL No. 76.

An Act to amend sections 5 and 10 of the Act approved the 19th day of April, A. D. 1901, (P. L. 88), entitled "An Act relating to replevin, and regulating the practice in cases where the writ of replevin is issued."

With information that the Senate has passed the same without amendment.

SENATE MESSAGE.

AMENDMENTS TO SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the

House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 67.

An Act to further amend section four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred ninety-five) entitled "An Act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented propriety or trade-mark stock and poultry-food possessing nutritive value combined with medical properties defining concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuff sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similiar adulterants providing for the collecton of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expense of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled 'An Act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven" as amended fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs

BILLS ON THIRD READING.

Mr. McVICAR. Mr. Speaker, on Page 5 of today's calendar, under the caption of Bills on Third Reading Postponed, is House Bill No. 411, file folio 543, which I desire to call up.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 411, entitled:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending and consolidating the laws relating thereto."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Albert,	Fields,	Little,	Schaeffer,
Alexander,	Flinchbaugh,	Long,	Schleiter,
Allman,	Fowler, D.,	Lucas,	Schoener,
Anderson,	Fratt,	Ludlow,	Schwartz,
Armstrong,	Frazier,	Lynch,	Shambach,
Arthur,	Gallaher,	Mack,	Smith, G. A.,
Asbury,	Gelder,	MacKinney,	Smith, H. J.,
Aston,	Gibbon,	Marcus, J. C.,	Smith, H.,
Baker,	Gilchrist,	Marshall, W. F.,	Smith, J. W.,
Baldi,	Goehring,	Mathay,	Sowers,
Behney,	Golder,	McBride,	Speiser,
Bell, F. A.,	Gorham,	McCaig,	Stark,
Bell, W. T.,	Goss,	McCann,	Staudenmeier,
Bentley,	Greeby,	McClure,	Stavitski,
Berger,	Griffith,	McCurdy,	Steedle,
Betts,	Grimes,	McDaniel,	Sterling,
Blair,	Guerin,	McDermott,	Stevens, A. J.,
Bluett,	Gundy,	McGowan,	Stevens, A. F.,
Blumberg,	Haines,	McKim,	Stofflet,
Boback,	Hall,	McVicar,	Stoner,
Brenneman,	Harer,	Metcalf,	Storb,
Brewster,	Haslett,	Miller,	Storer,
Bromley,	Haws,	Minehart,	Thomas, L. D.,
Brown,	Heffran,	Moffatt,	Thomas, M. G.,
Brownmiller,	Henderson,	Moore,	Thompson,
Burns,	Hetrick,	Morrison,	Van Alen,
Bush,	Himes,	Munley,	Vickerman,
Chaplin,	Holcombe,	Myers, G. C.,	Walker,
Clutton,	Hollis,	Myers, P. M.,	Weamer,
Coldsmith,	Hontz,	Nolte,	Wettach,
Conner,	Horne,	O'Boyle,	Wheeler,
Craig,	Howell,	Ogle,	Whitehouse,
de Young,	Huber,	Orr,	Whiteman,
Diehm,	Irvin,	Parkinson,	Williams, G. W.,
Dietz,	Jones, C. B.,	Patterson,	Williams, J. M.,
Dilsheimer,	Jones, D. J.,	Peelor,	Woner,
Donahue,	Jones, E. P.,	Perry,	Wood, N.,
Driggs,	Keene,	Pitts,	Wood, W. P.,
Dunn,	Kennedy,	Posey,	Wright,
Eaches,	Kohler,	Post,	Zook,
Earley,	Korns,	Price,	Goodnough,
Edmonds,	Kunkle,	Raymond,	Speaker.
Eshelman,	Labar,	Richards,	
Evans, B. P.,	Lafferty,	Rippman,	
Evans, J.,	Lauver,	Sample,	

NAYS—0.

The majority required by the Contsitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 61, entitled:

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred and ninety-three, (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases;" authorizing a married women to mortgage her real property without the joinder of her husband.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. GUERIN. Mr. Speaker, I move that this bill be placed on the postponed calendar.

Mr. ARTHUR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 259, entitled:

An Act relating to the drainage of wet and spouty lands by providing for the construction of surface or under drains over lands owned by others

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LUDLOW. Mr. Speaker, I should like to ask the sponsor of this bill to explain just what its purpose is. Apparently it gives the right of eminent domain for taking a private property, extending the rights of drains from one man's land to another. It is a very serious question and I wonder whether the sponsor would like to explain that to us.

Mr. BEHNEY. Mr. Speaker, and members of the House, this bill is really a re-enactment of an existing statute passed in 1863. That statute applies, however, only to certain counties. It has a proviso clause stating that in its application, it applies only, I think to eight separate counties. It has been tried in the counties and no objection has been raised to it. Its purpose is to restore to agriculture waste or marsh lands. Situations have arisen, and I have one in

my own county, where the engineers of State College came and suggested the means of going ahead whereby a man could restore approximately 8 or 10 acres for agricultural purposes. He was prevented, by reason of the expense, from going ahead and reaching the stream. But if he could go over the immediately adjoining piece of property, at a small expense, his result could have been obtained. The purpose is to restore agricultural lands to their proper use. The proceeding is comparatively simple for the fixing of the damages to the injured owner. The damages must be ascertained and must be paid before he will cross or be permitted to build his drain over the other man's land. The measure, as I see it, is fair, equitable and just, because if a man does not maintain his drain, it provides that it shall be abated or destroyed.

I do not know whether I have answered Mr. Ludlow, or is there something further that I can answer?

Mr. LUDLOW. That answers my question and I am obliged to the gentleman from Lebanon county, Mr. Behney.

On the question recurring,

Shall the bill pass finally?

and nays were taken and were as follows, viz:

Agreeably to the provisions of the Constitution, the yeas

YEAS—152.

Albert,	Earley,	Johnson,	Post,
Alexander,	Edmonds,	Jones, C. B.,	Raymond,
Allman,	Evans, B. P.,	Jones, D. J.,	Rhodes,
Anderson,	Evans, J.,	Jones, E. P.,	Richards,
Arthur,	Fields,	Keene,	Rippman,
Baker,	Flinchbaugh,	Kohler,	Sample,
Baldi,	Fowler, A. I.,	Korns,	Sautter,
Beaver,	Fowler, D.,	Kunkle,	Schoener,
Behney,	Frazier,	Labar,	Schwartz,
Bell, F. A.,	Gallaher,	Little,	Shambach,
Bell, W. T.,	Gelder,	Lucas,	Smith, H. J.,
Bentley,	Gibbon,	Ludlow,	Smith, J. W.,
Berger,	Gilchrist,	Lynch,	Spangler,
Betts,	Glasgow,	MacKinney,	Speiser,
Bidelspacher,	Goehring,	Malie,	Stark,
Blair,	Golder,	Marcus, J. C.,	Staudenmeier,
Bluett,	Gorham,	Marshall, W. F.,	Stevens, A. J.,
Blumberg,	Goss,	Mathay,	Stevens, A. F.,
Boback,	Greeby,	McBride,	Stoner,
Brenneman,	Griffith,	McCaig,	Storb,
Brewster,	Grimes,	McClure,	Storer,
Bromley,	Guerin,	McCurdy,	Thomas, L. D.,
Brown,	Haas,	McDaniel,	Thomas, M. G.,
Brownmiller,	Haines,	McDermott,	Walker,
Burchinal,	Hall,	Metcalf,	Weamer,
Burns,	Harer,	Millar,	Wells,
Bush,	Haslett,	Minehart,	Wheeler,
Chaplin,	Haws,	Moffatt,	Whiteman,
Clutton,	Heffran,	Moore,	Williams, G. W.
Coldsmith,	Henderson,	Morrison,	Williams, J. M.
Conner,	Hetrick,	Munley,	Woner,
Craig,	Heyburn,	Myers, G. C.,	Wood, N.,
de Young,	Himes,	Myers, P. M.,	Wood, W. P.,
Diehm,	Holcombe,	Nolte,	Wright,
Dietz,	Hollis,	O'Boyle,	Zook,
Dilsheimer,	Hontz,	Ogle,	Goodnough,
Donahue,	Hoover,	Parkinson,	Speaker.
Driggs,	Howell,	Patterson,	
Dunn,	Huber,	Pitts,	
Eaches,	Irvin,	Posey,	

NAYS—11.

Horne,	Miller,	Price,	Thompson,
Kelly,	Orr,	Schaeffer,	Wettach,
McVicar,	Peelor,	Stavitski,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 471, as follows:

An Act to amend sections one two as amended and three of an act approved the twenty-fourth day of April one thousand eight hundred and eighty-five (Pamphlet Laws nine) entitled "An act to amend an act entitled 'An act to provide for the destruction and to prevent the spread of Canada thistles' approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty-two" extending the provisions of said act to cichorium intybus the weed commonly known as chickory or succory

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-fourth day of April one thousand eight hundred and eighty-five (Pamphlet Laws nine) entitled "An act to amend an act entitled 'An act to provide for the destruction and to prevent the spread of Canada thistles' approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty-two" is hereby amended to read as follows

Section 1 That from and after the passage of this act it shall be the duty of every person or persons and of every corporation holding land or lands in any county or counties of this Commonwealth either by lease or otherwise on which any Canada thistles or weeds commonly known as Canada thistles or cichorium intybus the weed commonly known as chickory or succory may be growing to cut the same so as to prevent such weeds from going to seed and the seed of the same from ripening and every person or persons or corporation as aforesaid who shall or may have land as aforesaid and who shall neglect or refuse to comply with the provisions of this act shall forfeit and pay a fine of fifteen dollars to the treasurer of the school district in which such land may be situated to be recovered the same as debts of like amount are now by law recoverable

Section 2 That section two of said act as amended by an act approved the twelfth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred twenty-four) entitled "An Act to amend section two of an act approved the twenty-second day of March one thousand eight hundred sixty-two (Pamphlet Laws one hundred sixty-four) entitled 'An Act to provide for the destruction and to prevent the spread of Canada thistles as amended" is hereby further amended to read as follows

Section 2 That section two of said act is hereby amended to read as follows

Section 2 That if any person or persons or corporation so holding lands as aforesaid on which any Canada thistles or the weeds commonly known as such or cichorium intybus the weed commonly known as chickory or succory shall be growing and likely to ripen seed thereon shall neglect or refuse to cut and destroy the same so as to prevent the seed thereof from ripening it shall and may be lawful for any person or persons who may consider themselves aggrieved or about to be injured by such neglect or refusal to inform by written notice any constable or supervisor of the township or district in which the said weeds may be growing whose duty it shall then be to give five days notice in writing to such person or persons or corporation to cut and destroy such weeds and on their neglect or refusal to cut and destroy the same at the end of five days it shall be the duty of the officer giving such notice to enter upon such premises with such other person or persons as he may employ and cut down and destroy such weeds and the said officer or other persons so employed shall be entitled to recover from such person or persons or corporation owning or holding land as aforesaid compensation for necessary man labor horse labor and machinery at the same rate as paid by the township or district for similar work on the roads and the officer serving such notice shall likewise be entitled to a fee of fifty cents together with six cents mileage for each mile circular necessarily traveled to be recovered as debts of like amount before any justice or court in said counties

Section 3 That section three of said act is hereby amended to read as follows

Section 3 It shall be the duty of the supervisor or supervisors of the public roads or highways in every township or district as aforesaid to cut and destroy in the same manner all such weeds on or along such roads and in case of unseated or mountain lands whenever it shall come to the knowledge of either the supervisor or constable of the existence of any such weeds thereon it shall be his duty to notify the owner or owners or agents of said lands in writing giving ten days' notice to cut and destroy the same as aforesaid and upon failure

to comply at the end of ten days such officer or any person or persons employed by him shall proceed in the manner hereinbefore provided with like fees and compensation and if any such constable or supervisor shall neglect or refuse to perform his duties as prescribed by this act he shall be liable to a fine of ten dollars the same to be sued for and recovered as aforesaid by the party or parties aggrieved or about to be injured by such neglect or refusal

And said bill having been read at lenght the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Albert,	Fields,	Lucas,	Schaeffer,
Alexander,	Flinchbaugh,	Ludlow,	Schleiter,
Allman,	Fowler, A. I.,	Lynch,	Schoener,
Anderson,	Fowler, D.,	MacKinney,	Schwartz,
Armstrong,	Fratt,	Mangan,	Shambach,
Arthur,	Frazier,	Marcus, J. C.,	Smith, G. A.,
Aston,	Gallaher,	Marshall, W. F.,	Smith, H. J.,
Baker,	Gelder,	Mathay,	Smith, H.,
Beaver,	Gibbon,	McBride,	Smith, J. W.,
Behney,	Gilchrist,	McCalg,	Soffel,
Bell, F. A.,	Glasgow,	McCann,	Sowers,
Bell, W. T.,	Goehring,	McClure,	Spangler,
Bentley,	Golder,	McCurdy,	Speiser,
Betts,	Gorham,	McDaniel,	Stark,
Bidelspacher,	Goss,	McDermott,	Staudenmeier,
Blair,	Greeby,	McGowan,	Stavitski,
Bluett,	Griffith,	McKim,	Steedle,
Blumberg,	Grimes,	McVicar,	Sterling,
Boback,	Gundy,	Metcalf,	Stevens, A. J.,
Brenneman,	Haas,	Miller,	Stevens, A. F.,
Brewster,	Haines,	Minehart,	Stoner,
Bromley,	Hall,	Moffatt,	Storb,
Brown,	Harer,	Moore,	Storer,
Brownmiller,	Haslett,	Morrison,	Thomas, L. D.,
Burchinal,	Haws,	Munley,	Thomas, M. G.,
Burns,	Heffran,	Myers, G. C.,	Van Alen,
Bush,	Henderson,	Myers, P. M.,	Vickerman,
Chaplin,	Hetrick,	Nolte,	Walker,
Clutton,	Heyburn,	O'Boyle,	Weamer,
Coldsmith,	Himes,	Ogle,	Wells,
Conner,	Holcombe,	Orr,	Wettach,
Coyne,	Hollis,	Patterson,	Wheeler,
Craig,	Hoover,	Peelor,	Whitehouse,
de Young,	Horne,	Perry,	Whiteman,
Diehm,	Howell,	Pitts,	Williams, G. W.,
Dietz,	Huber,	Posey,	Williams, J. M.,
Dilsheimer,	Irvin,	Post,	Woner,
Donahue,	Johnson,	Price,	Wood, N.,
Driggs,	Jones, C. B.,	Rhodes,	Wood, W. P.,
Dunn,	Jones, D. J.,	Richards,	Wright,
Eaches,	Jones, E. P.,	Rinn,	Zook,
Earley,	Kelly,	Rippman,	Goodnough,
Edmonds,	Kennedy,	Sample,	Speaker.
Eshelman,	Kohler,	Sarig,	
Evans, B. P.,	Little,	Sautter,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 472, as follows:

An Act to amend sections five and six of the act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and eighty-four) entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax" by requiring all dealers and venders to keep accurate books of account and empowering the appraisers to examine the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and eighty-four) entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax" is hereby amended to read as follows

Section 5 It shall be the duty of each vender of or dealer in goods wares and merchandise to keep a book or a set of books in which shall be entered a complete and truthful record of all business transacted and which shall be open to inspection by the mercantile appraiser Such venders and dealers shall fill up the blank prepared as beforesaid by the Auditor General and return the same to the mercantile appraiser of the proper county within ten days from the date of the receipt thereof with an affidavit certifying to the correctness of the return so made If any vender of or dealer in goods wares and merchandise refuses to make a return as required by this act to the mercantile appraiser when requested so to do it shall be the duty of the mercantile appraiser to report the same immediately to the county treasurer whereupon it shall be the duty of the county treasurer to require the owner or business manager to appear before him in person with the books and accounts of his mercantile establishment for interrogation and examination and the county treasurer shall have power to issue subpoenas and attachments to be served by any constable or sheriff and to compel the attendance of the owner or any clerk bookkeeper or officer connected with said business to produce such books and papers as he may deem expedient to secure the information necessary to ascertain and fix the amount of business transacted during the calendar year preceding that for which a mercantile license tax is to be paid After the county treasurer has ascertained from the best evidence that can be secured the amount or volume of business transacted during the calender year preceding that to which the license is to be issued he shall settle an account in the usual mode against the owner or owners of such establishments for the amount of mercantile tax due under the classification hereinbefore provided If any vender or dealer shall fail to keep a complete record of all business transacted herein provided or if any such person shall wilfully make or cause to be made any false entry in such record or refuse to permit a mercantile appraiser to examine such record or if the owner proprietor or any other person connected with the business who is subpoenaed refuses to produce the books and papers and appear before the county treasurer for the purpose of giving the information required by this act of Assembly he shall be liable to a penalty of one thousand dollars to be collected in the manner provided by law The county treasurer shall settle an account against the owner or owners so neglecting or refusing to make the report as aforesaid and a certified copy of said settlement shall be fowarded to the vender of or dealer in goods wares or merchandise which settlement when so made shall be subject to appeal for thirty days from the date thereof and if not appealed from within that time it shall be final and conclusive If an appeal is not taken as hereinbefore provided within the period authorized by law it shall be the duty of the county treasurer of the proper county to proceed to collect the amount due as mercantile taxes are in other cases collected

Section 2 That section six of said act is hereby amended to read as follows

Section 6 It shall be the duty of each mercantile appraiser appointed under the provisions of this act to forward by mail at least ten days prior to date when he makes a personal visit to the place of business of every person whom he is required by law to ascertain and assess a blank prepared for distribution by the Auditor General as hereinbefore provided It shall be the further duty of the mercantile appraisers after mailing the blank as hereinbefore provided in the several cities and counties of this State personally to visit the store or other place of business of every vender of or dealer in goods wares and merchandise and at the time of such visit to require each vender or dealer to make a return under oath or affirmation of the goods sold for the preceding calendar year on the blank fowarded and he is hereby empowered to examine the books and records kept by such vender or dealer and to administer an oath or affirmation for the purpose herein required If the mercantile appraiser is dissatisfied with the return so made by the vender or dealer he shall ascertain and assess the mercantile license tax according to the classifica-

tion so made He shall also leave a written or printed notice to be prepared and furnished by the Auditor General specifying the classification and amount of license money to be paid by such person to this State and also the time and place when and where an appeal will be held as required by law The appeal shall be held by the county treasurer acting in conjunction with the mercantile appraiser at such date as shall conform with law in all counties except where there is a board of mercantile appraisers in which case the board shall hear all appeals Any vender or dealer subject to the provisions of this act who is dissatisfied with the rating so made by the mercantile appraiser shall have the right of appeal to the mercantile appraiser and county treasurer who are required to hear him on the day so fixed for the appeal if the vender or dealer is still dissatisfied with the finding of the county treasurer and mercantile appraiser or board of appraisers in reference to the proper classification of said vender or dealer he shall have the right of appeal to the court of common pleas of the proper county which appeal the said court is required to hear and determine within twenty days after such appeal shall be taken or at the next sitting thereof If any person fails to attend the appeal before the county treasurer and mercantile appraiser board of appraisers or the court he shall not thereafter be permitted in a suit for the recovery of said mercantile license tax to set up as a defense either that he is not a vender of or dealer in goods wares or merchandise or any other ground of defense which might have been heard and determined either by said county treasurer and mercantile appraiser board of appraisers or the court of common pleas on appeal as aforesaid

On the question,

Will the House agree to the bill on third reading?

Mr. BURCHINAL. Mr. Speaker and members of the House, I wish to say a few words on Bill No. 472, file folio 881. This in no way affects the farmer, it only affects those who come under the mercantile tax. I have had a little opposition to this bill on account of the small merchants. Some members feel that a small merchant should not be compelled to keep a book I believe that anyone who is in business should be compelled to keep some record of their business. He cannot file an income tax report, he does not know the condition of his business and if he should break up, no better how small the business, there is a certain expense put upon the public. The requirements are small to keep a book of sales, which would always be necessary under this law. If he don't keep the proper kind of books, if he don't have such a book, he may be paying too much tax, he may be paying perhaps twice as much as he should pay, he would have no records, and the consequence is he don't know what he has to pay.

In talking to the Attorney General about this bill, he cited instances where the bill was necessary. In fact he told of a case that he knew of where an Italian confectioner had been assessed at $3000.00. The merchantile appraiser got sick and the next year sent his stenographer there to appraise the man and he appraised him at $30,000.00. He never said a word and had he appraised him at $50,000.00 he probably would not have said a thing because he was doing $50,000.00 worth of business. The State is losing thousands of dollars in taxes because people will not pay the tax as they should, and honest people should be protected. Honest people are paying this tax and the dishonest people are not. Personally I am in favor of the repeal of the mercantile tax law, but if it is to remain a law let everyone pay that tax. I feel that this bill should be passed.

Mr. DILSHEIMER. Mr. Speaker, ladies and gentlemen of this House, at the present time, we have a system in the city of Philadelphia under which each and every storekeeper who has to pay mercantile tax is put under oath for the amount of tax he has to pay. I say, as far as this bill is concerned, it would be a hardship on every small storekeeper. Of course, we have got any amount of them who don't keep books, they are not bookkeepers, and they cannot afford to pay a bookkeeper. I think if a man wants to be dishonest and defraud the mercantile appraiser he can do so whether he is keeping books or whether he is put under oath. I don't think it is right for us to put any more hardship on any small business house, no matter where it is located in any part of this Commonwealth. We must place trust in the honesty of each and every individual. As long as a man is put under oath we expect him to be honest and bookkeeping don't make him anymore honest. Gentlemen, I say this is just another bill which harrasses business in general. I think we should stamp this bill with our disapproval and vote against it for the protection of the poorer class of people.

Mr. SARIG. Mr. Speaker and members of the House, as I understand the language of this bill, it would require every merchant to make an entry every time he sells an article, and if this bill is to mean that a confectioner, for instance, every time he sells a penny's worth of candy must make a record of it, then I am opposed to this bill. If on the other hand, the intent of the bill is that the business man simply shall at the end of the day empty his drawer and take a total of the day's receipts and keep a record of that, then I have no objection to this bill, but I feel that it should be a part of the record as to what the intent and purpose of this bill is. The way the thing stands now, I interpret it as meaning that every article that would be sold would have to be recorded and a record kept. Now, take a man, for instance, that has a small place of business, a man who sells candy, every time he sells a penny's worth of candy he must go and make a record. It seems to me that if that is the intent, the thing is ridiculous, but if this bill, and I think it ought to be so clearly stated in the bill, if this bill simply means that at the end of the day's business the man shall empty his drawer and take account of his business and enter that up on the books, then I have no objection to it. I feel that that point should be clarified before we vote on this bill. Either it should be amended or the consideration of the bill should go in as part of the record so that there shall be no dispute as to what the intent and meaning of the bill is.

Mr. BURCHINAL. Mr. Speaker, I want to state that the intent of this bill is not that every penny's worth of goods that is sold must be put down at the instant; the intent of the bill is that a sales book must be kept. There is no other way that a merchant can tell the amount of his sales unless he keeps a record of his business at the end of the day or he has no way of knowing what he has done that day. If he enter it in the book, at the end of the year he knows what his sales are and that is what he bases his tax on.

I would like to interrogate the gentleman from Philadelphia, Mr. Dilsheimer.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Dilsheimer permit him self to be interrogated?

Mr. DILSHEIMER. With pleasure.

The SPEAKER. The gentlemen will proceed.

Mr. BURCHINAL. Mr. Dilsheimer, how could any merchant make a proper income tax report without any record of his business?

Mr. DILSHEIMER. In other words, we have got any amount of storekeepers in the city of Philadelphia who are not even able to keep books and their income tax work has had to be done by the different banks of which they are depositors.

Mr. BURCHINAL. Then they have no way to tell whether they are making a correct report or not?

Mr. DILSHEIMER. They are generally under oath, as I stated before. Even on the income tax they are under

oath and we must rely on people when they take an oath. Bookkeeping does not make anyone more honest. If a man chooses to be dishonest he can be dishonest in bookkeeping as well as he can under oath.

Mr. BURCHINAL. Can he make any mistakes under oath?

Mr. DILSHEIMER. He can make an innocent mistake under oath the same as he can in ookkeeping.

Mr. BURCHINAL. But there is no way to check over his business.

Mr. DILSHEIMER. There is no other way to check, we must rely on their oath.

Mr. BURCHINAL, Do you know, Mr. Dilsheimer, that there is a ruling of the Treasury Department that the failure to keep books in no way excuses the merchant or anyone coming under the income tax law?

Mr. DILSHEIMER. The ruling is not a law.

Mr. BURCHINAL. This will make it a law.

Mr. DILSHEIMER. Then you mean to say that any storekeeper who is compelled under your act to keep books, it is more reliable than what it is at the present time when a man is under oath. In other words, under your bill he is not put under oath. Now, I think—

Mr. BURCHINAL. Did you read the bill Mr. Dilsheimer?

Mr. DILSHEIMER. I did. Mr. Speaker, ladies and gentlemen, I want to say again we must place some reliance in the individual. I believe today the majority of the individuals want to be just and fair and honest. I believe the more legislation we pass here, and put burdens on the individuals the more dishonest we make them. I say to you now the State, to my estimation, on the average gets all it is entitled to. If a man wants to be dishonest, bookkeeping will never make him honest. It is only an additional burden on the individual and additional expense. As I said before, there is any amount of storekeepers who cannot afford to pay a bookkeeper to run a set of books. Furthermore, we have any amount of storekeepers who are not capable of keeping a set of books, and they have a right to make a respectable and honest living. I think we are duty-bound to protect their rights and not pass such legislation where they are not hamstrung and where they are protected by law. Ladies and gentlemen, I say to you the less legislation we pass of such character the better it is for us all. I ask you in all fairness to vote this bill down.

Mr. BURCHINAL. The gentleman from Philadelphia said there was no oath in this bill. On page 4, line 25 it says "to administer an oath or affirmation for the purpose herein required"; that is in the bill. I don't think the keeping of a sales book requires more than ten minutes at the end of the day to put down these entries and in the small business it probably would not require that long. It is a very small thing for a man to have some check on his books, some check on his business. If he doesn't, he does not know what time he may go under and this will help that man to be a better business man. I think the bill ought to be passed.

Mr. EACHES. Mr. Speaker, I desire to interrogate the gentleman from Fayette, Mr. Burchinal.

The SPEAKER. Will the gentleman from Fayette, Mr. Burchinal, permit himself to be interrogated.

Mr. BURCHINAL. Yes sir, Mr. Speaker.

The SPEAKER. The gentlemen will proceed.

Mr. EACHES. Would not the gentleman think that the penalty for a man who would make a mistake unintentionally that he is liable to a fine of $1000.00 would be severe.

Mr. BURCHINAL. It may be severe but it is simply the penalty that is now in the law requiring the merchant to show his books to the mercantile tax appraisers. He has the right to appeal, and I don't think any such penalty would be enforced unless it would be on some fellow who practiced fraud in his mercantile tax which is large, and I think it ought to be in his case.

Mr. EACHES. Would it not be possible for a small dealer with such a severe penalty as that in it to be put out of business, such as a butcher, a baker or man of that character.

Mr. BURCHINAL. Well, it would probably if it could be properly brought out in Court and decided that way, but I do not think such a thing would happen.

Mr. McCURDY. Mr. Speaker, I wish to say a word in opposition to this bill. I feel that the present laws which we have today are embarrassing enough for all the merchants in this Commonwealth. Any merchant who has any business worth while does keep books, and if he is honest he will not hesitate to display his books to the proper officer, while if he is dishonest and has no regard for his oath, he will not hesitate to make false statements in the book. Therefore, I feel that this bill is unnecessary and will not accomplish any good thing, but it will embarrass the poor widows and old soldiers who have a little business by making them employ a book-keeper, or else scare them out of business. Now, they engage in this busines so that they may earn a livelihood and maintain their independence and not become objects of charity and be sent to the poorhouse.

You know a merchant is antagonized in more than one way. The merchant today pays more taxes than any other person on the face of our land. He pays his mercantile tax, his city taxes, property taxes, and he has to pay special tax for certain things he sells. Why embarrass the people any more? I feel that the present laws cover every emergency and that this is superfluous legislation.

Mr. CHAPLIN. Mr. Speaker, I believe that this bill should be referred back to the Ways and Means Committee because I believe that the gross receipts should be incorporated in this bill, as the income tax returns, as well as the merchantile tax, are based on the gross receipts. Regarding details or itemized accounts that is not in this bill, and I believe that it should be recommitted for that purpose. Therefore, I move that this bill be recommitted to the Ways and Means Committee for the purpose of amendment.

Mr. CHARLES B. JONES. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—67.

Albert,	Diehm,	Kelly,	Sample,
Alexander,	Earley,	Kunkle,	Smith, G. A.,
Armstrong,	Evans, J.,	Lauver,	Smith, J. W.,
Aston,	Frazier,	Ludlow,	Spangler,
Behney,	Gallaher,	MacKinney,	Stark,
Bentley,	Gelder,	Marshall, J. G.,	Stevens, A. F.,
Bidelspacher,	Gibbon,	Marshall, W. F.,	Thomas, L. D.,
Blair,	Goss,	McDaniel,	Thompson,
Blumberg,	Grimes,	McVicar,	Van Alen,
Brown,	Henderson,	Moffatt,	Vickerman,
Burchinal,	Himes,	Morrison,	Whitehouse,
Bush,	Hoover,	Ogle,	Whiteman,
Chaplin,	Horne,	Peelor,	Williams, G. W.,
Clutton,	Irvin,	Pitts,	Woner,
Coldsmith,	Jones, C. B.,	Posey,	Wood, N.,
Conner,	Jones, D. J.,	Raymond,	Goodnough,
Craig,	Jones, E. P.,	Richards,	Speaker.

NAYS—123.

Allman,	Glasgow,	Long,	Rippman,
Anderson,	Goehring,	Lucas,	Sarig,
Arthur,	Golder,	Lynch,	Sautter,
Baker,	Gorham,	Mack.	Schaeffer,
Baldi,	Greeby,	Mangan,	Schleiter,
Bell, F. A.,	Griffith,	Marcus, J.,	Schoener,
Bell, W. T.,	Guerin,	Marcus, J. C.,	Schwartz,
Berger,	Gundy,	McBride,	Shambach,
Betts,	Haas,	McCaig,	Sheridan,
Bluett,	Haines,	McCann,	Smith, H. J.,
Boback,	Hall,	McClure,	Smith, H.,
Brenneman,	Harer,	McCurdy,	Sowers,
Brewster,	Harter,	McDermott,	Speiser,
Bromley,	Haslett,	McGowan,	Sprowls,
Brownmiller,	Haws,	McKim,	Staudenmeier,
Burns,	Heffran,	Metcalf,	Stavitski,
Coyne,	Hetrick,	Millar,	Steedle,
de Young,	Heyburn,	Minehart,	Sterling,
Dietz,	Holcombe,	Moore,	Stevens, A. J.,
Dilsheimer,	Hollis,	Munley,	Stoner,
Donahue,	Hontz,	Myers, G. C.,	Storb,
Driggs,	Howell,	Myers, P. M.,	Storer,
Eaches,	Huber,	Nolte,	Walker,
Edmonds,	Johnson,	O'Boyle,	Weamer,
Eshelman,	Keene,	Orr,	Wells,
Evans, B. P.,	Kennedy,	Parkinson,	Wettach,
Fields,	Kohler,	Patterson,	Wheeler,
Flinchbaugh,	Korns,	Post,	Williams, J. M.,
Flynn,	Labar,	Price,	Wood, W. P.,
Fowler, A. I.,	Lafferty,	Rhodes,	Wright,
Fratt,	Little,	Rinn,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 481, (Senate Bill No. 95), entitled:

An Act for the prevention of fraud and the protection of the public health relating to milk, cream or skimmed-milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated, prohibiting the introduction of foreign fats into them, regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Albert,	Fields,	Lauver,	Rinn,
Alexander,	Fowler, A. I.,	Little,	Sample,
Allman,	Fratt,	Long,	Sarig,
Anderson,	Frazier,	Lucas,	Sautter,
Arthur,	Gallaher,	Ludlow,	Schleiter,
Asbury,	Gelder,	Lynch,	Schoener,
Aston,	Gibbon,	Mack,	Schwartz,
Baker,	Gilchrist,	MacKinney,	Shambach,
Beaver,	Glasgow,	Mangan,	Smith, G. A.,
Behney,	Goehring,	Marshall, J. G.,	Smith, H. J.,
Bell, F. A.,	Gorham,	Marshall, W. F.,	Smith, H.,
Bell, W. T.,	Goss,	McBride,	Smith, J. W.,
Bentley,	Greeby,	McCaig,	Sowers,
Berger,	Griffith,	McCann,	Speiser,
Bidelspacher,	Grimes,	McClure,	Sprowls,
Blair,	Guerin,	McCurdy,	Stark,
Bluett,	Haines,	McDaniel,	Staudenmeier,
Blumberg,	Hall,	McDermott,	Stavitski,
Boback,	Harter,	McKim,	Stevens, A. J.,
Brenneman,	Haslett,	Metcalf,	Stevens, A. F.,
Brewster,	Haws,	Millar,	Stoner,
Bromley,	Heffran,	Miller,	Storb,
Brown,	Henderson,	Minehart,	Storer,
Brownmiller,	Hetrick,	Moffatt,	Thomas, L. D.,
Burchinal,	Heyburn,	Moore,	Thomas, M. G.,
Burns,	Himes,	Morrison,	Thompson,
Bush,	Holcombe,	Munley,	Van Alen,
Chaplin,	Hollis,	Myers, G. C.,	Walker,
Clutton,	Hontz,	Myers, P. M.,	Weamer,
Coldsmith,	Hoover,	Nolte,	Wells,
Conner,	Horne,	O'Boyle,	Wettach,
Craig,	Howell,	Ogle,	Wheeler,
de Young,	Huber,	Orr,	Whitehouse,
Diehm,	Irvin,	Parkinson,	Whiteman,
Dietz,	Johnson,	Patterson,	Williams, G. W.,
Dilsheimer,	Jones, C. B.,	Peelor,	Williams, J. M.,
Donahue,	Jones, D. J.,	Perry,	Woner,
Driggs,	Jones, E. P.,	Pitts,	Wood, N.,
Dunn,	Keene,	Posey,	Wood, W. P.,
Eaches,	Kelly,	Post,	Wright,
Earley,	Kennedy,	Price,	Zook,
Edmonds,	Kunkle,	Raymond,	Goodnough,
Eshelman,	Labar,	Rhodes,	Speaker.
Evans, B. P.,	Lafferty,	Richards,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 426, as follows:

An Act to amend section thirty of an act approved June first one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section thirty of an Act approved June first one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" is hereby amended to read as follows

Section 30 That in the settlement by the Auditor General and State Treasurer of all accounts for taxes due the Commonwealth they shall charge interest upon the amount of tax or balance or balances found due the Commonwealth at the rate of twelve per centum per annum from thirty days after the time said taxes or balances become due and payable to the time of the settlement of the same and all balances due the Commonwealth on accounts settled by the Auditor General and State Treasurer shall bear interest from sixty days after date of settlement at the rate of twelve per centum per annum until the same are paid and any judgment recovered thereon except where appeals have been taken from settlements made by the Auditor General or by the Auditor General and State Treasurer shall bear interest at the rate of twelve per centum per annum until paid and where one or more resettlements have been made the balances finally found to be due the Commonwealth on such accounts shall bear interest at the rate of twelve per centum per annum from sixty days after the date of the first or original settlement and the payment of interest as aforesaid shall not relieve any corporation from any of the penalties or commissions prescribed by law for neglect or refusal to furnish reports to the Auditor General or to pay any claim due to the Commonwealth from such corporation Provided That the Auditor General shall first have sent to such corporation a statement of the amount due

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Albert,	Flynn,	Little,	Sautter,
Alexander,	Fowler, A. I.,	Long,	Schaeffer,

Anderson,	Gallaher,	Lucas,	Schleiter,
Armstrong,	Gelder,	Ludlow,	Schoener,
Arthur,	Gibbon,	Mack,	Schwartz,
Aston,	Gilchrist,	MacKinney,	Shambach,
Baker,	Glasgow,	Marcus, J. C.,	Smith, G. A.,
Beaver,	Goehring,	Marshall, J. G.,	Smith, H. J.,
Behney,	Golder,	Marshall, W. F.,	Smith, H.,
Bell, F. A.,	Gorham,	McBride,	Smith, J. W.,
Bell, W. T.,	Goss,	McCaig,	Speiser,
Bentley,	Greeby,	McCann,	Sprowls,
Berger,	Griffith,	McClure,	Stark,
Bidelspacher,	Grimes,	McCurdy,	Staudenmeier,
Blair,	Gundy,	McDermott,	Stavitski,
Bluett,	Haas,	McKim,	Steedle,
Blumberg,	Hall,	Metcalf,	Stevens, A. J.,
Brenneman,	Harer,	Miller,	Stevens, A. F.,
Brewster,	Harter,	Minehart,	Stoner,
Bromley,	Haws,	Moffatt,	Storb,
Brown,	Heffran,	Moore,	Storer,
Brownmiller,	Henderson,	Morrison,	Thomas, L. D.,
Burchinal,	Hetrick,	Munley,	Thomas, M. G.,
Bush,	Himes,	Myers, G. C.,	Thompson,
Chaplin,	Holcombe,	Myers, P. M.,	Vickerman,
Clutton,	Hollis,	Myers,	Walker,
Coldsmith,	Hontz,	Nolte,	Weamer,
Conner,	Hoover,	O'Boyle,	Wells,
Craig,	Horne,	Ogle,	Wettach,
de Young,	Howell,	Orr,	Wheeler,
Diehm,	Huber,	Parkinson,	Whiteman,
Dietz,	Irvin,	Patterson,	Williams, G. W.
Dilsheimer,	Johnson,	Peelor,	Williams, J. M.,
Donahue,	Jones, C. B.,	Perry,	Woner,
Driggs,	Jones, D. J.,	Pitts,	Wood, N.,
Dunn,	Jones, E. P.,	Posey,	Wood, W. P.,
Eaches,	Keene,	Post,	Wright,
Earley,	Kelly,	Price,	Zook,
Edmonds,	Kennedy,	Raymond,	Goodnough,
Evans, B. P.,	Kohler,	Richards,	Speaker.
Evans, J.,	Korns,	Rinn,	
Fields,	Kunkle,	Rippman,	
Flinchbaugh,	Lauver,	Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 389, entitled:

An Act to amend chapter six, article twenty, section three, of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve), entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—171.

Albert,	Evans, B. P.,	Labar,	Rippman,
Alexander,	Evans, J.,	Lauver,	Sample,
Allman,	Fields,	Little,	Sautter,
Anderson,	Flinchbaugh,	Long,	Schaeffer,
Armstrong,	Flynn,	Lucas,	Schleiter,
Arthur,	Fowler, A. I.,	Ludlow,	Schwartz,
Aston,	Fowler, D.,	Lynch,	Shambach,
Baker,	Fratt,	Mack,	Smith, G. A.,
Beaver,	Frazier,	MacKinney,	Smith, H. J.,
Behney,	Gallaher,	Mangan,	Smith, H.,
Bell, F. A.,	Gibbon,	Marcus, J. C.,	Smith, J. W.,
Bell, W. T.,	Goehring,	Marshall, J. G.,	Speiser,
Bentley,	Golder,	Marshall, W. F.,	Sprowls,
Betts,	Gorham,	McBride,	Stark,
Bidelspacher,	Goss,	McCaig,	Staudenmeier,
Blair,	Greeby,	McCann,	Stavitski,
Bluett,	Griffith,	McClure,	Steedle,
Blumberg,	Grimes,	McCurdy,	Stevens, A. J.,
Boback,	Guerin,	McDaniel,	Stevens, A. F.,
Brenneman,	Gundy,	McDermott,	Stoner,
Brewster,	Haas,	McKim,	Storb,
Bromley,	Haines,	McVicar,	Storer,
Brown,	Hall,	Miller,	Thomas, L. D.,
Brownmiller,	Harter,	Minehart,	Thomas, M. G.,
Burns,	Haws,	Moffatt,	Thompson,
Bush,	Heffran,	Moore,	Van Alen,
Chaplin,	Henderson,	Morrison,	Vickerman,
Clutton,	Hetrick,	Munley,	Walker,
Coldsmith,	Himes,	Myers, G. C.,	Weamer,
Conner,	Holcombe,	Myers, P. M.,	Wells,
Coyne,	Hoover,	Nolte,	Wettach,
Craig,	Horne,	O'Boyle,	Wheeler,
de Young,	Howell,	Ogle,	Whitehouse,
Diehm,	Huber,	Parkinson,	Whiteman,
Dietz,	Irvin,	Patterson,	Williams, G. W.
Dilsheimer,	Johnson,	Peelor,	Williams, J. M.,
Donahue,	Jones, C. B.,	Perry,	Woner,
Driggs,	Jones, D. J.,	Pitts,	Wood, N.,
Dunn,	Jones, E. P.,	Posey,	Wood, W. P.,
Eaches,	Keene,	Post,	Wright,
Earley,	Kennedy,	Price,	Zook,
Edmonds,	Kohler,	Raymond,	Goodnough,
Eshelman,	Kunkle,	Richards,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 470, entitled:

An Act to amend sections one and two of the act approved the twenty-third day of June, one thousand nine hundred and seventeen, (P. L. 639), entitled "An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment, and providing a system of control and administration for the distribution thereof," extending said act to cities of the second class.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. VICKERMAN. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Joseph C. Marcus, permit himself to be interrogated?

Mr. JOSEPH C. MARCUS. Yes, sir, Mr. Speaker.

Mr. VICKERMAN. Mr. Speaker, I would like to ask the sponsor of this bill to explain its purpose.

Mr. JOSEPH C. MARCUS. Mr. Speaker, the purpose of this bill is to give the city councils in cities of the second class the same powers and rights that councils in cities of the first class have. The councils in the city of Philadelphia have the right to make appropriations for the destitute families of convicts. If this bill should pass, it would mean that the act would include cities of the second class, and give to the councils in the cities of the second class the same powers to make these appropriations in these particular cases.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—171.

Albert,	Fowler, D.,	Lynch,	Schaeffer,
Alexander,	Frazier,	Mack,	Schleiter,
Allman,	Gelder,	MacKinney,	Schoener,

Anderson,	Gibbon,	Marcus, J. C.,	Schwartz,
Armstrong,	Gilchrist,	Marshall, J. G.,	Shambach,
Arthur,	Glasgow,	Marshall, W. F.,	Sheridan,
Baker,	Goehring,	McBride,	Smith, G. A.,
Baldi,	Golder,	McCaig,	Smith, H. J.,
Beaver,	Gorham,	McCann,	Smith, H.,
Behney,	Greeby,	McClure,	Smith, J. W.,
Bell, F. A.,	Griffith,	McCurdy,	Sowers,
Bell, W. T.,	Grimes,	McDaniel,	Speiser,
Bentley,	Guerin,	McDermott,	Sprowls,
Berger,	Gundy,	McGowan,	Stark,
Bidelspacher,	Haas,	McKim,	Staudenmeier,
Blair,	Hall,	Metcalf,	Staviski,
Bluett,	Heffran,	Miller,	Steedle,
Blumberg,	Henderson,	Minehart,	Sterling,
Brenneman,	Hetrick,	Moffatt,	Stevens, A. J.,
Brewster,	Himes,	Moore,	Stevens, A. F.,
Bromley,	Holcombe,	Morrison,	Stoner,
Brown,	Hollis,	Munley,	Storb,
Burchinal,	Hontz,	Myers, G. C.,	Storer,
Burns,	Hoover,	Myers, P. M.,	Thomas, L. D.,
Bush,	Horne,	Nolte,	Thomas, M. G.,
Chaplin,	Howell,	O'Boyle,	Van Alen,
Clutton,	Huber,	Ogle,	Vickerman,
Coldsmith,	Irvin,	Orr,	Walker,
Craig,	Johnson,	Parkinson,	Weamer,
de Young,	Jones, D. J.,	Patterson,	Wells,
Diehm,	Jones, E. P.,	Peelor,	Wettach,
Dilsheimer,	Keene,	Perry,	Wheeler,
Donahue,	Kelly,	Pitts,	Whitehouse,
Driggs,	Kennedy,	Posey,	Whiteman,
Eaches,	Kohler,	Post,	Williams, G. W.,
Earley,	Korns,	Price,	Williams, J. M.,
Edmonds,	Kunkle,	Rhodes,	Woner,
Eshelman,	Lafferty,	Richards,	Wood, N.,
Evans, B. P.,	Lauver,	Rinn,	Wood, W. P.,
Evans, J.,	Little,	Rippman,	Wright,
Fields,	Long,	Sample,	Zook,
Flynn,	Lucas,	Sarig,	Goodnough,
Fowler, A. L.,	Ludlow,	Sautter,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 449, entitled:

An Act to amend paragraph one, section five, of the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, (P. L. 73), entitled, "An Act to provide for the incorporation and regulation of certain corporations," as amended; changing the effect of the by-laws of corporations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—126.

Albert,	Dietz,	Howell,	Ogle,
Alexander,	Dilsheimer,	Huber,	Orr,
Allman,	Driggs,	Irvin,	Patterson,
Armstrong,	Eaches,	Johnson,	Pitts,
Arthur,	Earley,	Jones, C. B.,	Posey,
Aston,	Edmonds,	Jones, D. J.,	Richards,
Baker,	Eshelman,	Jones, E. P.,	Sarig,
Beaver,	Evans, B. P.,	Keene,	Sautter,
Behney,	Evans, J.,	Kohler,	Schwartz,
Bell, F. A.,	Fields,	Korns,	Shambach,
Bell, W. T.,	Flinchbaugh,	Kunkle,	Smith, G. A.,
Bentley,	Fratt,	Labar,	Speiser,
Berger,	Frazier,	Lauver,	Stark,
Bidelspacher,	Gallaher,	Little,	Staudenmeier,
Blair,	Gelder,	Lucas,	Steedle,
Bluett,	Gibbon,	Mack,	Sterling,
Blumberg,	Gilchrist,	Marcus, J. C.,	Stoffiet,
Boback,	Glasgow,	Marshall, W. F.,	Stoner,
Brenneman,	Gorham,	Mathay,	Thomas, L. D.,
Brewster,	Greeby,	McCaig,	Thomas, M. G.,
Bromley,	Griffith,	McClure,	Walker,
Brown,	Grimes,	McCurdy,	Weamer,
Brownmiller,	Haas,	McDaniel,	Wells,
Burchinal,	Hall,	McDermott,	Williams, G. W.,
Bush,	Harter,	McKim,	Wood, N.,
Chaplin,	Haslett,	Millar,	Wood, W. P.,
Clutton,	Heffran,	Minehart,	Wright,
Coldsmith,	Henderson,	Moore,	Zook,
Coyne,	Hetrick,	Munley,	Goodnough,
Craig,	Himes,	Myers, P. M.,	Speaker.
de Young,	Hollis,	Nolte,	
Diehm,	Horne,	O'Boyle,	

NAYS—14.

Anderson,	Parkinson,	Rhodes,	Stavitski,
Flynn,	Peelor,	Rinn,	Thompson,
Holcombe,	Post,	Rippman,	
Kennedy,	Raymond,	Sample,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 75, as follows:

An Act to further amend section five of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act amending section five of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May Anno Domini one thousand nine hundred and eleven by changing the manner of appointment and of determining the number duties and compensation of clerks and other assistants" approved the fourteenth day of May one thousand nine hundred and fifteen by changing the manner of fixing the compensation of clerks and other assistants directing same to be fixed by the salary board of which the president-judge of said court shall constitute a member when such salaries are fixed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An act amending section five of an act entitled 'An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven by changing the manner of appointment and of determining the number duties and compensation of clerks and other assistants" approved the fourteenth day of May Anno Domini one thousand nine hundred and fifteen is hereby amended to read as follows

Section 5 The prothonotary of Allegheny county shall be the clerk of the court hereby created and shall assume and perform all of the duties of clerk thereof At each place designated for the holding of said court there shall be established an office in charge of a clerk or clerks appointed by the prothonotary with the approval of the majority of the judges of said court who shall have the custody of the seal to be kept in such place as well as of the docket of the court and of all papers pertaining to the business of the court at such place The number duties and compensation of said clerks to be fixed by a majority of the judges of said court and such compensation to be paid out of the treasury of Allegheny county in the manner in which other county expenses are now paid by law All other necessary assistants shall be appointed by a majority of the judges of said court and their number duties and compensation shall be fixed by a majority of the judges of said court and their compensa-

tion shall be paid out of the treasury of Allegheny county in the manner in which other county expenses are now paid by law

Provided however That the compensation of clerks and assistant clerks other than court clerks and assistant court clerks shall be fixed by the salary board and shall be paid out of the treasury of Allegheny county in the manner in which other county expenses are now paid by law The president judge of the said court shall constitute a member of the salary board when such salaries are to be fixed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as folows, viz:

YEAS—161.

Albert,	Flinchbaugh,	Long,	Smith, G. A.,
Alexander,	Flynn,	Lucas,	Smith, H. J.,
Allman,	Fowler, A. I.,	Ludlow,	Smith, H.,
Anderson,	Frazier,	Lynch,	Smith, J. W.,
Arthur,	Gallaher,	Mack,	Sowers,
Aston,	Gibbon,	Mangan,	Spangler,
Baker,	Gilchrist,	Marcus, J.,	Speiser,
Beaver,	Glasgow,	Marcus, J. C.,	Sprowls,
Behney,	Goehring,	Marshall, J. G.,	Stark,
Bell, F. A.,	Golder,	Marshall, W. F.,	Staudenmeier,
Bell, W. T.,	Goss,	Mathay,	Stavitski,
Bentley,	Greeby,	McBride,	Steedle,
Berger,	Griffith,	McCaig,	Sterling,
Betts,	Grimes,	McClure,	Stevens, A. J.,
Bidelspacher,	Haas,	McCurdy,	Stofflet,
Bluett,	Haines,	McDermott,	Stoner,
Blumberg,	Hall,	McKim,	Storb,
Boback,	Harer,	Millar,	Thomas, L. D.,
Brenneman,	Harter,	Minehart,	Thomas, M. G.,
Brewster,	Haslett,	Moffatt,	Thompson,
Bromley,	Heffran,	Moore,	Van Alen,
Brown,	Hetrick,	Munley,	Vickerman,
Brownmiller,	Heyburn,	Myers, G. C.,	Walker,
Chaplin,	Himes,	Myers, P. M.,	Weamer,
Clutton,	Holcombe,	O'Boyle,	Wells,
Coldsmith,	Hollis,	Ogle,	Wettach,
Conner,	Hoover,	Patterson,	Wheeler,
Coyne,	Horne,	Peelor,	Whitehouse,
Craig,	Howell,	Perry,	Whiteman,
de Young,	Huber,	Posey,	Williams, G. W.,
Diehm,	Irvin,	Price,	Williams, J. M.,
Dietz,	Johnson,	Raymond,	Woner,
Dilsheimer,	Jones, C. B.,	Rhodes,	Wood, N.,
Donahue,	Jones, D. J.,	Richards,	Wood, W. P.,
Driggs,	Kelly,	Rinn,	Wright,
Eaches,	Kennedy,	Rippman,	Zook,
Earley,	Kohler,	Sample,	Goodnough,
Edmonds,	Korns,	Sarig,	Speaker.
Eshelman,	Kunkle,	Schoener,	
Evans, B. P.,	Labar,	Schwartz,	
Evans, J.,	Lafferty,	Shambach,	
Fields,	Little,	Sheridan,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 450, entitled:

An Act to further amend clause three, section one of an act approved the eighth day of May, one thousand eight hundred and fifty-four (Pamphlet laws six hundred forty-four), entitled, "A further supplement to the act entitled, 'An Act concerning divorces'" as amended by taking away the right of support or alimony in certain cases.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RHODES. Mr. Speaker and members of the House, this bill in my opinion is unnecessary and unwarranted. The privilege at the present time is given in cases of this kind for the Court to pass upon the matter of alimony, and I, feel personally that that power should be retained by the Courts. The methods of getting a divorce in the state of Pennsylvania have been made very easy and one of the most flexible grounds of divorce is that of cruel and barbarous treatment. It seems to me that the wife should have some protection on grounds of that kind, when they have been alleged by the husband. I think that the bill is pernicious and I think that the power should be retained by the courts to pass upon the question of alimony to the wife. I feel personally that if you take this away from the courts you are handicapping the woman who, while she may be guilty of cruel and barbarous treatment under the act still should be compensated in some way for the separation between herself and her husband. As I said before, cruel and barbarous treatment is a very flexible ground for divorce, and if from the evidence the master and courts shall conclude to give the divorce upon that ground still sometimes there are extenuating circumstances which would entitle the wife to alimony after the divorce has been granted. Therefore, I personally feel that the power should be retained by the courts to pass upon this matter.

Mr. MATHAY. Mr. Speaker and members of the House, this bill would wipe out the provisions for alimony only in actions of divorce brought by the husband on the grounds of cruel and barbarous treatment by the wife. As the law stands today, the courts have the right to allow alimony, but the courts get around that proposition by making a decree in such cases, allowing alimony of $1.00 a year.

That is a subterfuge. It means nothing to the woman, a dollar a year, and in my experience in Philadelphia county I have never seen one case where a woman in our county has been allowed a substantial amount of alimony. This is one of the old things in the divorce law handed down to us, and it has no place in the law today. If it was a substantial amount of alimony, if the act said "shall" allow alimony, I would not put this bill in, but the act of 1895 says "may" and the courts of Philadelphia county invariably get around it by allowing one dollar a year. Therefore, why have the subterfuge? Wipe it off the books. That is the reason I put this bill in.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the ayes and nays were taken.

Mr. RHODES. Mr. Speaker, I asked that the roll be verified.

The roll was verified as follows:

YEAS—115.

Alexander,	Earley,	Kelly,	Schaeffer,
Allman,	Edmonds,	Kennedy,	Shambach,
Anderson,	Evans, J.,	Kohler,	Smith, H.,
Armstrong,	Fields,	Lafferty,	Smith, J. W.,
Arthur,	Fowler, D.,	Little,	Sowers,
Baker,	Frazier,	Long,	Spangler,
Behney,	Gallaher,	Lucas,	Speiser,
Bell, F. A.,	Gelder,	Ludlow,	Stark,
Bentley,	Gibbon,	Lynch,	Staudenmeier,
Berger,	Gilchrist,	Marcus, J.,	Steedle,
Bluett,	Glasgow,	Marcus, J. C.,	Sterling,
Blumberg,	Golder,	Marshall, W. F.,	Stoner,
Boback,	Goss,	Mathay,	Storb,
Bromley,	Greeby,	McDaniel,	Storer,
Brown,	Griffith,	McGowan,	Thomas, L. D.,
Burchinal,	Grimes,	McKim,	Thomas, M. G.,

Burns,	Hall,	Metcalf,	Thompson,
Bush,	Harer,	Millar,	Wells,
Chaplin,	Harter,	Moffatt,	Wettach,
Clutton,	Henderson,	Myers, P. M.,	Wheeler,
Coldsmith,	Hetrick,	Nolte,	Whitehouse,
Conner,	Heyburn,	Ogle,	Whiteman,
Coyne,	Himes,	Peelor,	Williams, G. W.,
Craig,	Holcombe,	Perry,	Woner,
Diehm,	Huber,	Pitts,	Wood, N.,
Dilsheimer,	Jones, C. B.,	Price,	Wood, W. P.,
Donahue,	Jones, D. J.,	Richards,	Wright,
Dunn,	Jones, E. P.,	Sample,	Goodnough,
Eaches,	Keene,	Sautter,	Speaker.

NAYS—62.

Albert,	Gorham,	McClure,	Schleiter,
Aston,	Gundy,	McCurdy,	Schoener,
Betts,	Haas,	McDermott,	Schwartz,
Bidelspacher,	Heffran,	Minehart,	Sheridan,
Blair,	Hollis,	Moore,	Smith, G. A.,
Brenneman,	Hontz,	Munley,	Smith, H. J.,
Brewster,	Hoover,	Myers, G. C.,	Stevens, A. J.,
Brownmiller,	Horne,	O'Boyle,	Stevens, A. F.,
Dietz,	Howell,	Orr,	Stofflet,
Driggs,	Irvin,	Patterson,	Vickerman,
Eshelman,	Johnson,	Post,	Walker,
Evans, B. P.,	Kunkle,	Raymond,	Williams, J. M.
Flinchbaugh,	Labar,	Rhodes,	Zook,
Flynn,	Lauver,	Rinn,	
Fowler, A. I.,	Mack,	Rippman,	
Goehring,	McBride,	Sarig,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, March 13, 1923.

Resolved, (if the Senate concur), That House Bill No. 25, Printers No. 11, entitled:

"An Act to validate deeds mortagages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of January one thousand nine hundred and twenty-three"

be recalled from the Governor for the purpose of amendment.

BILL INTRODUCED AND REFERRED.

The SPEAKER asked and obtained unanimous consent to refer a bill at this time that was introduced this morning.

Mr. SPANGLER. HOUSE BILL No. 713.

An Act to amend clause (f) of section one, article two, and section four of article five of an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation or abolition of the crossings of railroad corporations, street railway corporations or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, councel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commissions and to restrain such orders, subject to an appeal to the Supreme Court, prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act ,entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or association, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An Act to provde for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act," by providing that new tariffs and schedule shall not go into force until after the approval of the commission.

Referred to the Commission on Judiciary General.

BILL SIGNED BY SPEAKER.

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 67.

An Act to further amend section four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred ninety-five) entitled "An Act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade-mark stock and poultry-food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuff sold offered or exposed for sale in the State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expense of the enforcement of the law fixing penalties for its violation and repealing act unmber two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled "An Act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven" as amended fixing the amount of and providing for the collection of license fees for the sale of certain brands of feedings-stuffs

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows, viz:

HOUSE BILL No. 15.

An Act providing the method in which amendatory legislation shall be printed in the session laws and for the interpretation thereof

HOUSE BILL No. 179.

An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings where no legal or valid contract was entered into as required by law

HOUSE BILL No. 279.

An Act to amend section forty-one, paragraph (a) one of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitition of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries: the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphan's court in all matters relating to fiduciaries concerned with the estates of decedents," making bonds and certificates of poor districts legal investments for trust funds.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY THE SENATE.

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows, viz:

HOUSE BILL No. 297.

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania so as to permit the exemption from taxation of real and personal property owned occupied or used by any branch or post or camp of the Grand Army of the Republic the Spanish-American War Veterans the American Legion the Veterans of Foreign Wars and the Military Order of the Loyal Legion of the United States

HOUSE BILL No. 220.

An Act to amend section one hundred and one of an act approved May 18, 1911 (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith" as amended.

HOUSE BILL No. 364.

An Act relating to the recording of certificates of incorporation of domestic corporations providing for the recording of certified copies thereof in certain cases validating the recording of such certified copies heretofore recorded and making the record of such certified copies competent evidence for all purposes

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 51.

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 4, line 17, by striking out, after the word "within" the following: "one year after final determination of said amount by the Public Service Commission" and inserting in lieu thereof the following: "ninety days after the completion of said bridge"

Amend Section 4, line 21, by striking out after the word "recover" the following: "said amount", and inserting in lieu thereof, the following: "the amount due".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—143.

Albert,	Fields,	Lucas,	Sample,
Alexander,	Flinchbaugh,	Ludlow,	Schoener,
Allman,	Fowler, A. I.,	Lynch,	Schwartz,
Anderson,	Fowler, D.,	MacKinney,	Shambach,
Armstrong,	Frazier,	Mangan,	Smith, G. A.,
Arthur,	Gibbon,	Marshall, W. F.,	Smith, H. J.,
Aston,	Gilchrist,	Mathay,	Smith, H.,
Baker,	Gorham,	McCaig,	Smith, J. W.,
Beaver,	Greeby,	McCann,	Sowers,
Bell, W. T.,	Griffith,	McClure,	Spangler,
Bentley,	Guerin,	Metcalf,	Speiser,
Berger,	Haas,	McDermott,	Stark,
Bidelspacher,	Haines,	McKim,	Staudenmeier,
Blair,	Hall,	McVicar,	Steedle,
Bluett,	Harer,	Miller,	Stevens, A. J.,
Blumberg,	Harter,	Minehart,	Stevens, A. F.,
Boback,	Haws,	Moffatt,	Stoner,
Brewster,	Heffran,	Morrison,	Storb,
Bromley,	Henderson,	Myers, G. C.,	Thomas, L. D.,
Brown,	Hetrick,	Myers, P. M.,	Vickerman,
Burns,	Himes,	Nolte,	Walker,
Clutton,	Holcombe,	O'Boyle,	Weamer,
Coldsmith,	Hollis,	Ogle,	Wells,

Conner,	Hontz,	Orr,	Wettach,
Craig,	Hoover,	Parkinson,	Wheeler,
de Young,	Horne,	Patterson,	Whiteman,
Diehm,	Howell,	Peelor,	Williams, G. W.,
Dietz,	Huber,	Perry,	Williams, J. M.,
Dilsheimer,	Irvin,	Pitts,	Woner,
Donahue,	Jones, C. B.,	Posey,	Wood, N.,
Driggs,	Jones, D. J.,	Post,	Wood, W. P.,
Dunn,	Jones, E. P.,	Price,	Wright,
Eaches,	Kelly,	Raymond,	Zook,
Earley,	Kennedy,	Richards,	Goodnough,
Evans, B. P.,	Korns,	Rinn,	Speaker.
Evans, J.,	Kunkle,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

RECESS.

If there are no objections, the Chair will declare a recess until 4:30 o'clock this afternoon.

Whereupon, (at 1:45 P. M.) the House took a recess until 4:30 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:30 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 1. (House Bill No. 741).

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of one hundred millions of dollars for the improvement of the highways of the Commonwealth.

Refered to the Committee on Public Roads.

SENATE BILL No. 11. (House Bill No. 742).

An Act authorizing the Governor to appoint a commission to provide for the construction, erection and dedication of a memorial to Joseph T. Rothrock; and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 31. (House Bill No. 743).

An Act authorizing the Governor to appoint a Commission to provide for the construction erection and dedication in the city of Chester of a monument eto the memory of john Morton and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 53. (House Bill No. 744).

An Act fixing the per diem compensation of registry or assistant assessors in townships of the first class for the performance of election duties; and the method of ascertaining the number of days employed.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 98. (House Bill No. 745).

An Act to repeal an act approved the ninth day of April one thousand eight hundred and sixty-eight (Pamphlet Laws seventy-three) entitled " A supplement to an act relating to counties and townships and county and township officers approved April fifteenth one thousand eight hundred and thirty-four relating to public buildings"

Referred to the Committee on Counties and Townships.

SENATE BILL No. 100. (House Bill No. 746).

An Act to amend section ten of an act approved June 27, 1895, (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

Referred to the Committee on Judiciary General.

SENATE BILL No. 118. (House Bill No. 747).

An Act providing that the county controller shall be made a party defendant in all suits against any county.

Referred to the Committee on Judiciary General.

SENATE BILL No. 191. (House Bill No. 748).

An Act to amend section one of the act approved the seventh day of July, 1913 (P. L. 693) entitled "An Act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon as provided by Article 18, Section 1, of the Constitution."

Referred to the Committee on Public Roads..

SENATE BILL No. 194. (House Bill No. 749).

A supplement to an act approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal in**crease thereof," providing a procedure to incur or to increase indebtedness where the existing indebtedness is less than two** per centum but the amount to be incurred exceeds two per **centum of the assessed value of the taxable property; and providing that this act shall apply to pending proceedings.**

Referred to the Committee on Judiciary General.

SENATE BILL No. 131. (HOUSE BILL No. 750).

An Act validating certain proceedings and elections of counties cities boroughs townships school districts and other municipalities or incorporated districts had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 40. (HOUSE BILL No. 751).

An Act fixing the salary of the prothonotary in counties of the eighth class and providing for the payment of all fees and commissions into the county treasury.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 129. (HOUSE BILL No. 752).

An Act to amend sections five hundred and forty and five hundred and forty-one as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

Referred to the Committee on Education.

SENATE BILL No. 199. (HOUSE BILL No. 753).

An Act to exempt certain real estate of certain organizations of war veterans from taxation.

Referred to the Committee on Military.

SENATE BILL No. 263. (HOUSE BILL No. 754).

An Act to amend section one of an act approved the eighth day of May, one thousand nine hundred and nine (Pamphlet Laws, four hundred and seventy-five), entitled "An Act to provide that admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself without more operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth and to provide that disbarment or suspension of any attorney by the said Supreme Court shall of itself without more operate as a disbarment or suspension of such attorney as an attorney in every other court of this Commonwealth" as amended by requiring the approval of the local board of examiners to entitle attorneys-at-law to practice before the different courts.

Referred to Committee on Education.

BILL RE-REFERRED.

Mr. CONNER returned from the Committee on Counties and Townships, with the recommendation that it be referred to the Committee on Elections, House Bill No. 431, entitled:

An Act imposing an occupation tax, providing for the levy, assessment and collection of the same, providing for certain credits to be allowed thereon, imposing certain duties on county commissioners and judges of elections, and providing penalties.

The SPEAKER. The bill is now re-referred to the Committee on Elections.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 158.

An Act to amend sections sixteen twenty-six twenty-seven twenty-eight and twenty-nine of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry and changing the procedure for assessing damages done by dogs

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 6, line 4, by inserting after the word "and" the word "jointly".

Amend Section 2, page 6, line 5, by underscoring the word "jointly".

Amend Section 4, page 7, line 22, by striking out the word "such" and inserting in lieu thereof the word "each".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Albert,	Evans, J.,	Labar,	Raymond,
Alexander,	Fields,	Lafferty,	Richards,
Allman,	Flinchbaugh,	Lauver,	Rinn,
Anderson,	Fowler, A. I.,	Little,	Rippman,
Armstrong,	Fowler, D.,	Long,	Sample,
Arthur,	Frazier,	Lucas,	Sarig,
Aston,	Gallaher,	Ludlow,	Sautter,
Baker,	Gibbon,	Lynch,	Schaeffer,
Baldi,	Gilchrist,	Mack,	Schwartz,
Beaver,	Glasgow,	MacKinney,	Shambach,
Behney,	Goehring,	Malie,	Smith, G. A.,
Bell, F. A.,	Gorham,	Marcus, J. C.,	Smith, H. J.,
Bell, W. T.,	Goss,	Marshall, J. G.,	Smith, H.,
Bentley,	Greeby,	Marshall, W. F.,	Smith, J. W.,
Berger,	Griffith,	Mathay,	Spangler,
Bidelspacher,	Grimes,	McBride,	Sprowls,
Bluett,	Guerin,	McCaig,	Stark,
Blumberg,	Haines,	McCann,	Staudenmeier,
Boback,	Hall,	McClure,	Stavitski,
Brenneman,	Harer,	McCurdy,	Steedle,
Brewster,	Harter,	McDaniel,	Sterling,
Bromley,	Haslett,	McGowan,	Stevens, A. F.,
Brown,	Haws,	McKim,	Stoner,
Brownmiller,	Heffran,	McVicar,	Storer,
Burchinal,	Henderson,	Metcalf,	Thomas, L. D.,
Burns,	Hetrick,	Miller,	Thompson,
Bush,	Heyburn,	Minehart,	Van Alen,
Cnaplin,	Himes,	Moffatt,	Vickerman,
Clutton,	Holcombe,	Moore,	Walker,
Coldsmith,	Hontz,	Morrison,	Weamer,
Conner,	Hoover,	Munley,	Wells,
Craig,	Horne,	Myers, G. C.,	Wettach,
de Young,	Huber,	Nolte,	Wheeler,
Diehm,	Irvin,	O'Boyle,	Whitehouse,
Dietz,	Johnson,	Ogle,	Whiteman,
Dilsheimer,	Jones, C. B.,	Orr,	Williams, G. W.,
Driggs,	Jones, D. J.,	Parkinson,	Williams, J. M.,
Dunn,	Jones, E. P.,	Patterson,	Woner,
Eaches,	Keene,	Peelor,	Wood, N.,
Earley,	Kelly,	Perry,	Wood, W. P.,
Edmonds,	Kennedy,	Pitts,	Wright,
Eshelman,	Kohler,	Post,	Zook,
Evans, B. P.,	Korns,	Price,	Goodnough,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR.

Mr. HORNE. Mr. Speaker, I have a letter from the Governor relative to education and the adjustment on Educational matters which I would like to have spread in the Journal.

The SPEAKER. The communication will be spread upon the Journal.

Harrisburg, Pa., March 13, 1923.

On Tuesday, March 6th, I agreed to present today a revised and final estimate of what would be needed for public schools under the Edmonds Law as it stands, and under the Edmonds Law as modified in certain respects. In presenting these figures, I wish to have it clearly understood that I do so with the keenest interest in the schools and school children of Pennsylvania, and also with the belief that the matter of raising or not raising additional taxes to meet the needs of education is for the Legislature to determine. The figures I present today are submitted merely for the consideration of members of the General Assembly.

First as to the Edmonds Law unmodified:

Applications for appropriations from all of the 2604 school districts in Pennsylvania show that the sum required for the payments due August 1, 1923 will be $9,120,000. In estimating the sum required for the payments due February 1st and August 1st of 1924, it has been assumed that the

increase in teachers for the next school year will be substantially the same as the increase for the present year over the last one.

There were 47,215 teachers in 1921-22 and 49,539 in 1922-23. At the same rate of increase, there will be 51,872 in 1923-24. In 1921-22, the State provided $355 for each teacher. In 1922-23 it provided $368 per teacher, or an increase of $13. Adding this increase of $13 to the $368 per teacher for 1922-23 gives us $381 as the estimated average payment per teacher for the school year 1923-24. One-half of this sum, or roughly $190 is, therefore, the average amount the State must provide for each teacher for one of the payments for the school year 1923-24. Multiplying 51,872, the number of teachers, by $190, the estimated average payment per teacher, gives the total estimated amount of each of the payments as $9,855,680. This amount, therefore, must be provided for payments in February and August, 1924.

The indications are that the rate of increase in funds required will have reached its maximum during the year 1923-24. Thus, all school districts are now maintaining school for the full term required by law, and no marked net increase by the voluntary action of school districts is anticipated. The increase in the average daily attendance of enrolled pupils for the next few years will of necessity be slight, doubtless not over one percent on the average for each of the next five years, because the maximum attendance has already been brought about to normal by the enforcement of the school attendance laws. Furthermore, teachers holding non-standard certificates, of which there are about 11,000, will, it is estimated, all become entitled to standard certificates by September 1, 1927. The average which the State must pay per teacher per year toward these increased salaries is $60. Eleven thousand divided by 4 equals 2750, which, multiplied by sixty, gives $165,000 per year as necessary for this purpose.

There will, I am told, be no material increase in the number of teachers employed in fourth class districts. Such slight increase as can be expected will be due to the development of a few additional high schools in those districts; accordingly the increased funds required for the operations of the Edmonds Act will be narrowed down practically to the increased number of teachers employed in the first, second and third class districts, which include but one-half of the teaching force of the State.

Assuming a return to normal in the percentage of increase in teachers, it is estimated that the teacher population for 1924-25 will approximate 53,787. The amount which the State contributes toward the teacher ranges from $300 to $450. Taking into consideration the number of teachers employed in the various classes of districts, the length of term and the certificates held, it is estimated that the average amount per teacher which the State is required to pay cannot exceed $400 or $200 for each payment per year. Multiplying the number of teachers, 53,787, by $200, gives $10,757,400 as the estimated amount of the payment required on February 1, 1925. The foregoing estimates, made on the most reliable data available, show that the funds required to meet the payments under the Edmonds Law as it now reads during the next two years will probably be:

August, 1923, $9,120,000 (8.6% increase over August, 1922)

February, 1924, $9,855,680 (8% increase over August, 1923)

August, 1924, $9,855,680

February, 1925, $10,757,400 (9% increase over August, 1924)

Total, $39,588,760

Now, as to a possible modification of the Edmonds Law: The Edmonds Law has proved itself effective in accomplishing the purposes for which it was enacted. I believe, however, that certain facts about it should be given very careful consideration.

First, since the exact numbers and grades of teachers that will be employed cannot be foreseen for two years in advance, the sum that will be required cannot be definitely determined.

Second, the law prescribes that payments shall be made on the first days of February and August, or as soon thereafter as possible. The failure to pay promptly has resulted in great inconvenience to school districts and in much criticism.

Third, certain districts of very limited taxable resources cannot maintain the standards contemplated by the law without excessive taxation, while certain richer districts receive a larger share of State aid than their relative needs demand.

The applications for appropriations required to be filed on November 1st contain all the data upon which the amount of State aid to each district is calculated. They show the exact payments which will be due on the first days of February and August next, ensuing. All uncertainty as to the amounts needed would be removed if the appropriations made by each Legislature were based directly upon the actual payments required at the most advanced date for which definite facts are available. For the present Legislature, this would be for the payments due August 1, 1923.

If such a plan were adopted, the Legislature would appropriate $9,120,000, the amount payable August 1, 1923, for each of the four payments due within the next two years, or a total of $36,480,000.

The succeeding General Assembly would then take the amount payable August 1, 1925, which, at the time it meets, will be definitely known in advance, as the basis for the appropriations for the succeeding two years. Under this plan, if adhered to, deficits would be unknown and all uncertainty would be removed.

It should be said that at present the amount of the payment to each school district is corrected every year. The plan under discussion would provide for such correction upward once in two years, but downward every year for any district that reduced its standards. Each school district which increased its expenses in the second year (which would occur mainly, it is anticipated, in the richer city districts) would itself be required to meet the increase. In considering such a plan this fact should be balanced against the advantage of eliminating all doubt as to the exact amount of money required.

The admitted inequalities of the present law, which operate to the disadvantage of certain poorer districts, should be corrected. The main purpose of State aid, which is to equalize burdens of taxation, and therefore also educational opportunity, might well be more fully realized if some one of the possible modifications of the Edmonds Law such as the following were to be adopted:

First, that school districts having $50,000 or less of true valuation of taxables per teacher should be allowed 75% of the minimum teachers' salaries.

Second, that school districts having a true valuation of taxables per teacher ranging from $51,000 to $100,000 should be given 60% of the minimum teachers' salaries.

Third, that school districts having a true valuation of taxables per teacher ranging from $101,000 to $300,000 should keep their present allotments of 50 per cent and 35 per cent, as the case may be, unchanged.

Fourth, that school districts having a true valuation of taxables per teacher of more than $300,000 should receive 25% of the minimum teachers' salaries.

Under these modifications 1224 of the school districts would continue to receive the amounts now given them. Twelve hundred districts would receive an increase distributed as follows—278 of these districts would receive 75 per cent instead of 50 per cent, 899 would receive 60 per cent instead of 50 per cent, and 23 would receive 60 per cent instead of 35 per cent. Only 180 districts would receive less State aid than under the present plan. In other words, out of 2604 districts, 2424 would either receive the same or a greater amount than at present, and 180 would receive less. And these 180 districts all have valuations per teacher the same or greater than those now prevailing in the first class districts and hence are put on the same basis as these.

Such a modification of the Edmonds Law would result in the following changes in the apportionments to school districts:

To 4th class districts receiving 75%—an increase of		$337,413
To 3rd class districts receiving 60%—an increase of		223,385
To 4th class districts receiving 60%—an increase of		600,825
		1,161,623
To 2nd class districts receiving 25%—a decrease of	$66,155	
To 3rd class districts receiving 25%—a decrease of	179,470	

To 4th class districts receiving 25%—a decrease of	278,096	
Total decrease	523,721	523,721
Net increase per year		637,902
Net increase per biennium		1,275,804
The total appropriations required, therefore, under this proposed plan would be as follows:		
The four payments of $9,120,000 each or ..		$36,480,000
The amount required to meet net increases under proposed plan, ...		1,275,804
Total appropriations required for 1923-25 ..		37,755,804

In considering the above it should be remembered that every school board submits to the Superintendent of Public Instruction every year a statement of the assessed valuation of taxables per teacher in its district, together with a statement of what percentage of the true valuation this assessment represents. A three years' average of the assessment valuation per teacher thus reported and corrected is the basis for the foregoing figures.

If we can assume that present assessments, thus corrected, afford a basis of comparison, under the modification of the Edmonds Act just described more equitable distribution of State funds to school districts would be possible than under the law as it stands now. The total required under this amendment would be reduced from $39,588,760 to $37,755,804, a saving of $1,832,956, or 4.6 percent.

If any district complains or is complained against as unjustly classified on the basis of true tax valuation, it has been suggested that the matter be referred to the Public Service Commission. The border line cases subject to dispute would not, I am given to understand, be numerous, and the Council would not be required to make original investigations but to hear testimony and consequently would be put to no considerable additional expense.

The State Council of Education is now charged, under the law, with broad and effective powers in the establishment of the general policies of the State in educational affairs. It is specifically charged with the responsibility and authority to "equalize, through special appropriations for this purpose or otherwise, the educational advantages of the different parts of this Commonwealth." Therefore such additional responsibility as is here suggested would fall naturally within its province.

A part of the serious hardships following the failure of the State to pay the amounts due to the school districts on time results from the very large sums due and payable on February 1st and August 1st of each year. If these amounts were somewhat distributed, it would be possible to make definite provision in advance and so to secure prompter payments.

Whatsoever the General Assembly may decide as to the form and amount of appropriations to meet the needs of the Edmonds Law modified or unmodified, I suggest the advisability of distributing the payments due to school districts by some plan such as the following:

Payments to the fourth class districts to be due and payable during February and August of each year, those to the second and third class districts to be due and payable during March and September, and those of the first class districts to be due and payable during April and October.

GIFFORD PINCHOT.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 398, entitled:

An Act to amend clause four section six article one of chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for borough and revising amending and consolidating the law relating to boroughs"

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. STOFFLET. Mr. Speaker, I move that this bill be placed on the postponed calendar at the request of a number of members who would like to have an opportunity of examining it.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 283, entitled:

An Act to further amend section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet laws five hundred and sixty-six) entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as amended providing a pension for employes who have not reached the age of sixty years but who have become permanently disabled after eighteen years of service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Albert,	Flinchbaugh,	Lauver,	Schleiter,
Alexander,	Flynn,	Little,	Schoener,
Allman,	Fowler, A. I.,	Long,	Schwartz,
Anderson,	Fowler, D.,	Lucas,	Shambach,
Armstrong,	Fratt,	Ludlow,	Sneridan,
Arthur,	Gallaher,	MacKinney,	Smith, G. A.,
Aston,	Gelder,	Mangan,	Smith, H. J.,
Baker,	Gibbon,	Marcus, J.,	Smith, H.,
Baldi,	Gilchrist,	Marcus, J. C.,	Smith, J. W.,
Beaver,	Glasgow,	Marshall, J. G.,	Sowers,
Behney,	Goehring,	Marshall, W. F.,	Spangler,
Bell, F. A.,	Golder,	Mathay,	Speiser,
Bell, W. T.,	Gorham,	McBride,	Sprowls,
Bentley,	Goss,	McCaig,	Stark,
Berger,	Greeby,	McCann,	Staudenmeier,
Betts,	Griffith,	McClure,	Stavitski,
Bidelspacher,	Grimes,	McDaniel,	Steedle,
Blair,	Guerin,	McDermott,	Sterling,
Bluett,	Haas,	McGowan,	Stevens, A. J.,
Blumberg,	Haines,	McVicar,	Stevens, A. P.,
Boback,	Hall,	Metcalf,	Stofflet,
Brenneman,	Harter,	Millar,	Stoner,
Brewster,	Haslett,	Miller,	Storb,
Brown,	Heffran,	Moffatt,	Storer,
Brownmiller,	Henderson,	Morrison,	Thomas, L. D.,
Burchinal,	Hetrick,	Munley,	Thomas, M. G.,
Burns,	Heyburn,	Myers, G. C.,	Thompson,
Bush,	Himes,	Myers, P. M.,	Van Alen,
Chaplin,	Holcombe,	Nolte,	Vickerman,
Clutton,	Hollis,	O'Boyle,	Walker,
Coldsmith,	Hontz,	Ogle,	Weamer,
Conner,	Hoover,	Orr,	Wells,
Coyne,	Horne,	Patterson,	Wettach,
Craig,	Howell,	Perry,	Wheeler,
de Young,	Huber,	Pitts,	Whitehouse,
Diehm,	Irvin,	Posey,	Whiteman,
Dietz,	Johnson,	Post,	Williams, G. W.,
Dilsheimer,	Jones, C. B.,	Price,	Williams, J. M.,
Donahue,	Jones, D. J.,	Raymond,	Wood, N.,
Driggs,	Jones, E. P.,	Rhodes,	Wood, W. P.,
Dunn,	Keene,	Richards,	Wright,
Eaches,	Kelly,	Rinn,	Zook,
Earley,	Kennedy,	Sample,	Goodnough,
Edmonds,	Korns,	Sarig,	Speaker.
Eshelman,	Kunkle,	Sautter,	
Evans, J.,	Labar,	Schaeffer,	
Fields,	Lafferty,	Schilling,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 362, as follows:

An Act to empower and authorize any school or college or institution of optometry incorporated under the laws of Pennsylvania organized operated and conducted not for profit which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any school college or institution incorporated under the laws of Pennsylvania organized operated and conducted not for profit teaching optometry which shall have a prescribed course of study for a period of not less than two years in such study of optometry shall have the right and authority to grant to and confer upon any student who has finished the prescribed course of study satisfactory to the faculty of such institution the degree of Doctor of Optometry

Section 2 That nothing in this act contained shall be construed to permit such person or student receiving such degree to practice optometry within this Commonwealth unless he shall first have obtained a certificate of licensure from the State Optometry Board nor shall the receiving of such degree by any person who shall also have received a certificate of licensure to practice optometry qualify or authorize him to practice optometry by any other means than described in Section one of the act of the thirtieth day of March one thousand nine hundred and seventeen Pamphlet Laws ten

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Albert,	Flinchbaugh,	Labar,	Rinn,
Alexander,	Flynn,	Lafferty,	Rippman,
Allman,	Fowler, A. I.,	Little,	Sample,
Anderson,	Fowler, D.,	Long,	Sarig,
Armstrong,	Frazier,	Lucas,	Sautter,
Arthur,	Gallaher,	Ludlow,	Schaeffer,
Aston,	Gelder,	Lynch,	Schilling,
Baker,	Gibbon,	Mack,	Schleiter,
Baldi,	Gilchrist,	MacKinney,	Schoener,
Beaver,	Glasgow,	Mangan,	Schwartz,
Behney,	Goehring,	Marcus, J.,	Shambach,
Bell, F. A.,	Golder,	Marcus, J. C.,	Sheridan,
Bell, W. T.,	Gorham,	Marshall, J. G.,	Smith, H. J.,
Bentley,	Goss,	Marshall, W. F.,	Smith, H.,
Berger,	Greeby,	Mathay,	Smith, J. W.,
Betts,	Griffith,	McBride,	Soffel,
Bidelspacher,	Grimes,	McCaig,	Sowers,
Blair,	Guerin,	McCann,	Spangler,
Bluett,	Gundy,	McClure,	Speiser,
Blumberg,	Haas,	McDaniel,	Sprowls,
Boback,	Haines,	McDermott,	Stark,
Brenneman,	Harer,	McGowan,	Stavitski,
Brewster,	Harter,	McKim,	Steedle,
Bromley,	Haslett,	McVicar,	Sterling,
Brown,	Haws,	Millar,	Stevens, A. J.,
Brownmiller,	Heffernan,	Miller,	Stofflet,
Burchinal,	Heffran,	Minehart,	Stoner,
Burns,	Henderson,	Moffatt,	Storb,
Bush,	Hetrick,	Moore,	Thomas, L. D.,
Chaplin,	Heyburn,	Morrison,	Thomas, M. G.,
Clutton,	Himes,	Munley,	Van Alen,
Coldsmith,	Hollis,	Myers, G. C.,	Vickerman,
Conner,	Hontz,	Myers, P. M.,	Walker,
Coyne,	Hoover,	Nolte,	Weamer,
Craig,	Horne,	O'Boyle,	Wettach,
de Young,	Howell,	Ogle,	Wheeler,
Diehm,	Irvin,	Orr,	Whitehouse,
Dietz,	Johnson,	Parkinson,	Williams, G. W.,
Dilsheimer,	Jones, C. B.,	Patterson,	Williams, J. M.
Donahue,	Jones, D. J.,	Peelor,	Woner,
Driggs,	Jones, E. P.,	Perry,	Wood, N.,
Dunn,	Keene,	Pitts,	Wood, W. P.,
Eaches,	Kelly,	Posey,	Wright,
Edmonds,	Kennedy,	Post,	Zook,
Evans, B. P.,	Kohler,	Raymond,	Goodnough,
Evans, J.,	Korns,	Rhodes,	Speaker.
Fields,	Kunkle,	Richards,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrance.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 447, as follows:

An Act to amend section five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death" is hereby amended to read as follows

Section 5 It shall also be the duty of the county commissioners of each county in this State upon or at any time subsequent to the death of any service man as defined herein who shall be buried within their counties under the provisions of this act or any prior act on the application of any relatives or on the application of any friends of such deceased service man if such application by friends has been approved by any organization of veterans of any war in which the United States was engaged and provided that there be no objection by the nearest relative to cause a headstone to be placed at the head of the grave of each deceased service man containing his name and if possible the organization to which he belonged or in which he served in letters raised or cut in at least three-sixteenths of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base and the expense for the same shall be paid out of the funds of the county in which such deceased service man died or shall have his legal residence Provided however That the expense shall not exceed the sum of fifty dollars for each headstone and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payent of said expense in favor of the party or parties furnishing such headstone

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, vis:

YEAS—191.

Albert,	Fowler, A. I.,	Lauver,	Sample,
Alexander,	Fowler, D.,	Little,	Sarig,
Allman,	Fratt,	Long,	Sautter,
Anderson,	Frazier,	Lucas,	Schaeffer,
Armstrong,	Gallaher,	Ludlow,	Schilling,
Arthur,	Gelder,	Lynch,	Schleiter,
Aston,	Gibbon,	Mack,	Schoener,
Baker,	Gilchrist,	MacKinney,	Schwartz,
Baldi,	Glasgow,	Malie,	Shambach,
Beaver,	Goehring,	Mangan,	Sheridan,
Behney,	Golder,	Marcus, J.,	Smith, G. A.,
Bell, F. A.,	Gorham,	Marcus, J. C.,	Smith, H. J.,
Bell, W. T.,	Goss,	Marshall, W. F.,	Smith, H.,
Bentley,	Greeby,	Mathay,	Smith, J. W.,
Berger,	Griffith,	McBride,	Soffel,
Betts,	Grimes,	McCaig,	Sowers,
Bidelspacher,	Guerin,	McCann,	Spangler,
Blair,	Gundy,	McClure,	Speiser,
Bluett,	Haas,	McCurdy,	Sprowls,
Blumberg,	Haines,	McDaniel,	Stark,
Boback,	Hall,	McDermott,	Staudenmeier,
Brenneman,	Harer,	McKim,	Stavitski,
Bromley,	Harter,	McVicar,	Steedle,
Brown,	Haslett,	Metcalf,	Sterling,
Brownmiller,	Haws,	Millar,	Stevens, A. J.,
Burchinal,	Heffran,	Miller,	Stofflet,
Burns,	Henderson,	Minehart,	Stoner,
Bush,	Hetrick,	Moffatt,	Storb,
Chaplin,	Heyburn,	Moore,	Storer,
Clutton,	Himes,	Morrison,	Thomas, L. D.,
Coldsmith,	Holcombe,	Munley,	Thomas, M. G.,
Conner,	Hollis,	Myers, G. C.,	Thompson,
Coyne,	Hontz,	Myers, P. M.,	Van Alen,
Craig,	Hoover,	Nolte,	Vickerman,
de Young,	Horne,	O'Boyle,	Walker,
Diehm,	Howell,	Ogle,	Weamer,
Dietz,	Huber,	Orr,	Wells,
Dilsheimer,	Irvin,	Parkinson,	Wettach,
Donahue,	Johnson,	Patterson,	Wheeler,
Driggs,	Jones, C. B.,	Peelor,	Whitehouse,
Dunn,	Jones, D. J.,	Perry,	Whiteman,
Eaches,	Jones, E. P.,	Pitts,	Williams, G. W.,
Earley,	Keene,	Posey,	Woner,
Eshelman,	Kennedy,	Post,	Wood, N.,
Evans, B. P.,	Kohler,	Price,	Wright,
Evans, J.,	Korns,	Raymond,	Zook,
Fields,	Kunkle,	Rhodes,	Goodnough,
Flinchbaugh,	Labar,	Richards,	Speaker.
Flynn,	Lafferty,	Rinn,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 494, entitled:

An Act validating certain proceedings of counties cities boroughs townships school districts and other incorporated districts or municipalities had pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds certificates of indebtedness and securities issued in pursuance of such proceedings

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,	Fowler, A. I.,	Little,	Sample,
Alexander,	Fowler, D.,	Long,	Sarig,
Allman,	Fratt,	Lucas,	Sautter,
Anderson,	Frazier,	Ludlow,	Schaeffer,
Armstrong,	Gallaher,	Lynch,	Schilling,
Arthur,	Gelder,	Mack,	Schleiter,
Aston,	Gibbon,	MacKinney,	Schoener,
Baker,	Gilchrist,	Mangan,	Schwartz,
Baldi,	Glasgow,	Marcus, J.,	Shambach,
Beaver,	Goehring,	Marcus, J. C.,	Sheridan,
Behney,	Golder,	Marshall, W. F.,	Smith, G. A.,
Bell, F. A.,	Gorham,	Mathay,	Smith, H. J.,
Bell, W. T.,	Goss,	McBride,	Smith, H.,
Bentley,	Greeby,	McCaig,	Smith, J. W.,
Berger,	Griffith,	McCann,	Sowers,
Betts,	Grimes,	McClure,	Spangler,
Bidelspacher,	Guerin,	McCurdy,	Speiser,
Bluett,	Gundy,	McDaniel,	Sprowls,
Blumberg,	Haas,	McDermott,	Stark,
Boback,	Haines,	McGowan,	Staudenmeier,
Brenneman,	Hall,	McKim,	Stavitski,
Brewster,	Harer,	McVicar,	Steedle,
Bromley,	Haslett,	Metcalf,	Sterling,
Brown,	Haws,	Millar,	Stevens, A. J.,
Brownmiller,	Heffran,	Minehart,	Stevens, A. F.,
Burchinal,	Henderson,	Moffatt,	Stofflet,
Burns,	Hetrick,	Moore,	Storb,
Bush,	Heyburn,	Morrison,	Storer,
Clutton,	Himes,	Munley,	Thomas, L. D.,
Coldsmith,	Holcombe,	Myers, G. C.,	Thomas, M. G.,
Conner,	Hollis,	Myers, P. M.,	Thompson,
Coyne,	Hontz,	Nolte,	Van Alen,
Craig,	Hoover,	O'Boyle,	Vickerman,
de Young,	Horne,	Ogle,	Walker,
Diehm,	Howell,	Orr,	Weamer,
Dilsheimer,	Irvin,	Parkinson,	Wells,
Donahue,	Johnson,	Patterson,	Wheeler,
Driggs,	Jones, D. J.,	Peelor,	Whitehouse,
Dunn,	Jones, E. P.,	Perry,	Whiteman,
Eaches,	Keene,	Pitts,	Williams, G. W.,
Earley,	Kelly,	Posey,	Woner,
Eshelman,	Kennedy,	Post,	Wood, N.,
Evans, B. P.,	Korns,	Price,	Wood, W. P.,
Evans, J.,	Kunkle,	Raymond,	Wright,
Fields,	Labar,	Rhodes,	Zook,
Flinchbaugh,	Lafferty,	Richards,	Goodnough,
Flynn,	Lauver,	Rinn,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 327 (Senate Bill No. 19), entitled:

An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream including coated ice cream and the coating thereof fixing a standard of butter fat for ice cream providing penalties for the violation thereof and providing for the enforcement thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191.

Albert,	Fowler, A. I.,	Little,	Sautter,
Alexander,	Fowler, D.,	Lucas,	Schaeffer,
Allman,	Frazier,	Ludlow,	Schleiter,
Anderson,	Gallaher,	Lynch,	Schoener,
Armstrong,	Gelder,	MacKinney,	Schwartz,
Arthur,	Gibbon,	Malie,	Shambach,
Aston,	Gilchrist,	Mangan,	Sheridan,
Baker,	Glasgow,	Marcus, J.,	Smith, G. A.,
Baldi,	Goehring,	Marcus, J. C.,	Smith, H. J.,
Beaver,	Golder,	Marshall, J. G.,	Smith, H.,
Behney,	Gorham,	Marshall, W. F.,	Smith, J. W.,
Bell, F. A.,	Goss,	Mathay,	Soffel,
Bell, W. T.,	Greeby,	McBride,	Sowers,
Bentley,	Griffith,	McCaig,	Spangler,

Berger, Betts, Bidelspacher, Blair, Bluett, Blumberg, Brenneman, Brewster, Bromley, Brown, Brownmiller, Burchinal, Burns, Bush, Chaplin, Clutton, Coldsmith, Colville, Conner, Coyne, Craig, de Young, Diehm, Dietz, Dilsheimer, Donahue, Driggs, Dunn, Eaches, Earley, Edmonds, Eshelman, Evans, B. P., Evans, J., Fields, Flynn, Grimes, Guerin, Gundy, Haas, Haines, Hall, Harer, Harter, Haslett, Haws, Heffernan, Heffran, Henderson, Hetrick, Heyburn, Himes, Holcombe, Hollis, Hontz, Hoover, Horne, Howell, Irvin, Johnson, Jones, C. B., Jones, D. J., Jones, E. P., Keene, Kelly, Kennedy, Kohler, Korns, Kunkle, Labar, Lafferty, Lauver, McCann, McClure, McCurdy, McDaniel, McDermott, McGowan, McKim, McVicar, Metcalf, Millar, Miller, Minehart, Moffatt, Moore, Morrison, Munley, Myers, G. C., Myers, P. M., Nolte, O'Boyle, Ogle, Orr, Parkinson, Patterson, Peelor, Perry, Pitts, Posey, Price, Raymond, Rhodes, Richards, Rinn, Rippman, Sample, Sarig, Speiser, Sprowls, Stark, Staudenmeier, Stavitski, Steedle, Sterling, Stevens, A. J., Stevens, A. F., Stofflet, Stoner, Storb, Storer, Thomas, L. D., Thomas, M. G., Thompson, Van Alen, Vickerman, Walker, Weamer, Wells, Wettach, Wheeler, Whitehouse, Whiteman, Williams, G. W., Williams, J. M. Woner, Wood, N., Wood, W. P., Wright, Zook, Goodnough, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 331 (Senate Bill No. 102), entitled:

An Act amending Section 4 of the act entitled "An Act regulating the practice bail costs and fees on appeals to the Supreme Court and Superior Court" approved the nineteenth day of May one thousand eight hundred and ninety-seven Pamphlet Laws sixty-seven by providing a shorter period within which to appeal in cases where loss and hardship would otherwise result to the estates of decedents

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Albert, Alexander, Anderson, Armstrong, Aston, Baker, Beaver, Behney, Bell, F. A., Bell, W. T., Bentley, Berger, Bidelspacher, Blair, Bluett, Blumberg, Brewster, Bromley, Brown, Brownmiller, Burchinal, Bush, Chaplin, Clutton, Coldsmith, Craig, de Young, Diehm, Dietz, Dilsheimer, Donahue, Driggs, Eaches, Earley, Edmonds, Eshelman, Evans, B. P., Evans, J., Flinchbaugh, Fowler, A. I., Fowler, D., Gallaher, Gibbon, Gilchrist, Glasgow, Goehring, Golder, Goss, Greeby, Griffith, Grimes, Guerin, Haas, Haines, Hall, Harter, Haslett, Haws, Heffran, Henderson, Hetrick, Heyburn, Holcombe, Hontz, Hoover, Horne, Huber, Irvin, Johnson, Jones, C. B., Jones, D. J., Jones, E. P., Keene, Kelly, Kennedy, Kohler, Korns, Kunkle, Labar, Lauver, Little, Long, Ludlow, Lynch, MacKinney, Marcus, J. C., Mathay, McBride, McCaig, McCann, McClure, McCurdy, McDaniel, McGowan, McKim, Metcalf, Minehart, Moffatt, Moore, Morrison, Munley, Myers, G. C., Myers, P. M., Nolte, O'Boyle, Ogle, Orr, Parkinson, Patterson, Peelor, Perry, Pitts, Post, Price, Raymond, Rhodes, Richards, Rinn, Sample, Sarig, Sautter, Schaeffer, Schoener, Schwartz, Shambach, Sheridan, Smith, H. J., Smith, H., Smith, J. W., Sowers, Sprowls, Stark, Staudenmeier, Stavitski, Steedle, Stevens, A. J., Stevens, A. F., Stoner, Storb, Storer, Thomas, L. D., Thomas, M. G., Thompson, Van Alen, Vickerman, Walker, Weamer, Wettach, Wheeler, Whitehouse, Whiteman, Williams, G. W., Williams, J. M. Woner, Wood, N., Wood, W. P., Wright, Zook, Goodnough, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 484 (Senate Bill No. 154), entitled:

An Act to validate acts done by or rights accured to corporations before the recording of their charters.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albert, Alexander, Anderson, Armstrong, Arthur, Aston, Baker, Baldi, Beaver, Behney, Bell, F. A., Bell, W. T., Bentley, Bidelspacher, Blair, Bluett, Blumberg, Brenneman, Brewster, Bromley, Brown, Brownmiller, Burchinal, Bush, Chaplin, Clutton, Coldsmith, Craig, de Young, Diehm, Dietz, Dilsheimer, Donahue, Driggs, Eaches, Earley, Edmonds, Eshelman, Evans, B. P., Evans, J., Flinchbaugh, Fowler, A. I., Frazier, Gallaher, Gibbon, Gilchrist, Glasgow, Goehring, Golder, Gorham, Greeby, Griffith, Grimes, Guerin, Haas, Haines, Hall, Harer, Harter, Haslett, Haws, Heffran, Henderson, Hetrick, Heyburn, Holcombe, Hontz, Hoover, Horne, Huber, Irvin, Johnson, Jones, C. B., Jones, D. J., Jones, E. P., Keene, Kelly, Kennedy, Kohler, Korns, Kunkle, Labar, Lauver, Little, Lucas, Ludlow, Lynch, MacKinney, Mangan, Marcus, J. C., Marshall, W. F., McBride, McCaig, McCann, McClure, McCurdy, McDermott, McGowan, McKim, Metcalf, Miller, Minehart, Moffatt, Moore, Morrison, Munley, Myers, G. C., Myers, P. M., Nolte, O'Boyle, Ogle, Orr, Parkinson, Patterson, Peelor, Perry, Pitts, Posey, Post, Price, Raymond, Rhodes, Richards, Rippman, Sample, Sarig, Schaeffer, Schoener, Schwartz, Shambach, Sheridan, Smith, G. A., Smith, H. J., Smith, H., Smith, J. W., Stark, Staudenmeier, Stavitski, Sterling, Stevens, A. J., Stofflet, Stoner, Storb, Stofer, Thomas, L. D., Thomas, M. G., Thompson, Van Alen, Vickerman, Walker, Weamer, Wells, Wettach, Wheeler, Whitehouse, Whiteman, Williams, G. W., Williams, J. M. Woner, Wood, N., Wood, W. P., Wright, Zook, Goodnough, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

REPORTS FROM COMMITTEES.

Mr. CONNER, from the Committee on Counties and Townships, reported as amended, House Bill No. 413, entitled:

An Act relating to treasurers in counties of the sixth class; providing for their salaries, bonds, offices, and supplies and the compensation of deputies and clerks.

Mr. SOWERS, from the Committee on Judiciary General, reported as committed, House Bill No. 317, entitled:

An Act to amend section one of the act approved the seventeenth day of May, one thousand nine hundred and nineteen, (P. L. 208), entitled "An Act prohibiting, under certain conditions, the commutation, encumbrance, or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

Mr. BROMLEY, from the Committee on Judiciary Special, reported as amended House Bill No. 19, entitled:

An Act to provide for the physical welfare of all persons (whether such persons be tried or untried prisoners) in any penitentiary, county prison or house of detention in this Commonwealth, and to provide penalties for the violation of this act.

Mr. WHITEHOUSE, from the Committee on Judiciary General, reported as amended House Bill No. 452, entitled:

An Act authorizing the courts of common pleas to change the name of persons, prescribing the procedure and the effect of the decree thereon.

Miss MacKINNEY, from the Committee on Constitutional Reform, reported as committed, House Bill No. 170, entitled:

A Joint Resolution proposing an amendment to section seven of Article three of the Constitution of Pennsylvania.

Mr. HAAS, from the Committee on Municipal Corporations, reported as amended, House Bill No. 212, entitled:

An Act to amend sections fourteen and sixteen of article six, chapter seven of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312) entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Mr. HEFFRAN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 141, entitled:

A Supplement to an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An act providing a system for government of boroughs, and revising, amending, and consolidating the law relating to boroughs," so as to provide a system of government for those parts of a borough which are located in a county adjoining the county in which the original borough is situated. Including assessment of property; levying and collection of taxes; making municipal improvements and filing and collecting of liens for the same; the jurisdiction of courts for the enforcement of borough ordinances and State laws; and primary, general, municipal and special elections, and repealing inconsistent laws.

Mr. RINN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 551, entitled:

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312), entitled, "An Act providing a system of government for boroughs and revising, amending, and consolidating the law relating to boroughs," by adding an additional sub-section to section nine of article seven of chapter six thereof to empower boroughs without petition of property owners, to grade, pave, curb, macadamize or otherwise improve public streets, or parts thereof, and assess the entire cost thereof against the owners of the property abutting thereon when said streets or parts thereof do not exceed one thousand feet in length and connect two streets theretofore paved and improved.

Miss GALLAHER, from the Committee on Constitutional Reform, reported as committed, House Bill No. 246, entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania.

Mr. GELDER, from the Committee on Counties and Townships, reported as committed House Bill No. 571, entitled:

An Act to amend section three hundred and twenty-five of an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled, "An Act concerning townships; and revising, amending, and consolidating the law relating thereto" changing the compensation of township auditors

Mr. METCALF, from the Committee on Counties and Townships, reported as committed House Bill No. 541, entitled:

An Act to amend an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended; by authorizing the court of Quarter Sessions to abolish all wards existing in any township of the first class, and to re-divide such township into new wards.

Mr. FRAZIER, from the Committee on Constitutional Reform, reported as committed House Bill No. 244, entitled:

A Joint Resolution proposing an amendment to section fourteen of article eight of the Constitution of Pennsylvania.

Mr. MILLAR, from the Committee on Judiciary General, reported as committed House Bill No. 701, entitled:

An Act to further amend sections ten and fourteen of the act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 711), entitled "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," as amended; by requiring all proceedings in civil cases before magistrates that are sought to be reviewed by appeal to be taken only to the Municipal Court; transferring original jurisdiction in certain civil cases from the court of common pleas to said court; providing that costs in all cases shall follow the judgment; and that certain judgments shall be final.

Mr. POSEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 528, entitled:

An Act to amend section seven, article six, of the act approved the twenty-seventh day of June, one thousand nine hundred and thirteen, (P. L. 568) entitled, "An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto".

Mr. LORENZO D. THOMAS, from the Committee on Legislative Apportionment, reported as committed, House Bill No. 524, entitled:

An Act to amend part of section one of an act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455), entitled, "An Act to fix the number of representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

Mr. PEELOR, from the Committee on Judiciary General, reported as committed, House Bill No. 289, entitled:

An Act to amend part of section forty-one of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; of legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

Mr. SHAMBACH, from the Committee on Counties and Townships, reported as committed, House Bill No. 476, entitled:

An Act creating, regulating and defining the powers of a County Planning Commission, and authorizing the creation of a county plan in counties of the second class; requiring the county commissioners to furnish to the commission, before passage, resolutions relating to county improvements to roads, lands, buildings or means of communication; authorizing the commission to report suggestions to the county commisioners concerning improvements, and to appear in court with reference thereto; authorizing the making of a county map and plan, including territory extending three miles beyond the county limits, showing proposed improvements in roads, lands, buildings and means of communication; making it unlawful to record plans of land with streets or highways intended for dedication to public use, except in boroughs or cities, without first securing approval from the commission; and making disapproval of a plan by the commission a refusal of proposed dedication.

Mr. KELLY, from the Committee on Elections, rtported as amended, House Bill No. 45, entitled:

An Act providing a system whereby persons absent from their regular polling places may cast their votes, imposing certain powers and duties upon the county commissioners, prothonotaries, return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto, and providing penalties.

Mr. KUNKLE, from the Committee on Judiciary General, reported as amended House Bill No. 507, entitled:

An Act to amend section fifty-three, clause (a) of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

Mr. ALFRED I. FOWLER, from the Committee on Counties and Townships, reported as committed House Bill No. 475, entitled:

An Act to amend section two hundred and thirty-five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships and revising, amending, and consolidating the law relating thereto," as amended.

Mr. W. T. BELL, from the Committee on Counties and Townships, reported as committed, House Bill No. 498, entitled:

An Act to amend section one of the act approved the first day of June, one thousand nine hundred and seven (Pamphlet Laws three hundred sixty-four), entitled "An Act to increase the pay of jurors and witnesses in this Commonwealth," as amended.

Mr. ORR, from the Committee on Constitutional Reform, reported as committed, House Bill No. 245, entitled:

A Joint Resolution proposing an amendment to section one, article eight of the Constitution of Pennsylvania.

Mr. ZOOK, from the Committee on Constitutional Reform, reported as committed, House Bill No. 243, entitled:

A Joint Resolution proposing an amendment to section sixteen of article eight of the Constitution of Pennsylvania.

Mr. JOSEPH C. MARCUS, from the Committee on Banks and Banking, reported as committed, House Bill No. 702, entitled:

An Act to amend section 3 and section 4 of an act approved the fifth day of May, one thousand nine hundred and twenty-one, entitled "An Act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith a contract based upon payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties."

Mr. FLINCHBAUGH, from the Committee on Counties and Townships, reported as committed, House Bill No. 523, entitled:

An Act to further amend section five of the act approved the thirty-first day of March, one thousand eight hundred and seventy-six, (P. L. 13), entitled "An Act to carry into effect section five, of article fourteenth, of the constitution, relative to the salaries of county officers and the payment of fees received by them into the state or county treasury, in counties containing over one hundred and fifty thousand inhabitants," as amended.

Mr. SPANGLER, from the Committee on Judiciary General, reported as committed, House Bill No. 610, entitled:

An Act to amend section seventy-four of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 382), entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth."

Mr. BIDELSPACHER, from the Committee on Judiciary General, reported as committed, House Bill No. 536, entitled:

An Act to amend sections two, three, four, five, as amended, seven, nine and ten of the act approved the thirtieth day of March, one thousand nine hundred and seventeen, (P. L. 21), entitled "An Act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith."

Mr. HAWS, from the Committee on Counties and Townships, reported as committed, House Bill No. 412, entitled:

An Act authorizing any county separately or counties interested jointly to lease for a term of years, from a bridge company or corporation, any toll bridge spanning a river or stream when such bridge is used solely for highway purposes or jointly for highway, railroad, or street railway purposes; discontinuing tolls on any such bridge during such lease; and authorizing counties to appropriate money, levy taxes and incur indebtedness for such purposes.

Mr. ALEXANDER, from the Committee on Judiciary General as committed, House Bill No. 713, entitled:

An Act to amend clause (f) of section one, article two, and section four of article five of an act approved the twenty-sixth day of July, one thousand nine hundred and thriteen, (P. L. 1374), entitled, "An Act defining public service companies: and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers and regulating their incorporation, and to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested the State, or municipal corporation concerned, and giving ed, authority to sue the Commonwealth for damages in persons whose property is hereby taken injured, or destroy-such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsel, and employes: prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes of railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled, 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars,' approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the proviso of clause seven of section thirty-four of the act, entitled, 'An act to provide for the incorporations and regulation of certain corporations' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act," by providing that new tariffs and schedules shall not go into force until after the approval of the Commission.

Mr. STONER, from the Committee on Municipal Corporations, reported with a negative recommendation House Bill No. 368, entitled:

An Act to amend section six, clause seven, Article one, chapter seven, section five, clauses one and two, and section eighteen of Article one, chapter eight of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (Pamphlet Laws three hundred and twelve), entitled "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Mr. HAAS, from the Committee on Municipal Corporations, reported with a negative recommendation House Bill No. 479, entitled:

An Act to authorize municipal corporations to own and operate certain industries and to issue bonds for the payment of the same; providing that certain securities shall not be considered as part of the municipal debt.

Mr. GOSS, from the Committee on Constitutional Reform, reported with a negative recommendation House Bill No. 29, entitled:

A Joint Resolution proposing an amendment to section one, article nine, of the Constitution of the Commonwealth of Pennsylvania.

Mr. JOSEPH MARCUS, from the Committee on Judiciary General, reported as committed House Bill No. 326 (Senate Bill No. 17), entitled:

A Joint Resolution proposing an amendment to article three (III) of the Constitution of the Commonwealth of Pennsylvania.

Mr. WALKER, from the Committee on Counties and Townships reported as committed House Bill No. 485 (Senate Bill No. 159), entitled:

An Act to amend section one hundred of the act approved the fourteenth day of July, 1917, (P. L. 640), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

Mr. STONER, from the Committee on Municipal Corporations reported as committed, House Bill No. 619 (Senate Bill No. 85), entitled:

An Act authorizing cities of the third class to regulate the location of businesses trades and industries the location size and use of buildings and the areas of yards, courts and open spaces.

Mr. JERRY M. WILLIAMS, from the Committee on Counties and Townships, reported as committed, House Bill No. 618, (Senate Bill No. 41), entitled:

An Act fixing the salary of sheriffs in counties of the eighth class requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

Mr. EDMONDS, from the Committee on Judiciary General, re-reported as amended, House Bill No. 250 (Senate Bill No. 6), entitled:

An Act to amend section two of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty-four) entitled "An Act authorizing the directors and overseers of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing for the payment of the expenses thereof."

Mr. BROMLEY, from the Committee on Judiciary Special, re-reported as amended, House Bill No. 276, entitled:

An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances and for water rents or rates, sewer rates and lighting rates; the procedure upon claims filed therefor, the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, the distribution of the proceeds of such sales and the redemption of the property therefrom, the lien of taxes for the years 1921, 1922 and 1923 and of municipal claims for work done within six months of the passage of this act, and the procedure on tax and municipal claims filed under other and prior Acts of Assembly.

Mr. BREWSTER, from the Committee on Judiciary Special re-reported as committed, House Bill No. 277, entitled:

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one, under the provisions of an act approved the fourth day of June, one thousand nine hundred and one, entitled: "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distributing the proceeds of such sales," and its supplements and amendments thereto; and providing for their collection.

Mr. CRAIG, from the Committee on Judiciary Special, reported as committed, House Bill No. 620, (Senate Bill No. 112), entitled:

An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed for purposes which have proved or may prove impracticable, impossible or inadvisable, for any other lawful municipal purpose; or to provide for the cancellation of the authority to borrow such moneys.

BILL ON FIRST READING.

Mr. CRAIG asked and obtained unaminous consent to have House Bill No. 620 (Senate Bill No. 112) read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 620 (Senate Bill No. 112), entitled:

An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed for purposes which have proved or may prove impracticable impossible or inadvisable for any other lawful municipal purpose or to provide for the cancellation of the authority to borrow such moneys

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

EXTRA COPIES OF HOUSE BILLS NOS. 171 AND 218 TO BE PRINTED IN PINK.

Mr. PARKINSON. Mr. Speaker, I move that the House authorize the Chief Clerk to have 1000 copies of House Bill No. 171, file folio 1601 printed; also 500 copies of House Bill No. 218, file folio 1749 printed in pink.

Mr. SPROWLS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed wth,

The House proceeded to the second reading and consideration of House Bill No. 409, as follows:

An Act valrdating certain proceedings and elections of counties cities boroughs townships school districts and other incorporated districts or municipalities had and held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereof and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all proceedings and elections heretofore had and held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method or procedure specified by the provisions of an act of Assembly entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April one thousand eight hundred and seventy-four and the acts amendatory thereof and supplementary thereto where the majority of votes cast at such election was in favor of the increase of indebtedness be and same is hereby ratified confirmed and made valid notwithstanding the authorities of such county city borough township school district or incorporated district did not by separate and independent action prior to the ordinance or vote in pursuance of which notice of election was given to the electors signify their desire for such increase of indebtedness or did not in the words of the act and amendments and supplements aforesaid authorizing such increase signify their desire for such increase of indebtedness and notwithstanding the ballots were not certified or signed by the county commissioners or were not printed on the official ballot after the list of candidates but were printed on separate ballots and notwithstanding full complete and proper return of the votes was not made to the proper court or counted by the court or a record showing the results made and certified by the clerk of said court to the proper authorities of such district or municipality and not with-

standing any defect or informality in the manner of holding or giving notice of such election and notwithstanding any mistake in stating the amount of percentage of the existing debt or the percentage of the proposed increase or patent error or orthography or of numerical statement on any or all of the ballots all of the bonds securities and obligations issued or to be issued in pursuance of every such election are hereby made valid binding obligations of every such county city borough township school district or incorporated district Provided All the other requirements of law concerning such procedure election and issue of bonds have been complied with and provided further the provisions of this act shall not apply in any instance where the validity of such election or of the issue of bonds or other security based thereon has been already made the subject of litigation in any court of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 262, as follows:

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" as relates to the apportionment of Representatives in Westmoreland county is hereby amended to read as follows

The county of Westmoreland shall elect six members and shall be divided into two districts as follows

The boroughs of Bolivar Cokeville Derry Donegal Latrobe Ligonier Livermore Mount Pleasant New Alexandria New Florence Seward and Youngstown and the townships of Cook Derry Donegal Fairfield Ligonier Loyalhanna Mount Pleasant Saint Clair and Unity shall constitute the first district and elect two members

The residue of the county of Westmoreland not included in the first district shall constitute the second district and elect four members

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 406, as follows:

An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire use encumber and dispose of such real estate and rights and interests in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any corporation incorporated under the laws of any other state of the United States of America may take by conveyance devise lease or otherwise such real estate and rights and interests in in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful under the Constitution and laws of Pennsylvania to exercise in this State and may hold use enjoy improve develop mortgage lease and convey the same or any portion thereof Provided however That no foreign corporation which is a public service company under the Pennsylvania law shall exercise any rights under this act until it shall first have obtained the approval of the Public Service Commission of the Commonwealth of Pennsylvania evidenced by its certificate of public convenience

Section 2 Nothing herein contained shall be deemed to prevent or relieve real estate so taken by any such foreign corporation under the provisions of this act from being taxed in like manner as other real estate within this State is taxed

Section 3 The exercise by any such foreign corporation of the rights granted by this act shall constitute doing business in this State and shall render such corporation subject to the provisions of the Constitution and the laws of this State regulating the same

Section 4 The act of Assembly approved the eleventh day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and forty-one) entitled "An act authorizing corporations incorporated under the laws of any other state of the United States to acquire erect and maintain buildings and manufacturing establishments and to take hold mortgage lease and convey real estate necessary and proper for such corporate purposes" and all other acts or parts of acts inconsistent with this act are hereby repealed provided however that the title to any real estate and to rights or interests in in the nature of or in respect to real estate in Pennsylvania heretofore taken held mortgaged leased or conveyed under and by virtue of the provisions of said act is hereby validated so far as the same depends for its validity upon said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. BIDELSPACHER. Mr. Speaker, in the absence of the sponsor of the bill, Mr. Spangler, I desire to call up House Bill No. 22, file folio 821.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 22, as follows:

An Act concerning conditional sales of chattels attached or to be attached to realty and regulating the recording and effect thereof and providing remedies and penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every provision in a conditional sale contract in writing reserving to the seller the property in chattels attached or to be attached to realty until the price of the whole or any portion thereof shall be paid or until the performance or happening of any other condition or contingency shall be valid as to all persons except as hereinafter otherwise provided "Writing" as used in this Section includes manuscript type-writing and printing "Persons" as used in this Section includes individuals partnerships corporations and any other associations

EXCEPTIONS

Section 2 First As against the owner of realty to which chattels are attached who is not a party to the contract or has not assented to the reservation of property in the chattels such reservation shall be void as to any chattels which are so attached to the realty as to form a part thereof unless the contract or a verified statement thereof shall be recorded as required in section three before the chattels are so attached to the realty

Second As against a subsequent purchaser subsequent mortgagee or other subsequent encumbrancer of the realty

for value and without notice of the reservation of property in the chattels such reservation shall be void as to any chattels so attached to the realty as to form a part thereof unless the conditional sale contract or a verified statement thereof shall be recorded as required in section three before such purchase is made or such mortgage is given or such encumbrance is effected "Subsequent" as used in this paragraph refers to the time of attaching the chattels to the realty

Third As against a prior mortgagee or other prior encumbrancer of the realty who has not assented to the reservation of property in the chattels if any of the chattels are so attached to the realty as not to be severable without material injury to the freehold the reservation of property in the chattels so attached shall be void notwithstanding the recording of the contract or statement unless such injury although material be such as can be completely repaired and the seller before retaking such chattels furnishes or tenders to such prior mortgagee or encumbrancer a good and sufficient bond conditioned for the immediate making of such repairs "Prior" as used in this paragraph refers to the time of attaching the chattels to the realty

RECORDING

Section 3 First The conditional sale contract or a verified statement thereof shall be recorded in the mortgage record books in the office of the Recorder of Deeds of the County wherein the realty affected is situate and shall be indexed in the name of the buyer in the column for mortgagors and in the name of the seller in the column for mortgagees

Second Such contract in order to entitle it to be recorded must be verified by the oath or affirmation of either the seller or the buyer or the agent or attorney of either to the effect (1) that it is an existing bonafide contract (2) the amount remaining unpaid thereon (3) and if the contract does not contain a sufficient description for the identification of the realty affected the verification must also contain such description

Third Such statement in order to entitle it to be recorded must set forth (1) the date of the contract if it bears a date (2) the names of the seller and the buyer and their places of residence if shown in the contract (3) a description sufficient for identification of the chattels and the realty affected (4) a copy of the condition or contingency upon performance or happening of which the property in the chattels is to vest in the buyer (5) that it is an existing bona fide contract (6) and the amount remaining unpaid thereon all of which must be verified by the oath or affirmation of either the seller or the buyer or the agent or attorney of either

FEES

Section 4 The fees for the recording indexing and other services in connection with conditional sale contracts shall be the same for like services in connection with mortgages

RAILROAD EQUIPMENT OR ROLLING STOCK

Section 5 This act shall not apply to any conditional sale of railroad or street or interurban railway equipment or rolling stock

RELEASE OR SATISFACTION

Section 6 Upon the performance or happening of the condition or contingency it shall be the duty of the seller to release or satisfy the conditional sale contract of record or to execute acknowledge and deliver to the buyer a proper release or satisfaction and the recording officer upon presentation of such release or satisfaction shall record the same and note the release or satisfaction on the margin of the page where the contract is recorded and also mark it satisfied on the index For failure or refusal by the seller for ten days after demand by the buyer to perform this duty the seller shall forefeit to the buyer five dollars and be liable for all damages suffered

RETAKING POSSESSION

Section 7 When the buyer shall be in default in the payment of any sum due under the contract or in the performance of any other condition which the contract requires him to perform in order to obtain the property in the chattels or in the performance of any promise the breach of which is by the contract expressly made a ground for the retaking of the chattels the seller may retake possession of and deal with the chattels as provided in sections eight nine ten and eleven provided the seller not more than forty nor less than twenty days prior to the retaking shall have served upon the buyer personally or by registered mail a notice of intention to retake the chattels on account of the buyer's default Said notice shall also state the default and the period at the end of which the chattels will be retaken and if the buyer shall perform during said period the obligations in which he made the said default the chattels shall not be retaken

RESALE BY SELLER

Section 8 Within sixty days after the chattels are retaken under any of the provisions of this Act the seller may and if at least twenty-five per centum of the purchase price of the chattels shall have been paid he shall advertise and sell them at public auction in the county wherein they were located at the time of the retaking unless the buyer before the day fixed for the resale redeem them by performance of the conditions and payment of the costs and expenses of serving retaking removing keeping storing and advertising Such advertisement shall be for at least ten days by five or more notices posted in different public places in the county where the chattels are to be sold and by publication in a newspaper published or having general circulation in said county The seller may bid for and become the purchaser of the chattels at such resale

PROCEEDS OF RESALE

Section 9 The proceeds of the resale shall be applied (1) to the payment of the cost and expenses thereof (2) to the payment of the costs and expenses of the serving retaking removing keeping and storing of the chattels and (3) to the satisfaction of the amount remaining unpaid under the contract Any sum remainingafter the satisfaction of such claims shall be paid to the buyer

DEFICIENCY ON RESALE

Section 10 If the proceeds of the resale are not sufficient to defray the costs and expenses provided for in section nine and to satisfy the amount remaining unpaid under the contract the seller may recover the deficiency from the buyer or from any one who has succeeded to the obligations of the buyer

RIGHTS OF PARTIES WHERE THERE IS NO RESALE

Section 11 Where there is no resale the seller may retain the chattels as his own property without obligation to account to the buyer except in cases where at least twenty-five per centum of the purchase price of the chattels shall have been paid before the retaking In such cases if the seller does not advertise and resell as provided in section eight he shall be liable to the buyer for actual damages if any and in no event for less than one fourth of the sum of all payments made prior to the retaking with interest thereon

RISK OF LOSS AND INJURY

Section 12 After delivery of the chattels to the buyer the risk of loss or destruction and of injury to them shall rest upon the buyer except that after the chattels are retaken by the seller and until resold as provided herein it shall be his duty to exercise reasonable care for their safety

INCONSISTENT LAWS REPEALED

Section 13 Except so far as it is applicable to conditional sales made prior to the passage of this act the act entitled "An act defining conditional sales and regulating the recording and effect thereof and providing penalties" which became a law on the seventh day of June Anno Domini one thousand nine hundred fifteen (Pamphlet Laws page eight hundred and sixty-six) is intended to be supplied by this act and is therefor hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 436. entitled:

An Act regulating the mortgaging of real property by married persons.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENT BY SPEAKER.

The SPEAKER. The Chair desires to make an announcement that when bills are reported from a committee that the committee attach the amendment at the proper place in the bills. Pasting the amendment at the proper place will be of great assistance to the printer, and will facilitate the business of the House.

ADJOURNMENT.

Mr. BAKER. Mr. SPEAKER, I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to, and (at 5:40 P. M.) the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

WEDNESDAY, MARCH 14, 1923.

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Acting Chaplain, Rev. George Edward Hawes, offered the following prayer:

Almighty God, our heavenly Father, Thou who dwellest in heaven, art pleased to reveal Thyself through the acts of Thy servants who live upon the earth. We come to Thee this morning, recognizing Thee as the One who is pleased to reveal Himself in and through the Lord, Jesus Christ, in Whose name we approach the mercy seat. We come asking for Thy blessing to rest upon these men who are asssembled now to transact the business of this great Commonwealth. May a great blessing rest upon them individually and collectively; bless them, we pray Thee, in their personal lives, in their home lives, in their relationship to the communities from which they come. May the blessing of God, we pray Thee, rest upon the officers of this body, upon those who are called upon to preside and lead. May the blessing of God rest upon the Lieutenant-Governor, upon the Governor of this Commonwealth, upon all whom he has called to be officers and helpers in the administration of the affairs of this great Commonwealth. Father, we recognize that Thou art law and that Thou dost make Thy mind to be known and that our business is to find out Thy mind and write it down in such form that it can be usable thereafter. We pray Thee that today men thinking and acting may find that they are doing the will of God. Take charge of them, we pray Thee in all their affairs today and every day, and at last bring us before Thee, where we shall praise Thee for the privilege of service upon earth and every day homage throughout eternity. All that we ask is through our Lord Jesus Christ, our Redeemer. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. JOYCE, from the Committee on Judiciary General, reported as amended, Senate Bill No. 362, entitled:

An Act regulating the practice of law in Courts not of record.

Mr. BARR, from the Committee on Judiciary General, reported as committed, Senate Bill No. 364, entitled:

An Act providing for the appointment of assistant district attorneys in second class counties of this Commonwealth, prescribing the powers and duties, and fixing their salaries.

Mr. STINEMAN, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 303, entitled:

An Act to amend section 3 and section 4 of an act approved the fifth day of May one thousand nine hundred and twenty-one entitled "An Act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith a contract based upon payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties."

Mr. BUCKMAN, from the Committee on Corporations, re-reported as amended, Senate Bill No. 276, (House Bill No. 371), entitled:

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended.

BILLS INTRODUCED.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 399, entitled:

An Act making an appropriation to reimburse the fund in the Mechanics Trust Company of Harrisburg standing to the credit of the Water Supply Commission for the improvement of French Creek, for moneys inadvertantly paid into the State Treasury.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 400, entitled:

An Act making an appropriation to the Spencer Hospital, at Meadville, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 401, entitled:

An Act making an appropriation to the George Junior Republic Association of Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 402, entitled:

An Act making an appropriation to the Meadville Children's Aid Society and Home for the Aged, Meadville, Crawford County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 403, entitled:

An Act making an appropriation to the Greenville Hospital, Greenville, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 404, entitled:

An Act making an appropriation to the Trustees of the Grove City Hospital, located at Grove City Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 405 entitled:

An Act making an appropriation to the Titusville Hospital, at Titusville, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 406, entitled:

An Act makng an appropriation to the Christian H. Buhl Hospital, of Sharon, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 407, entitled:

An Act making an appropriation to the Meadville City Hospital, Meadville, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. STINEMAN read in his place and presented to the Senate Bill No. 408, entitled:

An Act making an appropriation to the Christian Home, of Johnstown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. CLARK read in his place and presented to the Chair Senate No. 409, entitled:

An Act making an appropriation to the Adrian Hospital Association, of Punxsutwaney, Jefferson County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 410, entitled:

An Act making an appropriation to the Pennsylvania Memorial Home, of Brookville, Pennsylvania.

Which was committed to the Committee on Appropriations.

TIME OF NEXT MEETING.

Mr. SMITH offered the following resolution, which was twice read, considered and agreed to.

Resolved (If the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening, March nineteenth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March nineteenth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor David J. Davis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 19, entitled:

An Act for the protection of the public health; and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, including coated ice cream and the coating thereof; fixing a standard of butter fat for ice cream; providing penalties for the violation thereof; and providing for the enforcement thereof.

SENATE BILL No. 102, entitled:

An Act amending section four of the act entitled "An Act regulating the practice, bail, costs and fees on appeals to the Supreme Court and Superior Court," approved May 19, 1897, P. L. 67, by providing a shorter period within which to appeal in cases where loss and hardship would result to the estates of decedents

SENATE BILL No. 154, entitled:

An Act to validate acts done by or rights accrued to corporations before the recording of their charters.

Whereupon,

The PRESIDENT, (Lieutenant-Governor David J. Davis) in the presence of the Senate signed the same.

SPECIAL ORDER BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 99 as follows:

An Act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this entire act is an exercise of the power granted by Amendment XVIII of the Constitution of the United States and of the police power of this Commonwealth for the protection of the public welfare health peace safety and morals of the people of this Commonwealth and all of its provisions shall be liberally construed for the accomplishment of these purposes

Definitions

Section 2 (a) The phrase "intoxicating liquors" as used in this act shall mean anything found and determined from time to time to be intoxicating by act of Congress passed pursuant to and in the enforcement of the Constitution of the United States of America

(b) The word "person" shall mean and include natural persons associations partnerships and corporations for whatever purpose organized

(c) The word "officer" shall mean and include all sheriffs deputy sheriffs constables state and municipal policemen county and city detectives and any other persons authorized to serve warrants.

(b) The term "private dwelling" shall be construed not only in its ordinary sense but also to include the room or rooms used and occupied not transiently but solely as a residence in an apartment house hotel or boardinghouse

anufacture of and Traffic in Intoxicating Liquor Prohibited

Section 3 It shall be unlawful for any person to manu- .cture sell offer for sale barter furnish transport possess or :liver within or import into or export out of this Common- ealth any intoxicating liquor for beverage purposes except hereinafter set forth provided however that nothing in is act shall prohibit the alcoholic contents of malt or ·ewed liquors from exceeding one-half of one per cent dur- g the process of manufacture only thereof and provided rther that it shal not be unlawful to manufacture nonin- xicating cider and fruit juices exclusively for use in the :ivate dwelling

Exemption as to Private Dwelling Prima Facie Evidence

Section 4 It shall not be unlawful however to possess in- xicating liquor for beverage purposes in one's bona fide :ivate dwelling while the same is occupied and used by him his dwelling only provided such liquor was lawfully ac- uired prior to the passage of this act and is for use only r the personal consumption of the owner thereof and his mily residing in such dwelling and of his bona fide guests hen entertained by him therein which entertainment shall t be deemed an unlawful furnishing Provided however hat proof of the possession of such intoxicating liquor shall e prima facie evidence that the same was acquired possess- l and used in violation of this act

dvertisement and Manufacture of and Traffic in Im- plements Substances and so forth used to Manufacture

Section 5 It shall be unlawful for any person to advertise anufacture sell offer for sale or possess for sale any uten- l contrivance machine preparation compound tablet cap- ule confection substance formula direction or receipt de- gned or intended for use in the unlawful manufacture of toxicating liquor

Nuisances

Section 6 Any room house building boat vehicle structure place where intoxicating liquor is manufactured sold fered for sale bartered furnished or possessed in violation this act and all intoxicating liquor and property kept or ed in maintaining the same is hereby declared to be a com- n nuisance and any person who maintains such a common isance shall be guilty of a misdemeanor and upon convic- n thereof shall be subject to the penalties hereinafter pro- ded

Injunction to Abate Nuisances

Section 7 An action to enjoin any nuisance defined in is act may be brought in the name of the Commonwealth Pennsylvania by the Attorney General of the State or by e district attorney of the respective county or by the soli- tor of any municipality Such action shall be brought and ied as an action in equity and may be brought in any court ving jurisdiction to hear and determine equity cases within e county in which the offense occurs If it is made to appear affidavit or otherwise to the satisfaction of the court at such nuisance exists a temporary writ of injunction all forthwith issue restraining the defendant from con- ucting or permitting the continuance of such nuisance ntil the conclusion of the proceedings If a temporary in- nction is praved for the court may issue an order re- raining the defendant and all other persons from removing in any way interfering with the intoxicating liquor or her things used in connection with the violation of this act nstituting such nuisance No bond shall be required in in- ituting such proceedings It shall not be necessary for the urt to find the property involved was being unlawfully used aforesaid at the time of the hearing but on finding that the aterial allegations of the petition are true the court shall der that no intoxicating liquor shall be manufactured sold ered for sale bartered furnished or possessed in such room use building structure boat vehicle or place or any part ereof Upon the decree of the court ordering such nuisance be abated the court may upon proper cause shown order at the room house building structure boat vehicle or place all not be occupied or used for one year thereafter but e Court may in its discretion permit it to be occupied used if the owner lessee tenant or occupant thereof shall ve bond with sufficient surety to be approved by the Court aking the order in the penal and liquidated sum of not ss than five hundred dollars ($500.00) payable to the ommonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that intoxicating liquor will not thereafter be manufactured sold offered for sale bartered furnished possessed or otherwise disposed of therein or thereon and that he will pay all fines costs and damages that may be assessed for any violation of this Act upon said property

Search Warrants

Section 8 Whenever any individual makes complaint in writing before any alderman justice of the peace or magistrate supported by his oath or affirmation and sub- scribed to by him alleging that there is probable cause to believe and that he has just and reasonable grounds for believing and does believe that intoxicating liquor is unlawfully manufactured sold offered for sale bartered fur- nished or possessed or that any mash still implement or other property designed or intended for use in the un- lawful manufacture sale or furnishing of intoxicating li- quor is possessed in or upon any room house building boat vehicle structure receptacle premises or any other place or thing whatsoever said complaint describing the said place or thing to be searched and the thing or things to be seized as nearly as may be and setting forth probable cause the said alderman justice of the peace or magistrate if it be made to apear that there is probable cause for such belief shall issue a warrant to search the said place or thing and seize the said thing or things described in the aforesaid complaint said search warrant describing the place or thing to be searched and the thing or things to be sized as nearly as may be and being directed to any officer or officers commanding him or them to make search by day or by night of the room house building boat vehicle structure receptacle premises or any other place or thing whatsoever therein described for any such thing or things and if any such be there found to seize the same and to make a return of said warrant together with the thing or things so seized or taken to the said alderman justice of the peace or magistrate for disposition according to law Said officer or officers may arrest without warrant and bring before the alderman justice of the peace or magistrate who issued said search warrant the person or persons found in possession or custody of the said thing or things so seized

Provided That no search warrant shall issue to search any private dwelling occupied as such unless it is being used for the unlawful sale of intoxicating liquor or unless it is in part used for some business purpose such as a store shop saloon restaurant hotel boarding-house warehouse or public garage

If no person shall be found in the possession thereof or if upon preliminary hearing the person or persons so arrested shall be bound over to appear at the Court of Quarter Ses- sions of the Peace or the person or persons so arrested shall be discharged having denied the ownership or possession thereof it shall be the duty of the said alderman justice of the peace magistrate to deliver the said thing or things so seized or taken to the district attorney or the person desig- nated by him to be held by him subject to such disposition by the Court as is hereinafter provided

The right to a search warrant as provided for in this section shall be in addition to all other rights of search and seizure now existing under law

Seizure of Vehicle Conveyance Craft or Receptacle Unlaw- fully Transporting Intoxicating Liquor

Section 9 When any officer shall discover any person in the act of transporting in violation of this act in- toxicating liquor in any wagon buggy motor vehicle water or air craft or other vehicle or receptacle or otherwise it shall be his duty to seize any and all intoxicating liquor and container found therein being transported contrary to law with or with out a warrant Whenever intoxicating li- quor transported or possessed illegally shall be so seized by any officer he shall take possession of the vehicle and team or motor vehicle boat air or water craft or any other con- veyance or receptacle and shall arrest any person in charge thereof Such officer shall proceed at once to make infor- mation against the person or persons so arrested and shall forthwith file an inventory of the property so seized with the magistrate and serve a copy of such in- ventory on the party in charge at the time of seizure In the event that no person shall be found in possession of said intoxicating liquor or container or of said vehicle team conveyance craft or receptacle or the person so arrested shall be discharged having denied the ownership or posses- sion thereof or the person so arrested is held for court it

shall be the duty of the officer having custody of said intoxicating liquor and property so seized to forthwith deliver possession thereof to the district attorney of the county wherein said seizure occurred or to the person designated by him to abide the judgment of the court as hereinafter set forth

Provided however That the said vehicle team conveyance craft or receptacle shall be returned to the owner upon the execution by him of a good and valid bond with sufficient sureties in the sum double the value of the property to be approved by the magistrate alderman or justice of the peace or a Judge of the Court of Quarter Sessions conditioned that the said vehicle team conveyance or craft shall be delivered to the district attorney of the county or the person designated by him at the time of the condemnation proceedings hereinafter provided in this act to abide the judgment of the Court or otherwise to remain in full force and virtue said bond to be payable to the Commonwealth of Pennsylvania for the use of the county in which said conviction is had Said bond shall be returned to the Court of Quarter Sessions and there held to abide the final disposition of the case

Penalties

Section 10 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than five thousand dollars ($5,000.00) or undergo an imprisonment of not more than three (3) years or both at the discretion of the court

Certain Seized Property Declared Contraband and For Provisions for Disposal or Sale of Same

Section 11 (A) No property rights shall exist in any intoxicating liquor or property designed for the manufacture or sale of intoxicating liquor intended for use in violating any of the provisions of this act or which has been so used but upon possession or use of any such intoxicating liquor or property in violation of this act the same shall be deemed contraband and shall be forfeited to the Commonwealth.

Upon the transportation of intoxicating liquor in violation of this act the wagon buggy team motor vehicle water or air craft or other vehicle or receptacle in which it is so transported shall be forfeited to the Commonwealth subject to the provisions herein set forth

No such intoxicating liquor or property or vehicle team conveyance craft receptacle or other property when in the custody of the law or of any officer shall be seized or taken therefrom on any writ of replevin or other like process

(B) If upon hearing before the Court of Quarter Sessions or a Judge thereof it apears that any such intoxicating liquor or property so in the custody of the law or of any officer was so possessed or intended for use in violating any of the provisions of this act or has been so used such intoxicating liquor and property shall be adjudged forfeited and condemned and shall be disposed of as hereinafter provided or if upon such hearing it appears that any vehicle team conveyance craft receptacle or other property seized under the provisions of this act had been used for the unlawful transportation of intoxicating liquor such vehicle team conveyance craft receptacle and other property shall be adjudged forfeited and condemned and shall be disposed of as hereinafter provided unless the Court shall otherwise order

(1) Upon conviction of any person of a violation of this act the Court shall order and direct the sheriff of the county to destroy all such condemned intoxicating liquor and property seized or obtained from such defendant or defendants except that the court may order the same or any part thereof to be delivered to a hospital for its use and make return to the Court of compliance with said order Except that any vehicle team conveyance or craft seized under the provisions of this act shall be disposed of as hereinafter provided

(II) In any case in which (a) the defendant is acquitted of a violation of this act and denies the ownership or possession thereof or (b) no claimant appears for same or (c) appearing is unable to sustain his claim therefor the Court shall order all such condemned intoxicating liquor and property (except vehicles teams conveyances and crafts) publicly destroyed by the sheriff of the county Provided the Court may order the same or any part thereof to be delivered to a hospital for its use Return of compliance with said order shall be made by the sheriff to the Court

(III) In the case of any vehicle team conveyance or cr seized under the provisions of this act and condemned aforesaid the Court shall order a public sale thereof by sheriff of the county notice of which sale shall be given in same manner as notice is required to be given of the sale personal property under a writ of fieri facias the proce of such sale to be paid to the county treasurer for the use the county In the event that any such vehicle team c veyance or craft is when so seized held and possessed un a bailment lease or contract and the legal title thereto is another person who shall prove that the unlawful use which the same was seized was without his knowledge consent then the claim of the bailor for money due un said bailment lease or contract shall attach to and be p out of the funds derived from said sale after payment costs and the balance be distributed as above provided case it appears at said hearing that the owner of any s vehicle team conveyance or craft has not been found wit the jurisdiction of the Court the sheriff shall give ten (days' notice of said sale by registered letter to the per if any whose name appears thereon as the manufactu thereof together with the manufacturer's number if appearing thereon

(C) In addition to the provisions aforesaid the Co shall in its order of condemnation and in every convict under this act where it shall appear that intoxicating liq was unlawfully transported in a motor vehicle declare t the license issued by the State Highway Department any motor vehicle so forfeited and condemned or issued any defendant convicted of transporting intoxicating liq in any motor vehicle shall be forfeited and revoked an shall be the duty of the clerk of the court in which s conviction is had or order of condemnation made to cer such conviction to the State Highway Commissioner shall suspend or revoke the license issued for such m vehicle or to such person and no other license shall be iss to such person or for such motor vehicle for a period of (1) year following such suspension or revocation Provi that a license may be issued for such motor vehicle after public sale thereof as above provided

(D) (I) The proceedings for the forfeiture or condem tion of all property the destruction or sale of which is p vided for in subsections (II) and (III) of Clause (B) this section shall be in rem in which the Commonwe shall be the plaintiff and the property the defendant A p tion shall be filed in the Court of Quarter Sessions of Peace verified by oath or affirmation of any officer or cit containing the following (a) a description of the prop so seized (b) a statement of the time and place where se (c) the owner if known (d) the person or persons in pos sion if known (e) an allegation that same had been poss ed or used or was intended for use in violation of this (f) and a prayer for an order of forfeiture that the sam adjudged forfeited to the Commonwealth and condem and be ordered sold or destroyed (as the case may according to law unless cause be shown to the contrary

(II) A copy of said petition shall be served personally said owner if he can be found within the jurisdiction of court or upon the person or persons in possession at the t of the seizure thereof Said copy shall have endorsed the a notice as follows

"To the Claimant of Within Described Property

"You are hereby required to file an answer to this peti setting forth your title in and right to possession of property within fifteen (15) days from the service he and you are also notified that if you fail to file said ans a decree of forfeiture and condemnation will be ent against said property

Said notice shall be signed by petitioner or his attorne the district attorney

(III) If the owner of said property is unknown or side the jurisdiction of the Court and there was no pe in possession of said property when seized or such pe so in possession cannot be found within the jurisdictio the Court notice of said petition shall be given by the sh by advertisment in a newspaper of general circula published in the county where such property shall have seized once a week for three (3) successive weeks notice shall contain a statement of the seizure of said perty with a description thereof the place and dat seizure and shall direct any claimants thereof to fi claim therefor on or before a date given in said notice w date shall not be less than twenty-one (21) days from h date of the first publication

(IV) Upon the filing of any claim for said property setting forth a right of possession thereof the case shall be deemed at issue and a time be fixed for the hearing thereof

(V) At the time of said hearing if the Commonwealth shall produce evidence that the property in question was unlawfully possessed or used the burden shall be upon the claimant to show (a) that he is the owner of said property (b) that he lawfully acquired the same (c) that it was lawfully used and possessed by him and (d) in the event that it shall appear that the property was unlawfully used by a person other than the claimant then such claimant shall show that such unlawful use was without his knowledge or consent

(VI) Any person claiming the ownership of or right of possession to any intoxicating liquor vehicle team conveyance craft or other property the disposition of which is provided for in this section may at any time prior to the sale thereof present his petition to the Court alleging his lawful ownership thereof or right of possession thereto and if upon public hearing thereon due notice of which having been given to the district attorney such claimant shall prove by competent evidence to the satisfaction of the Court that said intoxicating liquor vehicle team conveyance craft or property was lawfully acquired possessed and used by him or if it appearing that the property was unlawfully used by a person other than the claimant he shall prove that such unlawful use was without his knowledge or consent then the Court may order the same returned to said claimant otherwise it shall be destroyed or sold (as the case may be) as hereinabove provided

VII Unless either the Commonwealth or the claimant shall demand a jury trial within five (5) days after the conclusion of the hearing the right to such jury trial shall be deemed to have been waived.

(E) The provisions of this section shall apply to the disposition of any intaxicating liquor or property in the custody of the law or of any officer at the time of the passage of this act

The County Commissioner to Provide Facilities for Storage

Section 12 The county commissioners of each county shall provide the district attorney with suitable facilities for the storage and safe-keeping of all intoxicating liquor or other property seized or held under the provisions of this act

Evidence Pleadings

Section 13 In any prosecution under this act when proof has been given in evidence of the manufacture sale offering for sale bartering furnishing transportation possession delivery importation or exportation of any intoxicating liquor the same shall be prima facie evidence that the same was so manufactured sold offered for sale bartered furnished transported possessed delivered imported or exported for beverage purposes but this presumption shall not apply to the manufacturing furnishing transportation possession delivery importation or exportation of medicines nor to the sale of such by or to registered pharmacists and regularly licensed physicians or others lawfully authorized to buy and sell such medicine nor to the sale of intoxicating liquor for medicinal purposes to a duly registered pharmacist physician or surgeon or by any such pharmacist upon the prescription of a duly licensed physician or surgeon nor shall it apply to anything unfit for beverage purposes or to extracts ordinarily used for culinary purposes And this act shall not apply to such extracts when intended to be used for flavoring anything which when so flavored shall not violate the provisions of this act nor shall it apply to the manufacture sale transportation importation possession distribution or use of wine for sacramental purposes or like religious rites

It shall be unnecessary in any complaint information indictment or other pleadings to negative any proviso or exception contained in this act

No Person Excused from Testifying—Immunity—Liable for Perjury

Section 14 No person shall be excused on the ground that it may tend to incriminate him or subject him to a penalty of forfeiture from attending and testifying or producing books papers documents and other evidence in obedience to a subpoena of any court in any suit or proceeding based upon or growing out of any alleged violation of this act but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing as to which in obedience to a subpoena and under oath he may so testify or produce evidence but no person shall be exempt from prosecution and punishment for perjury committed in so testifying

Saving Clause

Section 15 Nothing in this act shall affect any case in which it shall appear that the crime therein charged was committed prior to the date of the approval hereof but such offenders may be prosecuted and punished as if this act had not been passed under and in accordance with laws then in force and for such purpose such laws are hereby specifically saved from repeal

Jurisdiction of Offense When Delivery Made by Carrier

Section 16 In case of a sale or furnishing of intoxicating liquor where the delivery thereof was made by a common or other carrier (whether the same be an interstate shipment or an intra-state shipment) the sale and furnishing and delivery shall be deemed to be made in the county wherein the delivery was made by such carrier to the consignee his agent or employee or in the county wherein the sale was made or from which the shipment was made and prosecution for such sale or furnishing or delivery may be had in any such county A prosecution in one county may be pleaded in bar of a prosecution in another county for the same offense The Court in the county first securing jurisdiction shall proceed to final disposition of the action

If Any Section Held Invalid Remainder of Act in Force

Section 17 If any provision of this act shall be held by any court to be unconstitutional such judgment shall not affect any other section or provision of the same It is hereby declared as a legislative intent that this act would have been passed had such unconstitutional provision not been included therein

Repealing Clause

Section 18 The following acts and parts of acts viz the act approved the thirteenth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred and eight) entitled "An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" and its amendment approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seven) entitled "An act amending an act approved the thirteenth day of May one thousand eight hundred and eighty-seven entitled 'An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof' by prohibiting the manufacture sale offering for sale transportation importation exportation furnishing or possession for beverage purposes of anything determined and found to be intoxicating by act of Congress passed pursuant to and in the enforcement of the Constitution of the United States of America and by restraining and regulating the sale of vinous spirituous malt or brewed liquors or any admixtures thereof fit for beverage purposes other than such as are from time to time determined and found to be intoxicating by any such act of Congress" be and the same are hereby repealed.

All other acts and parts of acts inconsistent with this act are hereby repealed. The repeal of any such acts shall not operate to revive any act general local or special heretofore repealed or superseded

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SNYDER. Mr. President, I have just received a letter from the General Chairman of the Order of Railway Conductors, which I deem of such importance that I wish to read it in full:

GENERAL COMMITTEE OF ADJUSTMENT
ORDER OF RAILWAY CONDUCTORS,
PENNSYLVANIA RAILROAD SYSTEM,

Tyrone, Pa., March 12, 1923.

Hon. Plymouth Snyder, Senate Chamber, Harrisburg, Pa.

Dear Senator: At the time public hearing on the Prohibition Enforcement Act was arranged for by your Committee, we noted there were requests made by certain individuals for to be heard on the "Search and Seizure" provision of the bill. These parties assumed to represent organized labor as opposing the amendment. We had hoped to be privileged to be present at this hearing, but on the day set we were required to be present at another meeting previously arranged for.

During the time this question has been before the public, press reports as well as certain individuals have stated that labor was opposed to the enactment of the proposed bill, setting forth position of labor as being in favor of modifying the Volstead Act permitting the sale of light wine and beer in excess of the percentage designated in the Volstead Law.

It is my desire at this time to bring to the attention of the Committee the Order of Railway Conductors' position in the question of sale of intoxicants. The Order of Railway Conductors represents all road conductors employed on steam service lines or where steam service and electricity are intermingled in the United States and Canada, and we do not think it fair for any individual to assume to represent this class of service as being friendly to the liquor traffic. Section 32 of the Constitution and Statutes of the Order of Railway Conductors of America reads:

"No member of this organization shall engage in the sale of intoxicating liquors while a member of the Order, either by accepting employment from others which necessitates the selling of intoxicants or by being interested in their sale in any way, directly or indirectly, through which he receives any pecuniary profit. If any Division failing to enforce this law shall have its charter arrested as soon as such fact comes to the knowledge of the President.

Section 20 reads in part as follows

"The use of alcoholic liquors as a beverage shall be sufficient cause for rejecting any petition for membership."

You will observe no doubt, the Conductors' Organization not only prohibits its members from using intoxicants as a beverage, but a member of the Organization would not be permitted to rent a property to any party who is licensed to sell intoxicants.

Should you care to inspect the reports of the railroad companies on this continent, you will also observe that safety in transportation of life and property is due largely to the crews manning these trains being sober. Every man who reports for service is inspected, and should they detect the fumes of alcoholic beverages on them they are not permitted to go into service, and are diciplined for the first offense, and a repeated offense sufficient cause for dismissal from the Company's service. I feel you will agree with me when I say that even the people who are friendly towards the liquor traffic would not care to take passage on a train where a crew is under the influence of intoxicants.

To be brief, I feel that we should make the statement that it is unfair for any individual or otherwise who are friendly to the liquor traffic to assume to represent the Engine and Train Service Organizations. These men are respected citizens, and they feel that no class of men should flagrantly disobey the law and are not greater than this Government; and such laws should be amended to the extent that the same penalty will be placed upon the violators that applies to counterfeiters, or other high crimes.

The Conductors love their homes, and they feel that the morals of the community where they reside should not only be promoted but protected. They also feel that the youngmanhood who graduates from the schools should be protected from the inroads of the liquor traffic. They support the churches and schools and other institutions that are beneficial to the interest of the communities where they reside. They also feel that the liquor traffic is one of the great evils of this country, and the saloon has no redeeming feature whatever. The only thing they exist for is to make drunkards, and when they have made drunkards of men they are then outcasts upon society, and the taxpayers are required to care for this product of the saloon (the drunkard). One of the great inconsistencies that we have in our dealings is to burden society with the care of the products of the saloon instead of removing the cause.

Before the Volstead Act became effective, numerous appeals have come to us from not only our membership, but from mothers, daughters and wives requesting that we use our influence in having the Company remove certain disciplinary measures on account of men using intoxicants. But let me say since the Law became effective, we have not had one case coming to us for adjudication, and it is my opinion that the amendment of the Law that would permit selling of light wine and beer is only a subterfuge put forth by the liquor interests to impose upon the good citizens of this country the licensed saloon and all of its evils.

The alcoholic percentage of the beverage consumed by man does not in the final analysis make any difference as to his action when he is intoxicated. An engineers' brain intoxicated on 3% alcoholic beverage will be just as much muddled as a man who is made drunk on 90% alcoholic beverage.

No doubt our Legislative halls will be flooded with literature, telegrams and letters requesting that the enforcement measure be defeated. My opinion is the representatives of the people should not allow these things to disturb them. They have a duty to perform. Labor is not against the enforcement act. The bartenders' or brewers' organizations or other kindred organizations is not supported by union labor in the position it takes regarding the saloon business. Labor stands for such laws as will protect the welfare of the public, safeguard the wives and children of the home and support the churches of the community. Do not allow these annoyances to disturb you. The saloon business should not and cannot again be resurrected.

We sincerely trust that when the question under consideration is finally disposed of by the Commonwealth's law making bodies, the proposed law will be enacted, and the old Commonwealth of Pennsylvania will still be found as the Keystone State, and the death knell of the iniquitous saloon business will be sounded.

With kindest regards. Fully trusting for your success, we beg to remain

Sincerely,

S. C. Cowen, General Chairman, O. R. C., Pennsylvania lines East.

Mr. President: The question before us is not temperance, neither is it prohibition. We have gotten beyond that stage. The people of the Nation, speaking through the Legislatures of their States by a majority of 46 to 2 have decided that question by placing the 18th amendment in the Federal Constitution. This amendment in Section 2 reads:

"The Congress and the Several States shall have concurrent power to Enforce this Article by appropriate legislation."

Therefore, the question is, shall Pennsylvania through its Legislature, grant concurrent power to enforce obedience to the Constitution of the United States—shall Law Enforcement prevail and is this a necessary Bill to bring about these requirements.

The United States Bar Association at their annual meeting, held in Cleveland three years ago, declared that our Nation was in peril from wide spread disregard of, and disobedience to law and constituted authority. They and we have sensed the alarming situation. If in 1861 our Nation could not endure half slave and half free, neither can it now long endure half law abiding, half law defying.

Right thinking men in every walk of life will agree with that statement. Laws must be obeyed and constituted authority sustained or we will have Anarchy and our cherished and beloved institutions will crumble before disorder and Bolshevism.

Two years ago the Legislature passed an Enforcing Act, which, because of its licensing feature and other defects proved a dismal and costly failure. The people felt that they were cheated, became restless and demanded a saloonless state. Then Mr. Pinchot entered the contest for Governor and everywhere, all over this broad commonwealth, daily declared that if elected he would "use the full power

of his office to drive all saloons out of the State" and "to prevent and punish bootlegging." This was a very forceful way of telling the people that the Constitution must and shall be obeyed and that Law Enforcement would be maintained. To this appeal, to these declarations, the people responded with such force and earnestness that Mr. Pinchot was elected Governor by more than a quarter million majority, and many sincere prohibitionists exclaimed, "Verily in this result the voice of the people is the voice of God,—let us now enact platform pledges into the organic law."

But I hear some say, "My district is wet. I cannot go along with dry legislation." Even so, are we not representatives of the entire State as well as of our individual districts? A wet district should not nullify the will of the people of the State. No, Mr. President, no, we should either enact adequate laws to enforce the 18th amendment, or we should repeal it.

The Bill before us is solely a beverage bill. Let us bear that in mind. It does not interfere with the sale of medicines or patent medicines when such are sold for medical use. Some store keepers are alarmed but we assure them that their alarm is needless.

In urging upon us the passage of this bill, the Governor is keeping his pledge to the people—made during months of campaigning, printed and broadcasted thousands of times and reiterated without the change of a syllable, in his inaugural address when he took the oath of office. This bill was framed after long study of the subject, by the light of experience and upon the judgment of eminent legal authority. The people demand it, our oaths compel it, and the supreme law of the land requires it.

No one need fear its provisions. Every section of it is practically as required by the Federal Act now in force. Search and Seizure and Burden of Proof need have no terrors for the law-abiding householder. Liquor for medicine and wine for sacramental purposes will be safeguarded, not forbidden. The strict requirements, the teeth in the Bill will work no hardships and are absolutely necessary. We dare not shirk our plain duty, nor deceive ourselves nor the public by offering a weak, wobbly and insufficient Enforcement Act. Let us look backward and see what our forefathers did when the Constitution and laws of Congress were nullified.

For refusing, in 1794, to pay revenue on Alcoholic Liquor, flogging one revenue officer and tar and feathering another. General Washington led an army of 15,000 men to Bedford, Pa., and suppressed the so called Whisky Rebellion. Peace was restored, the Constitution supported and laws of Congress obeyed.

For refusing, in 1833, to pay tariff duties, as required by law, Andrew Jackson, then President, sent General Scott with an army to South Carolina and for advocating secession and nullification about the same time. President Jackson threatened to hang United States Senator John C. Calhoun as high as Hamen, if he did not desist. Again peace was restored, the constitution was supported and the laws of Congress obeyed.

Some American born citizens are contributing to the present unrest and nullifying acts, but more I believe, are foreigners who have come to this free land of promise, only to tear down our most cherished institutions, sneer at our patriotism and with brazen affrontary spread their foreign propaganda.

Our duty then is plain. It is a great moral duty—a patriotic duty—an oathbound duty, for God, our Country and fellowman. At yonder bar of the Senate, each one of us solemnly swore, before Almighty God, to support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that we would discharge the duties of our office with fidelity; fidelity to our State, our Nation, and our sense of right.

I hold, that for far reaching effect and general good to all, this bill, with the supplementary bills to follow, will prove a fitting corner stone for the program desired by our Governor and therefore it is one of our highest duties to give it our hearty support.

Finally, Mr. President, In pleading for Law Enforcement here today, I speak not for myself alone. I speak for those great Women's Organizations of the State both Social and Political, who have endorsed this bill. For the Women's Christian Temperance Union, that white ribboned army that for many years has fought for prohibition for the Churches, the Sunday Schools, and the Bible Schools of the State. For the Mothers and Fathers who are raising boys and girls for future citizens. For the two million children of the State, and also for that great class silently suffering from the cruelty, neglect and heart breaking acts of those who should protect and cherish them, but who are victims of unlawful traffic in strong drink. Opposed to all of these Organizations and people, are the bootleggers and their confederates, who for gain of gold, debauch their victims, violate our laws, and defy our Constitution. On which side shall we take our stand? Whom under the Constitution shall we protect and defend? Is the Constitution the palladium of our liberties or is it a weak instrument of meaningless words? Is the Constitution a failure? Will it protect the people from selfish money getters, nullifiers and criminals? Has the blood of our forefathers who brought forth this Nation, and of those who fought to preserve it from internal enemy and foreign foe, been shed in vain? To this Senate I leave these momentous questions. Let us pass this Bill and we will at least have done our duty for Law Enforcement, for the preservation of our Constitution, for our liberties and for God and humanity.

Mr. STITES. Mr. President, and gentlemen of the Senate, I think I am quite within the fact in stating that no subject that will be brought before the Senate of Pennsylvania during this session will be more important that the question that now confronts us. It is of vital importance because it has to do with the two great fundamentals of life, the question of humanity on the one hand and the matter of law under our Democracy on the other. I spoke of humanity. Last week in the City of Philadelphia the license court had a session. Men and women came to protest against the granting of licenses to certain saloons. There walked into the court room and appeared before the bar of the court a woman from the humbler walks of life. She carried in her arms her baby, eleven days old, and asked the Court to refuse the license to a certain saloon keeper who was selling liquor to her husband and depriving her and her offspring of the support to which they were entitled; and almost immediately after she had taken her seat there walked up to the bar of the court another woman from the aristocratic section of Germantown. She was used to the finer things of life and she urged the Court to refuse the license of a saloon-keeper because her son, seventeen years of age, had been carried out of the door of that saloon unconscious from bootleg whiskey furnished to her boy. These two women are typical of the great battle that confronts this nation to-day, women fighting for their husbands, mothers fighting for their children and always and ever this battle goes on. There stands on one side dollars and profit, on the other side good government, manhood and womanhood, and you and I are called upon to-day to decide the question upon which side Pennsylvania shall array herself.

I confess that I have given a great deal of thought to this question, because it involves one of the fundamental doctrines of democracy, and that question is this: How far in a democracy may a majority go in legislation upon a subject that has to do with the appetite and the habits of a minority? Now I know that there are many well thinking men who say a democracy has no right to pass any law which inhibits or prohibits the appetite of a citizen, that is a right resident within himself and he alone is the sole judge; and yet how utterly inconsistent are the men who take that position. Just the other day in the City of Philadelphia a vigilant judge sentenced a purveyor of dope and heroin to fifteen years in prison and everybody applauded. Dope and heroin are matters of appetite and why shall we limit or inhibit the right of a man to take all the dope and heroin he wants if he has the right of personal liberty? We say to that man democracy was made for the good of the whole people and when a matter of appetite comes in contradistinction to the welfare of the whole people, then the majority steps in and says to that man or that woman, "you must put yourself in secondary position to the good of the whole."

Let us look at this question of narcotics as against the liquor traffic. The poor victim who takes his dope and heroin, crawls into the third story back room of a house and sleeps himself away with visions of castles in the air, doing harm to no one but himself, but the man who takes into his system undue quantities of alcohol, leaves his country club, or his favorite road house at midnight and getting at the wheel of his automobile, sends it careening along the road at sixty miles an hour, a menace to the life and safety of every citizen. You and I to-day are confronted with momentous questions such as this because no matter where we turn this drink question faces us on every hand. There is scarcely a family in the land which is not touched in some way by this drink problem.

It goes forth at night with the criminal, it meets us at the almshouse and the jail and it sits at the wheel of the automobile every day of the week. I know that many men will take the position that the Volstead Act and the Eighteenth Amendment were passed by reformers, having only their own personal viewpoint to consider. Well, let us see about that. This problem, gentlemen, is not a problem of drink, I was a little bit inaccurate when I used that phrase. This problem is a problem of alcohol. Whether we consider the question of brandy, that is forty percent of alcohol, or whether we consider the question of whiskey, with somewhat less of alcohol in it, or whether we consider the question of rum, with a little bit less of alcohol in it, or gin, that is thirty percent alcohol, or beer and ale with their ranging percentages of three to nine percent of alcohol, the question is always the same; the great national question of alcohol. The people of these United States after a long period of years, came to the conclusion that alcohol in whatever state you take it, is ruinous to the life of America. It is good neither as a food, it is not even a stimulant, it is a death dealing narcotic and the people of the United States spoke in Congress that that was their belief. Mr. Dooley once said to Mr. Hennessey, "John Barleycorn is a bum fighter." He said "I have seen John Barleycorn start a million fights and never won one." And when the war came on, the very first thing that the nations of the world did was to take alcohol out of the army. I have said that alcohol had never done any good. Well I will correct that statement. When the soldiers of His Majesty William I of Germany leaped across the fields of Belgium an d sprang at the throat of France, they invaded the wine cellars of Louvain and then went on and when they reached France, they broke into the wine vats of Champagne, continued on getting drunker and drunker all the time. And when they reached the little town of Dinant, they dragged the women of that town out on the public square and all afternoon long an orgy went on with the officers of the German army sitting on the curb and cheering the men on in their unspeakable atrocities; and when they reached the banks of the Marne, the French officers tell us today that the German troops were so drunk that the tactics of Foch, prevailed against the armies of Germany, because their officers and men were no longer able to carry out the military commands with the precision necessary for the capture of Paris. And today the pious French peasants in the little town of Meaux, on the banks of the Marne, have raised a little stone cross. It marks the point of the high-water mark of the German invasion. And when you ask them why they placed the cross there they will tell you "At this point God marked his finger in the sand, and smiled," indeed God laughed out loud at the spectacle of the armies of Germany, a drink dealing nation, finding itself so drunk that the great thing they wanted, Paris, was swept from their grasp by their old friend alcohol.

A statement has been made that this Eighteenth Amendment and this Volstead Act was forced upon the people of the United States unwillingly. In 1851 the State of Maine voted prohibition, in 1880 Kansas followed suit, in 1889 North Dakota went into the prohibition column, in 1907 Georgia voted prohibition and in 1917, when the United States declared war on Germany thirty-three (33) states of the Union had accepted prohibition through the enactment of their own laws. In 1918 there were 3030 counties in the United States, 2392 counties were dry 638 counties were wet. Of the other 15 states two-thirds were dry. In December, 1914, a majority of the House of Representatives of the United States voted to submit the question of the prohibition amendment to the states and over 1915 and 1916 the debate went on unceasingly. For years and years this question of prohibition had been debated by the country. This law was not secured by stealth or in the dark. When the Congress of the United States voted upon the prohibition amendment, 65 Senators voted in favor of the amendment and 20 voted against it, and 282 Representatives in the House voted in favor of the Eighteenth Amendment and 128 voted for liquor. When the question went to the states of the Union for ratification, in 45 states voting upon for ratification, 1288 senators voted to ratify that amendment and only 213 voted against, 86 per cent of the Senators in the various states who voted on the question voted in favor of the ratification of the prohibition amendment, and in the various assemblies 3739 voted to ratify and 934 voted against, and when the Volstead Act was voted upon in Congress 176 Representatives voted in favor of the Volstead Act and 55 against it, and the following day the Senate of the United States voted 65 to 20 to ratify the Volstead Act.

Other propaganda has gone forth on this question that while the soldiers of the United States were fighting upon foreign fields the people back home took away from them their sacred liberties by passing the Eighteenth Amendment to the Constitution. We will take the State of Ohio as a sample. In 1918, while the soldiers were still abroad Ohio voted on the question of the prohibition. The majority in favor of prohibition was 28,759. One year later when the soldiers came back, in November, 1919, the question was again voted on and 41,853 was the majority in favor of a continuance of the prohibition law. Three years afterwards, in November, 1922, last November, after the soldiers had plenty of opportunity to consider the benefits of prohibition in the State of Ohio, 188,000 was the majority in favor of the Volstead Act. Now I have heard the argument raised time and time again that if the Republican party hoped

to succeed in the next election it had better take the side of liquor, beer and light wines and abandon the stand of President Harding in the enforcement of this law. Well, in the first place, the most cowardly argument in all the world is the argument of expediency. In politics, in business or anything else, the man or the party that has not the nerve to stand up to the guns in the matter of right and wrong, does not deserve success anywhere. When the immortal Lincoln was debating with Stephen A. Douglass in that great series of debates in Illinois, before the Civil War, Mr. Douglass took the position that Kansas and Nebraska had a right to come into the Union slave or free, as they themselves determined. Mr. Lincoln went right back on the broad ground that slavery was either right or wrong and he said if slavery is wrong you cannot have local option in slavery, this nation cannot exist half slave and half free. A friend came to Mr. Lincoln and said to him, "Mr. Lincoln, if you do not retire from your position on this question of slavery, you will lose your chance to go to the United States Senate." Mr. Lincoln turned to his friend and said "My dear sir, I appreciate your interest in my political fortune, but this is a great moral question; it matters not at all whether Abraham Lincoln goes to the United States Senate, but it matters above everything else in the world that Abraham Lincoln shall be true to himself." If the liquor traffic is wrong let the Democratic Party build its plaform upon whiskey barrels and raise its standard on a violation of the Constitution. I take my position with the Republican Party that the Constitution and the flag are still to be followed, no matter whether we win or go down in defeat. The greatest need of this country to-day is one big, strong voice with enough moral courage to stand for law and order. In those dark days before the Civil War when Mr. Buchanan was President, men's minds wavered as to whether they should compel the south to remain in the Union. Some men took the position that we ought to make a compromise with the south, and just at that time the Collector of Customs in the Port of New Orleans sent a telegram to the Secretary of the Treasury, old General John A. Dix. He said to Mr. Dix "I understand that efforts are to be made to haul down the American flag from the revenue cutter in this harbor. Please wire instruction," and old General John A. Dix sent back a telegram whose message solidified the country and enabled it to go forth with a unified voice under Mr. Lincoln. The message sent back was this, he said: "If any man hauls down the American flag shoot him on the spot," and to-day the bootlegger and the rum runner is hauling down that old flag just as surely as the Confederate forces tried to haul it down in 1861.

What is this battle that faces us today? The great mass of American people are law-abiding citizens. The battle of the country today is whether the six wettest, liquor drinking cities of the country shall make the laws for the rest of the country. When the prohibition amendment was voted on fifty per cent of the Congressmen who voted in favor of liquor came from the six great cities of the country, and in those cities foreigners, not even possessing citizenship are engaged in the bootlegging business to the detriment of the nations welfare. The Atlantic seaboard today is wet, the rest of the country believes in law enforcement, believes that the Constitution of the United States ought to be observed. Four states of the Union today contain one-half the saloons in existence. The State of New York contains more saloons than thirty-six of the states that can ratify the Constitution. Are we going to permit the eastern seaboard to upset the will of the entire country, as expressed in Congress? Why is this wavering spirit on this prohibition question? There is no occasion for the Republican Party to have any worry about the next election. I spoke of Ohio's majority of 188,000 last November in favor of law and order. In the City of Chicago, Cook County, Illinois, the former Governor Yates running there for Congress took issue on a strictly dry platform with every wet newspaper in Chicago against him. He beat his Democratic opponent by 276,000 votes. This country of ours believes that the Constitution is the supreme will of the land. It believes that a sober America will be a better America and the people of Pennsylvania, in my judgment, do not want the rum runner and bootlegger to express the majority opinion of the people of Pennsylvania.

Reference has been made by Senator Snyder to the position of some of the business organizations of the country on this question.

Judge Gary, of the United States Steel Corporation, not long ago, made this statement: "Results have fully justified prohibition legislation. I endorse the admirable expressions of President Harding on the question." And this is President Harding's statement:

"In every community men and women have had an opportunity now to know what prohibition means. They know that debts are more promptly paid, that men take home the wages that once were wasted in saloons, that families are better clothed and fed, and more money finds its way into the savings banks. The liquor traffic was destructive of much that was most precious in American life. In the face of so much evidence on that point, what conscientious man would want to let his own selfish desires infiuence him to vote to bring it back? In another generation I believe that liquor will have disappeared not merely from our politics but from our memories".

And W. S. Stone, The President of the Brotherhood of Locomotive Engineers, says this:

"I find a marked improvement in the number of men who are saving their money and who own their homes or are buying their homes, and I find a decided improvement in the home life of the workers, due to the fact that the women and children have more food, more clothing, and better care in every way. Back of all that, the worker takes his family and goes to the picture show or to the park now, when he formerly spent his evenings in the saloon drinking and spending his money. Drunkenness has decreased at least 75 per cent among the workers."

S. S. Kresge, head of the great chain stores system that bears his name, whose people deal with the men and women of the humbler walks of life, says this:

"The result of prohibition is more thrift, bills paid better, homes happier and better provided for".

How lacking in vision we often are. We expect great moral reforms to be accomplished in a day, a month or a year. But whether it takes a short or a long period these reforms that advance the interests of human welfare always win.

When compensation for injured workmen was first suggested, it met with scant support; when the prohibition of child labor was originally advocated, there were few who believed it could ever be written into law; it took long years to win the fight for equal suffrage and now we have written prohibition into the law of the land. These are dreams come true, and we rejoice in the triumph of human welfare as expressed in our enacted laws.

James Russell Lowell caught the vision when he said:—

"Careless seems the Great Avenger:
History's pages but record
One death grapple in the darkness
Twixt old systems and the Word.
Truth forever on the scaffold,
Wrong forever on the throne,
But that scaffold rules the future,
And behind the dim unknown
Standeth God within the shadow
Keeping watch above his own.

The thing that put prohibition over was not the attitude of fanatical reformers; it was the attitude of the great business men. The Pennsylvania Railroad will not employ a man on its lines who pours alcohol into his system. The American Car and Foundry Company refuses to employ within its works a man who will even sign an application for a liquor license, and the actuaries of the great life insurance companies will tell you that even in the case of the moderate drinker it took from ten to thirteen years off his life. If anybody can rise up this morning and tell me anything good in this thing we call alcohol I shall be tremendously surprised.

There is a call coming from the country to-day to the men of Pennsylvania, and the importace of this Keystone State in the affairs of the nation is such that the entire country today is listening to know what we propose to do on the enforcement of the Eighteenth Amendment. We are the lineal decendants and the direct decendants of the men who swept back Pickett's charge that came across the fields of Gettysburg in 1863, and I think the people of Pennsylvania, and the men of this Senate have in them something of the spirit of the drummer boy of Marengo. At the battle of Marengo, Napoleon seeing the day going against him turned to the little drummer boy and said "beat the retreat". The little fellow with tears streming down his face turned to the great Corsican and said "Sire, I cannot beat a retreat, Desaix has never taught me that. But sire, I can beat a charge, I can beat a charge that will wake the dead, I beat it at Austerlitz, I beat it at Jena, I beat it at Pyramids. O Sire, may I not now beat the charge"? And the great commander, stung by the rebuke, ordered up his reserves and directed the boy to beat a charge, and the French troops swept forward to one of Napoleons greatest victories. And shall we say to the country to-day that we retreat in the face of an obvious duty. Oh no, we shall not say that. All about us in this Chamber are the inspirational memories of gentle, loving William Penn, George Washington, and the patriot dead. When Washington was confronted with the great moral question of the future of the colonies, he said, "Let us raise a standard to which the wise and honest can repair", and that great immortal Lincoln on the hills of Gettysburg, who said, "It is for us, the living, rather to be dedicated to the unfinished work". And the work for you and me this morning is just beginning, it is not done. What shall be the answer of Pennsylvania to the other states of the Union on the question of the Constitution and the law. We shall say to the other states of the Union we fight for our sons and our daughters even as we fought for our liberties under Washington; we fight for the Constitution and the flag even as we fought for them under Meade and Lincoln, and down from a thousand hills and up from a thousand valleys in this great country there shall ring this chorus "Lead on, Pennsylvania; we follow".

Mr. LANIUS. Mr. President, in rising in my place to support the passage of this act, I am not so much concerned as a Senator of this body as a citizen of the Commonwealth. It is to be supposed that as a Senator I would vote one way or the other and that vote might be charged to expediency, but as a citizen I claim the right that I stand here in the double privilege of having this vote and this voice and doing my full duty for this Commonwealth as I understand it. I voted in 1919 to ratify the Eighteenth constitutional amendment. I was the only man sent from York County to this Legislature on the Democratic ticket, and I made the fight on the platform, straight and clean-cut, that I would stand for that ratification. In all my previous sessions in the House I voted for local option and for the kindred measures because I felt it was my duty, as well as my privilege to do that, but, Mr. President, I want to say to you, that it is my glorious satisfaction this morning to tell you that back there in the hills of York County there is a constituency, 98 or 99 per cent, who are awaiting the word that will tell that Henry E. Lanius was true to his obligations as a man and has voted here in this body to help put across this Enforcement Act. Mr. President, from all those districts I received communications, in none of which they asked me to vote against this proposition, but merely inquired into the status and asked for information. There is the record of York County on this piece of legislation. They are law abiding and they are willing to go to any extent to uphold the Constitution of the United States today just as their forebears did since there has been a Constitution. This act is not wet and it is not dry. I cannot understand why the people of Pennsylvania are being encouraged by certain sources to discuss a wet and dry measure. This act simply provides that this State observe the spirit and the letter of the Eighteenth Amendment. This act does nothing but what the Volstead Act is now doing, except in this, it repeals the Brook's High License Law passed in 1887, and it should repeal it. When that law was passed it was sort of a compromise measure between the state and the people who at that time wished to traffic in liquor. The liquor interests claimed that it was the greatest and most modern measure of its kind in the United States, and among its provisions was one that for the privilege of selling liquor of one-half of one per cent or in excess, after the license would be paid, not for the right, but the privilege, and that privilege was ephemeral, the condition had to be renewed every year. Mr. President, I submit to you that the State of Pennsylvania when it accepted that money, was going to allow them to sell liquor of alcoholic content to anybody, and we cannot take that money any longer because we cannot fulfill that contract; and so we repealed the Brooke's High License Law and the liquor interests should not be asked to pay for something they are not getting, and so they too are agreed that this law should be repealed.

This law will not injure the man who is willing to obey the spirit and the letter of the Eighteenth Constitutional Amendment, and there is no more misleading assertion that any man can make than that the use of liquor is man's inherent right. Mr. President, I ask if we consider these matters as infringing upon this inherent right, how much legislation of Pennsylvania would be enforced? I submit it is my God-given right to go to the Susquehanna River and fish there for any kind of fish I care to, because my forebears in Pennsylvania, since 1779, lived on the Susquehanna River. Again I submit that I can walk into the forests of Pennsylvania and shoot game in season and out of season without any regard for law, because my forefathers helped to clean out those forests where stand the towns and villages of Pennsylvania. Mr. Presidenut, I could submit, if I care to, that because I have earned the salary given to me for certain work I can gamble it away because it is mine, and I can tell you if I care to use morphine, if I care to use it for nervous debility and crawl into the garret and sleep it off, it is my business. I can go to places of vice and indulge in immoral dancing because that is what they call inherent rights. Man has always said the same thing, but you have had your deluge and your Sodom and Gommorah. There has not always been prohibition, and our forebears back in the garden of Eden gambled, and some one said "We will gamble Paradise away." They took a chance and lost. God Almighty said there are some things that you cannot do and there are some things that you must do, and one of them is you must observe certain restrictions, and He said you can have the chance. They took a gambler's chance and lost. When Cain slew his brother Abel he said "I am not my brother's keeper," but God, who had created him, said, "Where is Thy brother" and the in-

junction applies upon every brother of the human family, you are responsible for your brother, and as Paul says "Walk circumspectly, that you give offense to no man."

I have heard the argument that the Bible tells man to use wine for the stomach's sake. In the old days of the vineyards everything in the way of juice or fruit was called wine. But there was a distinction between the wine and the juices of fruit and the one that is intoxcating, Paul defined that when he said "Do not look upon wine when it is red." That was the intoxicating qualities of red wine, of strong wine.

Men go far with this inherent right to drink. If you are going to say that a man has the right to drink, then I argue that all of Pennsylvania has the right to blindness. I have seen by the newspapers that in the City of Philadelphia during the month of January 203 or 204 deaths have been attributed to poison. Mr. President, every day in the papers of Pennsylvania you see where there are raids, you see where men are being arrested for violating the provisions of the Eighteenth Constitutional Amendment, or rather the Volstead Act, That is all right, but it is a Government proposition, why should not the Government fulfill its own laws of enforcement? The Senate of Pennsylvania is one-tenth of that Government, and aren't we strong? When we say the Government of the United States enforced this Volstead Act, we say that we are doing it because we are part of that Government. Mr. President, these United States will always be what the people want to make it and no government will be any better, any wiser, no more courageous than the united qualities of the individuals that back that government. They can change this Constitution whenever they can get enough votes in Congress to change it and enough states to ratify it. They can abolish the Constitution if they can do it legally. This is their government. The Star Spangled Banner rests on one thing and that is your constitution, and I ask what would that flag be without the Constitution? It would be nothing but the same as any other act to back up your Constitution. By that bill of rights, by that great fundamental principal upon which it becomes the greatest nation in the world. Why should men debate the wisdom of enforcing the Constitutional Amendment? I submit that as long as that Constitutional Amendment is intact in that Constitution, it is the duty, not the privilege, but the sacred duty of every man, woman and child of the United States to obey that provision, and if they see fit, they can change it, but as long as it is there it is every one's responsibility. And now coming down to responsibility, this law will simply mean this: If a man comes to my home to search, I will simply say, "Well, is it to be a Snyder warrant or a Volstead warrant? Are you going to search with your left or right hand?" That is practically what it amounts to. It simply writes into the laws of Pennsylvania the provisions of the Volstead Act. Mr. President, I submit that it is the duty of Pennsylvania to clean up the mess left by that liquor traffic and give us the privilege to exist. I say it is a responsibility to clean up that portion of it . At any rate we have the full power and why should we dodge? We enlisted men for a period of three months to go to Gettysburg despite the fact that our volunteers had gone to the Federal army before that, yet Pennsylvania, when it became hotter and hotter, put in additional forces. Mr. President, Pennsylvania to-day is the same Pennsylvania of 1776. We pride ourselves and our history. We speak of Valley Forge, we talk of Saratoga, of the immortal heroes of the Continental days and we mean it, but, Mr. President, Pennsylvania will have to be either the Pennsylvania of old, with her traditions and customs and all that we hold dear, or will be thrust before us as chimera of our own imagination. We rise, as Pennsylvania has always risen, to the emergency. The Senate of Pennsylvania to-day is being watched by all the people of the United States. It is no mean proposition to occupy a seat in this State Senate. It is no mean proposition to be a Senator in this great body of Pennsylvania's legislature, but it is a high responsibility. I have the distinction of being the only blind man ever elected to the Pennsylvania Senate, and I want the people of Pennsylvania to know this, that when Henry Lanius comes from York County after six weeks in which he tells the multitudes there day in and day out that he is for the Enforcement Act and when he stands up on the Democratic State platform and says he will support legislation which will conform to the Federal Act, I want the people of Pennsylvania to understand that the blind man will not sacrifice his honor or his word for any empty opportunity. I want them to know that I too can rise above that, that I know what it means to shoulder a responsibility and I want to help the people of Pennsylvania, that his desire is to give service to society, to the state, and to assume responsibility, that he is expected to do that very thing, and a man who is not big enough and broad enough and who has not got the courage and the conviction, Mr. President, has no place in public life in America. In closing I want to say that this Enforcement Act should pass this Senate and I want to say here and now that I want it distinctly understood that I accede and give to my colleagues the same privilege that I take for myself, the God-given knowledge, and giving them the right to their own opinion. The bigot says "I am always right and when I am stronger than you I must persecute you so that right can prevail but when you are stronger than I you must permit me to exist because I am the truth." I want my colleagues, the distinguished gentlemen who occupy seats in the Senate with me, to understand I respect their position; I want them to understand that when they went to that bar and swore to uphold the Constitution of the United States that it followed necessarily that the upholding must be according to their own interpretation.

This act simply means this, in conclusion, that Pennsylvania will take upon itself the responsibility which it implied when it was one of the States which ratified it. Mr. President, I thank you.

Mr. MacDADE. Mr. President and fellow Senators. I have listened to the addresses this morning with interest and pleasure and what I may say in addition to what has already been said will be simply impromptu and I do not propose to take very much of your time. I am very glad to have the opportunity to present a few views that I have on this situation and that led me to take what I thought was an inconspicuous part in an effort to formulate legislation which I thought was fair and reasonable and would be passed upon by our Courts as Constitutional. In the first place, when this high office was suggested to me in the county of Delaware there was an effort made at that time to raise a direct issue on wet or dry, as it is spoken of in common parlance. My opponent, the former Speaker of the House of Representatives, declared himself to be wet, and he said "if you elect me to the office of Senator I will strike the rock from which will spring the brook for the working man." That was the slogan in his campaign and although I remained silent on the subject, as I did not think it was any issue for this body, because Congress had already passed upon it, yet the people in my district nominated and elected me to this office and, for political reasons, I beleive that a mandate has been issued to me and it is my bounden duty

to see that that mandate is carried out strictly in that those in my county sending me to this chamber desire me to be on the side of the dry, for dry enforcement, and dry I am, and dry I have been always as far as this measure is concerned. Again, from the standpoint of a lawyer, sitting back in my library several weeks ago, in the lonely vigil that I am now enduring, in looking over this bill I thought there were some points that might be clarified or there were some corrections to be made, or some additions thereto, and I want to say here, so it will go back home to those who have written and telegraphed me for and against the bill, that whatever steps I have taken in the matter have received the approval of the fine, distinguished gentleman who is now presiding over the destinies of the Commonwealth of Pennsylvania, the Governor of this Commonwealth, and he has approved of all that I have done in the matter. There was no effort to pull the teeth from this measure, the dragon's teeth so to say, but because I was conscientiously convinced that the bill was wrong in its inceptions, and I have been taught from early manhood some patriotism, I belong to organizations that teach patriotism and I have been taught that one of the worst things in the history of the colonies was that there was inflicted upon the colonists the Writ of Assistance, that from the eye of the Sovereign King abroad no man's home was free from search, nor was his freedom guaranteed, when such writs could exist, and I know that our forefathers threw off the yoke and one of the main reasons for it was the Writ of Assistance, and that the War of 1812 was fought because of search and seizure, applied our ships in an endeavor to capture the English sailors who had deserted the navy.

So you see I am conscientiously and patriotically opposed to any invasion of the home except as the law indicates in the Volstead Act, and I believe certain changes have clarified the situation so far as this legislation is concerned, and there was no endeavor upon my part to make any amendments to this bill in order to embarass the gentleman over in the Executive office. I propose to stand by him as far as I can in support of his policies. I believe it is our duty to stand by this gentleman in his honest endeavor to give us the very best service and not for factional or other reasons to hamper him. So I disavow, so far as you gentlemen are concerned, that there was any effort upon my part, in any way, to embarass him, but I want to help him, as I told him yesterday morning, going directly to him to tell him what I thought of the situation, that is all, just as a plain Senator in the discharge of the duties of his office, conscious of the oath I took several years ago.

In conclusion, what actuates me more than anything else to support this bill is this: Not for wet or dry issue, but because as an American, apart from being a Senator, that obedience to the law is the first duty of a citizen, and as my fellow-Senator Stites said in quoting Abraham Lincoln,—he might have gone on and quoted him further when he spoke on the subject of perpetuation of American institutions long before he ever thought of being President of the United States. We as Pennsylvanians are on the threshhold of the great possibility in physical, moral and spiritual development, we are on our onward march, we are not going to be laggards as Pennsylvanians and in that march we are going to be influenced and inspired by those immortals who have gone on beyond, among them Abraham Lincoln, to whom reference has been made. Reverence for the law should be taught by every mother to the lisping babe that paddles upon her lap, should be written in every primer, spelling book, it should be taught in school, seminary and every college. It should be preached from the pulpit, proclaimed from legislative halls and enforced in the courts of justice. So let it be a religious proposition, let every person, rich or poor, white or black and under all conditions, let them be willing at all times to sacrifice themselves upon this altar.

Mr. CLARK. Mr. President and gentlemen of the Senate: I consider it a great privilege to have the opportunity of speaking before this distinguished assemblage in behalf of the Snyder-Administration Bill No. 99, designed as the Enforcement Bill.

If I were an orator, I would express my views in such forceful and commanding language as to convince you beyond the shadow of a doubt that this is a most meritorious measure and when put into actual practice will bring to the people of this Commonwealth peace of mind and the greatest happiness they have ever known; or if I were a genie I would, through the use of magical words, convert you to my way of thinking.

Inasmuch as I do not possess either oratorical or magical power, I must be content to express my views upon this vitally important subject to this intelligent body in my own homely fashion, with the earnest and sincere hope that every member of this Senate may take advantage of the opportunity afforded him to-day to do a big thing, a grand thing and leave a record in the Senate of Pennsylvania that you and those who follow you may be proud of for all time to come.

I may be somewhat old fashioned, but as a child I was taught by one of the grandest women that ever lived, and that grand woman was my mother, to have Reverence and Respect for the Church; Respect for our Public Institutions; Respect for the President of the United States, as well as for all others in authority; Respect for Law and Order and the Rights of others; Respect for the State of my birth, that Grand Old State of which we should all be justly proud—Pennsylvania.

I want to underscore that word "Respect"; I want to so emphasize it as to make a lasting impression in our minds today and the days to come, to the end that our conduct, whether in politics, business or society, may at all times be above reproach and that we may always have the courage to uphold and stand for those things which we believe to be right and oppose those things which we know to be wrong, so that we may have respect for ourselves, our fellowmen, our State and Nation and our God.

Conditions that confront us today throughout this Great State are not only alarming, but scandalous and disgusting to law abiding citizens. We should not try to deceive ourselves, every member of this Senate must or should know that men occupying high positions in State and Nation are defiantly violating the law; some of them are denouncing the law breaker and privately violating the laws themselves, such persons might be properly designated as counterfeit patriots and a menace to decent society.

As to the serious conditions that prevail in the Nation, I am going to quote the statement published in the Anti Prohibition News of Pennsylvania, published at Shamokin, under date of January, 1923, the name of which periodical or sheet is printed in bold red letters, which in itself is a danger signal, and decorated with bottles. Statements referred to are as follows, viz:

"Poisonous liquor has caused the death of more than 20,000 persons since the Prohibition Act became effective. A study of daily press files reveals other thousands have been blinded and crazed by home brew concoctions."

That statement was intended by the author to show that conditions under the Volstead Act were growing worse and that the law could not be enforced.

That is not a fact as evidenced by the growth of deposits

in the Banking Institutions of our country and as further evidenced by the behavior of our citizens.

In the days of the open saloon we frequently saw intoxicated persons on the street, on the trains, at public gatherings and elsewhere. You know and I know that no such condition exists today.

True it is that a shameful condition still prevails because, in numerous instances those charged with law enforcement fail to perform their duty. I for one stand ready to be drafted into any service to drive the murderous bootlegger, the dispenser of poisonous beverages from the State and Nation, if need be at the point of the bayonet.

For your further information, I want to read a letter written me under date of March 9th by Hon. John T. Davis, Prohibition Director for Pennsylvania, as follows, viz:

"Enclosed you will find reports from two cases where denatured alcohol was being redistilled. This has been one of our most difficult problems with the limited number of agents which we have had. After being redistilled it is sent out into bootlegging channels and then disposed of to such innocent people as I have described, thereby causing death to many, inflicting many with blindness and impairing their physical health.

I trust you will be able to glean from these two reports such facts as you are desirous of having."

While I do not wish to tire you with detailed statistics, I do regard these reports as vitally important, as said reports show conclusively that our laws are being grossly violated and that great quantities of poisonous liquor is being manufactured and sold, not only in two or three places in the City of Philadelphia, but all over the State.

Mr. Davis has proven himself a most courageous, efficient and trustworthy Director. His was a Herculean task. He was expected to accomplish miraculous results, without adequate State or Federal aid, only being provided with seventy-one men, not sufficient force for effective duty in any one of the large cities, to be distributed all over this great state, to aid him in performing that miracle. If that entire number had been placed in the City of Philadelphia, the force would not have been sufficient to cope with the scandalous situation existing there, besides that little band of enforcement officers might have traveled continuously in the performance of their duties through that city and not even have seen each other for months at a time. Mr. Davis has honestly and zealously tried to administer the law under the Volstead Act, but has been so handicapped by certain officers of the law and others charged with enforcement duties not in sympathy with the Director's activities, that he has not been able to accomplish the result desired. His friends who know of these handicaps are proud of his record and the splendid things he has done for the temperance cause, almost single handed.

This is a practical measure intended to provide adequate means for enforcing the Volstead Act—

It is of no consequence whether or not the law suits us, it is our duty as loyal citizens to obey that law.

Ex-President Taft, now Chief Justice of the United States according to press reports expressed it this way:—

"This is a democratic government, and the voice of the people, expressed through the machinery provided by the Constitution for its expression and by constitutional majorities, is supreme. Every loyal citizen must obey. This is the fundamental principal of free government. Those who oppose passage of practical measures to enforce the amendment, which itself declares the law and gives to Congress the power and duty to enforce it, promote the non-enforcement of this law and the consequent demoralization of all law.

This was the evil result opponents of the amendment prophesied, and they are thus doing all they can to vindicate their view. Such a course is unpatriotic and is not playing the game of self-government fairly."

Recently before the Yale Club at Washington, Chief Justice Taft stated this responsibility to obey law as follows:

"The safety of society is in obedience to law. If you like the law or not, as long as it is regularly adopted, it is our business to obey it.

To obey the law is to be a true democrat. If every man thinks every law must suit him in order to obey it, he is not a democrat but an anarchist. The basis of good government is obedience to law as people have determined it to be. Young men should be trained to know that to be patriotic and democratic members of society they must realize not only what it means to obey, but to instill the act of obedience in others."

"It is dangerous doctrine for any citizen to attempt to excuse lawlessness. It is doubly dangerous when it is done by men in prominent positions.

To attempt to excuse the violation of the fundamental law of our land because it does not appeal to those desiring beverage intoxicants is inexcusable. This is why the judges of the United States issued this timely warning to the American people:

Those who scoff at this law (the National Prohibition Act) and disobey it are aiding the cause of anarchy, promoting mob violence, robbery and homicide; they are sowing dragon teeth, and they need not be surprised if no judicial or police authority can save our country or humanity from reaping the harvest."

Another distinguished jurist of Philadelphia is quoted as saying:—

"The saloonkeepers of Philadelphia who pay $900,000.00 in license fees are doing so to sell something more than soda and near beer. They make their money and their customers have a living hell on this earth."

The Senate of Pennsylvania, representing as it does the citizens of one of the greatest States in the Union, should set the example for all other States to follow, and if I read your faces aright, you will by your vote today pass this bill by a good safe majority, thus putting into actual practice among men the Golden Rule:

"All things therefore whatsoever ye would that men should do unto you, even so do ye also unto them."

When the yeas and nays are taken on this measure, I am going to ask you to think of those beautiful words as expressed by that gifted writer in the following language:

"In the great bank of Eternity, the greatest credit will be given to him who has contributed most to the sum of human joy, who has planted a flower in the fainting heart of despair and kissed it with the sunshine of hope, who has painted the pallid cheek of despair with the rose of health and happiness, who has left the world better than he found it, whether by an improved poppy, a perfect poem or a rescued soul, who always looked for the best in others and gave to them the best he had, whose life was an inspiration and whose memory a benediction."

Mr. EYRE. Mr. President and gentlemen of the Senate: I am going to be very brief. I realize that the hour is growing late and that the members of this body have made arrangements to take the early afternoon train out. First I want to say that I am authorized by your friend and my friend, the Senator from Lycoming, to express his regret that he is confined to his home with illness, with the assurance to you that if he could be here today and record his vote it would be in favor of this enforcement legislation.

I do not take issue with any of my colleagues on the floor of this Senate for the position they may take in their vote on this bill. I believe that every member of this Senate is a law abiding citizen, who will approach this subject from

what he believes to be his duty to his constituents. I am fortunate in having a constituency that, in my judgment, is ninety eight percent in favor of this bill. Therefore, my duty is clearly marked out to me in my active co-operation and assistance in support of this measure. As long ago as last October I said in the presence of the man who was then a candidate on the Republican ticket that that was my belief and that when enforcement legislation came before this body I would support it as advocated by the State administration one hundred percent, and I appear today to carry out that pledge and to give my vote and influence to the passage of this measure, because I believe in doing that I am carrying out the wishes of the constituency that sent me here and I am carrying out that which I honestly believe to be for the best interest of the best citizenship of Pennsylvania. I do not believe that there is a single member of this body that will undertake to say that today the Eighteenth Amendment is not as much a part of the fundamental law of the land as any other law that we have on our Statute books and as American citizens in my judgment, it is our duty to see that that law, so long as it is on the Statute books, should be enforced one hundred percent, and my fear has been for months past, knowing that in many quarters it is an unpopular law, that failure to enforce that law would gradually lead to the failure to enforce other laws and if American citizens could with impunity break one of the fundamental laws of the land they could with the same impunity and safety break other laws and all laws that govern us, which would lead to a chaotic condition of our affairs. I, therefore, approach the subject entirely on the grounds of law enforcement. Two years ago I was honest and conscientious in my belief that the so-called Woner Act would secure the results that we were aiming to secure in the State of Pennsylvania. I am compelled to acknowledge that under the Woner Act, whether through lack of enforcement or otherwise, those results have not been accomplished and I for one am willing to try different legislation hoping that in the framing of this bill we have secured a law which if it is passed and signed may secure the result of driving out the bootleggers and the law breakers from the State of Pennsylvania.

There is nothing that I could add to what has been much better said than I could say it by my distinguished colleague from Montgomery, Mr. Stites, my distinguished colleagues the Chairman of the Law and Order Committee, Senator Snyder, Senator MacDade, Senator Clark, and others, and therefore I am not going to consume further time of this body but want to state clearly and distinctly my belief that in this law an honest effort has been made to secure the best thought and views of the administration and those having in charge to whom were pledged the passage of the enforcement bill and I beseech for it the most generous support that this body may in their wisdom see fit to give to it.

Mr. CHRISTLEY. Mr. Chairman and members of the Senate: I would not at this time attempt to add to what has already been said in reference to the desirability of passing this bill were it not for the fact that a few days ago I pledged to some of my people at home that I would say a word with reference to the passage of this bill on the floor of the Senate.

I desire to say this, in reference to this bill, and my vote thereon.

I anticipated, and expected, certain developments, in reference to this bill. I knew that every man in Pennsylvania, who disapproved of the Prohibition law, as it now stands in our Constitution, the fundamental law of the American Republic, would criticise this law, as would every man who intends to disobey the prohibition inforcement law, whenever opportunity offered.

I knew further, that the opponents of this bill, would not frankly admit their opposition to the bill, on general principles, but would say something like this, "The bill may be all right, but I'm opposed to its search and seizure provisions." Or, "I'm opposed to the shifting of the burden of proof." Now, as to each of these objections, I want to say, that similar acts of this character, have reposed too long on our statute books, without either criticism or hardship of any character to anyone, for these matters to furnish any serious objection to the passage of this bill.

Much of the argument on this bill, goes far afield, and is quite beside the question.

For many, many years, the usefulness, or uselessness of liquor has been discussed world wide.

For more than thirty years, I have heard the proponent of liquor, in debating societies, eulogize its worth, telling us how it "would keep us cool in the summer, and warm in the winter", and the temperance advocates, painting the liquor traffic, "As the Devils best friend, and Gods worst enemy."

But, my friends, we are now past all of this. The law relating to liquor, the law outlawing liquor, has been settled.

Prohibition has been written into our Constitution, and whether right, or wrong, it is the law of the American Republic.

And today, the questions to be answered by us, are questions like these:—

"Is the fundamental law of our Country to be obeyed or is it to be contemptuously disobeyed and disregarded.

Is the pledge of Governor Pinchot to the people of the State, to enforce the law, and to try to enact more law to aid enforcement, to be enacted by us, or will he be compelled to go to the voters of the State again, and our successors help him redeem that pledge.

For think of this measure as we may, vote on this measure as we will, the Constitution of the American Republic, as it stands today, will remain a fixture while you and I live, and ages after, and as such, must, and will be enforced.

We know, and the State knows, that when we became members of this Legislature, we each and all swore before high Heaven to suport, obey and defend the Constitution of our State and Nation.

We now see the 18th amendment to our Constitution violated and defied, and those on whose shoulders the enforcement of our Constitution rests, say to us, "We need this proposed enforcement act to enforce obedience to our Constitution." And the question, haunts me and rings in my ears, can I redeem my oath, so taken, and do less, than vote for this proposed law?

Friends, I speak only for myself but, my settled conviction is, That I cannot Support the Constitution, and refuse to support needed legislation to make that constitution effective.

I cannot obey the Constitution and vote against vitally essential measures, to compel obedience to that Constitution.

I cannot defend the Constitution and fail to defend laws needed for that Constitution's defense.

Gentlemen of the Senate, a crisis has met the American Republic, the greatest Republic God's sunlight ever gladdened. .The fundamental law of this Republic has been challenged:— The law of the Citadel of freedom has been defied,— The laws of that nation, admitted to be the conservator of the liberties of the world, are under siege.

Rebellion has again raised its head in America the Sumpter of liberty, and Government by law has again been fired upon.

Who is the rebellion crowd? Who mans the bushwhacking guns? I'm going to tell you,— An army of bootleggers, 80 per cent of whom are not indiginous to American soil;— They grew in foreign lands, and have come to enjoy our prosperity, share our freedom, and receive our hospitality, but busy themselves, preaching sedition and trying to start a rebellion against, Our Laws.

They whine about personal liberty, and pine for a European Sunday. They openly boast, that Our Law, "The fundamental law of the American Republic, cannot be enforced."

And, hear me friends, the saddest thing about the entire matter is, that we have a few well meaning, ill advised, faint hearted people, who whiningly say, "You can't make that bunch of bootleggers obey the law."

Now, Gentlemen of the Senate, there was a red blooded American, a disciple of Theodore Roosevelt, who believed with Roosevelt in law abiding Americanism, to whom this crowd of bootleggers, did not appeal.

He mentioned it to a few of his friends;— He said to them, that if he was elected Governor, he would enforce the law, and if there was not enough law on our statute books to stop bootlegging, he would try to make some and drive these bootleggers out of business, or out of the country, or put them in jail.

The voters of the State, elected him Governor by more than 250,000 of a majority.

Governor Pinchot has a pledge out to the people of Pennsylvania;— He is going to try to redeem that pledge; The voters of the State want, and expect us to help. The people have spoken and are done talking.

It is up to us.

As for myself, I propose to vote for this bill, because,—

First,—Our Constitution must be enforced.

Second,—Because, to enforce our Constitution, we must have adequate laws on our statute books.

Third,—Because, I feel that having sworn, as a Senator, to support, obey and defend our Constitution, nothing less than a vote for this bill, will redeem that oath.

For these reasons, I vote—aye.

Mr. SCHANTZ. Mr. President, I yield to no one in loyal patrotic and staunch support in upholding the Constitution of the United States and the laws thereof. Nor do I yield to any member of this body in my staunch republicanism. I have been thinking, in view of what has been said, that if in order to be a good republican you must vote for this bill what is to become of the members on the other side of this house who are also going to vote for this bill and yet are not disciples of Lincoln, Rosevelt, McKinley and Taft. I find no fault with what has been said by the advocates of this bill so far as anything that they have said touching upon morality, law and order and peace and tranquility is concerned. I am one hundred per cent with them, but I feel that if these eminent gentlemen who have spoken before me would go out among the people of this great State and preach what they have here spoken today they might be able to build up, a public opinion and sentiment which stands for law enforcement and upholding of the Constitution of the United States of America. The remedy lies not in legislation but in enforcing the laws that we already have. We have, I say, adequate legislation on the subject but the fault lies in the fact that the legislation that we do have is not backed up and supported by public opinion. The remedy lies not in law enactment, but in law enforcement. There has been very little said about this bill and I propose to discuss this bill and give my reasons for opposing it. The bill is founded and based on false premises and is wide of the mark, because the enactment of this bill will be pronounced two years from now just as much of a failure as today the very people that two years ago enacted the Woner Act pronounced that a failure today.

In the first place I find that not all the amendments that we voted into this bill by the committee are inserted. My recollection is that the title was amended in the committee by inserting the words "searches and seizures". I fail to find those words embodied in the bill now. The bill starts out by saying that this entire act is an exercise of the power granted by Amendment Eighteen of the Constitution of the United States. That is not true. That is false, that is deceptive. The States are granted no power by the Government of the United States but vice versa, the Government of the United States derives and is granted its power by the sovereign Commonwealth. All the power that we possess today we had long prior to the adoption of the Eighteenth Amendment, and today we not only have this power that is here falsely represented to have been granted to us by this amendment, but we have more power, and if you want to drive the saloons out of the State of Pennsylvania you have to exercise the utmost power that is vested in this Commonwealth and you have to enact a law following the Brooks high liscense law, which would prohibit anybody from selling any liquid containing any alcoholic contents, and then you could drive the saloons from the Commonwealth of Pennsylvania. By this Amendment to the Constitution of the United States the Federal government was granted and ceded some power by the State but no power was granted by the Federal government to the State. The powers which the State did not cede to the Federal Government are vested in the State.

In the second place it says that it is for the protection of the peace of this Commonwealth. It is admitted that if there had been no World War there would have been no Eighteenth Amendment, but how now these years after the war the enactment of this law is going to guarantee peace for the future is beyond my comprehension. This bill is even held up before us as a measure to prevent wars in the future, a measure for the protection of the peace of this Commonwealth.

The next provision that it contains is that all of the provisions of this bill shall be liberally construed for the accomplishment of this purpose. It is today one of the fundamental principles of criminal law of Pennsylvania that all penal statutes must be strictly construed, but this bill starts out in its very inception by saying that the provisions of this bill shall be liberally construed. This bill violates every established principle of criminal law in this State upon which it touches, it violates the principles to which I have just referred, it violates the principles of criminal law in Pennsylvania which has been sacred hitherto that every man is presumed innocent until he is proven guilty, yet under this law you are presumed to be guilty and it is up to you to establish your innocence. It was said over in the Hall of the House of the 27th of February that one of the purposes of this bill was to change the law of evidence, because it was found that under the present law of evidence in Pennsylvania it was too difficult to obtain conviction. Well, I am not ready to subscribe to that doctrine. I still adhere to the good, old fundamental Pennsylvania doctrine that I would rather see ninety-nine guilty men escape than one innocent man unjustly punished. If under the law to-day the guilty cannot be convicted under this act, if it becomees a law, are the innocent going to clear themselves? I have here an editorial from the Philadelphia Inquirer the other day which says: "It is more important that law should be enforced legally than that any individual law breaker should be punished. Part of the price that we pay for justice is

the occasional protection of the guilty along with the innocent. The sanctity of the home is one of the elemental principles of the common law. To disregard it is a direct infringement on the liberty of the individual. Thus domiciliary visits by the police have been in some cases potent instruments of tyranny. The arbitrary tyrannical character of many acts of prohibition enforcement officials has done much in itself to create obstacles to such enforcement." With my vote no such tyrannical instrument will be placed in the hands of any officials of this Commonwealth.

The next principle of Pennsylvania criminal law is violated by the enactment of this bill, both the Constitution of the United States and this State provide that no one shall be put in jeopardy more than once for the same offense, yet if this law is passed, for the same offense the defendant can be punished under the Volstead Act in the Federal Court and he can be punished in the State Court. Why do you not write into this bill "Provided, however, that nobody shall be punished for any offense who has already been arrested or prosecuted for the same offense in the Federal or any other court?" Why here duplicate a provision which has been in effect heretofore and put people in jeopardy for the same offense more than once? I see now by the public press that even the cities and the boroughs are beginning to enact ordinances providing penalties for this offense and then you have a third vehicle by which you can punish a man for the same offense.

This was intended to drive out the saloon. On the floor of this Senate, a telegram was read as follows: "Judge Shafer, President Judge of Allegheny County, to-day announced postponement of license court hearings until April 2nd, owing to the uncertainty of legislation which is now pending in Harrisburg which would abolish saloons. I do not know whether Judge Shafer said that or not, or whether that telegram was simply the product of somebody else's fertile mind. What does this bill do? What does the license have to do? The license of Pennsylvania to-day simply has this right to sell the non-intoxicating beverages permissible under the Constitution of the United States and the Volstead law, and nothing else. That is all that he can do under the law, and the law is here to stop him, to hold him down to that. Why is not the law enforced. Why is he not held down to that? You pass this act, you repeal the Woner act, take away the granting of license in the Commonwealth of Pennsylvania, then what? Does the saloon go? No, the license goes but the saloon stays and the saloon will keep on doing business without a license in exactly the same way as it is now doing business with the license, the only thing you are doing is giving to the saloon people privilege of conducting this business free of charge, without paying any license fee for the privilege. That is what you are going to do and the saloons will continue and they will grow, they will flourish, there will be more of them, they will spring up like the ice cream parlor sprang up after the Eighteenth Amendment and the Volstead was enacted. Drive the saloons out of Pennsylvania by giving them more privilege and letting them do everything they please? what more? Whatever beverages are permitted under the Volstead Act can be sold by everybody, everybody becomes a saloon keeper. You do not need a license now to conduct a hardware store, yet there are hardware stores. You do not need a license now to conduct an ice cream parlor, yet there are ice cream parlors; you do not need a license to conduct a candy shop, yet there are candy shops, there are soft drink places, and the same way you will continue to have saloons. This is not going to drive them out of the Commonwealth, and I say honestly and absolutely, this is not a dry measure, it is a wet measure. It is a wet measure because it permits everybody, free of charge, without a license, to sell the beverages permissible under the Volstead Act.

Now what more are you going to do by passing this bill? By that one stroke of the pen when the Governor signs this bill he will sign away five and one-half million dollars of revenue, which is so badly needed to-day. It is badly needed by the Commonwealth of Pennsylvania. The share that it derives, the cities and the counties and the boroughs and townships, they are all in the same straits as the Commonwealth of Pennsylvania and they all need the money, but you are going to take away out of the coffers of the Commonwealth of Pennsylvania one million dollars and from the counties of the Commonwealth and the cities and the boroughs and the townships jointly five and one-half million dollars, and you let the saloon men go right on conducting their business and continuing their saloons the same as they are to-day.

There is only one redeeming feature in this that I can see that it is one way of driving the saloon out of the Commonwealth, it is such a good vote getter it is going to be preserved for future use and some future candidates can again run on the same platform and obtain the benefit of the vote-getting qualities which are inherent in that platform, because the saloons are going to stay and there are going to be more of them. As I have already said, the remedy to drive the saloons out of Pennsylvania lies in this, in passing of an act which is as air-tight as the Brook's High License Law was and regarding the Volstead Act and say that nobody in Pennsylvania dare furnish by sale, gift or otherwise any liquid containing any alcohol. Then you will drive the saloons out of Pennsylvania, but you are not going to drive them out with this bill.

This Bill is very charitable, as I have already said, to the saloon. It is very careful to embody provisions which will guarantee that this liquid can be continued to be manufactured, and that the saloons will have the product containing this one-half of one per cent to dispense.

You have written into this Act: "Provided, however, that nothing in this Act shall prohibit the alcoholic contents of malt or brewed liquors from exceeding one-half of one per cent during the process of manufacture only thereof. "That it shall not be unlawful to manufacture non-intoxicating cider and fruit juices exclusively for use in a private dwelling." They were afraid that this one-half of one per cent beer could no longer be manufactured and that would have been an awful thing, if we could not have had that product, and so we wrote in here a privilege that the product of the saloon must be guaranteed and vouchedsafe, so that they have this alcoholic beverage of one-half of one per cent to dispense and we wrote in there a provision to protect the brewers that they shall be able to manufacture beer containing one-half of one per cent alcohol to furnish to the saloons, which will no longer exist when the bill is signed.

And then we wrote in the proviso that it shall not be unlawful to manufacture intoxicating cider and fruit juices exclusively for use in the private dwellings. I would like to know if it is permissible and if it is lawful and moral and constitutional to manufacture non-intoxicating cider and fruit juices, why can that be done exclusively for use in privae dwellings? If it is constitutional for the farmer to make cider and for the vineyard owner to make grape juices and other juices, why can they only make use of it in the private dwelling, why shall they not be allowed to sell that? Why shall the farmer and the vineyard owner and everybody else who has any fruit which he would like to convert into juices be prohibited from selling that? This

non-intoxicating juice and cider you dare only keep for exclusive use in the private dwelling. Well now, gentlemen of the Senate, if that is proper it is all right, it does not appeal to me.

I have already spoken about the burden of proof. Now here is a provision at the bottom of page 3 in section 5: "It shall be unlawful for any person to advertise, manufacture, sell, offer for sale or possess for sale any utensil, contrivance machine, preparation, compound, tablet, capsule, etc." Only to possess them for sale, and I could not understand why that should be in, but it all became clear to me the other day when we amended the bill in putting a proviso in the search and seizure provisions to this effect: "Provided that no search warrant shall issue to search any private dwelling occupied as such unless intoxicating liquor is unlawfully manufactured, sold or furnished therein, or unless any mash, still or other property designed for the unlawful manufacture of intoxicating liquor is therein kept or unless some part of it is used as a store, shop, saloon, restaurant, hotel, boarding house warehouse, or public garage." Then it dawned upon me. This provision under which the private dwelling can be searched is only in the event of sale, unlawful sale of intoxicating liquor, not if there is any unlawful manufacturing going on, and now, putting the two together, of course since you are permitted in the home to do all the unlawful manufacturing that you please, you must have the utensils, and therefore as long as you only have utensils for your own use, for your own still and your own brewery and manufacture it in your home, it is all right. Now take the two together and you have this proposition; you are not allowed to have in the home any utensil or anything of the kind, you are not allowed to possess it for sale, but you can have it for your own use to do all the manufacturing you want, and they cannot come into your house and search it, no matter how much you manufacture there, and that is the reason you are eliminating there at the bottom of page 3, forbidding you to possess it for your own use or for your own manufacture.

Now I ask this Senate is that consistent? Is that wise prohibition legislation, or is that discrimination of the worst kind? This Eighteenth Amendment to the Constitution of the United States reads that the manufacture, sale or transportation of intoxicating liquors, etc., the manufacture, sale It does not say the manufacture for sale, but the manufacture and the sale are on the same basis. The one is prohibited by the Constitution just as much as the other, but this bill discriminates and it goes fifty-fifty on the Constitution and they can search your home if you sell any and they can search it if you manufacture any, yet the Constitution, which the gentlemen are so afraid they might violate and break their oaths of office, they are only going to take out a part of it and they take fifty-fifty and prohibit the sale, they search your home for selling but not for manufacturing. I ask every whole-hearted, honest prohibitionist why discriminate in favor of the manufacturer? Why let him go on and do what he pleases in his home and put this ban upon the seller?

Now then what is the provision futher? It simply says that no search warrant shall issue to search any private dwelling occupied as such unless it is being used for the unlawful sale? Now you are allowed to manufacture. They can search, you cannot do anything, you are allowed to have utensils but you are not allowed to sell it, and what are you going to do? You have your utensils, manufacture it, and then you take it to some other place and sell it there, then your home is absolutely protected. Such a prohibition enforcement act as that to enforce the Constitution of the United States. Why it is as full of holes as anything I have ever seen. It is not genuine, there is something wrong about it. It has been jockeyed and trimmed for votes and it is neither fish nor fowl to-day, it is neither wet nor dry, it is half horse and half alligator. It is alleged here that this provision for the breweries had to go in to permit this manufacture of the alcoholic contents not in excess of one-half of one per cent. They said that beer could not be manufactured without first making a high power beer and then reduce it. That is not true. You can manufacture onehalf of one per cent beer if you are eqipped. It is true that unless you are equipped to do it you cannot make one-half of one per cent beer direct, you have first to make the high power beer and bring it down, but if you are equipped, like there are several breweries in this Commonwealth, you can make it. Now why not go work and give the home an honest protection against this search and seizure? Why not amend that section on page 7 and make it read like this: "Provided that no search warrant shall issue to search any private dwelling occupied as such unless it is a part used for some business purposes"? Why not also cut out "unless it is being used for the lawful sale of intoxicating liquor"? Why not cut that out too and give the home a real protection from search and seizure? Why cut out manufacturing and leave that?

While I am on this search and seizure question we are told that this bill has The Justices of the Peace, the Aldermen and the Magistrates. Why not give the people of Pennsylvania the same protection so that search warrants shall be issued by the Judges of the Courts of Common Pleas, and Oyer and Terminer and Quarter Sessions? Why not say that search warrants shall be issued by the Judges of the courts of record of the Commonwealth of Pennsylvania, the same as this act does, the Volstead Act, granted by the Judges of the courts of the United States of record and by the Commissioners? Who are the Commissioners? They are men appointed by the Court. They are the direct representatives of the Courts, nearly all of them are members of the bar, men learned in the law and who fully understand what evidence is permissible and what is required to grant a search warrant. A search warrant can be issued and upon probable cause supported by affidavit naming or describing the person and particularly describing the property and the place to be searched? The judge or commissioner must, before he issues the warrant, examine on oath the complainant and any witness he may produce, and require their affidavits or take their depositions in writing and cause them to be subscribed by the parties making them. The affidavits or depositions must set forth the facts tending to show the grounds of the application or probable cause for believing that they exist. If the Judge or Commissioner is thereupon satisfied of the existence of the grounds of the application or that there is probable cause to believe their existence, he must issue a search warrant, signed by him with his name of office, to a civil officer of the United States duly authorized to enforce or assist in enforcing any law thereof, or to a person so duly authorized by the President of the United States, stating the particular grounds of probable cause for its issue and the names of the persons whose affidavits have been taken in support thereof, and commanding him forthwith to search the person or place named, for the property specified, and to bring it before the judge or commissioner. The judge or commissioner must insert a direction in the warrant that it be served in the day time, unless the affidavits are positive that the property is on the person or in the place to be searched, in which case he may insert a direction that it be searched at any time of the day or night, been written in conformity with the Volstead Act. The Volstead Act provides that section 1014 of the Revised

Statutes of the United States is hereby made applicable in the enforcemnt of this act, "officers mentioned in said section 1014 are authorized to issue search warrants under the limitation provided in title 11 of the act approved June 15, 1917", etc. Now let us see what this Act of June 15th 1917, provides and what safeguards provide against the issuance of search and seizure warrants. "A search warrant authorized by this title may be issued by a judge of a United States District Court, or by a judge of a State or Territorial court of record, or by a United States commission for the district wherein the property sought is located".

What does this bill do? Who shall issue search warrants under this bill?

This bill says that the search warrant shall be served at any time, by day or by night, without any qualification or without any reason, and they can go to your house or to your premises or to your vehicle at any time of the night. What will happen under this bill of searches and seizures of things, receptacles and places and automobiles? Let me give you an illustration of what is going to happen. You take your automobile and your family and you go to town and get a prescription from a doctor, there is some illness in the family, you go to a drug store and buy a bottle of liquor, alcohol, and you put it in your automobile and drive to your church on a Wednesday night, and you attend prayer meeting. You have this bottle of liquor in your automobile and some rum hound smells it; he comes there and he searches your machine and he finds the alcohol in your machine. Then the bills says if there is no one in possession of it he shall take the machine and take it to the District Attorney. After prayer meeting is over you come out of church, you want to go home with your family, your wife and children, and your machine is gone, you have no more idea where it is than the man in the moon. You imagine it has been stolen, until fianlly you may find out that it has been seized because you had this alcohol that you had legally obtained at the drug store on a prescription from the physician, but you had it in your machine when you should not have had it there, and the prohibition enforcement officer came around and took your automobile and it was taken to the District Attorney. Alright. Now, prima facia, you are guilty. Now it is up to you to clear yourself. You get busy on the job to get your automobile back or they will confiscate it, and then impose a penalty upon you. It is up to you to clear yourself. Are the people of Pennsylvania going to have laws of that kind? Why, under this bill they can search every woman on the highway, her grip, her hand bag, her satchel, anything. I have had any number of women write letters to me, who said is Pennsylvania going to put upon the statute books a law whereby women in broad day light, or any time, can be held up on the highway and their hand bags or any receptacle that she may have with her searched and see what she is carrying among her belongings? That is what is in this bill, "any receptacle, container, or thing". That is all in this bill, gentlemen, so I say that this bill far from coincides with the Volstead Act, far from it. This is a bill to enforce the constitution of the United States. There is no mandate in the 18th provision. It has the same language as the Constitution has at other places. It says, that Congress and the several states are given concurrent power to pass appropriate legislation to enforce this article. Congress and the several states are given concurrent power. The Constitution of the United States gives Congress power to declare war. Is that a mandate that Congress must declare war? That's the identical language. The same provision of the Constitution gives Congress the power to borrow money. Is that a mandate to the Congress of the United States that it must borrow money? There is no mandate given. It is simply a provision which says that the states and the Federal government shall have concurrent power to enforce this legislation.

Now, gentlemen, there is so much in this bill, I have not nearly covered the ground which, in my judgment, is legislation which should not be found upon the statute books of Pennsylvania, that I cannot support it. I have here a pamphlet sent out, a program of the Woman's Legislative Council of Pennsylvania, in which is embodied their proclamation on law enforcement, which in the main is excellent and accurate. "There are three essentials in law enforcement; an adequate law, officials that are in full sympathy with the law, and patriotic citizens who will support and encourage faithful officials in the performance of their duties, and because these essentials have been disregarded, Pennsylvania has become the happy hunting ground for the bootlegger and his allies. The ability to enforce its laws is the fault of the Pennsylvania government. If our government cannot enforce its own laws then democracy is a failure and we are following truly the other republics in the path to the graveyard of nations. We can only enforce prohibition law if 1922 legislation will provide for a carrying out of the two essentials and the patriotic citizens of the Commonwealth will look after the third." Therefore I say the sentiments expressed in there are in the main correct, first it requires an adequate law, and that I contend we have. We have the Volstead Act for years, we have the Woner Act and if we cannot support these laws why enact more stringent legislation? How are you going to enforce a stricter law when you cannot enforce the laws which you have today? I cannot comprehend that. We have adequate legislation and the other two elements the Legislature of Pennsylvania is helpless to create. The officials who are in full sympathy with the law are elected directly by the people. They come from the people and, of course, as a stream can rise no higher than its souce, our public officials will be no different than the rank and file of the people from whose ranks they come. The third is absolutely correct, as to which I have already referred, that it takes patriotic citizens who will support and encourage this legislation. Such legislation must be backed up by public opinion and then they will elect officials who will enforce legislation and then if the legislation now on the statute books is inadequate and that is enforced to the limit and we need stricter laws, I shall be one of the first to help to enact them, and for that reason I hope and sincerely trust that the people who are interested in this movement will enlist the services of my colleagues on this floor who have made such eloquent, patriotic speeches and send them out among the rank and file of the Commonwealth of Pennsylvania and build up a public opinion that will support this legislation. Before the 18th Amendment there was a certain amount of bootlegging and moonshining. After its enactment there was more. After the Volstead law was passed it increased and then came the Woner law and it again multiplied. Pass this law and you will have another rise and the more you prohibit by law the legal device through which this liquid can be obtained the more moonshining and the more bootlegging you will have, and I say in closing, in absolute confidence, that in two years from now the very people that are supporting this law to-day will admit its failure. The Woner Act was a bad step and this is the worst of all.

Mr. VARE. Mr. President and gentlemen of the Senate, I have listened with much interest, with considerable enlightenment and some little entertainment to the speeches made by distinguished colleagues who have preceded me.

When we concede the fact that the question of prohibition or non-prohibition not being before the Senate, I am quite surprised that the friends of the bill have in no wise pointed out any defects either in the Volstead Law or the present Woner Act, they have rather discussed the question after first taking the stand that there should be no wet or dry before the Senate, they have rather fallen back on the distinguished statesmen who occupied exalted positions in the days gone by, rather than a discussion of their impressions of the Volstead Act or of the present Woner Act.

A vote upon the proposed enforcement legislation now pending in this Legislature determines no member's position on the question of prohibition. A discussion of the advisability of the 18th Amendment is not material or relevant in the consideration of the merits of either the existing or proposed enactment.

I stand squarely in favor of the enforcement of all law. Every good citizen must be a supporter of the constitution of his country. The expediency or wisdom of prohibition is not before us. As legislators it becomes our duty to place upon the statute books of our state legislation that will carry out the mandates of the basic law of our land, and also in harmony with the Act of Congress, notwithstanding what may be thought of the 18th Amendment or the Volstead Act. As a member of the Senate of Pennsylvania I will vote for and support the very best piece of legislation that can be drafted to enforce the law. In addressing myself to the proposed legislation I consider it my duty to carefully review existing legislation to determine whether or not the so called Woner Act is a good piece of Legislation; whether it has had a fair test, whether it has been honestly enforced; or, if deficient, why and where.

In the study of the Woner Act I have concluded that it is a very meritorious piece of legislation and if enforced by competent, fearless and conscientious officials it will be the most efficient prohibition law that can possibly be drawn. It is vastly superior to the proposed legislation and parallels it in many respects as evidenced by the fact that the proposed legislation has copied many of the provisions of the Woner Act word for word. At the last Session of the Legislature some mistaken enthusiasts, who are now suporting the proposed legislation, caused to be introduced and advocated what was known as the Martin Bill. This bill was very unfortunate in its provisions, for like the proposed legislation it permitted the indiscriminate sale of alcoholic liquor containing less than the percentage of alcohol fixed by the Volstead Act as intoxicating.

It became the duty of the former Attorney General to draft a bill in harmony with the Volstead Act and which would prevent our state from being deluged with what is known as "near beer", where every store-keeper or druggist could sell it even to school children.

Attorney General Alter approached the consideration of this legislation with the sound convictions of a prohibitionist. No man can challenge his record as a dry man. His ability as a lawyer cannot be impeached His high minded and courageous performance of a duty at all times is a matter of state record. His position on this question had not been of recent conviction. He came to these legislative halls as a prohibitionist before others sought popular favor through this medium. His object was to give Pennsylvania a real enforcement law, which through the police powers of the state, would regulate the sale of non-intoxicating liquors and to make such law a very important revenue raiser. The great trouble with our enthusiastic prohibition friends is that they have failed to advise themselves as to the terms of this law which they have been told to denounce.

The information or propoganda has been spread all over our state that the Woner Act creates and perpetuates the saloons. This false information has been purposely disseminated. Not one of the existing saloons of Pennsylvania would be closed under the proposed legislation. The only effect upon the men who now hold licenses would be to give them the privilege of selling "near beer" over the same bar that they now have without any of the restrictions of the Woner Act and without police regulations. They could also sell on Sundays and could open saloons if they desired next door to Churches or school houses. They could sell without regard to the age or condition of the purchaser; and further they would be relieved of paying their license fees and the State would be deprived of about $1,000,000 per year and Philadelphia $9,000,000 additional.

Let us briefly examine the Woner Act. It fixes, first, by definition, what is meant by vinous, spiritous, malt or brewed liquors. In this it is in harmony with the Volstead Act, and like the proposed legislation it provides that intoxicating liquors shall mean anything found and determined from time to time to be intoxicating by Act of Congress. It provides that no such liquors as is lawful under the Volstead Act shall be sold in any house, room, or place, hotel, Inn or tavern unless a license shall have been obtained. The safe guards of our citizenry are set up by this law under its provision as to licenses, for any person who desires such a license must file with the Clerk of the Court of Quarter Sessions a petition three weeks before the day of the session of the court. The applications are published three times in two newspapers, naming the applicants, their residences and the place for which applications have been made. The Law also prohibits the granting of licenses to any room where groceries are sold or any place that is a resort for minors. The petition provides for all information that is necessary to fully inform the Court and to protect the public against imposition.

The licenses are granted by the Court at open sessions, where all remonstrances are heard. In this respect it is pertinent to note that out of 1500 applicants for renewals of these licenses in Philadelphia the prohibition enforcement officer, a former member of the House of Representatives, after one year's careful observation of the conduct of these places filed but 46 remonstrances against renewals, because of violation of the law, showing that the saloon-keeper is not the bootlegger, who in fact will exist with or without enforcement legislation unless he is prevented by the vigilance of efficient police. The Woner Act also provides for the constable's report to the Court as to the conduct of these places. Section 17 of the Woner Act is very important, in that it prohibits sales under circumstances where the proposed legislation could have no control, for this section provides that it shall not be lawful for any person with or without a license to furnish by sale, gift or otherwise, on Sunday, nor at any time to a minor, or a person of known intemperate habits, or a person visibly affected by intoxicating drinks, nor to sell or to furnish liquors to any person on a pass-book or an order on a store, or to receive from any person any goods, wares, merchandise or provisions in exchange for liquor.

The provisions of the Woner Act as to transportation of liquors or the storage of the same are equally ecective as the provisions of the proposed legislation. The Woner Act likewise provides for enforcement of its provisions by law or equity. It also provides that the possession, except at residences, of intoxicating liquors may be considered prima facie evidence that the liquor is held for beverage purposes, placing this presumption, however, where it properly belongs, as a function of the Jury. The Woner

Act also gives every District Attorney the right of inspection without any warrant or information. Where the proposed legislation has not copied the Woner Act it throws our state wide open to unregulated sale without revenue to the state. It is a mere subterfuge to present the appearance of offering the state a better piece of legislation than the Woner Act, but its provisions that depart from the Woner Act are its great weaknesses. It does not provide as stringent inspection as now exists. It takes away from our citizens the presumption of innocence and throws every home open to vicious and malicious invasion. The Woner Act has stood the tests of the Courts. Its constitutionality has been upheld by the Supreme Court of Pennsylvania and convictions under its terms have been approved by the Supreme Court of the United States. We have at hand a complete demonstration that existing legislation is sufficiently comprehensive to enforce the constitution as well as the Volstead Act through the activities of the present administration. Violators of the law are daily apprehended on our highways by the state police and breweries are being quarantined. The present administration undoubtedly can claim that it is making the state dry, and these results are secured through the enforcement of existing legislation.

Mr. President, in the remarks of the earnest speaker to-day, my distinguished colleague from Montgomery County, Mr. Stites, much as I regret, referred in to what appeared to me to be an unfair way concerning the goodly City of Philadelphia. Philadelphia is my native city and I have observed that the distinguished gentleman from Montgomery County apparently makes a very comfortable living within the scope of that splendid city. I might talk about Philadelphia but it would not be pertinent to this important legislation to-day, but he referred to the fact that when the Volstead law was before the Congress of the United States 50 per cent of those who voted against that law came from the six large cities and he named Philadelphia as one of those "rum cities". He might have told you that my distinguished colleague, who is a member of the Ways and Means Committee, stood by my side when that vote was cast and he voted against the Volstead Act, he voted against that amendment to the laws of our land and I might go further, I might say that that distinguished man, who was one of the members of the Ways and Means Committee of Congress has been re-elected in that district in which the Senator from Montgomery County now comes, and was elected since 1912, and I might go further and say to the distinguished Senator from Montgomery County, that in the recent election of 1922 my distinguished colleague from Montgomery County had a majority of 11,186 and I find that at the same election the distinguished Congressman who voted against the Volstead law, who voted against 18th Amendment, was elected by a majority of 11,084, and so I repeat again that but for the number of complimentary votes the distinguished member of Congress who lived in the other county would have received a larger majority, having voted on the wet side of the question, than had the distinguished Senator from that district who had publicly stated in advance that he was the so-called dry candidate.

I regret to have referred to these records, but inasmuch as the distinguished Senator referred to my native city I could not remain silent upon that feature of the discussion.

Mr. President, the distinguished Senator from York County referred to some petitions which he had received. One of my traits that I take pride in, is the fact that I never resort to propaganda, but we had a discussion a few weeks ago relative to the time when we would have a final vote upon this question, I was not in Philadelphia but upon returning to my desk here on Monday night my secretary said "I have had an exceedingly busy week in your absence." I asken him what the occasion of all this business was and he called my attention to the fact that he had answered 1050 letters, 200 elegrams from the citizens of Philadelphia protesting against the passage of this act. He had also received four petitions from four churches in the city. In looking over these petitions I noticed that they were all on the same printed form, and it is only necessary to fill out certain blank spaces, while on the other hand the 200 telegrams are from separate individuals without any attempt at propaganda, and each one of those thousand letters are the opinion of individuals protesting again this bill.

Mr. President, I am opposed to this bill for the very reason that I believe this bill to be in the interest of not those who have advocated obedience to law, but I believe it would be in the interests of those who desire to violate the law, even further than the present law. The distinguished Senator from Lehigh in pointing out the defects, overlooked one point in the discussion of the manufacture of beer. I have no association with brewers or saloon-keepers of Philadelphia. My interest in this proposition is nothing more or less than from the standpoint of honest enforcement of law. There is a provision in this bill, Section 3, which says: "provided however, that nothing in this act shall prohibit the alcoholic contents of malt or brewed liquors from exceeding one-half of one per cent. During the process of manufacture only thereof, and provided further that it shall not be unlawful to manufacture nonintoxicating cider and fruit juices exclusively for use in the private dwelling." The point I want to bring out is this, that the brewer can brew just as much per cent, three or four or five per cent beer as he pleases, he can do it in his vats or barrels and who is to decide the different stages of the process of manufacture? I for one member of the Senate, would like to know. That feature of the bill absolutely tears down any regulation or restriction in existing law.

Mr. President, in conclusion I am opposed to this bill, and I hope that the usual good judgment of this Senate will prevail and that the bill will be defeated.

Mr. SISSON. Mr. President, I have but a few words to say in relation to this bill. I had expected to vote against it and say nothing about it, but in listening to the talk of my brother-Senators I have felt that it would be but candid to me to state what to me is the chief objection I have to the bill and that is contained in section 4 thereof: "It shall not be unlawful, however, to possess intoxicating liquors for beverage purposes in one's bona fide private dwelling while the same is occupied, used by him as his dwelling only, provided such liquor was lawfully acquired prior to the passage of this act and is used only for the personal consumption of the owner thereof and his family residing in such dwelling and of a bona fide guest when entertained by him therein, which entertainment shall not be deemed an unlawful furnishing."

Now that is a rich man's act, that gives the rich man and his friends, his guests, the right to drink at liberty. He can stock up his home and entertain them there and he is exempt from search and seizure, but the poor man cannot afford to pay five or ten dollars a quart for whiskey or drink and is not able to put it up in his house, or his family, and they are not able to obtain the liquid enjoyment in the family that the rich man has by laying in his stock of liquor and thus have it for himself and his guests. Why should one class of people of this American Republic and this great State of Pennsylvania be allowed this indulgence and all this luxury and enjoyment that can be gotten from intoxicating liquor, and that is what it is used

for a great deal, and the poorer class, the common people, prohibited? Why should the rich have these indulgences and this luxury and enjoyment and the poor be deprived of it? I shall vote against the bill.

Mr. DAIX. Mr. President, and gentlemen of the Senate, I am reminded by Senator Weaver at my right here, that I have but five minutes to speak in. They want to get away and there has been a great deal said. I positively agree with that, but with one or two exceptions very little has been said upon the bill. As I understand the matter before us, I do not want to make a political speech along those lines what is under consideration is this bill itself. You have had it explained to you, gentlemen of the Senate, very ably by Senator Schantz, and also by Senator Vare, and I will not go into that further.

There have been some statements made here to-day, with which I do not exactly agree. I am very much afraid that if the Senator from Montgomery had gone just a little deeper into the matter and had he not so much talked of the Battles of Auterlitz, Jena and the Pyramids, he would have covered the question as lawyer does when he comes to explain a case and would have told details and you might have found out, gentlemen of the Senate, about the poor mother coming in with the little boy or child in her arms before the license court; how another rich woman came from the society section of Germantown and presented her facts and then you have the facts staring you in your face irrespective of what class they come from. They come from both walks in life, but the gentlemen did not say that after the evidence had been produced,—because after all we are speaking of law enforcement and the civil law next to the law of God stands first in this land of ours; he did not say to you that the license was granted and the testimony, therefore, must have been turned down. It is very nice also to talk about the State of Ohio along political lines, what she is doing, but I prefer to talk of the Commonwealth of Pennsylvania, and my answer to him along those lines is what has been heard form the different towns of Pennsylvania and then ask if that vote has increased or not, if he wants me to speak on those lines. We do not need to go on the outside, we can find it here at home.

Mr. President, I am going to be short and keep within the five minutes. This means one thing above everything else, and that is that we have got to be honest. Many years ago there was an old Methodist minister—I should not say old in age, but old probably in service, Doctor Stillman, of the Methodist Church, at the corner of 25th and Columbia Avenue. I recollect that one day I met him coming out of a saloon and I said to him, "Doctor, it is better to play fair than to play as a hypocrite," and his answer to me was "Yes, but you are setting a bad example for the boys and girls of this community who see you coming out." We have heard to-day from the members of this Senate what they thought of the Constitution and the Commonwealth of Pennsylvania, Let them stand up and practice what they preach. If this bill goes through and if they believe in all they said, and they have read letters of rich men at the head of corporations and are against liquor. Take this morning's Ledger and read on page 4 from Washington, distinguished man of a corporation who had liquor and was on the list of bootleggers. We have to after all play square not only on this act that is before us, but we have to play square in the eyes of God Almighty. An enforcement law will not make us one bit better or worse, but let those gentlemen that do this, particularly the gentlemen who believe in this, to a great extent, practice what they preach and do away with the rum, the same as the Senator here in front of me from Lehigh has stated, take it out of the State of Pennsylvania entirely and do not let one class have it, do not come here and preach against it and then have it at their own homes. Do one thing or the other. If you are in favor or if you take it be man enough to say so and if you are against it be man enough then not to have it and play the game the other way. Some time ago we heard a great deal along the lines that the Constitution was following the flag or the flag following the Constitution. It seems to me that the flag and the Constitution are going to follow this bill, but for my part I will stand up for the Constitution and for the flag first. I am against this bill for one reason, that as a legal man it is absolutely, in my opinion, unconstitutional and I do not believe if it comes before the Supreme Court of this State that it will be upheld. I thank you.

Mr. BARR. Mr. President, I am not scheduled to speak on this bill and have attempted to remain silent, but when the Senator from Lehigh will go so far as to forget himself to attack the honesty and integrity of a fellow Senator it behooves the fellow Senator to defend himself to the extent at least of not having had placed in his mouth a telegram that was sent to the Senator from Allegheny read here, recorded in the record, and then have the Senator read it from the record and remark "I do not know whether Judge Shafer said that or not or whether that telegram was simply the product of somebody else's fertile mind." It indicates the fact that the Senator from Lehigh thinks that the Senator from Allegheny uttered a lie on the floor of this Senate and with the same degree of force that the Senator from Lehigh uttered those words I fling them back into his teeth. Further than that I want to say to the Senator from Lehigh that this bill is the product of Governor Pinchot, that Governor Pinchot made the first speech of his campaign in Lehigh county and the Senator from Lehigh accompanied him and that it was said to the Governor of the State of Pennsylvania "Whatever you do, do not say anything about prohibition." The Governor of the State of Pennsylvania there gave the greatest speech on prohibition that this State ever heard. The same was true of the Senator from Philadelphia, Mr. Vare.

Mr. VARE, Mr. President will the gentlemen yield to a question?

Mr. BARR. Mr. President I refuse to yield, I only want to talk a few minuets.

The same is true of the Senator from Philadelphia. He was very proud of the fact that the Governor of the State of Pennsylvania received one hundred and eighty five thousand majority in the county of Allegheny and his first plank in his platform was to "drive the saloons from the State of Pennsylvania." How the Senator from Lehigh, how the Senator from Philadelphia, Mr. Vare, and how the Senator from Philadelphia, Mr. Daix can get together and square their proposition of last November with their proposition of March I cannot understand.

In conclusion I want to say that the Senator from Lehigh defined this bill correctly when he said it was half horse and half alligator. You bet it is, it has both teeth and the kick.

One thing more, in the hearing that was held in the House where I thought as a member of that committee there appeared there in the camouflage two Labor leaders, Mr. Ritchie and Mr. Phillips. Mr. Ritchie said he represented the Pennsylvania Federation of Labor and the following day Mr. Phillips said he represented the Federation of Labor of Pennsylvania. The following day the President denied this.

Samuel Gompers has refused to say that either of the men represented labor.

I have had placed in my hand a paper by Mr. Charles Dunbar, who is one of the officers of the United States Council of Sharon, Pennsylvania, which held a meeting at Sharon on March fourth, and in that meeting the Labor Union absolutely endorsed this bill, and further than that, went on record in endorsing every plank of Pinchot's campaign. The article I refer to reads as follows:

TRADE UNIONS ENDORSE PLAN OF GOVERNOR

81 Delegates In Attendance At Quarterly Convention Held In Sharon

Endorsement of the law enforcement program of Governor Gifford Pinchot of Pennsylvania, was made at the fourteenth quarterly convention of the United Trade Council of Western Pennsylvania which was held all day yesterday in the Buhl Armory, Sharon, with 81 delegates in attendance.

Representatives of labor unions in New Kensngton, Jeannette, Butler, New Castle, Ellwood City, Sharon, Beaver and Kittanning were present at the convention, which was declared by those present to be one of the most benefical toward the interests of the workingman ever held by them.

Interesting discussions in labor legislation and other legistion affectng the worker most directly, such as immigration, old age pension, unemployment, insurance, child labor, condition of women workers, standardization of the purchasing power of a dollar and many other phases of industrial life were held during the day and action taken.

The delegates also went on record as favoring the building of the Erie Canal through the Allegheny Valley, and endorsed the Labor Free Press, a weekly Pittsburgh publication, as their official organ,

Jeannette was chosen as the place for holding the next convention, and it will be held not later than the first Sunday in May. Because of a lack of time, several important matters were held over until this convention for action.

The meeting was opened yesterday morning by P. S. Stewart, president of the United Labor League of Sharon, who introduced Mayor Frank Gilbert of Sharon, who gave the adderss of wecome to the delegates in attendance.

"It is certainly a great pleasure to come here at this meeting," he said, "and to meet with you men who are engaged in honest toil. We extend to you a hearty and sincere welcome and hope that your visit with us will be pleasant and that your deliberations will be helpful and of great benefit to all.

"There is nothing like organized effort and working together hand in hand with unanimity if you expect to get any place. The greatest of all principles are system and organization. The most that can be said of unsysematic effort is that it results in failure. An organization or system which has grown or prospered and which has the confidence of its members is built on the proper lines and its success is due to organized effort.

I also desire to read the following telegrams:

"You should spend much time in study in order that you will be able to take intelligent action on all proposed legislation affecting your interests, and when this is done, you will be able to advance your interests."

Bert Powell of Springdale, president of the council, responded to the address of welcome and expressed the hope that in their deliberations they would prove to the mayor and the citizens of Sharon that the convention was the most orderly and more productive one ever met there.

"In the trade union movement," he said, "we find men of all classes, of all nationalities, meeting weekly, bi-weekly, or monthly and in these meetings you will find all qustions of immediately importance taken up and discussed. And it is through these meetings and discussions that the intelligence of man is showing itself today.

"The fraternity feeling of man did not come into existence until after the discovery of writing, because it was impossible for one man to know what was going on unless he would see it. We should consider well the thought of the former speaker in urging us to study. One of the most astounding facts of history is the absolute ignorance of the working people regarding political economy. We can remember the time when the only beneficial legislation passed in our behalf was found to be unfit, only after it was passed and being executed."

The remainder of the morning session was spent in the appointment of committees, which met and reported during the afternoon session. At the morning meeting, Mayor Gilbert was made an honorary member of the council, following which he thanked the delegates and assured them that he appreciated the honor which had been bestowed upon him.

The concluding part of the convention was the election of six vice-presidents to serve for the year as follows: O. N. Cooper, Butler, first vice-president; Harry Murphy, Tarentum, second vice-president; Chas. Lustig of Jeanette, third vice-president; P. S. Stewart of Sharon, fourth vice-president; S. H. Alder of Williamsport, fifth vice-president, and John S. Swan, of New Castle, sixth vice-president.

All arrangements for the convention were made by a committee of the United Labor League of Sharon, consisting of the followiug men: David Niven, chairman, J. W. Seem, W. Fette, C. W. Fisher and Harry W. Cross.

I also desire to read the following telegrams:

Pittsburgh, Penn., Mar. 12, 1923.

Senator C. M. Barr, Harrisburg, Penn.

At the regular Sunday session of the Presbyterian Men's Bible Class, Aspinwall, enrollment three hundred it was unanimously adopted that we support the Governor's program in support of enforcement of the Volstead Act and needed legislation and to support the repeal of the Brook's License Law.

Presbyterian Men's Bible Class, Aspinwall, Penn.
Mar. 13, 12:18 A. M.

Pittsburgh, Penn., Mar. 12, 1923.

Senator C. M. Barr, Capitol Bldg., Harrisburg, Penn.

Where as the Allegheny Men's Bible Class Association representing eighteen hundred sixty men in the Allegheny Valley in convention in the United Presbyterian Church Aspinwall March twelfth resolve that we demand all representatives at Harrisburg in the Senate and House of Representatives that they heartily support the Governor in his program to make Pennsylvania clean by enforcement of the Volstead Act with such amendment as shall make the enforcement complete that we assure the Governor of our hearty support and backing in making Pennsylvania white we heartily commend Senator Barr representatives Vickerman and McVicker for their peerless support of this great issue.

The Allegheny Valley Mens Bible Class Association.

Mr. SCHANTZ. Mr. President as to whether or not I said anything improper in connection with that telegram I stand on what I said and I submit to the judgment of my colleagues as to whether or not it implies anything that attacks the motive, or anything whatever of my colleague from Allegheny, Mr. Barr. I never dreamed to insinuate that he had sent this telegram to himself, but I do doubt and wonder whether it came from Judge Shafer or somebody else to him. I do not think that he sent the telegram to himself and I did not mean to imply that.

After Governor Pinchot's promise in Lehigh county, I want to say this: The Lieutenant-Governor was there the same day and we were very glad to have them. All the conversations that I had with Mr. Pinchot were when he came to my office in the morning and in the presence of Mr. Stahlnecker, his secretary, and Mr. A. W. Hagenbaugh one of the foremost and respected people of Washington. From my office we went to the hotel Allen and from there together to the county meeting, and such a statement as is here alleged was made I never made and I call on Mr. Hagenbaugh and Mr. Stahlnecker, if necessary, to sustain my denial. I never said any such thing to Mr. Pinchot. That he did come there and make a rattling temperance speech I admit. He was the candidate and I did not dictate to him. I was very sorry, I told him afterwards that he had done it, that he had spoiled a lot of votes, and when it was all over he came there once after that. I kept my mouth shut on the proposition and I had seventeen hundred

and five majority and unfortunately we had lost the county for the Governor by eight hundred and one although we had carried it for everybody else from the Lieutenant-Governor on down.

Mr. STEELE. Mr. President, I think that after all the discussions we have heard we will agree that this is a bill which able lawyers, in the preparation of it have tried to express what they have conceived to be, the things that would safeguard the interest that are sought to be protected. Other lawyers, able men have taken exception to it and that is something that might easily happen. For myself I have every confidence in the men who have prepared this bill. I believe it is for the advancement of every moral and economic consideration that we support this bill today. Pennsylvania is fortunate in having a Governor that is as resourceful and who is as full of courage as Governor Pinchot and I believe that since the Eighteenth Amendment is a part of our Constitution law in this land we should put into the hands of this administration the power that will make effective the carrying out of this amendment in our State and will make it possible for the Administration to carry out the Eighteenth Amendment in the State of Pennsylvania, as they believe they can do under this law.

Mr. STITES. Mr. President, I have no doubt that when we vote on this measure we shall all desire to vote on it in perfect good humor. I was interested in the description of the Senator from Lehigh as to what might happen to the man who took his alcohol to church with him. I would suggest that the Senate of Pennsylvania go on record in the interest of Senator Schantz, of Lehigh, and to record this sentiment:

A Lehigh man, he went to church,
With alcohol on his hip;
And when he finished with his prayers,
He tried to take a nip.
Sad to relate, his booze was gone,
For Pinchot took his car;
Now when he goes to say his prayers,
The booze stays at the bar.

Mr. EYRE. Mr. President, I deprecate any indulgence in personalties in discussions on the floor of this Senate. I simply rise in the spirit of fairness because of the inference that has been thrown out here relative to the position of the distinguished Senator from the First District of Philadelphia, who will vote contrary to me on this measure, but I believe in being absolutely fair to him, and I want to say that in my presence he said to Governor Pinchot that there must be no misunderstanding as to how the Philadelphians would vote on law enforcement, that so far as he was concerned he would not interfere with them but would allow each to vote in accordance with the conviction and sentiment of the district which he represents. I simply make this statement in what I believe to be fairness to my colleague from Philadelphia.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Baldwin,	Derrick,	Mansfield,	Snyder,
Barr,	Eyre,	McClintock,	Sprowls,
Betts,	Homsher,	Miller,	Steele,
Brown,	Huffman,	Norton,	Stineman,
Christley,	Jones,	Phipps,	Stites,
Clark,	Lanius,	Quigley,	Weaver,
Craig,	Long,	Smith,	Woodward,
Culbertson,	MacDade,		

NAYS—15.

Aron,	Harris,	Kutz,	Schantz,
Buckman,	Heaton,	Leslie,	Sisson,
Daix,	Joyce,	McNichol,	Vare,
Davis,	Krause,	Salus,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the consideration of Senate bill No. 143, as follows:

An Act to amend section one of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventons and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" which as amended by the act approved the eighteenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and forty-four) entitled "An act to amend the first sixth and seventh sections of an act entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen so as to change the time for filing petitions of nomination and the time for the organization of the State committees" is hereby further amended to read as follows

Section 1 That hereafter all candidates of political parties as herein defined for the office of United States Senator for the office of Representative in Congress for all elective State county city ward borough township school district and election division or district offices and for all other elective public offices except that of presidential elector shall be nominated and delegates and alternate delegates to National party conventions and State committeemen shall be elected at primaries held in accordance with the provisions of this act and in no other manner All such party officers as are required by the rules of the several political parties to be elected by the vote of the party electors shall be elected at pri-

maries held in accordance with the provisions of this act excepting members of the National committee who shall be elected as hereinafter provided In the years when candidates for the offices of President of the United States are to be nominated every qualified elector of a political party herein defined to be a political party within the State shall have opportunity at the primaries held in such years subject to the provisions of this act to vote his preference for one person to be the candidate of his political party for President This act shall not apply to the nomination of candidates to be voted for at special elections to fill vacancies except when such special election is held at the time of a regular election and such vacancy occurred or existed at least sixty days prior to the regular primary antecedent to such regular election and nothing herein contained shall prevent any body of electors not constituting a political party from nominating candidates by nomination papers as is now or may hereafter be provided by law

The State committee of each political party may make such rules for the government of such State committee not inconsistent with law as it may deem expedient and may also revoke or alter or amend in any manner not inconsistent with law any present or future rules of such State committee

National committeemen shall be elected by the State committee of each respective party unless the rules of the National party otherwise provide in which case they shall be elected in the manner provided by the rules of the National party and all State committeemen shall be elected by Senatorial districts Each Senatorial district shall be entitled to elect two State committeemen and two State committeewomen as members of the State committee except where a Senatorial district is composed of more than one county or part of county in which event the electors residing in each county or part of a county embraced in the said Senatorial district shall be entitled to elect one State committeeman and one State committeewoman The State committeemen and State committeewoman thus elected shall meet for organization not later than the fifth Wednesday following their election at such hour and place as shall be designated by the State chairman of each respective party The said State committeemen and State committeewomen of all parties shall be elected at the Spring primary

Vacancies happening at any time in the office of National committeeman shall be filled by the State committee of the respective party unless the rules of the National party otherwise provide in which case vacancies shall be filled in the manner provided by the rules of the National party

Vacancies happening at any time in the office of State committeeman and committeewoman shall be filled by the city or county committee of the respective parties Provided That when said vacancy occurs in a county composed of more than one Senatorial district the members of the city or county committee embraced within the Senatorial district in said county shall elect said committeeman and committeewoman and when a vacancy occurs in a Senatorial district composed of more than one county or part of a county the members of the county committee embraced within said county or part of a county shall elect said committeeman and committeewoman

And the amendments made thereto having been printed as requirel by the Constitution.

On the question,

Shall the bill pass finally?

Mr. SMITH. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SMITH. Mr. President, I ask unaminous consent to amend section 1, page 2, line 21, by striking out the word "as" and inserting in lieu thereof the word "was".

The PRESIDENT. Is there objection. The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 198, entitled:

An Act to amend section seventy-four of an act approved the second day of July 1831 (Pamphlet Laws five hundred and nineteen) entitled "An Act relating to the Elections of this Commonwealth" as amended

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. PHIPPS. Mr. President, I ask unanimous consent to amend section 1, page 2, line 9, by striking out the word "judges" and inserting in lieu thereof the word "judge"; also Section 74, as amended, page 3, line 5, by striking out the word "judges" and inserting in lieu thereof the word "judge".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 227, (House Bill No. 72), on third reading, entitled:

An Act to amend section two of an act approved May 20, 1921 (Pamphlet Laws nine hundred and forty-four) entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor"

go over in its order.

The PRESIDENT. Is there objections? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 233, entitled:

An Act to further amend section one of an act approved the fifth day of March A. D. 1906 (Pamphlet Laws sixty-three) entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violation of its provisions"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Derrick,	Leslie,	Schantz,
Baldwin,	Eyre,	Long,	Sisson,
Barr,	Harris,	MacDade,	Smith,

Betts,	Heaton,	Mansfield,	Snyder,
Brown,	Homsher,	McClintock,	Sprowls,
Buckman,	Huffman,	McNichol,	Steele,
Christley,	Jones,	Miller,	Stineman,
Clark,	Joyce,	Norton,	Stites,
Craig,	Krause,	Phipps,	Vare,
Culbertson,	Kutz,	Quigley,	Weaver,
Daix,	Lanius,	Salus,	Woodward,
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 235, entitled:

An act relative to the burial of the bodies of deceased widows of soldiers sailors and marines at county expense

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Derrick,	Leslie,	Schantz,
Baldwin,	Eyre,	Long,	Sisson,
Barr,	Harris,	MacDade,	Smith,
Betts,	Heaton,	Mansfield,	Snyder,
Brown,	Homsher,	McClintock,	Sprowls,
Buckman,	Huffman,	McNichol,	Steele,
Christley,	Jones,	Miller,	Stineman,
Clark,	Joyce,	Norton,	Stites,
Craig,	Krause,	Phipps,	Vare,
Culbertson,	Kutz,	Quigley,	Weaver,
Daix,	Lanius,	Salus,	Woodward,
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 301, entitled:

An act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Derrick,	Leslie,	Schantz,
Baldwin,	Eyre,	Long,	Sisson,
Barr,	Harris,	MacDade,	Smith,
Betts,	Heaton,	Mansfield,	Snyder,
Brown,	Homsher,	McClintock,	Sprowls,
Buckman,	Huffman,	McNichol,	Steele,
Christley,	Jones,	Miller,	Stineman,
Clark,	Joyce,	Norton,	Stites,
Craig,	Krause,	Phipps,	Vare,
Culbertson,	Kutz,	Quigley,	Weaver,
Daix,	Lanius,	Salus,	Woodward,
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 16, as follows:

An Act to amend Clause five of Section three of an Act entitled "An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" Approved the thirteenth day of May Anno Domini one thousand nine hundred and nine (Pamphlet Laws five hundred and twenty)

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Paragraph five of Section three of of the act approved the thirteenth day of May Anno Domini ont thousand nine hundred and nine (Pamphlet Laws five hundred and twenty) entitled "An Act relating to food defining food providing for the protection of fraud and deception by prohibiting the manufacture or sale the offering for sale or the having in possession with intent to sell of adulterated misbranded foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" which reads as follows

"Fifth If it contains any added sulphurous acid sulphur dioxide or sulphites benzorate acid or benzorates except as hereafter provided or if it contains any added boric acid or borates salicylic or salicylates formadehyde hydrofluoric or fluorides fluoborates or other fluorine compounds dulcin glucin saccharin alum compounds of copper betanapthol hydronapthol abrastol asaprol oxides of nitrogen nitrous acid or nitrites pyroligeneous acid or other added ingredients deleterious to health or if in the case of confectionery it contains any of the substances mentioned in this paragraph or any mineral substances or injurious color or flavor alcoholic liquor or any other ingredient not herein mentioned deleterious to health Providing That this act shall not be construed to prohibit the use of harmless colors of any kind in confection when used for coloring and not for any fraudulent purpose And provided further That nothing in this act shall be construed to prohibit the use of common salt sugar pure corn syrup pure glucose wine vinegar cider vinegar malt vinegar sugar vinegar gulcose vinegar distilled vinegar spices or their essentials oils alcohol (except in confectionery) edible oils edible fats wood smoke applied directly as generated or proper refrigeration And provided further That in the manufacture of confection the use of alcohol shall be permitted as it may be found in customary alcoholic tinctures or extracts used for flavoring purposes only and as a solvent for glazes and that oil of sweet birch or methyl-salicylic ester may be used as a substitute for oil of winter-green as a flavor And provided further That in the preparation of dried fruits and molasses sulphur dioxode either free or in simple combination may be used in such quantities as will not render said dried fruits or molasses deleterious to health and that sodium benzoate may be used in the preparation of those articles of food in which it has heretofore been generally used in quantities not exceeding one-tenth (1-10) of one per centum or benzoic acid equivalent thereto And provided further That when any quantity of sodium benzoate is used in any article of food or any quantity of sulphur dioxide is used in the preparation of dried fruits or molasses the fact that sodium benzoates or sulphur dioxide has been used in the preparation thereof shall be plainly stated on each package of such food"

Be and the same is hereby amended so as to read as follows

"Fifth If it contains any added sulphurous acid sulphur dioxide or sulphite benzoate acid or benzoaes except as hereafter provided or if it contains any added boric acid or borates salicylic acid or salecylates formaldehyde hydrofluoric acid or fluorides fluoborates fluosilicates or other fluorine compounds dulcin glucin saccharin alum compounds of copper betanapthol hydronapthol abrastol asaprol pyroligneous acid or other added ingredients deleterious to health or if in the case of confectionery it contains any of the substances mentioned in this paragraph or any minerv substances or injurious color or flavor alcoholic liquor or any other ingredient not herein mentioned deliterious to health Providing That this act shall not be construed to prohibit the use of harmless colors of any kind in confectionery when used for coloring and not for any fraudulent purpose And provided further That nothing in this act shall be construed to prohibit the use of common salt sugar pure corn syrup pure glucose wine vinegar cider vinegar malt vinegar sugar vinegar glucose vinegar distilled vinegar spices or their essential oils alcohol (except in confectionery) edible oils edible fats wood smoke applied directly as generated or proper refrigeration And provided further That in the manufacture of confectionery the use of alcohol shall be permitted as it may be bound in customary alcoholic tincture or extracts used for flavoring purposes only and as a solvent for glazes and that oil of sweet birch or methyl-salicylic ester may be used as a substitute for oil of wintergreen as a flavor And provided further That in the preparation of dried fruits and molasses sulphur dioxide either free or in simple combination may be used in such quantities as will not render said dried fruits or molasses deleterious to health and that sodium benzoates may be used in the preparation of those articles of food in which it has heretofore been generally used in quantities not exceeding one-tenth (1-10) of one per centum or benzoic acid equivalent thereto And provided further That when any quantity of sodium benzoate is used in any article of food or any quantity of sulphur dioxide is used in the preparation of dried fruits or molasses the fact that sodium benzoates or sulphur dioxide has been used in the preparation thereof shall be plainly stated on each package of such food"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 30, entitled:

An Act to amend an act approved May 5, 1921, (P. L. 379), entitled "An Act to amend an act, approved the nineteenth day of June, one thousand nine hundred and eleven, (P. L. 1059), entitled 'An act extending the powers of judges of courts of quarter sessions and of oyer and terminer, in relation to releasing prisoners in jails and workhouses on parole,' by extending said act to include houses of correction, conferring similar powers on other courts of record and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law;" providing the procedure in cases of parole; conferring power to parole upon the several courts instead of judges thereof; and fixing the time when petitions for parole may be first presented.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennyslvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred seventy-nine) entitled "An Act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and fifty nine) entitled 'An Act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole' by extending said act to include houses of correction conferring similar powers on other courts of record and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law which reads as follows

"Section 1 Be it enacted &c That the judges of the courts of quarter sessions and the courts of oyer and terminer of the several judicial districts of the Commonwealth and other courts of record having jurisdiction are authorized after due inquiry to release on parole any convict confined in the county jail house of correction or workhouse of their respective district and place him or her in charge of and under the supervision of a designated probation officer and shall have the power to recommit to jail or workhouse on cause shown by such probation officer that such conviction has violated his or her parole and to reparole if in the judgment of said judge there is a reasonable probability that the convict will be benefited by again according liberty to such convict and also to again recommit for violation of such parole This power of parole shall extend for a period not to exceed the maximum sentence provided by law for the offiense of which the convict was convicted regardless of the sentence first imposed upon the prisoner" is hereby amended to read as follows

Section 1 Be it enacted etc That the courts of quarter sessions and the courts of oyer and terminer of the several judicial districts of the Commonwealth and other courts of record having jurisdiction are authorized after due hearing to release on parole any convict confined in the county jail house of correction or workhouse of their respective district No convict shall be paroled under the provisions of this act except upon petition verified by the oath of the person convicted or by some one in his or her behalf and presented and filed in the court in which such person was convicted No petition for parole shall be considered by any of said courts unless the person in whose behalf the same is presented has served at least one-half of the minimum time for which he or she was sentenced Upon the presentation of any such petition the court shall fix a day for hearing of which hearing public notice shall be given in at least two newspapers of general circulation once a week for two weeks A copy of said petition shall also be served upon the district attorney and upon the prosecutor in the case if he is resident within the county at least ten days before the day fixed for said hearing Proof of such publication and of service upon the district attorney and the prosecutor shall be produced at the hearing After such hearing the court shall make such order as to it may seem just and proper In case the court shall parole such convict it shall place him or her in charge of and under the supervision of a designated probation officer Any of said courts shall have power to recommit to jail workhouse or house of correction on cause shown by such probation officer that such convict has violated his or her parole and to reparole in the same manner and by the same procedure as in the case of the original parole if in the judgment of said court there is a reasonable probability that the convict will be benefited by again according liberty to such convict and also to again recommit for violation of such parole This power of parole shall extend for a period not to exceed the maximum sentence provided by law for the offense of which the convict was convicted regardless of the sentence first imposed upon the prisoner

On the question,

Will the Senate agree to the section?

Mr. MACDADE. Mr. President, I move to amend Section 1 of the bill by adding the following: Provided, however, that any of said courts may release on parole upon petition to any of said courts any person who has been committed to any jail, workhouse or house of correction by any magistrate, alderman, or justice of the peace. Said courts shall have the same power to recommit such persons paroled as herein set forth.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows an agreed to.

An Act to amend an act approved May fifth one thousand nine hundred and twenty-one (Pamphlet Laws three hun-

dred seventy-nine) entitled "An Act to amend an act approved the nineteeuth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-nine) entitled 'An Act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole' by extending said act to include houses of correction conferring similar powers on other courts of record and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law" providing the procedure in cases of parole conferring power to parole upon the several courts instead of judges thereof and fixing the time when petitions for parole may be first presented.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 46, as follows:

An Act making an appropriation to carry into effect the provisions of an act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and fourteen) entitled "An Act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River connecting the city of Philadelphia and the city of Camden and the approaches thereto providing for a joint commission for that purpose and defining its powers and duties providing for an independent commission in this Commonwealth and in relation thereto and defining its powers and duties providing for the payment of a part of the cost thereof by the city of Philadelphia and providing for the acquiring taking and condemnation of the real estate for the site and approaches thereof providing for the turning over of said bridge upon its completion and making an appropriation for the purposes of this act" and its amendments

Whereas the Commonwealth of Pennsylvania under authority of the said act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and fourteen) and its amendments has entered into a contract with the State of New Jersey to build a bridge across the Delaware River between the Cities of Philadelphia and Camden and

Whereas The State of New Jersey through a bond issue has made available its entire share of the one-half cost of erecting and constructing said bridge and acquiring the land and property necessary therefor and

Whereas The board of engineers has certified to the joint commission composed of the Pennsylvania Commission and the New Jersey Inter-State Bridge and Tunnel Commission that twenty-two million six hundred and forty-eight thousand dollars ($22,648,000) is needed to complete said bridge in the year one thousand nine hundred and twenty-six of which amount the share of the Commonwealth is six million four hundred and twenty-three thousand dollars ($6,423,000) and

Whereas Said act of assembly providing for the erection and construction of such bridge provides that no contract can be entered into beyond the extent of the appropriations made available for the purpose by the Commonwealth and

Whereas The good faith of the Commonwealth of Pennsylvania has been pledged to the City of Philadelphia and to the State of New Jersey and

Whereas Delay in making available sufficient appropriations will result in an increase in the cost of said bridge caused by interest charges over-head expenses increased cost of material and deterioration of partially completed parts of the bridge therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six million dollars four hundred and twenty-three thousand dollars ($6,423,000) or so much thereof as may be necessary is hereby specifically appropriated to the Joint Commission composed of the Pennsylvania Commission and th eNew Jersey Inter-State Bridge and Tunnel Commission for the payment of the remaining share of the Commonwealth of Pennsylvania of the cost of erecting and constructing a bridge over the Delaware River between the Cities of Philadelphia and Camden and of acquiring the necessary land and property in connection therewith in accordance with the provisions of the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and fourteen) entitled "An Act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River connecting the City of Philadelphia and the City of Camden and the approaches thereto providing for a joint commission for that purpose and defining its powers and duties providing for an independent commission in this Commonwealth in relation thereto and defining its powers and duties providing for the payment of a part of the cost thereof by the city of Philadelphia and providing for the acquiring taking and condemnation of the real estate for the site and approaches thereof providing for the turning over of said bridge upon its completion and making an appropriationfor the purposes of this act" and its amendments

The moneys hereinbefore appropriated shall be available and be expended only for the purposes and in the manner provided in said act of assembly of July ninth one thousand nine hundred and nineteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 61, as follows:

An Act to carry into effect section eleven of article one of the Constitution of Pennsylvania by designating the manner the courts and the cases in which suits may be brought against the Commonwealth defining the procedure in such cases and providing for the payment of judgments interest and costs by the Commonwealth

Whereas As section eleven of article one of the Constitution of Pennsylvania provides that "All courts shall be open and every man for an injury done in his lands goods person or reputation shall have remedy by due course of law and right and justice administered without sale denial or delay Suits may be brought against the Commonwealth in such manner in such courts and in such cases as the Legislature may by law direct and

Whereas The Supreme Court has declared that special acts of assembly authorizing suits to be brought against the Commonwealth are unconstitutional and

Whereas The Commonwealth has recently by virtue of divers acts of assembly and in the exercise of its sovereignty taken over and assumed extensive public works heretofore constructed by counties cities boroughs and townships which municipal districts are and have hitherto been held liable upon contracts as well as for negligence

Now therefore to carry out and to give full force and effect to said provisions of the Constitution and to provide a general system for the bringing of suits against the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That suits in assumpsit upon contracts express or implied and suits in trespass for negligence in the construction operation or maintenance of any public work building or highway may be brought against the Commonwealth of Pennsylvania in the court of common pleas of the county in which the seat of government is located and such suits may be prosecuted to final determination subject to appeal in the same manner and within the same limitations as to time as in the case of suits in assumpsit and trespass between individuals Nothing contained in this section shall be construed to repeal or impair the provisions of the Workmen's Compansation Act of one thousand nine hundred and fifteen

Section 2 No action shall be instituted or cause maintained under the provisions of this act which shall have

arisen before the first day of January one thousand nine hundred and twenty-one and in such cases the statute of limitations shall be construed as commencing to run from the date of the approval of this act

Section 3 Process in actions commenced under the provisions of this act shall be served upon the Attorney General or any of his deputies in the same manner and with like effect as in the case of suits between individuals The Attorney General or any of his deputies are authorized to acept service of any process in any such suit against the Commonwealth The practice and pleadings shall conform in all respects to the laws of this Commonwealth and the rules of court regulations similar cases between individuals

Section 4 In all suits brought under the provisions of this act it shall be incompetent to maintain as a defense that the Commonwealth is a sovereign power and is immune from liability

Section 5 In all cases where final judgment is obtained against the Commonwealth the record of such judgment shall be certified to the Auditor General who shall thereupon draw his warrant upon the State Treasurer for the payment of such judgment interest and costs All such payments shall be made from appropriations made by the General Assembly from time to time for the payment of such judgments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 75, as follows:

An Act to amend section seventy-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth" by providing the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventy-five of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth" which reads as follows

"Section 75 That every person convicted of the crime of murder of the first degree his aiders abettors and counsellors shall be sentenced to suffer death (by hanging by the neck) and it shall be the duty of the clerk of the court wherein such conviction takes place and he is hereby required within ten days after such sentence to transmit a full and complete record of the trial and conviction to the Governor of this Commonwealth" is hereby amended to read as follows

Section 75 That every person convicted of the crime of murder of the first degree his aiders abettors and counsellors shall be sentenced to suffer death in the manner provided by law or to undergo imprisonment for life at the discretion of the jury trying the case which shall fix the penalty by its verdict the court to impose the sentence so fixed as in other cases In cases of pleas of guilty the court where it determines the crime to be murder of the first degree shall at its discretion impose sentence of death or imprisonment for life and it shall be the duty of the clerk of the court wherein such conviction takes place and he is hereby required within ten days after such sentence of death to transmit a full and complete record of the trial and conviction to the Governor of this Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 84, as follows:

An Act relating to the acquisition of land for park purposes by any city in this Commonwealth in sections not entirely built up limiting time for condemnation by councils or purchase by park commissioners after same has been placed in city plan for park purposes by ordinance of councils or action of park commissioners and providing for removal from city plan upon failure to condemn or purchase within time specified herein

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That wherever any park or parkway may hereafter be super imposed upon the confirmed plan of the streets or parks of any city of this Commonwealth in sections not entirely built up by ordinance of councils or by appropriate action of the park commissioners thereof unless an ordinance actually appropriating the land within the lines of said park or parkway to public use be duly passed by councils thereof or said land be acquired by the park commissioners in accordance with existing laws within three years from the passage of said ordinance or action of the park commissioners superimposing said plan upon said land said ordinance or action of the park commissioners superimposing said plans upon said land shall be void and of no effect in regard to said land and said plan shall be automatically removed from said land as if it had never been placed thereon nor shall any plan again be superimposed on said land without an accompanying ordinance condemning same to public use

Section 2 That wherever any park or parkway may have been heretofore superimposed upon the confirmed plan of the streets or parks of any city of this Commonwealth in sections not entirely built up by ordinance of councils or by appropriate action of the park commissioners thereof unless an ordinance actually appropriating the land within the lines of said park or parkway to public use be duly passed by councils thereof or said land be acquired by the park commissioners in accordance with existing laws within one year from the approval of this act said ordinance or action of the park commissioners superimposing said plan upon said land shall be void and of no effect in regard to said land and said plan be automatically removed from said land as if it had never been placed thereon nor shall any plan again be superimposed on said land without an accompanying ordinance condemning same to public use Provided however That three years shall have elapsed between the passage of the ordinance or action of the park commissioners superimposing said plan upon said land and the removal of the plan from said land in accordance with this act

Section 3 All acts or parts of acts general or special inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to th esecoid reading and consideration of Senate Bill No. 91, as follows:

An Act defining and providing for the regulation supervision and licensing of resident and non-resident real estate brokers and real estate salesmen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is herby enacted by the authority of the same That DEFINITIONS A real estate broker within the meaning of this act is a person copartnership or corporation who or which for a compensation sells or offers for sale or buys or offers to buy or negotiates the purchase or sale or exchange of real estate or who or which for compensation negotiates loans on real estate or offers to lease or to rent or places for rent or collects rent from real estate or improvements thereon for others as a whole or partial vocation

A real estate salesman within the meaning of this act is one who for a compensation is employed by a licensed real estate broker to sell or offer for sale or to buy

or to offer to buy or to negotiate the purchase or sale or exchange of real estate or to negotiate loans on real estate or to lease or offer to lease or to rent or place for rent or to collect rent from real estate or improvements thereon as a whole or partial vocation

The performance of any of the above acts for compensation shall constitute the person copartnership or corporation performing the same a real estate broker or real estate salesman as the case may be within the meaning of this act

The provisions of this act shall not apply to

(a) Persons copartnerships or corporations who or which shall perform any of the acts aforesaid with reference to property owned or purchased by such persons copartnerships or corporations

(b Persons holding a duly executed power of attorney from the owner to act for the owner in case of illness or where the owner is incapacitated through mental inability to act

(c) Attorneys-at-law in performing duties as attorneys-at law

(d) Receivers Executors Administrators Guardians committees trustees in bankruptcy or persons acting under order of any court nor

(e) Trustee selling under deeds of trust

Section 2 REAL ESTATE BROKERS AND SALESMEN REQUIRED TO HAVE LICENSES From and after the first day of January one thousand nine hundred and twenty-four it is unlawful for any person copartnership or corporation to engage in the business or act in the capacity of a real estate broker or real estate salesman within this Commonwelath without first obtaining the annual license hereinafter provided for

Section 3 APPLICATIONS FOR LICENSES Applications for licenses as real estate brokers and real estate salesmen shall be made annually before the first day of January of each year in writing and under oath or affirmation to the Insurance Commissioner on form to be prescribed and provided by him All licenses granted shall be for the calendar year succeeding the applications

All applications for licenses must be accompanied by the recommendations of two citizens certifying (a) that they are real estate brokers for a period of at least five years in the municipality in which the applicant resides or i s resident (b) that they are not related to the applicant (c) that the applicant bears a good reputation in the community for honesty ability and fair dealing (d) that they recommend that a license be granted to the applicant and (e) such other statements as the Insurance Commissioner may require

Every applicant for a license as a real estate broker shall set forth (a) his her or its present business and residence address (b) all former real estate business and all residence addresses during the last preceding five years stating the length of time of each such residence (c) the name of at least one real estate owner in each municipality in which he she or it resided or was engaged in real estate business (d) that he can read and write the English language and that he has had a common school education as far as the sixth grade and (e) such other information as the Insurance Commissioner may require

Every applicant for a license as a real estate salesman shall set forth (a) his or her present residence address (b) the name and address of the real estate broker employing or about to employ him or her (c) the period of time if any during which he or she was engaged in real estate business and where (d) the name of his last employer if engaged in real estate business and (e) such other information as the Insurance Commissioner may require Each applicant for license as a salesman shall also accompany his application with a written statement by the broker employing or about to employ him or her stating his her or its opinion of the honesty integrity and reputation for fair dealing of the applicant

Each applicant shall accompany his application with the following license fee In the case of real estate brokers ten dollars and in the case of real estate salesman five dollars In case of a copartnership or corporation a fee of ten dollars each active partner five dollars

All license fees collected shall be paid by the Commissioner into the general fund of the State Treasury

Section 4 LICENSES All licenses issued by the Commissioner shall be in such form as shall be prescribed by him The license shall show the name and business address of the licensee and also in the case of a salesman the name of the employing real estate broker All licenses shall bear the imprint of the seal of the Insurance Department and shall be signed by the Commissioner

Section 5 PLACES OF BUSINESS DISPLAY OF LICENSES Each real estate broker shall maintain a place of business and therein display the license granted by the Commissioner Where a broker maintains more than one place of business he shall obtain for and display a license in each such plare All licenses after the first shall be issued for one-half the regular fee Where a broker changes his place of business the Commissioner shall upon notice in writing issue a new license for the unexpired period without charge A failure to notify the Commissioner within ten days of any change of business location shall automatically cancel a broker's license

Section 6 POCKET CARDS In addition to the license the Commissioner shall deliver to each licensee a pocket card of such size as shall be designated by the Commissioner which card shall contain the name and address of the licensee and in case of salesman's license the name and address of the employer of such licensed salesman and shall also contain an imprint of the seal of the Department and shall certify that the person whose name appears thereon has been duly licensed as a real estate broker or real estate salesman as the case may be

Section 7 NON-RESIDENT LICENSES SERVICE OF PROCESS A person copartnership or corporation non-resident of this State may become a real estate broker or a real estate salesman by conforming to all of the provisions of this act Every non-resident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in any of the courts record of this State by the service of process on the Insurance Commissioner Said consent shall stipulate and agree that such service of such process on the Commssioner shall be taken and held in all courts to be as valid and binding as if due service had been made personally upon said applicant within this State Said consent shall be duly acknowledged and if made by a corporation shall be authenticated by the seal of such corporation All applications from corporations shall be accompanied by a duly certified copy of the resolution of the board of directors authorizing the proper officers to execute the same In all cases where process shall be served under the provisions of this act upon the Commissioner such process shall be served in duplicate one copy of which shall be filed in the office of the Commissioner and the other shall be forwarded immediately by the Commissioner by registered mail to the last known business address of the non-resident licensee

All non-resident licenses issued by the Commissioner shall be on a special form distinguishable from license issued to resident brokers and salesmen and the pocket card accompanying non-resident licenses shall be of a different color so as to distinguish the same from the cards issued to resident licenses

Section 8 REGULATIONS OF SALESMEN'S LICENSES All licenses issued to real estate salesmen shall be kept in the custody and control of the broker by whom such salesman is employed and the pocket card accompanying the same shall be delivered to the salesman When any real estate salesman is discharged or terminates his employment the real estate broker shall immediately deliver or send by registered mail to the Commissioner such salesman's license The broker shall at the time of mailing the salesman's license to the Commissioner address a communication to the last known residence of the salesman advising him or her that the license has been delivered or mailed to the Commissioner A copy of such communication to the salesman shall accompany the license when mailed or delivered to the Commissioner It is unlawful for any real estate salesman to perform any acts either directly or indirectly under the authority of such salesman's license from and after the date of receipt of said license by the Commissioner A new license may be issued to such salesman without additional charge upon satisfactory proof that said salesman has obtained employment with another licensed broker but no new license shall be issued until such salesman shall return to the Commissioner the pocket card issued with the original license or shall satisfactorily account to said Commissioner for the same Not more than one license shall be held by any real estate salesman for the same period of time

Section 9 SUSPENSION AND REVOCATION OF LICENSES The Commissioner shall upon the verified complaint sworn or affirmed to in writing of any person inves-

tigate the actions of any real estate broker or real estate salesman or any person who shall assume to act in either capacity within this State and said Commissioner shall have the power to suspend for a period less than the unexpired portion of the licensed period or to revoke any license issued under the provisions of this act where the licensee in performing or attempting to perform any of the acts mentioned herein is deemed to be guilty of (a) making any false statements or any substantial misrepresentation in writing (b) receiving money or other valuable consideration from both parties in any transaction without the knowledge of all parties thereto (c) pursuing a flagrant and continued course of misrepresentation by means of advertising (d) failure to account for or to pay over any money belonging to others coming into the possession of the license (e) any conduct that demonstrates dishonesty or (f) has been convicted of violating any of the provisions of this act The revocation of a broker's license shall automatically suspend the license of his or her or its salesmen but new licenses and pocket cards may be issued to such salesmen for the unexpired portion of any year without additional charge

Any unlawful act or violation of any of the provisions of this act on the part of any real estate salesman shall not be the cause for the revocation of any real estate broker's license unless it shall appear to the satisfaction of the Commissioner that the real estate broker employing such salesmen had guilty knowledge thereof

This act shall not be construed to relieve any person from civil liability or criminal prosecution under the laws of this State

Section 10 PROCEEDINGS TO SUSPEND AND REVOKE LICENSES The Commissioner shall before suspending or revoking any license and at least ten days prior to the date set for the hearing notify in writing the holder of such license of any charges made and shall afford such licensee an opportunity to be heard in person or by counsel Such written notice may be served either personally or by mailing same by registered mail to the last known business address of such licensee If such licensee is a salesman the Commissioner shall also notify the broker employing him specifying the charges made against such salesman by sending a notice thereof by registered mail to the broker's last known business address

Any licensee aggrieved by the action of the Commissioner in revoking or suspending a license may within thirty days appeal therefrom by petition to the court of Common pleas of the county in which the licensee shall reside which court shall hear the matter de novo and make such decree reinstating such licensee or affirming the action of the Commissioner as to it shall appear proper The action of the court shall be final

Section 11 UNLAWFUL ACTS BY SALESMEN It is unlawful for any real estate salesman to accept a commission or valuable consideration for the performance of any of the acts herein specified from any person except his employer who must be a licensed real estate broker

Section 12 PENALTIES Any person violating any of the provisions of this act shall on conviction thereof be punishable by a fine of not less than one hundred dollars or more than five hundred dollars or by imprisonment for a term not to exceed one year or by both such fine and imprisonment in the discretion of the court Any firm association partnership or corporation violating the provisions of this act shall upon conviction thereof be punishable by a fine of not exceeding one thousand dollars

Section 13 CONSTITUTIONALITY The provisions of this act are severable and if any provision of this act is declared unconstitutional such decision shall not affect the remaining provisions of this act It is hereby declared as legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 162, as follows:

An Act to amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" is hereby amended to read as follows

Section 1 Be it enacted et cetera That all personal property of the classes hereinafter enumerated owned held or possessed by any person persons co-partnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other State or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability thereof that is to say

All mortgages all moneys owing by solvent debtors whether by promisory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest except the first two thousand dollars or any fractional part thereof of any separate account or collective account of any one person on deposit in any banks trust companies or savings institutions all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares of capital stock for State purposes by the laws of the Commonwealth all moneys loaned or invested in other States Territories The District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yeilding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or

negotiated by any bank or banking instituton savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said saving institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purposes or for State purposes under the laws of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 176, as follows:

An Act making an appropiration to the State Highway Department for the improveemnt of certain portions of streets abutting on lands owned by the Commonwealth in Lackawanna County

Whereas The Commonwealth is the owner of certain lands in Lackawanna County whereon are erected the Pennsylvania State Oral School partly in the city of Scranton and partly in the borough of Dunmore and the One Hundred and Ninth Regiment Armory in the city of Scranton and

Whereas The Commonwealth as an abutting owner is not liable to an assessment by a municipality for the grading paving and curbing of streets now therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the uathority of the same That the sum of thirteen thousand dollars ($13,000.00) or so much theerof as may be necessary be and the same is hereby specifically appropriated to the State Highway Department to be paid over to the municipalities affected to the extent of the actual cost of such municipalities of the grading paving and curbing of Electric Street for half its width so far as said street abuts upon the land used and occupied by the Pennsylvania State Oral School and of Myrtle Street and Jefferson Avenue for half their respective widths so far as said street and avenue abut upon the land used and occupied by the One Hundred and Ninth Regiment Armory The moneys hereby appropriated shall be paid from time to time as and when the State Highway Department ascertains that the said improvements have been completed in whole or in part by said municipalities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 176, the bill just read, be recommitted to the Committee on Appropriations.

Mr. BALDWIN. Mr. Presideut, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 183, as follows:

An Act requiring prothonotaries to mark the time judgments are left at the office for entering providing for the priority of such liens to be determined according to such time

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of July next each of the prothonotaries of the several courts of common pleas in this Commonwealth shall endorse upon each judgment and each revival of a judgment entered at such office and upon the judgment docket the time they are left at the office for such purpose

When two or more judgments or revivals are left upon the same day or when a judgment and a mortgage affecting the same property are left at the respective offices upon the same day the priority of the respective liens shall be determined according to the time entered

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 226, (House Bill No. 34), as follows:

An Act to amend clause two of section three hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" by extending the power to tax property for lighting purposes in second class townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause two of section three hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" is hereby amended to read as follows

II On the petition of the owners of a majority of the lineal feet frontage along any highway or portion thereof in any village within the township to enter into contract with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said village with electric light gas light or other illuminant

The township supervisors shall levy for the maintenance of said lights an annual tax upon all the property including factories and places of business abutting upon the said highways and other public places in the district benefitted thereby based upon the assessment for county purposes Such tax shall be collected in the same manner as other taxes The collector of taxes shall receive the same commission as on the road tax No such tax shall be levied against any farm land

The township treasurer shall receive all such taxes collected for lighting the highways shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary The treasurer shall make a report to the auditors of the township annually

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 240, as follows:

An Act to amend section six of an act approved the twentieth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighteen) entitled "An Act relating to the appointment of persons to the police department in cities of the third class providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it hereby enacted by the authority of the same That section six of an act approved the twentieth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighteen) entitled "An Act relating to the appointment of persons to the police department in cities of the third class providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation" which as amended by an act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and four) entitled "An Act to amend section six of an act approved the twentieth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighteen) entitled 'An Act relating to the appointment of persons to the police department in cities of the third class providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation' so as to permit temporary suspensions by the superintendent of public affairs" reads as follows

"Section 6 All employees of said police department shall be subject to suspension by the superintendent of the department of public affairs for misconduct or violation of any law of this Commonwealth any ordinance of the city or regulation of the said police department pending action by the city council upon the charges made against any such employes and on hearing before the city council where they may be represented by counsel they may be fined or suspended for a period not to exceed thirty days with or without pay or they may be discharged by city council if found guilty of the charges against them Provided however That the said superintendent of the department of public affairs may for misconduct or violation as aforesaid suspend any employe of said department of police for a period not to exceed ten days with or without preferring charges and without a hearing of council" is hereby further amended to read as follows

Section 6 All employes of said police department shall be subject to suspension by the superintendent of the department of public affairs for misconduct or violation of any law of this Commonwealth any ordinance of the city or regulation of the said police department pending action by the city council upon the charges made against any such employes such action relating to the suspension of any member of said police department to be submitted in writing under official seal of the office by the superintendent of the department of public affairs together with all facts data et cetera in connection therewith to the city council at its next regular meeting following such suspension or special meeting called for that purpose within ten days and on hearing before the city council at said regular or special meeting where they may be represented by council and offer testimony or witnesses in their own behalf they may be fined suspended or discharged by the city council if found guilty of any charges made against them If such charges as presented to city council are found to be not true said employe shall be exonerated of all charges immediately reinstated and compensated for such salary due for the time such employe was suspended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 242, as follows:

An Act to amend sections one eleven twelve and fourteen of and to add section eight (a) to an act entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty-six) providing additional qualifications for a member of the State Board of Osteopathic Examiners providing for the examination and licensing of osteopathic physicians to practice surgery regulating the practice of the same and requiring additional qualifications therefor defining osteopathy and providing for the effect of reports and certificates made by osteopathic physicians and granting additional powers to the Board of Osteopathic Examiners to revoke licenses.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty-six) entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing osteopaths in this State and to provide penalties for the violation of this act" is hereby amended to read as follows

Section 1 Be it enacted et cetera That there shall be established a Board of Osteopathic Examiners for the State of Pennsylvania The Board shall consist of five members and each of said members shall serve for a term of three years from the first day of August next after his appointment or until his successor is appointed with the exception of those first appointed who shall serve as follows namely two for one year two for two years and one for three years from the first day of August Anno Domini one thousand nine hundred and nine Each member of said board shall be a graduate of a legally incorporated and reputable college of osteopathy and shall have been licensed to practice osteopathy under the laws of this State—excepting in the case of the first board which shall be appointed as provided for in section three—and shall not be in any manner financially interested in or connected with the faculty or management of any osteopathic school or college and shall have been engaged in the practice of osteopathy in this State for a period or at least three years and at least one member of said Board shall have three years' experience in the practice of major or operative surgery as taught and practiced in the legally incorporated and reputable colleges of osteopathy

Section 2 That said act is hereby amended by adding thereto the following section to be section eight (a)

Section 8 (a) Any person heretofore authorized or about to take an examination for a license to practice osteopathy in this State and desiring to enter upon the practice of major or operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy may deliver to the Secretary of the State Board of Osteopathic Examiners upon the payment of a fee of twenty-five dollars a written application for license together with satisfactory proof in such form as may be required that the applicant

has served for a period of not less than one year as an interne or assistant surgeon is an approved osteopathic hospital which shall have at least ten beds per interne devoted to the treatment of diseases shall maintain a thoroughly equipped modern pathological and clinical laboratory proportionate to the necessities of the hospital shall maintain a department of anaesthesia consisting of one or more anaesthetists who shall have supervision over all the anaesthesia given in the institution and whose duty it shall be to instruct all internes in the administration of anaesthetics and thereupon the State Board of Osteopathic Examiners if satisfied with said proof shall admit said applicant to examination as to his or her qualifications for the practice of major or operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy which examination shall include the subjects of surgical diagnosis and operative surgery and such other subjects as the said Board may deem necessary to test the qualifications of the applicants On receiving from the Committee of Examiners delegated by said Board to conduct examinations official report of the examination of any applicant said Board of Osteopathic Examiners shall issue forthwith to each applicant who shall have obtained a general average of not less than seventy-five per centum and therefore has been returned as having successfully passed said examination and who shall have been adjudged by the said Board of Examiners to be duly qualified for the practice of major or operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy a license to practice such major or operative surgery in the State of Pennsylvania which said license shall be issued and recorded in the same manner as licenses to practice osteopathy are now issued by the Board under the provisions of this act Provided That any licensed osteopathic physician who has actually been engaged in the practice of major or operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy for three continuous and consecutive years prior to the approval of this act who shall have exhibited his or her certificate of registration to the Board of Osteopathic Examiners and who shall submit proof satisfactory to said Board of his or her qualification which shall be equal at least to that required for the licensing of applicants taking the examination under this act may be granted a license to practice major or operative surgery in this State upon the payment by the applicant of a fee of twenty-five dollars which license shall be subscribed by every member of the Board of Osteopathic Examiners and shall have the like effect for all purposes as a license issued after an examination by said Board Provided further That the said Board of Examiners may in its discretion require such applicant to take the examination in the manner hereinbefore provided Each person to whom a license shall be issued to practice major or operative surgery by the State Board of Osteopathic Examiners shall likewise register in the office of the prothonotary of the court of common pleas of the county or counties in which he or she desires to practice by exhibiting to the prothonotary of said county or counties a license duly granted to him or her as hereinbefore provided whereupon he or she shall be entitled upon the payment of one dollar to be duly registered in the office of the prothonotary of the court of common pleas of said county or counties as an osteopathic surgeon

Section 3 That section eleven of said act be and the same is hereby amended to read as follows

Section 11 Every license to practice as an osteopathic physician issued by the State Board of Osteopathic Examiners shall authorize the holder thereof to practice osteopathy in all its branches without restriction as the same is herein defined and taught and practiced in the legally incorporated reputable colleges of osteopathy but it shall not authorize the holder thereof to practice major or operative surgery without obtaining an additional license to practice such surgery as provided in section eight (a) of this act Any use or practice by osteopathic physicians of the agencies or means hereinafter named as embraced within the fundamentals of the principles and practice of the system of osteopathy when used for the purposes in the manner and to the extent as taught and practiced in the legally incorporated reputable colleges of osteopathy shall not be construed the practice of medicine or deemed to be in violation of or contrary to any of the laws of this Commonwealth relating to the practice of medicine or regulating the public health

Every license issued by said board to practice surgery shall authorize the holder thereof to practice major or operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy and to employ the necessary agencies for the purposes in the manner and to the extent only as taught and practiced under surgical procedure in the legally incorporated reputable colleges of osteopathy and as such shall not be considered the practice of medicine or in violation of any of the laws relating to the practice of medicine or regulating the public health

The word "osteopathy" as used in this act means a complete and independent scientific system for the preservation of health and the relief and cure of bodily disorders embracing a distinct etiology prophylaxis and therapeutics applicable to all types and conditions of disease which in its practice deals with the human body as an intricate machine holding as its foremost fundamental (a) that the body when in perfect structural alignment will function correctly and health ensue (b) that disease is the effect of anatomical abnormalities producing physiological discord emphasizing malposed part or parts of the spinal column its appendages and attachments as the chief predisposing and producing cause of disease to cure which the abnormal part or parts must be adjusted to the normal that Pathogenic Bacteria are secondary to the predisposing anatomical cause and (c) which regards and uses non-drug adjunctive measures as palliatives (d) subscribes to sanitation and hygiene and to surgery when indicated and practiced from an osteopathic view point (e) employs antiseptics anaesthetics germicides and antidotes in cases of emergency or necessity and (f) opposes the introduction of drugs into the body organism as curative agencies

Section 4 That section twelve of said act be and the same is hereby amended to read as follows

Section 12 Osteopathic physicians shall observe and be subject to all State and municipal regulations relating to the control of contagious diseases the reporting and certifying of births and deaths and all matters pertaining to public health the same as physicians of other schools and all such reports and certificates when made or issued by osteopathic physicians licensed under the laws of the Commonwealth shall be accepted by the persons partnerships corporations officers boards bureaus or departments to whom the same are made with the same force and effect as reports or certificates issued by physicians of other schools and such osteopathic physicians shall be entitled to the same fees and compensation as is provided by law for physicians of any other school

Section 5 That section fourteen of said act be and the same is hereby amended to read as follows

Section 14 On and after the approval of this act the State Board of Osteopathic Examiners shall refuse to grant a license to an applicant to practice osteopathy in this State and is empowered to revoke a license conferring on a person the right to practice osteopthy upon the presentation to said State Board of Osteopathic Examiners of a court record showing the conviction in due course of law of said person for procuring aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever The State Board of Osteopathic Examiners upon such evidence and proof cause the name of said convicted licentiate to be removed from the record in the office of any prothonotary in the State The State Board of Osteopathic Examiners may refuse revoke or suspend the right to practice osteopathy in this State upon any or all the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellection and judgment to such an extent as to incapacitate the performance of professional duties the violation of the practice of the principles of the system osteopathy as defined in this act Any person who is a licentiate under this act or who is an applicant for examination for licensure to practice osteopathy in this State against whom any of the foregoing charges are preferred for causing the revocation or suspension of license or for causing the refusal of the right to be examined for licensure shall be furnished by the State Board of Osteopathic Examiners with a copy of the complaint and shall have a hearing before said board in person or by attorney and witnesses may be examined by said board respecting the guilt or innocence of said accused The suspension of license of any licentiate under this act shall be removed when said narcotic or vicious habit hereinbefore specified shall have been adjudged by the proper authorities to be cured or overcome and said suspended licentiate deemed again capable of practicing the healing art

Section 6 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 269, (House Bill No. 26), entitled:

An Act to amend section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" providing for the sale of the real and personal property of a decedent without known heirs kindred or surviving spouse and the payment of the net proceeds of such sale into the State Treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 272, (House Bill No. 281), as follows:

An Act to amend section two of Article sixteen of an act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Law five hundred and eighty-one) entitled "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of Article sixteen of an act entitled "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania" approved the twenty-fifth day of June one thousand nine hundred and nineteen is amended to read as follows

"Section 2 At the municipal election held in such city in the year one thousand nine hundred and twenty-three and in every fourth year thereafter city councilmen shall be elected in the various State senatorial districts in such city in proportion to the whole number of persons in each such senatorial district as determined by the decennial census of the United States completed at least three months prior to said election. One councilman shall be elected for each unit of eighty thousand persons in each such district and one for any fractional portion of such unit in excess of fifty per cent thereof in each such district over and above all entire units The number of councilmen to be elected from each such district shall be determined by the County Commissioners on August first of the year one thousand nine hundred and twenty-three and of every fourth year thereafter on the basis of the said decennial census of the United States Councilmen shall be nominated and elected according to law and those receiving the highest number of votes shall be declared elected to the number to which each such district is entitled Councilmen shall serve for the period of four years from the first Monday in January following their election If any vacancy shall happen in the office of Councilman the vacancy may be filled at the next general municipal or special election occurring not less than thirty days thereafter but the Councilman thus elected shall serve only the unexpired term

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 272, (House Bill No. 281), the bill just read, be recommitted to the Committee on Municipal Affairs for the purpose of a hearing.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 277, (House Bill No. 267), entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held or pending pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the second tme and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 302, as follows:

An Act authorizing and empowering the county treasurers in counties of the third class to appoint a solicitor prescribing his duties and providing for the compensation of such solicitor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county treasurers in counties of the third class be and they are hereby authorized and empowered to designate and appoint one person learned in the law to act as his solicitor

Section 2 It shall be the duty of said solicitor to advise upon all such legal matters as may be submitted to him and to conduct any litigtion desired by said county treasurer He shall hold office at the pleasure of the Treasurer and shall receive a salary of twelve hundred dollars ($1200) per annum to be paid out of the county treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and considera- of Senate Bill No. 311, (House Bill No. 280), entitled:

An Act providing for the assessment and collection as benefits from the abutting property owners of the borough's share of the cost of the improvement of a street which forms part of a State Highway where such improvement has been heretofore made by the State Highway Department

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 313, (House Bill No. 332), entitled:

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 337, as follows:

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriation to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet laws four hundred sixty eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvements maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repair to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which was amended by section two of the act approved the sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and seven) entitled "An Act to amend sections eight and sixteen of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled 'An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair

of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvements providing for payment of cost of improvement and repairs providing penalties for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' authorizing the State Highway Commissioner to establish the location lines and width of State highways providing for the recording of the same and denying to owners and occupiers of land damages for improvements erected within the established lines and width of the State highways so laid out and providing for the payment of damages to property owners by counties and repealing existing laws" is hereby further amended to read as follows

Section 16 Before the State Highway Commissioner shall undertake the construction reconstruction or improvement of any State highway on the plan of the State highways wherein a change of width change of grade or change of existing lines and location is necessary and damages is likely to result to abutting property he shall notify the county commissioners of the proper county in writing of the contemplated change in such existing grades lines and location whereupon the county commissioners when possible shall enter into an agreement with the owner or owners of said property as to the amount of damage to be paid to the said owner or owners which damage if agreed upon shall be paid by the county or in case an agreement satisfactory to the county commissioners and said owner or owners can not be made the State Highway Commissioner may proceed with the work of construction reconstruction or improvement and the owner or owners of said property damages thereby may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages The proceedings upon said petition and by the viewers shall be governed by existing laws relating to the ascertainment and assessment of damages for opening public highways The county commissioners or any other party to such proceedings may appeal from the award of the viewers to the court of common pleas and shall be entitled to a trial by jury From the judgment of the court of common pleas an appeal may be had to the Supreme or Superior Court as in other cases Such damages when ascertained shall be paid by the county in which the State highway is located

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 354, (House Bill No. 82), entitled:

A supplement to an act entitled "An act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and twenty-one" as approved the twenty-seventh day of May Anno Domini one thousand nine hundred and twenty-one providing for deficiencies in certain appropriations made to the Executive Judicial and Legislative Department by the act to which this is a supplement and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by certain of the Executive Judicial and Legislative Departments not provided for by said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 358, (House Bill No. 82), the bill just read, be recommitted to the Committee on Appropriations.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 356, (House Bill No. 296), entitled:

An Act to amend section fifty-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES.

Mr. DAIX. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX, from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 209, (House Bill No. 159), entitled:

An Act regulating the location of certain stables in cities of the first class and providing penalties.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 217, entitled:

An Act to amend section one of an act approved April 13, 1887 (P. L. 21), entitled "An Act for the establishment of a uniform standard of time throughout the Commonwealth;" prohibiting the adoption of other standard of time.

MOTION TO READ BILLS THE FIRST TIME.

Mr. EYRE. Mr. President, I move that all bills reported from committee at to-day's session be read the first time.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 209, (House Bill No. 159), entitled:

An Act regulating the location of certain stables in cities of the first class and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 303, entitled:

An Act to amend Section 3 and Section 4 of an Act approved the fifth day of May one thousand nine hundred

and twenty-one entitled "An Act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith a contract based upon payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 362, entitled:

An Act regulating the practice of law in Courts not of record.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 364, entitled:

An Act providing for the appointment of assistant district attorneys in second class counties of this Commonwealth, prescribing the powers and duties, and fixing their salaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL INTRODUCED.

Mr. HOMSHER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 411, entitled:

An Act to amend part of section one of the act approved the tenth day of May, 1921 (P. L. 449) entitled "An Act to fix the number of Senators in the General Assembly of the State; to apportion the State into Senatorial districts, as provided by the Constitution; and to regulate the election of, and the terms of office of, the present and future elected Senators."

Which was committed to the Committee on Legislative Apportionment.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

CAMBRIA COUNTY.

Ellice E. Bratton, Cresson.

CHESTER COUNTY.

J. Harry Grover, Phoenixville.
Miss Ruth M. Wasson, Malvern.

FAYETTE COUNTY.

Ernest N. Pala, Redstone.

LACKAWANNA COUNTY.

M. P. Loughney, Scranton.

LEHIGH COUNTY.

Mrs. Bernice B. Jones, Allentown.

PHILADELPHIA COUNTY.

Daniel M. Dempster, 1512 Chestnut St., Philadelphia.
Horace C. DuBois, 2258 N. Cadwallader St., Philadelphia.
Miss Amelia Syren, 5237 Litchfield St., Philadelphia.

SCHUYLKILL COUNTY.

Miss Margaret K. Heiken, Pottsville.

WASHINGTON COUNTY.

William J. Eustis, Washington.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Miss Edna Zacharias, 1204 Standard Life Bldg. Pittsburgh, March 4, 1923.

LANCASTER COUNTY.

Wilmot K. Romig, Lincoln, March 24, 1923.

PHILADELPHIA COUNTY.

John Linton, 4610 N. Ninth St. Philadelphia, March 9, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1923

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate K. R. Morrison, of Wesleyville, as Justice of the Peace, in and for the Borough of Wesleyville, Erie County, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 14, 1923

Gentlemen: In conformity with law I have the honor

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate C. W. Barr of Marion Center, as Justice of the Peace, in and for the Borough of Marion Center, Indiana County, vice N. W. Stewart, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. VARE,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed

with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations

Which was agreed to.

Whereupon,

A motion was made by Mr. VARE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Derrick,	Leslie,	Schantz,
Baldwin,	Eyre,	Long,	Sisson,
Barr,	Harris,	MacDade,	Smith,
Betts,	Heaton,	Mansfield,	Snyder,
Brown,	Homsher,	McClintock,	Sprowls,
Buckman,	Huffman,	McNichol,	Steele,
Christley,	Jones,	Miller,	Stineman,
Clark,	Joyce,	Norton,	Stites,
Craig,	Krause,	Phipps,	Vare,
Culbertson,	Kutz,	Quigley,	Weaver,
Daix,	Lanius,	Salus,	Woodward,
Davis,			

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. VARE. Mr. President, I move that the Executive Session do now rise.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to

HOUSE MESSAGES.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate March 14, 1923.

Resolved (If the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening, March nineteenth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March nineteenth, at nine o'clock.

The PRESIDENT (Lieutenant-Governor David J. Davis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 15, entitled:

An Act providing the method in which amendatory legislation shall be printed in the session laws; and for the interpretation thereof.

House Bill No. 37, entitled:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania

House Bill No. 51, entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge.

House Bill No. 76, entitled:

An Act to amend sections five and ten of the Act approved the nineteenth day of April A D nineteen hundred and one entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevie is issued"

House Bill No. 132, entitled:

An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class

House Bill No. 158, entitled:

An Act to amend section sixteen of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry.

House Bill No. 179, entitled:

An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings, where no legal or valid contract was entered into as required by law.

House Bill No. 208, entitled:

An Act to amend section two of the act approved the thirteenth day of March, one thousand eight hundred and fifteen, (P. L. 150), entitled "An Act concerning divorces," as amended; authorizing prothonotaries and clerks of the Court of Common Pleas to take affidavits to petitions and libels; and validating prior proceedings in which such affidavits were taken.

House Bill No. 220, entitled:

An Act to amend section one hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Comonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended.

House Bill No. 233, entitled:

An Act to amend an act approved the twenty-first day of July one thousand nine hundred nineteen (Pamphlet Laws one thousand and sixty-four) entitled "An Act authorizing the appointment of clerks by the judges of the orphans' court of certain counties" by providing that the compensation of said clerks in counties of the first class shall be fixed by the said judges

House Bill No. 279, entitled:

An Act to amend section forty-one paragraph (a) one f the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates in including the appointment bonds rights powers duties liabilities accounts discharge and re-

moval of executors administrators guardians and trustees herein designate as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and als generally dealing with the jurisdiction powers and procedure of the orphans' court inall matters relating to fiduciaries concerned with the estates of decedents" making bonds and certificates of poor districts legal investments for trust funds

House Bill No. 297, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania so as to permit the exemption from taxation of real and personal property owned occupied or used by any branch or post or camp of the Grand Army of the Republic the Spanish-American War Veterans the American Legion the Veterans of Foreign Wars and the Military Order of the Loyal Legion of the United States.

House Bill No. 364, entitled:

An Act relating to the recording of certificates of incorporation of domestic corporations, providing for the recording of certified copies thereof in certain cases, validating the recording of such certified copies heretofore recorded and making the record of such certified copies competent evidence for all purposes.

Whereupon,

The PRESIDENT (Lieutenant-Governor David J. Davis) in the presence of the Senate signed the same.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 51.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 51, entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge.

HOUSE CONCURS IN SENATE BILL NO. 95.

He also returned to the Senate, Senate Bill No. 95, entitled:

An Act for the prevention of fraud and the protection of the public health relating to milk, cream or skimmed-milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated, prohibiting the introduction of foreign fats into them, regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof.

with the information that the House has passed the same without amendment.

HOUSE MESSAGE.

HOUSE BILL FOR CONCURRENCE.

The clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 75. (Senate Bill No. 412), entitled:

An Act to further amend section five of an act entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties, regulating the procedure therein and providing for the expenses thereof", approved the fifth day of May, one thousand nine hundred and eleven as amended by an act entitled "An act amending section five of an act entitled 'An act to establish a county court for the county of Allegheny and prescribing its powers and duties, regulating the procedure therein and providing for the expenses thereof', approved the fifth day of May, Anno Domini, one thousand nine hundred and eleven, by changing the manner of appointment and of determining the number, duties and compensation of clerks and other assistants", approved the fourteenth day of May, one thousand nine hundred and fifteen, by changing the manner of fixing the compensation of clerks and other assistants, directing same to be fixed by the salary board of which the president-judge of said court shall constitute a member when such salaries are fixed.

Which was committed to the Committee on Judiciary General.

House Bill No. 389, (Senate Bill No. 413), entitled:

An Act to amend chapter six, article twenty, section three, of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve), entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs."

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 426, (Senate Bill No. 414), entitled:

An Act to amend Section thirty of an act approved June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine"

Which was committed to the Committee on Finance.

House Bill No. 449, (Senate Bill No. 415), entitled:

An Act to amend paragraph one, section five, of the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, (P. L. 73), entitled, "An Act to provide for the incorporation and regulation of certain corporations," as amended; changing the effect of the by-laws of corporations.

Which was committed to the Committee on Corporations.

House Bill No. 450, (Senate Bill No. 416), entitled:

An Act to further amend clause three section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred forty-four) entitled "A further supplement to the act entitled 'An act concerning divorces'" as amended by taking away the right of support or alimony in certain cases

Which was committed to the Committee on Judiciary General.

House Bill No. 470, (Senate Bill No. 417), entitled:

An Act to amend sections one and two of the act approved the twenty-third day of June, one thousand nine hundred and seventeen, (P. L. 639), entitled "An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment, and pro-

viding a system of control and administration for the distribution thereof," extending said act to cities of the second class.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 22, (Senate Bill No. 418), entitled:

An Act concerning conditional sales of chattels attached or to be attached to realty and regulating the recording and effect thereof and providing remedies and penalties

Which was committed to the Committee on Judiciary General.

House Bill No. 406, (Senate Bill No. 419), entitled:

An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire use encumber and dispose of such real estate and rights and interests in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this state defining certain of their powers rights and liabilities in connection therewith regulating the exercise and said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired.

Which was committed to the Committee on Corporations.

House Bill No. 409, (Senate Bill No. 420), entitled:

An Act validating certain proceedings and elections of counties cities boroughs townships school districts and other incorporated districts or municipalities had and held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase therefor" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections

Which was committed to the Committee on Judiciary General.

ADJOURNMENT.

Mr. VARE. Mr. President, I move that the Senate do now adjourn.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:16 P. M. until Monday evening, March 19, 1923 at nine o'clock.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 14, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Infinite and eternal God, we come into Thy presence this morning to thank Thee for every blessing we enjoy. We pray Thy blessing upon the members of this House as they take up the duties of another day. May they be strengthened by Thy presence and directed by Thy wisdom and counsel. Be with them, not only here, but be with them throughout life's short walk. Finally, bring us to Thyself, in Jesus' name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Flinchbaugh, the further reading was dispensed with and the Journal was approved.

PETITIONS.

FAVORING PASSAGE OF HOUSE BILL NO. 221.

The SPEAKER presented petitions from the First Methodist Episcopal Church of Freedom and The Gastonville M. E. Church of Gastonville favoring the passage of House Bill No. 221.

Referred to the Committee on Law and Order.

RELATIVE TO IMPEACHMENT PROCEEDINGS.

The SPEAKER. The Chair has received a petition and list of witnesses to be subpoenaed addressed to the House of Representatives from Mr. William Wilhelm of Pottsville, Schuylkill County, Pa. asking that proceedings be instituted for the impeachment of the Hon. Harry Oliver Bechtel, President Judge of the 21st Judicial District. Also a petition addressed to the House of Representatives, aforesaid and list of witnesses to be subpoenaed from Mr. William Wilhelm, aforesaid, asking that proceedings be instituted for the impeachment of Hon. Chas. E. Berger, Additional Law Judge of the 21st Judicial District.

These petitions are referred to the Judiciary General Committee with the request that said committee advise the House whether there seems to be sufficient evidence to indicate that a committee be appointed to investigate the charges therein contained.

BILLS INTRODUCED AND REFERRED.

By Mr. EARLEY. HOUSE BILL No. 704.

An Act requiring the filing of plans and specifications for buildings, public works, highways or improvements undertaken by boroughs, townships, poor districts or school districts; in the office of the clerk of the court of quarter sessions, and requiring copies to be furnished by the secretary, architect or engineer of the municipality to applicants therefor.

Referred to the Committee on Municipal Corporations.

By Mr. EARLEY. HOUSE BILL No. 705.

An Act to amend articles one, four and five, as amended of chapter seven, and sections four and six of article six of chapter seven of an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising amending and consolidating the law relating to boroughs."

Referred to the Committee on Municipal Corporations.

By Mr. STAVITSKI. HOUSE BILL No. 706.

An Act prohibiting the erection, maintenance or continuance of standards, semaphores or other devices on certain streets and highways, and prescribing penalties for violations.

Referred to the Committee on Public Roads.

By Mr. STERLING. HOUSE BILL No. 707.

An Act to amend section seventy-nine of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 382), entitled "An Act to consolidate. revise and amend the penal laws of this Commonwealth," providing for the increase of punishment in cases of involuntary manslaughter.

Referred to the Committee on Judiciary General.

By Mr. MILLAR. HOUSE BILL No. 708.

An Act to amend sections two, five, seven and sixteen of an act approved the seventeenth day of June, one thousand nine hundred and thirteen, (P. L. 507), entitled, "An Act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes;" by requiring personal property returns and tax receipts to indicate and identify each mortgage included, or upon which the tax is paid; requiring the production of such receipt before entering satisfaction on any such mortgage in the recorder's office; and authorizing the recorder of deeds to receive such taxes.

Referred to the Committee on Ways and Means.

By Mr. EDMONDS. HOUSE BILL No. 709.

A Supplement to an act approved the twentieth day of June, one thousand nine hundred and nineteen, (P. L. 521), entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid: and providing penalties and citing certain acts for repeal," providing additional taxes upon the transfer of certain kinds and classes of personal property upon which county and city taxes have not been paid as required by law.

Referred to the Committee on Ways and Means.

By Mr. EDMONDS. HOUSE BILL No. 710.

An Act to provide for the selection and purchase of a tract of land and the erection thereon of buildings for an Eastern State Penitentiary, making an appropriation therefor, and directing the sale of the site now occupied by the State Penitentiary and the buildings and materials thereon.

Referred to the Committee on Appropriations.

By Mr. HALL. HOUSE BILL No. 711.

An Act making an appropriation for the purchase of certain Indian Relics for the Museum Division of the State Library and Museum.

Refered to the Committee on Appropriations.

By Mr. HORNE. HOUSE BILL No. 712.

An Act to amend section six of an act approved the twenty-sixth day of June, one thousand eight hundred and ninety-five, (P. L. 327), entitled "An Act to provide for the incorporation of institutions of learning with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law, and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees; and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas, with power to confer degrees, in cases where such colleges have, at the time of the passage of this act, a specified amount of capital or resources," as amended; by prescribing additional requirements for institutions conferring degrees; making certain exceptions therefrom; and imposing certain duties on the State Council of Education.

Referred to the Committee on Education.

By Mr. DAVID J. JONES. HOUSE BILL No. 714.

An Act authorizing boroughs, without petition of abutting property owners, to grade, curb, gutter, pave or macadamize streets, lanes and alleys, or parts thereof, and collect the whole cost of such improvement from the owners of real estate abutting on the improvement by an equal assessment on the foot front.

Referred to the Committee on Municipal Corporation.

By Mrs. DE YOUNG. HOUSE BILL No. 715.

An Act to amend section eighteen of an act approved the sevententh day of June, Anno Domini, one thousand nine hundred and fifteen, entitled, "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled, 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violation of this act", by requiring that parents be notified of the registration of birth certificates.

Referred to the Committee on Education.

By Mr. STERLING. HOUSE BILL No. 716.

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STAUDENMEIER. HOUSE BILL No. 717.

An Act requiring owners of motor vehicles and motorcycles to file surety bonds conditioned for the payment of judgments received against the owners of such motor vehicles for personal injury or property damage caused by the operation of such motor vehicles; imposing certain duties upon the State Highway Commissioner, and fixing penalties.

Referred to the Committee on Public Roads.

By Mr. FRAZIER, HOUSE BILL No. 718.

An Act making an appropriation to the Providence Hospital, of Beaver Falls, Beaver County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HAINES, HOUSE BILL No. 719.

An Act to amend sections two, three and thirteen, and to repeal section eleven of the act approved the ninth day of July, one thousand nine hundred and nineteen, (P. L. 809), entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture; providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof; and prescribing penalties for violations of the provisions of this act" by clarifying certain provisions, extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding.

Referred to the Committee on Agriculture.

By Mr. GEORGE W. WILLIAMS, HOUSE BILL No. 720.

An Act to amend section seven hundred three, Article VII, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled, "An Act to establish a Bureau of Forest Protection with the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof; that may be inconsistent with or supplied by this act," by providing for compensation for forest fire fighting on private lands listed with the Department of Forestry for forest protection.

Referred to the Committee on Forestry.

By Mr. GEORGE W. WILLIAMS, HOUSE BILL No. 721

An Act to amend section one hundred and two, clause (j), Article I, of the act approved the third day of June,

one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing for co-operation with and receipts of contributions from persons, firms, corporations or associations for forest protection.

Referred to the Committee on Forestry.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 722.

An Act to amend clause (h) of section one hundred and two, Article I, of an act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing for the purchase, lease, building and maintenance of telephone lines, for attachments thereto by private parties, and appropriating the revenue derived therefrom.

Referred to the Committee on Forestry.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 723.

An Act authorizing counties, cities, boroughs and townships to appropriate moneys for forest work.

Referred to the Committee on Forestry.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 724.

An Act to amend section one thousand and five, Article X, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forestry Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing further penal provisions for setting fire maliciously or otherwise to any woodlot, forest or wild land.

Referred to the Committee on Forestry.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 725.

An Act to amend Article XII of an act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms.

Referred to the Committee on Forestry.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 726.

An Act to amend an act entitled, "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith,' approved the eighteenth day of May, Anno Domini one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), by providing that all receipts and proceeds derived in any way from, or on account of, the State forests now or hereafter acquired by this Commonwealth shall belong to, and form a part of, 'The State School Fund of Pennsylvania', approved the fourth day of June, Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws, eight hundred and twenty-five)", by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania.

Referred to the Committee on Forestry.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 727.

An Act to amend Article X of the act approved the third day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred ninety-seven), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special or local, or any parts thereof, that may be inconsistent with or supplied by this act," by adding thereto section one thousand and eight; regulating civil actions by and on behalf of persons and the Commonwealth suffering damage from forest fires; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 728.

An Act to amend Article X of the act approved the third day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred ninety-seven), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by adding thereto a section, to be section one thousand nine, providing a penalty for interfering with notices posted by the Department.

Referred to Committee on Forestry.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 729.

An Act to amend sections one thousand one, one thousand two, one thousand three, and one thousand four, Article X, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden, refusing to aid a fire warden, hindering a forest protection officer in his duties, or non-abatement of a nuisance caused by maintaining a special forest fire hazard.

Referred to the Committee on Forestry.

By Mr. DAVID J. JONES. HOUSE BILL No. 730.

An Act to amend an act entitled "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs", approved May 14, 1915, by adding an additional sub-section to Section 9 of Article VII of Chapter VI thereof, to empower boroughs without petition of property owners, to grade, pave, curb, macadamize or otherwise improve public streets, or parts thereof, and assess the entire cost thereof against the owners of the property abutting thereon, when said streets or parts thereof do not exceed one thousand feet in length and connect two streets theretofore paved and improved.

Referred to the Committee on Municipal Corporations.

By Mr. HALL. HOUSE BILL No. 731.

An Act to amend section one of an act approved the eighth day of June, one thousand eigth hundred and ninety-three, (P. L. 345) entitled, "An Act relating to Mandamus," as amended by making the Bureau of Medical Education and Licensure subject to Mandamus.

Referred to the Committee on Judiciary Special.

By Mr. SCHLEITER. HOUSE BILL No. 732.

An Act making an appropriation to the Beaver County Children's Home, of New Brighton, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. CLUTTON. HOUSE BILL No. 733.

An Act to establish as a State Highway a certain section of public road in the county of Somerset.

Referred to the Committee on Public Roads.

By Mrs. SPEISER. HOUSE BILL No. 734.

An Act making an appropriation to the Mount Sinai Hospital, of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. RINN. HOUSE BILL No. 735.

An Act to establish as a State Highway a certain section of public road in the counties of Lehigh and Berks.

Referred to the Committee on Public Roads.

By Mr. RINN. HOUSE BILL No. 736.

An Act to establish as a State Highway a certain section of public road in the county of Lehigh.

Referred to the Committee on Public Roads.

By Mr. RINN. HOUSE BILL No. 737.

An Act to establish as a State Highway a certain section of public road in the county of Lehigh.

Referred to the Committee on Public Roads.

By Mr. RINN. HOUSE BILL No. 738.

An Act to establish as a State Highway a certain section of public road in the county of Lehigh.

Referred to the Committee on Public Roads.

By Mr. HARER. HOUSE BILL No. 739.

An Act to amend sections one, two, five and six of the act approved the sixteenth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred fifty-two), entitled "A supplement to an act entitled, 'An Act providing for the incorporation and government of cities of the third class,' approved the twenty-third day of May, Anno Domini one thousand eight hundred eighty-nine, creating a City Planning Department, defining its jurisdiction, and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city, and for three miles beyond the city limits; and to regulate the making and use of certain public improvements until said plans are approved by said department and authorizing the exercise of the powers herein provided by a park or other municipal commission;" by providing for annual appropriations to be made by the city councils to the said commission; prohibiting the recording of deeds and transfers of certain properties until the streets and roads abutting upon or bounded within the same have been legally established or approved by the commission; and providing penalties.

Referred to Committee on Municipal Corporations.

By Mr. HALL. HOUSE BILL No. 740.

An Act to amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

Referred to Committee on Counties and Townships.

By Mr. CHARLES B. JONES. HOUSE BILL No. 755.

An Act to establish as a State Highway a certain section of public road in the county of Clearfield.

Referred to Committee on Public Roads.

By Mr. BURD P. EVANS. HOUSE BILL No. 756.

An Act to amend section one and two of the act approved the eighth day of April, one thousand eight hundred and sixty-one (Pamphlet Laws, two hundred seventy), entitled, "An Act for the suppression of fortune telling and similar purposes."

Referred to Committee on Judiciary Local.

By Mr. ALFRED I. FOWLER. HOUSE BILL No. 757.

An Act providing for advancements from appropriations to school districts of the third and fourth class for the purpose of assisting in the rebuilding of destroyed school buildings or of consolidating or constructing school buildings; establishing a fund in the State treasury for such purposes; and providing for the withholding of a part of the annual appropriations to such districts.

Referred to the Committee on Education.

By Mr. STERLING. HOUSE BILL No. 758.

An Act to amend section twenty-three of the act approved the thirtieth day of June, one thousand nine hundred and nineteen (P. L. 678) entitled, "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof; and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended, providing for the increase of punishment for violence of any of the provisions of said section.

Referred to the Committee on Judiciary General.

By Mr. WONER. HOUSE BILL No. 759.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section seventeen.

Referred to the Committee on Military.

By Mr. KELLY, HOUSE BILL No. 760.

An Act to amend section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 473) entitled, "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors, or marines, designated as 'deceased service men;' defining the term 'deceased service men'; and authorizing county commissioners to provide headstones, markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

Referred to the Committee on Military.

By Mr. KELLY, HOUSE BILL No. 761.

An Act regulating private detectives and detective agencies, and the licensing of the same by the Secretary of the Commonwealth; defining their powers, duties and liabilities and prescribing penalties.

Referred to the Committee on Judiciary Special.

By Mr. KELLY. HOUSE BILL No. 762.

An Act to amend section one of the act approved the eighteenth day of April, one thousand nine hundred and twenty-one, (P. L. 148), entitled "An Act to empower cities of the third class to establish a firemen's pension fund, to take property in trust therefore, and regulating and providing for the regulation of the same."

Referred to the Committee on Pensions and Gratuities.

By Mr. PHILIP M. MYERS, HOUSE BILL No. 763.

An Act making an appropriation to the Saint Mary's Hospital, of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SCHLEITER. HOUSE BILL No. 764.

An Act making an appropriation to the Passavant Memorial Homes for the Care of Epileptics, at Rochester, Beaver County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SCHLEITER. HOUSE BILL No. 765.

An Act making an appropriation to the Beaver Valley General Hospital, at New Brighton, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SCHLEITER. HOUSE BILL No. 766.

An Act making an appropriation to the Rochester General Hospital, at Rochester, Beaver County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BEHNEY. HOUSE BILL No. 767.

An Act making an appropriation to the Good Samaritan Hospital, of Lebanon, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BEHNEY. HOUSE BILL No. 768.

An Act making an appropriation to the Home for Widows and Single Women of Lebanon and Lebanon County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STARK. HOUSE BILL No. 769.

An Act to amend part of section three of an act approved the thirtieth day of June, one thousand nine hundred and nineteen, (P. L. 678), entitled "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended.

Referred to Committee on Public Roads.

BILL RE-REFERRED.

Mr. EDMONDS returned from the Committee on Judiciary General with the recommendation that it be re-referred to the Committee on Ways and Means, House Bill No. 112, entitled:

An Act to amend section five of the act approved the seventeenth day of June, one thousand nine hundred and thirteen, (P. L. 507), entitled "An Act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes;" providing for the assessment of property and the collection of taxes, interest and penalties in cases of the refusal or failure of taxables to make return, and in the case of false or incomplete returns.

The SPEAKER. The bill is now re-referred to the Committee on Ways and Means.

REPORTS OF COMMITTEES.

Mr. EDMONDS from the Committee on Judiciary General, reported as committed, House Bill No. 566, entitled:

An Act to amend article one, section one, of the act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determination by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains', by amending section nine thereof; repealing the act approved the thirty-first day of May one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals.' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the proviso of clause seven of section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" extending the provisions of said act to corporations, joint-stock companies or associations, domestic or foreign, their lessees, assignees, trustees and receivers, and to individuals, partnerships and associations engaged in the production, sale or distribution of coal, and defining and declaring the same to be public service companies.

Mr. JOSEPH MARCUS, from the Committee on Judiciary General, reported as committed House Bill No. 624, entitled:

An Act fixing the time for the Statute of Limitations to begin to run against the right of action for damages in certain cases.

Mr. STAVITSKI, from the Committee on Counties and Townships, reported as committed House Bill No. 612, entitled:

An Act authorizing the election of a solicitor of townships by supervisors of second class townships in county convention assembled, defining the duties of said solicitor of townships, regulating the salary and the manner of payment thereof to the solicitor of townships.

Mr. KUNKLE, from the Committee on Judiciary General, reported as committed House Bill No. 632, entitled:

An Act to amend an act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 991), entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department," by exempting certain corporations from the provisions thereof.

Mr. KENNEDY, from the Committee on Judiciary General, reported as committed House Bill No. 557, entitled:

An Act relating to the assignment of rights to receive or recover a debt, or money.

Mr. GORHAM, from the Committee on Counties and Townships, reported as committed House Bill No. 645, entitled:

An Act to regulate the allotting or subdividing of land which includes the location of streets, lanes or alleys in counties of the second class, except land within a city or borough, by requiring the recording in the office of the Recorder of Deeds of a map or plat prior to the sale, conveyance or mortgaging of any part thereof, and providing penalties for the violation of the act.

Mr. SOWERS, from the Committee on Judiciary General, reported as committed, House Bill No. 515, entitled:

An Act limiting rent as a preferred claim.

Mr. McDANIEL, from the Committee on Judiciary General, reported as committed, House Bill No. 563, entitled:

An Act to amend section one of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 899), entitled "An Act regulating service of process from the courts of common pleas or other courts of record, and extending the territorial jurisdiction thereof in certain cases;" by authorizing the service of writs of summons in any county of the Commonwealth, and to repeal section two of said act.

Mr. McDANIEL, from the Committee on Judiciary General, reported as committed, House Bill No. 529, entitled:

An Act concerning aeronautics and to make uniform the law with reference thereto.

Mr. BROMLEY, from the Committee on Judiciary Special, reported as amended, House Bill No. 16, entitled:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary, county prison or house of detention in this Commonwealth, and providing penalties for the violation of this act.

Mr. BROMLEY, from the Committee on Judiciary Special, reported as amended, House Bill No. 17, entitled:

An Act to define solitary confinement as a cruel and barbarous punishment and to provide for the abolishment of the same.

Mr. WILLIAM F. MARSHALL, from the Committee on Public Roads, reported as committed, House Bill No. 606, entitled:

An Act to further amend an act approved the third day of June, one thousand eight hundred and ninety-five (Pamphlet Laws, one hundred thirty), entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers, and other streams which have been declared public highways by act of Assembly, where such bridges have been destroyed by flood, fire or other casualty; providing for the appointment of viewers and inspectors, and the payment of the cost of rebuilding such bridges;" providing for the rebuilding of decayed and unsafe bridges, and certain bridges on State highways.

Mr. WILLISTON P. WOOD, from the Committee on Agriculture, reported as committed, House Bill No. 594, entitled:

An Act authorizing the county commissioners to appropriate county moneys to incorporated agricultural and horticultural societies and associations.

Mr. FLINCHBAUGH, from the Committee on Counties and Townships, reported as committed, House Bill No. 595, entitled:

An Act to further amend section three of an act approved the nineteenth day of March, one thousand nine hundred and fifteen (P. L. 5) entitled, "A further supplement to an act entitled, 'An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof', approved the fifth day of May, one thousand nine hundred and eleven; constituting the said court the juvenile court of said county, and prescribing its organization, jurisdiction, and powers therein and otherwise" as amended, by requiring the salary board to fix the salaries of all employes of such juvenile court.

Mr. HEFFRAN, from the Committee on Counties and Townships, reported as committed, House Bill No. 232, entitled:

An Act to amend chapter eleven, article two of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

Mr. BIDLESPACHER, from the Committee on Judiciary General, reported as committed House Bill No. 560, entitled:

An Act to repeal the act approved the twenty-third day of February, one thousand eight hundred and seventy, (P. L. 223), entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy, in said county," and the act approved the nineteenth day of May, one thousand eight hundred and seventy-one, (P. L. 983), entitled "A supplement to an act, entitled 'An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy, in said county,' passed the twenty-third day of February, Anno Domini one thousand eight hundred and seventy."

Mr. GOEHRING, from the Committee on Judiciary General, reported as committed House Bill No. 652, entitled:

An Act relating to suits against and service of process upon corporations organized and existing under the laws of the Commonwealth of Pennsylvania ceasing to do business, or ceasing to maintain an office within the Commonwealth, and the effect of such service.

Mr. WELLS, from the Committee on Judiciary General, reported as committed House Bill No. 617, entitled:

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions

therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents;" so as to permit a corporation appointed as trustee in the place of an executor or executors, trustee or trustees, dying renouncing, dismissed or refusing to act, to give its own bond without surety.

Mr. CLUTTON, from the Committee on Public Roads, reported as committed House Bill No. 741 (Senate Bill No. 1), entitled:

A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania, authorizing the State to issue bonds to the amount of one hundred millions of dollars for the improvement of the highways of the Commonwealth.

Mr. JERRY M. WILLIAMS, from the Committee on Counties and Townships, reported as committed House Bill No. 744 (Senate Bill No. 53), entitled:

An Act fixing the per diem compensation of registry or assistant assessors in townships of the first class for the performance of election duties and the method of ascertaining the number of days employed.

Mr. HEYBURN, from the Committee on Counties and Townships, reported as committed House Bill No. 751 (Senate Bill No. 40), entitled:

An Act fixing the salary of the prothonotary in counties of the eighth class and providing for the payment of all fees and commissions into the county treasury.

Mr. ARMSTRONG, from the Committee on Public Roads, reported as committed House Bill No. 748 (Senate Bill No. 191), entitled:

An Act to amend section one of the act approved the seventh day of July, one thousand nine hundred and thirteen (Pamphlet Laws six hundred and ninety-three), entitled, "An Act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a mojority of those voting thereon as provided by Article eighteen, section one, of the Constitution."

Mr. HASLETT, from the Committee on Counties and Townships, reported with a negative recommendation House Bill No. 582, entitled:

An Act to repeal an act approved the sixteenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred seventy-nine), entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safe-keeping, discipline and employment of prisoners and the government and management of said jails or county prisons."

SENATE MESSAGE.

TIME OF NEXT MEETING.

The Clerk of the Senate being introduced, presented an extract from the Journal, which was read as follows:

In the Senate, March 14, 1923.

Resolved (if the House of Representatives concur), that when the Senate adjourns today, it reconvene on Monday evening, March 19, at 9:00 o'clock; and when the House of Representatives adjourns this week, it reconvene on Monday evening, March 19, at 9:00 o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 15.

An Act providing the method in which amendatory legislation shall be printed in the session laws and for the interpretation thereof

HOUSE BILL No. 37.

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

HOUSE BILL No. 51.

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge.

HOUSE BILL No. 76

An Act to amend Sections five and ten of the Act approved the nineteenth day of April Anno Domini one thousand nine hundred and one (Pamphlet Laws, eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of repelvin is issued"

HOUSE BILL No. 132.

An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class.

HOUSE BILL No. 158.

An Act to amend sections sixteen twenty-six twenty-seven twenty-eight and twenty-nine of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry rrom damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment

of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry and changing the procedure for assessing damages done by dogs

HOUSE BILL No. 179.

An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings where no legal or valid contract was entered into as required by law

HOUSE BILL No. 208.

An Act to amend section two of the act approved the thirteenth day of March, one thousand eight hundred and fifteen, (P. L. 150), entitled "An Act concerning divorces," as amended; authorizing prothonotaries and clerks of the court of common pleas to take affidavits to petitions and libels; and validating prior proceedings in which such affidavits were taken.

HOUSE BILL No. 220.

An Act to amend section one hundred and one of an act approved May 18, 1911 (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith" as amended.

HOUSE BILL No. 233.

An Act to quiet the title to real estate; and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

HOUSE BILL No. 279.

An Act to amend section forty-one, paragraph (a) one of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitition of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphan's court in all matters relating to fiduciaries concerned with the estates of decedents," making bonds and certificates of poor districts legal investments for trust funds.

HOUSE BILL No. 297.

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania so as to permit the exemption from taxation of real and personal property owned occupied or used by any branch or post or camp of the Grand Army of the Republic the Spanish-American War Veterans the American Legion the Veterans of Foreign Wars and the Military Order of the Loyal Legion of the United States

HOUSE BILL No. 364.

An Act relating to the recording of the certificates of incorporation of domestic corporations, providing for the recording of certified copies thereof in certain cases, validating the recording of such certified copies heretofore recorded and making the record of such certified copy competent evidence for all purposes.

SENATE BILL No. 19.

An Act for the protection of the public health; and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, having in possession with intent to sell, of adulterated or deleterious ice cream, including coated ice cream and the coating thereof; fixing a standard of butter fat for ice cream; providing penalties for the violation thereof; and providing for the enforcement thereof.

SENATE BILL No. 102.

An Act amending section four of the act entitled "An Act regulating the practice, bail, costs and fees on appeals to the Supreme Court and Superior Court", approved May 19, 1897, Pamphlet Laws sixty-seven, by providing a shorter period within which to appeal in cases where loss and hardship would otherwise result to the estates of decedents.

SENATE BILL No. 154.

An Act to validate acts done by or rights accrued to corporations before the recording of their charters

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

TIME EXTENDED ON BILL.

Mr. DAVID FOWLER asked and obtained unanimous consent for an extension of five days on the third reading postponed calendar of House Bill numbered and entitled as follows:

HOUSE BILL No. 268.

An Act to repeal the act approved the eleventh day of May, one thousand nine hundred twenty-one, (Pamphlet Laws 479) entitled an act "Imposing a State tax on anthracite coal; providing for the assessment and collection thereof; and providing penalties for the violation of this act and fixing the date when said repeal shall take effect"

VOTE OF THANKS.

Mr. ARMSTRONG. Mr. Speaker, I move that a vote of thanks be extended to Angelina Kaufman and Oscar Neufeld, for the very interesting and instructive photo-drama given in the House of Representatives on Tuesday evening, March 13, entitled, "The Greatest Menace".

Mr. CHAPLIN. Mr. Speaker, I second the motion.

The motion was agreed to.

LEAVES OF ABSENCE.

The SPEAKER asked and obtained leave of absence for Mr. McCaig.

Mr. DILSHEIMER asked and obtained leave of absence for Mr. Jefferson W. Smith, on account of death in the family.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 436, as follows:

An Act regulating the mortgaging of real property by married persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any married person to mortgage his or his real property unless the spouse of such married person joins in the mortgage All mortgages of real estate executed after the first day of January one thousand nine hundred and twenty-four contrary to the provisions of this act shall be void and of no effect

Section 2 All acts and parts of acts inconsistent with this act shall be void

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 665, as follows:

An Act making an appropriation to the Department of Public Instruction for deficiencies in appropriations for the support of public schools normal schools public school agencies and vocational education

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three million five hundred eighty-five thousand five hundred ninety-four dollars and thirty-one cents ($3,585,594.31) is hereby specifically appropriated to the Department of Public Instruction for the payment of deficiencies for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-one and for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three for the following purposes

For the support of the public schools State normal schools and other public school agencies of this Commonwealth for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three the sum of three million three hundred forty-nine thousand two hundred fifty-six dollars ($3,349,256.00) or so much thereof as may be necessary

To aid school districts which established and maintained vocational schools or departments and for the training of vocational teachers in institutions designated by the State Board of Education for the two fiscal years ending May thirty-first one thousand nine hundred and nineteen the sum of two hundred thirty-six thousand three hundred thirty-eight dollars and thirty-one cents ($236,338.31) or so much thereof as may be necessary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 620, (Senate Bill No. 112), entitled:

An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed for purposes which have proved or may prove impracticable impossible or inadvisable for any other lawful municipal purpose or to provide for the cancellation of the authority to borrow such moneys

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 277, as follows:

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefore the methods of preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales and its supplements and amendments thereto and providing for their collection

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all liens heretofore filed in the office of the Prothonotary of the various counties by any city of this Commonwealth after the passage of the act of assembly approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred and eighty-nine) entitled "An Act providing when how and to what extent liens upon seated real property shall be allowed for county bridge road borough incorporated town township school district and poor taxes the procedure upon tax claims filed therefor the methods for preserving such tax liens and enforcing payment of such liens the effect of judicial sales of the property liened and the manner of distributing the proceeds of such sale" be and the same are hereby validated and made effectual as if the above said act had not been passed

All such tax liens so filed in the office of the Prothonotary by any of the cities of this Commonwealth shall be collected in the manner provided in the act of assembly approved the fourth day of June one thousand nine hundred and one (Pamphlet Laws page three hundred sixty-four) entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the property liened and the manner of distributing the proceeds of such sales" and its several supplements and amendments thereto and with like force and effect as if the said act of May twenty-fourth one thousand nine hundred and twenty-one (Pamphlet Laws page one thousand eighty-nine) had not been passed Provided the tax liens shall in all other respects be legal and valid and provided further that this act shall not apply to any cases already adjudicated or to any suits now pending and undetermined

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1, entitled:

An Act fixing the pay of election officers and clerks in cities of the first class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 383, entitled:

An Act to repeal the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, (Pamphlet Laws one thousand two hundred and seventy-three) entitled "An Act to authorize the compilation and publication of not less than two, nor more than four volumes of Statutes at Large of Pennsylvania in addition to the sixteen volumes heretofore authorized; additional volumes being necessary to connect the Statutes at Large and the Pamphlet Laws of Pennsylvania in a serial and complete publication of the laws of the Province and Commonwealth; and to provide for the appointment of a Commissioner to control and supervise the preparation of said volumes, and of a competent person to compile and edit them; and making an appropriation therefor."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 18, entitled:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary county prison or house of detention in this Commonwealth and to provide penalties for the violation of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 545, entitled:

An Act to amend sections one and two of an act approved the second day of May, one thousand eight hundred and ninety-nine, (P. L. 163) entitled, "An Act legalizing, and making it lawful to build, fences constructed in whole or in part of wire along the public highways, and as division fences," permitting the use of fences of wire with barbs.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 605, entitled:

An Act to amend section one of article two of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws. twenty), entitled, "An Act for the government of cities of the second class," as amended, by changing the name of the Department of Charities to the Department of Public Welfare.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 635, entitled:

An Act to amend section six of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated "as deceased service men" defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 588, entitled:

An Act to regulate the allotting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plat prior to the sale, conveyance or mortgaging of any part thereof and providing penalties for the violation of the act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 403, entitled:

An Act to enable city, county, poor, ward, school, borough, and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties if the surety or sureties have paid the taxes, to collect taxes for the payment of which they have become personally liable, without having collected the same, by the expiration of the authority of their respective bonds, or by the expiration of their terms of office, and to extend the time for the collection of the same for a period of two years from the passage of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 558, entitled:

An Act supplementing and amending the act approved the twenty-fifth day of May, one thousand nine hundred and twenty-one, (P. L. 1159), entitled "An Act authorizing certain corporations to issue preferred or common stock of one or more classes; providing for the manner of issuance, restrictions and regulations in the manner of voting thereof, and the rights and privileges of the holders thereof; validating certain acts of corporations not participated in by the holders of non-voting stock; and repealing all acts and parts of acts inconsistent therewith," further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value, and regulating such issuing of said stock.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Ageeably to order,

The House proceeded to the first reading and consideration of House Bill No. 698, entitled:

An Act lapsing certain appropriations available for expenditure by the Department of Public Instructions

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 294, entitled:

An Act to amend section two hundred and six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" providing for the election of school directors and election officers in independent school districts, and limiting the terms of appointed directors in such districts created prior to the passage of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 432, entitled:

A Supplement to an act approved the third day of April, one thousand eight hundred and seventy-two, (P. L. 39), entitled, "An Act directing the sale of the bonds composing the Agricultural College land script fund, and authorizing the issue of a new bond in lieu thereof, and abolishing the board commissioners created by act of April first, one thousand eight hundred and sixty-three," providing for the renewal of the bond and the payment of accrued interest since the maturity of the same, and for the payment of interest hereafter to accrue thereon.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 388, entitled:

An Act providing that the negligence of a servant or employe of any municipality shall under the rule of respondent superior be attributable to the municipality responsible for his compensation or wages

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 413, entitled:

An Act relating to treasurers in counties of the sixth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 317, entitled:

An Act to amend section one of the act approved the seventeenth day of May, one thousand nine hundred and nineteen, (P. L. 208), entitled "An Act prohibiting, under certain conditions, the commutation, encumbrance, or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 19, entitled:

An Act to provide for the physical welfare of all persons (whether such persons be tried or untried prisoners) in any penitentiary county prison or house of detention in this Commonwealth and to provide penalties for the violation of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 452, entitled:

An Act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effect of the decree thereon

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 170, entitled:

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 212, entitled:

An Act to amend sections fourteen and sixteen of article six, chapter seven of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312) entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 141, entitled:

A Supplement to an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An act providing a system for government of boroughs, and revising, amending, and consolidating the law relating to boroughs," so as to provide a system of government for those parts of a borough which are located in a county adjoining the county in which the original borough is situated. Including assessment of property; levying and collection of taxes; making municipal improvements and filing and collecting of liens for the same; the jurisdiction of courts for the enforcement of borough ordinances and State laws; and primary, general, municipal and special elections, and repealing inconsistent laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 551, entitled:

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312), entitled, "An Act providing a system of government for boroughs and revising, amending, and consolidating the law relating to boroughs," by adding an additional sub-section to section nine of article seven of chapter six thereof to empower boroughs without petition of property owners, to grade, pave, curb, macadamize or otherwise improve public streets, or parts thereof, and assess the entire cost thereof against the owners of the property abutting thereon when said streets or parts thereof do not exceed one thousand feet in length and connecting two streets theretofore paved and improved.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 246, entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 571, entitled:

An Act to amend section three hundred and twenty-five of an act approved the fourteenth day of July one thousand nine

hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" changing the compensation of township auditors

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 541, entitled:

An Act to amend an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840) entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended; by authorizing the court of Quarter Sessions to abolish all wards existing in any township of the first class, and to re-divide such township into new wards.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 224, entitled:

A Joint Resolution proposing an amendment to section fourteen of article eight of the Constitution of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 701, entitled:

An Act to further amend sections ten and fourteen of the act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 711), entitled "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," as amended; by requiring all proceedings in civil cases before magistrates that are sought to be reviewed by appeal to be taken only to the Municipal Court; transferring original jurisdiction in certain civil cases from the court of common pleas to said court; providing that costs in all cases shall follow the judgment; and that certain judgments shall be final.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 528, entitled:

An Act to amend section seven, article six, of the act approved the twenty-seventh day of June, one thousand nine hundred and thirteen, (P. L. 568) entitled, "An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto".

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 524, entitled:

An Act to amend part of section one of an act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455), entitled, "An Act to fix the number of representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 289, entitled:

An Act to amend part of section forty-one of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; of legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 476, entitled:

An Act creating, regulating and defining the powers of a County Planning Commission, and authorizing the creation of a county plan in counties of the second class; requiring the county commissioners to furnish to the commission, before passage, resolutions relating to county improvements to roads, lands, buildings or means of communication; authorizing the commission to report suggestions to the county commisioners concerning improvements, and to appear in court with reference thereto; authorizing the making of a county map and plan, including territory extending three miles beyond the county limits, showing proposed improvements in roads, lands, buildings and means of communication; making it unlawful to record plans of land with streets or highways intended for dedication to public use, except in boroughs or cities, without first securing approval from the commission; and making disapproval of a plan by the commission a refusal of proposed dedication.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 45, entitled:

An Act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto and providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 507, entitled:

An Act to amend section fifty-three, clause (a) of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 475, entitled:

An Act to amend section two hundred and thirty-five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships and revising, amending, and consolidating the law relating thereto," as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 498. entitled:

An Act to amend section one of the act approved the first day of June one thousand nine hundred and seven (Pamphlet Laws three hundred and sixty-four) entitled "An act to increase the pay of jurors and witnesses in this Commonwealth" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 245, entitled:

A Joint Resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 243, entitled:

A Joint Resolution proposing an amendment to section sixteen or article eight of the Constitution of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 702, entitled:

An Act to amend section three and section four of an act approved the fifth day of May one thousand nine hundred and twenty-one entitled "An act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiations offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be paid at some future time with or without profit and imposing penalties"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 523, entitled:

An Act to further amend section five of the act approved the thirty-first day of March, one thousand eight hundred and seventy-six, (P. L. 13), entitled "An Act to carry into effect section five, of article fourteenth, of the constitution, relative to the salaries of county officers and the payment of fees received by them into the state or county treasury, in counties containing over one hundred and fifty thousand inhabitants," as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 610, entitled:

An Act to amend section seventy-four of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 382), entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 536, entitled:

An Act to amend sections two, three, four, five, as amended, seven, nine and ten of the act approved the thirtieth day of March, one thousand nine hundred and seventeen, (P. L. 21), entitled "An Act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by the board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 412, entitled:

An Act authorizing any county separately or counties interested jointly to lease for a term of years, from a bridge company or corporation, any toll bridge spanning a river or stream when such bridge is used solely for highway purposes or jointly for highway, railroad, or street railway pur-

poses; discontinuing tolls on any such bridge during such lease; and authorizing counties to appropriate money, levy taxes and incur indebtedness for such purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 713, entitled:

An Act to amend clause (f) of section one, article two, and section four of article five of an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation or abolition of the crossings of railroad corporations, street railway corporations or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, council, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders, subject to an appeal to the Supreme Court, prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes of railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or association, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An Act to provde for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act," by providing that new tariffs and schedule shall not go into force until after the approval of the commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 326, (Senate Bill No. 17), entitled:

A Joint Resolution proposing an amendment to article three (III) of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 485, (Senate Bill No. 159), entitled:

An Act to amend section one hundred of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the first time,
Ordered, To belaid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 619, (Senate Bill No. 85), entitled:

An Act authorizing cities of the third class to regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 618, (Senate Bill No. 41), entitled:

An Act fixing the salary of sheriffs in counties of the eighth class requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED.

The SPEAKER asked and obtained unanimous consent to refer certain appropriation bills at this time, which were introduced this morning.

By Mr. HARER. HOUSE BILL No. 782.

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb, Mount Airy, Philadelphia, to cover deficiency in maintenance and education of State pupils.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 783.

An Act making a deficiency appropriation to the Home for Training in Speech of Deaf Children before They are of School Age, at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 784.

An Act making a deficiency appropriation to the Eastern State Penitentiary.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 785.

An Act prohibiting the binding out by indenture of minors as apprentices; and repealing inconsistent legislation.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 786.

An Act making a deficiency appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb of Pittsburgh.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 787.

An Act making a deficiency appropriation to the Cottage State Hospital at Philipsburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 788.

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-bituminous Coal Region of Pennsylvania, located at Blossburg, Pennsylvania, to cover a deficiency in maintenance for the two fiscal years ending May thirty-first, one thousand nine hundred twenty-three.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 789.

An Act making a deficiency appropriation to the Pennsylvania Industrial Reformatory, at Huntingdon, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 790.

An Act making a deficiency appropriation to the Pennsylvania Training School at Morganza, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 791.

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind, Overbrook.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 792.

An Act making a deficiency appropriation to the Cottage State Hospital for Injured Persons, located at Mercer, Pennsylvania.

Referred to the Committee on Appropriations.

BILLS ON THIRD READING.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 22, entitled:

An Act concerning conditional sales of chattels attached or to be attached to realty and regulating the recording and effect thereof and providing remedies and penalties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Alexander,	Frazier,	Labar,	Price,
Armstrong,	Gallaher,	Lauver,	Raymond,
Baker,	Gibbon,	Long,	Rhodes,
Baldi,	Gilchrist,	Lucas,	Schleiter,
Beaver,	Goehring,	Ludlow,	Schoener,
Bell, F. A.,	Golder,	MacKinney,	Schwartz,
Bentley,	Gorham,	Marcus, J.,	Shambach,
Betts,	Goss,	Marshall, W. F.,	Sheridan,
Bidelspacher,	Grimes,	McClure,	Smith, G. A.,
Blair,	Gundy,	McCurdy,	Smith, H.,
Boback,	Hall,	McDaniel,	Sowers,
Brenneman,	Harer,	McDermott,	Spangler,
Brewster,	Harter,	McKim,	Stark,
Bromley,	Haslett,	McVicar,	Stavitski,
Brown,	Haws,	Metcalf,	Stevens, A. J.,
Burchinal,	Heffran,	Miller,	Stevens, A. F.,
Burns,	Henderson,	Minehart,	Stoner,
Bush,	Hetrick,	Moffatt,	Storer,
Clutton,	Heyburn,	Moore,	Thomas, L. D.,
Coldsmith,	Himes,	Morrison,	Thomas, M. G.,
Craig,	Holcombe,	Munley,	Weamer,
Diehm,	Hollis,	Myers, G. C.,	Wells,
Driggs,	Hontz,	Myers, P. M.,	Wheeler,
Dunn,	Hoover,	Nolte,	Whiteman,
Eaches,	Horne,	O'Boyle,	Williams, G. W.,
Earley,	Howell,	Ogle,	Williams, J. M.,
Edmonds,	Huber,	Parkinson,	Wood, N.,
Eshelman,	Jones, D. J.,	Patterson,	Wood, W. P.,
Flinchbaugh,	Jones, E. P.,	Peelor,	Wright,
Flynn,	Kelly,	Pitts,	Zook,
Fowler, A. I.,	Kennedy,	Posey,	Goodnough,
Fowler, D.,	Korns,	Post,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 409, entitled:

An Act validating certain proceedings and elections of counties cities boroughs townships school districts and other incorporated districts or municipalities had and held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand erght hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof "and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120.

Alexander,	Gibbon,	Lauver,	Rippman,
Armstrong,	Goehring,	Long,	Schleiter,
Baker,	Golder,	Lucas,	Schoener,
Baldi,	Goss,	Ludlow,	Schwartz,
Bell, F. A.,	Griffith,	Mack,	Shambach,
Bentley,	Grimes,	MacKinney,	Sheridan,
Berger,	Gundy,	Marcus, J.,	Smith, G. A.,
Betts,	Harer,	Marshall, W. F.,	Smith, H.,
Blair,	Harter,	McClure,	Spangler,
Bluett,	Haslett,	McCurdy,	Stark,
Boback,	Haws,	McDaniel,	Stavitski,
Brenneman,	Heffran,	McDermott,	Stevens, A. J.,
Bromley,	Henderson,	McKim,	Stevens, A. F.,
Brown,	Hetrick,	Metcalf,	Stoner,
Burns,	Heyburn,	Miller,	Thomas, M. G.,
Bush,	Himes,	Moffatt,	Weamer,
Coldsmith,	Holcombe,	Moore,	Wells,
Craig,	Hollis,	Morrison,	Wheeler,
Diehm,	Hoover,	Myers, G. C.,	Whiteman,
Donahue,	Horne,	Myers, P. M.,	Williams, G. W.,
Driggs,	Howell,	Nolte,	Williams, J. M.,
Dunn,	Huber,	Ogle,	Wood, N.,
Eaches,	Jones, C. B.,	Orr,	Wood, W. P.,
Earley,	Jones, D. J.,	Parkinson,	Wright,
Edmonds,	Jones, E. P.,	Patterson,	Zook,
Eshelman,	Kelly,	Peelor,	Goodnough,
Flinchbaugh,	Korns,	Pitts,	Speaker.
Fowler, A. I.,	Kunkle,	Post,	
Frazier,	Labar,	Raymond,	
Gallaher,	Lafferty,	Rhodes,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 262, entitled:

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. KUNKLE. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. COLDSMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 406, entitled:

An Act authorizing corporation incorporated under the laws of any other state of the United States to acquire use encumber and dispose of such real estate and rights and interests in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired

On the question,

Will the House agree to the bill on third reading?

Mr. STONER. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend sec. 1, page 2, line 1, by striking out the first word "in"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

The SPEAKER. This amendment being merely to strike out, the bill is now under consideration.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—135.

Alexander,	Frazier,	Lauver,	Rhodes,
Armstrong,	Gallaher,	Long,	Rippman,
Baker,	Gibbon,	Lucas,	Sample,
Baldi,	Gilchrist,	Ludlow,	Schleiter,
Beaver,	Glasgow,	Mack,	Schoener,
Behney,	Goehring,	MacKinney,	Schwartz,
Bell, F. A.,	Golder,	Marcus, J.,	Shambach,
Bentley,	Gorham,	Marshall, W. F.,	Sheridan,
Berger,	Goss,	McBride,	Smith, G. A.,
Bidelspacher,	Griffith,	McClure,	Smith, H.,
Blair,	Grimes,	McCurdy,	Sowers,
Bluett,	Gundy,	McDaniel,	Spangler,
Brenneman,	Hall,	McDermott,	Stark,
Brewster,	Harer,	McKim,	Stavitski,
Bromley,	Harter,	McVicar,	Stevens, A. J.,
Brown,	Haslett,	Metcalf,	Stevens, A. F.,
Brownmiller,	Haws,	Miller,	Stoner,
Burchinal,	Heffran,	Minehart,	Storer,
Burns,	Henderson,	Moffatt,	Thomas, L. D.,
Bush,	Hetrick,	Moore,	Thomas, M. G.,
Clutton,	Heyburn,	Morrison,	Thompson,
Coldsmith,	Himes,	Munley,	Vickerman,
Craig,	Holcombe,	Myers, G. C.,	Walker,
Diehm,	Hontz,	Myers, P. M.,	Weamer,
Dilsheimer,	Hoover,	Nolte,	Wells,
Driggs,	Horne,	O'Boyle,	Wheeler,
Dunn,	Howell,	Ogle,	Whiteman,
Eaches,	Huber,	Orr,	Williams, G. W.,
Earley,	Jones, D. J.,	Parkinson,	Williams, J. M.,
Edmonds,	Jones, E. P.,	Patterson,	Wood, N.,
Eshelman,	Keene,	Peelor,	Wood, W. P.,
Fields,	Kelly,	Pitts,	Wright,
Flinchbaugh,	Kennedy,	Posey,	Zook,
Flynn,	Korns,	Post,	Goodnough,
Fowler, A. I.,	Kunkle,	Price,	Speaker.
Fowler, D.,	Labar,	Raymond,	

NAYS—2.

Betts, Hollis,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTIONS.

Executive Chamber, Harrisburg, March 13, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor House Bill No. 25, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE.

Mr. STARK. Mr. Speaker, I move that the vote by which House Bill No. 25, passed finally be reconsidered.

Mr. EACHES. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. STARK. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. EACHES. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. STARK. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend section 1, page 2, line 4 by inserting before the word "one" the word "year"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

Ordered, That the bill as amended lie over for printing.

ADJOURNMENT.

Mr. EDMONDS. Mr. Speaker, I move that this House do now adjourn until Monday evening, March 19, 1923, at 9:00 o'clock.

The motion was agreed to, and (at 12:30 P. M.) the House adjourned until Monday evening, March 19, 1923, at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

MONDAY, MARCH 19, 1923.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Almighty God, we thank Thee that we are men and not dumb animals, that we have the right to look up into Thy face and to address Thee not only as our Creator but as our Father. Thou hast made us, we are Thy sons, Thou didst breathe into our nostrils the breath of life and we are living souls; we are able to think Thy thoughts after Thee, Thou didst give us not only for a few passing days but for all eternity; we are immortal as Thou art. We thank Thee for this amazing birthright. Forbid that we should sell it or debase it and may we prize it and may we be the men that we ought to be and day by day may we conduct ourselves as the sons of God ought to live. We ask it in the Redeemer's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE.

Mr. PHIPPS asked and obtained leave of absence for the Senator from Susquehanna, Mr. Jones, for the balance of the week on account of illness.

Mr. SMITH asked and obtained leave of absence for the Senator from Crawford, Mr. Miller.

Mr. LESLIE asked and obtained leave of absence for the Senator from Allegheny, Mr. Einstein, on account of illness.

Mr. EYRE asked and obtained leave of absence for the Senator from Indiana, Mr. Clark, for the balance of the week.

The CHAIR asked and obtained leave of absence for the Senator from Erie, Mr. Sisson for the balance of the week on account of illness.

REPORTS FROM COMMITTEES.

Mr. PHIPPS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 384, (House Bill No. 374), entitled:

An Act to amend Section one of an Act approved June first one thousand nine hundred and seven (Pamphlet Laws three hundred and eighty-three) entitled "An Act regulating the collection of taxes and other claims and demands due the Commonwealth and providing for six per centum interest thereon and an attorney's commission"

Mr. CRAIG, from the Committee on Judiciary General, reported as committed, Senate Bill No. 383, (House Bill No. 373), entitled:

An Act to amend an act approved June fifteenth, one thousand nine hundred and eleven (P. L. 955) entitled "An Act making state taxes unpaid bonus, interest, penalties and all public accounts a first lien upon the franchise and property of corporations, companies, associations, joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof, and repealing section four of the act approved April sixteen one thousand eight hundred and twenty-seven," by extending its provisions to include individuals and providing for attorneys' commissions, making such commissions part of said claim and giving such commissions and costs the same priority as said taxes, bonus, interest and penalties.

Mr. SCHANTZ, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 354, (House Bill No. 82), entitled:

A Supplement to an act entitled "An Act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and twenty-one" as approved the twenty-seventh day of May Anno Domini one thousand nine hundred and twenty-one providing for deficiencies in certain appropriations made to the Executive Judicial and Legislative Departments by the act to which this is a supplement and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by certain of the Executive Judicial and Legislative Departments not provided for by said act

BILLS INTRODUCED.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 421, entitled

An Act to license pawnbrokers and regulate their business as such and prescribing penalties for violation of this Act.

Which was committed to the Committee on Judiciary General.

Mr. DERRICK read in his place and presented to the Chair Senate Bill No. 422, entitled:

An Act fixing the compensation of jury commissioners in counties of the seventh class.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 423, entitled:

An Act to establish a State Highway in the county of Somerset.

Mr. CULBERTSON read in his place and presented to the Chair Senate Bill No. 424, entitled:

An Act to amend section twelve of the act appr ved eighteenth day of June, one thousand eight hundred and ninety-five (P. L. 203), entitled "An Act to provide for the more effectual protection of the public health in the several municipalities of this Commonwealth," as amended; exempting children of certain parents from vaccination.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair Senate Bill No. 425, entitled:

An Act to amend section thirty-six of the act approved the thirtieth day of June, one thousand nine hundred and nineteen (P. L. 678) entitled, "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof; and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," providing for suits for damages in certain cases before aldermen, justices of the peace and magistrates.

Which was committed to the Committee on Public Roads and Highways.

Mr. ARON read in his place and presented to the Chair Senate Bill No. 426, entitled:

An Act to further regulate the construction, maintenance and inspection of buildings in cities of the first class.

Which was committed to the Committee on Municipal Affairs.

Mr. KUTZ read in his place and presented to the Chair Senate Bill No. 427, entitled:

An Act relating to the acknowledgement and recording of deeds.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 428, entitled:

An Act making an appropriation to the Easton Hospital, at Easton, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 429, entitled:

An Act to amend section one of the act approved the thirty-first day of March, one thousand nine hundred and twenty-one (P. L. 31), entitled, "An Act providing for the salaries of court criers and tipstaves of the several courts in counties of the fourth class."

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 430, entitled:

An Act to establish as a State Highway a certain public road in the county of Bucks.

Which was committed to the Committee on Public Roads and Highways.

Mr. BETTS read in his place and presented to the Chair Seuate Bill No. 431, entitled:

An Act making an appropriation to the Clearfield Hospital.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 432, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section eighteen.

Which was committed to the Committee on Appropriations.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 433, entitled:

An Act further amending the act, approved the eighth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred seventy), entitled "An Act creating a Division of Township Highways in the State Highway Department; conferring powers and imposing duties upon officers of the State Highway Department; requiring certain duties of clerks of the courts of quarter sessions; and providing penalties."

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 434, entitled:

An Act to further amend section one of an act, approved the twelfth day of June, one thousand nine hundred and nineteen, entitled "An Act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys and to incur indebtedness and issue bonds and other obligations, for the improvement and maintenance of State highways and State-aid highways or any public highway in any county of the Commonwealth, and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases."

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 435, entitled:

An Act to further amend section three hundred eighty-six, clause four, of the act, approved the fourteenth day of July, one thousand nine hundred seventeen (Pamphlet Laws, eight hundred forty), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto."

Which was committed to the Committee on Public Roads and Highways.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 436, entitled:

An Act to amend route number one hundred and ninety-three of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner two Deputy State Highway Commisioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other

appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and releiving the several townships or counties from any further obligation and expenses to improve or maintain the same; and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State H. .way Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 437, entitled:

An Act making an appropriation to the Commissioners of Fairmount Park.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 438, entitled:

An Act making a deficiency appropriation to the Commissioners of Fairmount Park.

Which was committed to the Committee on Appropriations.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 439, entitled:

An Act to amend section one thousand one hundred five, and one thousand one hundred thirty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 440, entitled:

An Act for the protection of persons working in the bituminous coal mines, requiring the examination and registration of miners working therein; providing for the appointment of Miners' Examining Boards; prescribing their powers and duties, and inflicting penalties for the violation of this act.

Which was committed to the Committee on Mines and Mining.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 441, entitled:

An Act to further amend an act entitled, "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the tenth day of June, Anno Domini one thousand eight hundred and ninety-three, by providing for secrecy in voting and punishing certain offenses in regard to elections.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 442, entitled:

An Act to amend section 13 of an act entitled "A further supplement to the act regulating elections in this Commonwealth," approved the thirtieth day of January, one thousand eight hundred and seventy-four, as amended.

Which was committed to the Committee on Elections.

Mr. McCLINTOCK read in his place and presented to the Chair Senate Bill No. 443, entitled:

An Act making an appropriation to the Allegheny General Hospital.

Which was committed to the Committee on Appropriations.

Mr. JOYCE read in his place and presented to the Chair Senate Bill No. 444, entitled:

An Act authorizing the county commissioners and controller in third class counties to appoint a collector of delinquent taxes; and defining his powers with regard to the collection of taxes returned by county tax collectors as uncollectible and for which credits have been claimed.

Which was committed to the Committee on New Counties and County Seats.

Mr. STEELE read in his place and presented to the Chair Senate Bill No. 445, entitled:

An Act to establish as a State Highway a certain section of public road in the counties of Northumberland and Union.

Which was committed to the Committee on Public Roads and Highways.

Mr. DAVIS read in his place and presented to the Chair Senate Bill No. 446, entitled:

An Act fixing the salaries of the county commissioners, county controller, county treasurer, register of wills, recorder of deeds and clerk of the courts in counties of the third class.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 447, entitled:

An Act making it a misdemeanor to invite, entice or induce, with immoral intent, any female under the age of twenty-one years and of good reputation for chastity to enter or ride in any motor vehicle, and imposing penalties.

Which was committed to the Committee on Law and Order.

Mr. EYRE read in his place and presented to the Chair Senate Bill No. 448, entitled:

An Act providing for the transfer to Pennsylvania of the titles to and liens affecting any lands heretofore regarded as being in the State of Delaware but found to be in Pennsylvania in accordance with the interstate boundary run by the joint commission of said States appointed by virtue of the act of Assembly of Pennsylvania approved the fourth day of May, one thousand eight hundred and eighty-nine, (P. L. 81) entitled, "An Act relative to the boundary lines and boundary line monuments."

Which was committed to the Committee on Judiciary General.

Mr. EYRE read in his place and presented to the Chair Senate Bill No. 449, entitled:

An Act to amend so much of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 445) entitled, "An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

Which was committed to the Committee on Legislative Apportionment.

BILL SIGNED.

The PRESIDENT (Lieutenant-Governor David J. Davis) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 95, entitled:

An Act for the prevention of fraud and the protection of the public health relating to milk, cream or skimmed-milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated, prohibiting the introduction of foreign fats into them, regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof.

Whereupon,

The PRESIDENT (Lieutant-Governor David J. Davis) in the presence of the Senate signed the same.

HOUSE MESSAGE.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 37.

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, March 19, 1923.

Resolved (if the Senate concur), That House Bill No. 37, entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL OVER IN ORDER.

Mr. SMITH. Mr. President, I ask that Senate Bill No. 143, on final passage, entitled:

An Act to amend section one of the act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revise rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; as amended.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 198 as follows.

An Act to amend section seventy-four of an act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An Act relating to the Elections of this Commonwealth" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventy-four of an act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An act relating to the Elections of this Commonwealth" which as amended by section one of an act approved the sixteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred and seventeen), entitled "An Act amending section seventy-four of an act 'Relating to the elections of this Commonwealth' approved the second day of July Anno Domini one thousand eight hundred and thirty-nine" reads as follows

"Section 74 As soon as the election shall be finished the tickets list of taxables one of the lists of voters the tally-papers and one of the certificates of the oath or affirmation taken and subscribed by the inspectors judges and clerks shall all be carefully collected and deposited in one or more of the ballot-boxes and such box or boxes being closely bound round with tape shall be sealed by the inspectors and judge of the election and together with the remaining ballot-boxes shall within one day thereafter be delivered by one of the inspectors to the nearest justice of the peace who shall keep such boxes containing the tickets and other documents (said justice of the peace to receive the sum of three dollars per year for all services rendered in the care of the ballot-box or boxes placed in his custody said sum to be paid by the county treasurer upon an order drawn by the county commissioners) to answer the call of any persons or tribunal authorized to try the merits of such election and the other list of voters tally-papers and certificates shall be enclosed by the said inspectors and judge in a sealed cover directed to the prothonotary of the court of common pleas of the county and shall by some one of them be delivered into his office within three days thereafter where the same shall be filed is hereby further amended to read as follows

Section 74 As soon as the election shall be finished the tickets list of taxables one of the lists of voters the tally-papers and one of the certificates of the oath or affirmation taken and subscribed by the inspectors judges and clerks shall all be carefully collected and deposited in one or more of the ballot-boxes and such box or boxes being closely bound round with tape shall be sealed by the inspectors and judge of the election and together with the remaining ballot-boxes shall within one day thereafter be delivered by one of the inspectors to the nearest justice of the peace who shall keep such boxes containing the tickets and other documents (said justice of the peace to receive the sum of three dollars per year for one ballot-box and an additional dollar per year for each additional ballot-box for all services rendered in the care of the ballot-box or boxes placed in his custody said sum to be paid by the county treasurer upon an order

drawn by the county commissioners) to answer the call of any persons or tribunal authorized to try the merits of such elections and the other list of voters tally-papers and certificates shall be enclosed by the said inspectors and judge in a sealed cover directed to the prothonotary of the court of common pleas of the county and shall by some one of them be delivered into his office within three days thereafter where the same shall be filed

Mr. PHIPPS. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. CRAIG. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. PHIPPS. Mr. President, I ask unanimous consent to amend section 1, page 3, line 7 by inserting after the word "and" the word "judge".

The PRESIDENT. Is there objection. The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 16, entitled:

An Act to amend Clause 5 of Section 3 of an act entitled, "An Act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," approved the 13th day of May A. D. 1909, P. L. 520.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

YEAS—27.

Aron,	Daix,	Joyce,	McClintock,
Baldwin,	Derrick,	Krause,	Salus,
Barr,	DeWitt,	Kutz,	Sprowls,
Betts,	Eyre,	Lanius,	Steele,
Brown,	Harris,	Leslie,	Vare,
Christley,	Heaton,	MacDade,	Weaver,
Culberston,	Homsher,	Mansfield,	

NAYS—8.

Buckman,	Phipps,	Snyder,	Stites,
Craig,	Smith,	Stineman,	Woodward,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for consurrence.

BILL RECOMMITTED.

Mr. MacDADE. Mr. President, I move that Senate Bill No. 30, on third reading, entitled:

An Act to amend an act approved May fifth one thousand nine hundred and twenty-one (Pamphlet Laws three hundred seventy-nine) entitled "An Act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-nine) entitled 'An Act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole' by extending said act to include houses of correction conferring similar powers on other courts of record and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law" providing the procedure in cases of parole conferring power to parole upon the several courts instead of judges thereof and fixing the time when petitions for parole may be first presented.

be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 46, entitled:

An Act making an appropriation to carry into effect the provisions of an act approved July 9, 1919, (P. L. 824) entitled "An Act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River, connecting the city of Philadelphia and the city of Camden, and the approaches thereto; providing for a joint commission for that purpose, and defining the powers and duties; providing for an independent commission in this Commonwealth in relation thereto, and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadelphia; and providing for the acquiring, taking, and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridge upon its completion; and making an appropriation for the purposes of this act," and its amendments.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Leslie,	Smith,
Baldwin,	DeWitt,	Long,	Snyder,
Barr,	Eyre,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Norton,	Stineman,
Christley,	Huffman,	Patton,	Stites,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Quigley,	Weaver,
Daix,	Kutz,	Salus,	Woodward,
Davis,	Lanius,	Schantz,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 61, on third reading, entitled:

An Act to carry into effect section eleven of article one of the Constitution of Pennsylvania, by designating the manner the courts and the cases in which suits may be brought against the Commonwealth, defining the procedure in such cases, and providing for the payment of judgments, interest and costs by the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 75, entitled:

An Act to amend section seventy-five of an act approved March 31, 1860 (P. L. 382,) entitled "An act to consolidate, Revise and Amend the Penal Laws of this Commonwealth"; by providing that the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be.

And said baill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Aron,	Davis,	Lanius,	Salus,
Baldwin,	Derrick,	Leslie,	Smith,
Barr,	Eyre,	Long,	Snyder,
Betts,	Harris,	MacDade,	Sprowls,
Brown,	Heaton,	Mansfield,	Steele,
Buckman,	Homsher,	McClintock,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Culberston,	Krause,	Patton,	Weaver,
Daix,	Kutz,	Quigley,	Woodward,

NAYS—6.

Craig,	Phipps,	Sones,	Vare,
DeWitt,	Schantz,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 84, entitled:

An Act relating to the acquisition of land for park purposes by any city in this Commonwealth in sections not entirely built up limiting time for condemnation by councils or condemnation or purchase by Park Commissioners after same has been placed on city plan for park purposes by ordinances of councils or action or park commissioners and providing for removal from city plan upon failure to condemn or purchase within time specified herein.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Leslie,	Smith,
Baldwin,	DeWitt,	Long,	Snyder,
Barr,	Eyre,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Norton,	Stineman,
Christley,	Huffman,	Patton,	Stites,
Craig.	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Quigley,	Weaver,
Daix,	Kutz,	Salus,	Woodward,
Davis,	Lanius,	Schantz,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS RECOMMITTED.

Mr. DAIX. Mr. President, I move that Senate Bill No. 91, on third reading, entitled:

An Act defining and providing for the regulation, supervision, and licensing of resident and non-resident real estate brokers and real estate salesmen.

be recommitted to the Committee on Judiciary General, for the purpose of amendment.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

Mr. MANSFIELD. Mr. President, I move that Senate Bill No. 162, on third reading, entitled:

An Act to amend section one of the act approved June 17, 1913, (P. L. 507), entitled "An Act to provide revenue for State and County purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of protnonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes."

be recommitted to the committee on Finance, for the purpose of amendment.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 183, entitled:

An Act requiring prothonotaries to mark the time judgments are left at the office for entering; providing for the priority of such liens to be determined according to such time.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Leslie,	Smith,
Baldwin,	DeWitt,	Long,	Snyder,
Barr,	Eyre,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Norton,	Stineman,
Christley,	Huffman,	Patton,	Stites,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Quigley,	Weaver,
Daix,	Kutz,	Salus,	Woodward,
Davis,	Lanius,	Schantz,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 226, (House Bill No. 34), entitled:

An Act to amend clause two of section three hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (P. L. 840) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" by extending the power to tax property for lighting purposes in second class townships

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as folows, viz:

YEAS—43.

Aron,	Derrick,	Leslie,	Smith,
Baldwin,	DeWitt,	Long,	Snyder,
Barr,	Eyre,	MacDade,	Scnes,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Norton,	Stineman,
Christley,	Huffman,	Patton,	Stites,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Quigley,	Weaver,
Daix,	Kutz,	Salus,	Woodward,
Davis,	Lanius,	Schantz,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendements in which the concurrence of the House is requested.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 227, (House Bill No. 72), entitled:

An Act to amend section two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty four) entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor"

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. JOYCE. Mr. President, I ask unanimous consent to amend section 2, page 2, line 21, by inserting after the word "commissioners" the following: "county controllers where such office exists"; also page 3, line 7, by striking out the word "and" where it occurs the first time, and inserting after the word "commissioners" the following "county controllers where such office exists".

The PRESIDENT. Is there objection. The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 240, entitled:

An Act to amend section six of an act approved June 20, 1917 (P. L. 618), entitled "An Act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations, the manner of appointments, and the manner and power of removal of employes of said department; and providing a method for fixing compensation," as amended.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MANSFIELD. Mr. President, I ask unanimous consent to amend section 1, page 2, line 1, by striking out the word "which." also line 14, by striking out the word "reads" and inserting in lieu thereof the words "is hereby amended to read"; also by striking out lines 15 to 29 inclusive and eliminating them from the bill; also by striking out the lines 1 to 3 both inclusive and eliminating them from the bill; also line 10, by striking out the underscoring under the words "such employees;" also line 20, by inserting after the word "fined" the word "or"; by inserting after the word "suspended" the following: "for a period not to exceed thirty days with or without pay or they may be"; by underscoring the word "or" following the word "suspended"; also line 21, by underscoring the word "the"; also by inserting before the word "any" the word "the"; line 22, by inserting after the word "them" the following: "Provided, however, that the said Superintendent of the Department of Public Affairs may, for misconduct or violation as aforesaid suspend, any employe of said Department of Police for a period not to exceed ten days, with or without pay, without prefering charges and without a hearing of council."

The amendment was agreed to

On the question

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 242, entitled:

An Act to amend sections one, eleven, twelve and fourteen of and to add section eight (a) to an act entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," approved March 19, 1909, (P. L. 46); providing additional qualifications for a member of the State Board of Osteopathic Examiners; providing for the examination and licensing of osteopathic physicians to practice surgery, regulating the practice of the same and requiring additional qualifications therefor, defining osteopathy and providing for the effect of reports and certificates made by osteopathic physicians and granting additional powers to the Board of Osteopathic Examiners to revoke licenses.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. SMITH. Mr. President, I ask unanimous consent to amend section 2, page 3, by underscoring the words in line 29; also section 3, page 6, line 12, by inserting after the word "branches" the words "including minor surgery and obstetrics;" also page 7, lines 2 and 3 by striking out the words "to employ the necessary agencies" and inserting in lieu thereof the following "the use of anaesthetics, antiseptics, narcotics and germicide when used"; also line 6 by striking out the words "and as such"; also line 26 by inserting after the letter (d) the words "embraces obstetrics"; also page 9 by striking out lines 22 and 23 and inserting in lieu thereof the following: Osteopathic Examiners with a copy of the complaint and shall have a hearing before said board on person or by".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 269, (House Bill No. 26), entitled:

An Act to amend section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" providing for the sale of the real and personal property of a decedent without known heirs kindred or surviving spouse and the payment of the net proceeds of such sale into the State Treasury

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Aron,	Derrick,	Leslie,	Smith,
Baldwin,	DeWitt,	Long,	Snyder,
Barr,	Eyre,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Norton,	Stineman,
Christley,	Huffman,	Patton,	Stites,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Quigley,	Weaver,
Daix,	Kutz,	Salus,	Woodward,
Davis,	Lanius,	Schantz,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that tne Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 276, (House bill No. 371), entitled:

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (c) of section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by section one of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and sixty-six) entitled "An Act to amend clause (c) section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled 'An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder'" is further amended to read as follows

(c) For all disability resulting from permanent injuries of the following classes the compensation shall be exclusively as follows

For the loss of a hand sixty per centum of wages during one hundred and seventy-five weeks

For the loss of an arm sixty per centum of wages during two hundred and fifteen weeks

For the loss of a foot sixty per centum of wages during one hundred and fifty weeks

For the loss of a leg sixty per centum of wages during two hundred and fifteen weeks

For the loss of an eye sixty per centum of wages during one hundred and twenty-five weeks

For the loss of a thumb sixty per centum of wages during sixty weeks

For the loss of a first finger commonly called index finger sixty per centum of wages during thirty-five weeks

For the loss of a second finger sixty per centum of wages during thirty weeks

For the loss of a third finger sixty per centum of wages during twenty weeks

For the loss of a fourth finger commonly called little finger sixty per centum of wages during fifteen weeks

The loss of the first phalange of the thumb or of any finger shall be considered equivalent to the loss of one-half of such thumb or finger

The loss of more than one phalange of a thumb or finger shall be considered equivalent to the loss of the entire thumb or finger

For the loss of any two or more such members or the permanent loss of the use of the hand arm foot leg or eye as hereinbefore provided not constituting total disability sixty per centum of wages during the aggregate of the periods specified for each

For serious and permanent disfigurement of the head or face of such a character as to produce an unsightly appearance and such as is not usually incident to the employment sixty per centum of the wages not to exceed one hundred and fifty weeks

Unless the board shall otherwise determine the loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand and amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of the use of a hand arm foot leg or eye shall be considered as the equivalent of the loss of such hand arm foot leg or eye

This compensation shall not be more than twelve dollars per week nor less than six dollars per week Provided That if at the time of injury the employe receives wages of less than six dollars per week then he shall receive the full amount of such wages per week as compensation

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Aron,	Derrick,	Leslie,	Smith,
Baldwin,	DeWitt,	Long,	Snyder,
Barr,	Eyre,	MacDade,	Sones,

Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Norton,	Stineman,
Christley,	Huffman,	Patton,	Stites,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Quigley,	Weaver,
Daix,	Kutz,	Salus,	Woodward,
Davis,	Lanius,	Schantz,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 277, (House Bill No. 267), entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held or pending pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Aron,	Derrick,	Leslie,	Snyder,
Baldwin,	DeWitt,	Long,	Sprowls,
Barr,	Eyre,	Mansfield,	Steele,
Buckman,	Harris,	McClintock,	Stineman,
Craig,	Homsher,	Patton,	Stites,
Culberston,	Joyce,	Phipps,	Vare,
Daix,	Krause,	Salus,	Weaver,
Davis,	Kutz,	Smith,	Woodward,

NAYS—1

Quigley,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 302, entitled:

An Act authorizing and empowering the county treasurers in counties of the third class to appoint a solicitor prescribing his duties, and providing for the compensation of such solicitor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Leslie,	Smith,
Baldwin,	DeWitt,	Long,	Snyder,
Barr,	Eyre,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Norton,	Stineman,
Christley,	Huffman,	Patton,	Stites,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Quigley,	Weaver,
Daix,	Kutz,	Salus,	Woodward,
Davis,	Lanius,	Schantz,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. QUIGLEY. Mr. President, I ask that Senate Bill No. 311, (House Bill No. 280), on third reading, entitled:

An Act providing for the assessment and collection as benefits from the abutting property owners, of the borough's share of the cost of the improvement of a street which forms part of a State Highway, where such improvement has been heretofore made by the State Highway Department.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 313, (House Bill No. 332), entitled:

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Leslie,	Smith,
Baldwin,	DeWitt,	Long,	Snyder,
Barr,	Eyre,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Norton,	Stineman,
Christley,	Huffman,	Patton,	Stites,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Quigley,	Weaver,
Daix,	Kutz,	Salus,	Woodward,
Davis,	Lanius,	Schantz,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 337, entitled:

An Act to amend section sixteen of an act approved May 31, 1911, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two deputy State Highway Commissioners, Chief Engineer, Chief draftsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Com-

missioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State Line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads, defining highways and State aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended; by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BUCKMAN. Mr. President, I ask unanimous consent to amend section 1 page 7 line 7 by striking out "ty" and inserting in lien thereof the word "ties".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 356, (House Bill No. 296), entitled:

An Act to amend section fifty-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Leslie,	Smith,
Baldwin,	DeWitt,	Long,	Snyder,
Barr,	Eyre,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Norton,	Stineman,
Christley,	Huffman,	Patton,	Stites,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Quigley,	Weaver,
Daix,	Kutz,	Salus,	Woodward,
Davis,	Lanius,	Schantz,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Mr. QUIGLEY. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 311, (House Bill No. 280), on third reading entitled:

An Act providing for the assessment and collection as benefits from the abutting property owners of the borough's share of the cost of improvement of a street which forms part of a State Highway where such improvement has been heretofore made by the State Highway Department

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 311, (House Bill No. 280), entitled:

An Act providing for the assessment and collection as benefits from the abutting property owners of the borough's share of the cost of the improvement of a street which forms part of a State Highway where such improvement has been heretofore made by the State Highway Department

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Leslie,	Smith,
Baldwin,	DeWitt,	Long,	Snyder,
Barr,	Eyre,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Norton,	Stineman,
Christley,	Huffman,	Patton,	Stites,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Quigley,	Weaver,
Daix,	Kutz,	Salus,	Woodward,
Davis,	Lanius,	Schantz,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Mr. SALUS. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 61, on third reading entitled:

An Act to carry into effect section eleven of article one of the Constitution of Pennsylvania by designating the manner the courts and the cases in which suits may be brought against the Commonwealth defining the procedure in such cases and providing for the payment of judgments interest and costs by the Commonwealth

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 61, entitled:

An Act to carry into effect section eleven of article one of the Constitution of Pennsylvania by designating the manner the courts and the cases in which suits may be brought against the Commonwealth defining the procedure in such cases and providing for the payment of judgments interest and costs by the Commonwealth

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SALUS. Mr. President, I ask unanimous consent to amend Clause 1, page 1, line 3 by inserting after the word "done", the word "him".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON SECOND READING.

Agreably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 209, (House Bill No. 159), as follows:

An Act regulating the location of certain stables in cities of the first class and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no stable large enough to accomodate more than fifty horses at one time shall be erected in any city of the first class within eight hundred feet of any public playground school church or other place of religious worship having a seating capacity for over one hundred persons

Section 2 Any person association copartnership or corporation violating any of the provisions of this act is guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

Section 3 Nothing in this act shall be construed to interfere with any stable now in existence and in active use as a stable nor shall it interfere with the reconstruction alteration or repair of any stable now in existence and now in active use as a stable

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. WOODWARD. Mr. President, I ask that Senate Bill No. 217, on second reading, entitled:

An Act to amend section one of an act approved April 13, 1873 (P. L. 21) entitled "An Act for the establishment of a uniform standard of time throughout the Commonwealth;" prohibiting the adoption of other standards of time.

go over in its order.

The President. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 303, entitled:

An Act to amend Section 3 and Section 4 of an Act approved the fifth day of May one thousand nine hundred and twenty-one entitled "An Act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith a contract based upon payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties."

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three and four of an act approved the fifth day of May one thousand nine hundred and twenty-one entitled "An Act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties" are hereby amended to read as follows

Section 3 Every corporation or person desiring to obtain a license under the provisions of this act shall file with the Commissioner an application in writing in such form as may be prescribed by the Commissioner Before a license shall be issued by the Commissioner he shall make or cause to be made an investigation of the condition and affairs of the applicant and its plan of operation He shall investigate the moral character and general fitness of the applicant if an individual and of the members of a partnership or association and of the directors managers trustees and other officers of every applicant to discharge the duties reposed in them and may examine any or all of them under oath He shall require the applicant to submit to him a mathematical chart or calculation showing in detail the operation of the plan of investment carried on or proposed to be carried on for the purpose of determining whether the same is financially and mathematically sound and the contracts or obligations issued or proposed to be issued possible of fulfillment Unless the commissioner is satisfied as to the character and general fitness of the managing officers of the applicant to honestly and efficiently carry on its business and that the plan of operation is financially sound and the contracts issued or proposed to be issued possible of fulfillment he shall refuse the license and forthwith notify the applicant of such refusal and specify in the notice the cause or causes thereof The Commissioner may revoke such license at any time when conditions arise which in his judgment if existing at the time when the license was granted would have been sufficient cause for refusing to issue such license

Section 4 No corporation or person shall be licensed under the provisions of this act unless and until it has deposited with the Commissioner in cash or bonds of the

United States or of the State of Pennsylvania or of cities counties boroughs or school districts of this Commonwealth or any other State of the United States approved by the Commissioner of the clear market value of one hundred thousand dollars (100,000) as security for the fulfiillment of its contracts made heretofore or hereafter with residents of Pennsylvania Exchanges of such bonds may be made from time to time with the approval of the Commissioner If any of said bonds are called for payment the proceeds thereof shall remain in the hands of the Commissioner until other bonds of the character described in this section shall be submitted in like amount for the bonds so paid The corporation or person making such deposit shall be entitled to the income thereon

On the question,

Will the Senate agree to the section?

Mr. BARR. Mr. President, I move to amend section 1, page 2, line 5, by inserting after the word "twenty-one" the following "P. L. 374)"; also line 7 by striking out the word "submitted" and inserting in lieu thereof the word "substituted"; also line 26, by inserting after the word "its" the word "general".

Mr. LONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title section of the bill was read as follows:

An Act to amend section three and section four of an act approved the fifth day of May one thousand nine hundred and twenty-one entitled "An Act providing for the licensing and regulation of corporations co-partnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties"

Mr. BARR. Mr. President, I move to amend the title, page 1, line 3, by inserting after the word "twenty-one" the following "(P. L. 374)"

Mr. LONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 362, as follows:

An Act regulating the practice of law in Courts not of record

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person learned in the law who has been admitted to practice as an attorney in any Court of record of this Commonwealth shall hereafter be entitled to practice as an attorney in any proceeding before any Magistrate Justice of the Peace Coroner Burgess Alderman Mayor or in any Court not of record with the same powers and privileges to which he shall be entitled as a practicing attorney in the Court of which he is already a member

Section 2 All acts or parts of acts inconsistent with any of the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. DAVIS. Mr. President, I move that Senate Bill No. 364, on second reading, entitled:

An Act providing for the appointment of assistant district attorneys in second class counties of this Commonwealth, prescribing the powers and duties, and fixing their salaries.

be recommitted to the Committee on Judiciary General.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. CULBERTSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CULBERTSON from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 273, (House Bill No. 302), entitled:

An Act to amend section one of an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, (P. L. 86), entitled "An Act regulating the compensation of court criers and tipstaves, in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county; limiting the number of tipstaves to be appointed; and repealing an act of Assembly, entitled 'An Act to regulate the fees of court criers and tipstaves of the courts, in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants,' approved the twenty-ninth day of April, Anno Domini, one thousand nine hundred and nine," as amended.

BILLS INTRODUCED.

Mr. DAVIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAVIS, read in his place and presented to the Chair Senate Bill No. 450, entitled:

An Act establishing a State highway in the county of Lackawanna; providing for its location, construction, improvement, and maintenance by the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Mr. VARE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 451, entitled:

An Act to amend section one thousand four hundred and twenty-three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled

"An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" conferring jurisdiction on the municipal court to enforce compulsory attendance of pupils.

Which was committed to the Committee on Education.

REPORT FROM COMMITTEE.

Mr. WOODWARD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODWARD, from the Committee on Municipal Affairs, re-reported as amended, Senate Bill No. 272, (House Bill No. 281), entitled:

An Act to amend Section two of Article sixteen of an act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and enghty-one) entitled "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania."

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 19, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ADAMS COUNTY.

Miss Frances Mc Lean, Gettysburg, April 1, 1923.

ALLEGHENY COUNTY.

Miss Florence M. Abbott, Pittsburgh, April 1, 1923.
James Adams, Avalon, April 1, 1923.
J. Fred Allen, Pittsburgh, April 1, 1923.
G. Walter Bauer, Millvale, April 1, 1923.
Miss Eva Bernstein, Pittsburgh, April 1, 1923.
E. A. Berry, Pittsburgh, April 1, 1923.
A. J. Bien, Perrysville, April 1, 1923.
W. V. Blackstone, Pittsburgh, April 1, 1923.
William P. Brennan, North Braddock, April 1, 1923.
Oliver W. Brown, Pittsburgh, April 1, 1923.
Miss Margaret Cagney, Pittsburgh, April 1, 1923.
G. E. Carson, Etna, April 1, 1923.
G. B. Church, Pittsburgh, April 1, 1923.
R. J. Clark, Pittsburgh, April 1, 1923.
George Columbus, Jr., Pittsburgh, April 1, 1923.
Harry L. Costello, Mayview, April 1, 1923.
William Craig, McKeesport, April 1, 1923.
Hyatt M. Cribbs, Verona, April 1, 1923.
T. P. Cullison, Pittsburgh, April 1, 1923.
Chas. L. Cunningham, Pittsburgh, April 1, 1923.
Miss Florence E. Davis, North Braddock, April 1, 1923.
Wm. Downey, Pittsburgh, April 1, 1923.
R. B. Drain, Braddock, April 1, 1923.
A. D. Dresser, Pittsburgh, April 1, 1923.
Miss B. M. Dunne, Pittsburgh, April 1, 1923.
A. D. Freeman, Pittsburgh, April 1, 1923
Miss Margaret A. Flaherty, Pittsburgh, April 1, 1923.
Miss M. E. Flygar, Swissvale, April 1, 1923.
Theo. R. Foster, Pittsburgh, April 1, 1923.
Walter Foster, Pittsburgh, April 1, 1923.
Homer J. Freese, Bellevue, April 1, 1923.
Miss Laura A. Ganster, Etna, April 1, 1923.
Miss Esther R. Goodman, Pittsburgh, April 1, 1923.
S. S. Graham, Swissvale, April 1, 1923.
Arthur M. Grossman, Pittsburgh, April 1, 1923.
Walter Hannington, Pittsburgh, April 1, 1923.
Miss S. R. Harnack, Pittsburgh, April 1, 1923.
Mrs. Katherine Harney, Pittsburgh, April 1, 1923.
Edward R. Hazlewood, Pittsburgh, April 1, 1923.
J. L. Hernon, Sharpsburg, April 1, 1923.
G. A. Hopper, Pittsburgh, April 1, 1923.
James Hull, Homestead, April 1, 1923.
Joseph E. Jackson, Pittsburgh, April 1, 1923.
I. W. Jacobs, Pittsburgh, April 1, 1923.
Isaac J. Jenkins, Pittsburgh, April 1, 1923.
Arba A. Jordan, Mars, April 1, 1923.
Michael H. Kennedy, Pittsburgh, April 1, 1923.
P. J. Klingensmith, Pittsburgh, April 1, 1923.
J. Harvey Lash, Pittsburgh, April 1, 1923.
P. M. Leahy, Pittsburgh, April 1, 1923.
John F. Lehrian, Pittsburgh, April 1, 1923.
C. E. Lewis, Pittsburgh, April 1, 1923.
Miss Dawn N. Lewis, Pittsburgh, April 1, 1923.
O. J. Lothamer, Bellevue, April 1, 1923.
Albert E. Lucot, Pittsburgh, April 1, 1923.
Edgar Masters, Pittsburgh, April 1, 1923.
L. F. Masterson, Bellevue, April 1, 1923.
Frank P. McBride, Braddock, April 1, 1923.
R. F. McCrea, Pittsburgh, April 1, 1923.
Samuel P. McCurdy, Ingram, April 1, 1923.
S. Frank McKee, Bellevue, April 1, 1923.
W. C. McKenzie, Herrs Island, April 1, 1923.
Edwin S. McNaughton, Pittsburgh, April 1, 1923.
Harry C. Mendel, Pittsburgh, April 1, 1923.
Wm. G. O. Mitchell, McKees Rocks, April 1, 1923.
W. L. Morgan, McKeesport, April 1, 1923.
Chas. W. Morris, Pittsburgh, April 1, 1923.
B. Mruczek, Pittsburgh, April 1, 1923.
R. C. Muncaster, Pittsburgh, April 1, 1923.
Hugh A. Murphy, Pittsburgh, April 1, 1923.
C. C. Phillips, Pittsburgh, April 1, 1923.
William J. Race, Pittsburgh, April 1, 1923.
M. E. Ramsey, Pittsburgh, April 1, 1923.
Miss Rhoda E. Ransick, McKeesport, April 1, 1923.
C. S. Reed, Pitcairn, April 1, 1923.
O. C. Reiter, Pittsburgh, April 1, 1923.
Charles Richardson, Pittsburgh, April 1, 1923.
William M. Riedl, Rankin, April 1, 1923.
Geo. W. Robinson, McKeesport, April 1, 1923.
Miss M. M. Sandleh, Pittsburgh, April 1, 1923.
Miss Hilda R. Sauer, Pittsburgh, April 1, 1923.
Albert C. Schmits, Leetsdale, April 1, 1923.
Miss Florence F. Schwartz, Pittsburgh, April 1, 1923.
Miss M. Estelle Sellers, Pittsburgh, April 1, 1923.
W. H. Semmens, Jr., Turtle Creek, April 1, 1923.
Joseph H. Shipp, Pittsburgh, April 1, 1923.
George A. Smith, Pittsburgh, April 1, 1923.
J. Robb Snyder, Pittsburgh, April 1, 1923.
Alex. G. Stitt, Pittsburgh, April 1, 1923.
W. A. Stoehr, Pittsburgh, April 1, 1923.
Wilbur Ewing Thompson, Swissvale, April 1, 1923.
J. B. A. Tracey, Pittsburgh, April 1, 1923.
Mrs. Grace Triplett, Pittsburgh, April 1, 1923.
Miss Margaret Trust, Pittsburgh, April 1, 1923.
Oswald J. Unger, East Pittsburgh, April 1, 1923.
John H. Wallace, Pittsburgh, April 1, 1923.
Maurice Walsh, Pittsburgh, April 1, 1923.
Chas. K. White, Carrick, April 1, 1923.
John Wilkins, Pittsburgh, April 1, 1923.
Robert C. Wilson, Pittsburgh, April 1, 1923.
Constantine J. Weshner, Pittsburgh, April 1, 1923.
Joseph H. Zelch, Dormont, April 1, 1923.

ARMSTRONG COUNTY.

John Connell, Yatesboro, April 1, 1923.

BEAVER COUNTY.

B. E. Bransford, Ambridge, April 1, 1923.
Charles A. Conti, Beaver Falls, April 1, 1923.
Miss Ethel M. Cummins, New Brighton, April 1, 1923.
John S. Little, College Hill, April 1, 1923.
Armour R. Mullan, Rochester, April 1, 1923.
J. C. Potts, Midland, April 1, 1923.

Walter C. Titus, Woodlawn, April 1, 1923.
A. S. Watkins, Woodlawn, April 1, 1923.

BERKS COUNTY.

Edgar W. Herring, Kutztown, April 1, 1923.
Lloyd G. Ketterer, Reading, April 1, 1923.
T. C. Howard, West Reading, April 1, 1923.
William B. Keefer, Reading, April 1, 1923.
Lewis Miller, Reading, April 1, 1923.
Mrs. Laura M. Roberts, Reading, April 1, 1923.
John J. Sallade, Womelsdorf, April 1, 1923.

BLAIR COUNTY.

Miss Marguerite McNelis, Tyrone, April 1, 1923.
William A. Miller, Tyrone, April 1, 1923.

BRADFORD COUNTY.

Arthur H. Baxter, Athens, April 1, 1923.
Miss Katherine Crowley, Sayre, April 1, 1923.

BUCKS COUNTY.

William W. Benner, Quakertown, April 1, 1923.
Alvin T. Lippincott, Cornwells Heights, April 1, 1923.
Chas. S. Roberts, New Hope, April 1, 1923.

BUTLER COUNTY.

J. H. B. Black, Bruin, April 1, 1923.
W. R. Colbert, Butler, April 1, 1923.
J. B. Dick, Butler, April 1, 1923.
F. R. Dickey, Butler, April 1, 1923.
J. C. Hennon, Boyers, April 1, 1923.
John R. Humphrey, Portersville, April 1, 1923.

CAMBRIA COUNTY.

Henry S. Cole, Cresson, April 1, 1923.
O. J. Connell, Lilly, April 1, 1923.
George C. Keim, Johnstown, April 1, 1923.
George B. Rodgers, Vintondale, April 1, 1923.
Miss Rhea V. Spotz, Johnstown, April 1, 1923.
B. J. Waltz, Hastings, April 1, 1923.

CARBON COUNTY.

Clifford L. Snyder, Palmerton, April 1, 1923.

CHESTER COUNTY.

Walton F. Comfort, West Chester, April 1, 1923.
Elwood J. Kerns, Kennett Square, April 1, 1923.
Brandt H. Malin, Coatesville, April 1, 1923.
Miss Sarah E. Miller, East Downingtown, April 1, 1923.
O. H. Monhollend, Coatesville, April 1, 1923.
Frank Parke, Downingtown, April 1, 1923.
B. J. Passmore, Malvern, April 1, 1923.
Henry D. Rankin, Phoenixville, April 1, 1923.
Miss Helen M. Rea, Coatesville, April 1, 1923.
C. E. Richards, Coatesville, April 1, 1923.

CLINTON COUNTY.

Amey F. Hoke, Renovo, April 1, 1923.
Andrew D. Nelson, Renovo, April 1, 1923.
Miss Elizabeth Yearick, Lock Haven, April 1, 1923.

COLUMBIA COUNTY.

Jerome B. DeLong, Orangeville, April 1, 1923.
T. Carl McHenry, Benton, April 1, 1923.

CRAWFORD COUNTY.

Geo. W. Bunce, Meadville, April 1, 1923.
Miss Anna Haury, Meadville, April 1, 1923.
D. D. Hughes, Titusville, April, 1, 1923.
John I. Thomson, Spartansburg, April 1, 1923.

CUMBERLAND COUNTY.

Ira C. Mellinger, Mechanicsburg, April 1, 1923.
Miss Besse Railing, Shippensburg, April 1, 1923.
William P. Walls, Shiremanstown, April 1, 1923.

DAUPHIN COUNTY.

Miss Anna M. Collins, Harrisburg, April 1, 1923.
C. W. Crist, Harrisburg, April 1, 1923.
W. R. Denehey, Harrisburg, April 1, 1923.
Jas. S. Ulrich, Middletown, April 1, 1923.
Geo. W. Van Wagner, Harrisburg, April 1, 1923.

DELAWARE COUNTY.

Miss Katharine Bitler, Sharon Hill, April 1, 1923.
Mrs. Gertrude W. Carey, Chester, April 1, 1923.
Miss Matilda M. Culbert, Chester, April 1, 1923.
Miss Mary N. Deakyne, Chester, April 1, 1923.
T. Henry Flounders, Upland, April 1, 1923.
William N. Goff, Marcus Hook, April 1, 1923.
George Green, Jr., Chester, April 1, 1923.
Robert Kruger, Aldan, April 1, 1923.
Miss Myrtle M. LaRue, Chester, April 1, 1923.
Miss Caroline J. Moore, Chester, April 1, 1923.
Mrs. Henriette S. Riley, Media, April 1, 1923.
Jno. C. Tulloch, Moores, April 1, 1923.
Miss Louise Van Dyke, Ridley Park, April 1, 1923.
J. S. Williams, Lester, April 1, 1923.

ELK COUNTY.

Mrs. Grace M. Knecht, Ridgway, April 1, 1923.
Miss M. Ruth Leary, Ridgway, April 1, 1923.
Frank L. McCracken, Ridgway, April 1, 1923.
J. Belmont Mosser, St. Marys, April 1, 1923.

ERIE COUNTY.

E. P. Beard, Erie, April 1, 1923.
Timothy F. Carroll, Erie, April 1, 1923.
Geo. F. Diehl, Erie, April 1, 1923.
James T. Malone, Erie, April 1, 1923.
Matthew F. McCarthy, Erie, April 1, 1923.
Mrs. Elsie Moore, Erie, April 1, 1923.
B. M. Oxtoby, Erie, April 1, 1923.
Ralph R. Riehl, Erie, April 1, 1923.
L. T. Rossiter, Erie, April 1, 1923.
Miss Mary A. Scouller, North East, April 1, 1923.
Harold W. Tomson, Erie, April 1, 1923.

FAYETTE COUNTY.

Miss Mary E. Drake, Uniontown, April 1, 1923.
Miss Anna Kate Harris, Connellsville, April 1, 1923.
Oscar Jubelirer, Jr., Brownsville, April 1, 1923.
Joseph J. Michael, Uniontown, April 1, 1923.
A. H. Orlor, Jefferson, April 1, 1923.
W. J. Walker, Uniontown, April 1, 1923.

FOREST COUNTY.

William H. Pickens, Marienville, April 1, 1923.

FRANKLIN COUNTY.

Henry N. Riddlesberger, Waynesboro, April 1, 1923.
Miss Pearl S. Ridenour, Waynesboro, April 1, 1923.
Thomas K. Scheller, Chambersburg, April 1, 1923.
S. Frank Sclichter, Chambersburg, April 1, 1923.

INDIANA COUNTY.

Miss M. E. McFarland, Blairsville, April 1, 1923.

JEFFERSON COUNTY.

E. T. McGaw, Reynoldsville, April 1, 1923.

LACKAWANNA COUNTY.

William G. Cottle, Scranton, April 1, 1923.
Martin Crippen, Carbondale, April 1, 1923.
Wm. H. Horger, Taylor, April 1, 1923.
R. Leo Huber, Scranton, April 1, 1923.
Wm. A. Jensen, Scranton, April 1, 1923.
Miss Mary E. McNamara, Scranton, April 1, 1923.
Umberto Molinari, Scranton, April 1, 1923.
Axel Oellgoard, Scranton, April 1, 1923.
William G. Pearson, Scranton, April 1, 1923.
Roswell Phillips, Scranton, April 1, 1923.
Saverio Roasto, Scranton, April 1, 1923.

LANCASTER COUNTY.

I. H. Bechtel, Reinhold's Station, April 1, 1923.
James E. S. Paxson, Lancaster, April 1, 1923.

Miss Irene E. Lupold, East Petersburg, April 1, 1923.
Mrs. Mary E. Ressler, Strasburg, April 1, 1923.
Miss Charlotte F. Wiley, Lancaster, April 1, 1923.

LAWRENCE COUNTY.

Miss Mary E. Browne, New Castle, April 1, 1923.
Mark L. Rabinoxitz, New Castle, April 1, 1923.

LEBANON COUNTY.

G. Carper Bachman, Lebanon, April 1, 1923.
H. Rank Bickel, Lebanon, April 1, 1923.
Miss Sallie Kegerreis, Richland, April 1, 1923.
Ray G. Light, Lebanon, April 1, 1923.
Cyrus E, Shenk, Annville, April 1, 1923.

LEHIGH COUNTY.

Miss C. E. Bowman, Allentown, April 1, 1923.
Miss Millie I. Dixon, Allentown, April 1, 1923.
Miss Martha H. Henninger, Allentown, April 1, 1923.
Wm. T. Minnich, Allentown, April 1, 1923.
Wm. H. Rodgers, Allentown, April 1, 1923.
Frank T. Sterner, Allentown, April 1, 1923.
Miss S. M. Sweitzer, Allentown, April 1, 1923.
Elmer C. Weaver, Allentown, April 1, 1923.
Wilson C. Wenner, Emaus, April 1, 1923.

LUZERNE COUNTY.

Miss Lillian M. Christman, Wilkes-Barre, April 1, 1923.
Mrs. Melanie S. Conant, Pittston, April 1, 1923.
T. P. Dolan, Wilkes-Barre, April 1, 1923.
E. M. Ellsworth, Kingston, April 1, 1923.
Joseph Freeman, Duryea, April 1, 1923.
H. W. Heidenreich, Hazleton, April 1, 1923.
Robert M. Hewitt, Wilkes-Barre, April 1, 1923.
Wolfe Kirshner, Wilkes-Barre, April 1, 1923.
Adam L. Knies, White Haven, April 1, 1923.
Henry K. Markman, Hazleton, April 1, 1923.
J. Arlington Rees, Kingston, April 1, 1923.
H. J. Steinhauer, Wilkes-Barre, April 1, 1923.

LYCOMING COUNTY.

Charles W. Miller, Williamsport, April 1, 1923.
R. M. Moorehead, Williamsport, April 1, 1923.

McKEAN COUNTY.

Miss Katherine Cowan, Bradford, April 1, 1923.
Mrs. Frances S. Alder, Bradford, April 1, 1923.

MERCER COUNTY.

Miss Agnes Callahan, Greenville, April 1, 1923.

MERCER COUNTY.

Miss Florence A. Flinn, Sharon, April 1, 1923.
I. S. Horovitz, Farrell, April 1, 1923.
Miss Nora Joyce, Farrell, April 1, 1923.
Fred A. Mills, Grove City, April 1, 1923.
James Nevant, Farrell, April 1, 1923.

MONTGOMERY COUNTY.

Miss Sylvia H. Ashenfelter, Norristown, April 1, 1923.
Samuel Thurston Furman, Glenside, April 1, 1923.
Arnold P. Hitner, Pottstown, April 1, 1923.
John R. Leslie, Pottstown, April 1, 1923.
Norwood D. Matthias, Norristown, April 1, 1923.
L. S. Moore, Ambler, April 1, 1923.
Robert H. Nagle, Pottstown, April 1, 1923.
Miss Amy E. Rudolph, Ambler, April 1, 1923.
Nelson F. Schmidt, Schwenksville, April 1, 1923.
David J. Schwenk, Center Square, April 1, 1923.
Mrs. Emma H. Walton, Jenkintown, April 1, 1923.
Miss Elizabeth A. Widroder, Norristown, April 1, 1923.
Miss Sarah E. Yerkes, Hatboro, April 1, 1923.

MONTOUR COUNTY.

Miss A. Viola Rishel, Danville, April 1, 1923.

NORTHAMPTON COUNTY.

Robt. G. Arnold, Easton, April 1, 1923.
George N. Beisel, Easton, April 1, 1923.
Arnold Deutsch, Bethlehem, April 1, 1923.
Harvey S. Drumheller, Pen Argyl, April 1, 1923.
Elmer E. Earich, Bethlehem, April 1, 1923.
Miss Elsie F. Fehnel, East Bangor, April 1 1923.
William E. Green, Easton, April 1, 1923.
R. L. Hunsicker, Bethlehem, April 1, 1923.
Oscar S. Kohl, Easton, April 1, 1923.
L. P. Kostenbader, Nazareth, April 1, 1923.
Frank P. Martenis, Bethlehem, April 1, 1923.
Charles H. McCloskey, Bethlehem, April 1, 1923.
Charles H. Riegel, Bethlehem, April 1, 1923.
C. H. Riegel, Easton, April 1, 1923.
G. William Riegel, Bethlehem, April 1, 1923.
Adrian Strausburg, Easton, April 1, 1923.
Wm. Van McIlhaney, Bangor, April 1, 1923.
H. M. Witemeyer, Bethlehem, April 1, 1923.

NORTHUMBERLAND COUNTY.

B. E. Houseworth, Sunbury, April 1, 1923.
Miss May Myerley, Milton, April 1, 1923.
Edward Raker, Shamokin, April 1, 1923.

PHILADELPHIA COUNTY.

Miss Mollies E. Abrams, Philadelphia, April 1, 1923.
Jesse W. Achey, Jr., Philadelphia, April 1, 1923.
Chas. H. Amos, Philadelphia, April 1, 1923.
Pierce Archer, Jr., Wynnewood, April 1, 1923.
Hyman Bachman, Philadelphia, April 1, 1923.
C. L. Baer, Philadelphia, April 1, 1923.
Miss Helen M. Baker, Philadelphia, April 1, 1923.
Harry C. Barnes, Philadelphia, April 1, 1923.
John J. Bedenk, Jr., Philadelphia, April 1, 1923.
Arthur F. Bennett, Jr., Philadelphia, April 1, 1923.
Myer Harry Berg, Philadelphia, April 1, 1923.
John A. Blankin, Manayunk, April 1, 1923.
Earl Blizzard, Philadelphia, April 1, 1923.
R. C. Boddorff, Philadelphia, April 1, 1923.
Edwin K. Borie, Philadelphia, April 1, 1923.
Miss Eleanor C. Broderick, Philadelphia, April 1, 1923
Ralph J. Brodsky, Philadelphia, April 1, 1923.
John L. Brogan, Upper Darby, April 1, 1923.
Miss Irene M. Buchanan, Philadelphia, April 1, 1923.
Miss Henrietta E. Burger, Philadelphia, April 1, 1923.
John J. Burns, Philadelphia, April 1, 1923.
Wm. Byrd, Philadelphia, April 1, 1923.
Edward L. Byren, Philadelphia, April 1, 1923.
J. H. Casey, Philadelphia, April 1, 1923.
Samuel Cathers, Philadelphia, April 1, 1923.
C. Harris Colehower, Philadelphia, April 1, 1923.
Miss Mabel Corson, Philadelphia, April 1, 1923.
John Cox, Philadelphia, April 1, 1923.
Thos. W. Cox, Jr., Philadelphia, April 1, 1923.
Stillman A. Darrel, Philadelphia, April 1, 1923.
Augustus De Benedetto, Philadelphia, April 1, 1923.
William K. De Victor, Philadelphia, April 1, 1923.
Theo. Dimmick, Philadelphia, April 1, 1923.
Irving M. Dogole, Philadelphia, April 1, 1923.
Jacob Dogole, Philadelphia, April 1, 1923.
Floyd T. Doherty, Philadelphia, April 1, 1923.
Miss Bessie E. Donoghue, Philadelphia, April 1, 1923.
Arthur E. Donovan, Philadelphia, April 1, 1923.
Miss Georgeanna V. Dougherty, Philadelphia, April 1, 1923.
Chas. Duffine, Philadelphia, April 1, 1923.
Miss Miriam N. Eastwood, Roxborough, April 1, 1923.
Samuel Ellis, Philadelphia, April 1, 1923.
Howard D. Evoy, Philadelphia, April 1, 1923.
Nathan Fischer, Philadelphia, April 1, 1923.
Frank A. Fitzpatrick, Philadelphia, April 1, 1923.
Sol. B. Forstein, Philadelphia, April 1, 1923.
Robert E. Foulkrod, Philadelphia, April 1, 1923
Miss Ada V Frank, Philadelphia, April 1, 1923.
Miss Mada Franz, Philadelphia, April 1, 1923.
Miss Mathilde P. Frederick, Philadelphia, April 1, 1923.
Miss Sara R. Freeman, Philadelphia, April 1, 1923.
Morris Friedman, Philadelphia, April 1, 1923.
Leonard Fries, Philadelphia, April 1, 1923.
Leslie C. Garvin, Lansdale, April 1, 1923.
George A. Gaul, Philadelphia, April 1, 1923.
Leon Gihon, Philadelphia, April 1, 1923.
Wm. F. Goodwin, Philadelphia, April 1, 1923.

Harry N. Granat, Philadelphia, April 1, 1923.
Philip Green, Philadelphia, April 1, 1923.
William I. Greenfield, Philadelphia, April 1, 1923.
Harry D. Grover, Philadelphia, April 1, 1923.
Eugene Gullman, Philadelphia, April 1, 1923.
Robert A. Hall, Philadelphia, April 1, 1923.
Joseph Hamilton, Philadelphia, April 1, 1923.
John W. Happel, Philadelphia, April 1, 1923.
Linden T. Harris, Philadelphia, April 1, 1923.
W. Le Roy Hart, Upper Darby, April 1, 1923.
J. Warren Heebner, Philadelphia, April 1, 1923.
Miss Josephine M. Helmig, Philadelphia, April 1, 1923.
Miss Irma M. Hemmeter, Philadelphia, April 1, 1923.
Frank R. Herbert, Philadelphia, April 1, 1923.
William Hetzel, Philadelphia, April 1, 1923.
Robert J. Hewitt, Philadelphia, April 1, 1923.
Miss Edna M. Hill, Philadelphia, April 1, 1923.
Llewellyn G. Hill, Philadelphia, April 1, 1923.
Alexander Hirsh, Philadelphia, April 1, 1923.
C. Raymond Ireland, Philadelphia, April 1, 1923.
Charles F. Izzard, Philadelphia, April 1, 1923.
James B. Jackson, Philadelphia, April 1, 1923.
Thos. L. Jennings, Philadelphia, April 1, 1923.
Geo. A. Jones, Philadelphia, April 1, 1923.
Walter N. Kennedy, Philadelphia, April 1, 1923.
Frank J. Kerigan, Cynwyd, April 1, 1923.
Benjamin M. Kline, Philadelphia, April 1, 1923.
Joseph W. Klingel, Philadelphia, April 1, 1923.
Miss Elsie Klinge, Philadelphia, April 1, 1923.
A. J. Kniebuehler, Philadelphia, April 1, 1923.
Mrs. Emily L. Kolb, Brookline, April 1, 1923.
August J. Kolbe, Philadelphia, April 1, 1923.
Miss A. C. Korb, Philadelphia, April 1, 1923.
Charles H. Krauss, Philadelphia, April 1, 1923.
Edward A. Lally, Philadelphia, April 1, 1923.
Mrs. Rose E. Landberg, Philadelphia, April 1, 1923.
Charles C. Leldy, Philadelphia, April 1, 1923.
J. F. Leupold, Jr., Philadelphia, April 1, 1923.
Wm. Barclay Lex, Philadelphia, April 1, 1923.
Wm. H. Lingo, Philadelphia, April 1, 1923.
Miss Harriet D. Lockhart, Philadelphia, April 1, 1923.
Miss Isabel Lower, Philadelphia, April 1, 1923.
Miss Olive F. Lutge, Philadelphia, April 1, 1923.
Ervin Lyndall, Philadelphia, April 1, 1923.
Bernard F. Macates, Philadelphia, April 1, 1923.
Chas. J. MacGuffin, Philadelphia, April 1, 1923.
Miss Elizabeth MacIntire, Philadelphia, April 1, 1923.
Darragh Mackenzie, Philadelphia, April 1, 1923.
John S. MacLaughlin, Philadelphia, April 1, 1923.
Miss Sara F. Mahon, Philadelphia, April 1, 1923.
Thomas A. Mann, Philadelphia, April 1, 1923.
Miss Elizabeth M. Marr, Philadelphia, April 1, 1923.
Garrett S. McCafferty, Philadelphia, April 1, 1923.
Thomas J. McCormack, Philadelphia, April 1, 1923.
Miss Martha T. McGovern, Philadelphia, April 1, 1923.
Miss Mary V. McNally, Philadelphia, April 1, 1923.
Horace B. Meininger, Philadelphia, April 1, 1923.
Miss Mary E. Messenger, Philadelphia, April 1, 1923.
Nathan Milgram, Philadelphia, April 1, 1923.
G. M. Miller, Philadelphia, April 1, 1923.
George W. Mintzer, Philadelphia, April 1, 1923.
Paul de Moll, Philadelphia, April 1, 1923.
Harvey W. Monks, Philadelphia, April 1, 1923.
Clarence B. Morton, Narberth, April 1, 1923.
Miss Kathryn H. Murray, Philadelphia, April 1, 1923.
Robt. V. Myers, Sr., Philadelphia, April 1, 1923.
Jacob F. Nagel, Philadelphia, April 1, 1923.
Mrs. Jessie C. Nevin, Philadelphia, April 1, 1923.
John J. O'Neill, Philadelphia, April 7, 1923.
Emillo F. Pagan, Philadelphia, April 1, 1923.
Antonios Papamarkou, Philadelphia, April 1, 1923.
William J. Poehlman, Philadelphia, April 1, 1923.
Casimir J. Przybylowski, Philadelphia, April 1, 1923.
Ormond Rambo, Jr., Philadelphia, April 1, 1923.
Miss Sara M. Neavey, Philadelphia, pril1, 1923.
George W. Reif, Philadelphia, April 1, 1923.
Mrs. Della T. Reinheimer, Philadelphia, April 1, 1923.
Miss Mathilda H. Remmert, Philadelphia, April 1, 1923.
Lorenzo J. Riley, Philadelphia, April 1, 1923.
Miss Ethel B. Rogers, Philadelphia, April 1, 1923.
Isaac B. Rose, Philadelphia, April 1, 1923.
Max Rosenbluth, Philadelphia, April 1, 1923.
Henry M. Roth, Philadelphia, April 1, 1923.
William V. Rowan, Philadelphia, April 1, 1923.
Leo A. Russ, Philadelphia, April 1, 1923.
Harry A. Schoenberg, Philadelphia, April 1, 1923.
David Schorsch, Philadelphia, April 1, 1923.
Wm. E. Schubert, Philadelphia, April 1, 1923.
Miss Katherine Schuehler, Philadelphia, April 1, 1923.
Edw. L. Schwartz, Philadelphia, April 1, 1923.
Louis Schwartz, Philadelphia, April 1, 1923.
Philip Shapiro, Philadelphia, 1, 1923.
Miss Edith Horton Sherwood, Philadelphia, April 1, 1923.
Stanislaus D. Siatkowski, Philadelphia, April 1, 1923.
Miss J. Florence Smith, Philadelphia, April 1, 1923.
Benjamin H. Sobelman, Philadelphia, April 1, 1923.
Nathan Spening, Philadelphia, April 1, 1923.
Baltzer N. Stallman, Philadelphia, April 1, 1923.
Clarence P. Sterner, Philadelphia, April 1, 1923.
Benjamin F. Stilling, Philadelphia, April 1, 1923.
Andrew M. Stokes, Philadelphia, April 1, 1923.
Miss Ada M. Thomas, Philadelphia, April 1, 1923.
Sol. Topkis, Philadelphia, April 1, 1923.
Charles M. Town, Philadelphia, April 1, 1923.
Harry A. Tripple, Philadelphia, April 1, 1923.
Henry J. Tunstall, Philadelphia, April 1, 1923.
Miss Lucy Shaw Turner, Philadelphia, April 1, 1923.
W. C. Turner, Philadelphia, April 1, 1923.
Miss Margaret W. Unruh, Cheltenham, April 1, 1923.
Miss Elizabeth Williams, Philadelphia, April 1, 1923.
Frederick H. Warner, Philadelphia, April 1, 1923.
H. G. Weaver, Philadelphia, April 1, 1923.
Homer G. White, Philadelphia, April 1, 1923.
Arthur R. Wilcox, Philadelphia, April 1, 1923.
Frank P. Will, Philadelphia, April 1, 1923.
Miss Grace C. Wiswell, Philadelphia, April 1, 1923.
Albert J. Wunderle, Philadelphia, April 1, 1923.
Mrs. Mabel A. Yates, Philadelphia, April 1, 1923.
Walter Harold Young, Philadelphia, April 1, 1923.
Louis Howard Zeff, Philadelphia, April 1, 1923.
Frank Zinman, Philadelphia, April 1, 1923.

SCHUYLKILL COUNTY.

Arthur W. Granger, Frackville, April 1, 1923.
Breight L. Keller, Mowry, April 1, 1923.
Wm. A. Kienzle, Pottsville, April 1, 1923.
Mrs. Agnes A. Mayberry, Mahanoy City, April 1, 1923.
Miss E. K. Phillips, Pottsville, April 1, 1923.
J. V. Terney, Shenandoah, April 1, 1923.

VENANGO COUNTY.

Mrs. Hatties B. Hepner, Franklin, April 1, 1923.
Wade M. Redding, Oil City, April 1, 1923.
Miss Jessie Urey, Oil City, April 1, 1923.
Miss Mabel E. Withrup, Franklin, April 1, 1923.

WARREN COUNTY.

Miss Charlotte L. Breidenbaker, Warren, April 1, 1923.
F. W. Jefferson, Warren, April 1, 1923.
Mrs. Genevieve G. Moll, Warren, April 1, 1923.

WASHINGTON COUNTY.

Hugh F. Fergus, Charleroi, April 1, 1923.
C. A. Hamilton, Langeloth, April 1, 1923.
Samuel B. Robinson, Monongahela City, April 1, 1923.
Miss M. P. Stange, Monongahela City, April 1, 1923.
G. E. Koedel, Donora, April 1, 1923.
Adam Wagner, Cecil, April 1, 1923.

SOMERSET COUNTY.

Orville Fike, Confluence, April 1, 1923.

WASHINGTON COUNTY.

Chas. M. Hull, Canonsburg, April 1, 1923.
F. I. Pottre, Canonsburg, April 1, 1923.

WESTMORELAND COUNTY.

J. L. McCamman, New Kensington, April 1, 1923.
C. M. McClue, Ligonier, April 1, 1923.
Alex Eicher, Greensburg, April 1, 1923.
Michael Maliniak, Monessen, April 1, 1923.
J. Y. Wilkinson, Belle Vernon, April 1, 1923.
W. A. McGeary, Vandergrift, April 1, 1923.
Joseph W. Ronian, Avonmore, April 1, 1923.

W. A. Thomas, New Kensington, April 1, 1923.
F. P. Underwood, Latrobe, April 1, 1923.

YORK COUNTY.

C. U. S. G. Coulson, Dillsburg, April 1, 1923.
Harry E. Feiser, York, April 1, 1923.
Miss Charlotte E. Lehn, York, April 1, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 19, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Mrs. L. M. Becker, Mt. Lebanon.
Everett C. Brabson, Pittsburgh.
J. F. Cunningham, Pittsburgh.
Miss Charlotte M. Hevner, Pittsburgh.
T. A. Kiley, Pittsburgh.
Charles D. Siegle, Pittsburgh.
Wm. J. Smart, Pittsburgh.
A. K. Waugaman, Pittsburgh.
J. P. Werneth, Pittsburgh.

BRADFORD COUNTY.

P. H. Brown, Ulster.

CLEARFIELD COUNTY.

Miss M. Augusta Craft, Clearfield.

DELAWARE COUNTY.

Joseph F. McManus, Philadelphia, 6223 Jefferson St.

ELK COUNTY.

M. J. Maley, Ridgway.

FRANKLIN COUNTY.

Miss M. Clare Hill, Greencastle.

HUNTINGDON COUNTY.

Miss Ethel Free, Huntingdon.

INDIANA COUNTY.

Carroll D. Oakes, Clymer.

LACKAWANNA COUNTY.

Miss Winifred Clark, Scranton.

LANCASTER COUNTY.

Mrs. Anna M. Buckwalter, Lancaster.

LEHIGH COUNTY.

Herbert J. Long, Cementon.

LUZERNE COUNTY.

Mrs. Frances James, Duryea.

McKEAN COUNTY.

Michael J. Daly, Kane.
Arthur S. Swanson, Kane.

MONROE COUNTY.

Steward F. Shiffer, Stroudsburg.

NORTHUMBERLAND COUNTY.

Miss Thea Henninger, Shamokin.
Anthony J. Pilecki, Shamokin.

PHILADELPHIA COUNTY.

Miss Marion G. Benner, Philadelphia, 705 Lincoln Bldg.
Walter J. Buck, Philadelphia, 3310 Princeton Ave.
Miss Edna M. Cassaday, Philadelphia, 529 Chestnut St.
Miss Mildred F. Dowling, Philadelphia, 2706 S. Cleveland Ave.
H. S. Engle, Philadelphia, 25th & Wharton Sts.
Wilson B. Hallar, Philadelphia, 5635 Elliott St.
Albert S. Houldsworth, Jr., Philadelphia, 1619 N. 55th St.
G. Franklin Jones, Philadelphia, 2111 N. 8th St.
John T. Jordan, Philadelphia, 416 N. 52d St.
Samuel U. Levin, Philadelphia, 2549 S. 6th St.
Miss Haroldyn J. Morris, Philadelphia, 868 Drexel Bldg.
Joseph D. Platt, Philadelphia, 5633 Spruce St.
John C. Russ, Philadelphia, 129 W. Rittenhouse St.
Adolph H. Schwartz, Philadelphia, 305 Donckla Bldg.
Francis E. Toal, Philadelphia, 4516 N. 18th St.
Geo. B. Wallace, Philadelphia, 216 Empire Bldg.
Victor W. Wills, Philadelphia, 411 E. Wister St.

SCHUYLKILL COUNTY.

Beary Jacobs, Pottsville.

SOMERSET COUNTY.

R. Stuart Shaver, Stoyestown.

WYOMING COUNTY.

Miss Wilhelmina Schlatter, Tunkhannock.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 19, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Richard W. Ahlers, Pittsburgh, April 1, 1923.
John K. Benn, Pittsburgh, Mar. 29, 1923.
Miss Minnie Z. Buckley, Pittsburgh, April 1, 1923.
Mrs. Gertrude Collins, Sharpsburg, April 1, 1923.
Miss A. G. Cronin, Pittsburgh, April 1, 1923.
Mrs. Estelle Cumming, Pittsburgn, April 1, 1923.
H. H. Dixon, Millvale, April 1, 1923.
Miss S. E. Green, Pittsburgh, April 1, 1923.
Walter J. Kent, Pittsburgh, April 1, 1923.
Miss Catharine E. Kerner, Pittsburgh, April 1, 1923.
Joseph G. Ketter, Braddock, April 1, 1923.
L. C. Knirnschild, Millvale, Mar. 31, 1923.
Clemence B. Leiendecker, Pittsburgh, April 1, 1923.
Harry E. McWhinney, Homestead, April 1, 1923.
R. J. Reithel, Pittsburgh, Mar. 31, 1923.
John D. Turner, Pittsburgh, April 1, 1923.
Anton Zbasnik, Pittsburgh, April 1, 1923.

BERKS COUNTY.

Henry M. Schroeder, Reading, April 1, 1923.

CAMBRIA COUNTY.

Harry T. Correll, Johnstown, April 1, 1923.
LeRoy J. Scanlan, Johnstown, April 1, 1923.

CARBON COUNTY.

E. A. Boyer, Bowmanstown, April 1, 1923.

CLARION COUNTY.

Miss Irene B. Baker, Foxburg, Mar. 9, 1923.

CLEARFIELD COUNTY.

Chas. G. Kozel, Clearfield, Mar. 31, 1923.

CRAWFORD COUNTY.

B. A. Krenz, Titusville, April 1, 1923.

DAUPHIN COUNTY.

Miss Clara I. Miller, Harrisburg, April 1, 1923.
Walter R. Sohn, Harrisburg, Mar. 10, 1923.

DELAWARE COUNTY.

Thos. Keare, Chester, April 1, 1923.
Harry R. C. Robinson, Chester, April 1, 1923.

ERIE COUNTY.

Miles B. Kitts, Erie, April 1, 1923.
John W. Thomas, Erie, April 1, 1923.

LACKAWANNA COUNTY.

Frank L. Martin, Scranton, April 1, 1923.

LANCASTER COUNTY.

R. A. Barton, Lancaster, Mar. 31, 1923.

LAWRENCE COUNTY.

Roy C. Miller, New Castle, April 1, 1923.

LEBANON COUNTY.

A. Stewart Ulrich, Lebanon, Mar. 17, 1923.

LUZERNE COUNTY.

James A. Gorman, Hazleton, April 1, 1923.
Frank Sacco, Hazleton, Mar. 31, 1923.

MERCER COUNTY.

C. C. Covert, Grove City, April 1, 1923.

MONROE COUNTY.

C. R. Bensinger, Stroudsburg, Mar. 9, 1923.

NORTHAMPTON COUNTY.

James S. Canavan, Bethlehem, April 1, 1923.
Philip M. Manieri, Easton, April 1, 1923.
Walter Allen Smith, Bethlehem, April 1, 1923.

PHILADELPHIA COUNTY.

Isaac L. Banks, Germantown, Phila., April 1, 1923.
James H. Bell, Phila. Land Title Bldg., Feb. 25, 1923.
M. B. Blakemore, Phila. Land Title Bldg., April 1, 1923.
Mrs. Myrtle T. Booth, Philadelphia, April 1, 1923.
T. Wistar Brown, 3rd, Philadelphia, April 1, 1923.
Raymond R. Carney, Philadelphia, April 1, 1923.
Thomas I. Cross, Philadelphia, April 1, 1923.
Miss Margaret M. Daly, Philadelphia, March 9, 1923.
Andrew F. Gallagher, Philadelphia, March 29 1923.
Samuel Gordon, Philadelphia, April 1, 1923.
Miss Margaret M. Horan, Philadelphia, April 1, 1923.
Robert E. Kift, Philadelphia, Mar. 17, 1923.
William C. Lippman, Philadelphia, April 1, 1923.
Miss Teresa M. Mangano, Philadelphia, April 1, 1923.
Jeremiah N. McMichael, Philadelphia, April 1, 1923.
John F. Negonical, Folcroft Phila., April 1, 1923.
Miss Agnes C. Rossbauer, Philadelphia, April 1, 1923.
Matthew A. Roth, Philadelphia, April 1, 1923.
Gregore Sambor, Philadelphia, April 1, 1923.
Geo. W. Seeds, Philadelphia, April 1, 1923.
Henry B. Weed, Philadelphia, Mar. 9, 1923.
LeRoy A. Worrell, Philadelphia, April 1, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 19, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Seante, the following named person to be a notary public for the Commonwealth of Pennsylvania, for the term of four years, to be computed from the date of confirmation:

ERIE COUNTY.

Miss Esther H. Highmyer, Erie.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 19, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Julius Bano, Homestead, March 31, 1923.
Hugh W. Beck, Pittsburgh, April 1, 1923.
C. M. Black, Pittsburgh, April 1, 1923.
R. V. Blankenbuehler, Elizabeth, March 31, 1923.
G. W. Church, Pittsburgh, April 1, 1923.
C. C. Curns, Pittsburgh, March 31, 1923.
F. R. Cyphers, Pittsburgh, March 31, 1923.
P. C. Danner, Pittsburgh, March 29, 1923.
J. H. DeJohn, McKees Rocks, April 1, 1923.
Miss M. A. Driscoll, Pittsburgh, April 1, 1923.
Miss Lillian D. Folger, Pittsburgh, March 31, 1923.
Frank H. Fulmer, Pittsburgh, April 1, 1923.
L. E. Gatfield, Pittsburgh, April 1, 1923.
Howard C. Glosser, Pittsburgh, April 1, 1923.
Miss Nette A. Graham, Pittsburgh, April 1, 1923.
Charles Gust, Jr., Pittsburgh, April 1, 1923.
Miss Elizabeth G. Harrington, Bellevue, April 1, 1923.
W. H. Heselbarth, Pittsburgh, March 31, 1923.
Stanley Jakubowski, Pittsburgh, March 31, 1923.
Mrs. Alicia A. Kaufmann, Mt. Oliver Station, March 31, 1923.
Irving E. Kemp, Ingram, March 31, 1923.
Mrs. Eleanor L. Ley, Pittsburgh, April 1, 1923.
Charles A. Lewis, Pittsburgh, March 31, 1923.
Miss Agnes Lubbers, Pittsburgh, March 31, 1923.
John M. Marciniak, Pittsburgh, March 29, 1923.
F. Marshall, Pittsburgh, April 1, 1923.
Geo. L. McCleary, Pittsburgh, March 30, 1923.
Jno. M. McDonough, McKees Rocks, April 1, 1923.
James McFarlane, Pittsburgh, March 31, 1923.
W. E. Metz, Pittsburgh, March 29, 1923.
H. H. Montgomery, Pittsburgh, April 1, 1923.
William T. Mueller, Bellevue, April 1, 1923.
W. S. Neff, Coraopolis, April 1, 1923.
James Sylvester Nichols, Pittsburgh, April 1, 1923.
Miss Beulah N. Remington, Braddock, April 1, 1923.
John George Neuter, Pittsburgh, April 1, 1923.
O. S. Richardson, Pittsburgh, March 29, 1923.
Miss Phoebe M. Soffel, Pittsburgh, March 31, 1923.
M. E. Studer, Pittsburgh, April 1, 1923.
William H. Thomas, Etna, April 1, 1923.
Richard E. Vaughn, Pittsburgh, April 1, 1923.
John Weaver, Pittsburgh, March 28, 1923.
John F. Will, Pittsburgh, March 31, 1923.
G. M. Wilson, Knoxville, March 31, 1923.
Harry N. Wolcott, Clairton, March 31, 1923.

BEAVER COUNTY.

Leo I. Brown, Ambridge, April 1, 1923.
John C. Busse, Beaver Falls, March 31, 1923.
John D. Cottage, Conway, March 29, 1923.
W. C. Jack, Freedom, March 31, 1923.
R. W. Snyder, Ambridge, March 31, 1923.

BERKS COUNTY.

Miss Jennie Allison Cather, Reading, March 31, 1923.
L. W. Frankhauser, Shillington, April 1, 1923.
Mrs. Florence M. Gairloch, Reading, April 1, 1923.

BLAIR COUNTY.

Paul V. Tillard, Altoona, April 1, 1923.

BUTLER COUNTY.

Thomas M. Murphy, Petrolia, March 29, 1923.
C. J. Turner, Butler, April 1, 1923.

CAMBRIA COUNTY.

Miss Bella M. Coll, Johnstown, March 31, 1923.
Fred Edwards, Nanty Glo, April 1, 1923.
Miss Margaret A. Gocher, Johnstown, March 31, 1923.

CHESTER COUNTY.

Raymond M. Heald, West Chester, March 31, 1923.
Charles F. Innis, Coatesville, April 1, 1923.
Mrs. Fanny C. Ludwick, Honey Brook, April 1, 1923.

CLARION COUNTY.

Miss Edith N. Breakey, New Bethlehem, April 1, 1923.
R. A. Thomas, East Brady, April 1, 1923.

CLEARFIELD COUNTY.

Harold D. Roper, DuBois, March 31, 1923.

CLINTON COUNTY.

Miss E. May Stevenson, Lock Haven, April 1, 1923.

COLUMBIA COUNTY.

Arthur E. Arndt, Berwick, April 1, 1923.

DELAWARE COUNTY.

Harry M. Jackson, Chester, March 10, 1923.
Miss Catherine M. Powers, Chester, April 1, 1923.

ELK COUNTY.

Bernard E. Willard, St. Marys, March 31, 1923.

ERIE COUNTY.

I. D. McQuistion, Erie, March 31, 1923.
Henry L. Morse, Erie, March 31, 1923.
J. A. Root, Erie, April 1, 1923.
Wilbur R. Seabrook, Erie, April 1, 1923.
Miss Harriet I. Whitley, Erie, April 1, 1923.

FAYETTE COUNTY.

Martin C. Hess, Brownsville, April 1, 1923.
Miss Effie Patterson, Uniontown, April 1, 1923.
Miss Daisy Reed, Uniontown, April 1, 1923.

GREENE COUNTY.

Gilmore F. Bell, Nemacolin, April 1, 1923.

INDIANA COUNTY.

Miss Stella D. Saylor, Indiana, March, 31, 1923.

LACKAWANNA COUNTY.

Archie E. Britton, Scranton, April 1, 1923.
W. C. Hessinger, Scranton, April 1, 1923.
Fred V. Lynn, Dunmore, April 1, 1923.
Philip V. Mattes, Scranton, March 28, 1923.
Miss Janet OHaro, Scranton, April 1, 1923.
James M. Woomer, Scranton, March 31, 1923.

LANCASTER COUNTY.

Jerre P. Trout, Quarryville, April 1, 1923.
C. R. Weaver, New Holland, April 1, 1923.

LEBANON COUNTY.

John Geiger Ingram, Cornwall, March 31, 1923.
Irving K. Walborn, Lebanon, March 31, 1923.

LEHIGH COUNTY.

Miss Jessie M. Straub, Allentown, April 1, 1923.

LUZERNE COUNTY.

Joseph F. Coll, Hazleton, March 31, 1923.
Edw. T. Royer, Hazleton, March 29, 1923.

LYCOMING COUNTY.

C. C. Pfleegor, Muncy, March 31, 1923.

MERCER COUNTY.

J. S. Bycroft, Sr., Sharon, March 31, 1923.

MONTGOMERY COUNTY.

Joseph H. Johnson, Royersford, April 1, 1923.
Miss Carrie B. Rumbel, Norristown, April 1, 1923.
Eugene L. Tiernan, Jr., Conshohocken, March 31, 1923.

MIFFLIN COUNTY.

John L. Pandel, Burnham, April 1, 1923.

NORTHAMPTON COUNTY.

M. C. Hanssen, Bethlehem, April 1, 1923.

NORTHUMBERLAND COUNTY.

Miss Kathryn Hafer, Milton, April 1, 1923.

PHILADELPHIA COUNTY.

Robert Armstrong, Jr., Philadelphia, March 31, 1923.
Miss Mabel S. Blithe, Philadelphia, March 31, 1923.
Francis M. Brower, Jr., Philadelphia, March 28, 1923.
Gordon Butterworth, Philadelphia, March 31, 1923.
Fred W. Cassidy, Philadelphia, March 29, 1923.
Miss Anna M. Dornan, Philadelphia, April 1, 1923.
Henry Glaser, Jr., Philadelphia, March 22, 1923.
William P. B. Hansell, Philadelphia, April 1, 1923.
George H. Hapson, Philadelphia, March 30, 1923.
W. H. Henderson, Philadelphia, March 31, 1923.
Manuel Hurevitz, Philadelphia, March 29, 1923.
Herbert P. Keever, Philadelphia, March 31, 1923.
Frank J. Kesel, Philadelphia, March 31, 1923.
Miss Amanda G. MacFarlan, Philadelphia, March 31, 1923.
Sidney P. Miller, Philadelphia, March 31, 1923.
Mrs. Florence W. Whartenby, Philadelphia, March 31, 1923.
Miss Alice M. Wright, Philadelphia, April 1, 1923.

SCHUYLKILL COUNTY.

Michael A. Cullather, Minersville, March 31, 1923.
Miss M. D. Garretson, Pottsville, April 1, 1923.
J. P. Monaghan, Shenandoah, March 31, 1923.
Allen S. Paul, Pottsville, March 31, 1923.
George A. Schumacher, Port Carbon, April 1, 1923.

SOMERSET COUNTY.

Wm. McCulloh, Somerfield, March 31, 1923.

WASHINGTON COUNTY.

A. L. Dubinsky, Charleroi, March 29, 1923.
Roman E. Koehler, Donora, April 1, 1923.
Mrs. Hettie L. Masters, California, March 31, 1923.
Miss Catherine D. Neill, Donora, April 1, 1923.
F. G. Peterson, Donora, April 1, 1923.
S. W. Smith, Canonsburg, March 31, 1923.
Andrew Zemany, California, March 31, 1923.

WESTMORELAND COUNTY.

H. H. Dinsmore, Greensburg, April 1, 1923.
W. F. McCabe, New Kensington, April 1, 1923.
Frank C. Wray, Scottdale, April 1, 1923.

YORK COUNTY.

Miss H. M. Ness, York, April 1, 1923.

GIFFORD PINCHOT.

DEPUTY ATTORNEY GENERAL.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 19, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate John William Brown, of Lancaster, to be Deputy General, to compute from October 4, 1922, and to serve until superseded.

GIFFORD PINCHOT.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with,

and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to,

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Leslie,	Smith,
Baldwin,	DeWitt,	Long.	Snyder,
Barr,	Eyre,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Norton,	Stineman,
Christley,	Huffman,	Patton,	Stites,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Quigley,	Weaver,
Daix,	Kutz,	Salus,	Woodward,
Davis,	Lanius,	Schantz,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE.

AMENDMENT TO HOUSE BILL No. 25, RECALLED FROM THE GOVERNOR.

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 25, entitled:

An Act to validate deeds, mortgages, and other instruments of writing which have been defectively acknowledged by husband and wife, prior to the fourth day of January, one thousand nine hundred and twenty-three.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows: Section 1, page 2, line 3, by inesrting after the word "the" the word "you".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Leslie,	Smith,
Baldwin,	DeWitt,	Long,	Snyder,
Barr,	Eyre,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	Norton,	Stineman,
Christley,	Huffman,	Patton,	Stites,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Quigley,	Weaver,
Daix,	Kutz,	Salus,	Woodward,
Davis,	Lanius,	Schantz,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. BETTS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BETTS read in his place and presented to the Chair Senate Bill No. 452, entitled:

An Act for the protection of the public health in the manufacture and sale of non-alcoholic beverages; providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing and compounding of non-alcoholic beverages, and the sale of dispensing thereof; creating a special fund in the State Treasury, and making an appropriation therof; and prescribing penalties.

Which was committed to the Committee on Public Health and Sanitation.

Mr. JOYCE. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 273, (House Bill No. 302), entitled:

An Act to amend section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-six) entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An Act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine" as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 383, (House Bill No. 373), entitled:

An Act to amend an Act approved June fifteenth one thousand nine hundred and eleven (Pamphlet Laws nine hundred and fifty-five) entitled "An Act making State taxes unpaid bonus interest penalties and all public accounts a first lien upon the franchise and property of corporations companies associations joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof and repealing action four of the act approved April sixteenth one thousand eight hundred and twenty-seven" by extending its provisions to include individuals and providing for attorneys' commissions making such commissions part of said claim and giving such commissions and costs the same priority as said taxes bonus interest and penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 384, (House Bill No. 374), entitled:

An Act to amend Section one of an Act approved June first one thousand nine hundred and seven (Pamphlet Laws three hundred and eighty-three) entitled "An Act regulating the collection of taxes and other claims and demands due the Commonwealth and providing for six per centum interest hereon and an attorney's commission."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. DAIX. Mr. President, I move that the Senate do now adjourn until tomorrow morning, at eleven o'clock.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:48 P. M., until Tuesday morning, March 20, 1923. at eleven o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 19, 1923.

The House met at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

Rev. G. F. Boggs, D. D., of the First Methodist Episcopal Church, of Milton, Pa., offered the following prayer:

Almighty God, our Heavenly Father, we are before Thee to invoke Thy blessing upon this, our present undertaking, and upon those who assemble here from every part of the State for the purpose of enacting into law, bills that may be presented for the benefit of the whole people of the State. Thou who didst give that which is the foundation of all law to Moses upon Sinai, we pray for Thy presence and direction from time to time; and grant, we beseech Thee, that all that may be done, may be to the honor and glory of Thy great name and for the good and the advancement of the people of our great Commonwealth.

We thank Thee for our great and rich heritage. We thank Thee for the Godly men and women who founded this State, and for those who, in the years of her history, have been to the forefront in the leadership of the people of this State. And we pray that in all that we underake to do, we may remember that Thine eye is upon us and that thou art the God of nations, and that the people that forget Thee,—the nations that forget God—shall be turned into Hell, according to the teachings of Thy word. Give us, then, we pray Thee, the remembrance of them, that we may order our lives according to the light that is imparted unto us by the Holy Spirit and by Thy Word. We thank Thee for Thy Son, our Savior, for his example and for his words; and in this crucial time of the world's history, when turmoil prevails in many parts of the world, when men turn this way and that way, hither and yon, seeking after light and seeking after peace and prosperity, we pray that the hearts of the people of this great American Commonwealth may continually turn to Thee, Thou who art the giver and the source of all that is good.

Commend Thy blessing, we beseech of Thee, upon these, our chosen Representatives, and the officers of this House, and direct them in all things. We ask it in the name of Jesus, the Christ, our Lord and Savior. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Wednesday, March 14, 1923.

The Clerk proceeded to read the proceedings of Wednesday, March 14, 1923, when, on motion of Mrs. Speiser, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED.

By Mr. DAVID FOWLER. HOUSE BILL No. 770.

An Act creating the "Anthracite Municipalities Fund"; appropriating pro rata according to population a portion of the tax on anthracite coal to the use of the cities, boroughs and townships from which the anthracite coal taxed was removed in course of mining, and imposing duties upon the State Treasurer and Auditor General.

Referred to the Committee on Ways and Means.

By Mr. DAVID FOWLER. HOUSE BILL No. 771.

An Act creating the "Anthracite Mine Cave Fund"; appropriating a portion of the State tax on anthracite coal to the use of the Pennsylvania State Anthracite Mine Cave Commission, and imposing duties upon the State Treasurer and Auditor General.

Referred to the Committee on Ways and Means.

By. Mr. KOHLER. HOUSE BILL No. 772.

An Act to provide compensation for the owners of lands and the buildings and improvements thereon heretofore or hereafter injured or damaged by the subsidence or settlement of the surface of such lands caused by mining the coal underlying the same, or underlying contiguous or adjacent lands; directing the county commissioners to make an estimate of the money required to pay such compensation, and to raise the same by the assessment and taxation of all coal in the county; prescribing the proceedings, including also proceedings by mortgages and lien holders, to ascertain and adjudicate such compensation by the court of common pleas or by viewers, subject in all cases to appeals; providing for the payment of judgments detained and the distribution of moneys to owners, mortgagees and lien holders; prescribing limitations for the commencement of actions; and providing for the payment of costs.

Referred to the Committee on Mines and Mining.

By Mr. STARK. HOUSE BILL No. 773.

An Act making a deficiency appropriation to the Commission of the Soldiers' orphans Industrial School at Scotland.

Referred to the Committee on Appropriations.

By Mr. STARK. HOUSE BILL No. 774.

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs, township commissioners and township supervisors of townships, and requiring boroughs and townships to pay the expenses in connection therewith.

Referred to the Committee on Municipal Corporations.

By Mr. DUNN. HOUSE BILL No. 775.

An Act to repeal an act approved the seventh day of April, one thousand nine hundred and twenty-one, (P. L. 114), entitled "An Act to repeal section two of an act, approved the seventeenth day of May, one thousand nine hundred and seventeen (Pamphlet Laws, two hundred and four), entitled 'An Act to regulate the restrain the hawking, vending, and peddling of fish, fruits, and vegetables, and other merchandise, in the cities of the first class in this Commonwealth.' "

Referred to the Committee on Judiciary Special.

By Mr. FIELDS. HOUSE BILL No. 776.

An Act making an appropriation to the Pennsylvania Institution for the Instruction of the Blind.

Referred to the Committee on Appropriations.

By Mr. FIELDS. HOUSE BILL No. 777.

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind.

Referred to the Committee on Appropriations.

By Mr. HIMES. HOUSE BILL No. 778.

An Act making an appropriation to the Kittanning General Hospital, Kittanning, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. FIELDS. HOUSE BILL No. 779.

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases, of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. COLDSMITH. HOUSE BILL No. 780.

An Act making an appropriation to the Memorial Hospital, at Mount Pleasant, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STAVITSKI. HOUSE BILL No. 781.

An Act regulating the renting of dwelling houses, residence apartments, and tenements, and prescribing the rights and liabilities of the lessor and lessee in connection therewith.

Referred to the Committee on Judiciary General.

By Mr. LABAR. HOUSE BILL No. 793.

An Act to amend section seven of the act approved the twenty-second day of May, one thousand eight hundred and eighty-nine (Pamphlet Laws, two hundred sixty-one), entitled "An Act for the protection of shad and game fish in the river Delaware."

Referred to Committee on Fisheries.

By Mr. LABAR. HOUSE BILL No. 794.

An Act making an appropriation to the commission constituted for the purpose of acquiring and maintaining toll-bridges over the Delaware River between Pennsylvania and New Jersey.

Referred to Committee on Appropriations.

By Mr. LABAR. HOUSE BILL NO. 795.

An Act providing for the repair by the State Water Supply Commission of the dyke along the Delaware River at Matamoras; and making an appropriation.

Referred to Committee on Appropriations.

By Mr. HALL. HOUSE BILL No. 796.

An Act making it unlawful for cities, boroughs, towns and townships to impose certain license tax or fees upon resident manufactures or dealers or their agents, representatives or employes.

Referred to Committee on Manufactures.

By Mr. SOWERS. HOUSE BILL No. 797.

An Act increasing the number of courts of common pleas in the county of Philadelphia; establishing therein a distinct and seperate court of common pleas, designated court of common pleas number six, and providing for the election and appointment of judges for said court.

Referred to Committee on Judiciary General.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 99. (HOUSE BILL No. 809).

An Act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

Referred to Committee on Law and Order.

SENATE BILL No. 233. (HOUSE BILL No. 810).

An Act to further amend section one of an act approved March 5, A. D. 1906, (P. L. 63), entitled "An Act to provide for the personal registration of electors in cities of the third class of the Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions."

Referred to Committee on Elections.

SENATE BILL No. 235. (HOUSE BILL No. 811).

An Act relative to the burial of the bodies of deceased widows of soldiers, sailors and marines at county expense.

Referred to the Committee on Military.

SENATE BILL No. 301. (HOUSE BILL No. 812).

An Act authorizing the several counties, incorporated towns, and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans, and of the Army of the Philippines, and to each post of the American Veterans of Foreign Service in the respective counties, boroughs, and towns, to aid in defraying the expenses of Memorial Day.

Referred to the Committee on Appropriations.

PETITIONS.

FAVORING PASSAGE OF HOUSE BILL No. 221.

Mr. HEFFRAN presented petitions from the Bethlehem Baptist Church of Dunn Station, Pa., the Liberty Methodist Episcopal Church, Washington, Pa., and the First Methodist Church of Charleroi, Pa., favoring the passage of House Bill No. 221.

Referred to the Committee on Law and Order.

Miss MacKINNEY presented petitions from Butler Camp No. 33, United Spanish War Veterans, Butler, Pa., the Bible Class of the North Street Church of Christ, Butler, Pa, and the Evans City Presbyterian Church, favoring the passage of House Bill No. 221.

Referred to the Committee on Law and Order

The SPEAKER presented petitions from the Sabbath School of the First Free Methodist Church of Beech Lake, Pa,. and the Falls M. E. Church, Philadelphia, Pa., favoring the passage of House Bill No. 221.

Referred to the Committee on Law and Order.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 15.

Executive Chamber, Harrisburg, March 16, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 15, entitled, "An Act providing the method in which amendatory legislation shall be printed in session laws and for the interpretation thereof".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 364.

Executive Chamber, Harrisburg, March 15, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 364, entitled, "An Act relating to the recording of certificates of incorporation of domestic corporations providing for the recording of certified copies thereof in certain cases validating the recording of such certified copies heretofore recorded and making the record of such certified copies competent evidence for all purposes".

GIFFORD PINCHOT.

LEAVES OF ABSENCE.

Mr. HOWELL asked and obtained leave of absence for Mr. Rhodes.

Mr. BURNS asked and obtained leave of absence for Mr. Colville on account of illness.

RESOLUTION RECALLING HOUSE BILL NO. 37 FROM THE GOVERNOR.

Mr. DUNN offered the following resolution, which was twice read, considered and adopted:

In the House of Representatives, March 19, 1923.

Be it resolved, (if the Senate concur), that House Bill No. 37, Printer's No. 7, entitled "A joint resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania," be recalled from the Governor for the purpose of amendment.

Ordered, that the Clerk present the same to the Senate for its concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. HAAS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. HAAS. Mr. Speaker and members of the House, an article appeared this morning in the issue of the Philadelphia Public Ledger, "Women Insistent Pledges Be Kept State Council Issues List of 96 Republicans Who Promised Aid to Pinchot Program. Turn Light On 'Dry' Fight. Harrisburg, March 18. The Council of Republican Women, recently organized here, today isued a list of ninety-six members of the House who pledged themselves to support Governor Pinchot's program. The purpose, it was admitted, was to turn on the limelight just prior to the taking of the vote on the Administration prohibition enforcement measure.

"Mrs. Leah Cobb Marion, president of the council, issued the following statement in connection with the list:

'The Administration enforcement measure having passed the Senate, attention of the women is now focused upon the lower branch of the Legislature.

'A review of Governor Pinchot's campaign discloses that many Republican members pledged themselves to support his entire program, many with specific emphasis upon his enforcement declarations.

'Women are deeply concerned in law enforcement and regard the present laxity as a menace to the future of the State and Nation.

'The Pennsylvania State Council of Republican Women awaits the redemption of these pledges.

'Women are highly appreciative of political faithfulness, and will support those who keep their word. The council will throw its full strength behind the men and women who redeem their election pledges should they desire to remain in public life. On the other hand, women are highly intolerant of broken promises, and will consistently oppose those who do not live up to their pledges.' "

Under Lehigh County they have listed Mr. Smith and myself.

I wish to take exception to that article. I was elected to this Assembly unpromised, unpledged and unbossed, and I have never at any time said that I would support any program. I shall most certainly support all measures that I believe are right and just and for the economic good of the State. I shall just as vigorously oppose those that I believe are not right and are unjust. I refuse to be a rubber stamp.

Let me me tell you right here and now that I shall oppose by voice and vote the passage of the so-called dry bill. The person or persons that gave any information to the Governor or Mrs. Marion that I would support this act or any specified program told a deliberate falsehood and I object to be made out a liar by any man or any organization.

I am in perfect acord with the State Council of Republican Women. Their purposes are right and they will render worthy service to the State. Their president must bear in mind, however, that they are a separate and distinct organization and are not an adjunct of the Anti-Saloon League or the W. C. T. U. The president also exceeded her constitutional authority in making the statement I just read as Article VIII of their by-laws plainly says:

"Article VIII, Publicity. No public expression in the name of the Pensylvania State Council of Republican Women shall come from an individual or an organization unless it has passed a majority vote at a meeting of the Executive Board or at the Annual Meeting."

There has been no executive meeting of the Council at which this statement was authorized. Rank propaganda. It is about time, Mr. Speaker, that we serve notie upon all organizations and their lobbyists that while we appreciate their advice and counsel, we are the law making body of the State, that we are men and women of intelligence and integrity. That we know our duty and have an independence of judgment and that we will not stand for intimidation and coercion. That the spirit of intolerance and bigotry has no place in our deliberations.

QUESTION OF PERSONAL PRIVILEGE.

Mr. DAVID FOWLER. Mr. Speaker I rise to a question of personal privilege.

THE SPEAKER. The gentleman will state his question of personal privilege.

Mr. DAVID FOWLER. I too have read in the paper, the North American where they have stated "Keep the dry pledge." I want to say that I don't want to appear after the vote on this bill as a pledge breaker. For four terms

I went before the people of my district, and I have at all times been wet. I did not camaflouge the issue, I didn't duck the isue, but came out flat footed, and I came out so truthful to the wishes of my constituents that even the Prohibition party named me the last time. I have been honored with the Democratic nomination at one time, and only lost by a few votes in the election last fall. I want to say that I shall not only vote against this measure, but I shall as I have done in the past, raise my voice against the passage of this bill. For three terms I have taken a stand upon this issue, Mr. Speaker, without fear, and I have voted in the interest of the women here as much as any other man. I feel that they are justified in having their right, but I do not feel that they have the right to try to club me to break down a promise that I have made the voters of my district. God bless you, we have lots of women that voted for me too. Now, I want to say, Mr. Speaker, I don't want to dwell upon this question tonight, but I want to say in answer to this article that when this bill comes up for final passage I shall file my objections to this measure upon the floor of this house.

The SPEAKER. The remarks of the gentleman from Lackawanna, Mr. David Fowler on his question of personal privilege will be spread upon the Journal.

Mr. HEFFERNAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. HEFFERNAN. Mr. Speaker, I also rise to a question of personal privilege. It seems to be raining around here to-night. Mr. Speaker, and members of the House, during the last ten years, I have been identified with what has become popularly known as the Irish Dinner, given under the auspices of the Legislative Sons of St. Patrick. I need not tell the older members of the House what a good time they have always had, nor tell you, Mr. Speaker, who have always been present, but I wish to impress upon all the new members the great necessity for their being present on that occasion.

The banquet will take place on this coming Wednesday night in the ball room of the Penn Harris Hotel, at eight o'clock. Of course, there is only one thing that we expect of you on that occasion, it does not make any difference what your nationality is, just so long as you are Irish from eight o'clock until whatever time you go home, we will be satisfied. We do not want any member of this House disappointed in a ticket. The tickets are limited in number, and we will will not have enough tickets to give out to every person who desires to go, but we would like to take care of the members of the House and the Senate and those who work in conjunction with us here, and would ask that they arrange for their tickets just as quickly as possible, so that we can make up our list, and make up our final arrangements.

The SPEAKER. The remarks of the gentleman from Philadelphia, Mr. Heffernan, under his question of personal privilege, for the reason that the biennial dinner given by the Legislative Sons of St. Patrick, has become almost a semi-state institution, will be spread upon the Journal.

QUESTION OF PERSONAL PRIVILEGE.

Mr. KOHLER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The Gentleman will state his question of personal privilege.

Mr. KOHLER. In at least two of the day's newspapers there appeared an article wherein I, along with several other members from my county, appear to have pledged themselves to back all measures which are commonly known as, "Administration Measures." It further states in that article that prior to the election, I, among several others, pledged myself to support the Governors program. Now, I want it distinctly understood that prior to the election I made absolutely no pledge, neither to any organization of men nor to any organization of women.

I don't know what the purposes of the articles in these papers are, unless it might be to club certain members into line, But I want to say now that whoever gave the information as shown in the papers today, deliberately lied, and I want to go on record as not having pledged myself to support anybody's program.

The SPEAKER. The remarks of the gentleman from Lackawanna, Mr. Kohler, on his question of personal privilege will be spread upon the Journal.

MOTIONS TO RECOMMIT.

BILL RECOMMITTED.

Mr. JOHN G. MARSHALL. Mr. Speaker, I move that House Bill No. 288, file folio 591, entitled:

An Act relating to the organization, maintenance and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations and individuals, and the assets and liabilities thereof; providing penalties for the enforcement Act of 1919; with table of contents on page 8 of today's calendar, be recommitted to the Committee on Banks and Banking for the purpose of a hearing.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. JOHN G. MARSHALL. Mr. Speaker, I move that House Bill No. 287, file folio 641, entitled:

An Act regulating banks, trust companies, title insurance companies, savings banks, and private bankers, codifying and revising the laws relating thereto, and providing penalties for the violation thereof; with table of contents on page 8 of today's calendar, be recommitted to the Committee on Banks and Banking for the purpose of a hearing.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 566, entitled:

An Act to amend article one, section one, of the act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such

expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determination by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains', by amending section nine thereof; repealing the act approved the thirty-first day of May one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals,' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and theprovisos of clause seven and section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" extending the provisions of said act to corporations, joint-stock companies or associations, domestic or foreign, their lessees, assignees, trustees and receivers, and to individuals, partnerships and associations engaged in the production, sale or distribution of coal, and defining and declaring the same to be public service companies.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. BURNS. Mr. Speaker, I move that House Bill No. 566, file folio 1196, be recommitted to the Committee on Judiciary General for the purpose of a public hearing.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mrs. SPEISER. Mr. Speaker, I move that House Bill No. 18, file folio No. 919, entitled:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary County Prison in this Commonwealth and to provide penalties for the violation of this act

on page 9 of today's calendar, be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

Mr. VAN ALEN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mrs. SPEISER. Mr. Speaker, I move that House Bill No. 19, file folio 1019, entitled:

An Act to provide for the physical welfare of all persons (whether such persons be tried or untried prisoners) in any penitentiary county prison in this Commonwealth and to provide penalties for the violation of this act

on page 12 of today's calendar, be recommitted to the Committee on Judiciary Special for the purpose of amendment.

Mr. VAN ALEN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. VAN ALEN. Mr. Speaker, I move that House Bill No. 558, file folio 939, entitled:

An Act supplementing and amending the act approved the twenty-fifth day of May, one thousand nine hundred and twenty-one, (P. L. 1159), entitled "An Act authorizing certain corporations to issue preferred or common stock of one or more classes; providing for the manner of issuance, restrictions and regulations in the manner of voting thereof, and the rights and privileges of the holders thereof; validating certain acts of corporations not participated in by the holders of non-voting stock; and repealing all acts and parts of acts inconsistent therewith," further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value, and regulating such issuing of said stock.

on page 10 of today's calendar, be recommitted to the Committee on Judiciary Special for the purpose of amendment.

Mrs. SPEISER. Mr. Speaker, I second the motion.

The motion was agred to.

BILL RECOMMITTED.

Mr. STOFFLET. Mr. Speaker, I move that House Bill No. 541, file folio 1055, entitled:

An Act to amend an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended; by authorizing the court of Quarter Sessions to abolish all wards existing in any township of the first class, and to re-divide such township into new wards

on page 13 of today's calendar, be recommitted to the Committee on Counties and Townships for amendment and hearing.

Mr. BETTS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

RECALLED FROM THE GOVERNOR.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 25, as follows:

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of January one thousand nine hundred and twenty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no deed mortgage or other instrument of writing of and concerning any land tenement hereditaments or any estate right title or interest therein required by law to be acknowledged which purports to have been acknowledged by husband and wife before any judge justice of the peace alderman notary public commissioner of deeds or other person authorized by law within this State or within any other state of the United States or without the United States to take acknowledgment of deeds et cetera shall be deemed held or adjudged invalid or defective or insufficient in law or avoided or prejudiced by reason of informality or omission in setting forth the particulars of the acknowledgment made before such person as aforesaid in

the certificate thereof where the acknowledgment bears date prior to the fourth day of January in the year one thousand nine hundred and twenty-three but all and every such deed mortgage or other instrument of writing where the acknowledgment thereof bears such prior date and purports to have been made by husband and wife as aforesaid or the record of such deed mortgage or other instrument of writing duly made in the proper office for recording of deeds in this Commonwealth shall be as good valid and effectual in law for transferring passing and conveying the estate right title and interest of such husband and wife of in and to the lands tenements and hereditaments mentioned in the same as if all the requisites and particulars of such acknowledgment mentioned in the act entitled "An act for the better confirmation of the estates of persons holding or claiming under feme coverts and for establishing a mode by which husband and wife may hereafter convey their estates" approved the twenty-fourth day of February one thousand seven hundred and seventy were particularly set forth in the certificate thereof and the record of such deed mortgage or other instrument of writing made in the proper county as aforesaid or exemplifications of such record duly certified shall be legal evidence in all cases in which the original would be competent evidence This act shall not apply to suits now pending and undetermined

The SPEAKER. When this bill was last before the House, the question was, will the House agree to the bill on third reading as amended.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196.

Albert,	Fields,	Korns,	Rippman,
Alexander,	Flinchbaugh,	Kunkle,	Sample,
Allman,	Flynn,	Labar,	Sarig,
Anderson,	Fowler, A. I.,	Lauver,	Sautter,
Armstrong,	Fowler, D.,	Little,	Schaeffer,
Arthur,	Fratt,	Long,	Schilling,
Asbury,	Frazier,	Lucas,	Schleiter,
Aston,	Gallaher,	Ludlow,	Schoener,
Baker,	Gelder,	Mack,	Schwartz,
Baldi,	Gibbon,	MacKinney,	Shambach,
Beaver,	Gilchrist,	Malie,	Sheridan,
Behney,	Glasgow,	Mangan,	Smith, G. A.,
Bell, F. A.,	Goehring,	Marcus, J.,	Smith, H. J.,
Bell, W. T.,	Golder,	Marcus, J. C.,	Smith, H.,
Bentley,	Gorham,	Marshall, J. G.,	Smith, J. W.,
Berger,	Goss,	Marshall, W. F.,	Soffel,
Betts,	Greeby,	Mathay,	Sowers,
Bidelspacher,	Griffith,	McBride,	Spangler,
Blair,	Grimes,	McCaig,	Speiser,
Bluett,	Guerin,	McCann,	Sprowls,
Blumberg,	Gundy,	McClure,	Stark,
Boback,	Haas,	McCurdy,	Staudenmeier,
Brenneman,	Hall,	McDaniel,	Stavitski,
Brewster,	Harer,	McGowan,	Steedle,
Bromley,	Harter,	McKim,	Stevens, A. J.,
Brown,	Haslett,	McVicar,	Stevens, A. F.,
Brownmiller,	Haws,	Metcalf,	Stoffiet,
Burchinal,	Heffernan,	Miller,	Stoner,
Burns,	Heffran,	Minehart,	Storb,
Bush,	Henderson,	Moffatt,	Storer,
Chaplin,	Hetrick,	Moore,	Thomas, L. D.,
Clutton,	Heyburn,	Morrison,	Thomas, M. G.,
Coldsmith,	Himes,	Munley,	Thompson,
Conner,	Holcombe,	Myers, G. C.,	Van Alen,
Craig,	Hollis,	Myers, P. M.,	Vickerman,
de Young,	Hontz,	Nolte,	Walker,
Diehm,	Hoover,	O'Boyle,	Weamer,
Dietz,	Horne,	Ogle,	Wells,
Dilsheimer,	Howell,	Orr,	Wettach,
Donahue,	Huber,	Parkinson,	Wheeler,
Driggs,	Irvin,	Patterson,	Whitehouse,
Drinkhouse,	Johnson,	Peelor,	Whiteman,
Dunn,	Jones, C. B.,	Perry,	Williams, J. M.,
Eaches,	Jones, D. J.,	Pitts,	Wood, N.,
Earley,	Jones, E. P.,	Posey,	Wright,
Edmonds,	Keene,	Post,	Zook,
Eshelman,	Kelly,	Price,	Goodnough,
Evans, B. P.,	Kennedy,	Raymond,	Speaker.
Evans, J.,	Kohler,	Richards,	
		Rinn,	

NAYS—2.

Coyne, Lynch,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 624, entitled:

An act fixing the time for the Statute of Limitations to begin to run against the right of action for damages in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 612, entitled:

An Act authorizing the election of a solicitor of townships by supervisors of second class townships in county convention assembled, defining the duties of said solicitor of townships, regulating the salary and the manner of payment thereof to the solicitor of townships.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 632, entitled:

An Act to amend an act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 991), entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department," by exempting certain corporations from the provisions thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 557, entitled:

An Act relating to the assignment of rights to receive or recover a debt, or money.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 645, entitled:

An Act to regulate the allotting or subdividing of land which includes the location of streets, lanes or alleys in Counties of the second class, except land within a city or borough, by requiring the recording in the office of the Recorder of Deeds of a map or plan prior to the sale, conveyance or mortgaging of any part thereof, and providing penalties for the violation of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 515, entitled:

An Act limiting rent as a preferred claim.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 563, entitled:

An Act to amend section one of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 899), entitled "An Act regulating service of process from the courts of common pleas or other courts of record, and extending the territorial jurisdiction thereof in certain cases;" by authorizing the service of writs of summons in any county of the Commonwealth, and to repeal section two of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 529, entitled:

An Act concerning aeronautics and to make uniform laws with reference thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 16, entitled:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary, county prison or house of detention in this Commonwealth, and providing penalties for the violation of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

House proceeded to the first reading and consideration of House Bill No. 17, entitled:

An Act to define solitary confinement as a cruel and barbarous punishment and to provide for the abolishment of the same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

House proceeded to the first reading and consideration of House Bill No. 606, entitled:

An Act to further amend an act approved the third day of June, one thousand eight hundred and ninety-five (Pamphlet Laws, one hundred thirty), entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers, and other streams which have been declared public highways by act of Assembly, where such bridges have been destroyed by flood, fire or other casualty; providing for the appointment of viewers and inspectors, and the payment of the cost of rebuilding such bridges;" providing for the rebuilding of decayed and unsafe bridges, and certain bridges on State highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

House proceeded to the first reading and consideration of House Bill No. 594, entitled:

An Act authorizing the county commissioners to appropriate county moneys to incorporated agricultural and horticultural societies and associations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

House proceeded to the first reading and consideration of House Bill No. 595, entitled:

An Act to further amend section three of an act approved the nineteenth day of March, one thousand nine hundred and fifteen (P. L. 5) entitled, "A further supplement to an act entitled, 'An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof', approved the fifth day of May, one thousand nine hundred and eleven; constituting the said court the juvenile court of said county, and prescribing its organization, jurisdiction, and powers therein and otherwise" as amended, by requiring the salary board to fix the salaries of all employes of such juvenile court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

House proceeded to the first reading and consideration of House Bill No. 232, entitled:

An Act to amend chapter eleven, article two of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 560, entitled:

An Act to repeal the act approved the twenty-third day of February, one thousand eight hundred and seventy, (P. L. 223), entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy, in said county," and the act approved the nineteenth day of May, one thousand eight hundred and seventy-one, (P. L. 983), entitled "A supplement to an act, entitled 'An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy, in said county,' passed the twenty-third day of February, Anno Domini one thousand eight hundred and seventy."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 652, entitled:

An Act relating to suits against and service of process upon corporations organized and existing under the laws of the Commonwealth of Pennsylvania ceasing to do business, or ceasing to maintain an office within the Commonwealth, and the effect of such service.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 617, entitled:

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fidu-

ciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents;" so as to permit a corporation appointed as trustee in the place of an executor or executors, trustee or trustees, dying, renouncing, dismissed or refusing to act, to give its own bond without surety.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 741 (Senate Bill No. 1), entitled:

A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania, authorizing the State to issue bonds to the amount of one hundred millions of dollars for the improvement of the highways of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 744 (Senate Bill No. 53), entitled:

An Act fixing the perdiem compensation of registry or assistant assessors in townships of the first class for the performance of election duties and the method of ascertaining the number of days employed

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 751 (Senate Bill No. 40), entitled:

An Act fixing the salary of the prothonotary in counties of the eighth class and providing for the payment of all fees and commissions into the county treasury.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 748 (Senate Bill No. 191), entitled:

An Act to amend section one of the act approved the seventh day of July, one thousand nine hundred and thirteen (Pamphlet Laws six hundred and ninety-three), entitled, "An Act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a mojority of those voting thereon as provided by Article eighteen, section one, of the Constitution."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL ON THIRD READING.

Agreeably to order,
The bill having been called up from the postponed calendar by Mr. David Fowler,
The House resumed the consideration on third reading of House Bill No. 268 entitled:

An Act to repeal the act approved the eleventh day of May, one thousand nine hundred twenty-one, (Pamphlet Laws 479) entitled "An Act imposing a State tax on anthracite coal; providing for the assessment and collection thereof; and providing penalties for the violation of this act," and fixing the date when said repeal shall take effect.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, I desire to interrogate the sponsor of this bill?

The SPEAKER. Will the gentleman from Lackawanna, Mr. Fowler, permit himself to be interrogated?

Mr. DAVID FOWLER. Yes, sir, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. EDMONDS. Admitting the unpopularity of this tax, and indeed the unpopularity of almost any taxation, may I ask the gentleman from Lackawanna, if this tax is repealed, what he proposes to take its place?

Mr. DAVID FOWLER. I didn't know that I had been detailed to look up that part of it. I thought perhaps you had and the Ways and Means Committee had looked into that.

Mr. EDMONDS. Mr. Speaker, if I cannot get the information from the gentleman from Lackawanna, it seems to me that since the fiscal problem is as urgent as it is this year, this session of Legislature, that it would be foolish for us to repeal taxes, until there has been some concensus of opinion as to how the revenue should be supplied. I grant you that an argument can be made, an excellent argument, against any of the major forms of taxation used in this Commonwealth. I am inclined to think, as a matter of fact, that it is absurd and a mistake for the Commonwealth to raise small sums of money through particular taxes rather than by having a general comprehensive plan of taxation, that we might from one or two sources raise the needed revenue of the Commonwealth. That has been our practice in the past and we cannot change it at one session, and we certainly cannot change it without more study than we have had at present.

If we knew what the alternative was before having to vote on it we could vote intelligently to get rid of this tax. I admit to the gentleman from Lackawanna that it is unpopular, but until the whole fiscal plan has been thought out and we have some alternative it seems to me that we ought not select one particular tax for repeal. Therefore, from that point of view, while I should probably be willing to endorse everything that the gentleman from Lackawanna may say in support of his bill, yet from the point of view that no provision has been made to supply the revenue which this tax gives the Commonwealth, from that point of view I feel personally as though I must vote against the bill.

Mr. DAVID FOWLER. I will state that while the bill was on second reading this matter was brought to my atten-

tion in regard to the revenue for the next two years. This bill does not take away the revenue for the next two years, the bill does not go into effect until 1925. By that time we have in mind that there will be other steps taken in regard to getting revenue. I wish to state, Mr. Speaker and members of the House, that this is indeed an unpopular tax, an unfair tax for a good many reasons. I do not hold any brief for the coal companies, but I have realized that since this tax has been on, that in cities like Boston, Philadelphia, New York and many other large cities in the east an agitation has sprung up, due to the high cost of anthracite coal, to repeal certain ordinances that are in these larger cities, in order that they may be allowed to burn bituminous coal. The anthracite coal at this time it seems was in direct competition with bituminuos coal in this State and other states. The steam sizes are now being sold practically at cost and in some cases, they tell me, below cost in order that they maintain their markets in the larger cities of the east. We realize that, while they may sell steam sizes of the anthracite at a reduced cost, the coal operators must have sufficient funds from the domestic sizes. Therefore when the domestic sizes reach your coal bin what has been lost on the steam sizes, which is in competition with the bituminous field, is charged on to the little consumer, the man who is the consumer of the domestic sizes. In other words if it increased the cost of coal in your coal bin, according to this tax of a dollar, if they lost a dollar in competition in the bitumionus market then that dollar is also added to the price of the domestic sizes and the little fellow was compelled to pay for it.

Now let me state that the argument has been used against the mine workers' organization, which I happen to represent, that the mine workers' organization is responsible for the high price of coal in this country. Let me say to you that the bituminous miners wage scale has been adjusted on the number of days that they have to work, and, taking the day rates and the tonnage rates of the bituminous coal miner, their wages are far superior to those of the anthracite coal miner today. The anthracite coal miners' wages are below the bituminous miners', due to the fact that they work a greater number of days per year. The average of the miners in the anthracite field is 272 days while in the bituminous fields, in many cases, it was shown as low as 100 days, and therefore the wages of the bituminous miner had to be increased because when he worked only two days he had to eat seven days same as the other fellow. Now if something is not done, and the market for the anthracite is being taken away by the bituminous or unorganized fields of this country, then it will mean that the city of Boston and other cities will pass ordinances permitting the burning of bituminous coal. Then we will find the anthracite miner working but two or three days a week and using the same argument which was used in the wage adjustment in the bituminous fields that argument will then have to be applied to the anthracite fields and in accordance with the number of days employed they will have to have an increase in wages, and you will not be reduced in the price of coal in the larger cities or in any city in Pennsylvania and elsewhere. These are cold-blooded facts, and there is no one knows those facts better than we who are compelled to battle it day in and day out with the other fellow. We have been subject to attacks by the press due to the fact that many believe that the anthracite coal miner is being paid a greater wage than the bituminous miner today. Now my friends, the average wage of the anthracite miner today is $4.20 to $5.42 for risking his life in the mines of the anthracite coal fields. Let us say just o word about the hazards of the anthracite coal fields. Over 550 give up their lives in this important indústry every year, 21,000 are injured out of 134,000 employed in the anthracite coal fields yearly. I want to say to you that where sixty per cent. of coal is sent to the outlying cities and states that we should protect not only the mine worker, not only the operator, but the business man of the anthracite coal fields as well as the consumer in Philadelphia and surrounding cities that consume anthracite coal. This and many more arguments I could go on enumerating in favor of immediate repeal, but we have no intention of embarrassing the administration by repealing this bill outright and we submitted that we would allow an amendment to go in this bill in order that it would go into effect two years hence, and I can assure you that something can be done two years hence to regulate the badly managed tax system in Pennsylvania, and I ask you to vote "aye" on this bill.

Mr. EDMONDS. Mr. Speaker, may I further interrogate the gentleman from Lackawanna?

The SPEAKER. Will the gentleman from Lackawanna, Mr. Fowler, permit himself to be further interrogated?

Mr. DAVID FOWLER. Yes, sir, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. EDMONDS. As a matter of fact may I ask what is the reason that the time of the repealer is fixed as January 1st, 1925, if the fiscal year runs to the end of May? What is the significance of putting it five or six months ahead of the fiscal year?

Mr. DAVID FOWLER. I could not answer that altogether, but we have taken it up with the leaders and the friends of the administration, and they suggested this and I was agreeable. I did not work up the amendments myself but when they came to me with the sugestion whether I would agree to a two year period, I gladly consented to that. Perhaps Mr. Harer can answer it better.

Mr. EDMONDS. Then, Mr. Speaker, may I interrogate the gentleman from Lycoming, Mr. Harer.

The SPEAKER. Will the gentleman from Lycoming, Mr. Harer, permit himself to be interrogated?

Mr. HARER. Yes, sir, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. EDMONDS. May I ask the same question then of Mr. Harer?

Mr. HARER. The fiscal year ends in November. I made it the first of the year, figuring that it would come out all right.

Mr. EDMONDS. Mr. Speaker, we are budgeting now the revenues and expenditures for the two year period from May 31, 1923, to May 31, 1925. Ought not taxes be either enacted or repealed within that limit?

I do not want to go further into the argument of the merits of the anthracite coal tax because I realize the force of what the gentleman says with respect to the unpopularity of the measure. To my mind, however, the finances of the State require systematic treatment as a whole, and this method of dealing with one tax seems to me to be bound to interfere with the proper working out of the State's budget. As I understand the system a budget of the State's finances should present the State's program along certain lines and what the State proposes to do, what it feels it can carry into effect, and then taxes ought to be enacted to bring that revenue. Now, in enacting these revenues in the past it was usually, I think, upon the practice of estimating what the deficit would be and then to enact the proper form of taxation sufficient to make up that deficit. It is a sort of hit and miss method of providing for the State's revenue. We suffer now, this Legislature suffers today, because there has been so much of that hit or miss method in directing

the finances of the State. Now, the reason why I am opposed to this bill is not on the merits of it but because it is an illustration of the hit and miss method. It takes one particular tax, which is unpopular, and gets rid of it without viewing the increased burden which it necessarily must put on the people of the Commonwealth before some other form of revenue is developed. If we had a plan before us which showed we had seven or eight million dollars more of revenue than the State needed for its program, than the State needed for its taxation, I would gladly vote for it, but until we have the plan, and we have not had it yet, I think the part of wisdom would be to vote against the repealer.

Mr. BROWNMILLER. Mr. Speaker, I want to say with reference to the repeal of the anthracite coal tax that I believe it is a question that concerns the members of this House more than any question that has yet come before this body during this present session. It does not only concern a small struggling group but it concerns the people of the Commonwealth, whether they live in the eastern or the western or the northern or the central part. When we speak about the repeal of this tax before we have a necessary or a definite program, I want to say that I believe that it is the most feasable plan we can hit upon at this particular point for this reason: That if this coal tax is repealed we know how much money we need and then can introduce tax measures to meet this particular deficit. When I said that it concerns the people of all parts of the state, I say that it is one of the most unpopular taxes that has ever been levied because it does not only concern one class, but it concerns all classes. The principle, when this was first spoken of, I believed was right, because the principle upon which it was based was this: That it was unfair that the capitalists from other states should come into our Commonwealth exploit our wealth, our mineral wealth, and get away without paying any revenue to this State. I believe that was originally the intention that his tax should be placed on anthracte to return to those communities from which this coal was taken to build their roads and for the maintenance, when the time should come when these mines should become depleted. The burden, as we have heard Mr. Fowler say, has been placed upon those who burn the domestic sizes because the steam sizes come in direct competition with bituminous. This is very true and this is the only reason why the people of this State are clamoring to be released from this unjust tax, because after all it comes back to the man who burns the pea and the chestnut, and that man is the poor man, and therefore, I say it is unpopular for that reason. But if that was all I would not speak upon this question tonight, but there is another principle involved. whom ight tav their various minerals at their source. For when we tax our anthracite we open the way for other states who might tax their various minerals at their source for example, the State of Michigan might tax its iron ore, or for example, the northwest might tax its lumber. The quaries of Vermont and New Hampshire might tax their granites and their marbles, and after all it comes back and the burden is borne by the people of the Commonwealth who actually can least afford to pay for it. Therefore, I say the principle is wrong. I think it is an unjust tax. Even if there is no money in sight I say it ought to be repealed, because there will be found some just methods whereby a tax might be levied to meet the needs of this great Commonwealth. There are various classes who stand against this, not only the people who consume, but the miners stand against it, the man who owns the mines is against it, and therefore, I sincerely hope that in view of the present conditions the burdens that have been placed upon the poor people of this Commonwealth, that every member of this House will see fit to vote for the repeal of this bill.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I am opposed to this revenue reducer for several reasons, two in particular:

First, no member of this House can even approximately say what the financial needs of the State will be for the two year period beginning with June 1, 1925, that being a question that will confront the Legislature convening two years hence, and for this reason I feel it would be very unwise for this Legislature to pass this bill which would reduce the revenues $12, 000,000 for said appropriation period. If in 1925 it is found that the available funds are greater than the needs of the State with which to meet its appropriation obligations, let the Legislature then in session pass this repealer.

Second, the bill as amended fixed the date when the repealer goes into effect as of January 1, 1925, five months short of the period for which this Legislature will make appropriations and representing a loss in the estimated revenues of $2,000,000, which in the face of our efforts to find new sources of revenue with which to meet the increased needs for schools is another strong reason in my mind for the defeat of this measure at this time. Recently the Philadelphia Record contained a cartoon showing the Capitol Building with a unmber of the Republican members easily recognized as I look about among my colleagues working very industriously about the grounds with pick and shovel to uncover new sources of revenue. To my mind the picture is not complete in that it does not show some of our good friends on the other side of the chamber working equally as hard to put through their revenue reducers. For instance, my good friend from Lehibh who with one sweep of the arm would abolish all of the railroad grade crossings in the State has introduced a bill that is intended to reduce the annual revenues $3,000,000, and then there is my friend, the member from Berks, the loyal and consistent friend of the schools and the teachers by the bills sponsored by him would further reduce the revenues by upwards of six millions annually. If we are to have funds with which to pay promptly when due, and that is the time they should be paid, our obligations to the school districts and townships and continue the highway construction work so well started and to take care of the colleges, the schools, homes, hospitals and the needs of our State government in general, we must conserve our present sources of revenue and possibly add to them, so to my mind revenue reducers at this time are out of the question.

Mr. SARIG. Mr. Speaker and members of the House, during the early days of the session, I introduced a bill similar to that one sponsored by the gentleman from Lackawanna, Mr. Fowler. For some reason or other, my bill was not reported out of committee, although it should have had priority. I want to say, however, that I am willing to set aside all personal and partisan considerations, because I feel that the only real issue before this House is the bill itself, the merits and demerits of this particular bill. Now I am willing to admit that this piece of legislation looks beautiful in theory. I remember the beautiful pictures that have been painted to us in this House and elsewhere about the anthracite coal tax. I remember the orators who used to tell us here in Pennsylvania we have one of the richest commonwealths of all the forty eight states of the Union, rich in natural wealth and then we saw the bunch of millionaires coming over from New York exploiting our wealth, running away with the profits, and we were told that the people of Pennsylvania would have nothing to show for it. Looking ahead, the people said that one hundred or two hundred or three hundred years from now, this wealth will have been

exploited, Pennsylvania they said will then be a poor Commonwealth. Our children will then not have the wealth that we have, and they said if we levy this tax now we will have at least something to show for it. We will take this money and build roads so that when the wealth of Pensylvania is gone, I mean the natural wealth has been exploited, we will at least have good roads and good schools and some other things to show for it. Now, I am willing to admit that all that looked beautiful in theory, and I am frank and free to say that had I been a member of this House two years ago I might have voted for this bill under that impression. But, let us see how this worked out, has it worked out in the manner in which it was intended? I am not speaking for the operators or for the miners. I am interested solely from the viewpoint of the consumer, the great mass of the people on whom this tax falls. Now, let us see how it has worked out? First of all as we have heard tonight the smaller sizes of anthracite come in direct competition with the bituminous from western Pennsylvania and from other parts of the United States. As a result of that the operators have taken this burden and thrown it almost wholly on the domestic sizes, in order that they might, with their smaller sizes, compete with the bituminous from other sections. Now, the result of this is that this entire burden practically has been thrown on the poor man who can least afford to pay this tax. It has been placed upon pea, chestnut, and upon other domestic sizes, and those are the sizes which make up the poor man's coal, not only in Pennsylvania, but in other states, The argument has always been advanced that a large part of this tax, perhaps seventy-five per cent of it, is paid by people from other states. That may be true, but we also do know that this tax has been used as an instrument, it has been used as a sort of screen by the operators behind which they have been hiding as an excuse to still further raise the price of coal. While, perhaps, ten and twelve or fifteen cents per ton reaches the treasury of this Commonwealth, the poor people all over Pennsylvania are now compelled to pay one dollar to one dollar and a quarter or one dollar and a half more a ton than they had to pay before . I say to you, therefore, would it not be better to levy that as a direct tax than to levy the tax in the manner in which it has been levied.

There are some other considerations that come to my mind just at this time. You all realize that we are facing at this time in this country this great question; what are we going to do with the poorer classes of American people? Down in my town the iron works pay thirty cents an hour for common labor. Where is there an American man with a family that can live according to American standards on thirty cents an hour? Unless we do something in some way to reduce the high cost of living, to relieve the heavy burdens that come to him in rents, in coal tax, and in other taxes, we are forced to this conclusion that before long our American people, poorer classes of American people must either be driven back to European standards of living, or we must relieve the high cost of living, because I don't believe there is one member in this House that would try to show me and explain to me that a man with a family of four or five children can make a living according to American standards on thirty or thirty-five cents an hour, as he is receiving at the present time. This, to my mind, is a serious proposition. You talk about your boasted Americanism, and we heard a great deal of it last week in the Senate. You talk about your patriotism, but my friends, as long as we don't try to make living conditions in this country so that the average man can live according to American Standards, when he works six days a week, why we are not doing our duty as members of this responsible body. That is one of the serious considerations.

Now, I want to submit this to you: That if after this tax had been imposed, there had been some way either by the State government or by the Federal government in which the consumer could have been protected, then I would not be here tonight asking for the repeal of this bill; but whether they could not or whether they would not, we do know that the consumer has been absolutely helpless. We do know that both the State and Federal governments either could not or would not protect the consumers and the result is that while these taxes are supposed to be paid by the men who exploit our wealth and who carry it across the border into New York and other states instead of their paying their taxes we are now paying the tax, and we are paying it three, four and five fold, so that the tax is working exactly the opposite from what it was intended. Now, there are a great many other considerations. The gentleman from Schuylkill has referred to one of them, and that is the principle of it. If we in Pennsylvania will establish the precedent that we are going to tax our natural wealth at its source, will not soon the other states follow in the same way? I remember seeing in the newspapers only three or four weeks ago that out in Minnesota a movement is now on foot to tax their iron ore there which comes into Pennsylvania, and the next thing we know Michigan perhaps will tax its copper, perhaps, as has been stated, out West they will tax their lumber and so on. Will it not lead to a series of recriminations? Will it not lead to retaliation from the other states of the Union, and then we will have in this country just what we are having in the world today. You know that the World War was brought on, not altogether, but one of the causes of it has been commercial rivalry, this race for commercial supremacy among the nations of the World, this commercial war, this war and the other wars which have lead to the great military war. Now, are we going to start a commercial war in the United States? Are we going to say here in Pennsylvania, we are going to tax our resources and anybody outside of the State who wishes to use them and have them must pay tribute to Pennsylvania. If we do this it is only natural that the other states will follow in our footsteps and then there will be retaliation from every angle. There are a good many other things which might be considered, and I want to say to you this in regard to the roads you made in regard to the schools, I know we need revenue but this bill has been amended so that it will not be affective at once, and between now and 1925, we have now in our Legislature a joint resolution asking for a Tax Commission in order to make in Pennsylvania a definite system of taxation. Instead of this we have now this rather lack of system in taxation. I say that now if you repeal this bill tonight, if it is repealed at the present time, then there is still ample time for the Ways and Means Committee and the Finance Committee of the State to make arrangements, make such arangements as are necessary to meet this deficit.

Let us not forget that this tax is a tax that directly falls hardest upon the poor, falls hardest upon those who are least able to pay it, and that we have other methods and can devise other systems that will be more equitable than this tax that has been so beautiful in theory, but in actual practice it has been a failure. I ask the members of this House to consider this and to vote for this bill.

Mr. WONER. Mr. Speaker and members of the House, it is naturally impossible to consider this proposed repeal without its very close relation to the very difficult and intricate fiscal problems we are now wrestling with. Every one of us, when we cast our vote, should set aside for the moment

any thought as to whether it is a popular tax, any thought as to whether it is a fair or unfair tax, and we should face it absolutely from this standpoint, "Can we repeal it now and make proper provision for our very great needs for the next few years?" Let me call attention to the fact that this will actually lose for us on the 1st of January, 1925, about two and a half million dollars. The fiscal officers have estimated a total of $115,000,000 for the next two years. Another consideration, Do you not think it would be far more courageous, far more just, for the members of this House to decide the question here, whether or not you are going to repeal it and make it effective now? Why pass over our problems to another session of the Legislature? Ought we not to take care of our own liabilities? As our Governor put it "let this Legislature skin its own eel!" I want you to get that straight, "Let this Legislature skin its own eel."

Another consideration, I am deeply interested in a statement made by my colleague, Mr. Sarig, in which he says that because of this tax coal prices were advanced $1.50 a ton, the addition of 1½% makes an increase of 12 cents per ton. If, through the operation of this tax, or following the operation of this tax, there has been added to the price of coal an amount equal to $1.50 per ton, there is something rotten in the State of Pennsylvania, which calls for investigation and prosecution. Now, then my friends, it has been stated here that 75% of the tax has been paid outside the State. According to actual figures gathered by the statistician of the State of Pennsylvania, there is 81½% of this tax paid outside the State.

Now, as to its being a burden upon the poor, listen to me a minute. Do you know there is scarcely a tax in the State of Pennsylvania that is not passed to the poor fellow at the bottom of the ladder? After all, the consumer pays all the taxes. This is not an unusual tax with respect to the poor man, as the poor man ultimately pays most of our taxes. There are no taxes that are now imposed, upon which we hope to raise $115,000,000 for the coming biennium. There are scarcely any taxes but what are simply as unjust, absolutely as unfair, as this particular tax, because, after all, most of our taxes are not based upon the ability to pay, but they are simply passed upon several propositions such as our gross tax on corporations and our per capita tax. The poor pay the same as the rich, and none of them are absolutely fair. I ask you, now, members of this House, to assist the members who are wrestling with the problem of obtaining revenue, to take care of the amounts, which we have no right to announce now, but when they are announced, you will recognize these, that never before, have we had an appropriation deficit plus an appropriation liability as large as we have now—$29,000,000 at the close of the session. At the close of the 1921 session, we had an appropriation liability of $23,000,000, and this has grown to $29,000,000. This is not the time, this is not the occasion to repeal taxes.

Mr. OGLE. Mr. Speaker, I have listened with great interest to the arguments made here this evening upon this measure, and it seems to me that many of them have gone far afield. The measure, as I view it, has nothing to do with the hardship of the man who handles the pick and shovel, because we know as a matter of fact, that the wages of the man who handles the pick and shovel are counted into the cost of production by the operator. The price of his initial purchase of the coal, the interest upon the investment, the overhead charges, the tax that must be paid to the Commonwealth are all computed and to that he adds his own profit, and the ultimate consumer pays the bill. This bill ought to be entitled, "a bill for the ultimate consumer of anthracite coal," because the one thing that it accomplishes is to relieve him from the necessity of paying his tax. The man who digs the coal does not pay the tax. The operator who collects from the ultimate consumer and pays it into the Commonwealth's treasury, he does not pay the tax. Mr. Speaker, the argument has been made here tonight that this is an iniquitious bill because of the fraud which it imposes upon the public. It has been revealed here by the chairman of the Committee of Ways and Means that the tax assessed against a ton of hard coal is 12 cents but when the ultimate consumer comes to pay that tax, he pays $1.50. That is just such a condition as I foresaw in the session of 1921, when this measure was proposed. It was proposed as an emergency measure, and as it was originally drawn, there was a provision in that bill that made it a misdemeanor punishable by fine and imprisonment for an operator to add to the price of a ton of coal more than the 12 cents or 12½ cents per ton, tax. When the measure came to be voted upon on the floor of the House, I called the attention of the House to the fact that that proviso had been stricken from the bill, and I called then upon the gentleman from Tioga, who has spoken here this evening, who was then, I think on the Ways and Means Committee and he referred me to the Chairman—the then chairman of the Committee on Ways and Means, Mr. Dawson, from Scranton, and he said they could not figure it out, they could not distribute it, and out of consideration for the chairman of the Ways and Means Committee, the Committee reported that bill with that amendment, and the bill was put through the House. Now, we see the result of it. We see how the operators are imposing on the poor people of the Commonwealth of Pennsylvania. They come here and say that the small sizes of hard coal come into competition with the coal that is used for domestic purposes, or come into competition with the soft coal, and instead of collecting the 12½ cent tax upon the coal of small sizes that they ship beyond the borders of the State, they added to the coal that is used here for domestic purposes and we pay $1.50 a ton on account of that iniquitous manipulation of this tax by these operators. Now, I am just as much opposed to the tax on hard coal as any member of the hard coal bloc in this House. I am in favor of protecting the poor man—the ultimate consumer of this coal. This measure, as I said, was adopted as a temporary one to help to finance school plans, and to help the State out of the financial difficulties that it was then in. That condition has not yet been overcome. We are still in debt, and the interrogatory has been raised here by the gentleman from Philadelphia and the gentleman from Tioga, "What are you going to substitute in place of this tax, if you remove it?" And the answer is, "Let the future provide for itself." They have no suggestions to make to supply this lost revenue. I am sorry that the sponsor of this bill insists upon bringing this measure to a vote at the present time. I wish that he would be content to hold it in the Committee for further hearing and for amendment, that it may be brought up later in the session if it is then determined that the bill that has been introduced here to impose a tax upon manufacturers shall be passed; that would take its place. We do not know what the fortunes of that bill will be, and therefore I am fearful that under the present conditions that this bill must have a premature death, which I don't want to see and there die aborning. My idea is that this bill should be allowed to stand until we have sufficient money in sight for the use of the Commonwealth, to help lower our present indebtedness, and that this bill be amended to read as originally introduced, making it a misdemeanor punishable by fine and

imprisonment to add anything more than the 12½ cents per ton of coal.

MOTION TO POSTPONE.

Mr. LUDLOW. Mr. Speaker, I would like to move that this bill be restored to the postponed calendar, and after the motion is seconded, I would like for just a moment to explain why, in justice to the sponsor of the bill and others who are interested that this should be done. I so move you Mr. Speaker.

Mr. DAVID J. JONES. Mr. Speaker, I second the motion

On the question,

Will the House agree to the motion?

MR. LUDLOW: Mr. Speaker, and members of the House, there is no desire in the motion which I have to postpone the inevitable day when this must be passed upon. To my own humble notion and judgment, the merits of the bill are sound and inherently right. It is no more fair that we should place a tax on anthracite that we should on any other natural product. If we are going to tax anthracite, we should in some fair measure tax bituminous, we should in some fair measure tax sand and quarry rock and other natural products, and we haven't done that. I am in favor, I say now in advance, that if the House insists on a vote now, I am going to vote "Aye", but I believe the merits of the bill are such that it should be saved from misunderstanding. This bill can be defeated on the ground that the period does not coincide with the fiscal year. It can be defeated on the ground that this particular Ways and Means Committee has not been given a chance, as the chairman has said, to skin its own eel. I propose by this motion to give the chairman and his committee a chance to skin their own eels, providing they do it mighty quickly. Now, there is no reason why this should go over indefinitely, but there is a good reason why we should let it go over for, let us say, another two weeks, and by keeping it its proper place on the calendar, and then we can have action on it at any time in accordance with the recommendations made by our friend of the Ways and Means Committee. Tonight we are not voting on the real merits of the bill. The anthracite tax is inherently and economically unsound as long as you let the others go by. You pick out somebody who has no right to be taxed, and others who should be, escape. You are dodging and dodging because you have before you the fear that somehow or other in the justice of the case, you are going to be called upon to tax the poor manufacturing corporations. Why not face the music, why not put this back on the postponed calendar and then, in two weeks call it up and keep calling it up, and bring a vote when the merits of the case are decided, shall we or shall we not repeal the tax on anthracite. By that time the question which Mr. Ogle has indicated could well be answered, "what is a substitute?" My friend from Tioga and my friend from Philadelphia have both asked, "What shall we substitute?" We have nothing constructive It seems to me the logical thing, the fair thing, the decent thing to our constituents is to say, "Yes, we shall vote on this thing, so there is no secrecy if you call for the vote." Now I think it is wrong at this time and I am going to vote "aye". The tax ought to go down; I think there ought to be a substitute, and if there is no substitute and if we go back to the issue, "Yes", or "No" on the anthracite, I am going to tell my friends that I am going to vote "aye". I am going to vote "aye" because it is wrong. I, therefore, ask, Mr. Speaker, that the members of the House consider seriously, not with the mob-like "aye, aye"; and those who are going to vote "No", when the vote is taken, but I ask you in a spirit of fairness, whether the sponsors of the bill take that right or not, what is the fair thing for Pennsylvania. I hope the motion to postpone—not to kill it, not to put it into the hands of our mortuary friends, but to put it on the calendar again a week from now, and again a week from that will prevail, so that our friends over here may perform this job of skinning their own eel.

Mr. FOWLER: Mr. Speaker, we hear a great deal about skinning eels these days since Governor Pinchot has made that statement, but I don't intend to have my shins scraped doing it. I believe that I have had more bills postponed and pickled than any man that has been in this House; and I have had promises for eight years in this House and every time that promise didn't amount to anything. Well, I am going to oppose the motion. Let me say that if the Committee is sincere and they claim that they can do so much in two weeks, I know that you will have ample time while this bill is being discussed in the Senate to take action here in the Committee of Ways and Means. The Committee on Ways and Means had this bill a very long time and it took a great deal of work to get it away from them. Now my friend, the chairman of the Ways and Means Committee, had advised so much about revenue tonight, but still he wants his own bill repealed in the next week or so. He forgets that old bill was a revenue raiser. Let me say, if he is sincere on revenue and the rest my friends they shall have sufficient time to find ways and means, while this bill no doubt will be gone on its rocky road through the Senate. I oppose the motion.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

Mr. GOLDER. Mr. Speaker, I move the previous question.

The motion was seconded by the following Messrs. Baker, Baldi, Bluett, Brownmiller, Burns, Conner, Dilsheimer, Dunn, Edmonds, Burd P. Evans, Joshua Evans, Fields, Flynn, Alfred I. Fowler, David Fowler, Gelder, Haas, Harer, Heffernan, Huber, Lucas.

The SPEAKER. More that 20 members having joined in moving the previous question,

On the question,

Shall the main question be put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Albert,	Eaches,	Jones, E. P.,	Pitts,
Allman,	Earley,	Keene,	Posey,
Armstrong,	Eshelman,	Kennedy,	Post,
Arthur,	Evans, J.,	Kohler,	Rinn,
Asbury,	Fields,	Korns,	Rippman,
Aston,	Flinchbaugh,	Labar,	Sample,
Baker,	Flynn,	Lauver,	Sarig,
Baldi,	Fowler, A. I.,	Little,	Sautter,
Behney,	Fowler, D.,	Lucas,	Schaeffer,
Bell, F. A.,	Gelder,	Ludlow,	Schilling,
Bell, W. T.,	Gibbon,	Lynch,	Schleiter,
Bentley,	Gilchrist,	Mack,	Schoener,
Berger,	Glasgow,	Malie,	Schwartz,
Betts,	Golder,	Mangan,	Shambach,
Bidelspacher,	Gorham,	Marcus, J.,	Sheridan,
Blair,	Greeby,	Marcus, J. C.,	Smith, H. J.,
Bluett,	Grimes,	Marshall, W. F.,	Smith, H.,
Blumberg,	Guerin,	Mathay,	Soffel,
Boback,	Gundy,	McBride,	Sowers,
Brenneman,	Haas,	McCann,	Speiser,
Brewster,	Hall,	McClure,	Sprowls,
Bromley,	Harer,	McDaniel,	Stark,
Brownmiller,	Harter,	McDermott,	Staudenmeier,
Burchinal,	Haslett,	McGowan,	Stavitski,
Burns,	Haws,	Metcalf,	Steedle,
Bush,	Heffernan,	Millar,	Stevens, A. J.,
Conner,	Heffran,	Miller,	Stevens, A. F.,
Coyne,	Hetrick,	Moffatt,	Stoner,

Craig,	Heyburn,	Moore,	Thomas, L. D.,
de Young,	Himes,	Munley,	Thompson,
Diehm,	Holcombe,	Myers, G. C.,	Van Alen,
Dietz,	Hollis,	Myers, P. M.,	Wettach,
Dilsheimer,	Hontz,	Nolte,	Whitehouse,
Donahue,	Hoover,	O'Boyle,	Williams, J. M.,
Driggs,	Howell,	Patterson,	Wright,
Drinkhouse,	Huber,	Peelor,	
Dunn,	Johnson,	Perry,	

NAYS—52.

Alexander,	Griffith,	McKim,	Walker,
Anderson,	Haines,	Minehart,	Weamer,
Beaver,	Henderson,	Morrison,	Wells,
Brown,	Horne,	Ogle,	Wheeler,
Chaplin,	Irvin,	Orr,	Whiteman,
Clutton,	Jones, C. B.,	Parkinson,	Williams, G. W.
Coldsmith,	Jones, D. J.,	Raymond,	Woner,
Edmonds,	Kelly,	Richards,	Wood, N.,
Evans, B. P.,	Kunkle,	Smith, G. A.,	Wood, W. P.,
Fratt,	Long,	Spangler,	Goodnough,
Frazier,	MacKinney,	Storb,	Speaker.
Gallaher,	Marshall, J. G.,	Storer,	
Goehring,	McCurdy,	Thomas, M. G.,	
Goss,	McCaig,	Vickerman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION RECALLING HOUSE BILL NO. 51 FROM THE GOVERNOR.

Mr. McKIM offered the following resolution which was twice read, considered and adopted:

Resolved, (if the Senate concur,) that House Bill No. 51 File Folio 849, entitled "An Act providing for the construction of certain bridges in State Highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintainance thereof between the State, the County and any railroad Company or Companies whose tracks are crossed by such bridge";

Be recalled from the Governor for amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 250 (Senate Bill No. 6), as follows:

An Act to amend section two of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty-four) entitled "An Act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing for the payment of the expenses thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty-four) entitled "An Act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing for the payment of the expenses thereof" which reads as follows

"Section 2. The actual expenses of the aforesaid officials attending the said annual meetings of said association including traveling expenses and hotel bills actually paid by them together with a membership subscription by each poor district to the necessary expenses of the convention including printing employment of stenographers and expenses of committees—which said membership subscription however shall not be more than fifteen dollars for any poor district per annum—shall be paid out of the funds of the poor district The time spent in attending such meeting shall not be more than four days exclusive of the time employed in traveling thereto and therefrom" is hereby amended to read as follows

Section 2 The actual expenses of the aforesaid officials attending the said annual meetings of said association including traveling expenses and hotel bills actually paid by them together with a membership subscription by each poor district to the necessary expenses of the convention including printing employment of stenographers and expenses of committees—which said membership subscription however shall not be more than thirty dollars for any poor district per annum—shall be paid out of the funds of the poor district The time spent in attending such meeting shall not be more than four days exclusive of the time employed in traveling thereto and therefrom

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, the act of July, 1917 authorized directors and overseers of the poor districts to take membership with and to contribute $15.00 annually toward the expenses of the state meetings of the directors of the poor. This bill, when considered by the House two weeks ago, amended the Act of 1917 and increased the amount to $50.00. It has since been amended and now calls for an annual contribution not to exceed $30.00. The question of taking membership in the state association and contributing to its fund is not mandatory but optional with the local board. To me the bill in its present form is unobjectionable, and I shall vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138.

Alexander,	Evans, J.,	Sample,	Schaeffer,
Allman,	Fields,	Sautter,	Schilling,
Anderson,	Flynn,	Lucas,	Schwartz,
Armstrong,	Fowler, A. I.,	Ludlow,	Shambach,
Arthur,	Fowler, D.,	Lynch,	Smith, G. A.,
Asbury,	Frazier,	Malie,	Smith, H.,
Aston,	Gelder,	Marcus, J. C.,	Soffel,
Baldi,	Gibbon,	Marshall, J. G.,	Spangler,
Beaver,	Gilchrist,	Mathay,	Speiser,
Behney,	Glasgow,	McBride,	Stark,
Bell, F. A.,	Goehring,	McCaig,	Steedle,
Bell, W. T.,	Greeby,	McCurdy,	Stevens, A. J.,
Bentley,	Griffith,	McDaniel,	Stoner,
Berger,	Grimes,	McGowan,	Storb,
Bidelspacher,	Hall,	McKim,	Storer,
Blair,	Harer,	McVicar,	Thomas, L. D.,
Blumberg,	Haslett,	Metcalf,	Thomas, M. G.,
Brewster,	Heffernan,	Miller,	Thompson,
Bromley,	Heffran,	Minehart,	Van Alen,
Brown,	Henderson,	Moffatt,	Vickerman,
Burchinal,	Hetrick,	Moore,	Walker,
Burns,	Heyburn,	Morrison,	Weamer,
Bush,	Himes,	Munley,	Wells,
Chaplin,	Holcombe,	Myers, P. M.,	Wettach,
Clutton,	Hontz,	Nolte,	Wheeler,
Coldsmith,	Horne,	O'Boyle,	Whitehouse,
Conner,	Huber,	Ogle,	Whiteman,
Craig,	Jones, C. B.,	Orr,	Williams, G. W.
de Young,	Jones, D. J.,	Peelor,	Williams, J. M.,
Dilsheimer,	Jones, E. P.,	Perry,	Wood, N.,
Driggs,	Keene,	Pitts,	Wood, W. P.,
Drinkhouse,	Kohler,	Posey,	Wright,

Dunn,	Kunkle,	Post,	Goodnough,
Earley,	Labar,	Raymond,	Speaker.
Evans, B. P.,	Little,	Richards,	

NAYS—29.

Albert,	Gallaher,	Mack,	Schleiter,
Betts,	Gorham,	MacKinney,	Schoener,
Boback,	Gundy,	Marshall, W. F.,	Sheridan,
Brenneman,	Harter,	McDermott.	Stavitski,
Brownmiller,	Hoover,	Myers, G. C.,	Woner,
Dietz,	Howell,	Patterson,	
Donahue,	Irvin,	Rippman,	
Eshelman,	Johnson,	Sarig,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

BILL ON SECOND READING.

Mr. SPANGLER. Mr. Speaker, I ask unanimous consent to call up at this time, on page 18 of today's calendar, bills on second reading, House Bill No. 713, file folio 1145, for the purpose of offering amendments. The reason I make this request at this time is for fear that this bill will not be reached this evening. It is a very important matter for the people of York that some relief, some immediate relief be granted to them in their fight to prevent what they consider to be an unwarranted raise of rates by their water companies. I introduced a bill a short time ago which contained certain objectionable features when it was presented to the Committee on Judiciary General, and it was asked that they be stricken out. I introduced a bill that would ameliorate the conditions in York in respect to the raise of water rates that recently have been promulgated by the York Water Company. The bill as it was drawn was similar to the bill that had been before this legislature on previous occasions, and it provided that no increase should be made by any public service corporation, that the same should not be made until the final adjudication of the matter. I can see a great many objections to such a provision in any bill. Now the bill that I have introduced has been very materially amended and the present bill provides that when a complaint is filed against a public service corporation's raise of rates, that in that event the complainant can make a request, by filing a petition with the Public Service Commission, asking them to make a preliminary investigation of the matter, and immediately determine whether or not those rates should be raised, in other words whether or not the public service corporation cannot wait until the final adjudication of the matter. Now it is very imperative to the people of York that this legislation be passed at the earliest possible moment if relief is to be had, and for that reason, and only for that reason would I ask the House to give its unanimous consent at this time for the purpose of permitting me to offer amendments that would make this bill plausible, and I would ask for that reason, Mr. Speaker, that the House give its unanimous consent to allow me to call up this bill, in order that the amendments may be presented.

The SPEAKER. Are there objections to the calling up of this bill out of order? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 713, entitled:

An Act to amend clause (f) of section one article two and section four of article five of an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An act defining public service companies and providing for their regulation and prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers council and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public ServiceCommission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and section one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" by providing that new tariffs and schedules shall not go into force until after the approval of the commission

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (f) of section one article two of an act approved twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public

Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said company providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judical review of its orders and determinations by the courts of common pleas and giving the court of common pleas Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all ther legislation inconsistent with or supplied by this act" is hereby amended to read as follows

(f) To make no change in any tariff or schedule which shall have been filed or published or posted by any public service company in compliance with the preceding sections until after such new tariffs or schedules have been approved by the commission The company applying for the change in tariffs or schedules shall give notice to the commission by filing its application with the secretary of the commission thirty days previous to its formal presentation to the commission and shall give notice to the public of its intention to apply to the Commission for such change in its tariff or schedules by thirty days' notice posted and published in the manner form and places required with respect to the original tariffs or schedules which shall plainly state the exact changes proposed to be made in the tariffs or schedules then in force and whether an increase or decrease and the time when the proposed application will be presented to said commission All new tariffs and schedules so approved shall be shown by filing posting and publishing new tariffs or schedules or shall be plainly indicated upon the tariffs or schedules in force at the time and kept open to the public inspection Provided That the commission may in its discretion and for good cause shown allow changes in such tariffs or schedules upon less than thirty days' notice herein specified or upon other conditions

On the question,

Will the House agree to the section?

Mr. SPANGLER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1 page 4 line 4 by striking out the words "clause (f) of section one, article two" and inserting in lieu thereof "article two"

Amend Sec. 1 page 6 lines 13 to 29 by striking out the lines 13 to 29 both inclusive.

Amend Sec. 1 page 7 lines 1 to 27 by striking out lines 1 to 27 both inclusive.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section four of article five of said act is hereby amended to read as follows

Section 4 Whenever the commission receives notice of any change proposed in any tariff or schedule filed or posted under the provisions of this act it shall have power either upon complaint or upon its own motion and if it so orders without answer or other formal pleading by the interested public service company after notice to hold a public hearing and make investigations as to the propriety of such proposed change and of the new rate practice or classification After such hearing and investigation the commission may make such order in reference to the new rate practice and classification as it deems proper At any such hearing involving any proposed increase in any rate the burden of proof to show that such increased rate is just and reasonable shall be upon the public service company

The commission shall have power in its discretion and for good cause shown to permit changes in the tariffs or schedules filed and published upon less than the thirty days' notice specified in article two section one (f) of this act or upon other conditions which shall be just and reasonable

The commission shall also have power in its discretion where any notice of increase in any rates fares tolls or charges of a public service company has been filed and the said increase has already become effective before the approval thereof by the Commission as heretofore provided upon application made to it to suspend any such rate fare toll or charge until said increase has been approved by the commission

On the question,

Will the House agree to the section?

Mr. SPANGLER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 2 page 7 lines 28 and 29 by striking out both lines.

Amend Sec. 2 page 8 line 11, by striking out the bracket before the word "whether."

Amend Sec. 2 page 8 line 12, by striking out the bracket after the word "effect."

Amend Sec. 2 page 8 line 13 by striking out the word "it deems proper"

Amend Sec. 2 page 8 line 13 by striking out the bracket before the word "would"

Amend Sec. 2 page 8 line 14 by striking out the bracket after the word "effective"

Amend Sec. 2 page 8 line 28 by inserting after the word "and" the following: "Where a party filing any complaint against such increase in rates, fares tolls or charges and in such complaint, or within ninety days after the posting of a notice of any proposed increase, petitions the Commission for a suspension or modification of the proposed increase, pending final adjudication of the matter, to forthwith make a preliminary investigation of the matter in such manner as it may direct and may forthwith make an order suspending or modifying such proposed increase in rates, fares, tools or charges until final determination of the matter, and the commission may in any case where an increase has become effective before final adjudication

Amend Sec. 2 page 8 line 28 by striking out the words following the word "and"

Amend Sec. 2 page 8 line 29 by striking out the entire line.

Amend Sec. 2 page 9 lines 2 and 3 by striking out both lines.

Amend Sec. 2 page 9 line 3 by striking out the words "has been approved by the Commission"

Amend Sec. 2 page 9 line 3 by inserting a bracket after the word "to"

Amend Sec. 2 page 9 line 3 by striking out the word "requeir" and inserting in lieu thereof "require"

Amend Sec. 2 page 9 line 7 by striking out the bracket after the word "rate"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title section was read as follows:

An Act to amend clause (f) of section one, article two, and section four of article five of an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled, "An Act defining public service companies: and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers and regulating their incorporation, and to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsel, and employes: prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes of railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled, 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars,' approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled, 'An act to provide for the incorporations and regulation of certain corporations' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act," by providing that new tariffs and schedules shall not go into force until after the approval of the Commission.

On the question,

Will the House agree to the title?

Mr. SPANGLER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title page 1 lines 1 and 2 striking out the words "clause (f) of section one article two and"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for a third reading.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 436, entitled:

An Act regulating the mortgaging of real property by married persons.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, and members of the House, this bill that is now before the House for passage, House Bill No. 476, and a bill on the postponed calendar, 61, presents what is to my mind one of the most interesting questions of general legislation before us this session. It is well known to every one in the House that a married man owning real estate in his own name, has the right to mortgage that property without the consent of the wife, but that a married woman owning real estate in her own name requires the signature of the husband in order to validate the mortgages to be made. This is an equality, of course, between a married man and a married woman, the kind of inequality that existed copiously in the old common law. As one English judge said, "Marriage makes the husband and wife one, and so for as the property is concerned, the husband is the one".

For a long time in Pennsylvania we have been enlarging the powers of married women, until today this distinction with reference to the mortgaging of property is one of the two distinctions that exists between a married man and a married woman in the mortgaging of property. Now the proposition that is in the pending bill is that the situation between husband and wife be equalized, so that the signature of both be required for a mortgage on the property of the husband or on the property of the wife. It removes the stigma of inequality that previously attached to our law.

My colleague, Mr. Guerin, has introduced House Bill No. 61, which is now on the postponed calendar, and it proposes to reach the same result of equality by providing that either

could mortgage the real estate without the signature of the other. Personally it is my feeling that the bill now before us comes nearer to meeting the situation than Mr. Guerin's bill, although personally I would be glad to have the chance to vote for a bill that had some of the features of both and some features that neither one has. To my mind the important thing to do is to safeguard the homestead where the family lives, to safeguard the homestead where the title is in the husband or the wife, and that the homestead property could not be mortgaged unless both the husband and the wife have knowledge of the transaction. There have been a great many cases of hardship where the property being in the name of the husband was mortgaged without the wife's knowledge, and sometimes, in case of death, the wife thinking the property clear of mortgages, has been surprised to find mortgages placed on the property without her knowledge. Mrs. Pitt's bill would relieve that situation and make it so that neither could mortgage without the knowledge and consent of the other. It may be urged that in some cases the real estate is used in the business of the husband, and is not the homestead, and if it is business property, he should be given the right to mortgage without the wife's consent, or that similarly the wife may own business property and that she should be given the right to mortgage without the consent of the husband. It may be that some day we will reach a definition as to what the homestead is, so that we can except homestead property from the operation of this law. We have not got that far yet, and it seems to me that my colleague from Philadelphia, Mrs. Pitts, is to be commended for bringing this general proposition here so that we have an opportunity by our votes to put forth the married man and the married woman on the same plane of equality with regard to real estate. As the matter is a matter of general legal importance, I feel that even at this late hour I ought to take up the time of the House with some explanation as to the difference between these two bills. Personally I shall vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—121.

Alexander,	Eaches,	Horne,	Posey,
Anderson,	Earley,	Howell,	Raymond,
Armstrong,	Edmonds,	Huber,	Richards,
Arthur,	Eshelman,	Irvin,	Rinn,
Aston,	Evans, B. P.,	Jones, C. B.,	Rippman,
Baldi,	Evans, J.,	Jones, E. P.,	Sample,
Bell, F. A.,	Fields,	Kelly,	Schilling,
Bentley,	Flinchbaugh,	Kohler,	Schoener,
Betts,	Flynn,	Korns,	Schwartz,
Bidelspacher,	Fowler, A. I.,	Long,	Shambach,
Blair,	Fowler, D.,	Lucas,	Smith, H. J.,
Bluett,	Frazier,	Ludlow,	Smith, H.,
Blumberg,	Gallaher,	Lynch,	Soffel,
Brewster,	Gelder,	MacKinney,	Speiser,
Bromley,	Gilchrist,	Malie,	Sprowls,
Brown,	Glasgow,	Marshall, J. G.,	Stavitski,
Brownmiller,	Goehring,	Mathay,	Stevens, A. J.,
Burchinal,	Golder,	McClure,	Storb,
Bush,	Goss,	McDaniel,	Storer,
Chaplin,	Grimes,	McDermott,	Thomas, L. D.,
Clutton,	Gundy,	Metcalf,	Vickerman,
Coldsmith,	Haas,	Miller,	Weamer,
Conner,	Harer,	Moore,	Wells,
Craig,	Harter,	Morrison,	Whiteman,
de Young,	Heffernan,	Munley,	Woner,
Diehm,	Heffran,	Nolte,	Wood, N.,
Dietz,	Henderson,	O'Boyle,	Wright,
Dilsheimer,	Heyburn,	Ogle,	Goodnough,
Driggs,	Himes,	Orr,	Speaker.
Drinkhouse,	Holcombe,	Perry,	
Dunn,	Hoover,	Pitts,	

NAYS—56.

Albert,	Hall,	Marshall, W. F.,	Smith, G. A.,
Allman,	Haslett,	McBride,	Sowers,
Beaver,	Hetrick,	McCurdy,	Spangler,
Behney,	Hontz,	McGowan,	Stark,
Bell, W. T.,	Johnson,	McKim,	Staudenmeier,
Berger,	Jones, D. J.,	McVicar,	Steedle,
Boback,	Keene,	Millar,	Stoner,
Brenneman,	Kennedy,	Moffatt,	Thompson,
Coyne,	Kunkle,	Myers, G. C.,	Walker,
Donahue,	Labar,	Myers, P. M.,	Wettach,
Gibbon,	Little,	Patterson,	Wheeler,
Gorham,	Mack,	Peelor,	Whitehouse,
Greeby,	Mangan,	Sautter,	Williams, J. M.,
Griffith,	Marcus, J. C.,	Schaeffer,	Wood, W. P.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned from the House of Representatives bill numbered and entitled as follows:

House Bill No. 25

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of January one thousand nine hundred and twenty-three

Said bill having been recalled from the Governor for the purpose of amendment; the vote had on final passage and third reading was reconsidered in the House, and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution of the House of Representatives, as follows:

In the House of Representatives, March 19, 1923.

Be it resolved (if the Senate Concur) that House Bill No. 37, Printer's No. 7, entit ed "A joint resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania", be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 280.

An Act providing for the assessment and collection as benefits from the abutting property owners of the borough's share of the cost of the improvement of a street which forms part of a State Highway where such improvement has been heretofore made by the State Highway Department

House Bill No. 26.

An Act to amend section twenty-four of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 429), entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in con-

nection therewith, and the fees therefor," providing for the sale of the real and personal property of a decedent without known heirs, kindred or surviving spouse, and the payment of the net proceeds of such sale into the State Treasury.

HOUSE BILL No. 267.

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held or pending pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled, "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

HOUSE BILL No. 332.

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged

HOUSE BILL No. 296.

An Act to amend section fifty-five of an act approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth."

With information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER.

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 95.

An Act for the prevention of fraud and the protection of the public health relating to milk cream or skimmed milk whether or not condensed evaporated concentrated dried powdered or dessicated prohibiting the introduction of foreign fats into them regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 16. (HOUSE BILL No. 860).

An Act to amend Clause five of Section three of an Act entitled, "An Act relating to food; defining food; providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" approved the thirteenth day of May, Anno Domini one thousand nine hundred and nine (Pamphlet Laws, five hundred and twenty).

Referred to Committee on Public Health and Sanitation.

SENATE BILL No. 46. (HOUSE BILL No. 861).

An Act making an appropriation to carry into effect the provisions of an act approved the ninth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred fourteen), entitled "An Act providing for the erection and construction by the Commonwealth of Pennsylvania and the state of New Jersey of a bridge over the Delaware River, connecting the city of Philadelphia and the city of Camden and the approaches thereto; providing for a joint commission for that purpose and defining its powers and duties; providing for an independent commission in this Commonwealth in relation thereto and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadelphia and providing for the acquiring, taking and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridge upon its completion and making an appropriation for the purposes of this act" and its amendments.

Referred to Committee on Appropriations.

SENATE BILL No. 75. (HOUSE BILL No. 862).

An Act to amend section seventy-five of an act approved March 31, 1860 (P. L. 382), entitled "An Act to consolidate, Revise and Amend the Penal Laws of this Commonwealth," by providing that the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be.

Referred to Committee on Judiciary General.

SENATE BILL No. 84. (HOUSE BILL No.863).

An Act relating to the acquisition of land for park purposes by any city in this Commonwealth in sections not entirely built up limiting time for condemnation by councils, or condemnation or purchase by Park Commissioners after same has been placed on city plan for park purposes by ordinance of councils or action of park commissioners and providing for removal from city plan upon failure to condemn or purchase within time specified herein.

Referred to Committee on Municipal Corporations.

SENATE BILL No. 183. (HOUSE BILL No. 864).

An Act requiring prothonotaries to mark the time judgments are left at the office for entering; providing for the priority of such liens to be determined according to such time.

Referred to Committee on Judiciary General.

SENATE BILL No. 302. (HOUSE BILL No. 865).

An Act authorizing and empowering the County Treasurers in counties of the third class to appoint a solicitor, prescribing his duties, and providing for the compensation of such solicitor.

Referred to Committee on Judiciary General.

BILLS ON SECOND READING.

The SPEAKER. If there are no objections, the Chair will take up the second reading calendar at this time. Are there objections? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1, as follows:

An Act fixing the pay of election officers and clerks in cities of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at all elections in the cities of the first class the pay of judges of election shall be twenty-five dollars and the pay of inspectors and clerks shall be ten dollars

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading an consideration of House Bill No. 383, as follows:

An Act to repeal the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and seventy-three) entitled "An Act to authorize the compilation and publication of not less than two nor more than four volumes of Statutes at Large of Pennsylvania in addition to the sixteen volumes heretofore authorized additional volumes being necessary to connect the Statutes at Large and the Pamphlet Laws of Pennsylvania in a serial and complete publication of the Laws of the Province and Commonwealth and to provide for the appointment of a Commission to control and supervise the preparation of said volumes and of a competent person to compile and edit them and making an appropriation therefor"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and seventy-three) entitled "An Act to authorize the compilation and publication of not less than two nor more than four volumes of Statutes at Large of Pennsylvania in addition to the sixteen volumes heretofore authorized additional volumes being necessary to connect the Statutes at Large and the Pamphlet Laws of Pennsylvania in a serial and complete publication of the Laws of the Province and Commonwealth and to provide for the appointment of a Commission to control and supervise the preparation of said volumes and of a competent person to compile and edit them and making an appropriation therefor" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 545, as follows:

An Act to amend sections one and two of an act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and sixty-three entitled "An Act legalizing and making it lawful to build fences constructed in whole or in part of wire along the public highways and as division fences" permitting the use of fences of wire with barb

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the second day of May one thousand eight hundred and ninety-one (Pamphlet Laws one hundred and sixty-three) entitled "An Act legalizing and making it lawful to build fences constructed in whole or in part of wire along the public highways and as division fences is hereby amended to read as follows

Section 1 Be it enacted et cetera That it shall and is hereby declared to be lawful for any land owner within this Commonwealth to construct build and maintain along any of the highways of this Commonwealth fences made in whole or in part of wire with or without barbs subject at all times to such restrictions and prohibitions as may be imposed by the municipal authorities thereto

Section 2 That section two of said act is hereby amended to read as follows

Section 2 A fence in whole or in part of wire with or without barbs is hereby declared to be a legal and lawful fence within the meaning and provisions of any act of the Legislature of this State relative to the building constructing and maintaining of line fences provided that such wire fences shall be of the height required by such act or acts All statutes and parts of statutes inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 605, as follows:

An Act to amend section one of Article two of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An Act for the government of cities of the second class" as amended by changing the name of the Department of Charities to the Department of Public Welfare

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of Article two of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An Act for the government of cities of the second class" as amended by the act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and thirty-eight) entitled "An Act amending article two of an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by the act approved the first day of April Anno Domini one thousand nine hundred and nine by providing for the creation of an additional department to be known as the Department of Supplies supplementing said act so approved the seventh day of March Anno Domini one thousand nine hundred and one by authorizing the creation of the Department of Supplies and defining the powers and duties of said department and amending section one of article fifteen of said act so approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by the Act approved the twentieth day of June Anno Domini one thousand nine hundred and one by providing that when a contract exceeds five hundred dollars notice to bidders shall be by advertisement instead of notice by advertisement being when the contract exceeds two hundred and fifty dollars and further providing that bids shall be opened by the mayor and head of the proper department or either of them" is hereby further amended to read as follows

Section 1 There shall be the following executive departments

I Department of Public Safety
II Department of Public Works
III Department of Collector of Delinquent Taxes
IV Department of Assessors
V Department of City Treasurer
VI Department of City Controller
VII Department of Law
VIII Department of Public Welfare
IX Sinking-Fund Commission
X Department of Public Health
XI Department of Supplies

No department shall be created other than those herein enumerated but councils may by ordinance provide that the city treasurer may be appointed collector of delinquent taxes and also that the city treasurer may be appointed Director of the Department of Supplies and that one person may be appointed Director of the Department of Public Welfare and the Department of Public Health

Councils shall provide by ordinance for such bureaus clerks or other subordinate officers as may be required for the transaction of the business of the departments

Each department shall have power to prescribe rules and regulations not inconsistent with any law or ordinance or with the provisions of article one hereof for its own government regulating the conduct of its officers clerks and employes the distribution and performance of its business and the custody use and preservation of the books records papers and property under its control

Each department shall furnish to the Mayor or councils or either branch of councils such information as he or they may at any time demand in relation to its affairs

"The heads and members of all departments and all subordinate officers clerks and employes shall give bonds as may be fixed by ordinance

The Department of Supplies shall be under the charge of a director who shall be the head thereof

The Mayor shall nominate and by and with the advice and consent of the select council appoint the Director of the Department of Supplies

The Department of Supplies shall have the direction control and administration of the purchase and supply of all personal property required in the conduct of the business of the city All other departments shall obtain such personal property by requisition upon the Department of Supplies and not by purchase direct The manner and form of such requisition may be prescribed by ordinance or in default thereof by standing rule of the Department of Supplies All appropriations of money for the purchase and supply of such personal property shall be made to and be expended by the Department of Supplies and all contracts for the purchase of such personal property shall be made and entered into by and with the Mayor and Director of the Department of Supplies in the manner now required by law

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 635, as follows:

An Act to amend section six of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated "as deceased service men" defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated 'as deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death" is hereby amended to read as follows

Section 6 The county commissioners of the several counties of this State shall upon the petition of any ten reputable freeholders of any city borough township or district in said county procure for and furnish to said petitioners some suitable and appropriate markers made of suitable material for the grave of each and every deceased service man or woman buried within the limits of said city borough township or district to be placed upon the grave of such deceased service man or woman for the purpose of permanently marking and designating such grave for memorial purposes and when such deceased service man or woman shall have been a veteran of any war for which the Government of the United States issued discharge buttons the markers designated for their graves shall include a facsimile of said discharge button

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 588, as follows:

An Act to regulate the allotting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plat prior to the sale conveyance or mortgaging of any part thereof and providing penalties for the violation of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person firm or corporation who being the owner or agent of the owner of any kind of land situated within a city of the second class in this Commonwealth makes or causes to be made a subdivision or allotment of said land which includes the location of streets lanes or alleys shall before selling conveying or mortgaging any lot parcel or tract thereof file for record in the office of the Recorder of Deeds of the county in which the land is situated a plan of the subdivision or allotment of said land

Section 2 That any such person firm or corporation who makes or causes to be made a subdivision or allotment of land as aforesaid and sells conveys or mortgages any lot parcel or tract thereof before a map or plat or such subdivision or allotment has been recorded in the office of the Recorder of Deeds of the county in which the land is situated shall be subject to a penalty of one hundred ($100) dollars for each lot parcel or tract so sold conveyed or mortgaged to be sued for in any court having jurisdiction of an action for a fine or penalty by and for the use of the city of the second class in which the land is situated A description of such lot parcel or tract by metes and bounds in the deed mortgage or other instrument of sale conveyance or mortgage shall not be sufficient to exempt the seller mortgagor or agent from the penalty herein provided

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 403, as follows:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their respective warrants or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases in which the period of two years the limitation of the warrants of the duplicates of the county State dog poor road city township ward school and borough tax collectors have expired and in case where the power and authority of said tax collectors have expired or shall expire during the year one thousand nine hundred and twenty-three by virtue of the expiration of their terms of office and said tax collectors or collectors have or shall become personally liable for the taxes contained in said duplicates and warrants or any part thereof by reason of the personal payment or otherwise by the said tax collector or collectors of the said taxes or any part thereof without having recovered or collected the same from the person or persons against whom they have been levied and assessed or without having recovered or collected the same from the person or persons owning the property against which the said taxes have been levied and assessed the said duplicates and warrants and the powers and authority of the said tax collectors in all such cases are hereby revived and extended for another period of two years after the passage of this act and the said tax collector or collectors their executors or administrators if they are deceased or either surety or sureties if the said surety or sureties have paid the said taxes are hereby empowered to proceed and collect said taxes from all such persons who have not paid them residing in said district within which said taxes are assessed

as well as from all persons who may remove or have removed from said city ward township or townships or boroughs and have neglected to pay the taxes as aforesaid assessed with the like effect as if said warrant or warrants have not expired by the limitation of the two years as aforesaid or the term of office of said tax collector had not expired Provided That the provisions of this act shall not apply to warrants issued prior to the year one thousand eight hundred ninety-four and that nothing in this act shall release any bondsman or security Provided That this act shall not apply to cities having special laws on this subject Provided also That no collector or the sureties thereof who take advantage of this act shall be permitted to plead the statute of limitations in any action brought to recover the amount of any duplicate or warrant so extended or renewed Provided further That no statute of limitations shall prevent the collection of any tax for which the warrants and powers and authorities of the said tax collectors have been so as aforesaid extended renewed and revived

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 698, entitled as follows:

An Act lapsing certain appropriations available for expenditure by the Department of Public Instruction

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it hereby enacted by the authority of the same That the sum of six hundred forty-two thousand one hundred forty-three dollars and twenty-nine cents ($642,143.29) representing a total unexpended balance of appropriations made to the Department of Public Instruction for the support of the public schools State normal schools vocational schools continuation schools other public school agencies professional education midwifery scholarships blind students blind babies and other purposes one hundred and fifty-six thousand five hundred fifty-six dollars and thirty-two cents ($156,556.32) which balance was appropriated for the two fiscal years beginning June first one thousand nine hundred nineteen and ending May thirty-first one thousand nine hundred twenty-one and now credited on the ledgers of the Department of Public Instruction as follows

General appropriation $146,498.32
Transportation $10,000.00
High School $58.00
Total $156,556.32

and four hundred eighty-five thousand five hundred eighty-six dollars and ninety-seven cents ($485,586.97) which balance was appropriated for the two fiscal years beginning June first one thousand nine hundred twenty-one and May thirty-first one thousand nine hundred twenty-three and now credited on the ledgers of the Department of Public Instruction as follows

Assistants Clerks etc $24,639.47
Professional Education $9.03
Medical Education and Licensure $2,928.85
Dental Council $91.05
Midwifery $200.70
Americanization $63,667.58
Expense of County Superintendents $6,235.66
Expense of Assistant County Superintendents $10,364.10
Normal School repairs $14,643.66
Vocational Education $264,803.55
Secondary Scholarships deficiency bill $4,000.00
Normal School maintenance and salaries $24,993.06
Transportation $18.48
Blind Students $1,000.00
Blind Badies $179.50
Secondary Scholarships $1,000.00
Returned checks and transfers $21,812.28
Normal Indebtedness $25,000.00
Normal Re-Appropriation and Deficiency $20,000.00
Total $485,586.97

be and the same is hereby lapsed into the general fund of the State Treasury on the first day of June one thousand nine hundred twenty-three

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 294, as follows:

An Act to amend section two hundred and six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system inthe Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the election of school directors and election officers in independent school districts and limiting the terms of appointed directors in such districts created prior to the passage of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 206 Every independent school district established as herein provided shall have its affairs except as to the election of school directors who shall be appointed and elected as hereinafter provided administered by a board of school directors subject to all the provisions of this act relating to the class of school districts to which such independent district belongs And the court establishing such independent school district shall at the time of so doing appoint a board of properly qualified residents of the district of like number as is herein provided for such class in suchof districts which board shall serve until the first Monday of December succeeding the next municipal election occurring at least thirty days after their appointment at which time their successors shall be elected in the manner hereinafter provided The number and terms of directors to be elected at such election shall be the same as is provided in section two hundred and eleven of this act for new districts

Elections for the office of school director in independent districts shall be conducted in the following manner The court making a decree establishing an independent district shall at the time of appointment of the first board of directors designate a polling place in said district and shall also appoint a judge and two inspectors who shall be citizens of the newly formed district to hold the first election Each of said inspectors of elections shall appoint one clerk At each election for school directors in such independent district there shall also be elected an election board consisting of one judge and two inspectors

The officer or officers charged with the duty of making a list of the qualified electors in each election division any part or all of which is included in such independent district at the time of making such list shall also make a separate list of such electors who reside within the territorial limits of such independent district Such list shall be filed in the office of the county commissioners and shall by them be furnished to the election board for the independent school district

Nominations and elections for school directors and election officers of such district shall be made in the same manner for the same term and subject to the same laws as govern such nominations and elections in other districts of the State except as herein provided

Such election officers and clerks shall be paid by the county which furnishes the ballots as herein provided and shall receive the same compensation as provided by law for election officers and clerks at municipal elections

Any person residing in such independent district who is a qualified elector of the political division in which he resides shall be qualified to vote for the office of school director and election officers in such district

Nomination papers for offices in independent districts and returns of primary elections authorized by this section shall be filed in the office of the county commissioners and the election returns for such districts shall be filed in the office of the prothonotary of the county wherein all or the greater area of such district is located

Notice of the elections provided for in this section shall be given for the same time in the same manner and by the the same officer as is designated by law for municipal elections in the political division constituting the greater area of such independent district Provided That where such notices are given by handbills at least three such notices shall pe posted in each political division constituting the independent district

The county commissioners of the county wherein all or the greater area of such independent district is located shall print the ballots and furnish all necessary materials and supplies for such election in the same manner as the same is by law required and done for all other election divisions of the said county

In all independent school districts created prior to the passage of this act there shall be elected at the time of the November election in the year one thousand nine hundred and twenty-three the required number of school directors for newly created districts of like class and for the same terms as is provided by section two hundred and eleven of this act said terms to begin on the first Monday of December one thousand nine hundred and twenty-three

In all independent school districts created prior to the passage of this act the terms of the appointed school directors shall cease and determine on the first Monday of December one thousand nine hundred and twenty-three and their places shall be filled by the directors elected under the provisions of this act at the November election of one thousand nine hundred and twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 432 as follows:

A Supplement to an act approved the third day of April one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled "An Act directing the sale of the bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissions created by act of April first one thousand eight hundred and sixty-three" providing for the renewal of the bond and the payment of accrued interest since the maturity of the same and for the payment of interest hereafter to accrue thereon

Whereas the Commonwealth of Pennsylvania on the twenty eighth of June one thousand eight hundred and seventy-two made and executed the bond of the Commonwealth of Pennsylvania for the sum of five hundred thousand dollars maturing in fifty years from the first day of February one thousand eight hundred and seventy-two and bearing interest at the rate of six per cent per annum payable semi-annually on the first days of February and August of each year to the Agricultural College of Pennsylvania as provided by the Act of April third one thousand eight hundred and seventy-two a copy of which bond is as follows

UNITED STATES OF AMERICA

Six per cent Loan under Act of April third one thousand eight hundred and seventy-two

Redeemable fifty years from February first one thousand eight hundred and seventy-two

COMMONWEALTH OF PENNSYLVANIA

$500,000 $500,000

THIS CERTIFIES That there is due from the COMMONWEALTH OF PENNSYLVANIA to the Agricultural College Land Script Fund of Pennsylvania the sum of

FIVE HUNDRED THOUSAND DOLLARS

Payable after fifty years from the first day of February one thousand eight hundred and seventy-two with interest on the same at the rate of six per cent per annum payable semi-annually on the first days of February and August of each year at the Treasury of said Commonwealth to the Agricultural College of Pennsylvania according to the several Acts of Assembly in relation thereto THIS BOND is authorized by the Act of Assembly entitled "An Act directing the sale of the bonds composing the Agricultural College Land Script Fund and authorizing the issue of a new Bond in lieu thereof and abolishing the Board of Commissioners created by Act of April first Anno Domini one thousand eight hundred and sixty-three" approved April third one thousand eight hundred and seventy-two and is not transferable

COUNTERSIGNED HARRISBURG, PA., June 28, 1872

R. W. Mackey
State Treasurer
J. F. Hartranft
Auditor General

Jno. W. Geary
Governor

And whereas the corporate name of the said Agricultural College has been changed to the Pennsylvania State College

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it hereby enacted by the authority of the same That the Governor Auditor General and State Treasurer be and are authorized to issue a registered bond of this Commonwealth for the sum of five hundred thousand dollars payable to the Pennsylvania State College of Pennsylvania after fifty years from the first day of February one thousand nine hundred and twenty-three with interest on the same at the rate of six per cent per annum to be paid semi-annually to the said Pennsylvania State College on the first of February and August of each year and deliver the said bond to the Treasurer of the Pennsylvania State College for the uses and purposes declared by law

Section 2 The sum of thirty thousand dollars is hereby specifcally appropriated to the Pennsylvania State College for the payment of the one year's accrued interest from the first day of February one thousand nine hundred and twenty-two to the first day of February one thousand nine hundred and twenty-three

Section 3 The annual sum of thirty thousand dollars is hereby specifically appropriated to the Pennsylvania State College for the payment of the semi-annual interest due said College on the first days of February and August during each and every of the fifty years of the renewal bond which annual payments of interest shall be paid to the said Pennsylvania State College on the interest bearing dates as nominated in the bond by this Act authorized to be created and delivered

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 388, as follows:

An Act providing that the negligence of a servant or employe of any municipality shall under the rule of respondeat superior be attributable to the municipality responsible for his compensation or wages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where injury is caused to any person or property by the negligence of any servant or employe of any municipality in the performance of his or

her duty such negligence under the rule of respondeat superior shall be attributable to the municipality employing such servant or employe and which is liable for the payment of his or her wages or other compensation

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SOWERS. Mr. Speaker, I move that House Bill No. 388, file folio 961, be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

Mr. JOSEPH MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 413, as follows:

An Act relating to treasurers in counties of the sixth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the sixth class the annual salary of the county treasurer shall be three thousand five hundred dollars ($3,500) per annum

Section 2 Each county to which this act applies shall at the cost of the county furnish the office furniture books stationery and supplies required for the use of the county treasurer and also all needed fuel and the services of a janitor and pay the premium on the bonds of the county treasurer required for the safe-keeping and return of county money

Section 3 The county treasurer shall appoint and may dismiss the deputies or clerks of his office

Section 4 All county treasurers within the counties to which this act applies whose salaries are fixed by this act and their several deputies and clerks authorized by the salary board shall be paid for their services by fixed and specific salaries which shall be a charge upon the treasury of the county to which each such officer shall respectively belong said salaries shall be paid semi-monthly on the second and fourth Mondays of the month succeeding that in which his services were rendered

Section 5 The salary board in all counties of the sixth class composed of the county commissioners and county treasurer shall fix and determine annually the salaries to be paid to and the number of deputies and clerks required for the proper dispatch of business in the office of the county treasurer subject to appeal to the court of common pleas by any officer or taxpayer dissatisfied with the number appointed and compensation fixed In the case of any such appeal the court shall make an order fixing the number and salaries of such appointees

Section 6 The salaries fixed and provided by this act shall be in lieu of all or any moneys fees perquisites mileage expenses and other allowances which are now or may hereafter be received by or allowed to such treasurer All said moneys fees mileage or perquisites received by any of them as compensation fees or perquisites from any source whatsoever shall in all cases belong to the county and shall be paid into the county treasury (except where required to be paid by the Commonwealth) as provided in this act but the necessary traveling expenses of the officers incurred in the administration of their offices shall be paid by the county

Section 7 This act shall take effect on the first Monday of January one thousand nine hundred and twenty-four but shall not be construed to apply to any officer in office at the date of the approval of this act but all such officers shall be entitled to receive and collect the fees and salaries now provided by law for such office

Section 8 All laws or parts of laws general local or special inconsistent with this act are hereby repealed

And said bill having read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 317, as follows:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight) entitled "An Act prohibiting under certain conditions the commutation encumberance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" by extending the same to the proceeds and income from policies issued by both domestic and foreign companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight) entitled "An Act prohibiting under certain conditions the commutation encumberance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" is hereby amended to read as follows

Section 1 Be it enacted et cetera That whenever under the terms of any annuity or policy of life insurance or under any written agreement supplemental thereto issued by any insurance company domestic or foreign lawfully doing business in this State the proceeds are retained by such company at maturity or otherwise no person entitled to any part of such proceeds or anyinstalment of interest due or to become due thereon shall be permitted to commute anticipate encumber alienate or assign the same or any part thereof is such permission is expressly withheld by the terms of such policy or supplemental agreement and if such po or supplemental agreement so provides no payments of interest or of principal shall be in any way subject to such person's debts contracts or engagements nor to any judicial processes to levy upon or attach the same for payment thereof and further that such company shall not be required to segregate such funds but may hold them as a part of its general corporate funds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 212, as follows:

An Act to amend section fourteen and sixteen of article six chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system og government for boroughs and revising amending and consolidating the law relating to boroughs"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fourteen of article six chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a

system of government for boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

Section 14 Borough councils may appoint and remove one or more suitable persons citizens of this Commonwealth as borough policemen who shall have the power to arrest persons violating any ordinance of the borough the violation of which may subject persons to arrest Any person so arrested shall be received for confinement by the keepers of the jails lock-ups or station houses within the county The borough councils may designate one of said policemen as chief of police. The burgess of the borough shall have full charge and control of the chief of police and the police force and he shall direct the time during which the place where and the manner in which the chief of police and the police force shall perform its duties

Section 2 That—section sixteen of article six chapter seven of said act is hereby amended to read as follows

Section 16 Except as provided in section fourteen of this article the borough police shall be under the direction of the burgess as to the time during which the place where and the manner in which they shall perform their duties The burgess may for cause and without pay suspend any policeman until the succeeding regular meeting of the council may discharge or reinstate such policeman

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 141, entitled:

A Supplement to an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system for government of boroughs and revising amending and consolidating the law relating to boroughs" so as to provide a system of government for those parts of a borough which are located in a county adjoining the county in which the original borough is situated Including assessment of property levying and collection of taxes making municipal improvements and filing and collecting of liens for the same the jurisdiction of courts for the enforcement of borough ordinances and State laws and primary general municipal and special elections and repealing inconsistent laws

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where lands situated in one county are annexed to a borough situated in an adjoining county said lands which are so annexed shall be governed for borough and school purposes as a part of the borough to which they are annexed and for county and poor purposes they shall be governed as a part of the county or poor district in which they are actually situated which said government shall be administered according to the general laws relating to boroughs school districts counties and poor districts except as hereinafter otherwise provided

On the question,

Will the House agree to the section?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 2, line 1, by striking out the word "are" and inserting in lieu thereof "now are or hereafter shall be"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third and fourth sections were separately read and agreed to as follows:

Section 2 Assessment for county and poor purposes The authorities in the county wherein the land is actually situated now or hereafter having authority to make the assessments on which the county and poor taxes are levied shall assess the taxable property within the lines of land lying in one county and annexed to a borough in an adjoining county and shall record the same in a separate book This assessment shall be made by the authority that would have made the assessment had the land not been annexed to the borough The owners of all property so assessed shall have the same right of appeal from this assessment as any other taxable in the same county

Section 3 Assessment for borough and school purposes The authorities within the county wherein is situated the borough to which such land has been annexed now or hereafter having authority to make the assessments on which the borough and school taxes are levied shall also assess the taxable property within the territory which is situated in one county and has been annexed to a borough which is situated in an adjoining county and shall record the same in a separate book This assessment shall be made by the authority which would have assessed this land had it been in the same county as the borough to which it is annexed The owner of any property so annexed shall have the same right of appeal from this assessment as any other taxable in the same county as the borough

Section 4 The levy and collection of taxes for county and poor purposes The authorities within the county wherein the land actually is located that now are or hereafter shall be authorized to levy and collect the county and poor taxes shall levy and collect the taxes for county and poor purposes in such district which is situated in one county and has been annexed to a borough situated in an adjoining county and this shall include taxes rendered necessary for the paying of the interest principal of and taxes on bonds issued for county and poor purposes All remedies now or hereafter given by law for the collection of county and poor taxes and taxes for bonds issued for county or poor purposes in the county wherein the land is actually situated shall be available for the collection of the taxes mentioned in this section of this act The assessment on which said taxes shall be levied shall be the assessment made by the proper authorities in the county wherein the land is actually situated

The fifth section was read as follows:

Section 5 The levy and collection of taxes for borough and school purposes The authorities within the borough and school district to which the said land has been annexed that now are or hereafter shall be authorized to levy and collect taxes for borough and school purposes shall levy and collect the taxes for borough and school purposes in such territory which is situated in one county and has been annexed to a borough situated in an adjoining county and this shall include taxes rendered necessary for paying the interest and principal of and taxes on bonds issued for borough and school purposes All remedies against the persons or the personal property of the taxable now or hereafter given by law for the collection of the taxes for said purposes in said borough or school districts shall be available for the collection of the taxes mentioned in this paragraph but said taxes can be collected out of the land subject to the same only by filing liens for the same in the court of common pleas of the county wherein the land is actually situated and the solicitor or proper authorities by whom the tax was levied are hereby authorized to file liens for the same in said court of common pleas of the county wherein the same is situated after and only after they have exhausted their remedies against the personal property subject to the payment of said taxes Said liens shall be prosecuted to judgment execution and sale in the manner now or hereafter provided by law in the case of other tax or municipal liens The assessment on which the taxes mentioned in this section shall be levied shall be the assessment made by the proper authorities in the county wherein is situated the borough to which said land has been annexed Land in one county and annexed to a borough in an ad-

joining county and taxable property thereon shall not be liable for township taxes for road or other purposes or for school purposes or for taxes for bonds issued for any township or school district purposes in the county wherein the land is actually situated

On the question,

Will the House agree to the section?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 5, page 4, line 8, by inserting after the word "include" the following: "per capita school taxes and"

Amend sec. 5, page 4, line 17, by striking out the words "by filing liens for the same"

Amend sec. 5, page 4, line 18, by striking out the words "court of common pleas"

Amend sec. 5, page 4, line 19, by striking out beginning with the words "and the solicitor..." and ending with the word "liens" in line 27, and inserting in lieu thereof the following: "in the manner now or hereafter provided by law"

Amend sec. 5, page 5, line 4, by striking out the word "thereon" and inserting in lieu thereof the following: "therein and person of the taxable residing therein"

Amend sec. 5, page 5, line 6, by inserting after the word "or" the following: "for per capita school taxes or"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections were separately read and agreed to as follows:

Section 6 Jurisdiction of courts in actions arising in such territories All prosecutions and summary convictions for violations within land situated in one county and annexed to a borough situated in an adjoining county of borough ordinances and the school laws and the laws relating to motor vehicles shall be had only in the county wherein is situated the borough to which the said land is annexed and the several Courts both of record and not of record in said county are hereby given jurisdiction thereof

All civil suits (except those arising out of reports of viewers as hereinafter stated) and all prosecutions and summary convictions for all other offenses misdemeanors and crimes committed within land situated in one county and annexed to a borough situated in an adjoining county shall be had in the Court wherein the same would have been tried if said land had not been annexed to the said borough and the jurisdiction of the several courts of this Commonwealth to hear and determine the same shall not be affected in any way by the annexation of such land to such borough except that the courts of the county wherein is situated the borough to which the land has been annexed shall have exclusive jurisdiction to hear and determine all prosecutions and summary convictions for violations within such land of borough ordinances the school laws and the laws relating to motor vehicles

Section 7 Municipal improvements All laws now or hereafter giving authority to the borough to which such land has been annexed to make any municipal improvement or improvements including the laying out and building of sewers the laying out and ordaining of streets and the establishment of the lines and grades thereof and the exercise of the right of eminent domain in connection with said authority and the grading curbing paving sewering and draining of streets and the assessing of abutting property for all or a part thereof shall be applicable to land situated in one county and annexed to a borough situated in an adjoining county and available to the borough to which such land has been annexed and the proper authorities within the borough to which such land has been annexed shall exercise such authority and jurisdiction in such land the same in all respects as though such land was in the same county as the borough to which said land has been annexed except that liens for the costs of said improvement or improvements shall be filed and prosecuted to judgment execution and sale only in the Court of Common Pleas of the county wherein the land actually is situated In cases where viewers make the assessments of either benefits or damages the viewers shall be appointed by and report to the proper Court in the county wherein is situated the borough to which said land has been annexed and appeals from and other proceedings relating to said viewers' reports shall be had only in the Court where the report of viewers is filed which said Court is hereby given jurisdiction thereof with the right of appeal as in other cases But liens for benefits assessed by viewers shall be filed and prosecuted to judgment execution and sale only in the county wherein the land is actually situated which liens shall be based on the viewers' reports that have been filed in the county wherein the borough is situated

Section 8 Election districts All land situated in one county and annexed to a borough situated in an adjoining county is hereby made a separate election district and it may be divided into more than one election district by the proper Court of the county wherein the land is actually situated

Section 9 Jurisdiction of Courts in regard to elections The proper Courts of the county wherein the land is actually situated shall have jurisdiction of all matters arising out of elections except that election contests (including primary election contests and other proceedings relating to primary elections) arising out of borough and school elections and elections in the matter of bonds for borough and school purposes and other questions relating to borough and school matters shall be tried in the proper Court of the county wherein is situated the borough to which such land is annexed and said Courts are hereby given jurisdiction thereof

Section 10 Ballots The ballots used in any election district within land situated in one county which has been annexed to a borough situated in an adjoining county shall contain everything including the names of all candidates and also questions relating to bond issues and any other thing and all Constitutional amendments that are printed on all ballots used in the county wherein the land is actually situated that is they shall contain everything that is common to all ballots used in said county but they shall not contain the names of the candidates for any ward borough township (except poor district) or school district officers within the county wherein the land is actually situated The ballots used at the primary elections shall however contain the names of all candidates for all party offices and party committees within such district the same as though such land had not been annexed to such borough

The ballots shall be prepared so as to include places to vote for all ward borough (except poor district) and school district officers of the borough and school district to which such land has been annexed together with the names of all candidates for such offices and all questions of borough and school district bond issues and all other questions relating exclusively to the borough and school district to which such land is annexed This section relates to ballots used in such districts at either primary general municipal or special elections Special elections to be held by the regular election officers and they shall be paid as now provided by law in such cases

Section 11 How borough and school district matters are placed on ballot Petitions to have the names of candidates placed on the primary ballots used in any such district for ward borough and school district officers shall be filed with the county commissioners of the county wherein the borough is situated and it shall be the duty of the county commissioners of said county within three days after the last day for filing such petitions to certify to the county commissioners of the county wherein the land is actually situated a list of the ward borough and school district offices to be filled and the names of all the candidates for the same and all questions to be printed on the ballots relating exclusively to borough or school district bonds or other borough or school district matters The county commissioners of the county where the land is actually situated shall prepare the primary ballots for all such districts as though this information and the said petition of candidates for ward borough and school district offices had been filed originally in their office All nomination papers for ward

borough and school district offices within such district shall be filed in the office of the county commissioners of the county wherein is situated the borough to which such land has been annexed Within three days after the last day for filing nomination papers for ward borough and school district offices the county commissioners of the county wherein is situated the borough to which such land has been annexed shall certify to the county commissioners of the county wherein such land is actually situated a list of all ward borough and school district offices to be filled at the next election together with the names of all candidates for the same who were nominated at the preceding primary or whose names were placed in nomination by nomination papers and all questions to be printed on the ballots relating exclusively to borough or school district bonds or other borough or school district matters

The county commissioners of the county wherein the land is actually situated shall print the ballots for all such districts as though this information had been filed originally in their office

Section 12 The duties of election officers It shall be the duty of the election officers in all such districts to make a complete return of all primary elections to the county commissioners of the county wherein the land is actually situated and they shall also mail to the county commissioners of the county wherein such borough is situated a return sheet of the same in so far as it relates to ward borough and school district offices and votes on bond issues and other questions relating to borough and school district matters The blanks and postage for which return sheets shall be furnished by the county commissioners wherein the said borough is situated The court or other authority whose duty it is to determine the result of any election for borough or school district bonds or other borough or school district questions shall consider these return sheets as part of the return of such elections and count same in determining the result of such elections

At elections (excluding primary elections) it shall be the duty of the election officers in such districts to make a complete return of said election to the proper Court of the county wherein the land is actually situated and they shall also mail to the proper Court in the county wherein such borough is situated a return sheet thereof in so far as the same relates to ward borough and school district offices The blanks for said return sheets and the postage therefor shall be furnished by the county commissioners of the county wherein such borough is situated The judges of election in all such districts shall meet with the other election judges of the borough and with said other election judges determine who have been elected to the several ward and borough offices and issue election certificates to them the same as if said borough was all in one county

It shall also be the duty of the election officers to make a return to the proper Court wherein such borough is situated giving the vote on all questions printed on the ballots which relate to borough and school district matters The blanks and postage for making this return shall be furnished by the county commissioners of the county wherein such borough is situated

Section 13 For the purposes of this act election officers shall be considered borough officers in the matter of their nomination and election

Section 14 The proper Court of the county wherein the land is actually situated shall appoint the necessary deputy constables to act with the election boards and fill vacancies in the election boards

Section 15 The assistant assessor who is required to be at the polls on the day of the election shall be nominated and elected and vacancies in the office filled in the same manner as though said election districts were a part of the county in which the land actually is situated and had not been annexed to a borough in an adjoining county

Section 16 The officers of the poor district shall be nominated and elected in said districts in the same manner as though said district were a part of the county in which the land is actually situated and had never been annexed to a borough in an adjoining county

Section 17 Special borough and school district elections In all cases where a special election to submit any question relating to borough or school district bond issues or other matters relating to borough or school district affairs is held on a day other than the day of a primary general or municipal election the ballots and supplies for the same shall be furnished by the county commissioners of the county wherein the borough is situated and the same shall be paid for as now is or hereafter shall be provided by law Returns of such elections shall be made to the proper court of the county wherein the borough is situated and not elsewhere

Section 18 All acts and parts of acts inconsistent herewith and especially the last two paragraphs of the act approved May twenty-fifth one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and forty-two) which said two paragraphs read as follows Where lands are annexed to a borough of an adjoining county such lands shall thereupon be held to be in the county in which said borough was incorporated for all purposes pertaining to boroughs schools (except the entering of tax and other liens) elections and the assessment and collection of taxes but for all other purposes shall be considered to be in the county of its location as if the said annexation had not been made

The proper officials of the county in which the annexing borough is located shall account to the county treasurer of the county in which the annexed land is situated for such county poor or other tax as may lawfully belong to the said county first deducting the commission allowed by law for the collection of taxes are hereby repealed

The title was read as follows:

A Supplement to an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An act providing a system for government of boroughs, and revising, amending, and consolidating the law relating to boroughs," so as to provide a system of government for those parts of a borough which are located in a county adjoining the county in which the original borough is situated. Including assessment of property; levying and collection of taxes; making municipal improvements and filing and collecting of liens for the same; the jurisdiction of courts for the enforcement of borough ordinances and State laws; and primary, general, municipal and special elections, and repealing inconsistent laws.

On the question,

Will the House agree to the title?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 7, by striking out beginning with the words "for those parts" and ending with the word "including" in line 9, and inserting in lieu thereof the following: "where a borough now has annexed or hereafter shall annex land in an adjoining county, including"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 551, as follows:

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" by adding additional subsection to section nine of article seven of chapter six thereof to empower boroughs without petition of property owners to grade pave curb macademize or otherwise improve public streets or parts thereof and assess the entire cost thereof against the owners of the property abutting thereon when said streets or parts

thereof do not exceed one thousand feet in length and connect two streets theretofore paved and improved

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" be amended by adding an additional sub-section to section nine of article seven of chapter six thereof which shall read as follows

IX That all boroughs in this Commonwealth shall have power without petition of property owners to grade pave curb macadamize or otherwise improve public streets or parts thereof and assess the entire cost thereof against the owners of the property abutting thereon when said streets or parts thereof do not exceed one thousand feet in length and connect two streets or parts of a street theretofore paved and improved

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 571, as follows:

An Act to amend section three hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships revising amending and consolidating the law relating thereto" changing the compensation of township auditors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" is hereby amended to read as follows

Section 325 The auditors of townships of the first and second class shall meet annually on the day following the day which is fixed by this act for the organization of the township supervisors or the township commissioners of the several townships respectively and shall audit settle and adjust the accounts of the supervisors commissioners roadmasters treasurer and tax collector of the township Two auditors shall constitute a quorum

Any officer whose act or neglect has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss

Each auditor shall receive five dollars per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 528, as follows:

An Act to amend section seven article six of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven article six of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" is hereby amended to read as follows

Section 7 All ordinances may be proved by the certificate of the city clerk under the corporate seal and when printed or published in book or pamphlet form and purporting to be published by authority of the city shall be read and received as evidence in all courts and places without further proof All ordinances shall unless otherwise provided therein or by law shall take effect in ten days after their passage upon their being signed by the mayor and attested by the city clerk and every ordinance prescribing a penalty for the violation thereof shall be forthwith published at least three times in not more than two newspapers printed and circulated within the city in such manner as council may direct Provided That where the ordinance in question is a code upon any given subject it shall not be necessary to set forth at length in the advertisement the subject matter of the said code but the advertisement may instead give a general description thereof or refer to the short title thereof and give further notice that copies thereof are available at the office of the city clerk All ordinances shall within one month after their passage be certified and recorded by the city clerk in a book provided by the city for that purpose which shall be at all times open to the inspection of citizens

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 524, as follows:

An Act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" is hereby amended to read as follows

The county of Lackawanna shall elect six members and shall be divided into six districts as follows

The fourth fifth sixth fourteenth fifteenth eighteenth twentieth and twenty-second wards of the city of Scranton shall constitute the first district and elect one member

The first second third seventh thirteenth sixteenth and twenty-first wards of the city of Scranton shall constitute the second district and elect one member

The eighth ninth tenth eleventh twelfth seventeenth and nineteenth wards of the city of Scranton shall constitute the third district and elect one member

The boroughs of Dickson City Dunmore Elmhurst Olyphant Troop and Winton and the townships of Jefferson and Roaring Brook shall constitute the fourth district and elect one member

The city of Carbondale the boroughs of Archbald Blakely Jermyn Mayfield and Vandling and the townships of Carbondale Fell shall constitute the fifth district and elect one member

The boroughs of Clarks Green Clarks Summit Dalton Glenburn Gouldsboro La Plume Moosic Moscow Old Forge and Taylor and the townships of Abington Greenfield and Scott Benton Clifton Covington Lackawanna Lehigh Madison

Newton North Abington Ransom South Abington Spring Brook and West Abington shall constitute the sixth district and elect one member

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 289, as follows:

An Act to amend part of section forty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An Act relating to the administration and distribution of the estate of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section forty-one (a) one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" is hereby amended to read as follows

Section 41 (a) 1 When a fiduciary shall have in his hands any moneys the principal or capital whereof is to remain for a time in his possession or under his control and the interest profits or income whereof are to be paid away or to accumulate or when the income of real estate shall be more than sufficient for the purpose of the trust such fiduciary may invest such moneys in the stock or public debt of the United States or in the public debt of this Commonwealth or in bonds or certificates of debt now created or hereafter to be created and issued according to law by any of the counties cities boroughs townships or school districts of this Commonwealth or in bonds of one or more individuals secured by mortgage on real estate in this Commonwealth which may be either a single bond secured by a mortgage or one or more bonds of an issue of bonds secured by mortgage or deed of trust to a trustee for the benefit of all bond holders or in ground rents in this Commonwealth Provided That nothing herein contained shall authorize any fiduciary to make any investment contrary to the directions contained in the will of the decedent in regard to the investment of such moneys

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 45, entitled:

An Act providing a system whereby persons absent from their regular polling places may cast their votes inposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto and providing penalties

The first, second, third, fourth, fifth, sixth, seventh, eighth and ninth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any duly qualified voter of this Commonwealth who by reason of his duties business or occupation is unavoidably absent from his lawfully designated election district and outside of the county in which he is an elector but within the confines of the United States on the day of holding any general municipal or primary election may vote by appearing before an officer either within or without the Commonwealth authorized to administer oaths and marking his ballot under the scrutiny of such official as herein prescribed Such voter may vote only for such officers and upon such questions as he would be entitled to vote for or on had he presented himself in the district in which he has his legal residence and in the manner herein provided

Section 2 Any voter expecting to be absent from the county in which his lawfully designated election district is situated on the day of any general municipal or primary election and who desires to cast his ballot at such election may make application not more than thirty days and not less than five days next preceding such election to the county commissioners of such county for a certificate of qualification and an official absent voter's ballot

Section 3 The certificate of qualification shall be issued by the county commissioners and shall set forth the name of such voter the name of the ward or district of the city borough town or township in which he resides If the voter is a resident of a borough town or township the certificate of qualification shall set forth that such voter's name has been duly entered on the registry list by the assessor thereof as appears from such list If the voter is a resident of a city the certificate of qualification shall set forth that the voter personally registered according to law The certificate of qualification shall be in the following form

Certificate of Qualification

We hereby certify that .....is a resident of the .....(district or precinct) of the.....ward of..... (city borough town or township) of.....county and Commonwealth of Pennsylvania (as appears by the personal registration books or the registry list of said district) and is a duly qualified elector of such district

.....
.....
.....

Dated .....

County Commissioners
County of.....

Section 4 The board of registration commissioners in cities of the first and second class shall certify to the county commissioners upon request any information that may be necessary for such county commissioners to properly fill out such certificate of qualification

Section 5 The county commissioners of the several counties shall prepare and have printed in addition to the regular and official ballots additional official ballots to be known as absent voter's ballots The number of such absent voter's ballots printed for each district shall be equal to ten per centum of the number of registered voters in such district Such ballots shall be prepared and printed in the same form as the official ballots and shall in all respects be similar thereto except that on the back thereof shall be printed in addition to the form now required by law the words "Absent Voter's Ballot" There shall also be prepared three envelopes of such size and shape that will permit the placing of one within the other On the first shall be printed only the words "Absent Ballot" On the second shall be printed the certificate of qualification and the affidavit of the voter together with the jurat of the official in whose presence the ballot is marked and before whom the affidavit is made the forms to be substantially as herein provided On the third shall be printed the name official title and post office address of the prothonotary or the county commissioners of the county in which such voter resides and to whom the returns shall be made as hereinafter provided

Section 6 Application for a certificate of qualification and for an absent voter's ballot shall be made on a blank to be furnished by the county commissioners and shall be in the following form

I.....a duly qualified voter of the .....(district or precinct) of the..... ..... Ward of.....(City borough town or township) of ..... county and Commonwealth of Pennsylvania and entitled to vote in such district at the next election (in case of a primary election give party enrollment) expecting to be unavoidably absent from said county on the day for such election by reasons of duties business or occupation hereby make application for a certificate of qualification and an official absent voter's ballot

Witnesses..... .....
..... Signature of Voter
Dated ....
P. O. Address

Section 7 Such application blank shall upon request therefor be sent by the county commissioners to any absent voter by mail if the necessary postage is prepaid by the voter or shall be delivered to any voter upon application made personally at the office of the county commissioners

Section 8 Upon receipt of such application properly filled out and duly signed or as soon thereafter as the official absent voter's ballots for the election district in which the applicant resides have been printed the county commissioners shall send to such absent voter by mail or shall deliver one official absent voter's ballot or if there is more than one such absent voter's ballot to be voted by a voter of such election district one of each kind Such ballot or ballots shall be enclosed in the envelopes as provided for in section five of this act and in the order in which they are mentioned therein The envelopes shall be kept unsealed Before sending or delivering such ballot the county commissioners shall satisfy themselves that the applicant is a qualified elector and if so satisfied they shall fill out and sign the certificate of qualification and shall enter or cause to be entered on the registration book or registry list opposite the name of the applicant the words "Received absent voter's ballot"

Section 9 At any time after receiving such absent voter's voter's ballot but within a sufficient time to permit the return of the marked ballot to the prothonotary or county commissioners of the county in which the voter's election district is situated on or before the day of such election the voter may appear before any officer either within or without the Commonwealth authorized to administer oaths and mark such ballot under the scrutiny of such official in the following manner The voter shall first display the ballot to such official as evidence that the same is unmarked and shall then proceed to mark the ballot in the presence of such official but in such manner that such official is unable to see how the same is marked and then fold the ballot and enclose and securely seal the same in the envelope on which is printed the words "Absent Voter's Ballot" This envelope shall then be placed in the one on which is printed the certificate of qualification and the affidavit of the voter and the jurat of the official before whom the voter appears and such envelope sealed in like manner by the voter

The tenth section was read as follows:

Section 10 The voter shall then make out subscribe and swear to the affidavit printed on the face of such envelope which together with the jurat of such official shall be in the following form

Form of Affidavit and Jurat

Commonwealth of Pennsylvania
County of .....
ss
..... do solemnly swear (or affirm) that I have resided in the Commonwealth of Pennsylvania one year (or having previously been a qualified elector or native-born citizens of the Commonwealth that I removed therefrom and returned then six months) immediately preceding the date of this election and in the ..... district or precinct of the ..... ward of ..... (city borough town or township) in the county of ..... at least two months immediately preceding said date and (if twenty-two years of age and upward) have paid within two years a State or county tax and am in all respects a duly qualified voter of said election district that I am a ..... and that because of my duties business or occupation I will be required to be absent from my lawfully designated election district on said election day and will have no opportunity to vote therein that I am not qualified to vote elsewhere at this election and that I am the person named in the certificate of qualification

Witness
....
Signature of Voter
Residence address .....

Subscribed and sworn to before me a .....in and for .....county State of ..... this ..... day of ..... 19.... and I hereby certify that the affiant ..... who is personally known to me to be the person he represents himself to be

or

has been proven to be the person whom he represents himself to be by ..... whose address is ..... and who is a creditable person known to me presented himself before me on the day above named in the city borough town or township of ..... county of ..... State of ..... that he exhibited to me the enclosed ballot (or ballots) and that the same was unmarked that he before me at the same time and place marked his ballot (or ballots) but in such manner that I did not see his vote that he then folded and enclosed said ballot (or ballots) so marked in the proper envelopes and that he then and there made out subscribed and swore to the affidavits according to law

On the question,

Will the House agree to the section?

Mr. WONER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 10, page 6, line 29 by striking out the word "citizens" and inserting in lieu thereof the following: citizen

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The eleventh section was read and agreed to as follows:

Section 11 Such ballot or ballots and envelopes shall then be securely sealed in the third envelope which the voter shall send by registered mail to the prothonotary or county commissioners in sufficient time to reach its destination on or before the day such election is held In case the ballot was voted at a general or municipal election it shall be sent to the prothonotary if voted at a primary election it shall be sent to the county commissioners of the county in which such voter is a resident The postage and cost necessary to transmit and register such envelopes shall be paid by the voter

The twelfth section was read as follows:

Section 12 The prothonotary or county commissioners upon receipt of such registered letter shall safely keep and preserve the same unopened in their office until the return board canvasses the vote according to law at which time the said return board shall open such registered letter and after examining the certificate of qualification and the affidavit and jurat shall compare the signature of said absent voter as written on the affidavit with the signature of such voter on the application blank given to the county commissioners If the return board is satisfied that the signature correspond and that the affidavit and jurat are sufficient they shall announce the name of the voter of such absent voter's ballot and shall give any person present an opportunity to challenge the same in like manner and for the same causes as such voter could have been challenged had he presented himself in his own district to cast his ballot If there are no challenges they shall open the second envelope in such manner as not to destroy the certificate of qualification and the affidavit and jurat as printed thereon which envelope shall be kept in the prothonotary's or commissioner's office for a period of one year thereafter All envelopes on which are printed the words "Absent Voter's Ballot" and containing the ballots shall be put into one depository at one time and said depository well shaken and the envelopes containing the ballots mixed before any ballot is taken therefrom The return board shall then break the seals of such envelopes and record the said ballots in the same manner as the election officers record votes and in so canvassing said votes the return board shall count the votes of all absent voters taken as herein provided and add the same to the total result of the election in the county district precinct or ward accordingly as designated on each ballot

On the question,
Will the House agree to the section?
Mr. WONER. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend sec. 12, page 9, line 6 by striking out the word "signature" and inserting in lieu thereof the following: signatures

The thirteenth and fourteenth sections were separately read and agreed to as follows:

Section 13 The ballots after being opened and duly counted by the return board shall be safely kept in the custody of the prothonotary or the county commissioners as the case may be for the period of one year and in case of a contested election the same may be opened and counted as in other cases

Section 14 Any voter who has received an absent voter's ballot and who shall return to his properly designated election district on or before the day for holding the election for which such ballot was issued shall be permitted to vote upon presenting himself at his regular polling place in the same manner as he could have voted had he not received such absent voter's ballot Provided however That in any such case such voter shall surrender to the judge of election of such district his absent voter's ballot or ballots unmarked and the envelopes in which they were contained before being permitted to vote Such fact shall be noted by the judge of election on the back thereof and the ballot or ballots and envelopes shall be returned to the county commissioners

The fifteenth section was read as follows:

Section 15 If any person voting an absent voter's ballot shall wilfully swear falsely to the affidavit herein provided for or shall vote any ballot other than one properly issued to him or vote or attempt to more than once at any such election or who shall violate any other provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or be imprisoned for a term not exceeding two years or both at the discretion of the court

If any official authorized to administer oaths within this Commonwealth prothonotary county commissioners or member of a return board shall neglect or refuse to perform any of the duties prescribed by this act or shall reveal or divulge any of the details of any ballot casting in accordance with the provisions of this act he shall be guilty of a misdemeanor and upon conviction shall be punished by fine not exceeding thousand dollars or be imprisoned for a term of one year or both at the discretion of the court.

On the question,
Will the House agree to the section?
Mr. WONER. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend sec. 15, page 11, line 11 by inserting before the word "fine" the following: "a".
Amend sec. 15. page 11, line 11 by striking out the bracket before the word "one" and inserting before the word "hun-" the following bracket " [".

On the question,
Will the House agree to the amendments?
They were agreed to,
On the question,
Will the House agree to the section as amended?
It was agreed to.
The sixteenth section was read and agreed to as follows:

Section 16 All acts or parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto and providing penalties

On the question,
Will the House agree to the title?
Mr. WONER. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend title, page 1, line 5 by striking out the word "commissions" and inserting in lieu thereof the following: commissioners.

On the question,
Will the House agree to the amendment?
It was agreed to,
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 507, entitled:

An Act to amend section fifty-three clause (a) of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees thereof appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"

The first, second, third, fourth, fifth, sixth and seventh sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fifty-three clause (a) of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemption debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" is hereby amended to read as follows

Section 53 (a) Any orphans' court having jurisdiction of the accounts of executors administrators guardians or trustees shall have exclusive power to remove such executor or administrator and vacate the letters testamentary or of administration or to remove such guardian or trustee as the circumstances of the case may require in any of the following cases

1 When such fiduciary is wasting or mismanaging the estate or property under his charge or is likely to prove insolvent or has neglected or refused to exhibit true and perfect inventories or render full and just accounts of such estate or property come to his hands or knowledge

2 When such fiduciary has been duly declared a lunatic habitual drunkard or weak-minded person

3 When such fiduciary has become incompetent to discharge the duties of his trust by reason of sickness or physical or mental incapacity and it shall appear to the satisfaction of the court that such incompetency is likely to continue to the injury of the estate under his control

4 When such fiduciary has removed from this State or has ceased to have any known place of residence therein during the period of six months or more

5 When any guardian whether testamentary or otherwise mismanages the minor's estate or misconducts himself in respect to the maintenance education or moral interests of the minor

6 When such fiduciary fails or neglects to pay over the principal or income of the estate according to his duty under the trust or fails or neglects to comply with any order or direction of the court made in relation to said trust

7 When any trustee of property held in trust under the provisions of any last will and testament for religious educational or charitable purposes or for use as a burying-ground neglects or abuses such trust

The eighth section was read as follows:

8 When for any reason the interests of the estate or property are liable to be jeopardized by the continuance of any such fiduciary

On the question,
Will the House agree to the section?

Mr. KUNKLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the clerk as follows:

Amend Sec. 8, page 5, line 13 by striking out the word "liable" and inserting in lieu thereof "likely"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The ninth section was read as follows:

9 When all the cestuis que trust or a majority of them having the life estate under any trust shall desire the removal of the trustee or trustees upon any substantial ground hereinbefore enumerated and the court upon petition filed

by them or any of them shall be satisfied that such substantial ground for removal exists in which case the court may remove said trustee or trustees and appoint another or others as chosen by said parties

Provided however That nothing herein contained shall be construed to affect the jurisdiction of any court of common pleas in proceedings pending at the date of the approval of this act

On the question,

Will the House agree to the section?

Mr. KUNKLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 9, page 5, line 18 by inserting after the word "ground" the word "not"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section fifty-three, clause (a) of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees thereof; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

And said bill having been read at length the second time and agreed to as amended.

To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 475, as follows:

An Act to amend section two hundred and thirty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and thirty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" which was amended by the act approved the fourth day of April one thousand nine hundred and nineteen (Pamphlet Laws forty-three) entitled "An Act to amend section two hundred thirty-five of an act approved the fourteenth day of July Anno Domini one thousand nine hundred seventeen (Pamphlet Laws eight hundred forty) entitled 'An Act concerning townships and revising amending and consolidating the law relating thereto' by increasing the compensation of supervisors" is hereby further amended to read as follows

Section 235 Supervisors who do not act as superintendents or roadmasters shall receive from the township road funds as compensation not less than three dollars and fifty cents nor more than six dollars for each monthly meeting which they attend The amount of the compensation shall be determined by the township auditors The township auditors shall also allow to the supervisors compensation for making a semi-annual inspection of the roads and bridges The compensation of supervisors when overseeing or working on roads shall be fixed by the township auditors and shall be not less than three dollars and fifty cents nor more than six dollars per day

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 498, as follows:

An Act to amend section one of the act approved the first day of June one thousand nine hundred and seven (Pamphlet Laws three hundred and sixty-four) entitled "An Act to increase the pay of jurors and witnesses in this Commonwealth" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the first day of June one thousand nine hundred and seven (Pamphlet Laws three hundred and sixty-four) entitled "An Act to increase the pay of jurors and witnesses in this Commonwealth" which was amended by the act approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and fifty-eight) entitled "An Act to amend section one of an act approved the first day of June one thousand nine hundred and seven (Pamphlet Laws three hundred and sixty-four) entitled 'An Act to increase the pay of jurors and witnesses in this Commonwealth'" is hereby further amended to read as follows

Section 1 Be it enacted et cetera That from and after the first day of July Anno Domini one thousand nine hundred and twenty-three the pay of jurors in this Commonwealth shall be four dollars and the pay of witnesses shall be two dollars per diem together with the mileage as is now provided for by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 702, entitled:

An Act to amend section three and section four of an act approved the fifth day of May one thousand nine hundred and twenty-one entitled "An Act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating

offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or installment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon installments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three and four of an act approved the fifth day of May one thousand nine hundred and twenty-one entitled "An Act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties" are hereby amended to read as follows

Section 3 Every corporation or person desiring to obtain a license under the provisions of this act shall file with the commissioner an application in writing in such form as may be prescribed by the commissioner before a license shall be issued by the commissioner he shall make or cause to be made an investigation of the condition and affairs of the applicant and its general plan of operation he shall investigate the moral character and general fitness of the applicant if an individual and of the members of a partnership or association and of the directors managers trustees and other officers of every applicant to discharge the duties reposed in them and examine any or all of them under oath he shall require the applicant to submit to him a mathematical chart of calculation showing in detail the operation of the plan of investment carried on or proposed to be carried on for the purpose of determining whether the same is financially and mathematically sound and the contracts or obligations issued or proposed to be issued possible of fulfillment unless the commissioner is satisfied as to the character and general fitness of the managing officers of the applicant to honestly and efficiently carry on its business and that the plan of operation is financially sound and the contracts issued or proposed to be issued possible of fulfillment he shall refuse the license and forthwith notify the applicant of such refusal and specify in the notice the cause or causes thereof the Commissioner may revoke such license at any time when conditions arise which in his judgment if existing at the time when the license was granted would have been sufficient cause for refusing to issue such license

Section 4 No corporation or person shall be licensed under the provisions of this act unless and until it has deposited with the commissioner in cash or bonds of the United States or of the State of Pennsylvania or of cities counties boroughs or school districts of this Commonwealth or any other State of the United States approved by the commissioner of the clear market value of one hundred thousand dollars ($100,000) as security for the fulfillment of its contracts made heretofore or hereafter with residents of Pennsylvania Exchanges of such bonds may be made from time to time with the approval of the commissioner If any of said bonds are called for payment the proceeds thereof shall remain in the hands of the commissioner until other bonds of the character described in this section shall be substituted in like amount for the bonds so paid The corporation or person making such deposit shall be entitled to the income thereon

On the question,

Will the House agree to the section?

Mr. LUDLOW. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 5, by inserting after the word "twenty-one" the following: (P. L. 374)

Amend section 1, page 3, line 2, by inserting after the word "and" the following: "may"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend section three and section four of an act approved the fifth day of May one thousand nine hundred and twenty-one entitled "An act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiations offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be paid at some future time with or without profit and imposing penalties"

On the question,

Will the House agree to the title?

Mr. LUDLOW. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 3, by inserting after the word "twenty-one" the following: (P. L. 374)

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 523, as follows:

An Act to further amend section five of the act approved the thirty-first day of March one thousand eight hundred and seventy-six (Pamphlet Laws thirteen) entitled "An Act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the thirty-first day of March one thousand eight hundred and seventy-six (Pamphlet Laws thirteen) entitled "An Act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" which was amended by the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and twenty-seven) entitled "An Act to amend the fifth section of an act

entitled 'An Act to carry into effect section five of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants' approved the thirty-first day of March Anno Domini one thousand eight hundred and seventy-six requiring the payment of salaries of county officers their deputies and clerks wherein fees are no longer by law collected or received to be made on the first secular day of the month succeeding that in which said services were rendered" is hereby further amended to read as follows

Section 5 All county officers within the counties to which this act applies whether elected by the people or appointed according to law and their several deputies and clerks shall be paid for their services by fixed and specific salaries which shall be a charge upon the treasury of the county to which each shall respectively belong to the extent (except as hereinafter provided) of the fees collected and paid in by each officer respectively or earned where fees are chargeable upon the county treasury and said salaries shall be paid semi-monthly on the first and fifteenth days of the month succeeding that in which his services were rendered but no warrant shall be drawn for the payment of any of said officers his deputies or clerks who shall not have filed the receipt and transcript provided for in this act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 610, entitled:

An Act to amend section seventy-four of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventy-four of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" is hereby amended to read as follows

Section 74 All murder which shall be perpetrated by means of poison or by lying in wait or by any other kind of wilful deliberate and premeditated killing or which shall be committed in the perpetration of or attempting to perpetrate any arson rape robbery burglary or kndnapping shall be deemed murder in the first degree and all other kinds of murder shall be deemed murder in the second degree and the jury before whom any person indicted for murder shall be tried shall if they find such person guilty thereof ascertain in their verdict whether it be murder of the first or second degree but if such person shall be convicted by confession the court shall proceed by examination of witnesses to determine the degree of the crime and to give sentence accordingly

On the question,

Will the House agree to the section?

Mr. LUDLOW. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 13, by underscoring the word "or" after the word "burglary"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section seventy-four of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 382), entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth."

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 536, as follows:

An Act to amend sections two three four five as amended seven nine and ten of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws 21,) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" is hereby amended to read as follows

Section 2 That on and after January first one thousand nine hundred and eighteen it shall not be lawful for any person in this Commonwealth to engage in the practice of optometry or to hold himself out as a practitioner of optometry or to attempt to determine by an examination of the eye the kind of glasses needed by any person or to hold himself out as a licensed optometrist when not so licensed or to hold himself out as able to examine the eyes of any person for the purpose of fitting the same with glasses excepting those hereinafter exempted unless he has first fulfilled the requirements of this act and has received a certificate of licensure from the Board of Optometrical Education Examination and Licensure created by this act nor shall it be lawful for any person in this Commonwealth to represent that he is the lawful holder of a certificate of licensure such as is provided for in this act when in fact he is not such lawful holder or to impersonate any licensed practitioner of optometry

Any person violating the provisions of this section shall be deemed to be guilty of a misdemeanor and shall upon conviction be subject upon his first offense to a fine of not more than five hundred dollars or imprisonment for not more than six months in the county prison or both or either at the discretion of the court and upon conviction on second or later offenses shall be subject to a fine of not less than five hundred dollars nor more than one thousand dollars and imprisonment for not less than six months nor more than one year at the discretion of the court

Section 2 That section three of said act is hereby amended to read as follows

Section 3 For the purpose of carrying out and enforcing the provisions of this act there shall be established in this

Commonwealth a board which shall be known as the Board of Optometrical Education Examination and Licensure of the Commonwealth of Pennsylvania The said board shall consist of seven members who shall be appointed by the Governor of the Commonwealth on or before July first nineteen hundred and seventeen Each member shall receive a certificate of his appointment signed by the Governor and attested by the Secretary of the Commonwealth The members of this board shall be optometrists citizens of this Commonwealth who possess the requisite qualifications to practice optometry under this act and who shall have been so practicing in this State during the five years next previous to their appointment Two members of the board first appointed under this act shall serve for one year two for two years and three for three years after which the successor of each member shall be appointed for the term of three years but no member of said board shall be a member of the faculty of any undergraduate school or college teaching optometry The first appointees shall by virtue of such appointment receive certificates of licensure without examination The Governor shall by appointment fill all vacancies caused by death resignation or otherwise and may remove any member of said board for continued neglect of his duties in connection therewith or for any unprofessional or dishonorable conduct Appointments to fill vacancies shall be for the unexpired term of the deceased or retiring member The board herein created is hereby charged with the enforcement of this act To assist the board in the enforcement of this act the Governor shall appoint an optometrist who is a citizen of this Commonwealth and has practiced optometery in this State for at least five years and who shall be known as the State Optometrical Inspector He shall serve for a period of two years and shall assist the board in investigating and prosecuting all reported violations of this act shall be prosecuted in the name of the State of the rate of fifteen dollars per day and necessary expenses for each day actually devoted to this work

All suits for the recovery of the penalties prescribed in this act shall be presecuted in the name of the State of Pennsylvania in any court having jurisdiction and it shall be the duty of the prosecuting attorney of the county where such offense is committed to prosecute all the persons violating the provisions of this act upon proper complaint being made

Section 3 That section four of said act is hereby amended to read as follows

Section 4 Said board shall effect its organization immediately after the appointment of its members by the Governor by holding a meeting at which it shall elect from its membership a president and a secretary who shall also be the treasurer It shall have authority to make rules and regulations not inconsistent with the laws of this Commonwealth for the transaction of its business and for the registration of all optometrists of this Commonwealth and for conducting examination of applicants Said rules shall be printed in pamphlet form for public distribution Five members constitute a quorum for the transaction of all business except for the revocation or suspension of a certificate of licensure or the determination of the fitness of any school or college to render eligible its graduates for licensure when the consent of a majority of the whole board shall be necessary No license shall be granted under this act except with the approval of at least four members of the board Said board shall meet at least twice a year at Harrisburg. Any member may administer oaths and take testimony when appointed so to do by the board The appointed members shall each receive compensation at the rate of fifteen dollars and necessary expenses for each day actually devoted to the work of the board

Section 4 That section five of said act which was amended by the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and twenty-three) entitled "An act to amend section five of an act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled 'An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" is hereby further amended to read as follows

Section 5 Every person desiring to commence the practice of optometry or if now in practice to continue the practice thereof after January first one thousand nine hundred and eighteen except as herein otherwise provided shall take the examination provided in this act and satisfy the other requirements hereof as here provided Any person who has engaged in the practice of optometry in this Commonwealth for two full years prior to the passage of this act or for one year in this and for the year preceding it in another State and is of good character shall be entitled to take a limited examination covering the following only

(a) The limitation of the sphere of optometry
(b) The necessary scientific instruments used
(c) The form and power of lenses used
(d) A correct method of measuring presbyopia hypermetropia myopia and astigmatism
(e) The writing of formulae or prescriptions for the adoptation of lenses in aid of vision

The board shall also permit the taking of limited examinations by and the license of any person who shall apply therefor the first day of January one thousand nine hundred and twenty-two who at the time of the passage of the act to which this is an amendment or the time when the limited examinations under said act were held was unavoidably absent from this State on account of service in the Army or Navy of the United States or who was at such time or times otherwise unavoidably from this State or was physically handicapped and unable to take such examination provided however that any such person shall have engaged in the practice of optometry in this Commonwealth for two full years prior to the passage of the act to which this is an amendment or for one year in this Commonwealth and one year in another State and shall be of good character

Any person who at the time of the passage of the act to which this is an amendment was unavoidably absent from this State on account of service in the Army or Navy of the United States or who was otherwise unavoidably absent from this State or was physically handicapped and unable to take the examination and who was actually engaged in the practice of optometry but who had engaged in such practice less than two years and any person over the age of twenty-one years of good moral character who has had a preliminary education equivalent to two years of the course of high school and after the first day of January one thousand nine hundred and twenty-five has had a preliminary education equivalent to a four year high school course whose standard is approved by the Bureau of Professional Education of the Department of Public Instruction which preliminary education shall be ascertained by examination or by acceptable certificate as to credentials for work done in such approved institution and has graduated from a school or college of optometery approved by the Board of Optometrical Education Examination and Licensure which maintains a course in optometry of not less than two years and has afterwards studied optometry for at least one year in a licensed optometrist's office shall be entitled to take a standard examination Said standard examination shall consist of tests in practical theoretical and physiological optics in theoretical and practical optometry and in the anatomy and physiology of the eye and in pathology as applied to optometry provided that any person not less than twenty-one years of age who is actually engaged in the practice of optometry at the time of the passage of this act shall be entitled to take the standard examination merely upon proof to the board that he is of good moral character and is not addicated to the intemperate use of alcohol or narcotic drugs

Section 5 That section seven of said act is hereby amended to read as follows

Section 7 Said Board of Optometrical Education Examination and Licensure shall charge the following fees for examination registration and renewals of certificates The sum of twenty-five dollars for a standard examination and ten dollars for a limited examination Every registered optometrist who desires to continue the practice of optometry shall annually on or before the first day of January pay to the secretary of the board a renewal registration fee of three dollars per annum for which he shall receive a renewal of his certificate

In case of neglect to pay the renewal registration fee herein specified the board may revoke such certificate and the holder thereof may be reinstated by complying with the conditions specified in this act But no certificate or permit

shall be revoked without giving sixty days' notice to the delinquent who within such period shall have the right of renewal of such certificate on payment of the renewal fee with a penalty of five dollars Provided That retirement from practice for a period not exceeding five years shall not deprive the holder of said certificate of the right to renew his certificate on the payment of all lapsed fees

The board shall adopt a seal and certificate of suitable design and shall have an office at Harrisburg in this Commonwealth where examinations may be held and where all its permanent records shall be kept which shall be open to public inspection It shall have power to make requisition upon the proper State officials for office rooms and supplies including stationery and furniture. All printing and binding necessary for the work of the said board shall be done by the State Printer upon an order issued by said board through its president and secretary to the Superintendent of Public Printing and Binding

Section 6 That section nine of said act is hereby amended to read as follows

Section 9 The Board of Optometrical Education Examination and Licensure shall refuse to grant a certificate of licensure to any applicant and may cancel revoke or suspend the operation of any certificate by it granted for any or all of the following reasons to wit—the peddling or soliciting from house to house or person to person or the establishment of temporary offices or the employment of solicitors or the use of misleading advertising or gross incompetency or the obtaining of money by fraud or misrepresentation of the optometrical business in which untruthful statements are made or the failure to deliver the certicates provided for in section six of this act or the conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs the intellect and judgment to such an extent as to incapacitate for the performance of the duties of an optometrist The certificate of licensure of any person convicted of a violation of section two of this act shall be ipso facto revoked

Any person who is the holder of a certificate of licensure or who is an applicant for examination for a certificate of licensure against whom is perferred any charge shall be furnished by the board with a copy of the complaint and shall have a hearing before the board at which hearing he may be represented by counsel At such hearing witness may be examined for and against the accused respecting the said charges which examination shall be conducted in the manner followed in the taking of testimony before commissions in this Commonwealth The supension of a certificate of licensure by reason of the use of stimulants or narcotics may be revoked when the holder thereof shall have been adjudged by the said board to be cured and capable of practicing optometry

Section 7 That section ten of said act is hereby amended to read as follows

Section 10 An applicant for a certificate of licensure who has been examined by the State Board of Optometrical Examiners of another State which through reciprocity similarly accredits the holder of a certificate issued by the Board of Optometrical Education Examination and Licensure of this Commonwealth to the full privileges or practice within such State shall on the payment of a fee of twenty-five dollars to the said board and on filing in the office of the board a true and attested copy of the said license certified by the president or secretary of the State board issuing the same and showing that the standard of requirements adopted and enforced by said board is equal to that provided for by this act shall without further examination receive a certificate of licensure or if the applicant is the holder of a license by limited examination or exemption within such state and has practiced continuously under such license for at least ten years and is recommended by the State board which issued such license and has complied with the reciprocal requirements shall upon passing the standard tests in practical optics and practical optometry at any regular examination receive a certificate of licensure Provided That such applicant has not previously failed at an examination held by the Board of Optometrical Education Examination and Licensure of this Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 412, as follows:

An Act authorizing any county separately or counties interested jointly to lease for a term of years from a bridge company or corporation any toll bridge spanning a river or stream when such bridge is used solely for highway purposes or jointly for highway railroad or street railway purposes discontinuing tolls on any such bridge during such lease and authorizing counties to appropriate money levy taxes and incur indebtedness for such purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever a toll bridge owned or maintained by a bridge company or corporation organized and existing under the laws of this Commonwealth shall span a river or stream in this Commonwealth and such bridge or any portion thereof is or shall be used solely by the public for general highway purposes or by the public for such purposes concurrently with the use of the same by any railroad company or street railway company engaged as a common carrier and the County Commissioner or a majority of the County Commissioners of any county or of the respective counties interested shall by resolution declare such bridge or any portion thereof necessary for the accommodation of the public for general highway purposes and that the payment of tolls on such bridge is burdensome to the public using the same for such purposes then and in any such event any such county separately or such counties jointly shall have the power to enter into a contract with such bridge company or corporation whereby such bridge company or corporation may lease to such county or counties such bridge or such portion or portions thereof as may be used by the public for general highway purposes for the use of the same by the public for said purposes free from the payment of tolls at such rental or rentals and for such definite term of years not to exceed twenty (20) years in duration and upon such other terms and conditions as may be agreed upon and as the County Commissioners or a majority of the County Commissioners of such county or counties shall deem reasonable and proper or enter into a lease with such bridge company or corporation providing for the use during a definite period not exceeding twenty years of any bridge or any portion thereof by the public for general purposes free from the payment of tolls during the term of any such contract subject to the concurrent use of such bridge or any portion thereof by any railroad company or street railway company engaged as a common carrier and making use of the said bridge or any portion thereof which lease shall contain such terms of payment for such use by the public of such bridge or any portion thereof and such other terms provisions and conditions as may be agreed upon and as the County Commissioners of said county or counties shall deem reasonable and proper

Section 2 No tolls shall be charged the public for the use of said bridge or any portion thereof for general highway purposes during the term of any such lease or any such contract

Section 3 The rental or compensation to be paid to any such bridge company or corporation and the expense of maintenance and repair and any other expense and obligation shall be borne and paid by any such county or by the several counties respectively in such proportions as may be agreed upon by the County Commissioners or the County Commissioners of the respective counties

Section 4 Any such contract entered into under the provisions of this act shall be approved by the Public Service Commission of the Commonwealth in the manner prescribed by law

Section 5 The several counties shall have power to appropriate money levy taxes and to incur indebtedness for the purpose of complying with the provisions of any contract entered into under the provisions of this act

Section 6 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 326, (Senate Bill No. 17), entitled:

A Joint Resolution proposing an amendment to article three (III) of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 485 (Senate Bill No. 159), entitled:

An Act to amend section one hundred of the act aproved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 618 (Senate Bill No. 41), entitled:

An Act fixing the salary of sheriffs in counties of the eighth class requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL DROPPED FROM THE CALENDAR

Mr. HARER. Mr. Speaker, I move that House Bill No. 665, file folio 913, entitled:

An Act making an appropriation to the Department of Public Instruction for deficiencies in appropriations for the support of public school agencies and vocational education.

bills on third reading, page 6 of today's calendar, be dropped from the calendar.

Mr. WHITEMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. GUERIN asked and obtained unanimous consent for an extension of five days on House Bill No. 61, file folio 21, entitled,

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred and ninety-three, (P. L. 344), entitled "An Act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will; and enabling them to sue and to testify against each other in certain cases" authorizing a married woman to mortgage her real property without the joinder of her husband,

on page 7 of today's calendar, bills on third reading postponed.

ADJOURNMENT.

Mr. LUDLOW. Mr. Speaker, I move that this House do now adjourn until 11:00 o'clock tomorrow morning.

The motion was agreed to, and (at 11:59 P. M.) the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

TUESDAY, MARCH 20, 1923.

The Senate met at 11:00 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our heavenly Father, we thank Thee for another blessed day of life; we are glad that we have the health and the strength and the disposition to do something worth while. Thou knowest how many laggards and slackers there are in the world; forbid that we should be numbered among them; may we redeem the time; may we do with our might what our hands find to do and may we strive to make a record that we shall not be ashamed of when we come to the end of life. May Thy richest blessing rest upon our Commonwealth, upon our Governor, upon the Lieutenant-Governor, upon the presiding officer of this morning's session, upon all who are in places of influence and authority. May Thy special blessing rest upon the Senators as they enter upon the duties of this new day, guide us in all that we do and say in Thy honor and glory. We ask it in the Redeemer's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. CRAIG, from the Committee on Judiciary General, reported as committed, Senate Bill No. 341, entitled:

An Act fixing the mileage chargeable by sheriffs, requiring its payment in advance in certain cases, and providing for its taxation and collection as sheriff's costs when unpaid.

Mr. SNYDER, from the Committee on Education, reported as amended, Senate Bill No. 324, entitled:

An Act to amend section two thousand one hundred five of the act approved May 18, 1911, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first, second and third classes.

Mr. MacDADE, from the Committee on Judiciary General reported as committed, Senate Bill No. 345, entitled:

An Act to amend section two of the act, approved the eleventh day of July, one thousand nine hundred and one, (P. L. 663) entitled "An Act to regulate and establish the fees to be charged by Sheriffs in this Commonwealth, and to provide for the taxation and collection of the same."

Mr. LONG, from the Committee on Education, reported as committed, Senate Bill No. 451, entitled:

An Act to amend section one thousand four hundred and twenty-three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" conferring jurisdiction on the municipal court to enforce compulsory attendance of pupils.

Mr. PHIPPS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 366, entitled:

An Act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made.

Mr. STITES, from the Committee on Judiciary General, reported as committed, Senate Bill No. 346, entitled:

An Act authorizing the sheriffs of the several counties of this Commonwealth to organize themselves into a State Association for the purpose of holdiug annual meetings to secure more uniformity and co-operation in the conduct of their offices and providing for the payment of certain expenses in connection with such meetings by the various counties.

Mr. NORTON, from the Committee on Legislative Apportionment, reported as committed, Senate Bill No. 411, entitled:

An Act to amend part of section one of the act approved the tenth day of May, 1921 (P. L. 449) entitled "An Act to fix the number of Senators in the General Assembly of the State; to apportion the State into Senatorial districts, as provided by the Constitution; and to regulate the election of, and the terms of office of, the present and future elected Senators."

Mr. SCHANTZ, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 176, entitled:

An Act making an appropriation to the State Highway Department for the improvement of certain portions of streets abutting on lands owned by the Commonwealth in Lackawanna County.

Mr. DAVIS, from the Committee on New Counties and Copnty Seats, reported as committed, Senate Bill No. 292, entitled:

An Act to amend section ten of the act approved the twenty-seventh day of June, one thousand eight hundred

and ninety-five, (P. L. 403), entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

Also from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 293, entitled:

An Act to amend section six of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled, "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

Also from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 328, entitled:

An Act requiring county commissioners to rebuild or repair county bridges closed to vehicular traffic or destroyed.

Also from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 291, entitled:

An Act to amend section one of the act approved the twenty-third day of May, one thousand nine hundred and seven, (P. L. 225), entitled "An Act providing for the payment of the premiums on bonds of county, city, borough, school-district, and township employes;" extending the provisions thereof to officers.

Also from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 120, entitled:

An Act fixing the salaries of the controller of counties of the first, second, third, fourth, and fifth classes.

Mr. CULBERTSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 343, entitled:

An Act to amend section two of an act, approved the twenty-sixth day of May, one thousand eight hundred and ninety-seven (P. L. 95), entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the execution or process," as amended.

Mr. ARON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 347, entitled:

An Act empowering any chief deputy appointed by deed of any sheriff in any county of this Commonwealth to perform any duty incumbent upon such sheriff, until a written revocation of such appointment be recorded, with like effect as if such official act had been done by the sheriff in person, regardless of the ability or temporary disability of such sheriff to act, while such sheriff continues in office.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 416, (House Bill No. 450), entitled:

An Act to further amend clause three, section one of an act approved the eighth day of May, one thousand eight hundred and fifty-four (Pamphlet laws six hundred forty-four), entitled, "A further supplement to the act entitled, 'An Act concerning divorces'" as amended by taking away the right of support or alimony in certain cases.

Mr. WOODWARD, from the Committee on Judiciary General, reported as committed, Senate Bill No. 342, entitled:

An act authorizing each sheriff in counties of the first, second, third, fourth, and fifth classes to appoint a Sheriff's Solicitor to be paid by the proper county, and prescribing the duties and salary of such Solicitor.

BILLS INTRODUCED.

Mr. MacDADE read in his place and presented to the Chair Senate Bill No. 453, entitled:

An Act to amend section ten hundred and twenty-five of an act aproved the fourteenth day of July, one thousand nine hundred seventeen (P. L. 840) entitled, "An Act concerning townships; revising, amending, and consolidating the law relating thereto."

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 454, entitled:

An Act authorizing the tax levying authorities of each county of the Commonwealth to levy and collect an annual poll tax upon the inhabitants thereof in lieu of taxes heretofore levied and collected upon salaries, emoluments of office, posts of profit, trades, professions and occupations, and repealing laws inconsistent with its provisions.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 455, entitled:

An Act authorizing county commissioners to adopt names for public roads and highways other than in cities and boroughs; and defining the effect thereof.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 456, entitled:

An Act to amend section two of an act aproved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 1021), entitled "An Act imposing a State Tax on gasoline, and on all other liquids containing any derivative of petroleum or natural gas produced, prepared or compounded or usable for the purpose of generating power by means of internal combustion and sold in this Commonwealth, except for the purpose of resale; providing for the collection of such tax and for the distribution and use of the revenues derived therefrom; making an appropriation; and fixing penalties;" and appropriating the Commonwealth's share of said tax for the payment of township rewards.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 457, entitled:

An Act to amend section twenty-two of an act approved July 17, 1921 (P. L. 869) entitled "An Act providing for the organization government, discipline, maintenance and regulation of the armed land forces of this Commonwealth," authorizing the Governor to confer brevet rank upon certain officers.

Which was committed to the Committee on Military Affairs.

Mr. KUTZ read in his place and presented to the Chair Senate Bill No. 458, entitled:

An Act making an appropriation to the Easton Home for Friendless Children, at Easton, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 459, entitled:

An Act making an appropriation to the Home for Aged and Infirm Women of Easton, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. NORTON read in his place and presented to the Chair Senate Bill No. 460, entitled:

An Act to amend route two hundred and eighty-five of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468) entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway

Commissioner, two deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same my route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State Aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Which was committed to the Committee on Public Roads and Highways.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 461, entitled:

An Act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof.

Which was committed to the Committee on Municipal Affairs.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 462, entitled:

An Act to further amend section two of an act approved the twenty-eighth day of June, one thousand eight hundred and ninety-five, (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An Act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth;" by limiting payments to cities, boroughs, and townships where there are firemen's relief organizations.

Which was committed to the Committee on Insurance.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 463, entitled:

An Act to further amend section three of an act approved the twenty-third day of May, one thousand eight hundred and eighty-seven, (P. L. 173), entitled "An Act to make the carrying on of the business of detectives without license a misdemeanor, and to regulate the licensing and powers of detectives," as amended; by providing that detective agencies may employ detective operatives who may serve legal papers in certain cases and be entitled to the legal fees for said services, giving a right of action on the bond of the employing licensed detective agencies for injury done by said detective operatives, and providing a penalty for wilful offenses of said detective operatives.

Which was committed to the Committee on Law and Order.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 61, as follows:

An Act to carry into effect section eleven of article one of the Constitution of Pennsylvania by designating the manner the courts and the cases in which suits may be brought against the Commonwealth defining the procedure in such cases and providing for the payment of judgments interest and costs by the Commonwealth

Whereas As section eleven of article one of the Constitution of Pennsylvania provides that "All courts shall be open and every man for an injury done in his lands goods person or reputation shall have remedy by due course of law and right and justice administered without sale denial or delay Suits may be brought against the Commonwealth in such manner in such courts and in such cases as the Legislature may by law direct and

Whereas The Supreme Court has declared that special acts of assembly authorizing suits to be brought against the Commonwealth are unconstitutional and

Whereas The Commonwealth has recently by virtue of divers acts of assembly and in the exercise of its sovereignty taken over and assumed extensive public works heretofore constructed by counties cities boroughs and townships which municipal districts are and have hitherto been held liable upon contracts as well as for negligence

Now therefore to carry out and to give full force and effect to said provisions of the Constitution and to provide a general system for the bringing of suits against the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That suits in assumpsit upon contracts express or implied and suits in trespass for negligence in the construction operation or maintenance of any public work building or highway may be brought against the Commonwealth of Pennsylvania in the court of common pleas of the county in which the seat of government is located and such suits may be prosecuted to final determination subject to appeal in the same manner and within the same limitations as to time as in the case of suits in assumpsit and trespass between individuals Nothing contained in this section shall be construed to repeal or impair the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen

Section 2 No action shall be instituted or cause maintained under the provisions of this act which shall have arisen before the first day of January one thousand nine hundred and twenty-one and in such cases the statute of limitations shall be construed as commencing to run from the date of the approval of this act

Section 3 Process in actions commenced under the provisions of this act shall be served upon the Attorney General or any of his deputies in the same manner and with like effect as in the case of suits between individuals The Attorney General or any of his deputies are authorized to acept service of any process in any such suit against the Commonwealth The practice and pleadings shall conform in all respects to the laws of this Commonwealth and the rules of court regulations similar cases between individuals

Section 4 In all suits brought under the provisions of this act it shall be incompetent to maintain as a defense that the Commonwealth is a sovereign power and is immune from liability

Section 5 In all cases where final judgment is obtained against the Commonwealth the record of such judgment shall be certified to the Auditor General who shall thereupon draw his warrant upon the State Treasurer for the payment of such judgment interest and costs All such payments shall be made from appropriations made by the General Assembly from time to time for the payment of such judgments

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Derrick,	Mansfield,	Sones,
Baldwin,	DeWitt,	McClintock,	Sprowls,
Barr,	Harris,	Norton,	Steele,
Betts,	Heaton,	Patton,	Stineman,
Brown,	Homsher,	Phipps,	Stites,
Buckman,	Huffman,	Quigley,	Vare,
Christley,	Joyce,	Salus,	Weaver,
Craig,	Lanius,	Schantz,	Woodward,
Culberston,	Leslie,	Smith,	Eyre,
Daix,	Long,	Snyder,	Pres. Pro Tem.
Davis,	MacDade,		

NAYS—2.

Krause,	Kutz,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 143, on final passage, entitled:

An Act to amend section one of the act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revise rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation"; as amended.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PHIPPS. Mr. President, I ask that Senate Bill No. 198, on final passage, entitled:

An Act to amend section seventy-four of an act approved July 2, 1839 (P. L. 519), entitled "An Act relating to the Elections of this Commonwealth," as amended.

go over in its order.

The PRESIDENT. Is there any objection? The Chair hears none.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 227, (House Bill No. 72), as follows:

An Act to amend section two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty four) entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-four) entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor" is hereby amended to read as follows

Section 2 If a majority of the voters voting upon such question at such election shall be in favor of the establishment of the hospital the county commissioners and board of trustees hereafter provided for shall have plans and specifications prepared and shall select and acquire a site for such hospital by purchase or condemnation with the same power and with the like procedure as land is now acquired under existing laws by school districts for school purposes the county commissioners exercising the authority exercised by school directors for that purpose Such plans and specifications and the location of such site shall be approved by the Commissioner of Health before the construction of any building is commenced

Upon the approval by the Commissioner of Health of the plans and specifications and the location of such hospital the hospital shall be constructed and equipped under the direction and supervision of the board of trustees and the county commissioners and in the same manner as other county buildings are constructed and equipped

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Harris,	Mansfield,	Sprowls,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Norton,	Stineman,
Buckman,	Huffman,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culberston,	Kutz,	Salus,	Woodward,
Daix,	Lanius,	Schantz,	Eyre,
Davis,	Leslie,	Smith,	Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 240, as follows:

An Act to amend section six of an act approved the twentieth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighteen) entitled "An Act relating to the appointment of persons to the police department in cities of the third class providing

for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it hereby enacted by the authority of the same That section six of an act approved the twentieth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighteen) entitled "An Act relating to the appointment of persons to the police department in cities of the third class providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation" which as amended by an act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and four) entitled "An Act to amend section six of an act approved the twentieth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighteen) entitled 'An Act relating to the appointment of persons to the police department in cities of the third class providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation' so as to permit temporary suspensions by the superintendent of public affairs" reads as follows

"Section 6 All employees of said police department shall be subject to suspension by the superintendent of the department of public affairs for misconduct or violation of any law of this Commonwealth any ordinance of the city or regulation of the said police department pending action by the city council upon the charges made against any such employes and on hearing before the city council where they may be represented by counsel they may be fined or suspended for a period not to exceed thirty days with or without pay or they may be discharged by city council if found guilty of the charges against them Provided however That the said superintendent of the department of public affairs may for misconduct or violation as aforesaid suspend any employe of said department of police for a period not to exceed ten days with or without preferring charges and without a hearing of council" is hereby further amended to read as follows

Section 6 All employes of said police department shall be subject to suspension by the superintendent of the department of public affairs for misconduct or violation of any law of this Commonwealth any ordinance of the city or regulation of the said police department pending action by the city council upon the charges made against any such employes such action relating to the suspension of any member of said police department to be submitted in writing under official seal of the office by the superintendent of the department of public affairs together with all facts data et cetera in connection therewith to the city council at its next regular meeting following such suspension or special meeting called for that purpose within ten days and on hearing before the city council at said regular or special meeting where they may be represented by council and offer testimony or witnesses in their own behalf they may be fined suspended or discharged by the city council if found guilty of any charges made against them If such charges as presented to city council are found to be not true said employe shall be exonerated of all charges immediately reinstated and compensated for such salary due for the time such employe was suspended

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Harris,	Mansfield,	Sprowls,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Norton,	Stineman,
Buckman,	Huffman,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,	Lanius,	Schantz,	Eyre,
Davis,	Leslie,	Smith,	Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. STINEMAN. Mr. President, I ask that Senate Bill No. 242, on final passage, entitled:

An Act to amend sections one, eleven, twelve and fourteen of and to add section eight (a) to an act entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," approved March 19, 1909, (P. L. 46); providing additional qualifications for a member of the State Board of Osteopathic Examiners; providing for the examination and licensing of osteopathic physicians to practice surgery regulating the practice of the same and requiring additional qualifications therefor defining osteopathy and providing for the effect of reports and certificates made by osteopathic physicians and granting additional powers to the Board of Osteopathic Examiners to revoke licenses.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 337, as follows:

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement

or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriation to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet laws four hundred sixty eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvements maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repair to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which was amended by section two of the act approved the sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and seven) entitled "An Act to amend sections eight and sixteen of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled 'An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvements providing for payment of cost of improvement and repairs providing penalties for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' authorizing the State Highway Commissioner to establish the location lines and width of State highways providing for the recording of the same and denying to owners and occupiers of land damages for improvements erected within the established lines and width of the State highways so laid out and providing for the payment of damages to property owners by counties and repealing existing laws" is hereby further amended to read as follows

Section 16 Before the State Highway Commissioner shall undertake the construction reconstruction or improvement of any State highway on the plan of the State highways wherein a change of width change of grade or change of existing lines and location is necessary and damages is likely to result to abutting property he shall notify the county commissioners of the proper county in writing of the contemplated change in such existing grades lines and location whereupon the county commissioners when possible shall enter into an agreement with the owner or owners of said property as to the amount of damage to be paid to the said owner or owners which damage if agreed upon shall be paid by the county or in case an agreement satisfactory to the county commissioners and said owner or owners cannot be made the State Highway Commissioner may proceed with the work of construction reconstruction or improvement and the owner or owners of said property damages thereby may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages The proceedings upon said petition and by the viewers shall be governed by existing laws relating to the ascertainment and assessment of damages for opening public highways The county commissioners or any other party to such proceedings may appeal from the award of the viewers to the court of common pleas and shall be entitled to a trial by jury From the judgment of the court of common pleas an appeal may be had to the Supreme or Superior Court as in other cases Such damages when ascertained shall be paid by the county in which the State highway is located

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Harris,	Mansfield,	Sprowls,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Norton,	Stineman,
Buckman,	Huffman,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culberston,	Kutz,	Salus,	Woodward,
Daix,	Lanius,	Schantz,	Eyre,
Davis,	Leslie,	Smith,	Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 209 (House Bill No. 159), entitled:

An Act regulating the location of certain stables in cities of the first class and providing penalties

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Aron,	Daix,	Krause,	Salus,
Baldwin,	Davis,	Kutz,	Schantz,
Barr,	Derrick,	Lanius,	Snyder,
Betts,	DeWitt,	Leslie,	Sones,
Brown,	Harris,	Long,	Sprowls,
Buckman,	Heaton,	Mansfield,	Steele,
Christley,	Homsher,	McClintock,	Vare,
Craig,	Huffman,	Phipps,	Eyre,
Culberston,	Joyce,	Quigley,	Pres. Pro Tem.

NAYS—3.

MacDade,	Stites,	Woodward,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return the bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 272, (House Bill No. 281), as follows:

An Act to amend section two of Article sixteen of an act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Law five hundred and eighty-one) entitled "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of Article sixteen of an act entitled "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania" approved the twenty-fifth day of June one thousand nine hundred and nineteen is amended to read as follows

Section 2 At the municipal election held in such city in the year one thousand nine hundred and twenty-three and in every fourth year thereafter city councilmen shall be elected in the various State senatorial districts in such city in proportion to the whole number of persons in each such senatorial district as determined by the decennial census of the United States completed at least three months prior to said election. One councilman shall be elected for each unit of eighty thousand persons in each such district and one for any fractional portion of such unit in excess of fifty per cent thereof in each such district over and above all entire units The number of councilmen to be elected from each such district shall be determined by the County Commissioners on August first of the year one thousand nine hundred and twenty-three and of every fourth year thereafter on the basis of the said decennial census of the United States Councilmen shall be nominated and elected according to law and those receiving the highest number of votes shall be declared elected to the number to which each such district is entitled Councilmen shall serve for the period of four years from the first Monday in January following their election If any vacancy shall happen in the office of Councilman the vacancy may be filled at the next general municipal or special election occurring not less than thirty days thereafter but the Councilman thus elected shall serve only the unexpired term

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as folows, viz:

YEAS—43.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Harris,	Mansfield,	Sprowls,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Norton,	Stineman,
Buckman,	Huffman,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,	Lanius,	Schantz,	Eyre,
Davis,	Leslie,	Smith,	Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 303, as follows:

An Act to amend section three and section four of an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seventy-four) entitled "An act providing for the licensing and regulating of corporations co-partnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of tne Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three and four of an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seventy-four entitled "An act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties" are hereby amended to read as follows

Section 3 Every corporation or person desiring to obtain a license under the provisions of this act shall file with the Commissioner an application in writing in such form as may be prescribed by the Commisioner Before a license shall be issued by the Commisioner he shall make or cause to be made an investigation of the condition and affairs of the applicant and its general plan of operation He shall investigate the moral character and general fitness of the applicant if an individual and of the members of a partnership or association and of the directors managers trustees and other officers of every applicant to discharge the duties reposed in them and may examine any or all of them under oath He shall require the applicant to snbmit to him a mathematical chart or calculation showing in detail the operation of the plan of investment carried on or proposed to be carried on for the purpose of determining whether the same is financially and mathematically sound and the contracts or obligation isued or proposed to be issued possible of fulfillment Unless the commissioner is satisfied as to the character and general fitness of the managing officers of the applicant to honesty and efficiently carry on its business and that the plan of operation is financially sound and the contracts issued or proposed to be issued possible of fulfillment he shall refuse the license and forthwith notify the applicant of such refusal and suecify in the notice the cause or causes thereof The Commissioner may revoke such license at any time when conditions arise which in his judgment if existing at the time when the license was granted would have been sufficient cause for refusing to issue such license

Section 4 No corporation or person shall be licensed under the provisions of this act unless and until it has deposited with the Commissioner in cash or bonds of the United States or of the State of Pennsylvania or of cities counties boroughs or school districts of this Commonwealth or any other State of the United States approved by the Commissioner of the clear market value of one hundred thousand dollars ($100,000) as security for the fulfillment of its contracts made heretofore or hereafter with residents of Pennsylvania Exchanges of such bonds may be made from time to time with the approval of the Commissioner If any of said bonds are called for payment the proceeds thereof shall remain in the hands of the Commissioner until other bonds of the character described in this section shall be submitted substituted in like amount for the bonds so paid The corporation or person making such deposit shall be entitled to the income thereon

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Harris,	Mansfield,	Sprowls,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Norton,	Stineman,
Buckman,	Huffman,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culberston,	Kutz,	Salus,	Woodward,
Daix,	Lanius,	Schantz,	Eyre,
Davis,	Leslie,	Smith,	Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 354, (House Bill No. 82), as follows:

A Supplement to an act entitled "An Act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and twenty-one" as approved the twenty-seventh day of May Anno Domini one thousand nine hundred and twenty-one providing for deficiencies in certain appropriations made to the Executive Judicial and Legislative Departments by the act to which this is a supplement and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by certain of the Executive Judicial and Legislative Departments not provided for by said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or so much thereof as may be necessary for deficiencies in certain appropriations made to the Executive Judicial and Legislative Departments by the act to which this is a supplement and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by certain of the Executive Judicial and Legislative Departments not provided for by said act be and the same are hereby specifically appropriated to the several objects hereinafter named to be made in the manner prescribed by law and to be paid out of any moneys in the treasury not otherwise appropriated Provided That all sums hereby appropriated shall be paid on the warrant of the Auditor General drawn upon the State Treasurer unless otherwise prescribed by law and provided further that out of the amount hereby appropriated to the Senate and House of Representatives there shall also be paid salaries and mileage for any additional officers and employes for the session of one thousand nine hundred and twenty-three as may be authorized during said session

Section 2 For the payment of the deficiencies in certain appropriations made to and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by the following named executive departments of the State Government the following sums or so much thereof as may be necessary to be paid in the manner prescribed by law

EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR

For the payment of the deficiency in the expenses incident to the participation in the procedure of the organization known as the Governors' Conference for the years one thousand nine hundred and twenty one and one thousand nine hundred and twenty-two the sum of two hundred dollars ($200)

DEPARTMENT OF THE SECRETARY OF THE COMMONWEALTH

For the payment of the deficiency of the expenses for the publication in the various newspapers of the State the several amendments to the Constitution of the Commonwealth for the two fiscal years ending the thirty-first day of May one thousand nine hundred and twenty-three the sum of forty-nine thousand seven hundred seventy-four dollars ($49,774) or so much thereof as may be necessary

TREASURY DEPARTMENT

For the payment of the deficiency in clerk hire messengers and watchmen including payment of such extra and tem-

porary clerks as the State Treasurer may find it necessary to employ for the purpose of balancing and transferring accounts making new indices listing and depositing receipts of the motor fund expense of collecting the tax on gasoline or rendering any other general assistance to the regular clerical force and for the payment of postage express charges traveling expenses of the State Treasurer or employes of the department while on departmental business and for other necessary expenses of the department the sum of eighty-six thousand five hundred and twenty-seven dollars ($86,527) or so much there of as may be necessary

DEPARTMENT OF PUBLIC GROUNDS AND BUILDINGS

For the payment of the deficiency in the appropriation for salaries of the chief and assistant engineeers of the Capitol power plant and all other employes required in conducting cleaning and making repairs necessary for the safety and keeping of the buildings and grounds the sum of forty thousand dollars ($40,000.) or so much thereof as may be necessary

For the payment of the deficiency in the appropriation for the cost of general supplies including stationery supplies furniture fuel repairs alterations and improvements and other matters required by the Legislature the several departments boards and commissions of the State Government and the Executive Mansion as set forth and included in the general annual schedule of supplies for the State Government the sum of one hundred eighty-five thousand dollars ($185,000) or so much thereof as may be necessary

For the deficiency in the appropriation for advertising the annual schedule of supplies the sale of unserviceable furnishings the readvertising of the annual schedule when necessary and all other advertisements as authorized by the Board of Commissioners of Public Grounds and Buildings and the Superintendent the sum of two thousand dollars ($2,000) or so much thereof as may be necessary.

For the deficiency in the appropriation for the payment of cost of electric current gas and steam for light heat and power for the public grounds and buildings where not supplied from the Capitol power plant the sum of sixteen thousand nine hundred dollars ($16,900) or so much thereof as may be necessary.

For the deficiency in the appropriation for the payment of rental charges for telephone service and other patented leased office devices the cost of toll, and long distance telephone messages and telegrams for the Legislature the several departments boards and commissions of the State Government and the Executive Mansion the sum of forty seven thousand dollars ($47,000) or so much thereof as may be necessary

For the deficiency in the appropriations for the payment of the rent of offices and rooms outside of the Capitol Building for the accommodation of departments boards and commissions of the State Government the sum of seventeen thousand five hundred dollars ($17,500) or so much thereof as may be necessary

DEPARTMENT OF PUBLIC PRINTING AND BINDING

For the deficiency in the appropriation for the payment of paper envelopes and other supplies of printing binding ruling lithographic printing cuts plates of salaries and wages of employes and of advertising proposals for executing the state printing the sum of three hundred thousand dollars ($300,000) or so much thereof as may be necessary.

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

For the payment of accrued indemnity claims for animals destroyed to prevent the spread of dangerous communicable diseases the sum of two hundred thirty-five thousand dollars ($235,000) or so much thereof as may be necessary

ADJUTANT GENERAL'S DEPARTMENT

For the payment of annual allowance to National Guard organizations passenger and freight transportation rifle practice allowances repairs to auto trucks expenses of inspectors and other unpaid obligations for the fiscal year ending May thirty-first one thousand nine hundred and twenty-three the sum of eighty-eight thousand seven hundred twenty-six dollars ($88,726)

For officers' annual allowance claims due and filed eighty-five hundred dollars ($8,500)

For the payment of claims of officers' annual allowance to be filed for the fiscal year ending May thirty-first one thousand nine hundred and twenty-three fifty-three hundred dollars ($5,300)

STATE BOARD OF EXAMINERS OF ARCHITECTS

For the deficiency in the appropriation for the necessary expenses of the said board the sum of two thousand dollars ($2,000) or so much thereof as may be necessary

RETIREMENT OF STATE EMPLOYES

For the deficiency in the appropriation covering the amount of salaries of State employes who may be retired by resignation the sum of forty-nine thousand two hundred and four dollars ($49,204) or so much thereof as may be necessary

JUDICIAL DEPARTMENT

Section 3 For the payment of the deficiencies in certain appropriations made to and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by the Judicial Branch of the State Government

For the payment of the deficiency in the salary of the Judges of the Courts of Common Pleas learned in the law in the several judicial districts in the Commonwealth for the two years ending May thirty-first one thousand nine hundred and twenty-three the sum of eighteen thousand dollars ($18,000)

For the payment of the deficiency in the salaries of the orphans' court judges in the several judicial districts in which separate orphans' courts have been established by law for two years ending May thirty-first one thousand nine hundred and twenty-three the sum of ten thousand five hundred dollars ($10,500)

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones.
Barr,	Harris,	Mansfield,	Sprowls,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher.	Norton,	Stineman,
Buckman,	Huffman,	Patton,	Stites,
Christley,	Joyce.	Phipps,	Vare,
Craig,	Krause,	Quigley.	Weaver,
Culberston,	Kutz.	Salus,	Woodward,
Daix,	Lanius,	Schantz,	Eyre,
Davis,	Leslie,	Smith,	Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 362, entitled:

An Act regulating the practice of law in Courts not of record

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Harris,	Mansfield,	Sprowls,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Norton,	Stineman,
Buckman,	Huffman,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,	Lanius,	Schantz,	Eyre,
Davis,	Leslie,	Smith,	Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. DERRICK. Mr. President, I ask that Senate Bill No. 217 on second reading, entitled:

An Act to amend section one of an act approved April 13, 1873 (P. L. 21) entitled "An Act for the establishment of a uniform standard of time throughout the Commonwealth;" prohibiting the adoption of other standards of time.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 273, (House Bill No. 302), entitled:

An Act to amend section one of an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, (P. L. 86), entitled "An Act regulating the compensation of court criers and tipstaves, in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county; limiting the number of tipstaves to be appointed; and repealing an act of Assembly, entitled 'An Act to regulate the fees of court criers and tipstaves of the courts, in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants,' approved the twenty-ninth day of April, Anno Domini, one thousand nine hundred and nine," as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 383, (House Bill No. 373), entitled:

An Act to amend an act approved June fifteenth, one thousand nine hundred and eleven (P. L. 955) entitled "An Act making state taxes unpaid bonus, interest, penalties and all public accounts a first lien upon the franchise and property of corporations, companies, associations, joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof, and repealing section four of the act approved April sixteen one thousand eight hundred and twenty-seven," by extending its provisions to include individuals and providing for attorneys' commissions, making such commissions part of said claim and giving such commissions and costs the same priority as said taxes, bonus, interest and penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 383, the bill just read, be recommitted to the Committee on Judiciary General, for the purpose of a hearing.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 384, (House Bill No. 374), entitled:

An Act to amend section one of an act approved June first, one thousand nine hundred and seven (Pamphlet Laws three hundred and eighty-three) entitled "An Act regulating the collection of taxes and other claims and demands due the Commonwealth and providing for six per centum interest thereon and an attorney's commission."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 384, the bill just read, be recommitted to the Committe on Judiciary General, for the purpose of a hearing.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

LEAVE OF ABSENCE.

Mr. DAVIS asked and obtained leave of absence for himself for the week beginning March 26th.

TIME OF NEXT MEETING.

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to.

Resolved (if the House of Representatives concur). That when the Senate adjourns today it reconvene on Monday evening, March twenty-sixth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March twenty-sixth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS INTRODUCED.

Mr. PHIPPS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PHIPPS read in his place and presented to the Chair Senate Bill No. 464, entitled:

An Act providing a means whereby estate, devised upon a trust to divide it among other persons, and the trustee has died without performing the trust, may be divided amicably by the interested persons, with the approval of the Orphans' Court and the legal title be vested in them by judicial decree.

Which was committed to the Committee on Judiciary General.

Mr. NORTON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. NORTON read in his place and presented to the Chair Senate Bill No. 465, entitled:

An Act establishing a State highway in Counties of Berks, Chester and Lancaster, providing for its location, construction, improvement and maintenance by the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

REPORT FROM COMMITTEE.

Mr. BALDWIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BALDWIN from the Committee on Finance, reported as committed, Senate Bill No. 359, entitled:

A Joint Resolution proposing an amendment section one, article nine, of the Constitution of the Commonwealth of Pennsylvania.

REPORT OF SLATE COMMITTEE.

Mr. HOMSHER. Mr. President, I am instructed by the Slate Committee to report the following nomination of employee of the Senate, and move his election.

PASTER AND FOLDER.

George B. Frank, Johnstown, Cambria County, vice Emanuel Jones, Johnstown, Cambria County, deceased.

Mr. BALDWIN. Mr. President, I second the motion.

The PRESIDENT. I therefore declare the person named in the motion as having been duly elected an employee of the Senate for the Session of 1923.

The motion was agreed to.

BILL INTRODUCED.

Mr. ARON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON read in his place and presented to the Chair Senate Bill No. 466, entitled:

An Act regulating in criminal trials the cross-examination of a defendant in testifying in his own behalf.

Which was committed to the Committee on Judiciary General.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Comonwealth, which were read as follows:

APPROVAL OF SENATE BILL No. 67.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 19, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 67, entitled, "An Act to further amend section four of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred ninety-five) entitled, 'An Act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade-mark stock and poultry-food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuff sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expense of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled 'An Act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven' as amended fixing the amount of and providing for the collection of license fees for the sale of certain brands of feeding-stuffs."

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

W. Sheraden Hall, Pittsburgh, April 1, 1923.
Walter B. McRoberts, Pittsburgh, Mar. 23, 1923.
David B. Shannon, McKees Rocks, Mar. 31. 1923.

BEAVER COUNTY.

John H. Sturgeon, Beaver Falls, April 1, 1923.
Miss Emma A. Taylor, Beaver, April 1, 1923.

BERKS COUNTY.

Miss Ella B. Gartlan, Reading, Mar. 9. 1923.
Paul S. Kintzer, Reading, Mar. 17, 1923.
Mrs. Mattie T. Raudenbush, Reading, April 1, 1923.

CAMBRIA COUNTY.

John E. Kauffelt, St. Benedict, April 1. 1923.
Michael J. McCann, Ebensburg, April 1, 1923.

LACKAWANNA COUNTY.

Miss Sara F. Boadley, Scranton, April 1. 1923.
T. Archer Morgan, Scranton, April 1, 1923.

LUZERNE COUNTY.

Gustave B. Kleeman, Wilkes-Barre, Mar. 22. 1923.

PHILADELPHIA COUNTY.

Frank A. Doyle, Philadelphia, April 1, 1923.
Edw. D. Kelly, Philadelphia, April 1, 1923.
W. Stanley Kite, Philadelphia, April 1, 1923.
Eugene J. Remillon, Philadelphia, April 1, 1923.
Miss Ada M. Smith, Philadelphia, April 1, 1923.
David J. Vint, Philadelphia. Mar. 31, 1923.

WESTMORELAND COUNTY.

C. A. McGuire, Manor, April 1, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate,

the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Miss Alice H. Jones, Tarentum.
W. G. Kestner, Carrick, Pittsburgh.
Miss Margaret H. Meyer, Pittsburgh.
Felix A. Najeski, Homestead.
Miss Grace M. Pugh, Pittsburgh.

BERKS COUNTY.

Raymond W. Reeser, Reading.
Geo. C. Straub, Reading.

CHESTER COUNTY.

Miss Helen Ash, Coatesville.

LANCASTER COUNTY.

Miss Nettie G. Brenner, Lancaster.

PHILADELPHIA COUNTY.

Charles H. Collins, Phila., 6751 Glenloch St.
Alvin E. Goodman, Phila., 18th & Susq. Ave.
Harry A. Stoy, Phila., 1709 N. Willington St.

YORK COUNTY.

J. P. Falkler, York.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Harris,	Mansfield,	Sprowls,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Norton,	Stineman,
Buckman,	Huffman,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,	Lanius,	Schantz,	Eyre,
Davis,	Leslie,	Smith,	Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was detemrneid in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 51.

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, March 20, 1923.

Resolved (if the Senate concur), That House Bill No. 51, file folio 849, entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 6 RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 6, entitled:

An Act to amend section two of the act approved the sixth day of July, one thousand nine hundred and seventeen, (P. L. 734), entitled "An act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth, together with their solicitor, steward, or superintendent, and such other executive officer as may be designated by said directors and overseers or other officers, to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania, as part of their official duties, and providing for the payment of the expenses thereof."

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. BUCKMAN. Mr. President, I move that Rule 21, which required amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Amend section 1, page 3, line 3, by striking out the word "fifty" and inserting in lieu thereof the word "thirty".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	DeWitt,	MacDade,	Snyder,
Baldwin,	Harris,	Mansfield,	Sones,
Barr,	Heaton,	McClintock,	Sprowls,
Betts,	Homsher,	Miller,	Steele,
Brown,	Huffman,	Norton,	Stineman,
Buckman,	Joyce,	Patton,	Stites,
Christley,	Krause,	Phipps,	Vare,
Craig,	Kutz,	Quigley,	Weaver,
Culbertson,	Lanius,	Salus,	Woodward,
Daix,	Leslie,	Schantz,	Eyre,
Davis,	Long,	Smith,	Pres. Pro Tem.
Derrick,			

NAYS—0.

The majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 268, (Senate Bill No. 467), entitled:

An Act to repeal the act approved the eleventh day of May, one thousand nine hundred twenty-one, (Pamphlet Laws 479) entitled an act "Imposing a State tax on anthracite coal; providing for the assessment and collection thereof; and providing penalties for the violation of this act and fixing the date when said repeal shall take effect"

Which was committed to the Committee on Finance.

House Bill No. 436, (Senate Bill No. 468), entitled:

An Act regulating the mortgaging of real property by married persons

Which was committed to the Committee on Judiciary General.

House Bill No. 277, (Senate Bill No. 469), entitled:

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the 24th day of May 1921, under the provisions of an act approved the fourth day of June, 1901, entitled: "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distribution the proceeds of such sales" and its supplements and amendments thereto; and providing for their collection.

Which was committed to the Committee on Judiciary General.

RECESS.

Mr. VARE. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORT FROM COMMITTEE.

Mr. JOYCE. Mr. President, I ask unanimous consent to make report from the committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JOYCE, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 444, entitled:

An Act authorizing the county commissioners and controller in third class counties to appoint a collector of delinquent taxes; and defining his powers with regard to the collection of taxes returned by county tax collectors as uncollectable and for which credits have been claimed.

APPOINTMENTS BY THE CHIEF CLERK.

The PRESIDENT. The Chief Clerk announces the following appointments:

FILING CLERK.

Leon C. Wicht, Lehigh Avenue, Pittsburgh, Pa.

COPY HOLDER.

Eugene A. Grandon,

PROOF READER.

W. J. Thomas, 613 East Commerce Street, Shamokin.

NOMINATION BY THE GOVERNOR.

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, Joseph M. Steinitz, of Rankin, as Justice of the Peace, in and for the Borough of Rankin, Allegheny County, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BALDWIN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BALDWIN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Harris,	Mansfield,	Sprowls,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Norton,	Stineman,
Buckman,	Huffman,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Craig,	Krause,	Quigley,	Weaver,
Culbertson,	Kutz,	Salus,	Woodward,
Daix,	Lanius,	Schantz,	Eyre,
Davis,	Leslie,	Smith,	Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed acordingly.

Mr. BALDWIN. Mr. President, I move that the Executive Session do now rise.

Mr. CULBERTSON. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 34.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 34, entitled:

An Act to amend clause two of section three hundred and eighty-six of an act approved the fourteenth day of July,

one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto"; by extending the power to tax property for lighting purposes in second class townships.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 371.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 371, entitled:

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen, (Pamphlet Laws seven hundred and thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 281.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 281, entitled:

An Act to amend Section two of Article XVI of an act entitled, "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania," approved the twenty-fifth day of June, one thousand nine hundred and nineteen.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 82.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 82, entitled:

A supplement to an act entitled "An act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and twenty-one" as approved the twenty-seventh day of May Anno Domini one thousand nine hundred and twenty-one providing for deficiencies in certain appropriations made to the Executive Judicial and Legislative Department by the act to which this is a supplement and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by certain of the Executive Judicial and Legislative Departments not provided for by said act

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 159.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 159, entitled:

An Act regulating the location of certain stables in cities of the first class; and providing penalties.

TIME OF NEXT MEETING.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, March 20, 1923.

Resolved (if the House of Representatives concur), that when the Senate adjourns today it reconvene on Monday evening, March twenty sixth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March twenty sixth, at nine o'clock.

HOUSE CONCURS IN SENATE BILL NO. 112.

He also returned to the Senate, Senate Bill No. 112, entitled:

An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed for purposes which have proved or may prove impracticable impossible or inadvisable for any other lawful municipal purpose or to provide for the cancellation of the authority to borrow such moneys

with the information that the House has passed the same without amendment.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 25 entitled:

An Act to validate deeds, mortgages, and other instruments of writing which have been defectively acknowledged by husband and wife, prior to the fourth day of January, one thousand nine hundred and twenty-three.

House Bill No. 26 entitled:

An Act to amend section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" providing for the sale of the real and personal property of a decedent without known heirs kindred or surviving spouse and the payment of the net proceeds of such sale into the State Treasury

House Bill No. 267 entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities, had and held or pending pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

House Bill No. 280 entitled:

An Act providing for the assessment and collection as benefits from the abutting property owners, of the borough's share of the cost of the improvement of a street which forms part of a State Highway, where such improvement has been heretofore made by the State Highway Department.

House Bill No. 371, entitled:

An act to amend clause (c) of section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended

House Bill No. 296, entitled:

An Act to amend section fifty-five of an act approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382), entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth."

House Bill No. 332, entitled:

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged

House Bill No. 82, entitled:

A Supplement to an act entitled, "An Act to provide for the ordinary expenses of the Executive, Judicial, and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and twenty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and twenty-one," as approved the twenty-seventh day of May, Anno Domini one thousand nine hundred and twenty-one, providing for deficiencies in certain appropriations made to Executive, Judicial, and Legislative Departments by the act to which this is a supplement, and for minor expenses incurred or to be incurred to May thirty-first, one thousand nine hundred and twenty-three, by certain of the Executive, Judicial and Legislative Departments, not provided for by said act.

House Bill No. 159, entitled:

An Act regulating the location of certain stables in cities of the first class; and providing penalties.

House Bill No. 281, entitled:

An Act to amend section two of Article XVI of an act entitled, "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania," approved the twenty-fifth day of June, one thousand nine hundred and nineteen.

House Bill No. 34, entitled:

An Act to amend clause two of section three hundred and eixhty-six of an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto;" by extending the power to tax property for lighting purposes in second class townships.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES.

Mr. CULBERTSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CULBERTSON, from the Committee on Insurance, reported as committed, Senate Bill No. 130, entitled:

An Act to amend section one of the act approved the seventeenth day of May, one thousand nine hundred and nineteen, (P. L. 208), entitled "An Act prohibiting, under certain conditions, the commutation, encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

Mr. DAIX. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX, from the Committee on Insurance, reported as committed, Senate Bill No. 195, entitled:

An Act to amend Section five hundred and twenty-three of the Act approved the seventeenth day of May, A. D. 1921 (P. L. 284), entitled: "An Act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," changing requirements contained in the subjects entitled "requirements in case of loss", "appraisal", "when loss payable" and "waiver" of said section.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 358 (House Bill No. 390), entitled:

A Joint Resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations prescribing the powers and duties of said commission and making an appropriation

MOTION TO READ BILLS THE FIRST TIME.

Mr. SCHANTZ. Mr. President, I move that all bills reported from committee at to-day's session be read the first time.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 120, entitled:

An Act fixing the salaries of the controller of counties of the first, second, third, fourth, and fifth classes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 130, entitled:

An Act to amend section one of the act approved the seventeenth day of May, one thousand nine hundred and nineteen, (Pamphlet Laws two hundred and eight), entitled "An act prohibiting, under certain conditions, the commutation, encumbrance, or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 195, entitled:

An Act to amend Section five hundred and twenty-three of the Act approved the seventeenth day of May, A. D. 1921, (P. L. 284), entitled: "An Act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation,

supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws." changing requirements contained in the subjects entitled:, "REQUIREMENTS IN CASE OF LOSS", " APPRAISAL", "WHEN LOSS PAYABLE" and "WAIVER", of said section.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 291, entitled:

An Act to amend section one of the act approved the twenty-third day of May, one thousand nine hundred and seven, (P. L. 225), entitled "An Act providing for the payment of the premiums on bonds of county, city, borough, school-district, and township employes;" extending the provisions thereof to officers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 293, entitled:

An Act to amend section ten of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 293, entitled:

An Act to amend section six of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 324, entitled:

An Act to amend section two thousand one hundred five of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith." authorizing other forms of teacher training in lieu of teachers' institutes in dstricts of the first, second and third classes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 328, entitled:

An Act requiring county commissioners to rebuild or repair county bridges closed to vehicular traffic or destroyed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 341, entitled:

An Act fixing the mileage chargeable by sheriffs requiring its payment in advance in certain cases, and providing for its taxation and collection as sheriff's costs when unpaid.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 342, entitled:

An Act authorizing each sheriff in counties of the first, second, third, fourth, and fifth classes to appoint Sheriff's Solicitor to be paid by the proper county, and prescribing the duties and salary of such solicitor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 343, entitled:

An Act to amend section two of an act, approved the twenty-sixth day of May, one thousand eight hundred and ninety-seven (P. L. 95), entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the execution or process", as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 345, entitled:

An Act to amend Section two of the Act approved the eleventh day of July one thousand nine hundred and one, (P. L. 663) entitled "An Act to regulate and establish the fees to be charged by Sheriffs in this Commonwealth, and to provide for the taxation and collection of the same."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 346, entitled:

An Act authorizing the sheriffs of the several counties of this Commonwealth to organize themselves into a State Association for the purpose of holding annual meetings to secure more uniformity and co-operation in the conduct of their offices and providing for the payment of certain expenses in connection with such meetings by the various counties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 347, entitled:

An Act empowering any chief deputy appointed by deed of any sheriff in any county of this Commonwealth to perform any duty incumbent upon such sheriff, until a written revocation of such appointment be recorded, with like effect as if such official act had been done by the sheriff in per-

son, regardless of the ability or temporary disability of such sheriff to act, while such sheriff continues in office.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 358, (House Bill No. 390), entitled:

A Joint Resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations prescribing the powers and duties of said commission and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 359, entitled:

A Joint Resolution proposing an amendment to section one, article nine, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 366, entitled:

An Act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 411, entitled:

An Act to amend part of section one of the approved the tenth day of May, 1921, (P. L. 449) entitled "An Act to fix the number of Senators in the General Assembly of the State; apportion the State into senatorial districts, as provided by the stitution; and to regulate the election of, and the terms of office of, the present and future elected Senators."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 416, entitled:

An Act to further amend cause three section one of an act approved the eighth day of May, one thousand eight hundred and fifty-four (P. L. 644) entitled: "A further supplement to the act entitled 'An Act concerning divorces'" as amended by taking away the right of support or alimony in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 444, entitled:

An Act authorizing the county commissioners and controller in third class counties to appoint a collector of delinquent taxes; and defining his powers with regard to the collection of taxes returned by county tax collectors as uncollectible and for which credits have been claimed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 451, entitled:

An Act to amend section one thousand four hundred and twenty-three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" conferring jurisdiction on the municipal court to enforce compulsory attendance of pupils.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RECESS.

Mr. DAIX. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

QUESTION OF PERSONAL PRIVILEGE.

Mr. DAIX. Mr. President, on Wednesday, March 14, in my remarks in reference to Senate Bill No. 99, before the Senate at that time, on page 565, of the Journal, I am reported as saying that I met a certain minister coming out of a soloon. What I meant by that remark was that as I was coming out of a saloon I met him.

ADJOURNMENT.

Mr. BALDWIN. Mr. President, I move that the Senate do now adjourn.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1 P. M. until Monday evening, March 26, 1923 at nine o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 20, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

O, Lord, Thou who art above all, according to Thy mighty power hath created all things and then dedicated all from the heights of Thy throne to the depths of the earth for good and use of man,having created him but a little lower than Thyself and appointed him steward over these abundant stores. We pray Thy blessing to rest upon us, that we may realize in a very high and sacred sense the sacred trust of this stewardship. To this end, bless the members of this House, and as the stewards of the manifold blessings of God, may they so administer that which Thou hast dedicated to the use and good of the people of this Commonwealth that the greatest good to the greatest number and everlasting and eternal glory to Thy name may result.

We ask it in the name of Thy Son, Jesus Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Morrison, the further reading was dispensed with, and the Journal approved.

PETITIONS.

FAVORING PASSAGE OF HOUSE BILL No. 221.

The SPEAKER presented a petition from the West Kishacoquillas Presbyterian Church of Belleville, Pennsylvania, favoring the passage of House Bill No. 221.

Referred to the Committee on Law and Order.

LEAVE OF ABSENCE.

Mr. DILSHEIMER asked and obtained leave of absence for Mr. Jefferson W. Smith, on account of illness.

BILLS INTRODUCED AND REFERRED.

By Mrs. PITTS. HOUSE BILL No. 798.

An Act relating to building constructions in cities of the first class by prescribing the maximum undivided floor areas permitted, and permitting the use of non-fireproof steel roof trusses and purlins in certain cases; prescribing limitations on garages, automobile service stations and buildings for similar purposes; and constructions permitted for cutain and spandrel walls; permitting the use of wood furring and stud-partitions in certain cases; and repealing inconsistent laws.

Referred to the Committee on Judiciary Local.

By Mr. SOWERS. HOUSE BILL No. 799.

Providing for the erection of a radiophone broadcasting station by the Board of Commissioners of Public Grounds and Buildings, and the broadcasting of educational lectures by the Department of Public Instruction, and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. A. I. FOWLER. HOUSE BILL No. 800.

An Act making it a misdemeanor to invite, entice or induce with immoral intent, any female under the age of twenty-one years and of good reputation for chastity to enter or ride in any motor vehicle, and imposing penalties.

Referred to the Committee on Judiciary Special.

By Mr. A. I. FOWLER. HOUSE BILL No. 801.

An Act to amend section four of an act, approved the twenty-fifth day of June, one thousand eight hundred eighty-five (P. L. 187) entitled, "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth," by changing the time of issuing duplicates.

Referred to the Committee on Municipal Corporations.

By Mr. KOHLER. HOUSE BILL No. 802.

An Act to amend section twelve of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 483) entitled "An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the courts power to enforce its provisions," as amended; by providing that the municipalities so exempted from filing affidavits of defense, shall be required to file sworn answers in lieu thereof, setting forth the nature and character of the defense intended to be interposed, and providing that the defendants shall not be permitted at the trial to make any defense which is not set forth in said answer.

Referred to the Committee on Judiciary Special.

By Mr. STARK. HOUSE BILL No. 803.

An Act making an appropriation for the payment of the expenses required by an act approved the twenty-fifth day of May, one thousand eight hundred and eighty-nine, entitled, "An Act to provide for the continuance of the education and maintenance of the destitute orphans of deceased soldiers, sailors and marines, and the destitute children of permanently disabled soldiers, sailors and marines of the State", also making an appropriation to carry out the provisions of an act to provide for the education and maintenance of the children admitted to the Pennsylvania Soldiers' Orphan industrial School and the Soldiers' Orphans Schools, approved May twenty-seventh, one thousand eight hundred and ninety-three, and its supplements.

Referred to the Committee on Appropriations.

By Mr. MILLAR. HOUSE BILL No. 804.

An Act to amend section one thousand four hundred and twenty-three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to the Committee on Education.

By Mr. STONER. HOUSE BILL No. 805.

An Act providing for the valuation and assessment in counties of the second class of all property of every kind and description and all occupations taxable for county, city, school, borough and township purposes; creating a County Assessment Board for that purpose, providing for the payment of the entire expense thereof by such counties, prescribing the duties of the several county officers in respect thereto, and abolishing all existing offices, boards, or departments having to do with the valuation and assessment of such taxable properties in such counties, cities, school districts, boroughs and townships.

Referred to the Committee on Counties and Townships.

By Mr. METCALF. HOUSE BILL No. 806.

An Act to amend sections two and three of article four of an act approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred seventy-four), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation or abolition of the crossings of railroad corporations, street railway corporations or ther public service companies and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State or municipal corporation concerned and giving persons whose property is thereby taken, injured or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries and compensation of the members of the commission, its officers, counsel and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation

of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof, repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy four, and all other legislation inconsistent with or supplied by this act," by providing for the election of all the members of the commission, except the chairman thereof.

Referred to the Committee on Elections.

By Mr. McDERMOTT. HOUSE BILL No. 807.

An Act making an appropriation to the Miners' Hospital of Northern Cambria, at Spangler, Cambria County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HALL. HOUSE BILL No. 808.

An Act to prohibit corporations from interposing the defense of usury in any action.

Referred to the Committee on Judiciary Local.

By Mr. HALL. HOUSE BILL No. 813.

An Act to amend section one of an act approved the eighth day of May, one thousand eight hundred and eighty-nine, (P. L. 127), entitled "A supplement to the Act of April twentieth, one thousand eight hundred and sixty-nine, entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth, and their discharge therefrom,' fixing the amount of compensation to be paid to the commissioners appointed under section six of said Act, and declaring who shall be liable therefor, and for the costs of proceedings under said section;" by imposing certain duties on the lawyer member of the commission, and fixing his compensation therefor.

Referred to the Committee on Judiciary Local.

By Mr. HASLETT. HOUSE BILL No. 814.

An Act to amend sections one and two of an Act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 1021), entitled "An Act imposing a State tax on gasoline, and on all other liquids containing any derivative of petroleum or natural gas, produced, prepared, or compounded or usable for the purpose of generating power by means of internal combustion and sold in this Commonwealth, except for the purpose of resale; providing for the collection of such tax and for the distribution and use of the revenues derived therefrom; making an appropriation; and fixing penalties;" increasing the said tax, and appropriating the Commonwealth's share of said tax for the payment of township rewards.

Referred to the Committee on Ways and Means.

By Mr. GUNDY. HOUSE BILL No. 815.

An Act to amend route one hundred and seventy-six of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled, "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and their appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes of toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. WILLISTON P. WOOD. HOUSE BILL No. 816.

An Act making an appropriation to the Warren General Hospital, of Warren, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BUSH. HOUSE BILL No. 817.

An Act making an appropriation to the board of trustees of the Pensylvania Soldiers' Home, at Erie, Pennsylvania, for maintenance of said home and the payment of expenses of administration, including salaries of officials and clerks; and providing that all moneys received from the United States Government by the Governor of Pennsylvania on account of maintenance shall be paid into the State Treasury.

Referred to the Committee on Appropriations.

By Mr. MOFFATT. HOUSE BILL No. 818.

An Act to amend an act approved the twentieth day of July, one thousand nine hundred and seventeen, (P. L. 1143) entitled, "An Act relating to free, public, non-sectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library

regulations; and repealing existing laws in relation to the above subjects."

Referred to the Committee on Library.

By Mr. MOFFATT. HOUSE BILL No. 819.

An Act to amend section six of the act approved the third day of May, one thousand nine hundred and seventeen, (P. L. 138), entitled "An act relating to the appointment of persons to the fire departments in cities of the third class; constituting a civil service board in relation thereto; providing for and regulating examinations, the manner of appointments, and the manner and power of removal of employes of said department; and providing a method for fixing compensation of a secretary.

Referred to the Committee on Municipal Corporations.

By Mr. WILLIAM F. MARSHALL. HOUSE BILL No. 820.

An Act authorizing the sale of real estate held by entireties by husband and wife when an order of support has been secured against the husband who has neglected to comply with the same, or whose whereabouts is unknown, or who has absented himself from this Commonwealth; prescribing the procedure to be followed; permitting husband and wife to testify; providing for the disposition of the proceeds of such sale; and granting a divorced woman the same rights under this act as a wife.

Referred to Committee on Judiciary Special.

By Mr. BURD P. EVANS. HOUSE BILL No. 821.

An Act declaring a closed season for a period of two years on ring neck pheasants and quail of all kinds.

Referred to Committee on Game.

By Mr. BURD P. EVANS. HOUSE BILL No. 822.

An Act to amend sections one hundred and forty-five and one hundred and forty-six of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," by changing the terms of office of supervisors in townships of the second class.

Referred to Committee on Counties and Townships.

By Mr. SCHLEITER. HOUSE BILL No. 823.

A Joint Resolution proposing an amendment to section seventeen, article two of the Constitution of the Commonwealth of Pennsylvania.

Referred to Committee on Constitutional Reform.

By Mr. LITTLE. HOUSE BILL No. 824.

An Act making an appropriation to the First Allegheny Day Nursery and Temporary Home for Children, Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. METCALF. HOUSE BILL No. 825.

An Act for the protection of owners of electric storage batteries upon which the word "rental" or any other word, mark or character is printed, painted or stamped or attached to identify the same; and providing penalities.

Referred to the Committee on Judiciary Local.

By Mr. HEFFERNAN. HOUSE BILL No. 826.

An Act making an appropriation to the West Philadelphia General Homeopathic Hospital, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. MOFFATT. HOUSE BILL No. 827.

An Act to amend section six of the act approved the twentieth day of June, one thousand nine hundred and seventeen, (P. L. 618), entitled "An Act relating to the appointment of persons to the police department in cities of the third class; providing for the regulating examinations, the manner of appointments, and the manner and power of removal of employes of said departments; and providing a method for fixing compensation," as amended.

Referred to the Committee on Municipal Corporations.

By Mr. HOOVER. HOUSE BILL No. 828.

An Act to establish as a State Highway a certain section of public road in the county of Fulton.

Referred to the Committee on Public Roads.

By Miss THOMAS. HOUSE BILL No. 829.

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm, Chester County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STONER. HOUSE BILL No. 830.

An Act amending section one of an Act entitled, "A further supplement to an Act, entitled 'An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expense thereof,' approved the fifth day of May, one thousand nine hundred and eleven; constituting the said court the juvenile court of said county and prescribing its organization, jurisdiction and powers therein and otherwise," approved the nineteenth day of March, one thousand nine hundred and fifteen, by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent, neglected, incorrigible and delinquent children.

Referred to the Committee on Judiciary General.

By Mr. CRAIG. HOUSE BILL No. 831.

An Act providing punishment for the selling and furnishing of intoxicating liquors or liquids represented as intoxicating liquors, contrary to law, thereby causing the death of persons drinking the same.

Referred to the Committee on Law and Order.

By Mr. STONER. HOUSE BILL No. 832.

An Act amending an act entitled "An Act giving to dependent, neglected, incorrigible, delinquent, and other children committed to the care, custody, or control of any institution or citizen, or training school or industrial school, or any association willing to receive them, or to any other person or persons by any court of this Commonwealth sitting as a juvenile court, or any judge sitting as such, the right to reviews and rehearings, on petition of their parent or parents or next friend, requiring the testimony to be made a part of the record, and providing for appeals to the superior court," approved the first day of June, one thousand nine hundred and fifteen, by extending the right to reviews, rehearings, revocations and modifications and appeals thereafter, to the persons who initiated the proceedings to commit.

Referred to the Committee on Judiciary Local.

By Mr. PERRY. HOUSE BILL No. 833.

An Act conferring the right on the Courts of Common Pleas of various counties to permit amendment of charters of corporations of the first class, so as to permit any institution of learning, which shall have been incorporated as a corporation of the first class, to confer appropriate degrees to any person who shall have satisfactorily passed a required course of study of such institution of learnings.

Referred to the Committee on Judiciary General.

By Mr. DRINKHOUSE. HOUSE BILL No. 834.

An Act making an appropriation to the National Stomach Hospital of Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. MACK. HOUSE BILL No. 835.

An Act to further amend clause (d), section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure the determination of liability and compensation thereunder," as amended.

Referred to Committee on Insurance.

By Mr. MACK. HOUSE BILL No. 836.

An Act to further amend clause (c), section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An Act dening the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective scehdule of compensation; and providing procedure for the determination of liability and compensation thereunder," as amended.

Referred to Committee on Insurance.

By Mr. ANDREW F. STEVENS. HOUSE BILL No. 837.

An Act to assure to persons within the jurisdiction of every county, the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by the Superior Court; imposing penalties upon the counties and officers thereof for failure to provide proper protection, and upon individuals for interfering with or obstructing the carrying out of the provisions of this act; giving the Superior Court jurisdiction in all prosecutions arising out of this act.

Referred to Committee on Judiciary General.

By Mr. HORNE. HOUSE BILL No. 838.

An Act making an appropriation to the Conemaugh Valley Memorial Hospital, at Johnstown, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BEAVER. HOUSE BILL No. 839.

A Further Supplement to an act approved the first day of April, one thousand eight hundred and sixty-three, (P. L. 213), entitled "An Act to accept the grant of public lands by the United States to the several States for the endowment of agricultural colleges" and making appropriations for carrying the same into effect.

Referred to the Committee on Appropriations.

By Mr. BEAVER. HOUSE BILL No. 840.

An Act making an appropriation to the Pennsylvania State College for educational extension work and for maintaining a summer session for teachers.

Referred to the Committee on Appropriations.

By Mr. IRVIN. HOUSE BILL No. 841.

An Act making an appropriation to the Brookville Hospital, Brookville, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. IRVIN. HOUSE BILL No. 842.

An Act making an appropriation to the Adrian Hospital Association of Punxsutawney, Jefferson County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. IRVIN. HOUSE BILL No. 843.

An Act making an appropriation to the Pennsylvania Memorial Home, of Brookville, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. JOHNSON. HOUSE BILL No. 844.

An Act to establish as a State Highway a certain section of public road in the County of Northampton.

Referred to the Committee on Public Roads.

By Mr. VICKERMAN. HOUSE BILL No. 845.

An Act making an appropriation to the Suburban General Hospital, of Bellevue, Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. EARLEY. HOUSE BILL No. 846.

An Act to amend clauses (e) and (f) of section three hundred and six, and clause seven of section three hundred and seven of the act approved the second day of June, one thousand nine hundred and fifteen, (P. L. 736), entitled, "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," as amended and providing when the same shall become effective.

Referred to the Committee on Insurance.

By Mr. DUNN. HOUSE BILL No. 847.

An Act to promote the health and efficiency of firemen in cities of the first class by providing for a two-platoon system for the officers and members of the uniformed fire force of the Department of Public Safety of such cities.

Referred to the Committee on Municipal Corporations.

By Mr. WONER. HOUSE BILL No. 848.

An Act to provide for the care, treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and Juvenile Courts; and imposing certain expenses upon counties.

Referred to the Committee on Judiciary Local.

By Mr. D. J. JONES. HOUSE BILL No. 849.

An Act to amend section one of an Act approved the fifteenth day of July, one thousand eight hundred and ninety-seven (P. L. 292) entitled "An Act to provide Revenue by Taxation."

Referred to the Committee on Ways and Means.

By Mr. MATHAY. HOUSE BILL No. 850.

An Act to amend section three of an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand twenty-four), entitled "An Act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," as amended.

Referred to Committee on Labor and Industry.

By Mr. DAVID J. JONES. HOUSE BILL No. 851.

An Act to amend an Act, approved the thirteenth day of June, Anno Domini one thousand nine hundred and seven (Pamphlet Laws, six hundred forty), entitled "An Act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of Section twenty-nine of an act, entitled "An Act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance, of owners of real estate, mortgages and others interested in real estate, from loss by reason of defective titles, liens and encumbrances; and of companies entitled to the

benefits of, and of companies having any of the powers of, companies entitled to the benefits of an Act, entitled "An Act conferring upon certain fidelity insurance, safety deposit, trust and savings companies the powers and privileges of companies incorporated under the provisions of Section twenty-nine of an act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto," approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies."

Referred to Committee on Ways and Means.

By Mr. STORER. HOUSE BILL No. 852.

An Act to amend sections four, seven and section nine, as amended, of an act approved the twenty-second day of July, one thousand nine hundred and nineteen, (P. L. 1903), entitled "An Act creating, in counties having a population of from eight hundred thousand to one million five hundred thousand, a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; fixing their salaries, payable by the county; defining the powers and duties of such board; and regulating the assessment of property and occupations for State and county purposes; authorizing the appointment of subordinate assessors and clerks, defining their duties and providing for their compensation, payable by such counties; imposing a penalty on subordinate assessors for failure to comply with certain provision of this act, and abolishing the office of ward, borough, and township assessor, in so far as respects the assessment of property and occupations for State and county purposes." by exempting buildings and structures in the course of erection, and providing for the placing of borough and township assessments in public places.

Referred to the Committee on Counties and Townships.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 853.

An Act making an appropriation to the Beulah Rescue Home Association, of Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 854.

An Act making an appropriation to the Salvation Army, Inc., of Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STORER. HOUSE BILL No. 855.

An Act authorizing the County Commissioners and Sheriff of any county of the second class to organize a uniformed and mounted County Police.

Referred to the Committee on Counties and Townships.

By Mr. McCANN. HOUSE BILL No. 856.

An Act to amend sections three and four of an act approved the twenty-eight day of May, one thousand nine hundred and fifteen, (P. L. 596), entitled "An Act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions;" decreasing the age at which employes shall be eligible for retirement.

Referred to the Committee on Pensions and Gratuities.

By Mr. FLYNN. HOUSE BILL No. 857.

An Act providing for the lapsing of unexpended or unencumbered balances of appropriations.

Referred to the Committee on Ways and Means.

By Mr. McKIM. HOUSE BILL No. 858.

An Act making an appropriation to the Children's Home Society of Pennsylvania, Inc., at Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. LITTLE. HOUSE BILL No. 859.

An Act to amend section thirty-five of the act approved the thirtieth day of June, one thousand nine hundred and nineteen, (P. L. 678), entitled, "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles, limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle.

Referred to the Committee on Ways and Means.

Mr. DIEHM, from the Committee on Agriculture, reported as committed House Bill No. 692, entitled:

An Act to repeal an act, approved the sixth day of April, one thousand eight hundred and two (Pamphlet Laws, two hundred sixty-five), entitled "An Act authorizing the sale of provisions, vegetables and fruit in the markets of any city, borough or corporate town within the Commonwealth."

Mr. HEFFERNAN, from the Committee on Ways and Means, reported as committed House Bill No. 857, entitled:

An Act providing for the lapsing of unexpended or unencumbered balances of appropriations.

Mr. NORMAN WOOD, from the Committee on Agriculture, reported as committed House Bill No. 719, entitled:

An Act to amend sections two, three and thirteen, and to repeal section eleven of the act approved the ninth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred nine), entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture; providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof; and prescribing penalties for violations of the provisions of this act," by clarifying certain provisions, extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding.

Mrs. PITTS, from the Committee on Manufactures, reported as committed House Bill No. 540, entitled:

An Act prohibiting persons from concealing, changing or destroying manufacturers' serial numbers, or identification marks upon machines or apparatus or from knowingly having any such machine in the possession; and prescribing penalties for violation thereof.

Mr. HARRY J. SMITH, from the Committee on Manufactures, reported as committed House Bill No. 395, entitled:

An Act to regulate the sale of caustic acid or caustic alkali preparations intended for household use and providing penalties for the violation thereof.

Mr. KOHLER, from the Committee on Judiciary Special, re-reported as committed, House Bill No. 382, entitled:

An Act relating to the leasing of real property, making it unlawful to dispossess tenants or recover leased property except after thirty days' notice; prohibiting the execution of leases containing waivers of the provisions of this act and voiding certain leases.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 34.

An Act to amend clause two of section three hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" by extending the power to tax property for lighting purposes in second class townships

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 12, by striking out after the word "land" the following "nor against any property the residence upon which shall be more than five hundred feet from such highways".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, vip:

YEAS—169.

Albert,	Fields,	Long,	Schilling,
Alexander,	Flynn,	Lucas,	Schoener,
Allman,	Fowler, A. I.,	Ludlow,	Schwartz,
Anderson,	Fowler, D.,	Lynch,	Sheridan,
Armstrong,	Fratt,	Mack,	Smith, G. A.,
Arthur,	Frazier,	MacKinney,	Smith, H. J.,
Asbury,	Gallaher,	Mangan,	Smith, H.,
Aston,	Gelder,	Marcus, J.,	Smith, J. W.,
Baker,	Gibbon,	Marcus, J. C.,	Sowers,
Baldi,	Gilchrist,	Marshall, W. F.,	Spangler,
Beaver,	Goehring,	Mathay,	Speiser,
Bell, F. A.,	Golder,	McBride,	Stark,
Bell, W. T.,	Goss,	McCaig,	Staudenmeier,
Bentley,	Greeby,	McClure,	Stavitski,
Betts,	Griffith,	McDaniel,	Steedle,
Bidelspacher,	Grimes,	McDermott,	Sterling,
Blair,	Guerin,	McKim,	Stevens, A. F.,
Bluett,	Haas,	McVicar,	Stevens, A. J.,
Blumberg,	Haines,	Millar,	Stofflet,
Boback,	Hall,	Miller,	Stoner,
Brewster,	Harter,	Minehart,	Storb,
Bromley,	Haslett,	Moore,	Storer,
Brownmiller,	Haws,	Morrison,	Thomas, L. D.,
Burchinal,	Heffernan,	Munley,	Thomas, M. G.,
Bush,	Heffran,	Myers, G. C.,	Thompson,
Chaplin,	Henderson,	Myers, P. M.,	Van Alen,
Clutton,	Hetrick,	Nolte,	Vickerman,
Coldsmith,	Holcombe,	O'Boyle,	Walker,
Conner,	Hollis,	Ogle,	Weamer,
Coyne,	Horne,	Orr,	Wells,
Craig,	Howell,	Parkinson,	Wettach,
de Young,	Huber,	Patterson,	Whitehouse,
Diehm,	Irvin,	Perry,	Whiteman,
Dilsheimer,	Jones, C. B.,	Pitts,	Williams, G. W.
Donahue,	Jones, D. J.,	Posey,	Williams, J. M.
Drinkhouse,	Jones, E. P.,	Post,	Woner,
Dunn,	Keene,	Price,	Wood, N.,
Eaches,	Kennedy,	Raymond,	Wood, W. P.,
Earley,	Kohler,	Rinn,	Wright,
Edmonds,	Kunkle,	Rippman,	Goodnough,
Eshelman,	Lafferty,	Sarig,	Speaker.
Evans, B. P.,	Lauver,	Sautter,	
Evans, J.,	Little,	Schaeffer,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 371.

An Act to amend clause (c) of section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section one, page 5, line 5, by striking out at the beginning of the line the following "not constituting total disability".

Amend section one, page 5, line 6, by inserting after the word "provided" the following "not constituting total disability".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,	Fowler, A. I.,	Little,	Sautter,
Alexander,	Fowler, D.,	Long,	Schaeffer,
Allman,	Frazier,	Lucas,	Schleiter,
Anderson,	Gallaher,	Ludlow,	Schoener,
Armstrong,	Gelder,	Lynch,	Schwartz,
Arthur,	Gibbon,	Mack,	Shambach,
Asbury,	Gilchrist,	MacKinney,	Sheridan,
Aston,	Goehring,	Mangan,	Smith, G. A.,
Baker,	Golder,	Marcus, J. C.,	Smith, H. J.,
Beaver,	Gorham,	Marshall, J. G.,	Smith, H.,
Behney,	Goss,	Marshall, W. F.,	Sowers,
Bell, F. A.,	Greeby,	Mathay,	Speiser,
Bell, W. T.,	Griffith,	McBride,	Sprowls,
Bentley,	Grimes,	McCaig,	Stark,
Berger,	Guerin,	McClure,	Staudenmeier,
Betts,	Haas,	McCurdy,	Stavitski,
Bidelspacher,	Haines,	McDaniel,	Steedle,
Blair,	Hall,	McGowan,	Sterling,
Bluett,	Harter,	McKim,	Stevens, A. J.,
Blumberg,	Haslett,	McVicar,	Stevens, A. F.,
Brenneman,	Haws,	Metcalf,	Stoner,
Brewster,	Heffernan,	Millar,	Storb,
Bromley,	Heffran,	Miller,	Storer,
Brownmiller,	Henderson,	Minehart,	Thomas, L. D.,
Burchinal,	Hetrick,	Moffatt,	Thomas, M. G.,
Bush,	Heyburn,	Morrison,	Thompson,
Chaplin,	Himes,	Munley,	Van Alen,
Clutton,	Holcombe,	Myers, G. C.,	Vickerman,
Coldsmith,	Hollis,	Myers, P. M.,	Walker,
Conner,	Hoover,	Nolte,	Weamer,
Coyne,	Horne,	O'Boyle,	Wells,
Craig,	Howell,	Ogle,	Wettach,
de Young,	Huber,	Orr,	Wheeler,
Diehm,	Irvin,	Parkinson,	Whiteman,
Dietz,	Johnson,	Patterson,	Williams, G. W.,
Dilsheimer,	Jones, D. J.,	Perry,	Williams, J. M.
Driggs,	Jones, E. P.,	Pitts,	Woner,
Drinkhouse,	Keene,	Posey,	Wood, N.,
Dunn,	Kelly,	Price,	Wood, W. P.,
Eaches,	Kennedy,	Raymond,	Wright,
Earley,	Kohler,	Richards,	Goodnough,
Edmonds,	Korns,	Rinn,	Speaker.
Evans, B. P.,	Kunkle,	Rippman,	
Evans, J.,	Labar,	Sample,	
Fields,	Lauver,	Sarig,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL PLACED ON CALENDAR.

Mr. O'BOYLE. Mr. Speaker, I move that House Bill No. 582, file folio 1233, entitled:

An Act to repeal an act approved the sixteenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred seventy-nine), entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safe-keeping, discipline and employment of prisoners and the government and management of said jails or county prisons"

be placed on the calendar notwithstanding the negative recommendation of the Committee.

Mr. ALFRED I. FOWLER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker declared the ayes seem to have it.

Whereupon, a division was called for and eighty five members voting in the affirmative and thirty five in the negative, the motion was agreed to and the bill was placed on the calendar notwithstanding the negative recommendation of the Committee.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 76, 158, 179, 208, and 279.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 19, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following House Bills:

House Bill No. 76, entitled, "An Act to amend Sections five and ten of the Act approved the nineteenth day of April Anno Domini one thousand nine hundred and one (Pamphlet Laws, eighty-eight) entitled 'An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued' ".

House Bill No. 158, entitled, "An Act to amend sections sixteen twenty-six twenty-seven twenty-eight and twenty-nine of the Act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled 'An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties' by appropriating the money received from dog licenses for all purposes administered by the Bureau of Animal Industry and changing the procedure for assessing damages done by dogs".

House Bill No. 179, entitled, "An Act authorizing county commissioners to provide for the payment for the preparation of plans and specifications heretofore made for public buildings where no legal or valid contract was entered into as required by law".

House Bill No. 208, entitled, "An Act to amend section two of the Act approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred and fifty) entitled, 'An Act concerning divorces', as amended authorizing prothonotaries and clerks of the court of common pleas to take affidavits to petitions and libels and validating prior proceedings in which such affidavits were taken".

House Bill No. 279, entitled, "An Act to amend section forty-one paragraph (a) one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled 'An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estates as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents' making bonds and certificates of poor districts legal investments for trust funds".

GOVERNOR PINCHOT.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 620 (Senate Bill No. 112), entitled:

An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed for purposes which have proved or may prove impracticable impossible or inadvisable for any other lawful municipal purpose or to provide for the cancellation of the authority to borrow such moneys

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albert,	Flynn,	Lauver,	Sample,
Alexander,	Fowler, A. I.,	Little,	Sarig,
Allman,	Fowler, D.,	Long,	Sautter,
Anderson,	Fratt,	Lucas,	Schaeffer,
Armstrong,	Frazier,	Ludlow,	Schilling,
Arthur,	Gallaher,	Lynch,	Schleiter,
Asbury,	Gelder,	Mack,	Schwartz,
Aston,	Gibbon,	MacKinney,	Shambach,
Baker,	Gilchrist,	Malie,	Sheridan,

Beaver,	Goehring,	Marcus, J.,	Smith, G. A.,
Behney,	Gorham,	Marcus, J. C.,	Smith, H. J.,
Bell, F. A.,	Greeby,	Marshall, J. G.,	Smith, H.,
Bell, W. T.,	Griffith,	Marshall, W. F.,	Soffel,
Bentley,	Grimes,	Mathay,	Spangler,
Berger,	Guerin,	McBride,	Sprowls,
Bidelspacher,	Gundy,	McClure,	Stark,
Blair,	Haas,	McCurdy,	Staudenmeier,
Bluett,	Haines,	McDaniel,	Stavitski,
Blumberg,	Hall,	McDermott,	Sterling,
Boback,	Harter,	McGowan,	Stevens, A. J.,
Brenneman,	Haslett,	McKim,	Stevens, A. F.,
Brewster,	Haws,	Metcalf,	Stofflet,
Bromley,	Heffernan,	Miller,	Stoner,
Brown,	Henderson,	Minehart,	Thomas, L. D.,
Brownmiller,	Hetrick,	Moore,	Thomas, M. G.,
Burchinal,	Heyburn,	Morrison,	Thompson,
Burns,	Himes,	Munley,	Van Alen,
Bush,	Holcombe,	Myers, G. C.,	Vickerman,
Chaplin,	Hollis,	Myers, P. M.,	Walker,
Clutton,	Hontz,	Nolte,	Weamer,
Coldsmith,	Hoover,	O'Boyle,	Wells,
Colville,	Horne,	Orr,	Wettach,
Conner,	Howell,	Parkinson,	Wheeler,
Craig,	Huber,	Patterson,	Whitehouse,
de Young,	Irvin,	Peelor,	Whiteman,
Diehm,	Johnson,	Perry,	Williams, G. W.,
Dilsheimer,	Jones, D. J.,	Pitts,	Woner,
Driggs,	Jones, E. P.,	Posey,	Wood, N.,
Eaches,	Kennedy,	Post,	Wood, W. P.,
Edmonds,	Kohler,	Raymond,	Wright,
Eshelman,	Korns,	Rhodes,	Goodnough,
Evans, B. P.,	Kunkle,	Richards,	Speaker.
Evans, J.,	Labar,	Rinn,	
Flinchbaugh,	Lafferty,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 277, entitled:

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one, under the provisions of an act approved the fourth day of June, one thousand nine hundred and one, entitled: "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distributing the proceeds of such sales," and its supplements and amendments thereto; and providing for their collection.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,	Fowler, A. I.,	Little,	Sample,
Alexander,	Fowler, D.,	Long,	Sautter,
Allman,	Fratt,	Lucas,	Schaeffer,
Anderson,	Frazier,	Ludlow,	Schleiter,
Arthur,	Gallaher,	Lynch,	Schoener,
Asbury,	Gelder,	Mack,	Schwartz,
Aston,	Gibbon,	MacKinney,	Shambach,
Baker,	Gilchrist,	Mangan,	Sheridan,
Beaver,	Glasgow,	Marcus, J. C.,	Smith, G. A.,
Behney,	Golder,	Marshall, J. G.,	Smith, H. J.,
Bell, F. A.,	Goss,	Marshall, W. F.,	Smith, H.,
Bell, W. T.,	Greeby,	Mathay,	Sowers,
Bentley,	Griffith,	McBride,	Speiser,
Berger,	Grimes,	McCaig,	Sprowls,
Betts,	Guerin,	McCann,	Stark,
Bidelspacher,	Haas,	McClure,	Staudenmeier,
Blair,	Haines,	McCurdy,	Steedle,
Blumberg,	Hall,	McDaniel,	Sterling,
Boback,	Harer,	McGowan,	Stevens, A. J.,
Brenneman,	Haslett,	McKim,	Stevens, A. F.,
Brewster,	Haws,	McVicar,	Stoner,
Brown,	Heffernan,	Metcalf,	Storb,
Brownmiller,	Heffran,	Miller,	Storer,
Burchinal,	Henderson,	Minehart,	Thomas, L. D.,
Burns,	Hetrick,	Moffatt,	Thomas, M. G.,
Bush,	Heyburn,	Moore,	Van Alen,
Clutton,	Himes,	Morrison,	Walker,
Coldsmith,	Holcombe,	Munley,	Weamer,
Conner,	Hollis,	Myers, G. C.,	Wells,
Craig,	Horne,	Myers, P. M.,	Wettach,
de Young,	Howell,	Nolte,	Wheeler,
Diehm,	Huber,	O'Boyle,	Whitehouse,
Dilsheimer,	Irvin,	Ogle,	Whiteman,
Donahue,	Johnson,	Orr,	Williams, G. W.,
Driggs,	Jones, C. B.,	Parkinson,	Williams, J. M.
Drinkhouse,	Jones, D. J.,	Patterson,	Woner,
Dunn,	Jones, E. P.,	Peelor,	Wood, N.,
Eaches,	Keene,	Perry,	Wood, W. P.,
Earley,	Kelly,	Pitts,	Wright,
Edmonds,	Kennedy,	Post,	Zook,
Eshelman,	Korns,	Price,	Goodnough,
Evans, B. P.,	Kunkle,	Raymond,	Speaker.
Evans, J.,	Labar,	Richards,	
Fields,	Lafferty,	Rinn,	
Flinchbaugh,	Lauver,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1, entitled:

An Act fixing the pay of election officers and clerks in cities of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at all elections in the cities of the first class the pay of judges of election shall be twenty-five dollars and the pay of inspectors and clerks shall be ten dollars

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, may I interrogate the sponsor of this bill?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Dunn, permit himself to be interrogated?

Mr. DUNN. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. EDMONDS. I would like to ask the sponsor of the bill what change this law proposes in the salary of election officers.

Mr. DUNN. It changes the pay of the judges from fifteen to twenty-five dollars and of the inspectors and clerks from five to ten dollars.

Mr. EDMONDS. Has this increase, if I may ask the gentleman from Philadelphia, been requested by any of the authorities that have the supervision of elections in Philadelphia?

Mr. DUNN. It has been endorsed by the county commissioners of Philadelphia.

Mr. EDMONDS. By the registration commissioners?

Mr. DUNN. Not exactly the registration commissioners, because the registration commissioners have nothing to do with the election officers.

Mr. EDMONDS. That is all, I thank you very much. Mr. Speaker, it is always a great pleasure to me to agree with the gentleman from Philadelphia, who is my near neighbor, and a very sincere gentleman, and when I disagree with him, it is only on the occasions when I am obliged to disagree. This bill proposes an increase of the salaries of election officers applying only to the city of Philadelphia. The bill increases the cost of elections, I should imagine, about $25,000. It makes the salary of the election judge $25. Now, when the bill was before the committee, one of the arguments presented for it was that the number of voters in the election divisions of Philadelphia had increased so greatly in some cases that it put a heavy burden upon the election judges. It is perfectly true that when we had a primary election in 1921, when there were something like one hundred fifty candidates for the office of magistrate, it kept the election officers till an early hour in computing the results, but I submit that that is not a justification for making an increase like this, such as is proposed in this bill. In Philadelphia at the present time there are six hundred seventy-three election divisions with less than two hundred fifty registered voters; there are five hundred sixty-four divisions with from two hundred fifty to three hundred fifty registered voters; there are one hundred sixty-three divisions with from three hundred fifty to four hundred fifty voters: there are thirty divisions with from four hundred fifty to five hundred fifty voters, and there are three divisions with five hundred fifty to six hundred fifty voters. Now, I think clearly the remedy in these election districts would be to divide these big divisions which would make it easier for the voters to vote, and it would give a greater opportunity to mark the ballots, and would relieve the pressure on the judges. The judge under the present law is getting five dollars a day, but in Philadelphia he is assumed to do three days' work, a day for collecting the ballots, a day for returning the boxes and a day to get his salary, so that he gets fifteen dollars. In addition to that, if more than two hundred votes are cast, he receives an extra bonus of one dollar for each one hundred. It seems to me that is adequate, and it would be a mistake to make an increase of this kind.

There is a second reason, Mr. Speaker, why I am opposed to this bill. It is not merely a matter of $25,000 which would fall upon the city of Philadelphia, but it is the general widespread feeling that government costs too much, and the amount of money that has to be taken from the taxpayers now to maintain the functionaries of government is too great. This is a bill which illustrates that tendency. The tendency was very strong in the last Legislature, and it was possible to make the most pathetic and reasonable arguments for various classes of employes, but when we take all those arguments together, the net result is that it is calling upon the taxpayer to surrender entirely too much. It seems to me that it is worth while for us to put our veto upon a proposition of this kind at this session. If put into effect in Philadelphia, it will spread unquestionably into adjoining counties and other neighborhoods of the state. If the judge in Philadelphia is to get twenty-five dollars, it would be an argument to increase it in other adjacent communities. When this increase is considered, the net result is an increase in the cost of government, and with the increase in the cost of government, there must come an increase in taxation. Therefore, it seems to me this would be a good bill to defeat.

Mr. GUERIN. Mr. Speaker, I am surprised to hear these arguments from my colleague, Mr. Edmonds, because he has been, as we understand in Philadelphia, associated with independent politics, men who are striving to make the elections better. He knows, and all the men who take a hand in politics know, that the inspector of elections would be there before 7:00 o'clock to prepare the room and the facilities for the voters and in the majority of the precincts in the city of Philadelphia, it is very seldom that the election officers get out before 12:00, and many of them before 8:00 o'clock the next morning. If I were particularly interested in clean politics to the extent of having the selection and choosing of those who had charge of it and desired to have better results, I would increase the pay of the election officers rather than retard them, because there is no man in this House who will stand these hours for five dollars, and what the natural result would be, somebody would naturally be inclined to help the man out privately. Pass this bill and don't leave them in the position that they will have to seek assistance privately.

Mr. DILSHEIMER. Mr. Speaker, I am very much surprised at my colleague from Philadelphia, Mr. Edmonds, at finding fault with this bill. I am more surprised on account of the fact that Mr. Edmonds belongs to a class of people which always, more or less, is finding fault with the Philadelphia organization. We all know that it is a hardship on each and every man who acts as an election officer to do so for the salary which he gets at the present time.

For instance, I want to quote you one instance. Two years ago, we elected a majority and a minority inspector in the division in which I reside. Those gentlemen were workmen, having a fair knowledge of school education. When the election came along, neither of those gentlemen wanted to serve. They said, "Why, it is impossible for us to serve on that board for five dollars. We have to make a living for our families, and we are making eight to nine dollars in our shop." It is a fact which each and every person knows who works at daily labor that he cannot afford to give his time to the county of Philadelphia for the paltry sum of five dollars when he can receive this daily and even double the amount. Now, then, what is the consequence? We have to secure men in a case of that kind, we must take most anybody we can get. I want to say this, in all fairness to the citizens of Philadelphia, if we want clean elections, if we want to have election boards which make proper returns, we must have men who are capable of doing this work. Therefore, I am very much surprised with Mr. Edmonds' finding fault with this bill. In fairness to this bill and in fairness to the citizens of Philadelphia, in all earnestness to support this bill.

Mr. DUNN. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Edmonds.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Edmonds, permit himself to be interrogated?

Mr. EDMONDS. With pleasure.

The SPEAKER. The gentleman will proceed.

Mr. DUNN. I would like to ask Mr. Edmonds whether he has ever been represented in a party organization in the ward in which he is located?

Mr. EDMONDS. If that is a question of my personal biography, my answer would be, that personally, I never have. But, as a matter of fact, the party with which I am affiliated has carried my division at every election.

Mr. DUNN. Mr. Speaker, I ask the gentleman from Philadelphia whether any changes have been made, I am only going into his own division now, have any changes

been made there in the election officers from the primary election of 1922 to the general election of 1922?

Mr. EDMONDS. It is my recollection that one of the election officers resigned and that a woman was appointed to take his place and performed the duty admirably well and to the universal satisfaction of the people of the district.

Mr. DUNN. Is the gentleman aware of the fact that three of them resigned and that three new ones were appointed between the time of the primary election until the general election in his own division?

Mr. EDMONDS. Then, it must have been two women.

Mr. DUNN. Now, is the gentleman aware of the fact that only two of them stayed on the job, a Democrat and one woman?

Mr. EDMONDS. That may be so, but we had a most excellent election board, and everybody was satisfied.

Mr. DUNN. Does the gentleman know how many are assessed in his division?

Mr. EDMONDS. That again, is a question of personal biography, and I am afraid, within one or two, I cannot answer it, The object of the interrogatory is to get information for the House, and if you have it, you give it.

Mr. DUNN. Four hundred fifty-two. Have you any idea how many I registered in your division?

Mr. EDMONDS. I think I had those figures in mind at one time, Mr. Dunn, but if I had them, I have forgotten them. Suppose you give them.

Mr. DUNN. Seven hundred twenty. Four hundred fifty registered, four hundred fifty assessed, two hundred twenty registered, and it cost one hundred twenty dollars for the two hundred twenty registered outside of the expenses. Furthermore, you know a change was made in your judge in the primary election and the one in the general election of 1922.

Mr. EDMONDS. I have no doubt that you asserted as a fact and that it is perfectly true, but I do not remember that there was a change in the judge at that time.

Mr. DUNN. The judge resigned and the court appointed a judge for the general election. Do you know how many women acted as election officers in your ward in 1922 after the primaries?

Mr. EDMONDS. I could not answer that, but it was quite a large number.

Mr. DUNN. Out of seventy-two divisions in your ward, fifty had no women as election officers, twenty-two had forty-five acting as election officers and they became disgusted at the primary election and only eighteen came back at the general elections and served in your own division, the independent division of the twenty-second ward in which you are located. On your registration board also, do you know how many changes were made there where they are getting ten dollars a day for their services?

Mr. EDMONDS. I could not answer that specifically, I think the board was almost the same in 1922 as in 1921.

Mr. DUNN. The registration board changed them. And in the election, the primary election and in the general election and on the registration board, two members of one family served on the whole three of them by the name of Francis G. Wallon and Charles J. Wallon, served on the primary election, served on the registration board and served in the general election and for a man to serve on the registration board and on the election board is contrary to the law.

Mr. EDMONDS. If you are questioning me on my knowledge of the law, that is a different question entirely. Why don't you move into the division if that is what you want to do?

Mr. DUNN. No, I have got a good division of my own producing good, satisfactory Republican results, without a question of doubt as to the honesty of the election in that division for thirty years that I have lived there. But, gentlemen of this House, and I believe the people who are outside of Philadelphia will agree with me, that for years we had been hearing through the press of Philadelphia that all election machinery was corrupt, and generally elections come out as being corrupt. Now, we want to join as organization men. While I have come here as a member of the Legislature, I am not ashamed to serve in my ward on the executive committee as a division worker, and for thirty years I have represented my division as a division worker on the executive committee. I ought to know the work of an election officer. I want to say to you who are outside of Philadelphia that, as organization men, we want to clear the election, the conducting of an election in Philadelphia so that there will not be any question of doubt when the result is announced either at the primaries or at the general elections.

I am surprised at my good friend who is classified as an independent man in this Hopse, as an independent man in his ward, that he doesn't join with us to try to get efficient, capable men to act as our election officers in conducting the elections in the way that they think is right. Very often as election officers or workers in the division, and I believe, probably, thirty-eight of the forty-one from Philadelphia are workers in their division, very often our election board was manned by one and two men or women up until three or four o'clock in the afternoon, and then when somebody comes from work, we asked them to go in and assist the election board to hold the election, and it has now almost become a custom that it is almost necessary to pay the election board out of your own pocket to stay there to conduct the election for the satisfaction of Philadelphia and the honesty of the ballot. Now, that is only fair compensation for the judge. Five dollars seems little enough for the requirements of his office. He must go down and get the ballots, he must return the ballot boxes, he must then make the returns to the prothonotary, he must go down and collect the pay and deliver the pay of the election officers at a rate of five dollars a day, and anybody that wants honest elections in Philadelphia, and especially the men who are outside of it, I believe will vote for this bill because we, as organization men, want to show the people of the State that we can conduct honest elections with efficient men.

Mr. EDMONDS. I count it as a field day for myself if I succeeded in surprising three of my colleagues from Philadelphia at one time. I hope that I may succeed in shocking them and I hope that their hearts are strong, because my hope is that they will receive something new along the same line of treatment a little later on. There is a practical question submitted here, and the question is, is twenty-five dollars a day necessary for a judge in order to secure an honest election in Philadelphia? I say emphatically, that you can get honest men, honest men to serve as judges of elections and you have had them in Philadelphia, but when you raise the pay to twenty-five dollars you make that position financially attractive, and instead of getting the man that is best fitted for judge, you make it one of the spoils of political warfare. I am opposed to that practice. I am opposed to saddle the extra taxes and charges upon the people of localities without giving them a chance to pass upon questions of this kind. We have had entirely too much interference with the local government in the way of piling up the costs, of local government, and we do that without any expression of opinion from the people who represent those localities. I am opposed to this bill because I think it has a tendency to increase the cost of government in counties. I am opposed to it because of political reasons, and that I believe it will result in making

these positions political spoils rather than securing the best man for the job. It would be an unjust interference with locally constituted affairs to ask for this expenditure of money, and so far as I know the people don't want it.

Mr. JOHN G. MARSHALL. Mr. Speaker, I rise to a point of information. My good friend, Mr. Dunn, has said that the judge of elections is to receive twenty-five dollars for five days work, and Mr. Edmonds said this bill provides for twenty-five dollars a day. The Bill does not state whether it is by the day or by the job. It says he shall receive twenty-five dollars, if this bill provides for twenty-five dollars a day and there are five days involved in this duty connected with the holding of elections in Philadelphia that means one hundred and twenty-five dollars.

Mr. EDMONDS. The answer is that the bill provides for one hundred and twenty-five dollars for the job. Mr. Dunn has stated it took four or five days. Personally I don't think it takes anything of the kind. When we go to get the ballot boxes it takes three or four hours; when we return them it takes three or four hours, and in going down for your pay you know how long that takes.

Mr. DILSHEIMER. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Edmunds.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Edmunds, permit himself to be interrogated?

Mr. EDMONDS. Yes, sir, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. DILSHEIMER. Have you acted as judge in your district?

Mr. EDMONDS. I have acted as Republican Inspector, and as judge under the primary act of 1907.

Mr. DILSHEIMER. Then you mean to tell this House it only takes three of four hours to deliver the ballot boxes.

Mr. EDMONDS. It depends of course on the location of your polling place.

However, for most of them I would say it would take less. I have seen a great many cases where the ballot boxes were returned before midnight from divisions in the heart of Philadelphia where the votes have been counted within half an hour after the polls are closed.

Mr. DILSHEIMER. You mean to say a man delivered ballot boxes to City Hall from Germantown in that time?

Mr. EDMONDS. I would not say from Germantown, but when you take the major part of the city which is in close proximity you can do it within a very short time.

Mr. DILSHEIMER. Mr. Speaker, I speak from my own experience, I stood in City Hall for six hours waiting to get in before I could deliver the ballot boxes, and I say this, if I work for a daily wage, even if it only takes an hour to collect my money I must lose that day, and then I am out for that day. I claim it is no more than fair and just to each and every man who works for a daily wage that we shall compensate him because we expect to get good election boards, we expect them to do their duty, and therefore they should be compensated in accordance with their duty. Therefore, I claim the arguments of Mr. Edmonds are unreasonable, unfair and unjust. It seems to me that the organization to which he belongs wants both the penny and the cake.

Mr. BREWSTER. Mr. Speaker, at the first glance we may think that this is a Philadelphia measure alone because the discussions have all been by the gentlemen from Philadelphia. I look upon this bill as highly important to the people of the whole Commonwealth as well. Since coming to the Legislature and being on the committees, the lax method, in the election methods and the conduct of elections in our large cities has been a revelation to me, and anything that will go toward the betterment of these elections, I am in favor of. In our rural districts we know no such conditions. Our election boards meet at 7 o'clock in the morning and they stay there until 7 o'clock in the evening. We know no such thing as a corrupt board, or anything of that kind. The elections in Philadelphia often mean statewide importance and I think it is high time that the conditions that exist in these large cities, which elect or defeat our candidate for Governor, and our candidates for all other state offices, are made better. Therefore, if this raise in salary will bring about any betterment in conditions in these large cities, of which I have heard so much, I am in favor of it and will vote for it today. It is high time for something else to be done in Philadelphia so that we may have better officers, prehaps by the vote of the great cities of this Commonwealth.

Mr. SARIG. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Dunn.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Dunn, permit himself to be interrogated?

Mr. DUNN. I will, Mr. Speaker.

Mr. SARIG. Did I understand your statement of a few moments ago to be a public confession here that conditions in the Philadelphia elections were really corrupt up to this time?

Mr. DUNN. No, only accused of being corrupt.

Mr. SARIG. Well, did you assume that accusation to be correct?

Mr. DUNN. No.

Mr. SARIG. If not, then why ask for this increase in order to make conditions better if the corruption which always has been denied is not there? Then why ask for this increase in order to make better conditions in Philadelphia?

Mr. DUNN. We do not say it was corrupt, that was in the newspapers, newspapers of our city, they claimed it was corrupt.

Mr. SARIG. If you claim it is not corrupt, then why demand a betterment of conditions there? If the conditions there are satisfactory to you, as you say, why come to the Legislature with a bill, claiming that this bill makes conditions better than now?

Mr. DUNN. It gives the condition power to select more efficient men, a better choice, and the electorate in that division generally selects the best men for the place. It is an elective position, and the voters of these divisions know the people and know their qualifications, and we should not go back of what the voters think are the proper ones to represent them on the election board.

Mr. SARIG. Mr. Speaker, this of course is a Philadelphia bill and I have no desire, so far asPhiladelphia is concerned, to interfere with their legislation, but we all realize that it affects us all. Once the news gets out that in Philadelphia a judge is paid $25.00 to serve on an election board, every election board throughout the state will set out on our trail and will be asking us to increase their pay also. Now several years ago, in 1919, we had a bill here increasing the pay in rural districts, but the governor—Governor Sproul was then governor of Pennsylvania—vetoed that bill on the ground that it was a patriotic duty to serve on election boards. Now, I feel that if you make these increases, if you tempt them with a higher rate of pay for these positions, you are drawing to them the very element that you do not want. I believe the same thing applies to the school boards. We have always held to the idea that there should be no compensation attached to the position of school director because a man in that position ought to serve out of patriotic motives rather than for the sake of the emolument attached to the office. If we go on increasing the emoluments of these positions, we will only draw to them

that element which looks only for the dollars and not the people who will see to it that justice is done to the voters in counting the ballot and that a fair return is made of them. In this matter there is something more involved than simply the compensation or emoluments of the office. I believe it will be a sad day for Pennsylvania or for any state when we begin to look upon such positions as judges and inspectors of elections simply from a mercenary point of view, when there is no patriotic duty or civic pride, when they simply look to the compensation which is attached to them. Now I for my own part feel that it would be a mistake for this House to go on record as increasing this compensation because I know what it will mean throughout the state. If it will cost the city of Philadelphia $25,000.00, it means ten times that much thoughout the state because if he news gets out that we have raised the pay of the judges in Philadelphia to $25.00, every judge and inspector throughout rural Pennsylvania will be on our heels and will be demanding the same thing.

Mr. SCHLEITER. Mr. Speaker, if this discussion keeps up awhile longer we will fully believe the things that were charged in the yellow newspapers, not only in Philadelphia, but in other papers throughout the state, of the corrupt conditions in the city of Philadelphia. One of our most noted men said at one time, or should have said, if he were correctly quoted, that Philadelphia was corrupt and condemned. I do not hear any denial on the part of the citizens of Philadelphia; probably they do not like to be quoted. Today there seems to be a spirit of animous coming from the members of the legislature, and they seem to be anxious, and we want to take them at their word, that hereafter they want clean elections in the city of Philadelphia, and therefore, in order to secure such an election it becomes necessary to raise or increase the pay of the election officers. As for myself, if the increase to $25.00 would accomplish that purpose, I would be heartily in favor of the bill. But I do not believe, my friends, that any sum that you might name, let it be $100.00 or $1000.00, would have any effect upon the electorate of Philadelphia if what has been alleged is only partly true. Where is the patriotism in the city of Philadelphia, in that great city of the Father of this Commonwealth, William Penn. Shades of these great men! Shades of Franklin, shades of those men who fought so gallantly at Brandywine, in order that they might establish in this state and nation a government of the people, for the people and by the people. If it is only partly true, what has been charged, then conditions are deplorable, not only in the city of Philadelphia but in other great cities of the Commonwealth. I do not believe in subsidizing men in order to have them serve on the election board. If the citizenship of the state or the city has fallen to such a low ebb that it is necessary to practically bribe men and women in order that they might do their duty with which they are charged under this great system of government, and they themselves are the government and they must help to administer the government for which they are responsible, then I say, my friends, it does not matter how much you increase the salaries of these men and women, the result will be necessarily the same.

On the question recurring,

Shall the bill pass finally?

Agreeably to the constitution the yeas and nays were taken.

Mr. EDMONDS. Mr. Speaker I ask for a verification of the roll.

The roll was verified as follows:

YEAS—83.

Allman,	Evans, J.,	Little,	Sautter,
Arthur,	Fields,	Lucas,	Schaeffer,
Asbury,	Fowler, A. I.,	Lynch,	Schilling,
Baker,	Fowler, D.,	Malie,	Schwartz,
Behney,	Gelder,	Mangan,	Sheridan,
Bell, W. T.,	Gibbon,	Marcus, J.,	Smith, H. J.,
Berger,	Goehring,	Marcus, J. C.,	Smith, H.,
Bluett,	Golder,	Mathay,	Smith, J. W.,
Blumberg,	Gorham,	McBride,	Sowers,
Boback,	Greeby,	McClure,	Spangler,
Brewster,	Guerin,	McGowan,	Speiser,
Bromley,	Hall,	McKim,	Staudenmeier,
Brown,	Harer,	Millar,	Stavitski,
Burns,	Haws,	Miller,	Steedle,
Chaplin,	Heffernan,	Myers, P. M.,	Sterling,
Conner,	Hetrick,	Nolte,	Stevens, A. F.,
Dilsheimer,	Hontz,	O'Boyle,	Storb,
Drinkhouse,	Huber,	Perry,	Wettach,
Dunn,	Keene,	Pitts,	Whitehouse,
Eaches,	Kohler,	Posey,	Goodnough,
Earley,	Lafferty,	Rinn,	Speaker.

NAYS—100.

Albert,	Frazier,	Kunkle,	Sarig,
Alexander,	Gallaher,	Labar,	Schleiter,
Anderson,	Gilchrist,	Lauver,	Schoener,
Armstrong,	Goss,	Long,	Shambach,
Bell, F. A.,	Griffith,	Ludlow,	Smith, G. A.,
Bentley,	Gundy,	Mack,	Sprowls,
Betts,	Haas,	MacKinney,	Stark,
Bidelspacher,	Harter,	Marshall, J. G.,	Stevens, A. J.,
Blair,	Haslett,	McCurdy,	Storer,
Brenneman,	Heffran,	McDaniel,	Thomas, L. D.,
Brownmiller,	Henderson,	McDermott,	Thomas, M. G.,
Burchinal,	Heyburn,	Metcalf,	Thompson,
Bush,	Himes,	Minehart,	Van Alen,
Clutton,	Hollis,	Moore,	Vickerman,
Coldsmith,	Hoover,	Morrison,	Walker,
Craig,	Horne,	Myers, G. C.,	Weamer,
de Young,	Howell,	Ogle,	Wells,
Diehm,	Irvin,	Orr,	Whiteman,
Donahue,	Johnson,	Parkinson,	Williams, G. W.
Driggs,	Jones, C. B.,	Patterson,	Williams, J. M.,
Edmonds,	Jones, D. J.,	Peelor,	Woner,
Eshelman,	Jones, E. P.,	Post,	Wood, N.,
Evans, B. P.,	Kelly,	Raymond,	Wood, W. P.,
Flinchbaugh,	Kennedy,	Richards,	Wright,
Fratt,	Korns,	Sample,	Zook,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GOLDER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GOLDER. Mr. Speaker and members of the House, I believe that the members of a family should live in peace and contentment within their own ranks, and I think there is nothing so conducive to good fellow-ship and peace and contentment in the family than when the various members of that family well understand each other. I entered no protest nor voiced any sentiment of my own on the bill during the discussion because I felt that it was drifting far afield from the real issue. I sat in my seat and I worried and trembled with the fear for my colleagues in the other districts because of their fear and trembling for the good city of Philadelphia and for its citizenship. Ah, how consistent are my good friends, and I like every one of them, the Democrats. I have never seen it fail that when a discussion arose in the House between two factions of the Republican party, if there are factions in the Republican Party, that the Democrats did not take the floor and even call upon the Almighty, if necessary, to guide the great Republican Party through its terrible battles in its own ranks. Let me say, as a citizen of Philadelphia, with the newspapers to the contrary notwithstanding, there is not a finer, cleaner, better

city from the point of politics, civics, or economics or any other point of view than our great city of Philadelphia, and it always appeals to my sense of humor to have a Democrat, like my colleague, Mr. Schleiter, call upon the great Republican, Abraham Lincoln, to guide the Republican Party through the channels of strife. Now I want to say on behalf of the city of Philadelphia and the membership here that it is the unanimous opinion of the membership of the Philadelphia delegation that here is nothing more corrupt in Philadelphia politics than there is corruption in the politics of any other city or county in Pennsylvania. I believe that corruption in politics in Pennsylvania is at a minimum and is just as clean as the politics of any other state in the Union, and on behalf of my comrades from Philadelphia I want to extend a cordial invitation to the Democrats and to every other member of this House to come to Philadelphia and visit us and at all times they will be perfectly safe on the highways and by-ways, and I will assure them that Mr. Dunn and Mr. Edmonds and all other members of the delegation will see that you are propertly protected when in our city.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced informed that the Senate has concurred in the Resolution of the House of Representatives, as follows:

Resolved (if the Senate concur) that House Bill No. 51, file folio 849, entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge

be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

TIME OF NEXT MEETING.

In the Senate, March 20, 1923.

Resolved (if the House of Representatives concur). That when the Senate adjourns today it reconvene on Monday evening, March twenty-sixth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March twenty-sixth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 82.

A Supplement to an act, entitled "An Act to provide for the ordinary expenses of the Executive, Judicial, and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and twenty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and twenty-one," as approved the twenty-seventh day of May, Anno Domini one thousand nine hundred and twenty-one, providing for deficiencies in certain appropriations made to the Executive, Judicial, and Legislative Departments by the act to which this is a supplement, and for other minor expenses incurred or to be incurred to May thirty-first, one thousand nine hundred and twenty-three, by certain of the Executive, Judicial and Legislative Departments, not provided for by said act.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 2, page 3, line 20, by inserting after the word "of" the words, "fifty-three thousand and twenty-eight dollars and thirteen cents;" in line 21, strike out the following:" Forty-nine thousand, seven hundred, and seventy-four dollars"; in line 22, strike out the numerals in brackets "$49,774.", and insert in brackets the numerals "$53,028.13". Amend section 2, page 4, by inserting the following after the word "necessary"

SCHOOL EMPLOYES' RETIREMENT BOARD

For the payment of the deficiency in the expense fund to be used for the payment of the salaries of the secretary actuary chief clerk assistant clerks and stenographers postage expressage traveling expenses contingent fund and other incidental legal expenses the sum of three thousand seven hundred and thirty-one dollars ($3,731) or so much thereof as may be necessary

For the payment of the deficiency in the contingent reserve fund as provided for in section eight paragraph three of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and forty-three) the sum of three hundred forty-six thousand nine hundred sixty-five dollars ($346,965) or so much thereof as may be necessary

For the payment of the deficiency in the State annuity reserve fund number two as provided for in section eight, paragraph five of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and forty-three) the sum of one million six hundred fifty thousand dollars ($1,650,000) or so much thereof as may be necessary

Amend section 2, page 5, by inserting after the word "necessary" in line 10, the following:

To aid school districts which established and maintained vocational schools or departments and for the training of vocational teachers in institutions designated by the State Board of Education for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-one the sum of two hundred thirty-six thousand three hundred thirty-eight dollars and thirty-one cents ($236,338.31) or so much thereof as may be necessary

Amend section 2, page 5, line 25, by striking out the word "sixty" and inserting in lieu thereof the word "forty"; also in same line by striking out the numerals "$60,000.00"; and inserting in lieu thereof the numerals "$40,000.00" also on page 8, line 17, after the word "thousand" by inserting the words "forty-six"; also in line 8, by striking out the words "two hundred and four"; also in same line by inserting after the word "dollars" the words "and thirteen cents"; also in line 19, by striking out the numerals "$49,204.00" and inserting in lieu thereof the numerals, "$49,046.12" also on page 9, line 2, by inserting after the word "of" the words "forty-three"; also in line 3, by striking out the word "eighteen"; also in line 3, by inserting after the word "thousand" the words "seven hundred and ninety-four dollars and twenty-four cents;" also in line 4, by striking out the word "dollars" and the numerals "$18,000.00" and inserting the numerals "$43,794.24"; also by striking out beginning with line 5, the following

For the payment of the deficiency in the salaries of the orphans' court judges in the several judicial districts in

which separate orphans' courts have been established by law for two years ending May thirty-first one thousand nine hundred and twenty-three the sum of ten thousand five hundred dollars ($10,500)

also on page 9, by inserting the following:

For the payment of deficiency in the salaries of the Judges of the Municipal Court of Philadelphia for the two years ending May thirty-first one thousand nine hundred and twenty-three the sum of ten thousand nine hundred four dollars and eighty-two cents ($10,904.82) or so much thereof as may be necessary

For the payment of deficiencies in the salaries of the Judges of the County Court for the County of Allegheny for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three the sum of eleven thousand five hundred fifty-one dollars and ninety-nine cents ($11,551.99) or so much thereof as may be necessary

For the payment of deficiencies in the salaries of the Judges of the Supreme Superior Common Pleas and Orphans' Court who may resign or retire in accordance with the provisions of the Act of Assembly approved June twenty-three Anno Domini one thousand nine hundred and eleven (Pamphlet Laws one thousand one hundred and twenty-one) and in accordance with the provisions of an Act of Assembly approved the fifth day of June Anno Domini one thousand nine hundred and seventeen for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three the sum of two thousand nine hundred forty-three dollars and eighty-seven cents or so much thereof as may be necessary ($2,043.87)

For payment of deficiency in the expense of publishing monthly statement of the general sinking-funds as required by the act of February seventeenth one thousand nine hundred and six and for the payment of such advertisements as are required by law to be published by the accounting officers in the newspapers including advertisements for proposals for publication of the decisions of the Supreme Court under the provisions of an act approved the twelfth day of June one thousand eight hundred and seventy-eight for the two fiscal years ending May thirty first one thousand nine hundred and twenty-three the sum of sixteen thousand dollars ($16,000) or so much thereof as may be necessary

For the payment of deficiency in the traveling and other expenses of the State Art Commission and the compensation of its employes for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three the sum of one thousand six hundred and ninety-two dollars ($1,692) or so much thereof as may be necessary

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HARER. Mr. Speaker and members of the House, this bill is the general deficiency bill. The amendments have been made in there at the request of the Governor and have been carefully gone over by the Committee and are satisfactory to the Committee. I trust you will concur in the amendments.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197.

Albert,	Flynn,	Lauver,	Sample,
Alexander,	Fowler, A. I.,	Little,	Sarig,
Allman,	Fowler, D.,	Long,	Schaeffer,
Anderson,	Fratt,	Lucas,	Schilling,
Armstrong,	Frazier,	Ludlow,	Schleiter,
Arthur,	Gallaher,	Lynch,	Schoener,
Asbury,	Gelder,	Mack,	Schwartz,
Aston,	Gibbon,	MacKinney,	Shambach,
Baker,	Gilchrist,	Malle,	Sheridan,
Baldi,	Glasgow,	Mangan,	Smith, G. A.,
Beaver,	Goehring,	Marcus, J.,	Smith, H. J.,
Behney,	Golder,	Marcus, J. C.,	Smith, H.,
Bell, F. A.,	Gorham,	Marshall, J. G.,	Smith, J. W.,
Bell, W. T.,	Goss,	Marshall, W. F.,	Soffel,
Bentley,	Greeby,	Mathay,	Sowers,
Betts,	Griffith,	McBride,	Spangler,
Bidelspacher,	Grimes,	McCaig,	Speiser,
Blair,	Guerin,	McCann,	Sprowls,
Bluett,	Gundy,	McClure,	Stark,
Blumberg,	Haas,	McCurdy,	Staudenmeier,
Brenneman,	Haines,	McDaniel,	Stavitski,
Brewster,	Hall,	McDermott,	Steedle,
Bromley,	Harer,	McGowan,	Sterling,
Brown,	Harter,	McKim,	Stevens, A. J.,
Brownmiller,	Haslett,	Metcalf,	Stevens, A. F.,
Burchinal,	Haws,	Millar,	Stoffiet,
Burns,	Heffernan,	Miller,	Stoner,
Bush,	Heffran,	Minehart,	Storer,
Chaplin,	Hetrick,	Moffatt,	Thomas, L. D.,
Clutton,	Heyburn,	Moore,	Thomas, M. G.,
Coldsmith,	Himes,	Morrison,	Thompson,
Conner,	Holcombe,	Munley,	Van Alen,
Coyne,	Hollis,	Myers, G. C.,	Vickerman,
Craig,	Hontz,	Myers, P. M.,	Walker,
de Young,	Hoover,	Nolte,	Weamer,
Diehm,	Horne,	O'Boyle,	Wells,
Dietz,	Howell,	Ogle,	Wettach,
Dilsheimer,	Huber,	Orr,	Wheeler,
Donahue,	Irvin,	Parkinson,	Whitehouse,
Driggs,	Johnson,	Patterson,	Whiteman,
Drinkhouse,	Jones, C. B.,	Peelor,	Williams, G. W.,
Dunn,	Jones, D. J.,	Perry,	Williams, J. M.,
Eaches,	Jones, E. P.,	Pitts,	Woner,
Earley,	Keene,	Posey,	Wood, N.,
Edmonds,	Kelly,	Post,	Wood, W. P.,
Eshelman,	Kennedy,	Price,	Wright,
Evans, B. P.,	Kohler,	Raymond,	Zook,
Evans, J.,	Korns,	Richards,	Goodnough,
Fields,	Kunkle,	Rinn,	Speaker.
Flinchbaugh,	Labar,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled at follows:

HOUSE BILL No. 281.

An Act to amend Section two of Article sixteen of an act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Law five hundred and eighty-one) entitled "An act for the better government of cities of the first class of the Commonwealth of Pennsylvania"

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 2, page 4, line 7, by striking out after the word "of" the word "eighty", and inserting in lieu thereof the word "seventy".

Amend section 2, page 5, line 11, by striking out after the words "United States" the following: "completed at least thirty days prior to said election".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190.

Albert,	Flinchbaugh,	Little,	Sample,
Alexander,	Flynn,	Long,	Sarig,
Allman,	Fowler, A. I.,	Lucas,	Sautter,
Anderson,	Fowler, D.,	Ludlow,	Schaeffer,

Armstrong,	Frazier,	Lynch,	Schilling,
Arthur,	Gallaher,	Mack,	Schleiter,
Asbury,	Gelder,	MacKinney,	Schoener,
Aston,	Gibbon,	Malie,	Schwartz,
Baker,	Gilchrist,	Mangan,	Shambach,
Baldi,	Glasgow,	Marcus, J.,	Sheridan,
Beaver,	Golder,	Marcus, J. C.,	Smith, G. A.,
Behney,	Gorham,	Marshall, J. G.,	Smith, H. J.,
Bell, F. A.,	Goss,	Marshall, W. F.,	Smith, H.,
Bell, W. T.,	Greeby,	McBride,	Smith, J. W.,
Bentley,	Griffith,	McCaig,	Soffel,
Berger,	Grimes,	McCann,	Sowers,
Betts,	Guerin,	McClure,	Spangler,
Bidelspacher,	Gundy,	McCurdy,	Speiser,
Blair,	Haas,	McDaniel,	Sprowls,
Bluett,	Haines,	McDermott,	Stark,
Blumberg,	Hall,	McGowan,	Staudenmeier,
Brenneman,	Harer,	McVicar,	Stavitski,
Brewster,	Harter,	Metcalf,	Steedle,
Bromley,	Haslett,	Millar,	Sterling,
Brown,	Haws,	Miller,	Stevens, A. J.,
Brownmiller,	Heffernan,	Minehart,	Stevens, A. F.,
Burchinal,	Heffran,	Moffatt,	Stofflet,
Burns,	Hetrick,	Moore,	Stoner,
Bush,	Heyburn,	Morrison,	Storb,
Chaplin,	Himes,	Munley,	Storer,
Clutton,	Holcombe,	Myers, G. C.,	Thomas, L. D.,
Coldsmith,	Hollis,	Myers, P. M.,	Thomas, M. G.,
Conner,	Hontz,	Nolte,	Thompson,
Coyne,	Hoover,	O'Boyle,	Van Alen,
Craig,	Horne,	Ogle,	Walker,
Diehm,	Huber,	Orr,	Weamer,
Dietz,	Irvin,	Parkinson,	Wettach,
Dilsheimer,	Johnson,	Patterson,	Wheeler,
Donahue,	Jones, C. B.,	Peelor,	Whiteman,
Driggs,	Jones, D. J.,	Perry,	Williams, G. W.
Drinkhouse,	Keene,	Pitts,	Williams, J. M.,
Dunn,	Kelly,	Posey,	Woner,
Eaches,	Kennedy,	Post,	Wood, N.,
Earley,	Kohler,	Price,	Wood, W. P.,
Edmonds,	Korns,	Raymond,	Wright,
Eshelman,	Kunkle,	Rhodes,	Zook,
Evans, B. P.,	Labar,	Richards,	Goodnough,
Evans, J.,	Lafferty,	Rinn,	Speaker.
Fields,	Lauver,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 159.

An Act regulating the location of certain stables in cities of the first class and providing penalties

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend bill, page 2, by adding the following section:

"Section 3 Nothing in this Act shall be construed to interfere with any stable now in existence and in active use as a stable nor shall it interfere with the reconstruction alteration or repair of any stable now in existence and now in active use as a stable."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197.

Albert,	Fowler, A. I.,	Lauver,	Sample,
Alexander,	Fowler, D.,	Little,	Sarig,
Allman,	Fratt,	Long,	Sautter,
Anderson,	Frazier,	Lucas,	Schaeffer,
Armstrong,	Gallaher,	Ludlow,	Schilling,
Arthur,	Gelder,	Lynch,	Schleiter,
Asbury,	Gibbon,	Mack,	Schoener,
Aston,	Gilchrist,	MacKinney,	Schwartz,
Baker,	Glasgow,	Malie,	Shambach,
Baldi,	Goehring,	Mangan,	Sheridan,
Beaver,	Golder,	Marcus, J.,	Smith, G. A.,
Behney,	Gorham,	Marcus, J. C.,	Smith, H. J.,
Bell, F. A.,	Goss,	Marshall, J. G.,	Smith, H.,
Bell, W. T.,	Greeby,	Marshall, W. F.,	Smith, J. W.,
Bentley,	Grimes,	Mathay,	Soffel,
Berger,	Guerin,	McCaig,	Sowers,
Betts,	Gundy,	McCann,	Spangler,
Bidelspacher,	Haas,	McClure,	Speiser,
Blair,	Haines,	McCurdy,	Stark,
Bluett,	Hall,	McDaniel,	Staudenmeier,
Blumberg,	Harer,	McDermott,	Stavitski,
Boback,	Harter,	McGowan,	Steedle,
Brenneman,	Haslett,	McKim,	Sterling,
Brewster,	Haws,	McVicar,	Stevens, A. J.,
Bromley,	Heffernan,	Metcalf,	Stevens, A. F.,
Brown,	Heffran,	Millar,	Stofflet,
Burchinal,	Henderson,	Miller,	Stoner,
Burns,	Hetrick,	Minehart,	Storb,
Bush,	Heyburn,	Moffatt,	Storer,
Chaplin,	Holcombe,	Moore,	Thomas, L. D.,
Clutton,	Hollis,	Morrison,	Thomas, M. G.,
Coldsmith,	Hontz,	Munley,	Thompson,
Conner,	Hoover,	Myers, G. C.,	Van Alen,
Coyne,	Horne,	Myers, P. M.,	Vickerman,
Craig,	Howell,	Nolte,	Walker,
de Young,	Huber,	O'Boyle,	Weamer,
Diehm,	Irvin,	Ogle,	Wells,
Dietz,	Johnson,	Orr,	Wettach,
Dilsheimer,	Jones, C. B.,	Parkinson,	Wheeler,
Driggs,	Jones, D. J.,	Patterson,	Whitehouse,
Drinkhouse,	Jones, E. P.,	Peelor,	Whiteman,
Dunn,	Keene,	Perry,	Williams, G. W.,
Eaches,	Kelly,	Pitts,	Williams, J. M.,
Edmonds,	Kennedy,	Posey,	Woner,
Eshelman,	Kohler,	Post,	Wood, N.,
Evans, B. P.,	Korns,	Price,	Wood, W. P.,
Evans, J.,	Kunkle,	Raymond,	Wright,
Fields,	Labar,	Richards,	Zook,
Flinchbaugh,	Lafferty,	Rinn,	Goodnough,
Flynn,		Rippman,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 72.

An Act to amend section two of an act approved May 20, 1921 (Pamphlet Laws nine hundred and forty-four) entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor"

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 2, page 2, line 7 by inserting after the word "commissioners" the following: "County Controller

where such office exists"; amend section 2, line 23, by striking out the word "and"; insert after the word "commissioners" the words, "The county controller where such office exists:"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—193.

Albert,	Fratt,	Lucas,	Schilling,
Alexander,	Frazier,	Ludlow,	Schleiter,
Allman,	Gelder,	Lynch,	Schoener,
Anderson,	Gibbon,	Mack,	Schwartz,
Armstrong,	Gilchrist,	MacKinney,	Shambach,
Arthur,	Glasgow,	Malie,	Sheridan,
Asbury,	Goehring,	Mangan,	Smith, G. A.,
Aston,	Golder,	Marcus, J.,	Smith, H. J.,
Baker,	Gorham,	Marcus, J. C.,	Smith, H.,
Baldi,	Goss,	Marshall, J. G.,	Smith, J. W.,
Beaver,	Greeby,	Marshall, W. F.,	Soffel,
Behney,	Griffith,	Mathay,	Sowers,
Bell, F. A.,	Grimes,	McBride,	Spangler,
Bell, W. T.,	Guerin,	McCann,	Speiser,
Bentley,	Gundy,	McClure,	Sprowls,
Berger,	Haas,	McCurdy,	Staudenmeier,
Betts,	Haines,	McDaniel,	Stavitski,
Bidelspacher,	Hall,	McDermott,	Steedle,
Blair,	Harer,	McGowan,	Sterling,
Bluett,	Harter,	McKim,	Stevens, A. J.,
Blumberg,	Haslett,	McVicar,	Stevens, A. F.,
Boback,	Haws,	Metcalf,	Stofflet,
Brenneman,	Heffernan,	Millar,	Stoner,
Bromley,	Heffran,	Minehart,	Storb
Brown,	Henderson,	Moffatt,	Storer,
Brownmiller,	Hetrick,	Moore,	Thomas, L. D.,
Burns,	Heyburn,	Munley,	Thomas, M. G.,
Bush,	Himes,	Myers, G. C.,	Thompson,
Chaplin,	Holcombe,	Myers, P. M.,	Van Alen,
Clutton,	Hollis,	Nolte,	Vickerman,
Coldsmith,	Hontz,	O'Boyle,	Walker,
Conner,	Horne,	Ogle,	Weamer,
Coyne,	Howell,	Orr,	Wells,
Craig,	Huber,	Parkinson,	Wettach,
de Young,	Irvin,	Patterson,	Wheeler,
Diehm,	Johnson,	Peelor,	Whitehouse,
Dietz,	Jones, C. B.,	Perry,	Whiteman,
Donahue,	Jones, D. J.,	Pitts,	Williams, G. W.
Driggs,	Jones, E. P.,	Posey,	Williams, J. M.
Drinkhouse,	Keene,	Post,	Woner,
Dunn,	Kelly,	Price,	Wood, N.,
Eaches,	Kennedy,	Raymond,	Wood, W. P.,
Earley,	Kohler,	Richards,	Wright,
Eshelman,	Korns,	Rinn,	Zook,
Evans, B. P.,	Kunkle,	Rippman,	Goodnough,
Evans, J.,	Labar,	Sample,	Speaker.
Flinchbaugh,	Lauver,	Sarig,	
Fowler, A. I.,	Little,	Sautter,	
Fowler, D.,	Long,	Schaeffer,	

NAYS—1.

Fields,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON SECOND READING.

The SPEAKER. If there are no objections the Chair will take up at this time the second reading calendar. Are there objections? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 452, as follows:

An Act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effect of the decree thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly and it is hereby enacted by the authority of the same That it shall be lawful for the courts of common pleas of any county of this Commonwealth to make a decree changing the name of any person resident in said county

Section 2 Any person desiring to change his or her name shall file a petition in the courts of common pleas of the county in which he or she shall reside setting forth such desire and intention and the reason therefor together with the residence of petitioner and his or here residence or residences for and during five years prior thereto Where the petitioner is a married person the other spouse may join as a party petitioner in which event upon compliance with the provisions of this act said spouse shall also be entitled to the provisions tnereof The court shall thereupon enter an order directing that notice be given of the filing of said petition and of the day set for the hearing thereon which hearing shall be not less than two months or more than three months after the filing of said petition and said notice shall be published in two newspapers of general circulation in said county or county contiguous thereto one of which publications may be in the official paper for the publication of legal notices in said county

Section 3 At the hearing of said petition any person having lawful objection to the change of name may appear and be heard If the court be satisfied after said hearing that there is no lawful objection to the granting of the prayer of said petition a decree may be entered by said court changing the name as prayed for providing that at said hearing the petitioner or petitioners shall present to the court proof of publication of said notice as required by the order together with official searches of the proper offices of the county wherein petitioner or petitioners reside or of any other county wherein petitioner or petitioners may have resided within five years of the filing of his or her petition for change of name or a certificate in lieu thereof given by a corporation authorized by law to make such searches showing that there are no judgments or decrees of record or any other matter of like character against said petitioner or petitioners

Section 4 That whenever in pursuance of this act a decree is made changing the name of anyone who is at the time thereof the parent of a minor child or children or adopted minor child or children then under the care of such parent the new name of such parent shall thereafter be borne likewise by such minor child or children or adopted minor child or children provided that any minor child or children or adopted child upon attaining their majority respectively shall also be entitled to the benefits of this act

Section 5 The act approved the ninth day of April one thousand eight hundred and fifty-two (Pamphlet Laws three hundred and one) entitled "An act authorizing the courts of common pleas to change the name of persons" together with the act approved the fifteenth day of April one thousand eight hundred and fifty-nine (Pamphlet Laws six hundred and seventy-three) entitled "An supplement to an act authorizing the courts of common pleas to change the name of persons approved the ninth day of April one thousand eight hundred and fifty-two" are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 476, entitled:

An Act creating regulating and defining the powers of a County Puanning Commission and authorizing the creation of a county plan in counties of the second class requiring the county commissioners to furnish to the commission before passage resolutions relating to county improvements to roads lands buildings or means of communications authorizing the commission to report suggestions to the county commissioners concerning improvements and to appear in court with reference thereto authorizing the making of a county map and plan including territory extending three miles beyond the county limits showing proposed improvements in roads lands buildings and means of communication making it unlaw-

ful to record plans of land with streets or highways intended for dedication to public use except in boroughs or cities without first securing approval from the commission and making disapproval of a plan by the commission a refusal of proposed dedication

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the second class a department is hereby created to be known as the Department of County Planning which shall be in charge of the County Planning Commission consisting of nine persons who shall be residents of the county and who shall have knowledge and experience in respect to one or more of the following subjects finance commerce industry agriculture transportation architecture landscape architecture real estate building engineering social welfare civic administration and law and at least seven of whom shall not be paid county employees to be appointed by the county commissioners three of them shall be designated to serve until the first day of January one thousand nine hundred and twenty-five three of them until the first day of January one thousand nine hundred and twenty-seven and three of them until the first day of January one thousand nine hundred and twenty-nine their successors shall be appointed at the expiration of their respective terms to serve six years an appointment to fill a casual vacancy shall be only for the unexpired portion of the term three shall constitute a quorum they make and alter rules and regulations for their own organization and procedure consistent with the resolutions of the county commissioners and the rules of the Commonwealth they shall serve without compensation and make annually to the county commissioners a report of their transactions and recommendations they may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for in the discretion of the county commissioners by proper appropriation and resolution

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

In section one, page two, line 24, after the word "they" insert "may".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third and fourth sections were separately read and agreed to as follows:

Section 2 All resolutions of the county commissioners relating to the location of any public building in the county and to the location extension widening enlargement ornamentation or parking of any street boulevard parkway bridge tunnel subway or underground road park playground or other public grounds to the vacation of any highway or portion thereof or to the making or alteration of the county plan of highways or to any surface underground or elevated railway shall be furnished to the County Planning Commission twenty days before their passage and adoption by the county commissioners The said commission may make a report or suggestion in relation thereto if it deems the report necessary or advisable for the consideration of the said commissioners If the said report is made by the commission prior to the expiration of the said twenty days the county commissioners may immediately proceed with the adoption of the said resolution All such reports when delivered to the said commissioners shall be for the information of the public as well as for the commissioners and the commissioners shall furnish to any newspaper of the county on request for publication a copy of any such report

Section 3 The County Planning Commission may appear in any proceeding in the court of quarter sessions of said county with reference to the opening or vacation of any public road or highway bridge tunnel subway or underground road and file a report stating its views with reference thereto and may produce testimony before the said court in connection therewith

Section 4 The County Planning Commission may make or cause to be made and laid before the said county commissioners and in its discretion cause to be published a map or maps of the county and any portion or portions thereof including the territory extending three miles beyond the county limits showing the highways and other public improvements herein before specified and other natural or artificial features and also locations proposed by it for any new highways or other of such improvements or any widening extension or relocation of the same or any change in the county plan by it deemed advisable And it may make recommendations to the said commissioners from time to time concerning any such matters and things aforesaid for action of the county commissioners thereon and in so doing have regard for present conditions and future needs and growth of the county and the distribution and relative location of all the principal streets and railways waterways and all other means of public travel and business communication as well as the distribution and relative location of public buildings public grounds and open spaces devoted to public use and the planning and laying out for dwelling and business purposes of private grounds brought into the market from time to time

The fifth section was read as follows:

Section 5 The County Planning Commission may make recommendations to any public authorities or any corporations or individuals in such counties with reference to the location of any buildings structures or works to be erected or constructed by them All plans of streets or highways for public use and all plans plots and replots of land laid out in building lots and the streets highways alleys or other portions of the same intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto located within the county limits except those located within any city or borough within the said counties shall be submitted to the County Planning Commission and approved by it before it shall be recorded And it shall not be lawful to receive or record such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the County Planning Commission The disapproval of any such plan by the County Planning Comission shall be deemed a refusal of the proposed dedication shown thereon. The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the county concerning maintenance or improvement of any such dedicated lots until the proper authorities of the county shall have made actual appropriation of the same by entry use or improvement And the owners and purchasers shall be deemed to have notice of public plans maps and reports of the commission affecting such property within its jurisdiction provided however That this section shall not apply to property within cities or boroughs

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

In section five, page five, line twenty-one, strike out the word "accaptance," and insert "acceptance."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act creating, regulating and defining the powers of a County Planning Commission, and authorizing the creation of a county plan in counties of the second class; requiring the county commissioners to furnish to the commission, before passage, resolutions relating to county improvements to roads, lands, buildings or means of communication; authorizing the commission to report suggestions to the county commisioners concerning improvements, and to appear in court with reference thereto; authorizing the making of a county map and plan, including territory extending three miles beyond the county limits, showing proposed improvements in roads, lands, buildings and means of communication; making it unlawful to record plans of land with streets or highways intended for dedication to public use, except in boroughs or cities, without first securing approval from the commission; and making disapproval of a plan by the commission a refusal of proposed dedication.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 619 (Senate Bill No. 85), entitled:

An Act authorizing cities of the third class to regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of promoting the public health safety order convenience prosperity and general welfare cities of the third class may by ordinance regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces therein and may make different regulations for different districts thereof and may alter the same but no alteration of such regulations may be made except by the affirmative vote of not less than two-thirds of the elected or appointed members of the council or other local legislative body having jurisdiction

The second section was read as follows:

Section 2 It shall be the duty of the city planning commission of said cities where such bodies exist of a committee of the council or such other commission or committee as may be created by the council for the purpose to recommend to the council the boundaries of districts and appropriate regulations and restrictions to be imposed therein Such body shall make a tentative report and hold public meeting thereon before submitting its final report at such time as the council may require after such final report council shall afford persons interested an opportunity to be heard at a time and place to be specified in a notice of hearing to be published for ten consecutive days in a daily newspaper or newspapers of general circulation in said cities And the said cities shall not determine the boundaries of any district nor impose any regulations or restrictions until after the final report and after said hearing before council

The council of said cities may from time to time after public notice and hearing amend supplement or change said regulations restrictions or district boundaries Provided That if a protest against a proposed amendment supplement or change be presented duly signed by the owners of twenty per centum or more of the frontage proposed altered or by the owners of twenty per centum of the frontage immediately in the rear thereof or by the owners of twenty per centum of the frontage directly opposite the frontage proposed to be altered a three-fourths vote of the members of council shall be required

On the question,

Will the House agree to the section?

Mr. HEFFERNAN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

On line 11 of Section 2, on page 2, amend by capitalizing the word "At"

On line 26 of Section 2 on page 2, insert the words "to be" after the word "proposed".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section and title were separately read and agreed as follows:

Section 3 This act shall not apply to any existing or proposed building or extension thereof used or to be used by public service corporations if upon petition of the corporation the Public Service Commission shall after a public hearing decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public

An Act authorizing cities of the third class to regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 624, as follows:

An Act fixing the time for the Statute of Limitations to begin to run against the right of action for damages in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where a right to recover damages for injuries to person or property caused by the subsidence or caving in of any surface ground covering any mine or excavation accrues to any person or persons the statute of limitation shall begin to run against said right of action from the time of said subsidence or cave in

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 612, as follows:

An Act authorizing the election of a solicitor of townships by supervisors of second class townships in county convention assembled defining the duties of said solicitor of townships regulating the salary and the manner of payment thereof to the solicitor of townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every county in this Commonwealth the township supervisors of second class townships at any annual convention held in accordance with existing law may elect by a vote of a majority of the supervisors present one person learned in the law who shall be styled the solicitor of

townships and who shall serve for the term of two years from the date of his election.

Section 2 The law matters of the various townships shall be under the superintendence discretion and control of the solicitor of townships He shall whenever required furnish the supervisors of any township within the county with his opinion in writing upon any question of law which may be submitted by any of them in their official capacities

Section 3 The annual salary of the solicitor of townships elected under the provisions of this act shall be not less than one thousand dollars per annum and shall be paid in all cases by the townships in such proportions among them as the majority of the supervisors in convention assembled may decide The salary of the solicitor of townships shall be paid every six months

Section 4 All laws or parts of law inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 632, as follows:

An Act to amend an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-nine) entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" by exempting certain corporations from the provisions thereof

Secion 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" is hereby amended to read as follows

Section 1 Be it enacted et cetera That hereafter no person shall have power by any last will and testament or codicil or other testamentary writing to appoint as executor guardian trustee or other fiduciary any corporation other than a corporation organized and doing business under the laws of the Commonwealth of Pennsylvania and subject to supervision and examination by the Banking Department of this State or a corporation organized and existing under the laws of the United States doing business in this State and by resolution of its board of directors duly adopted a certified copy whereof shall have been placed on file with the Commissioner of Banking of this State agreeing to place itself under and to continue to be subject to supervision and examination by the State Banking Department in the same manner and to the same extent as corporations organized and existing under the laws of this State are or shall be subject and any such appointment in violation of the provisions of this section contained in any last will and testament codicil or other testamentary writing made after the date of the approval of this act shall be null and void

Section 2 Hereafter neither any court nor register of wills in this Commonwealth shall have power to appoint as administrator trustee guardian receiver committee or other fiduciary any corporation other than a corporation organized and doing business under the laws of the Commonwealth of Pennsylvania and subject to supervision and examination by the Banking Department of this State or a corporation organized and existing under the laws of the United States doing business in this State and by resolution of its board of directors duly adopted a certified copy whereof shall have been placed on file with the Commissioner of Banking of this State agreeing to place itself under and to continue to be subject to supervision and examination by the State Banking Department in the same manner and to the same extent as corporations organized and existing under the laws of this State are or shall be subject and any such appointment made by the court or register of wills in violation of the provisions of this section after the date of the approval of this act shall be null and void

Section 3 This act shall not apply to charitable religious educational or other corporations of a similar character nor shall the act be construed to prevent any court or testator from appointing any corporation as a trustee to execute a trust for its own use within the purposes of such corporations

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 557, as follows:

An Act relating to the assignment of rights to receive or recover a debt or money

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every right to receive or recover a debt or money may be assigned so as to vest the legal title to such right in the assignee and any such assignee may bring suit in his own name in the proper court to recover the right so assigned and vested in him

Section 2 All acts and parts of acts of the General Assembly of this Commonwealth in conflict herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 645, as follows:

An Act to regulate the allotting or subdividing of land which includes the location of streets lanes or alleys in counties of the second class except land within a city or borough by requiring the recording in the office of the Recorder of Deeds of a map or plat prior to the sale conveyance or mortgaging of any part thereof and providing penalties for the violation of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person firm or corporation who being the owner or agent of the owner of any land situated within a county of the second class in this Commonwealth except land within a city or borough makes or causes to be made a subdivision or allotment of said land which includes the location of streets lanes or alleys shall before selling conveying or mortgaging any lot parcel or tract thereof file for record in the office of the Recorder of Deeds of the county in which the land is situated a plan of the subdivision or allotment of said land

Section 2 That any person firm or corporation who makes or causes to be made a subdivision or allotment of land as aforesaid and sells conveys or mortgages any lot parcel or tract thereof before a map or plat of such subdivision or allotment has been recorded in the office of the Recorder of Deeds of the county in which the land is situated shall be subject to a penalty of one hundred ($100) dollars for each lot parcel or tract so sold conveyed or mortgaged to be sued for in any court having jurisdiction of an action for a fine or penalty by and for the use of the county of the second class in which the land is situated A description of such lot parcel or tract by metes and bounds in the deed mortgage or other instrument of sale conveyance or mortgage shall not be sufficient to exempt the seller mortgagor or agent from the penalty herein provided

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 563, as follows:

An Act to amend section one of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and ninety-nine) entitled "An Act regulating service of process from the courts of common pleas or other courts of record and extending the territorial jurisdiction thereof in certain cases" by authorizing the service of writs of summons in any county of the Commonwealth and to repeal section two of said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and ninety-nine) entitled "An Act regulating service of process from the courts of common pleas or other courts of record and extending the territorial jurisdiction thereof in certain cases" is hereby amended to read as follows

Section 1 Be it enacted et cetera That in all cases now pending or hereafter to be brought wherein any cause subject matter property or interest is within the jurisdiction of any court of common pleas or other courts of record and one or more of the parties in interest therein resides beyond the limits of such jurisdiction but within the Commonwealth the authority and jurisdiction of courts shall extend to writs of summons and to all rules notices and orders necessary in the course of procedure to be served upon the party or parties residing beyond such jurisdiction and within the Commonwealth In such cases any and all process issuing out of the court having jurisdiction of the subject matter shall be directed to the sheriff of the county who shall deputize the sheriff of the county wherein such person resides who shall make service thereof in the same manner and with the same force and effect as if the person had been served within the county wherein the process originated

The sheriff of the county making such service shall make a return thereof to the sheriff of the court having jurisdiction of the matter who shall return the same to the said court in the manner and with the same force and effect as provided by law for returns of service within the county

Section 2 Section two of said act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and ninety-nine) is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 529, as follows:

An Act concerning aeronautics and to make uniform the law with reference thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (Definition of Terms) in this Act "aircraft" includes balloon airplane hydroplane and every other vehicle used for navigation through the air A hydroplane while at rest on water and while being operated on or immediately above water shall be governed by the rules regarding water navigation while being operated through the air otherwise than immediately above water it shall be treated as an aircraft

"Aeronaut" includes aviator pilot ballonist and every other person having any part in the operation of aircraft while in flight

"Passenger" includes any person riding in an aircraft but having no part in its operation

Section 2 (Sovereignty in Space) Sovereignty in the space above the lands and waters of this State is declared to rest in the State except where granted to and assumed by the United States pursuant to a constitutional grant from the people of this State

Section 3 (Ownership of Space) The ownership of the space above the lands and waters of this State is declared to be vested in the several owners of the surface beneath subject to the right of flight described in section four

Section 4 (Lawfulness of Flight) Flight in air craft over the lands and water of this State is lawful unless at such a low altitude as to interfere with the then existing use to which the land or water or the space over the land or water is put by the owner or unless so conducted as to be imminently dangerous to persons or property lawfully on the land or water beneath The landing of an aircraft on the lands or waters of another without his consent is unlawful except in the case of a forced landing For damages caused by a forced landing however the owner or lessee of the air craft or the aeronaut shall be liable as provided in section five

Section 5 (Damage on Land) The owner of every aircraft which is operated over the lands or waters of this State is absolutely liable for injuries to persons or property on the land or water beneath caused by the ascent descent or flight of the aircraft or the dropping or falling of any object therefrom whether such owner was negligent or not unless the injury is caused in whole or in part by the negligence of the person injured or of the owner or bailee of the property injured If the aircraft is leased at the time of the injury to person or property both owner and lessee shall be liable and they may be sued jointly or either or both of them may be sued separately An aeronaut who is not the owner or lessee shall be liable only for the consequences of his own negligence The injured person or owner or bailee of the injured property shall have a lien on the aircraft causing the injury to the extent of the damage caused by the aircraft or objects falling from it

Section 6 (Collision of Aircraft) The liability of the owner of one aircraft to the owner of another aircraft or to aeronauts or passengers on either aircraft for damage caused by collision on land or in the air shall be determined by the rules of law applicable to torts on land

Section 7 (Jurisdiction Over Crimes and Torts) All crimes torts and other wrongs committed by or against an aeronaut or passenger while in flight over this State shall be governed by the laws of this State and the question whether damage occasioned by or to an aircraft while in flight over this State constitutes a tort crime or other wrong by or against the owner of such aircraft shall be dertermined by the laws of this State

Section 8 (Jurisdiction over Contracts) All contractual and other legal relation entered into by aeronauts or passengers while in flight over this State shall have the same effect as if entered into on land or water beneath

Section 9 (Dangerous Flying a Misdemeanor) Any aeronaut or passenger who while in flight over a thickly inhabited area or over a public gathering within this State shall engage in trick or acrobatic flying or in any acrobatic feat or shall except while in landing or taking off fly at such a low level as to endanger the persons on the surface beneath or drop any object except loose water or loose sand ballast shall be guilty of a misdemeanor and punishable by a fine of not more than one hundred dollars ($100) or imprisonment for not more than one year (1) or both

Section 10 (Hunting from Aircraft a Misdemeanor) Any aeronaut or passenger who while in flight within this State shall intentionally kill or attempt to kill any birds or animals shall be guilty of a misdemeanor and punishable by a fine of not more than one hundred dollars ($100) or by imprisonment for not more than (1) year or both

Section 11 (Uniformity of Interpretation) This Act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those States which enact it and to harmonize as far as possible with Federal laws and regulations on the subject of aeronautics

Section 12 (Short Title) This Act may be cited as the Uniform State Law for Aeronautics

Section 13 (Repeal) All acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 16, entitled:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary county prison or house of detention in this Commonwealth and providing penalties for the violation of this act

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person confined in any penitentiary county prison (whether such person to be a tried or untried prisoner) shall for any infraction of such prison rules and regulations be punished by being placed in solitary confinement or by having silence enforced upon him or her and no Warden Board of Prison Managers Prison Inspectors or any other person in authority in charge of any prison penitentiary shall pass any regulation or enforce any regulation in violation of this act

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mrs. SPEISER. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special for amendment and for a public nearing.

Mr. EDMONDS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 17, entitled:

An Act to define Solitary Confinement as a cruel and barbarous punishment and to provide for the abolishment of the same

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act solitary confinement shall be considered a cruel and barborous punishment and that same is hereby abolished and that all sentences for crimes now existing which carry with them punishment by solitary confinement shall have such part of the sentence repealed

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mrs. SPEISER. Mr. Speaker, I move this bill be recommitted to the Committee on Judiciary Special for amendment and a public hearing.

Mr. EDMONDS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 606, as follows:

An Act to further amend an act approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty) entitled "An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" providing for the rebuilding of decayed and unsafe bridges and certain bridges on State highways

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty) entitled "An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" which was amended by an act approved the twenty-first day of April one thousand nine hundred and three (Pamphlet Laws two hundred and thirty) entitled "An act to amend the first second third fourth and seventh sections of an act approved June third one thousand eight hundred and ninety-five entitled 'An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges'" is hereby further amended to read as follows

Section 1 That from and after the passage of this act the Commonwealth of Pennsylvania shall from time to time rebuild all bridges maintained owned and controlled by the several counties and known as county bridges and also bridges not exceeding five hundred feet in length on or connecting portions of any State highway which bridges are now or may hereafter be erected over and across the navigable rivers and such other streams as have been declared public highways by act of assembly which may hereafter be carried away or destroyed bv flood or wind storm or become so decayed or unsafe as to require rebuilding

Section 2 That section two of said act is hereby further amended to read as follows

Section 2 Whenever any such county bridge shall be so carried away or destroyed by flood or wind storm or any such county or other bridge has become so decaved or unsafe as to require rebuilding the county commissioners of the county in which such bridge may be located or when such bridge crosses the boundary line between two counties then the commissioners of both counties may apply by petition to the court of common pleas of Dauphin county setting forth fully in said petition the location of such bridge the time when a bridge was first erected in the same location the time when the bridge was carried away by flood or destroyed by wind storm or became so decayed or unsafe the character of the bridge so carried away destroyed decayed or unsafe and the probable cost of replacing the same Whereupon it shall be the duty of the court to appoint five viewers one of whom shall be a civil engineer and not more than two of whom shall be residents of the county wherein such bridge is proposed to be built The viewers so appointed after having been duly qualified to faithfully perform their duties proceed to view the location of the proposed bridge and make report at such time as the court may direct which report shall contain an accurate statement of the kind and character of the bridge carried away or destroyed or decayed or unsafe which it is proposed to replace the length of time since the first bridge was built on the proposed location the length of the bridge together with a recommendation of viewers as to the kind of bridge needed and the probable cost thereof and it shall be the duty of the said viewers to inquire whether the accommodations of the traveling public in the locality demands the rebuilding of said bridge Provided That the Attorney General shall have due notice of the time of filing the petition and the application for viewers and it shall be his duty to appear for and defend the interests of the Commonwealth in all such proceedings

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 594, as follows:

An Act authorizing the county commissioners to appropriate county moneys to incorporated agricultural and horticultural societies and associations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of the several counties of this Commonwealth are hereby authorized to appropriate annually out of the current revenues of the county moneys to any incorporated agricultural or horticultural society or association located within the county The total amount of any such appropriation in any one county shall not exceed fifteen hundred dollars in any one year and where more than one such society or association is located in the county the amount appropriated may be distributed and divided among said societies and associations in such proportions and such amounts as the board of county commissioners in its discretion may determine

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 595, as follows:

An Act to further amend section three of an act approved the nineteenth day of March one thousand nine hundred and fifteen (Pamphlet Laws five) entitled "A further supplement to an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court thejuvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" as amended by requiring the salary board to fix the salaries of all employes of such juvenile court

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assmbly met and it is hereby enacted by the authority of the came That section three of an act approved the nineteenth day of March one thousand nine hundred and fifteen (Pamphlet Laws five) entitled "A further supplement to an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" which was amended by section one of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws nineteen) entitled "An Act to amend section one of article two chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen entitled 'An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs'" is hereby further amended to read as follows

Section 3 The presiding judge shall appoint a chief probation officer and such additional probation officers as the majority of judges may determine The compensation of all employes of the said juvenile court shall be fixed by the salary board the presiding judge of the said court shall constitute a member of the salary board when such salaries are to be fixed the powers and duties of the probation officers as herein appointed shall be similar to those heretofore exercised by probation officers appointed by the court of quarter sessions of the peace of said county in addition to such compensation the probation officers shall receive such expenses as may be necessary and shall have been approved by the judge of the juvenile court said compensation and expenses shall be paid monthly out of the treasury of Allegheny County in the manner in which other county expenses are paid by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 232, entitled:

An Act to amend chapter eleven article two of the Act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That chapter eleven article two section seven hundred and fifty of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" which reads as follows

"Section 750 Whenever any highways in townships of the first or second class are so located as to render them liable on account of high wind during the winter season to be so filled with snow as to make them impassable and in the judgment of the supervisors or commissioners as the case may be such drifts of snow can be avoided by the removal of any fence erected along either side of such highway and replacing the same by a fence constructed of posts wire and boards or rail combined such supervisors or commissioners may agree with the owners of such fences upon a plan for the erection of a fence constructed of posts wire and boards or rail combined The township may pay the owners of such fences a sum not to exceed the first cost of the wire used in the construction of such fences The wire used in the construction of such fences shall be without barbs This section shall not apply to any stone wall hedge or ornamental fence"

is hereby amended to read as follows

Section 750 Whenever any highways in townships of the first or second class are so located as to render them liable on account of high winds during the winter season to be so filled with snow as to make them impassable and in the judgment of the supervisors or commissioners as the case may be such drifts of snow can be avoided by the removal of any dry stone wall or fence erected along either side of such highway and replacing the same by a fence constructed of posts and wire such supervisors or commisisoners may agree with the owner or owners of such walls or fences upon a plan for the erection of a fence constructed of posts and wire The township may pay the owner or owners of such walls or fences a sum not to exceed the first cost of constructing a fence of posts and wire Barbed wire shall not be used In the event of the failure to agree with the owner or owners of any such dry wall or fence as the supervisors or commissioners may deem necessary to remove in order that the accumulation of snow in a public road may be prevented the supervisors or commissioners as the case may be may remove the same and the compensation to be paid by the owner or owners of any such dry walls or fences shall be

determined as authorized in sections six hundred and ninety-six and six hundred and ninety-seven of this act From any award made and entered upon the justice's docket an appeal may be taken by any party aggrieved to the court of common pleas Stone walls laid in lime or cement mortar concrete walls hedge or ornamental fence shall not be removed by the supervisors or commissioners

The second section was read as follows:

Section 2 That chapter eleven article two of said act is hereby amended by adding thereto the following section

Section 751 It shall be the duty of all owners of land abutting on the public roads or highways in townships of the first and second class to cut or mow or cause to be cut or mown all small trees brush briers and weeds growing between the beaten track of the road and the side of the road within the legal width thereof at least once during the months of either June July and August of each and every year and to remove the same by burning or hauling away before the first day of October next following so as not to interfere with the flow of water or cause the accumulation of snow Upon the refusal or failure of any owner or owners of land abutting on the public roads to comply with the provisions of this section it shall be the duty of the supervisors or township commissioners of the respective townships to proceed after the first day of September of each year to cut the obstructions outlined in this act All work or expense incident to performing of such duty by the supervisors or township commissioners shall be charged against the abutting lands and may be collected from the owner or owners thereof as debts of like amount are now by law collected

This section shall not apply to any section of road passing through forest or timber lands

Any neglect or refusal on the part of the supervisors or township commissioners of any township to enforce or comply with the provisions of this section shall subject them to such penalty as is now provided by law for neglect of their duties

The provisions of this section shall take effect on the first day of July one thousand nine hundred and twenty-four

On the question,

Will the House agree to the section?

Mr. HASLETT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, lines 8 and 9 by striking out and eliminating from the bill "during the months of either June, July and August" and inserting in lieu thereof "between the first day of June and the First day of August"

Amend section 2, page 3, by adding after the words "Timber-lands" in line 10 the following "unless such lands and timber are maintained for growing timber only"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section and title were separately read and agreed to as follows:

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

An Act to amend chapter eleven article two of the Act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 560, as follows:

An Act to repeal the act approved the twenty-third day of February one thousand eight hundred and seventy (Pamphlet Laws two hundred and twenty-three) entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county" and the act approved the nineteenth day of May one thousand eight hundred and seventy-one (Pamphlet Laws nine hundred eighty-three) entitled "A supplement to an act entitled 'An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county' passed the twenty-third day of February Anno Domini one thousand eight hundred and seventy"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-third day of February one thousand eight hundred and seventy (Pamphlet Laws two hundred and twenty-three) entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county" and the act approved the nineteenth day of May one thousand eight hundred and seventy-one (Pamphlet Laws nine hundred and eighty-three) entitled "A supplement to an act entitled 'An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county' passed the twenty-third day of February Anno Domini one thousand eight hundred and seventy" are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 652, as follows:

An Act relating to suits against and service to process upon corporations organized and existing under the laws of the Commonwealth of Pennsylvania ceasing to do business or ceasing to maintain an office within the Commonwealth and the effect of such service

Section 1 Be it enacted by the Senate and House of Representatives of the Commownealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the Same That in all cases where any corporation organized and existing under the laws of the Commonwealth of Pennsylvania shall have ceased doing business within this Commonwealth or ceased to maintain an office for the transaction of its business within this Commonwealth it shall be lawful to sue said company in any county in this Commonwealth where said corporation last conducted its business or last maintained an office for the transaction of its business and legal process may be served on such corporation in the following manner

(a) Upon any of the officers of the corporation who signed the last annual report to the Auditor General if any such officers can be found within the county

(b) If no such officer can be found within the county then upon the Secretary of the Commonwealth whose duty it shall be to mail the process served upon him to the last known address of the corporation

Section 2 Service made in accordance with the above provisions shall be as effective to confer jurisdiction upon the court in which suit is brought as if duly served in the manner provided by existing laws for the service of process upon corporations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 617, entitled:

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" so as to permit the orphans' court in its discretion to permit a corporation appointed as trustee in the place of an executor or executors trustee or trustees dying renouncing dismissed or refusing to act to give its own bond without surety

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clauses (b) and (c) of section fifty-six of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate for the lien thereof contracts of decedents for the sale or purchase of real estates legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisment of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante abesntia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" are hereby amended to read as follows

(b) Whenever in any of the cases enumerated in clause (a) of this section all of the said executors or trustees shall die renounce resign be dismissed from or refuse to act in the said trust it shall be lawful for the orphans' court having jurisdiction of the accounts of such executors or trustees on the application of any party interested and with notice to all persons interested so far as such notice can reasonably be given to appoint a trustee or trustees in place of the executor or executors trustee or trustees so dying renouncing resigning dismissed or refusing to act and to require the person or persons so appointed to enter sufficient security for the faithful performance of the trust or in the case of a corporation duly authorized by its charter or by law to act as executor administrator or trustee being appointed the court may permit such corporation to give its own bond without security The trustee or trustees so appointed shall have the same power and interest over and in the property in trust as the executor or executors trustee or trustees in whose stead he or they shall be so appointed as aforesaid It shall also be lawful for the said court to appoint a successor or successors to such trustees from time to time whenever from death resignation or otherwise the same shall be necessary or expedient

(c) In all cases of trusts created by will and annexed to the officer of executor such executor may decline to accept the trust or be discharged therefrom without affecting his office of executor and the orphans' court of the proper county shall have the power to fill the vacancy by appointment and if a trust fund or estate is committed to an executor or other trustee in which several cestuis que trust have or are entitled to enjoy a separate interest and a vacancy should in any manner occur in the office of the trustee thereof then said court may appoint one or more trustees of such estate or fund for each of the said cestuis que trust on his or her application and the said trustee shall give security as in other cases and if a corporation is appointed the court may permit it to give its own bond without security

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. CRAIG. Mr. Speaker I move that House Bill No. 617 be recommitted to the Committee on Judiciary General for a hearing.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 741 (Senate Bill No. 1), entitled:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of one hundred millions of dollars for the improvement of the highways of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 744 (Senate Bill No. 53), entitled:

An Act fixing the per diem compensation of registry or assistant assessors in townships of the first class for the performance of election duties and the method of ascertaining the number of days employed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 751 (Senate Bill No. 40), entitled:

An Act fixing the salary of the prothonotary in counties of the eighth class and providing for the payment of all fees and commissions into the county treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 748 (Senate Bill No. 191), entitled:

An Act to amend section one of the act approved the seventh day of July, 1913 (P. L. 693) entitled "An Act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon as provided by Article 18, Section 1, of the Constitution."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 383, entitled:

An Act to repeal the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and seventy-three) entitled "An Act to authorize the compilation and publication of not less than two nor more than four volumes of Statutes at Large of Pennsylvania in addition to the sixteen volumes heretofore authorized additional volumes being necessary to connect the Statutes at Large and the Pamphlet Laws of Pennsylvania in a serial and complete publication of the Laws of the Province and Commonwealth and to provide for the appointment of a Commission to control and supervise the preparation of said volumes and of a competent person to compile and edit them and making an appropriation therefor."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Albert,	Gallaher,	Malie,	Sautter,
Allman,	Gelder,	Mangan,	Schaeffer,
Anderson,	Gilchrist,	Marshall, J. G.,	Schilling,
Arthur,	Goehring,	Marshall, W. F.,	Schleiter,
Asbury,	Greeby.	Mathay,	Schwartz,
Baker,	Griffith,	McBride,	Shambach,
Beaver,	Haas,	McCaig,	Sheridan,
Behney,	Haines,	McCann,	Smith, G. A.,
Bell, F. A.,	Hall,	McClure,	Smith, H. J.,
Bell, W. T.,	Harer,	McCurdy,	Smith, H.,
Bentley,	Harter,	McDaniel,	Smith, J. W.,
Berger,	Haslett,	McGowan,	Speiser,
Betts,	Haws,	McKim,	Sprowls,
Bidelspacher,	Heffran,	McVicar,	Stark,
Blumberg,	Henderson,	Metcalf,	Staudenmeier,
Brewster,	Hetrick,	Millar,	Sterling,
Brown,	Heyburn,	Miller,	Stevens, A. J.,
Burchinal,	Himes,	Minehart,	Stevens, A. F.,
Burns,	Hollis,	Moffatt,	Stoner,
Bush,	Hontz,	Moore,	Storb,
Chaplin,	Hoover,	Morrison,	Storer,
Clutton,	Horne,	Munley,	Thomas, L. D.,
Coldsmith,	Howell,	Myers, G. C.,	Thomas, M. G.,
Conner,	Huber,	Myers, P. M.,	Van Alen,
Craig,	Irvin,	Nolte,	Walker,
Diehm,	Johnson,	O'Boyle,	Weamer,
Dietz,	Jones, C. B.,	Ogle,	Wells,
Dilsheimer,	Jones, D. J.,	Orr,	Wettach,
Driggs,	Jones, E. P.,	Parkinson,	Wheeler,
Drinkhouse,	Keene,	Patterson,	Whiteman,
Eaches,	Kennedy,	Peelor,	Williams, G. W.,
Earley,	Kohler,	Perry,	Williams, J. M.,
Edmonds,	Kunkle,	Pitts,	Woner,
Evans, B. P.,	Labar,	Posey,	Wood, N.,
Fields,	Lafferty,	Post,	Wood, W. P.,
Flinchbaugh,	Little,	Price,	Wright,
Flynn,	Long,	Raymond,	Zook,
Fowler, A. I.,	Lucas,	Rinn,	Goodnough,
Fowler, D.,	Ludlow,	Rippman,	Speaker.
Frazier,	Mack,	Sample,	

NAYS—1.

Whitehouse.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 545, entitled:

An Act to amend sections one and two of an act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and sixty-three) entitled "An Act legalizing and making it lawful to build fences constructed in whole or in part of wire along the public highways and as division fences" permitting the use of fences of wire with barb

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—84.

Albert,	Fowler, D.,	Labar,	Schleiter,
Allman,	Gallaher,	Little,	Shambach,
Anderson,	Goehring,	Long,	Speiser,
Arthur,	Golder,	Ludlow,	Stevens, A. F.,
Asbury,	Griffith,	Malie,	Stevens, A. J.,
Baldi,	Gundy,	Mangan,	Storb,
Beaver,	Harter,	Marshall, J. G.,	Thomas, M. G.,
Bell, F. A.,	Haslett,	Marshall, W. F.,	Thompson,
Bentley,	Henderson,	McBride,	Vickerman,
Blair,	Holcombe,	McDermott,	Weamer,
Brenneman,	Hollis,	McKim,	Wettach,
Brewster,	Hontz,	Moffatt,	Wheeler,
Bromley,	Hoover,	Moore,	Williams, G. W.,
Brown,	Horne,	Morrison,	Wood, N.,
Brownmiller,	Huber,	Ogle,	Wood, W. P.,
Coldsmith,	Irvin,	Peelor,	Wright,
Diehm,	Jones, D. J.,	Pitts,	Zook,
Earley,	Jones, E. P.,	Posey,	Goodnough,
Edmonds,	Keene,	Post,	Speaker.
Eshelman,	Kelly,	Raymond,	
Evans, B. P.,	Kennedy,	Richards,	
Fowler, A. I.,	Kunkle,	Sample,	

NAYS—62.

Alexander,	Gelder,	McClure,	Schwartz,
Aston,	Gibbon,	McCurdy,	Sheridan,
Baker,	Greeby,	McGowan,	Smith, H.,
Behney,	Haas,	Metcalf,	Smith, J. W.,
Berger,	Haines,	Miller,	Sowers,
Betts,	Hall,	Minehart,	Spangler,
Bluett,	Harer,	Munley,	Staudenmeier,
Blumberg,	Heffernan,	Myers, G. C.,	Stavitski,
Burns,	Heffran,	Myers, P. M.,	Steedle,
Bush,	Hetrick,	Nolte,	Storer,

Chaplin,	Heyburn,	O'Boyle,	Thomas, L. D.,
Craig,	Howell,	Parkinson,	Whitehouse,
Dilsheimer,	Johnson,	Patterson,	Williams, J. M.,
Drinkhouse,	Lauver,	Rippman,	Woner,
Eaches,	Lucas,	Sautter,	
Fields,	Mathay,	Schaeffer,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RECESS.

Mr. SPEAKER. If there are no objections the Chair will declare a recess until 4:30 o'clock this afternoon.

Whereupon at 1:25 o'clock P. M. the House took a recess until 4:30 o'clock this afternoon.

AFTER RECESS.

The House reconvened at 4:30 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 61. (HOUSE BILL No. 889).

An Act to carry into effect section eleven of article one of the Constitution of Pensylvania by designating the manner the courts and the cases in which suits may be brought against the Commonwealth; defining the procedure in such cases and providing for the payment of judgments interest and costs by the Commonwealth.

Referred to Committee on Judiciary General.

SENATE BILL No. 240. (HOUSE BILL No. 890).

An Act to amend section six of an act approved June 20, 1917 (P. L. 618), entitled "An Act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations the manner of appointments, and the manner and power of removal of employes of said department; and providing a method for fixing compensation," as amended.

Referred to Committee on Municipal Corporations.

SENATE BILL No. 303. (HOUSE BILL No. 892).

An Act to amend section three and section four of an act approved the fifth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seventy-four), entitled "An Act providing for the licensing and regulation of corporations, co-partnerships, associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates, securities, contracts or other choses in action evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid some future time with or without profits, and imposing penalties."

Referred to Commitee on Banks and Banking.

SENATE BILL No. 362. (HOUSE BILL No. 893).

An Act regulating the practice of law in courts not of record.

Referred to Committee on Judiciary General.

SENATE BILL No. 337. (HOUSE BILL No. 891).

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commisioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenanace and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commisioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages.

Referred to the Committee on Judiciary General.

Mr. MILLAR, from the Committee on Insurance, reported as committed House Bill No. 416, entitled:

An Act to amend section three hundred and four of an act, approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 682), entitled "An Act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws."

Mr. KOHLER, from the Committee on Judiciary General, reported as committed House Bill No. 461, entitled:

An act to better secure all bonds, stocks, mortgages or other securities deposited with the State Treasurer by providing for their inspection, examination and verification and the verification of the books containing a record of such bonds, stocks, mortgages or other securities by the Auditor General or his agents.

Mr. ALLEN J. STEVENS, from the Committee on Military, reported as committed House Bill No. 759, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section seventeen.

Mr. ALBERT, from the Committee on Labor and Industry, reported as committed House Bill No. 850, entitled:

An Act to amend section three of an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, (P. L. 1024), entitled "An Act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," as amended.

Mr. SCHAEFFER, from the Committee on Labor and Industry, reported as committed House Bill No. 434, entitled:

An Act to amend section four of an act approved the thirteenth day of May, Anno Domini, one thousand nine hundred and fifteen, entitled, "An Act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," changing the maximum number of hours in the working day and working week for minors.

Mr. JOSEPH MARCUS, from the Committee on Judiciary General, reported as committed House Bill No. 623, entitled:

An Act to amend section five of an act approved the nineteenth day of May, one thousand eight hundred and seventy-four (Pamphlet Laws, two hundred six), entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants, and to provide for the election of Judges thereof," as amended, by changing the provision for appointment of first assistant clerks so as to conform to the Constitution and giving to the Court and Register of Wills joint power to modify the salaries fixed for any assistant clerk.

Mr. ANDREW F. STEVENS from the Committee on Military reported as amended, House Bill No. 600, entitled:

An Act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic, the United-Spanish War Veterans and American Legion a part of the public records of the State; and providing for their publication and distribution.

Mr. SOWERS from the Committee on Judiciary General, reported as committed, House Bill No. 690, entitled:

An Act requiring the judges of all courts of record to render their decisions within six months after the trial or argument of a case, or after a petition is presented.

Mr. BUSH from the Committee on Military, reported as committed, House Bill No. 760, entitled:

An Act to amend section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 473) entitled, "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors, or marines, designated as 'deceased service men;' defining the term 'deceased service man'; and authorizing county commissioners to provide headstones, markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

Mr. FRAZIER from the Committee on Military, reported as committed, House Bill No. 697, entitled:

An Act making it unlawful for any county, city, borough or incorporated town to prohibit the wearing of certain military insignia by its employees upon their uniforms.

Mr. BLUETT, from the Committee on Judiciary General, reported as committed House Bill No. 758, entitled:

An Act to amend section twenty-three of the act approved the thirtieth day of June, one thousand nine hundred and nineteen (P. L. 678) entitled, "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof; and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended, providing for the increase of punishment for violence of any of the provisions of said section.

Mr. COLDSMITH, from the Committee on Military, reported as committed House Bill No. 691, entitled:

A Supplement to the act approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (P. L. 322) entitled, "An Act creating a commission to select an historic spot as a cemetery for the burial of bodies of soldiers, sailors, marines, war nurses, and members of the National Guard; defining the powers and duties of the Commission; and making an appropriation," extending the time for the making of the report of the Commission and making an additional appropriation.

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed House Bill No. 707, entitled:

An Act to amend section seventy-nine of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 382), entitled "An Act to consolidate. revise and amend the penal laws of this Commonwealth," providing for the increase of punishment in cases of involuntary manslaughter.

Mr. MILLAR, from the Committee of Judiciary General reported as amended House Bill No. 862 (Senate Bill No. 75), entitled:

An Act to amend section seventy-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth" by providing the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be.

Mr. WHITEHOUSE from the Committee on Judiciary General as committed House Bill No. 747, (Senate Bill No. 118), entitled:

An Act providing that the county controller shall be made a party defendant in all suits against any county.

Miss MacKINNEY from the Committee on Law and Order, as committed House Bill No. 809, (Senate Bill No. 99), entitled:

An Act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws

Mr. HONTZ from the Committee on Military as committed House Bill No. 811 (Senate Bill No. 235) entitled:

An Act relative to the burial of the bodies of deceased widows of soldiers, sailors and marines at county expense.

Mr. BIDELSPACHER from the Committee on Judiciary General, as committed, House Bill No. 865 (Senate Bill No. 302), entitled:

An Act authorizing and empowering the county treasurers in counties of the third class to appoint a solicitor prescribing his duties and providing for the compensation of such solicitor.

Mr. HOLCOMBE, from the Committee on Military, reported as committed House Bill No. 753 (Senate Bill No. 199), entitled:

An Act to exempt certain real estate of certain organizations of war veterans from taxation.

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed House Bill No. 864 (Senate Bill No. 183), entitled:

An Act requiring prothonotaries to mark the time judgments are left at the office for entering, providing for the priority of such liens to be determined according to such time.

Mr. GOEHRING, from the Committee on Judiciary General, reported as committed House Bill No. 746 (Senate Bill No. 100), entitled:

An Act to amend section ten of an act approved June 27, 1895, (P. L. 403), entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

Mr. EDMONDS, from the Committee on Judiciary General, reported as committed, House Bill No. 749 (Senate Bill No. 194), entitled:

A supplement to an act approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," providing a procedure to incur or to increase indebtedness where the existing indebtedness is less than two per centum but the amount to be incurred exceeds two per centum of the assessed value of the taxable property; and providing that this act shall apply to pending proceedings.

Mr. DAVID J. JONES, from the Committee on Judiciary Local, re-reported as amended House Bill No. 380, entitled:

An Act to amend section one of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand seventy-two) entitled "An Act providing a method for establishing title to land at a sale for unpaid taxes"

Mr. POST, from the Committee on Law and Order reported with a negative recommendation House Bill No. 414, entitled:

An Act prohibiting sheriffs from suppressing riots and disturbances in certain cities, boroughs and townships, without the request of the local police authorities.

BILL RE-REFERRED.

Mr. HASLETT returned from the committee on Judiciary Local with the recommendation that it be re-referred to the Committee on Judiciary General, House Bill No. 27, entitled:

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and nineteen, (P. L. 461), entitled "An Act to provide for the removal or retirement of judges of the Supreme, Superior, common pleas, orphans', municipal, and county court, permanently disqualified by reason of physical or mental disability to perform their regular judicial functions or duties, and providing for the payment of compensation to them during the balance of the term for which they may have been elected, and in certain cases, for the remainder of their lives after resignation or retirement, and for filling the vacancies caused thereby; providing for judges who have been retired or who may have retired or resigned under provisions of previous acts or otherwise; and repealing certain acts."

The SPEAKER. The bill is now re-referred to the Committee on Judiciary General.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 25.

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of January one thousand nine hundred and twenty-three

HOUSE BILL No. 26.

An Act to amend section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" providing for the sale of the real and personal property of a decedent without known heirs kindred or surviving spouse and the payment of the net proceeds of such sale into the State Treasury

HOUSE BILL No. 267.

An Act validating certain proceedings and elections of counties cities boroughs townships school districts and other incorporated districts or municipalities had and held or pending pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections

HOUSE BILL No. 280.

An Act providing for the assessment and collection as benefits from the abutting property owners of the borough's share of the cost of the improvement of a street which forms part of a State Highway where such improvement has been heretofore made by the State Highway Department

HOUSE BILL No. 371.

An Act to amend clause (c) of section three hundred and six of an Act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an

elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended

HOUSE BILL No. 296.

An Act to amend section fifty-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to consolidate Revise and Amend the Penal Laws of this Commonwealth"

HOUSE BILL No. 232.

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged

HOUSE BILL No. 82

A Supplement to an Act entitled "An Act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and twenty-one" as approved the twenty-seventh day of May Anno Domini one thousand nine hundred and twenty-one providing for deficiencies in certain appropriations made to the Executive Judicial and Legislative Departments by the act to which this is a supplement and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by certain of the Executive Judicial and Legislative Departments not provided for by said act

HOUSE BILL No. 159.

An Act regulating the location of certain stables in cities of the first class and providing penalties

HOUSE BILL No. 281.

An Act to amend Section two of Article sixteen of an Act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Law five hundred and eighty-one) entitled "An Act for the better government of cities of the first class of the Commonwealth of Pennsylvania"

HOUSE BILL No. 34.

An Act to amend clause two of section three hundred and eighty-six of an Act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" by extending the power to tax property for lighting purposes in second class townships

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 605, entitled:

An Act to amend section one of article two of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws, twenty), entitled, "An Act for the government of cities of the second class," as amended, by changing the name of the Department of Charities to the Department of Public Welfare.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SOWERS. Mr. Speaker, I would like to have an explanation of the bill from the sponsor.

The SPEAKER. Will the gentleman from Allegheny, Mr. Little, permit himself to be interrogated?

Mr. LITTLE. Yes, sir, Mr. Speaker.

Mr. SOWERS. Mr. Speaker. I would like to have the sponsor make some explanation of his bill.

Mr. LITTLE. Mr. Speaker and members of the House, the purpose of the bill is very plain as read off, so that everybody will understand it. The main purpose of the bill is to get away from the odious name of the Department of Charity, and in order that the scope of its work may be better defined, as many of its activities include the uplifting and betterment of people that cannot be construed as charity. Since Philadelphia and the State have long ago dispensed with the name "charity" in this department, I believe that cities of the second class in Pennsylvania should fall in line and adopt this progressive and more pleasant idea of dispensing good amongst their people.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Alexander,	Fields,	Labar,	Schaeffer,
Anderson,	Flinchbaugh,	Lafferty,	Schleiter,
Armstrong,	Fowler, A. I.,	Little,	Schoener,
Arthur,	Fowler, D.,	Long,	Schwartz,
Aston,	Fratt,	Lucas,	Shambach,
Baker,	Frazier,	Ludlow,	Smith, G. A.,
Behney,	Gallaher,	MacKinney,	Smith, H.,
Bell, F. A.,	Gelder,	Malie,	Sowers,
Bell, W. T.,	Gibbon,	Marcus, J. C.,	Spangler,
Berger,	Goehring,	Marshall, J. G.,	Speiser,
Bidelspacher,	Golder,	Marshall, W. F.,	Sprowls,
Blair,	Goss,	Mathay,	Stark,
Bluett,	Griffith,	McBride,	Staudenmeier,
Blumberg,	Gundy,	McCann,	Stavitski,
Brenneman,	Haas,	McCaig,	Steedle,
Brewster,	Haines,	McCurdy,	Stevens, A. J.,
Bromley,	Hall,	McDaniel,	Stevens, A. F.,
Brown,	Harer,	McKim,	Storb,
Brownmiller,	Haslett,	McVicar,	Storer,
Burchinal,	Haws,	Metcalf,	Thomas, L. D.,
Bush,	Heffran,	Miller,	Thomas, M. G.,
Chaplin,	Henderson,	Moore,	Van Alen,
Clutton,	Hetrick,	Munley,	Vickerman,
Coldsmith,	Heyburn,	Myers, G. C.,	Walker,
Conner,	Himes,	Myers, P. M.,	Weamer,
Coyne,	Holcombe,	Nolte,	Wells,
Craig,	Hollis,	O'Boyle,	Wettach,
de Young,	Hontz,	Orr,	Wheeler,
Diehm,	Hoover,	Parkinson,	Whitehouse,
Dilsheimer,	Howell,	Patterson,	Whiteman,
Donahoe,	Huber,	Peelor,	Williams, G. W.,
Driggs,	Irvin,	Pitts,	Williams, J. M.,
Drinkhouse,	Jones, C. B.,	Posey,	Woner,
Dunn,	Jones, D. J.,	Post,	Wood, N.,
Eaches,	Jones, E. P.,	Raymond,	Wood, W. P.,
Earley,	Keene,	Richards,	Wright,
Edmonds,	Kelly,	Rippman,	Zook,
Eshelman,	Kennedy,	Sample,	Goodnough,
Evans, B. P.,	Kohler,	Sarig,	Speaker.
Evans, J.,	Korns,	Sautter,	

NAYS—2.

Albert, Minehart,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING.

The SPEAKER. If there are no objections the Chair will take up Bills on Second Reading, on page 14 of today's calendar. Are there objections? The Chair hears none.

RECONSIDERATION OF VOTE.

Mr. WALKER. Mr. Speaker, I move that the vote by which the House agreed to transcribe for a third reading House Bill No. 232, file folio 1217, entitled:

An Act to amend chapter eleven article two of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" be reconsidered.

Mr. HEFFRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. Speaker, I move that the vote by which this bill was agreed to on second reading as amended by reconsidered.

Mr. HEFFRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. Speaker, I move that the vote by which the House agreed to the title be reconsidered?

Mr. HEFFRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. Speaker, I move that the vote by which the House agreed to the third section be reconsidered.

Mr. HEFFRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. Speaker, I move that the vote by which the House agreed to section 2 as amended be reconsidered.

Mr. HEFFRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. Speaker, I move that the vote by which the House agreed to the amendment offered by the gentleman from Venango, Mr. Haslett, be reconsidered.

Mr. HEFFRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to section 2?

Mr. WALKER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 3, line 28, and page 4, line 1, by striking out after the word "once" the folowing: "during the months of either June, July and August" and inserting in lieu thereof the following: "between the first day of June and the first day of August".

Amend section 2, page 4, line 16, by adding after the word "lands" the following: "Unless such lands and timber are maintained for growing timber only".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section and title were separately read and agreed to as follows:

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

An Act to amend chapter eleven article two of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 635, entitled:

An Act to amend section six of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated "as deceased service men" defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albert,	Fratt,	Malie,	Schwartz,
Alexander,	Gallaher,	Marshall, J. G.,	Shambach,
Anderson,	Gelder,	Mathay,	Sheridan,
Armstrong,	Gibbon,	McBride,	Smith, H. J.,
Aston,	Gilchrist,	McCaig,	Smith, H.,
Baker,	Glasgow,	McCann,	Smith, J. W.,
Baldi,	Goehring,	McClure,	Sowers,
Beaver,	Golder,	McCurdy,	Spangler,
Behney,	Gorham,	McDaniel,	Speiser,
Bell, F. A.,	Goss,	McDermott,	Sprowls,
Bell, W. T.,	Greeby,	McKim,	Stark,
Betts,	Griffith,	McVicar,	Stavitski,
Bidelspacher,	Grimes,	Metcalf,	Steedle,
Blair,	Haslett,	Miller,	Sterling,
Bluett,	Haws,	Minehart,	Stevens, A. J.,
Blumberg,	Heffernan,	Moffatt,	Stevens, A. F.,
Brenneman,	Heffran,	Moore,	Stoner,
Brewster,	Henderson,	Morrison,	Storb,
Bromley,	Hetrick,	Munley,	Storer,
Brownmiller,	Heyburn,	Myers, G. C.,	Thomas, L. D.,
Burchinal,	Himes,	Myers, P. M.,	Thomas, M. G.,
Bush,	Holcombe,	Nolte,	Thompson,
Chaplin,	Hollis,	O'Boyle,	Van Alen,
Clutton,	Hontz,	Ogle,	Vickerman,
Coldsmith,	Howell,	Orr,	Walker,
Conner,	Huber,	Parkinson,	Weamer,
Coyne,	Irvin,	Patterson,	Wells,
Craig,	Johnson,	Peelor,	Wettach,
de Young,	Jones, C. B.,	Perry,	Wheeler,
Dilsheimer,	Keene,	Pitts,	Whitehouse,
Driggs,	Kelly,	Posey,	Whiteman,
Drinkhouse,	Kennedy,	Post,	Williams, G. W.,
Dunn,	Kohler,	Price,	Williams, J. M.,
Eaches,	Korns,	Raymond,	Woner,
Earley,	Kunkle,	Richards,	Wood, N.,
Edmonds,	Labar,	Rippman,	Wood, W. P.,
Evans, B. P.,	Little,	Sample,	Wright,
Evans, J.,	Long,	Sarig,	Zook,
Fields,	Lucas,	Sautter,	Goodnough,
Flinchbaugh,	Ludlow,	Schaeffer,	Speaker.
Fowler, A. I.,	Lynch,	Schleiter,	
Fowler, D.,	MacKinney,	Schoener,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 588, entitled:

An Act to regulate the allotting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plat prior to the

sale, conveyance or mortgaging of any part thereof and providing penalties for the violation of the act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Albert,	Flynn,	Lynch,	Schaeffer,
Alexander,	Fowler, A. I.,	Mack,	Schleiter,
Anderson,	Fowler, D.,	MacKinney,	Schoener,
Armstrong,	Fratt,	Marcus, J. C.,	Shambach,
Asbury,	Frazier,	Marshall, J. G.,	Sheridan,
Aston,	Gallaher,	Mathay,	Smith, H. J.,
Baker,	Gelder,	McBride,	Smith, H.,
Baldi,	Gibbon,	McCaig,	Sowers,
Beaver,	Gilchrist,	McCann,	Spangler,
Behney,	Glasgow,	McClure,	Speiser,
Bell, F. A.,	Goehring,	McCurdy,	Stark,
Bell, W. T.,	Goss,	McDaniel,	Staudenmeier,
Bidelspacher,	Greeby,	McDermott,	Stavitski,
Blair,	Griffith,	McKim,	Steedle,
Bluett,	Grimes,	McVicar,	Stevens, A. J.,
Blumberg,	Haas,	Metcalf,	Stevens, A. F.,
Brenneman,	Haines,	Miller,	Stoner,
Brewster,	Hall,	Minehart,	Storb,
Bromley,	Haws,	Moffatt,	Storer,
Brownmiller,	Heffran,	Moore,	Thomas, L. D.,
Burchinal,	Henderson,	Morrison,	Thomas, M. G.,
Burns,	Hetrick,	Munley,	Van Alen,
Bush,	Himes,	Myers, G. C.,	Vickerman,
Chaplin,	Hollis,	Myers, P. M.,	Walker,
Clutton,	Hontz,	Nolte,	Weamer,
Coldsmith,	Hoover,	O'Boyle,	Wells,
Conner,	Howell,	Ogle,	Wettach,
Craig,	Huber,	Parkinson,	Wheeler,
de Young,	Irvin,	Patterson,	Whitehouse,
Diehm,	Jones, C. B.,	Peelor,	Whiteman,
Dilsheimer,	Jones, D. J.,	Perry,	Williams, G. W.,
Donahue,	Keene,	Pitts,	Williams, J. M.,
Driggs,	Kelly,	Posey,	Woner,
Drinkhouse,	Kennedy,	Post,	Wood, N.,
Dunn,	Kohler,	Price,	Wood, W. P.,
Eaches,	Lafferty,	Raymond,	Wright,
Earley,	Lauver,	Richards,	Zook,
Edmonds,	Little,	Rippman,	Goodnough,
Evans, B. P.,	Long,	Sample,	Speaker.
Evans, J.,	Lucas,	Sarig,	
Fields,	Ludlow,	Sautter,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 403, entitled:

An Act to enable city, county, poor, ward, school, borough, and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties if the surety or sureties have paid the taxes, to collect taxes for the payment of which they have become personally liable, without having collected the same, by the expiration of the authority of their respective bonds, or by the expiration of the authority of their respective warrants or by the expiration of their terms of office, and to extend the time for the collection of the same for a period of two years from the passage of this act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Albert,	Fratt,	Long,	Rippman,
Alexander,	Gallaher,	Lucas,	Sample,
Anderson,	Gelder,	Ludlow,	Sarig,
Armstrong,	Greeby,	Lynch,	Sautter,
Arthur,	Gibbon,	Mack,	Schilling,
Asbury,	Glasgow,	MacKinney,	Schleiter,
Aston,	Goehring,	Malie,	Schoener,
Baker,	Golder,	Mangan,	Schwartz,
Baldi,	Gorham,	Marcus, J.,	Shambach,
Beaver,	Goss,	Marcus, J. C.,	Smith, G. A.,
Behney,	Griffith,	Marshall, J. G.,	Smith, H. J.,
Bell, F. A.,	Grimes,	Marshall, W. F.,	Smith, J. W.,
Bell, W. T.,	Gundy,	Mathay,	Soffel,
Bentley,	Haas,	McBride,	Sowers,
Berger,	Haines,	McCaig,	Spangler,
Bidelspacher,	Harer,	McCann,	Sprowls,
Blair,	Harter,	McClure,	Stark,
Blumberg,	Haslett,	McCurdy,	Staudenmeier,
Brenneman,	Heffran,	McDaniel,	Stavitski,
Brewster,	Heffernan,	McDermott,	Steedle,
Bromley,	Henderson,	McGowan,	Sterling,
Brown,	Hetrick,	McKim,	Stevens, A. F.,
Brownmiller,	Heyburn,	McVicar,	Stofflet,
Burchinal,	Himes,	Metcalf,	Stoner,
Burns,	Holcombe,	Millar,	Storb,
Chaplin,	Hollis,	Miller,	Thomas, L. D.,
Clutton,	Hontz,	Minehart,	Thomas, M. G.,
Coldsmith,	Hoover,	Moffatt,	Van Alen,
Conner,	Horne,	Moore,	Vickerman,
Coyne,	Howell,	Munley,	Weamer,
Craig,	Huber,	Myers, G. C.,	Wheeler,
de Young,	Irvin,	Myers, P. M.,	Wettach,
Dietz,	Johnson,	Nolte,	Whitehouse,
Dilsheimer,	Jones, C. B.,	O'Boyle,	Williams, G. W.,
Driggs,	Jones, D. J.,	Ogle,	Williams, J. M.,
Drinkhouse,	Jones, E. P.,	Orr,	Wood, N.,
Eaches,	Keene,	Patterson,	Wood, W. P.,
Earley,	Kennedy,	Peelor,	Wright,
Eshelman,	Kohler,	Pitts,	Zook,
Evans, J.,	Korns,	Posey,	Goodnough,
Fields,	Kunkle,	Post,	Speaker.
Flinchbaugh,	Labar,	Raymond,	
Fowler, A. I.,	Lauver,	Richards,	
Fowler, D.,	Little,	Rinn,	

NAYS—1.

Bush,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 698, entitled:

An Act lapsing certain appropriations available for expenditure by the Department of Public Instruction

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albert,	Evans, J.,	Kunkle,	Sample,
Alexander,	Fields,	Lafferty,	Schaeffer,
Anderson,	Flinchbaugh,	Lauver,	Schilling,
Armstrong,	Fowler, A. I.,	Little,	Schleiter,
Arthur,	Fowler, D.,	Lucas,	Schwartz,
Asbury,	Frazier,	Ludlow,	Shambach,
Aston,	Gelder,	Lynch,	Smith, G. A.,
Baker,	Gibbon,	MacKinney,	Smith, H. J.,
Beaver,	Gilchrist,	Malie,	Smith, J. W.,
Behney,	Glasgow,	Marcus, J. C.,	Sowers,
Bell, F. A.,	Goehring,	Mathay,	Speiser,
Bell, W. T.,	Golder,	McBride,	Spangler,
Berger,	Gorham,	McCaig,	Stark,
Bidelspacher,	Goss,	McCann,	Staudenmeier,
Blair,	Greeby,	McCurdy,	Stavitski,
Bluett,	Griffith,	Sautter,	

Blumberg,	Grimes,	McDaniel,	Stevens, A. J.,
Brenneman,	Guerin,	McDermott,	Stevens, A. F.,
Brewster,	Gundy,	McKim,	Storb,
Bromley,	Haas,	Metcalf,	Storer,
Brown,	Hall,	Miller,	Thomas, L. D.,
Brownmiller,	Harer,	Minehart,	Thomas, M. G.,
Burchinal,	Haslett,	Moffatt,	Thompson,
Burns,	Haws,	Moore,	Van Alen,
Bush,	Heffran,	Morrison,	Vickerman,
Clutton,	Henderson,	Munley,	Walker,
Coldsmith,	Hetrick,	Myers, G. C.,	Weamer,
Conner,	Heyburn,	Myers, P. M.,	Wells,
Craig,	Himes,	Nolte,	Wheeler,
de Young,	Holcombe,	O'Boyle,	Wettach,
Diehm,	Hontz,	Ogle,	Whitehouse,
Dietz,	Hoover,	Orr,	Whiteman,
Dilsheimer,	Howell,	Parkinson,	Williams, G. W.,
Donahue,	Huber,	Patterson,	Williams, J. M.,
Driggs,	Irvin,	Peelor,	Woner,
Drinkhouse,	Johnson,	Perry,	Wood, N.,
Dunn,	Jones, C. B.,	Pitts,	Wood, W. P.,
Eaches,	Jones, D. J.,	Posey,	Wright,
Earley,	Keene,	Post,	Zook,
Edmonds,	Kelly,	Price,	Goodnough,
Eshelman,	Kennedy,	Raymond,	Speaker.
Evans, B. P.,	Kohler,	Sterling,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 294, entitled:

An Act to amend section two hundred and six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" providing for the election of school directors and election officers in independent school districts, and limiting the terms of appointed directors in such districts created prior to the passage of this act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albert,	Fowler, D.,	Ludlow,	Schaeffer,
Alexander,	Fratt,	MacKinney,	Schilling,
Anderson,	Gallaher,	Malie,	Schoener,
Armstrong,	Gibbon,	Marcus, J.,	Schwartz,
Aston,	Gilchrist,	Marcus, J. C.,	Shambach,
Baker,	Glasgow,	Marshall, W. F.,	Sheridan,
Behney,	Goehring,	Mathay,	Smith, G. A.,
Bell, F. A.,	Golder,	McBride,	Smith, H. J.,
Bell, W. T.,	Gorham,	McCaig,	Smith, H.,
Bentley,	Greeby,	McCann,	Soffel,
Berger,	Griffith,	McClure,	Sowers,
Betts,	Grimes,	McCurdy,	Spangler,
Blair,	Guerin,	McDaniel,	Speiser,
Bluett,	Haines,	McDermott,	Stark,
Blumberg,	Hall,	McGowan,	Staudenmeier,
Brenneman,	Harer,	McKim,	Stavitski,
Brewster,	Haslett,	Metcalf,	Stevens, A. J.,
Bromley,	Haws,	Millar,	Stevens, A. F.,
Brownmiller,	Heffran,	Miller,	Stoner,
Burchinal,	Hetrick,	Minehart,	Storb,
Burns,	Heyburn,	Moffatt,	Thomas, L. D.,
Bush,	Himes,	Moore,	Thomas, M. G.,
Chaplin,	Hollis,	Morrison,	Thompson,
Clutton,	Horne,	Munley,	Van Alen,
Coldsmith,	Howell,	Myers, G. C.,	Vickerman,
Coyne,	Huber,	Myers, P. M.,	Walker,
Craig,	Irvin,	Nolte,	Weamer,
Diehm,	Johnson,	O'Boyle,	Wells,
Dilsheimer,	Jones, C. B.,	Ogle,	Wettach,
Donahue,	Jones, D. J.,	Orr,	Wheeler,
Driggs,	Jones, E. P.,	Parkinson,	Whiteman,
Drinkhouse,	Keene,	Patterson,	Whitehouse,
Dunn,	Kelly,	Peelor,	Williams, G. W.,
Eaches,	Kennedy,	Pitts,	Williams, J. M.,
Earley,	Korns,	Posey,	Woner,
Edmonds,	Kunkle,	Post,	Wood, N.,
Eshelman,	Labar,	Raymond,	Wood, W. P.,
Evans, B. P.,	Lafferty,	Richards,	Wright,
Evans, J.,	Little,	Rippman,	Zook,
Flinchbaugh,	Long,	Sample,	Goodnough,
Fowler, A. I.,	Lucas,	Sautter,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 432, entitled:

A Supplement to an act approved the third day of April, one thousand eight hundred and seventy-two, (P. L. 39), entitled, "An Act directing the sale of the bonds composing the Agricultural College land script fund, and authorizing the issue of a new bond in lieu thereof, and abolishing the board commissioners created by act of April first, one thousand eight hundred and sixty-three," providing for the renewal of the bond and the payment of accrued interest since the maturity of the same, and for the payment of interest hereafter to accrue thereon.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. BEAVER. Mr. Speaker, I move that the vote by which this bill was agreed to on third reading be reconsidered.

Mr. WHITEMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. BEAVER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for amendment.

Mr. WHITEMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 413, entitled:

An Act relating to treasurers in counties of the sixth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WEAMER. Mr. Speaker and gentlemen of the House, this bill requests us to put the office of county treasurer on a salary basis in counties of the sixth class. As a Representative from Bucks County, also a county of the sixth class, I desire to voice my disapproval of this bill. There are nine counties in this State in the sixth class. Some of these counties have two or three offices in a row, in one. In the county of Bucks, we have an individually elected official in each office, and if you pass this bill you will reduce the salary of our county treasurer, but it has no provision to provide any more salary where the officers are on a fee basis for the rest of the row, and I consider it unfair to reduce the one particular office in salary for services rendered and not take care of the rest of them. There are a number of counties in this State which have about twice as large a population as the county of Bucks, but the majority of them in counties of the sixth class should have their county treasurers on a commission basis. I think if it is a fair system in counties of that class with a population twice as large, it is also a fair system in counties of the sixth class. I, therefore, appeal to you to vote "no" on this bill.

Mr. WONER. Mr. Speaker and members of the House, with all deference to my colleague from Bucks, I wish to call the attention of the House to the fact that this bill received the unanimous approval of all the members of the Sixth Class County League, which were present at the meeting Each one of the twenty-four members of said league, representing sixteen counties having been given notice by letter placed in the mail box.

These counties, as you all know, represent a population from 50,000 to 100,000. We passed through this House, by a unanimous vote, a few weeks ago, the Van Alen measure, placing the county treasurers in fifth class counties on a salary. This is a companion bill, framed entirely as was the Van Alen measure permitting the fees that are now received by the county treasurers from the State for the dog license, the hunting license, the fish license and the merchantile tax percentage to be received by the treasurer and making a salary of $3,500. As a simple illustration of what the county treasurers will draw under this, we have computed for our own county that the county treasurer will have a clear margin, or a net earning, after all of his supplies are furnished and after all of his deputies are paid by the counties of somewhere between $5,000 and $6,000. Remember, please, members of the House, that this is absolutely net as his clerk hire is taken care of.

I call your attention to the fact that in my own county, the treasurer who retires from offices last January made a total earning of over $50,000 in the four-year period, and the present treasurer has received in county fees over $11,000 for the past year, and his total earning for the year will be over $15,000 on the basis of the calculation as to this return from the percentages that he receives from State fees. Now, I submit to you, members of the House, that the county treasurers ought to receive fair salaries, and I submit to you that in the county represented by my colleague, Mr. Weamer, his county treasurer will make at least $6,000 clear, although I have not computed the fees.

I desire to interrogate the gentleman from Bucks as to the population of his county.

The SPEAKER. Will the gentleman from Bucks, Mr. Weamer, permit himself to be interrogated?

Mr. WEAMER. Yes, sir, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. WONER. What is the population of your county?

Mr. WEAMER. Some eighty-two thousand.

Mr. WONER. That is five thousand more than the population of Butler County. I judge, then, that the return would be about the same, that your treasurer will clear absolutely, after all of his clerk hire is paid, and all of the bond is paid by the county, as the bond is paid by the county and all of his supplies are paid by the county, he will clear at least $6,000. I submit to you members of the House that that is sufficient money for any county treasurer to receive.

Now, in answer to his statement that we should have included all county offices, I submit to the members of the House that it was not our purpose in presenting this bill, as the League of Sixth Class Counties to ask that all county officers be included. I asked the gentleman, my colleague, Mr. Weamer, if he desires to present such a bill that will carry all of the county officers in the county, we will work with him, and we will work for him, and we will do all we can to frame a bill that will give a fair and an honest salary to every county official in the sixth class counties. That proposition I make to him, and that proposition I am qualified to make to him as a member of his league. Members of the House, I ask of you the courtesy of disassociating this bill with any other bill for county salaries, stating to you that if it is desired to put the salaries of other county officials in this bill or any bill, that it should be done in a separate bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the Constitution the yeas and nays were taken.

Mr. WEAMER. Mr. Speaker, I ask for a verification of the roll.

The roll was verified as follows:

YEAS—96.

Albert,	Frazier,	Lauver,	Smith, J. W.,
Alexander,	Gallaher,	Long,	Smith, G. A.,
Anderson,	Gelder,	Ludlow,	Soffel,
Armstrong,	Gilchrist,	MacKinney,	Spangler,
Aston,	Goss,	Marshall, J. G.,	Stark,
Baker,	Gundy,	McBride,	Staudenmeier,
Beaver,	Haas,	McCurdy,	Stevens, A. J.,
Bell, F. A.,	Harer,	McDaniel,	Stevens, A. F.,
Bentley,	Harter,	McDermott,	Storer,
Betts,	Haws,	McVicar,	Thomas, L. D.,
Bidelspacher,	Heffran,	Minehart,	Thomas, M. G.,
Blair,	Henderson,	Moore,	Thompson,
Brenneman,	Hetrick,	Morrison,	Wells,
Brewster,	Himes,	Ogle,	Wheeler,
Brown,	Holcombe,	Parkinson,	Whitehouse,
Burchinal,	Hollis,	Pitts,	Whiteman,
Bush,	Horne,	Post,	Williams, G. W.,
Chaplin,	Howell,	Raymond,	Woner,
Clutton,	Irvin,	Richards,	Wood, N.,
Coldsmith,	Jones, C. B.,	Rinn,	Wood, W. P.,
Colville,	Jones, D. J.,	Sample,	Wright,
Conner,	Jones, E. P.,	Schleiter,	Goodnough,
de Young,	Kelly,	Schwartz,	Speaker.
Driggs,	Kennedy,	Shambach,	
Edmonds,	Kunkle,	Smith, H. J.,	

NAYS—59.

Arthur,	Eshelman,	Lynch,	Sarig,
Behney,	Evans, B. P.,	Mack,	Sautter,
Bell, W. T.,	Fowler, A. I.,	Mangan,	Schaeffer,
Bluett,	Fowler, D.,	Marcus, J.,	Schoener,
Blumberg,	Gibbon,	Marcus, J. C.,	Sowers,
Bromley,	Gorham,	Marshall, W. F.,	Speiser,
Brownmiller,	Haines,	Miller,	Stavitski,
Craig,	Hall,	Myers, G. C.,	Steedle,
Diehm,	Hontz,	Myers, P. M.,	Sterling,
Dilsheimer,	Johnson,	Nolte,	Weamer,
Donahue,	Keene,	O'Boyle,	Wettach,
Drinkhouse,	Kohler,	Orr,	Williams, J. M.,
Dunn,	Labar,	Patterson,	Zook,
Eaches,	Little,	Peelor,	
Earley,	Lucas,	Rippman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 317, entitled:

An Act to amend section one of an act approved the seventeenth day of May, one thousand nine hundred and nineteen, (P. L. 208), entitled "An Act prohibiting, under certain conditions, the commutation, encumbrance, or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Albert,	Fowler, D.,	Lynch,	Schilling,
Alexander,	Frazier,	Mack,	Schoener,
Anderson,	Gallaher,	MacKinney,	Schwartz,
Aston,	Gibbon,	Malie,	Shambach,
Baker,	Gilchrist,	Marshall, W. F.,	Smith, G. A.,
Baldi,	Goehring,	McBride,	Smith, H. J.,
Beaver,	Golder,	McCaig,	Smith, J. W.,
Behney,	Goss,	McCann,	Speiser,
Bell, W. T.,	Greeby,	McClure,	Stark,
Bentley,	Griffith,	McCurdy,	Staudenmeier,
Betts,	Gundy,	McDaniel,	Stavitski,
Bidelspacher,	Hall,	McDermott,	Steedle,
Blair,	Haslett,	McKim,	Stevens, A. J.,
Bluett,	Heffran,	Metcalf,	Stevens, A. F.,
Blumberg,	Hetrick,	Moffatt,	Storb,
Brenneman,	Heyburn,	Moore,	Storer,
Brewster,	Himes,	Morrison,	Thomas, L. D.,
Bromley,	Holcombe,	Munley,	Thomas, M. G.,
Brown,	Hollis,	Myers, G. C.,	Thompson,
Brownmiller,	Hontz,	Myers, P. M.,	Van Alen,
Burchinal,	Hoover,	Nolte,	Walker,
Bush,	Horne,	O'Boyle,	Weamer,
Chaplin,	Howell,	Ogle,	Wells,
Clutton,	Irvin,	Orr,	Wettach,
Coldsmith,	Jones, C. B.,	Parkinson,	Wheeler,
Craig,	Jones, D. J.,	Patterson,	Whitehouse,
Diehm,	Jones, E. P.,	Peelor,	Whiteman,
Dietz,	Keene,	Pitts,	Williams, G. W.
Dilsheimer,	Kelly,	Post,	Williams, J. M.,
Donahue,	Kennedy,	Price,	Woner,
Driggs,	Kohler,	Raymond,	Wood, N.,
Dunn,	Korns,	Rhodes,	Wright,
Faches,	Kunkle,	Richards,	Zook,
Earley,	Labar,	Rinn,	Goodnough,
Edmonds,	Little,	Rippman,	Speaker.
Evans, B. P.,	Long,	Sample,	
Evans, J.,	Lucas,	Sarig,	
Fowler, A. I.,	Ludlow,	Schaeffer,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 212, entitled:

An Act to amend sections fourteen and sixteen of article six, chapter seven of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312) entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—141.

Albert,	Goss,	Malie,	Schoener,
Alexander,	Griffith,	Marcus, J.,	Schwartz,
Anderson,	Hall,	Marcus, J. C.,	Shambach,
Aston,	Harer,	Marshall, W. F.,	Sheridan,
Baker,	Haslett,	McBride,	Smith, G. A.,
Baldi,	Haws,	McClure,	Smith, H. J.,
Behney,	Heffran,	McDaniel,	Smith, H.,
Bentley,	Heffernan,	McDermott,	Smith, J. W.,
Bidelspacher,	Henderson,	McGowan,	Soffel,
Blumberg,	Hetrick,	Miller,	Spangler,
Brewster,	Himes,	Minehart,	Speiser,
Bromley,	Holcombe,	Moffatt,	Sprowls,
Brown,	Hollis,	Moore,	Stark,
Chaplin,	Hontz,	Morrison,	Staudenmeier,
Clutton,	Hoover,	Munley,	Stavitski,
Coldsmith,	Horne,	Myers, G. C.,	Stevens, A. J.,
Craig,	Howell,	Myers, P. M.,	Stevens, A. F.,
de Young,	Huber,	Nolte,	Storb,
Diehm,	Irvin,	O'Boyle,	Storer,
Dilsheimer,	Jones, C. B.,	Ogle,	Thomas, L. D.,
Donahue,	Jones, D. J.,	Orr,	Thomas, M. G.,
Driggs,	Jones, E. P.,	Parkinson,	Thompson,
Dunn,	Keene,	Peelor,	Van Alen,
Earley,	Kelly,	Perry,	Wells,
Edmonds,	Kennedy,	Pitts,	Wettach,
Eshelman,	Kohler,	Posey,	Wheeler,
Flinchbaugh,	Korns,	Post,	Whitehouse,
Fowler, A. I.,	Labar,	Price,	Whiteman,
Fowler, D.,	Lafferty,	Richards,	Williams, G. W.,
Fratt,	Lauver,	Raymond,	Williams, J. M.,
Frazier,	Little,	Rinn,	Wood, N.,
Gelder,	Lucas,	Rippman,	Wood, W. P.,
Gibbon,	Ludlow,	Sample,	Wright,
Gilchrist,	Lynch,	Sarig,	Zook,
Goehring,	Mack,	Sautter,	Goodnough,
Gorham,	MacKinney,	Schleiter,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 141, as follows:

A Supplement to an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system for government of boroughs and revising amending and consolidating the law relating to boroughs" so as to provide a system of government where a borough now has annexed or hereafter shall annex land in an adjoining county. Including assessment of property levying and collection of taxes making municipal improvements and filing and collecting of liens for the same the jurisdiction of courts for the enforcement of borough ordinances and State laws and primary general municipal and special elections and repealing inconsistent laws

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where lands situated in one county now or hereafter shall be annexed to a borough situated in an adjoining county said lands which are so annexed shall be governed for borough and school purposes as a part

of the borough to which they are annexed and for county and poor purposes they shall be governed as a part of the county or poor district in which they are actually situated which said government shall be administered according to the general laws relating to boroughs school districts counties and poor districts except as hereinafter otherwise provided

Section 2 Assessment for county and poor purposes The authorities in the county wherein the land is actually situated now or hereafter having authority to make the assessments on which the county and poor taxes are levied shall assess the taxable property within the lines of land lying in one county and annexed to a borough in an adjoining county and shall record the same in a separate book This assessment shall be made by the authority that would have made the assessment had the land not been annexed to the borough The owners of all property so assessed shall have the same right of appeal from this assessment as any other taxable in the same county

Section 3 Assessment for borough and school purposes The authorities within the county wherein is situated the borough to which such land has been annexed now or hereafter having authority to make the assessments on which the borough and school taxes are levied shall also assess the taxable property within the territory which is situated in one county and has been annexed to a borough which is situated in an adjoining county and shall record the same in a separate book This assessment shall be made by the authority which would have assessed this land had it been in the same county as the borough to which it is annexed The owner of any property so annexed shall have the same right of appeal from this assessment as any other taxable in the same county as the borough

Section 4 The levy and collection of taxes for county and poor purposes The authorities within the county wherein the land actually is located that now are or hereafter shall be authorized to levy and collect the county and poor taxes shall levy and collect the taxes for county and poor purposes in such district which is situated in one county and has been annexed to a borough situated in an adjoining county and this shall include taxes rendered necessary for the paying of the interest principal of and taxes on bonds issued for county and poor purposes All remedies now or hereafter given by law for the collection of county and poor taxes and taxes for bonds issued for county or poor purposes in the county wherein the land is actually situated shall be available for the collection of the taxes mentioned in this section of this act The assessment on which said taxes shall be levied shall be the assessment made by the proper authorities in the county wherein the land is actually situated

Section 5 The levy and collection of taxes for borough and school purposes The authorities within the borough and school district to which the said land has been annexed that now are or hereafter shall be authorized to levy and collect taxes for borough and school purposes shall levy and collect the taxes for borough and school purposes in such territory which is situated in one county and has been annexed to a borough situated in an adjoining county and this shall include per capita school taxes and taxes rendered necessary for paying the interest and principal of and taxes on bonds issued for borough and school purposes All remedies against the persons or the personal property of the taxable now or hereafter given by law for the collection of the taxes for said purposes in said borough or school districts shall be available for the collection of the taxes mentioned in this paragraph but said taxes can be collected out of the land subject to the same only in the county wherein the land is actually situated in the manner now or hereafter provided by law The assessment on which the taxes mentioned in this section shall be levied shall be the assessment made by the proper authorities in the county wherein is situated the borough to which said land has been annexed Land in one county and annexed to a borough in an adjoining county and taxable property therein and person of the taxable residing therein shall not be liable for township taxes for road or other purposes or for school purposes or for per capita school taxes or for taxes for bonds issued for any township or school district purposes in the county wherein the land is actually situated

Section 6 Jurisdiction of courts in actions arising in such territories All prosecutions and summary convictions for violations within land situated in one county and annexed to a borough situated in an adjoining county of borough ordinances and the school laws and the laws relating to motor vehicles shall be had only in the county wherein is situated the borough to which the said land is annexed and the several Courts both of record and not of record in said county are hereby given jurisdiction thereof

All civil suits (except those arising out of reports of viewers as hereinafter stated) and all prosecutions and summary convictions for all other offenses misdemeanors and crimes committed within land situated in one county and annexed to a borough situated in an adjoining county shall be had in the Court wherein the same would have been tried if said land had not been annexed to the said borough and the jurisdiction of the several courts of this Commonwealth to hear and determine the same shall not be affected in any way by the annexation of such land to such borough except that the courts of the county wherein is situated the borough to which the land has been annexed shall have exclusive jurisdiction to hear and determine all prosecutions and summary convictions for violations within such land of borough ordinances the school laws and the laws relating to motor vehicles

Section 7 Municipal improvements All laws now or hereafter giving authority to the borough to which such land has been annexed to make any municipal improvement or improvements including the laying out and building of sewers the laying out and ordaining of streets and the establishment of the lines and grades thereof and the exercise of the right of eminent domain in connection with said authority and the grading curbing paving sewering and draining of streets and the assessing of abutting property for all or a part thereof shall be applicable to land situated in one county and annexed to a borough situated in an adjoining county and available to the borough to which such land has been annexed and the proper authorities within the borough to which such land has been annexed shall exercise such authority and jurisdiction in such land the same in all respects as though such land was in the same county as the borough to which said land has been annexed except that liens for the costs of said improvement or improvements shall be filed and prosecuted to judgment execution and sale only in the Court of Common Pleas of the county wherein the land actually is situated In cases where viewers make the assessments of either benefits or damages the viewers shall be appointed by and report to the proper Court in the county wherein is situated the borough to which said land has been annexed and appeals from and other proceedings relating to said viewers' reports shall be had only in the Court where the report of viewers is filed which said Court is hereby given jurisdiction thereof with the right of appeal as in other cases But liens for benefits assessed by viewers shall be filed and prosecuted to judgment execution and sale only in the county wherein the land is actually situated which liens shall be based on the viewers' reports that have been filed in the county wherein the borough is situated

Section 8 Election districts All land situated in one county and annexed to a borough situated in an adjoining county is hereby made a separate election district and it may be divided into more than one election district by the proper Court of the county wherein the land is actually situated

Section 9 Jurisdiction of Courts in regard to elections The proper Courts of the county wherein the land is actually situated shall have jurisdiction of all matters arising out of elections except that election contests (including primary election contests and other proceedings relating to primary elections) arising out of borough and school elections and elections in the matter of bonds for borough and school purposes and other questions relating to borough and school matters shall be tried in the proper Court of the county wherein is situated the borough to which such land is annexed and said Courts are hereby given jurisdiction thereof

Section 10 Ballots The ballots used in any election district within land situated in one county which has been annexed to a borough situated in an adjoining county shall contain everything including the names of all candidates and also questions relating to bond issues and any other thing and all Constitutional amendments that are printed on all ballots used in the county wherein the land is actually situated that is they shall contain everything that is common to all ballots used in said county but they shall not contain the names of the candidates for any ward borough township (except poor district) or school district officers within the county wherein the land is actually situated The ballots used at the primary elections shall however contain the names of all candidates for all party offices and party

committees within such district the same as though such land had not been annexed to such borough

The ballots shall be prepared so as to include places to vote for all ward borough (except poor district) and school district officers of the borough and school district to which such land has been annexed together with the names of all candidates for such offices and all questions of borough and school district bond issues and all other questions relating exclusively to the borough and school district to which such land is annexed This section relates to ballots used in such districts at either primary general municipal or special elections Special elections to be held by the regular election officers and they shall be paid as now provided by law in such cases

Section 11 How borough and school district matters are placed on the ballot Petitions to have the names of candidates placed on the primary ballots used in any such district for ward borough and school district officers shall be filed with the county commissioners of the county wherein the borough is situated and it shall be the duty of the county commissioners of said county within three days after the last day for filing such petitions to certify to the county commissioners of the county wherein the land is actually situated a list of the ward borough and school district offices to be filled and the names of all the candidates for the same and all questions to be printed on the ballots relating exclusively to borough or school district bonds or other borough or school district matters The county commissioners of the county where the land is actually situated shall prepare the primary ballots for all such districts as though this information and the said petition of candidates for ward borough and school district offices had been filed originally in their office All nomination papers for ward borough and school district offices within such district shall be filed in the office of the county commissioners of the county wherein is situated the borough to which such land has been annexed Within three days after the last day for filing nomination papers for ward borough and school district offices the county commissioners of the county wherein is situated the borough to which such land has been annexed shall certify to the county commissioners of the county wherein such land is actually situated a list of all ward borough and school district offices to be filled at the next election together with the names of all candidates for the same who were nominated at the preceding primary or whose names were placed in nomination by nomination papers and all questions to be printed on the ballots relating exclusively to borough or school district bonds or other borough or school district matters

The county commissioners of the county wherein the land is actually situated shall print the ballots for all such districts as though this information had been filed originally in their office

Section 12 The duties of election officers It shall be the duty of the election officers in all such districts to make a complete return of all primary elections to the county commissioners of the county wherein the land is actually situated and they shall also mail to the county commissioners of the county wherein such borough is situated a return sheet of the same in so far as it relates to ward borough and school district offices and votes on bond issues and other questions relating to borough and school district matters The blanks and postage for which return sheets shall be furnished by the county commissioners wherein the said borough is situated The court or other authority whose duty it is to determine the result of any election for borough or school district bonds or other borough or school district questions shall consider these return sheets as part of the return of such elections and count same in determining the result of such elections

At elections (excluding primary elections) it shall be the duty of the election officers in such districts to make a complete return of said election to the proper Court of the county wherein the land is actually situated and they shall also mail to the proper Court in the county wherein such borough is situated a return sheet thereof in so far as the same relates to ward borough and school district offices The blanks for said return sheets and the postage therefor shall be furnished by the county commissioners of the county wherein such borough is situated The judges of election in all such districts shall meet with the other election judges of the borough and with said other election judges determine who have been elected to the several ward and borough offices and issue election certificates to them the same as if said borough was all in one county

It shall also be the duty of the election officers to make a return to the proper Court wherein such borough is situated giving the vote on all questions printed on the ballots which relate to borough and school district matters The blanks and postage for making this return shall be furnished by the county commissioners of the county wherein such borough is situated

Section 13 For the purposes of this act election officers shall be considered borough officers in the matter of their nomination and election

Section 14 The proper Court of the county wherein the land is actually situated shall appoint the necessary deputy constables to act with the election boards and fill vacancies in the election boards

Section 15 The assistant assessor who is required to be at the polls on the day of the election shall be nominated and elected and vacancies in the office filled in the same manner as though said election districts were a part of the county in which the land actually is situated and had not been annexed to a borough in an adjoining county

Section 16 The officers of the poor district shall be nominated and elected in said districts in the same manner as though said district were a part of the county in which the land is actually situated and had never been annexed to a borough in an adjoining county

Section 17 Special borough and school district elections In all cases where a special election to submit any question relating to borough or school district bond issues or other matters relating to borough or school district affairs is held on a day other than the day of a primary general or municipal election the ballots and supplies for the same shall be furnished by the county commissioners of the county wherein the borough is situated and the same shall be paid for as now is or hereafter shall be provided by law Returns of such elections shall be made to the proper court of the county wherein the borough is situated and not elsewhere

Section 18 All acts and parts of acts inconsistent herewith and especially the last two paragraphs of the act approved May twenty-fifth one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and forty-two) which said two paragraphs read as follows Where lands are annexed to a borough of an adjoining county such lands shall thereupon be held to be in the county in which said borough was incorporated for all purposes pertaining to boroughs schools (except the entering of tax and other liens) elections and the assessment and collection of taxes but for all other purposes shall be considered to be in the county of its location as if the said annexation had not been made

The proper officials of the county in which the annexing borough is located shall account to the county treasurer of the county in which the annexed land is situated for such county poor or other tax as may lawfully belong to the said county first deducting the commission allowed by law for the collection of taxes are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—145.

Albert,	Frazier,	Lauver,	Sample,
Alexander,	Gallaher,	Lucas,	Sarig,
Anderson,	Gilchrist,	Ludlow,	Sautter,
Armstrong,	Glasgow,	Lynch,	Schilling,
Arthur,	Goehring,	Mack,	Schleiter,
Aston,	Golder,	MacKinney,	Schoener,
Baker,	Guerin,	Malie,	Schwartz,
Baldi,	Haas,	Marcus, J. C.,	Shambach,
Beaver,	Hall,	Marshall, W. F.,	Smith, G. A.,
Bell, W. T.,	Harer,	McBride,	Smith, H. J.,
Bentley,	Harter,	McClure,	Smith, J. W.,
Berger,	Haslett,	McCurdy,	Soffel,
Betts,	Haws,	McDermott,	Sowers,
Bluett,	Heffernan,	McGowan,	Speiser,
Blumberg,	Heffran,	McVicar,	Stark,
Brenneman,	Henderson,	Miller,	Staudenmeier,
Brewster,	Hetrick,	Minehart,	Stavitski,
Bromley,	Heyburn,	Moffatt,	Sterling,

Brownmiller,	Holcombe,	Moore,	Stevens, A. F.,
Burchinal,	Hollis,	Morrison,	Stoner,
Bush,	Hontz,	Munley,	Thomas, L. D.,
Chaplin,	Hoover,	Myers, G. C.,	Thompson,
Clutton,	Horne,	Myers, P. M.,	Weamer,
Coldsmith,	Howell,	Nolte,	Wheeler,
Conner,	Huber,	O'Boyle,	Whitehouse,
Coyne,	Irvin,	Ogle,	Whiteman,
Craig,	Johnson,	Orr,	Williams, G. W.
Diehm,	Jones, C. B.,	Parkinson,	Williams, J. M.,
Dilsheimer,	Jones, D. J.,	Patterson,	Woner,
Donahue,	Jones, E. P.,	Peelor,	Wood, N.,
Driggs,	Keene,	Perry,	Wood, W. P.,
Eaches,	Kelly,	Pitts,	Wright,
Earley,	Kennedy,	Posey,	Zook,
Edmonds,	Kohler,	Post,	Goodnough,
Eshelman,	Korns,	Richards,	Speaker.
Fowler, A. I.,	Kunkle,	Rinn,	
Fowler, D.,	Labar,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Mr. HARER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. HARER. Mr. Speaker, I have here a communication from the Governor which I would like to have the Clerk read.

The Clerk read the communication, as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1923.

Hon. Warren Clyde Harer, Chairman, Appropriation Committee, Harrisburg, Pa.

Dear Mr. Harer: I have given much consideration to the request that House Bill No. 109, making appropriations for State-aid Hospitals, be replaced by separate appropriation bills for each hospital. Nothing has shaken my confidence in the constitutionality of the lump sum idea, or in the fact that it would be the most efficient and economical way to appropriate for these institutions, but in view of the strong desire of the beneficiaries to know the maximum on which they may depend, I am willing to have the lump sum of $3,600,000 provided for in Bill No. 109, allocated by maximum amounts to the State-aid Hospitals if the following principles to maintain efficiency and economy in the use of the funds appropriated are observed:

1. That the right of any hospital, whether appropriated for or not, to share in State-aid shall depend on whether it attains and maintains a standard to be fixed by law.
2. That, within the maximum appropriated, each hospital shall receive quarterly an amount based on the number of days of medical or surgical service it has given to indigent sick or injured patients.
3. That the per diem allowance for such service shall be determined for each hospital by its classification at the beginning of each quarter based on the number of beds for patients it maintains and its locality as to population, as determined by law.
4. That the quarterly requisitions, computed on the basis of classification and service to indigent patients, shall be subject to the approval of the Department of Public Welfare.

I attach a suggested form for the individual appropriation bills, and have asked the Commissioner of Public Welfare to prepare a list of those hospitals which have already applied to that Department for State-aid, and also for a suggestion of how the $3,600,000 might equitably be divided between these hospitals.

The Standards Bill for hospitals will be ready tomorrow morning, and the Classification and Per Diem Bill within two days.

If you desire assistance in rewriting or amending appropriation bills for State-aid hospitals, I am sure the Legislative Reference Bureau and the Attorney General's office will co-operate to facilitate the work.

Sincerely yours,
GIFFORD PINCHOT.

Mr. HARER. Mr. Speaker and members of the House, I think that letter is thoroughly understood by all, and that its meaning is clear.

Sometime ago the Rules Committee brought in a rule fixing the last day for handing in bills as March 28th. Some of you members have already handed in appropriation bills for separate institutions, and it will not be necessary for you to hand in additional bills, but any members who are interested in institutions and want appropriations for them will be compelled to have bills drawn. The Legislative Reference Bureau has stated that they will assist in drawing up these bills, but they cannot do it by March 28th. If we keep the date of March 28th as the last day for the introduction of bills, it will be impossible for members of the House to present such bills which means that their senators will get more or less of the credit for appropriation bills. If it is the opinion of this House to carry the time forward to April 4th, I will make a motion to that effect to reconsider the vote by which the report of the Rules Committee that March 28th be the last day for the introduction of bills be reconsidered. That will give the Legislative Reference Bureau one more week to prepare the bills.

Mr. STEEDLE. Would the Chairman of the Appropriation Committee, who presented this letter from his Excellency, the Governor, permit it to lie over for a day, so that we all might have a chance to read this proposed change of procedure?

Mr. HARER. In reply to the gentleman from Allegheny, Mr. Steedle, so far as the letter is concerned it can lie over as long as you want it to, but if the members of the House desire to submit their bills we must get them in as soon as possible, and the Legislative Reference Bureau cannot get them ready before March 28th.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 551, entitled:

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312), entitled, "An Act providing a system of government for boroughs and revising, amending, and consolidating the law relating to boroughs," by adding an additional sub-section to section nine of article seven of chapter six thereof to empower boroughs without petition of property owners, to grade, pave, curb, macadamize or otherwise improve public streets, or parts thereof, and assess the entire cost thereof against the owners of the property abutting thereon when said streets or parts thereof do not exceed one thousand feet in length and connecting two streets theretofore paved and improved.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally.

Mr. BREWSTER. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Lawrence, Mr. Moffatt, permit himself to be interrogated?

Mr. MOFFATT. Yes sir, Mr. Speaker.

Mr. BREWSTER. Simply for a matter of information, which I do not have at hand, I would like to ask the gentleman just what change this makes in the existing law.

Mr. MOFFATT. Under the act of 1897, boroughs were given the privilege of paving streets under the same conditions as this, for a distance of 500 feet. That act was amended by the act of 1907 to 1000 feet. In the reenact-

ment of the borough law in 1915, I am advised that it was thought that this provision was included in the borough code, but they found that it was not so included. This bill was introduced at the same time or almost the same time, when another bill was introduced with the same conditions, at the instance of the Borough Association. They both went to the Municipal Corporations Committee, and this bill happened to the reported out first, so that this bill, or one exactly similar, has the endorsement of the Borough Association. The purpose of the bill is to permit the borough to pave the short streets or streets which may be between two paved streets, assessing that cost on the abutting property. The proposition is also to allow the borough to carry out a plan of paving, as I understand it.

Mr. BREWSTER. I think the act is a good one. Does it refer to cross streets, connecting or cross streets alone?

Mr. MOFFATT. Only such streets which are to be paved hereafter which do not exceed 1000 feet in length and which connect two streets.

Mr. BREWSTER. The property owners have to pay the entire bill?

Mr. MOFFATT. That is the purpose of it. It is to take care of streets which come in between paved streets, and the purpose is to divide the cost between the abutting property owners, and is to cover streets undertaken, which do not cross these other streets.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—117.

Anderson,	Fowler, A. I.,	Malie,	Spangler,
Arthur,	Fowler, D.,	Marshall, J. G.,	Speiser,
Aston,	Frazier,	Marshall, W. F.,	Sprowls,
Baker,	Gallaher,	McBride,	Stark,
Baldi,	Gelder,	McCaig,	Steedle,
Beaver,	Goehring,	McCann,	Sterling,
Behney,	Golder,	McClure,	Stevens, A. J.,
Bell, W. T.,	Goss,	McCurdy,	Stevens, A. F.,
Bentley,	Gundy,	McKim,	Stoner,
Bidelspacher,	Hall,	Moffatt,	Storb,
Blair,	Haslett,	Morrison,	Storer,
Bluett,	Haws,	Ogle,	Thomas, L. D.,
Brenneman,	Heffernan,	Parkinson,	Vickerman,
Brewster,	Heffran,	Patterson,	Walker,
Bromley,	Henderson,	Perry,	Weamer,
Brown,	Himes,	Pitts,	Wettach,
Burchinal,	Holcombe,	Posey,	Whitehouse,
Burns,	Horne,	Post,	Whiteman,
Bush,	Huber,	Raymond,	Williams, J. M.,
Coldsmith,	Jones, D. J.,	Rinn,	Woner,
Craig,	Jones, E. P.,	Sample,	Wood, N.,
de Young,	Keene,	Sautter,	Wood, W. P.,
Diehm,	Kelly,	Schleiter,	Wright,
Driggs,	Kohler,	Schwartz,	Zook,
Dunn,	Little,	Shambach,	Goodnough,
Earley,	Lucas,	Smith, H. J.,	Speaker.
Edmonds,	Ludlow,	Smith, H.,	
Evans, B. P.,	Lynch,	Smith, J. W.,	
Flinchbaugh,	MacKinney,	Soffel,	

NAYS—39.

Albert,	Hollis,	McDermott,	Schaeffer,
Berger,	Hontz,	Miller,	Schoener,
Betts,	Hoover,	Moore,	Smith, G. A.,
Chaplin,	Howell,	Munley,	Sowers,
Donahue,	Johnson,	Myers, P. M.,	Staudenmeier,
Eaches,	Jones, C. B.,	O'Boyle,	Stavitski,
Gibbon,	Kennedy,	Orr,	Thompson,
Gorham,	Kunkle,	Peelor,	Wells,
Harter,	Labar,	Richards,	Wheeler,
Hetrick,	Mack,	Rippman,	Williams, G. W.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

RECESS.

Mr. LONG. Mr. Speaker and gentlemen of the House, I am informed by the Speaker that were this House to adjourn now until tomorrow morning, we would have some 45 bills on third reading; more than we could even approach clearing tomorrow, and would likely necessitate a Thursday session. Therefore, at the suggestion of the Speaker, I move that this House do now recess until 8:30 o'clock this evening.

Mr. SOWERS. Mr. Speaker, I second the motion.

The motion was agreed to, and, at 6:20 o'clock P. M. the House took a recess until 8:30 o'clock this evening.

AFTER RECESS.

The House reconvened at 8:30 o'clock, P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

REPORT FROM COMMITTEE.

Mr. SOWERS, from the Committee on Judiciary General, reported as committed House Bill No. 833, entitled:

An Act conferring the right on the courts of Common Pleas of various counties to permit amendment of charters of corporations of the first class, so as to permit any institution of learning, which shall have been incorporated as a corporation of the first class, to confer appropriate degrees to any person who shall have satisfactorily passed a required course of study of such institution of learning.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 571, entitled:

An Act to amend section three hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" changing the compensation of township auditors

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136.

Alexander,	Dunn,	Jones, C. B.,	Parkinson,
Armstrong,	Eaches,	Jones, D. J.,	Patterson,
Arthur,	Earley,	Keene,	Pitts,
Aston,	Edmonds,	Kelly,	Raymond,
Baldi,	Evans, B. P.,	Kohler,	Rinn,
Beaver,	Evans, J.,	Kunkle,	Rippman,
Behney,	Fowler, A. I.,	Labar,	Sarig,
Bell, F. A.,	Fowler, D.,	Little,	Schaeffer,
Bell, W. T.,	Frazier,	Long,	Schleiter,
Bentley,	Gallaher,	Lucas,	Schoener,
Berger,	Gelder,	Ludlow,	Schwartz,
Betts,	Glasgow,	Lynch,	Smith, G. A.,
Bidelspacher,	Golder,	MacKinney,	Smith, H. J.,
Blair,	Goss,	Malie,	Smith, H.,
Bluett,	Greeby,	Marcus, J.,	Smith, J. W.,
Boback,	Griffith,	Marcus, J. C.,	Soffel,
Brenneman,	Guerin,	Marshall, W. F.,	Spangler,
Bromley,	Gundy,	McBride,	Speiser,
Brown,	Haas,	McCaig,	Steedle,
Brownmiller,	Haines,	McClure,	Sterling,
Burchinal,	Harer,	McCurdy,	Stevens, A. J.,
Burns,	Harter,	McDaniel,	Stevens, A. F.,
Bush,	Haslett,	McDermott,	Thomas, L. D.,
Clutton,	Haws,	McKim,	Thompson,
Coldsmith,	Heffernan,	Metcalf,	Walker,
Conner,	Heffran,	Moore,	Weamer,
Coyne,	Henderson,	Morrison,	Wettach,
Craig,	Heyburn,	Munley,	Whitehouse,
de Young,	Himes,	Myers, G. C.,	Williams, J. M.,
Diehm,	Holcombe,	Myers, P. M.,	Woner,
Dilsheimer,	Hollis,	Nolte,	Wood, N.,

Donahue,	Hontz,	O'Boyle,	Wright,
Driggs,	Howell,	Ogle,	Goodnough,
Drinkhouse,	Huber,	Orr,	Speaker.

NAYS—5.

Albert,	Hoover,	Johnson,	Stavitski,
Fields,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE.

The SPEAKER. The Chair desires to say that when House Bill 413 was on the final passage this afternoon, the tally sheet handed to the Speaker showed that 106 voted in the affirmative. A check of the tally sheet shows that there should have been 96 members voted in the affirmative. The error was made by both clerks; they agreed in their tally, but both appear to have been wrong. The Chair withdraws the statement that 106 members voted in the affirmative, and his order that the clerk present the same to the Senate for concurrance, and states that 96 members having voted in the affirmative, and 59 having voted in the negative, less than the majority required by the Constitution having voted in the affirmative, the bill falls.

Mr. SPANGLER. Mr. Speaker, I move that the vote by which this bill, House Bill No. 413, file folio 1011, was defeated on final passage, be reconsidered.

I make this motion merely in order that this bill may have fair treatment. At the time the bill was under consideration, there was a good deal of confusion in respect to the same, and after speaking to the sponsor of this bill I am informed that in the event the House extends this courtesy to the sponsor of the bill that the same will be postponed. I, therefore, ask the House to extend the courtesy to the sponsor of the bill. I, personally, have no interest in the bill; it does not affect my county, and I am merely doing this because I believe this bill should receive the treatment that any other bill should have accorded to it.

Mr. SOWERS. Mr. Speaker, I will second that motion.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. WONER. Mr. Speaker, I move that the bill be placed on the postponed calendar. In making such a motion I desire to state that I have conferred with the gentleman who proposed the measure, and we have decided to reach some sort of a satisfactory agreement.

Mr. HAWS. Mr. Speaker, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. HEFFERNAN. I rise at this time on the question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. HEFFERNAN. Mr. Speaker and members of the House, with reference to the banquet which is to take place tomorrow evening, I would like to say that I called upon the Governor today and he has promised to be present tomorrow evening, and has set the hour at 8:30 o'clock in the ball room of the Penn-Harris. Out of courtesy to his Excellency I would like every gentleman who intends to attend the banquet to be there on, or before, that hour, to be there at 8:30 when the Governor arrives.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 528, entitled:

An Act to amend section seven, article six, of the act approved the twenty-seventh day of June, one thousand nine hundred and thirteen, (P. L. 568) entitled, "An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto".

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Albert,	Flinchbaugh,	Kunkle,	Richards,
Alexander,	Fowler, A. I.,	Labar,	Rinn,
Armstrong,	Fowler, D.,	Lauver,	Sample,
Arthur,	Frazier,	Little,	Sautter,
Aston,	Gallaher,	Lucas,	Schilling,
Baker,	Gibbon,	Ludlow,	Schleiter,
Baldi,	Gilchrist,	Lynch,	Schwartz,
Beaver,	Glasgow,	Mack,	Shambach,
Behney,	Goehring,	MacKinney,	Smith, G. A.,
Bell, F. A.,	Golder,	Malie,	Smith, H.,
Bell, W. T.,	Goss,	Mangan,	Soffel,
Berger,	Greeby,	Marcus, J.,	Sowers,
Betts,	Griffith,	Marcus, J. C.,	Spangler,
Blair,	Guerin,	Marshall, J. G.,	Speiser,
Bluett,	Gundy,	Marshall, W. F.,	Stark,
Brenneman,	Haines,	Mathay,	Stavitski,
Brewster,	Hall,	McCaig,	Steedle,
Brown,	Harer,	McCann,	Sterling,
Brownmiller,	Harter,	McClure,	Stevens, A. F.,
Burns,	Haslett,	McCurdy,	Stoner,
Bush,	Heffernan,	McDermott,	Storer,
Clutton,	Heffran,	McVicar,	Thomas, L. D.,
Coldsmith,	Henderson,	Millar,	Thomas, M. G.,
Conner,	Heyburn,	Minehart,	Van Alen,
Coyne,	Himes,	Moore,	Vickerman,
Craig,	Holcombe,	Morrison,	Weamer,
de Young,	Hollis,	Munley,	Wells,
Diehm,	Hoover,	Myers, G. C.,	Wheeler,
Dietz,	Horne,	Myers, P. M.,	Whitehouse,
Dilsheimer,	Howell,	Nolte,	Whiteman,
Donahue,	Huber,	O'Boyle,	Williams, J. M.,
Driggs,	Johnson,	Ogle,	Woner,
Drinkhouse,	Jones, C. B.,	Parkinson,	Wood, W. P.,
Dunn,	Jones, D. J.,	Patterson,	Wright,
Earley,	Keene,	Perry,	Zook,
Edmonds,	Kelly,	Pitts,	Goodnough,
Evans, B. P.,	Kennedy,	Posey,	Speaker.
Fields,	Kohler,	Raymond,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE.

Mrs. deYOUNG. Mr. Speaker, I move that the vote by which House Bill No. 1, file folio 915 entitled:

An Act fixing the pay of election officers and clerks in cities of the first class

was defeated be reconsidered.

Mr. McDANIEL. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. DUNN. Mr. Speaker, I move that this bill be placed on the postponed calender.

Mr. HAWS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 524, entitled:

An Act to amend part of section one of an act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455), entitled, "An Act to fix the number of representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Albert,	Fowler, D.,	Lucas,	Schaeffer,
Armstrong,	Frazier,	Ludlow,	Schilling,
Arthur,	Gibbon,	Lynch,	Schleiter,
Asbury,	Gilchrist,	Marcus, J.,	Schwartz,
Beaver,	Goehring,	Marcus, J. C.,	Shambach,
Behney,	Golder,	Marshall, W. F.,	Smith, G. A.,
Bell, F. A.,	Goss,	McBride,	Smith, H. J.,
Bell, W. T.,	Greeby,	McClure,	Smith, J. W.,
Bentley,	Griffith,	McCurdy,	Spangler,
Berger,	Haas,	McDaniel,	Speiser,
Betts,	Haines,	McDermott,	Sprowls,
Bidelspacher,	Hall,	McGowan,	Staudenmeier,
Blair,	Harer,	McKim,	Stavitski,
Bluett,	Haslett,	Metcalf,	Sterling,
Brewster,	Heffran,	Miller,	Stevens, A. J.,
Bromley,	Henderson,	Moffatt,	Stevens, A. F.,
Brown,	Hetrick,	Moore,	Thomas, L. D.,
Burchinal,	Himes,	Munley,	Thomas, M. G.,
Burns,	Holcombe,	Myers, G. C.,	Thompson,
Bush,	Hollis,	Myers, P. M.,	Vickerman,
Chaplin,	Hontz,	Nolte,	Walker,
Coldsmith,	Horne,	O'Boyle,	Weamer,
Craig,	Howell,	Ogle,	Wells,
Diehm,	Huber,	Orr,	Wettach,
Dietz,	Irvin,	Parkinson,	Wheeler,
Dilsheimer,	Johnson,	Patterson,	Whiteman,
Donahue,	Jones, C. B.,	Peelor,	Williams, G. W.,
Driggs,	Jones, D. J.,	Perry,	Williams, J. M.,
Dunn,	Jones, E. P.,	Pitts,	Woner,
Eaches,	Keene,	Posey,	Wood, N.,
Earley,	Kelly,	Price,	Wood, W. P.,
Edmonds,	Kennedy,	Raymond,	Wright,
Evans, B. P.,	Kohler,	Richards,	Zook,
Evans, J.,	Kunkle,	Rinn,	Goodnough,
Fields,	Labar,	Rippman,	Speaker.
Flynn,	Little,	Sample,	
Fowler, A. L.,	Long,	Sautter,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

REPORTS OF COMMITTEES.

The SPEAKER. If there are no objections the Chair will receive reports of Committees at this time. The Chair hears none.

Mr. EDWARD P. JONES, from the Committee on Forestry, reported as committed House Bill No. 720, entitled:

An Act to amend section seven hundred three, Article VII, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled, "An Act to establish a Bureau of Forest Protection with the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof; that may be inconsistent with or supplied by this act," by providing for compensation for forest fire fighting on private lands listed with the Department of Forestry for forest protection.

Mr. KORNS, from the Committee on Forestry, reported as committed House Bill No. 722, entitled:

An Act to amend clause (h) of section one hundred and two, Article I, of an act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing for the purchase, lease, building and maintenance of telephone lines, for attachments thereto by private parties, and appropriating the revenue derived therefrom.

Mr. HOLCOMBE, from the Committee on Forestry, reported as committed House Bill No. 723, entitled:

An Act authorizing counties, cities, boroughs and townships to appropriate moneys for forest work.

Mr. WELLS, from the Committee on Forestry, reported as committed House Bill No. 724, entitled:

An Act to amend section one thousand and five, Article X, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forestry Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing further penal provisions for setting fire maliciously or otherwise to any woodlot, forest or wild land.

Mr. GEORGE W. WILLIAMS, from the Committee on Forestry reported as committed House Bill No. 725, entitled:

An Act to amend Article XII of an act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms.

Mr. EDWARD P. JONES, from the Committee on Forestry, reported as committed, House Bill No. 726, entitled:

An Act to amend an act entitled, "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith,' approved the eighteenth day of May, Anno Domini one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), by providing that all receipts and proceeds derived in any way from, or on account of, the State forests now or hereafter acquired by this Commonwealth shall belong to, and form a part of, 'The State School Fund of Pennsylvania', approved the fourth day of June, Anno Domini one thousand nine hundred and fifteen (Pamphlet

Laws, eight hundred and twenty-five)", by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania.

Mr. KORNS, from the Committee on Forestry, reported as committed House Bill No. 729, entitled:

An Act to amend sections one thousand one, one thousand two, one thousand three, and one thousand four, Article X, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden, refusing to aid a fire warden, hindering a forest protection officer in his duties, or non-abatement of a nuisance caused by maintaining a special forest fire hazard.

Mr. GEORGE W. WILLIAMS from the Committee on Forestry, reported as amended House Bill No. 134, entitled:

A Joint Resolution proposing an amendment to article nine, of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section sixteen.

Mr. KELLY, from the Committee on Game, re-reported as amended House Bill No. 174, entitled:

An Act to protect the public safety by prohibiting the discharge of fire-arms or other weapons within one hundred and fifty yards of any dwelling house or residence, without the consent of the owner or tenant thereof, and prohibiting the destruction and abuse of certain property by persons while hunting or trapping.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 289, entitled:

An Act to amend part of section forty-one of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; of legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as folows, viz:

YEAS—135.

Albert,	Flynn,	Marcus, J. C.,	Schwartz,
Alexander,	Fowler, A. I.,	Mathay,	Shambach,
Anderson,	Fowler, D.,	McBride,	Smith, G. A.,
Armstrong,	Frazier,	McCaig,	Smith, H. J.,
Arthur,	Gilchrist,	McCann,	Smith, J. W.,
Aston,	Golder,	McClure,	Sowers,
Beaver,	Greeby,	McCurdy,	Spangler,
Behney,	Griffith,	McDaniel,	Speiser,
Bell, F. A.,	Gundy,	McDermott,	Sprowls,
Bell, W. T.,	Haines,	McKim,	Stark,
Bentley,	Harer,	McVicar,	Staudenmeier,
Berger,	Haws,	Metcalf,	Stavitski,
Betts,	Heffran,	Miller,	Sterling,
Bidelspacher,	Henderson,	Minehart,	Stevens, A. F.,
Blair,	Hetrick,	Moffatt,	Stevens, A. J.,
Bluett,	Himes,	Morrison,	Storb,
Boback,	Holcombe,	Moore,	Storer,
Brenneman,	Hontz,	Munley,	Thomas, L. D.,
Brewster,	Hoover,	Myers, G. C.,	Thomas, M. G.,
Bromley,	Horne,	Myers, P. M.,	Van Alen,
Brown,	Howell,	Nolte,	Walker,
Brownmiller,	Huber,	O'Boyle,	Weamer,
Burchinal,	Jones, C. B.,	Ogle,	Wells,
Bush,	Jones, D. J.,	Orr,	Wettach,
Chaplin,	Jones, E. P.,	Parkinson,	Wheeler,
Coldsmith,	Kelly,	Patterson,	Whitehouse,
Craig,	Kohler,	Peelor,	Whiteman,
de Young,	Korns,	Pitts,	Williams, G. W.,
Diehm,	Kunkle,	Posey,	Williams, J. M.
Dilsheimer,	Labar,	Post,	Woner,
Drinkhouse,	Lauver,	Price,	Wood, N.,
Eaches,	Ludlow,	Richards,	Wood, W. P.,
Earley,	Lynch,	Rippman,	Wright,
Edmonds,	MacKinney,	Sample,	Zook,
Evans, B. P.,	Mangan,	Sautter,	Goodnough,
Evans, J.,	Marcus, J.,	Schoener,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 45, as follows:

An Act providing a system whereby persons absent from their regular polling places may cast their votes inposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any duly qualified voter of this Commonwealth who by reason of his duties business or occupation is unavoidably absent from his lawfully designated election district and outside of the county in which he is an elector but within the confines of the United States on the day of holding any general municipal or primary election may vote by appearing before an officer either within or without the Commonwealth authorized to administer oaths and marking his ballot under the scrutiny of such official as herein prescribed Such voter may vote only for such officers and upon such questions as he would be entitled to vote for or on had he presented himself in the district in which he has his legal residence and in the manner herein provided

Section 2 Any voter expecting to be absent from the county in which his lawfully designated election district is situated on the day of any general municipal or primary election and who desires to cast his ballot at such election may make application not more than thirty days and not less than five days next preceding such election to the county commissioners of such county for a certificate of qualification and an official absent voter's ballot

Section 3 The certificate of qualification shall be issued by the county commissioners and shall set forth the name of such voter the name of the ward or district of the city borough town or township in which he resides If the voter is a resident of a borough town or township the certificate of qualification shall set forth that such voter's name has been duly entered on the registry list by the assessor thereof as appears from such list If the voter is a resident of a city the certificate of qualification shall set forth that the voter personally registered according to law The certificate of qualification shall be in the following form

Certificate of Qualification

We hereby certify that .....is a resident of the .....(district or precinct) of the.....ward of..... (city borough town or township) of.....county and Commonwealth of Pennsylvania (as appears by the personal registration books or the registry list of said district) and is a duly qualified elector of such district

.....
.....
.....

Dated .....

County Commissioners
County of.....

Section 4 The board of registration commissioners in cities of the first and second class shall certify to the county commissioners upon request any information that may be necessary for such county commissioners to properly fill out such certificate of qualification

Section 5 The county commissioners of the several counties shall prepare and have printed in addition to the regular and official ballots additional official ballots to be known as absent voter's ballots The number of such absent voter's ballots printed for each district shall be equal to ten per centum of the number of registered voters in such district Such ballots shall be prepared and printed in the same form as the official ballots and shall in all respects be similar thereto except that on the back thereof shall be printed in addition to the form now required by law the words "Absent Voter's Ballot" There shall also be prepared three envelopes of such size and shape that will permit the placing of one within the other On the first shall be printed only the words "Absent Voters Ballot" On the second shall be printed the certificate of qualification and the affidavit of the voter together with the jurat of the official in whose presence the ballot is marked and before whom the affidavit is made the forms to be substantially as herein provided On the third shall be printed the name official title and post office address of the prothonotary or the county commissioners of the county in which such voter resides and to whom the returns shall be made as hereinafter provided

Section 6 Application for a certificate of qualification and for an absent voter's ballot shall be made on a blank to be furnished by the county commissioners and shall be in the following form

I.....a duly qualified voter of the .....(district or precinct) of the..... .....Ward of.....(City borough town or township) of ..... county and Commonwealth of Pennsylvania and entitled to vote in such district at the next election (in case of a primary election give party enrollment) expecting to be unavoidably absent from said county on the day for such election by reasons of duties business or occupation hereby make application for a certificate of qualification and an official absent voter's ballot

Witnesses..... .....
..... Signature of Voter
Dated ....
P. O. Address

Section 7 Such application blank shall upon request therefor be sent by the county commissioners to any absent voter by mail if the necessary postage is prepaid by the voter or shall be delivered to any voter upon application made personally at the office of the county commissioners

Section 8 Upon receipt of such application properly filled out and duly signed or as soon thereafter as the official absent voter's ballots for the election district in which the applicant resides have been printed the county commissioners shall send to such absent voter by mail or shall deliver one official absent voter's ballot or if there is more than one such absent voter's ballot to be voted by a voter of such election district one of each kind Such ballot or ballots shall be enclosed in the envelopes as provided for in section five of this act and in the order in which they are mentioned therein The envelopes shall be kept unsealed Before sending or delivering such ballot the county commissioners shall satisfy themselves that the applicant is a qualified elector and if so satisfied they shall fill out and sign the certificate of qualification and shall enter or cause to be entered on the registration book or registry list opposite the name of the applicant the words "Received absent voter's ballot"

Section 9 At any time after receiving such absent voter's voter's ballot but within a sufficient time to permit the return of the marked ballot to the prothonotary or county commissioners of the county in which the voter's election district is situated on or before the day of such election the voter may appear before any officer either within or without the Commonwealth authorized to administer oaths and mark such ballot under the scrutiny of such official in the following manner The voter shall first display the ballot to such official as evidence that the same is unmarked and shall then proceed to mark the ballot in the presence of such official but in such manner that such official is unable to see how the same is marked and then fold the ballot and enclose and securely seal the same in the envelope on which is printed the words "Absent Voter's Ballot" This envelope shall then be placed in the one on which is printed the certificate of qualification and the affidavit of the voter and the jurat of the official before whom the voter appears and such envelope sealed in like manner by the voter

Section 10 The voter shall then make out subscribe and swear to the affidavit printed on the face of such envelope which together with the jurat of such official shall be in the following form

Form of Affidavit and Jurat

Commonwealth of Pennsylvania
County of .....
ss
..... do solemnly swear (or affirm) that I have resided in the Commonwealth of Pennsylvania one year (or having previously been a qualified elector or native-born citizens of the Commonwealth that I removed therefrom and returned then six months) immediately preceding the date of this election and in the ..... district or precinct of the ..... ward of ..... (city borough town or township) in the county of ..... at least two months immediately preceding said date and (if twenty-two years of age and upward) have paid within two years a State or county tax and am in all respects a duly qualified voter of said election district that I am a ..... and that because of my duties business or occupation I will be required to be absent from my lawfully designated election district on said election day and will have no opportunity to vote therein that I am not qualified to vote elsewhere at this election and that I am the person named in the certificate of qualification

Witness
....
Signature of Voter
Residence address .....

Subscribed and sworn to before me a ..... in and for .....county State of ..... this ..... day of ..... 19.... and I hereby certify that the affiant ..... who is personally known to me to be the person he represents himself to be

or

has been proven to be the person whom he represents himself to be by ..... whose address is ..... and who is a creditable person known to me presented himself before me on the day above named in the city borough town or township of ..... county of ..... State of ..... that he exhibited to me the enclosed ballot (or ballots) and that the same was unmarked that he before me at the same time and place marked his ballot (or ballots) but in such manner that I did not see his vote that he then folded and enclosed said ballot (or ballots) so marked in the proper envelopes and that he then and there made out subscribed and swore to the affidavits according to law

Section 11 Such ballot or ballots and envelopes shall then be securely sealed in the third envelope which the voter shall send by registered mail to the prothonotary or county commissioners in sufficient time to reach its destination on or before the day such election is held In case the ballot was voted at a general or municipal election it shall be sent to the prothonotary if voted at a primary election it shall be sent to the county commissioners of the county in which such voter is a resident The postage and cost necessary to transmit and register such envelopes shall be paid by the voter

Section 12 The prothonotary or county commissioners upon receipt of such registered letter shall safely keep and preserve the same unopened in their office until the return board canvasses the vote according to law at which time the said return board shall open such registered letter and after examining the certificate of qualification and the affidavit and jurat shall compare the signature of said absent voter as written on the affidavit with the signature of such voter on the application blank given to the county commissioners If the return board is satisfied that the signatures correspond and that the affidavit and jurat are sufficient they shall announce the name of the voter of such absent voter's ballot and shall give any person present an opportunity to challenge the same in like manner and for the same causes as such voter could have been challenged had he presented himself in his own district to cast his ballot If there are no challenges they shall open the second envelope in such manner as not to destroy the certificate of qualification and the affidavit and jurat as printed thereon which envelope shall be kept in the prothonotary's or commissioner's office for a period of one year thereafter All envelopes on which are printed the words "Absent Voter's Ballot" and containing the ballots shall be put into one depository at one time and said depository well shaken and the envelopes containing the ballots mixed before any ballot is taken therefrom The return board shall then break the seals of such envelopes and record the said ballots in the same manner as the election officers record votes and in so canvassing said votes the return board shall count the votes of all absent voters taken as herein provided and add the same to the total result of the election in the county district precinct or ward accordingly as designated on each ballot

Section 13 The ballots after being opened and duly counted by the return board shall be safely kept in the custody of the prothonotary or the county commissioners as the case may be for the period of one year and in case of a contested election the same may be opened and counted as in other cases

Section 14 Any voter who has received an absent voter's ballot and who shall return to his properly designated election district on or before the day for holding the election for which such ballot was issued shall be permitted to vote upon presenting himself at his regular polling place in the same manner as he could have voted had he not received such absent voter's ballot Provided however That in any such case such voter shall surrender to the judge of election of such district his absent voter's ballot or ballots unmarked and the envelopes in which they were contained before being permitted to vote Such fact shall be noted by the judge of election on the back thereof and the ballot or ballots and envelopes shall be returned to the county commissioners

Section 15 If any person voting an absent voter's ballot shall wilfully swear falsely to the affidavit herein provided for or shall vote any ballot other than one properly issued to him or vote or attempt to more than once at any such election or who shall violate any other provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or be imprisoned for a term not exceeding two years or both at the discretion of the court

If any official authorized to administer oaths within this Commonwealth prothonotary county commissioners or member of a return board shall neglect or refuse to perform any of the duties prescribed by this act or shall reveal or divulge any of the details of any ballot casting in accordance with the provisions of this act he shall be guilty of a misdemeanor and upon conviction shall be punished by fine not exceeding one thousand dollars or be imprisoned for a term of one year or both at the discretion of the court.

Section 16 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WONER. Mr. Speaker, I move that this bill be placed on the postponed calendar.

Mr. GOSS. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 507, as follows:

An Act to amend section fifty-three clause (a) of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees thereof appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fifty-three clause (a) of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemption debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances

due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" is hereby amended to read as follows

Section 53 (a) Any orphans' court having jurisdiction of the accounts of executors administrators guardians or trustees shall have exclusive power to remove such executor or administrator and vacate the letters testamentatary or of administration or to remove such guardian or trustee as the circumstances of the case may require in any of the following cases

1 When such fiduciary is wasting or mismanaging the estate or property under his charge or is likely to prove insolvent or has neglected or refused to exhibit true and perfect inventories or render full and just accounts of such estate or property come to his hands or knowledge

2 When such fiduciary has been duly declared a lunatic habitual drunkard or weak-minded person

3 When such fiduciary has become incompetent to discharge the duties of his trust by reason of sickness or physical or mental incapacity and it shall appear to the satisfaction of the court that such incompetency is likely to continue to the injury of the estate under his control

4 When such fiduciary has removed from this State or has ceased to have any known place of residence therein during the period of six months or more

5 When any guardian whether testamentary or otherwise mismanages the minor's estate or misconducts himself in respect to the maintenance education or moral interests of the minor

6 When such fiduciary fails or neglects to pay over the principal or income of the estate according to his duty under the trust or fails or neglects to comply with any order or direction of the court made in relation to said trust

7 When any trustee of property held in trust under the provisions of any last will and testament for religious educational or charitable purposes or for use as a burying-ground neglects or abuses such trust

8 When for any reason the interests of the estate or property are likely to be jeopardized by the continuance of any such fiduciary

9 When all the cestuis que trust or a majority of them having the life estate under any trust shall desire the removal of the trustee or trustees upon any substantial ground not hereinbefore enumerated and the court upon petition filed by them or any of them shall be satisfied that such substantial ground for removal exists in which case the court may remove said trustee or trustees and appoint another or others as chosen by said parties

Provided however That nothing herein contained shall be construed to affect the jurisdiction of any court of common pleas in proceedings pending at the date of the approval of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Albert,	Flinchbaugh,	Long,	Sautter,
Anderson,	Flynn,	Lucas,	Schleiter,
Armstrong,	Fowler, A. I.,	Lynch,	Schoener,
Arthur,	Fowler, D.,	Mack,	Schwartz,
Aston,	Frazier,	Mangan,	Shambach,
Beaver,	Gelder,	Marcus, J.,	Smith, G. A.,
Behney,	Gibbon,	Marshall, J. G.,	Smith, H. J.,
Bell, F. A.,	Glasgow,	Marshall, W. F.,	Smith, J. W.,
Bell, W. T.,	Goehring,	Mathay,	Sowers,
Bentley,	Golder,	McBride,	Spangler,
Bidelspacher,	Gundy,	McClure,	Speiser,
Blair,	Haines,	McCurdy,	Staudenmeier,
Bluett,	Hall,	McDaniel,	Stavitski,
Brenneman,	Harer,	McDermott,	Sterling,
Brewster,	Haslett,	McKim,	Stevens, A. F.,
Bromley,	Heffran,	Metcalf,	Storb,
Brown,	Heffernan,	Miller,	Thomas, L. D.,
Brownmiller,	Henderson,	Moffatt,	Thomas, M. G.,
Burchinal,	Hetrick,	Moore,	Thompson,
Burns,	Heyburn,	Munley,	Van Alen,
Bush,	Himes,	Myers, G. C.,	Walker,
Chaplin,	Hontz,	Myers, P. M.,	Weamer,
Coldsmith,	Horne,	Nolte,	Wells,
Coyne,	Howell,	O'Boyle,	Wettach,
Craig,	Huber,	Ogle,	Whitehouse,
Diehm,	Irvin,	Orr,	Whiteman,
Dietz,	Jones, C. B.,	Parkinson,	Williams, G. W.,
Dilsheimer,	Jones, D. J.,	Patterson,	Williams, J. M.,
Donahue,	Jones, E. P.,	Perry,	Woner,
Driggs,	Kelly,	Pitts,	Wood, N.,
Dunn,	Kennedy,	Post,	Wood, W. P.,
Eaches,	Korns,	Price,	Wright,
Earley,	Kunkle,	Raymond,	Zook,
Evans, B. P.,	Lafferty,	Rinn,	Goodnough,
Evans, J.,	Little,	Sample,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 475, entitled:

An Act to amend section two hundred and thirty-five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships and revising, amending, and consolidating the law relating thereto," as amended.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—92.

Alexander,	Fields,	Lucas,	Raymond,
Anderson,	Fowler, A. I.,	Ludlow,	Richards,
Armstrong,	Fowler, D.,	Lynch,	Sample,
Arthur,	Gallaher,	MacKinney,	Sautter,
Aston,	Goehring,	Malie,	Schwartz,
Bell, F. A.,	Haslett,	Marcus, J.,	Shambach,
Bell, W. T.,	Haws,	Marcus, J. C.,	Smith, J. W.,
Bidelspacher,	Heffran,	McBride,	Sowers,
Blair,	Henderson,	McCann,	Speiser,
Bluett,	Hetrick,	McCurdy,	Staudenmeier,
Boback,	Horne,	McDaniel,	Steedle,
Brewster,	Huber,	McDermott,	Stevens, A. J.,
Bromley,	Jones, C. B.,	McGowan,	Stevens, A. F.,
Burchinal,	Jones, D. J.,	Metcalf,	Thompson,
Bush,	Jones, E. P.,	Moore,	Walker,
Coldsmith,	Keene,	Morrison,	Williams, J. M.,
de Young,	Kelly,	Munley,	Woner,
Diehm,	Kennedy,	Myers, G. C.,	Wood, N.,
Dilsheimer,	Kohler,	Myers, P. M.,	Wood, W. P.,
Driggs,	Korns,	Nolte,	Goodnough,
Eaches,	Kunkle,	Ogle,	Speaker.
Earley,	Labar,	Orr,	
Edmonds,	Little,	Parkinson,	
Evans, B. P.,	Long,	Pitts,	

NAYS—17.

Albert,	Hollis,	Mack,	Stark,
Behney,	Hoover,	Marshall, W. F.,	Wells,
Brenneman,	Johnson,	Miller,	Whitehouse,
Craig,	Lauver,	Patterson,	Williams, G. W.,
Gundy,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 498, entitled:

enty-four) entitled "An Act providing for the licensing day of June one thousand nine hundred and seven (Pamphlet Laws three hundred and sixty-four) entitled "An act to increase the pay of jurors and witnesses in this Commonwealth" as amended

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—122.

Alexander,	Evans, B. P.,	Little,	Richards,
Anderson,	Fields,	Long,	Sample,
Armstrong,	Flynn,	Lucas,	Schaeffer,
Arthur,	Gibbon,	Ludlow,	Schleiter,
Aston,	Gilchrist,	Mack,	Schwartz,
Beaver,	Goehring,	MacKinney,	Smith, G. A.,
Behney,	Goss,	Mangan,	Smith, H. J.,
Bell, F. A.,	Griffith,	Marcus, J. C.,	Smith, H.,
Bell, W. T.,	Gundy,	Marshall, W. F.,	Smith, J. W.,
Bentley,	Hall,	McBride,	Soffel,
Berger,	Haslett,	McCann,	Sowers,
Betts,	Heffran,	McClure,	Spangler,
Bidelspacher,	Heffernan,	McCurdy,	Speiser,
Blair,	Henderson,	McDermott,	Staudenmeier,
Bluett,	Hetrick,	McKim,	Stavitski,
Boback,	Hollis,	Metcalf,	Stevens, A. J.,
Brewster,	Hontz,	Miller,	Stevens, A. F.,
Bromley,	Hoover,	Moffatt,	Storb,
Brown,	Horne,	Moore,	Storer,
Brownmiller,	Howell,	Morrison,	Thompson,
Burchinal,	Huber,	Munley,	Walker,
Coldsmith,	Jones, C. B.,	Myers, G. C.,	Weamer,
Craig,	Jones, D. J.,	Myers, P. M.,	Whitehouse,
Dilsheimer,	Jones, E. P.,	Nolte,	Whiteman,
Driggs,	Keene,	O'Boyle,	Williams, J. M.
Drinkhouse,	Kelly,	Orr,	Wood, N.,
Eaches,	Kohler,	Parkinson,	Wood, W. P.,
Earley,	Korns,	Peelor,	
Edmonds,	Kunkle,	Pitts,	
Eshelman,	Labar,	Posey,	

NAYS—15.

Albert,	Johnson,	Post,	Williams, G. W.
Brenneman,	Kennedy,	Raymond,	Wright,
Diehm,	Marshall, J. G.,	Stark,	Goodnough,
Himes,	Ogle,	Wells,	Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 702, as follows:

An Act to amend section three and section four of an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seventy-four) entitled "An Act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or installment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon installments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three and four of an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seventy-four) entitled "An Act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties" are hereby amended to read as follows

Section 3 Every corporation or person desiring to obtain a license under the provisions of this act shall file with the commissioner an application in writing in such form as may be prescribed by the commissioner before a license shall be issued by the commissioner he shall make or cause to be made an investigation of the condition and affairs of the applicant and its general plan of operation he shall investigate the moral character and general fitness of the applicant if an individual and of the members of a partnership or association and of the directors managers trustees and other officers of every applicant to discharge the duties reposed in them and examine any or all of them under oath he shall require the applicant to submit to him a mathematical chart of calculation showing in detail the operation of the plan of investment carried on or proposed to be carried on for the purpose of determining whether the same is financially and mathematically sound and the contracts or obligations issued or proposed to be issued possible of fulfillment unless the commissioner is satisfied as to the character and general fitness of the managing officers of the applicant to honestly and efficiently carry on its business and that the plan of operation is financially sound and the contracts issued or proposed to be issued possible of fulfillment he shall refuse the license and forthwith notify the applicant of such refusal and specify in the notice the cause or causes thereof the Commissioner may revoke such license at any time when conditions arise which in his judgment if existing at the time when the license was granted would have been sufficient cause for refusing to issue such license

Section 4 No corporation or person shall be licensed under the provisions of this act unless and until it has deposited with the commissioner in cash or bonds of the United States or of the State of Pennsylvania or of cities counties boroughs or school districts of this Commonwealth or any other State of the United States approved by the commissioner of the clear market value of one hundred thousand dollars ($100,000) as security for the fulfillment of its contracts made heretofore or hereafter with residents of Pennsylvania Exchanges of such bonds may be made from time to time with the approval of the commissioner If any of said bonds are called for payment the proceeds thereof shall remain in the hands of the commissioner until other bonds of the character described in this section shall be substituted in like amount for the bonds so paid The corporation or person making such deposit shall be entitled to the income thereon

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BEHNEY. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. LUDLOW. Yes, sir, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. BEHNEY. Will Mr. Ludlow kindly explain the purposes of this measure. I cannot understand it.

Mr. LUDLOW. Mr. Speaker and members of the Houes, this bill is introduced at the request of the banking commissioner in order to meet a situation where certain cooperative associations have come into Pennsylvania and deposited with the State a fund of $100,000 which fund,if anything should happen to the parent company outside of Pennsylvania, could be taken away entirely from the State without

any recourse, without Pennsylvania creditors of the association having anything on which they have a priority. In several states, I am informed by the banking commissioner, it is always provided that whatever fund is placed as security with the local banking commissioner it shall first be subject to the claims of local state creditors before it shall be allowed to go out of the State, and the purpose of this act is to Pennsylvanians the first right to that fund left with us by way of security, and so that it may not be taken out by a concern of this kind should fail. It is in the interest of Pennsylvania to have a fund now or hereafter on deposit with our banking commissioner. This is introduced at his request and amends the present law to bring about that very desirable end, and the Banks and Banking Committee unanimously reported it out. Does that answer your inquiry?

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Albert,	Flinchbaugh,	Lafferty,	Sample,
Alexander,	Flynn,	Lauver,	Sautter,
Anderson,	Fowler, A. I.,	Little,	Schaeffer,
Armstrong,	Fowler, D.,	Lucas,	Schwartz,
Arthur,	Frazier,	Ludlow,	Shambach,
Aston,	Gibbon,	Lynch,	Sheridan,
Beaver,	Gilchrist,	MacKinney,	Smith, G. A.,
Behney,	Glasgow,	Malie,	Smith, H. J.,
Bell, F. A.,	Goehring,	Mangan,	Smith, H.,
Bell, W. T.,	Golder,	Marcus, J. C.,	Smith, J. W.,
Bentley,	Gorham,	Marshall, W. F.,	Spangler,
Berger,	Griffith,	McBride,	Speiser,
Betts,	Haas,	McClure,	Sprowls,
Bidelspacher,	Haines,	McCurdy,	Stark,
Blair,	Hall,	McDaniel,	Staudenmeier,
Bluett,	Haws,	McDermott,	Stavitski,
Brenneman,	Heffernan,	Metcalf,	Stevens, A. J.,
Brewster,	Heffran,	Miller,	Stevens, A. F.,
Bromley,	Henderson,	Moffatt,	Stoner,
Brown,	Hetrick,	Moore,	Thomas, M. G.,
Brownmiller,	Heyburn,	Morrison,	Thompson,
Burchinal,	Himes,	Munley,	Van Alen,
Burns,	Holcombe,	Myers, G. C.,	Weamer,
Bush,	Hollis,	Myers, P. M.,	Wells,
Coldsmith,	Hontz,	Nolte,	Wettach,
Craig,	Hoover,	O'Boyle,	Wheeler,
de Young,	Horne,	Ogle,	Whitehouse,
Dilsheimer,	Howell,	Orr,	Whiteman,
Donahue,	Huber,	Parkinson,	Williams, G. W.,
Driggs,	Irvin,	Patterson,	Williams, J. M.
Drinkhouse,	Johnson,	Peelor,	Woner,
Dunn,	Jones, E. P.,	Perry,	Wood, N.,
Eaches,	Keene,	Pitts,	Wood, W. P.,
Earley,	Kennedy,	Post,	Wright,
Edmonds,	Kohler,	Price,	Zook,
Evans, B. P.,	Kunkle,	Raymond,	Goodnough,
Fields,	Labar,	Richards,	Speaker.
		Rinn,	

NAYS—0.

The majority required by the Constitution having voted in the affimative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 523, entitled:

An Act to further amend section five of the act approved the thirty-first day of March, one thousand eight hundred and seventy-six, (P. L. 13), entitled "An Act to carry into effect section five, of article fourteenth, of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the state or county treasury, in counties containing over one hundred and fifty thousand inhabitants," as amended.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136.

Albert,	Fowler, A. I.,	McBride,	Smith, G. A.,
Alexander,	Fowler, D.,	McCann,	Smith, H. J.,
Armstrong,	Frazier,	McClure,	Smith, H.,
Arthur,	Gibbon,	McCurdy,	Smith, J. W.,
Aston,	Gilchrist,	McDaniel,	Soffel,
Beaver,	Glasgow,	McDermott,	Spangler,
Behney,	Gorham,	McVicar,	Speiser,
Bell, F. A.,	Goss,	Metcalf,	Sprowls,
Bell, W. T.,	Griffith,	Miller,	Stark,
Bentley,	Gundy,	Moffatt,	Staudenmeier,
Betts,	Haas,	Moore,	Stavitski,
Bidelspacher,	Haines,	Morrison,	Sterling,
Blair,	Hall,	Munley,	Stevens, A. J.,
Bluett,	Haslett,	Myers, G. C.,	Stevens, A. F.,
Blumberg,	Heffernan,	Myers, P. M.,	Stofflet,
Boback,	Henderson,	Nolte,	Stoner,
Brewster,	Hetrick,	O'Boyle,	Storb,
Bromley,	Heyburn,	Ogle,	Storer,
Brownmiller,	Himes,	Orr,	Thompson,
Burchinal,	Hollis,	Parkinson,	Vickerman,
Burns,	Hoover,	Patterson,	Walker,
Bush,	Horne,	Perry,	Weamer,
Coldsmith,	Howell,	Pitts,	Wells,
Craig,	Huber,	Posey,	Wettach,
de Young,	Irvin,	Post,	Wheeler,
Diehm,	Johnson,	Price,	Whitehouse,
Dietz,	Jones, D. J.,	Raymond,	Whiteman,
Dilsheimer,	Jones, E. P.,	Richards,	Williams, G. W.,
Donahue,	Kennedy,	Rinn,	Williams, J. M.
Driggs,	Lafferty,	Rippman,	Woner,
Eaches,	Little,	Sample,	Wood, N.,
Earley,	Long,	Sautter,	Wood, W. P.,
Edmonds,	Ludlow,	Schaeffer,	Wright,
Evans, B. P.,	Lynch,	Schilling,	Zook,
Evans, J.,	Mack,	Schwartz,	Goodnough,
Fields,	Marcus, J. C.,	Shambach,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 610, as follows:

An Act to amend section seventy-four of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventy-four of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" is hereby amended to read as follows

Section 74 All murder which shall be perpetrated by means of poison or by lying in wait or by any other kind of wilful deliberate and premeditated killing or which shall be committed in the perpetration of or attempting to perpetrate any arson rape robbery burglary or kidnapping shall be deemed murder in the first degree and all other kinds of murder shall be deemed murder in the second degree and the jury before whom any person indicted for murder shall be tried shall if they find such person guilty thereof ascertain in their verdict whether it be murder of the first or second degree but if such person shall be convicted by confession the court shall proceed by examination of witnesses to determine the degree of the crime and to give sentence accordingly

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Albert,	Gibbon,	Marcus, J. C.,	Schoener,
Alexander,	Gilchrist,	Mathay,	Schwartz,
Anderson,	Goehring,	McBride,	Shambach,
Armstrong,	Golder,	McCaig,	Sheridan,
Arthur,	Gorham,	McCann,	Smith, G. A.,
Beaver,	Goss,	McClure,	Smith, H. J.,
Behney,	Greeby,	McCurdy,	Smith, H.,
Bell, F. A.,	Griffith,	McDaniel,	Smith, J. W.,
Bell, W. T.,	Haas,	McDermott,	Spangler,
Bentley,	Haines,	McGowan,	Speiser,
Berger,	Harer,	McVicar,	Sprowls,
Betts,	Harter,	Metcalf,	Stark,
Bidelspacher,	Haslett,	Miller,	Staudenmeier,
Blair,	Heffernan,	Minehart,	Stavitski,
Bluett,	Henderson,	Moffatt,	Stevens, A. J.,
Blumberg,	Hetrick,	Moore,	Stevens, A. F.,
Brewster,	Heyburn,	Morrison,	Stoner,
Brown,	Himes,	Munley,	Thomas, M. G.,
Brownmiller,	Holcombe,	Myers, G. C.,	Thompson,
Burchinal,	Hollis,	Nolte,	Van Alen,
Bush,	Hoover,	O'Boyle,	Vickerman,
Diehm,	Horne,	Ogle,	Walker,
Dilsheimer,	Huber,	Orr,	Wells,
Donahue,	Irvin,	Parkinson,	Wettach,
Driggs,	Johnson,	Patterson,	Wheeler,
Drinkhouse,	Jones, E. P.,	Peelor,	Whitehouse,
Dunn,	Kennedy,	Pitts,	Whiteman,
Eaches,	Kohler,	Posey,	Williams, G. W.,
Earley,	Kunkle,	Post,	Williams, J. M.,
Edmonds,	Labar,	Price,	Woner,
Evans, B. P.,	Lafferty,	Raymond,	Wood, N.,
Evans, J.,	Little,	Richards,	Wood, W. P.,
Fields,	Long,	Rinn,	Wright,
Flinchbaugh,	Lucas,	Rippman,	Zook,
Flynn,	Ludlow,	Sarig,	Goodnough,
Fowler, D.,	Lynch,	Sautter,	Speaker.
Fratt,	Mack,	Schaeffer,	
Gallaher,	MacKinney,	Schilling,	

NAYS—0.

The majority required by the Constitution having voted in the affimative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 536, entitled:

An Act to amend sections two, three, four, five, as amended, seven, nine and ten of the act approved the thirtieth day of March, one thousand nine hundred and seventeen, (P. L. 21), entitled "An Act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by the board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—135.

Alexander,	Fowler, D.,	MacKinney,	Sarig,
Anderson,	Gallaher,	Mangan,	Sautter,
Armstrong,	Gibbon,	Marcus, J.,	Schaeffer,
Arthur,	Gilchrist,	Marcus, J. C.,	Shambach,
Beaver,	Goehring,	Marshall, J. G.,	Smith, H.,
Behney,	Gorham,	McBride,	Smith, J. W.,
Bell, F. A.,	Goss,	McCann,	Spangler,
Bell, W. T.,	Greeby,	McClure,	Speiser,
Bentley,	Griffith,	McCurdy,	Staudenmeier,
Berger,	Heffran,	McDaniel,	Stavitski,
Bidelspacher,	Henderson,	McDermott,	Steedle,
Blair,	Hetrick,	McGowan,	Stevens, A. J.,
Bluett,	Heyburn,	McKim,	Stevens, A. F.,
Brenneman,	Himes,	McVicar,	Thomas, M. G.,
Brewster,	Holcombe,	Metcalf,	Thompson,
Bromley,	Hoover,	Millar,	Van Alen,
Brown,	Horne,	Miller,	Vickerman,
Brownmiller,	Howell,	Minehart,	Walker,
Coldsmith,	Huber,	Moffatt,	Weamer,
Craig,	Irvin,	Morrison,	Wells,
de Young,	Jones, C. B.,	Munley,	Wettach,
Diehm,	Jones, D. J.,	Myers, G. C.,	Whitehouse,
Dietz,	Jones, E. P.,	Myers, P. M.,	Whiteman,
Dilsheimer,	Keene,	Nolte,	Williams, G. W.,
Donahue,	Kennedy,	O'Boyle,	Williams, J. M.,
Driggs,	Kohler,	Ogle,	Woner,
Drinkhouse,	Korns,	Orr,	Wood, N.,
Dunn,	Kunkle,	Parkinson,	Wood, W. P.,
Eaches,	Labar,	Patterson,	Wright,
Earley,	Little,	Perry,	Zook,
Edmonds,	Long,	Pitts,	Goodnough,
Evans, B. P.,	Lucas,	Price,	Speaker.
Evans, J.,	Ludlow,	Richards,	
Flynn,	Lynch,	Rippman,	
Fowler, A. I.,	Mack,	Sample,	

NAYS—3.

Albert,	Post,	Raymond,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 412, entitled:

An Act authorizing any county separately or counties interested jointly to lease for a term of years, from a bridge company or corporation, any toll bridge spanning a river or stream when such bridge is used solely for highway purposes or jointly for highway, railroad, or street railway purposes; discontinuing tolls on any such bridge during such lease; and authorizing counties to appropriate money, levy taxes and incur indebtedness for such purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—151.

Alexander,	Gallaher,	Lynch,	Rippman,
Anderson,	Gibbon,	MacKinney,	Sample,
Armstrong,	Gilchrist,	Malie,	Sarig,
Beaver,	Glasgow,	Mangan,	Sautter,
Behney,	Goehring,	Marcus, J. C.,	Schoener,
Bell, F. A.,	Golder,	Marshall, J. G.,	Shambach,
Bell, W. T.,	Gorham,	Marshall, W. F.,	Smith, G. A.,
Bentley,	Goss,	Mathay,	Smith, H. J.,
Betts,	Griffith,	McBride,	Smith, H.,
Bidelspacher,	Hall,	McCaig,	Smith, J. W.,
Blair,	Harer,	McCann,	Spangler,
Bluett,	Haslett,	McClure,	Speiser,
Blumberg,	Haws,	McCurdy,	Sprowls,
Brewster,	Heffran,	McDaniel,	Stark,
Bromley,	Henderson,	McDermott,	Staudenmeier,
Brown,	Hetrick,	McGowan,	Stavitski,
Brownmiller,	Heyburn,	Metcalf,	Stevens, A. F.,
Burns,	Himes,	Miller,	Stevens, A. J.,
Bush.	Holcombe,	Minehart,	Thomas, M. G.,
Coldsmith,	Hontz,	Moffatt,	Thompson,
Craig,	Hoover,	Moore,	Van Alen,
de Young,	Horne,	Morrison,	Vickerman,
Diehm,	Howell,	Munley,	Walker,
Frazier,			

Dietz,	Huber,	Myers, G. C.,	Weamer,
Dilsheimer,	Irvin,	Myers, P. M.,	Wells,
Donahue,	Johnson,	Nolte,	Wettach,
Driggs,	Jones, C. B.,	O'Boyle,	Wheeler,
Drinkhouse,	Jones, D. J.,	Ogle,	Whitehouse,
Dunn,	Jones, E. P.,	Orr,	Whiteman,
Eaches,	Kelly,	Parkinson,	Williams, G. W.
Earley,	Keene,	Patterson,	Williams, J. M.,
Edmonds,	Kennedy,	Peelor,	Woner,
Evans, B. P.,	Kohler,	Perry,	Wood, N.,
Evans, J.,	Korns,	Pitts,	Wood, W. P.,
Flinchbaugh,	Kunkle,	Posey,	Wright,
Flynn,	Little,	Post,	Zook,
Fowler, A. I.,	Lucas,	Price,	Goodnough,
Fowler, D.,	Ludlow,	Rinn,	Speaker.

NAYS—1.

Albert,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. WONER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WONER. I desire to have the following read from the desk.

The SPEAKER. The telegram will be read from the desk.

The Clerk read the telegram as follows:

"Washington, Pa., March 20, 1923.

J. T. Heffran and George I Woner, House of Representatives, Harrisburg, Pa.

The annual conference of the Thirty-third district, Rotary International, comprising the thirty-four Rotary clubs of the western half of the state, in session at Washington, Pa., look to you to enact the pending legislation for the enforcing of the eighteenth amendment. Adopted by unanimous vote of the conference. Signed Anthony W. Smith, Jr., district governor."

The SPEAKER. The telegram is referred to the Committee on Law and Order.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 713, as follows:

An Act to amend clause (f) of section one article two and section four of article five of an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An act defining public service companies and providing for their regulation and prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers council and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public ServiceCommission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and section one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" by providing that new tariffs and schedules shall not go into force until after the approval of the commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article two of an act approved twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said company providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court

prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" is hereby amended to read as follows

Section 4 Whenever the commission receives notice of any change proposed in any tariff or schedule filed or posted under the provisions of this act it shall have power either upon complaint or upon its own motion and if it so orders without answer or other formal pleading by the interested public service company after notice to hold a public hearing and make investigations as to the propriety of such proposed change and of the new rate practice or classification After such hearing and investigation whether completed before or after such change goes into effect the commission may make such order in reference to the new rate practice and classification as would be proper in a proceeding initiated after the same had become effective At any such hearing involving any proposed increase in any rate the burden of proof to show that such increased rate is just and reasonable shall be upon the public service company

The commission shall have power in its discretion and for good cause shown to permit changes in the tariffs or schedules filed and published upon less than the thirty days' notice specified in article two section one (f) of this act or upon other conditions which shall be just and reasonable

The commission shall also have power in its discretion where any notice of increase in any rates fares tolls or charges of a public service company has been filed and where a party filing any complaint against such increase in rates fares tolls or charges and in such complaint or within ninety days after the posting of a notice of any proposed increase petitions the Commission for a suspension or modification of the proposed increase pending final adjudication of the matter to forthwith make a preliminary investigation of the matter in such manner as it may direct and may forthwith make an order suspending or modifying such proposed increase in rates fares tolls or charges until final determination of the matter and the commission may in any case where an increase has become effective before final adjudication require by general rule or special order that such company shall furnish to its shippers consumers or other patrons a certificate or other evidence of payments made by them in excess of the prior established rate

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Albert,	Eaches,	Lynch,	Schwartz,
Alexander,	Earley,	Malie,	Smith, G. A.,
Anderson,	Evans, B. P.,	Mangan,	Smith, H. J.,
Armstrong,	Evans, J.,	Marcus, J. C.,	Smith, H.,
Arthur,	Fields,	Marshall, W. F.,	Smith, J. W.,
Aston,	Flinchbaugh,	McBride,	Soffel,
Baldi,	Flynn,	McCann,	Spangler,
Beaver,	Fowler, A. I.,	McClure,	Speiser,
Behney,	Fowler, D.,	McCurdy,	Stark,
Bell, F. A.,	Frazier,	McDaniel,	Staudenmeier,
Bell, W. T.,	Goss,	McDermott,	Stavitski,
Berger,	Heffran,	McKim,	Sterling,
Betts,	Henderson,	Metcalf,	Steedle,
Bidelspacher,	Hetrick,	Miller,	Stevens, A. J.,
Blair,	Heyburn,	Moffatt,	Stevens, A. F.,
Bluett,	Hollis,	Morrison,	Thomas, M. G.,
Blumberg,	Hontz,	Munley,	Van Alen,
Boback,	Hoover,	Myers, P. M.,	Vickerman,
Brenneman,	Horne,	Nolte,	Walker,
Brewster,	Howell,	O'Boyle,	Weamer,
Brown,	Huber,	Ogle,	Wells,
Brownmiller,	Irvin,	Orr,	Wettach,
Burchinal,	Johnson,	Parkinson,	Wheeler,
Burns,	Jones, D. J.,	Patterson,	Whiteman,
Bush,	Jones, E. P.,	Perry,	Williams, G. W.,
Coldsmith,	Kelly,	Pitts,	Williams, J. M.,
Craig,	Kennedy,	Post,	Woner,
de Young,	Kohler,	Price,	Wood, N.,
Diehm,	Korns,	Rinn,	Wood, W. P.,
Dietz,	Kunkle,	Rippman,	Wright,
Dilsheimer,	Labar,	Sample,	Goodnough,
Driggs,	Lauver,	Sarig,	Speaker.
Drinkhouse,	Lucas,	Sautter,	
Dunn,	Ludlow,	Schoener,	

NAYS—3.

Edmonds,	Marcus, J.,	Sowers,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 326 (Senate Bill No. 17), entitled:

A Joint Resolution proposing an amendment to article three (III) of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Albert,	Gibbon,	Mangan,	Schwartz,
Alexander,	Gilchrist,	Marcus, J.,	Shambach,
Allman,	Glasgow,	Marcus, J. C.,	Sheridan,
Arthur,	Goehring,	Marshall, J. G.,	Smith, H. J.,
Aston,	Golder,	Mathay,	Smith, H.,
Baker,	Gorham,	McBride,	Smith, J. W.,
Baldi,	Goss,	McCaig,	Soffel,
Behney,	Griffith,	McCann,	Sowers,
Bell, F. A.,	Guerin,	McClure,	Spangler,
Bell, W. T.,	Gundy,	McCurdy,	Speiser,
Bentley,	Haas,	McDermott,	Sprowls,
Berger,	Haines,	McGowan,	Staudenmeier,
Bidelspacher,	Harer,	McKim,	Stavitski,
Blair,	Harter,	Metcalf,	Steedle,
Bluett,	Haslett,	Miller,	Sterling,
Blumberg,	Haws,	Minehart,	Stevens, A. J.,
Brenneman,	Heffernan,	Moffatt,	Stevens, A. F.,
Brewster,	Henderson,	Moore,	Stofflet,
Bromley,	Hetrick,	Morrison,	Stoner,
Brown,	Heyburn,	Munley,	Storb,
Brownmiller,	Himes,	Myers, G. C.,	Thomas, L. D.,
Burns,	Hollis,	Myers, P. M.,	Thomas, M. G.,
Clutton,	Hontz,	Nolte,	Thompson,
Coldsmith,	Horne,	O'Boyle,	Van Alen,
Conner,	Howell,	Ogle,	Vickerman,
Coyne,	Huber,	Parkinson,	Walker,
Craig,	Johnson,	Peelor,	Weamer,
de Young,	Jones, C. B.,	Perry,	Wells,
Dilsheimer,	Jones, D. J.,	Pitts,	Wettach,
Donahue,	Jones, E. P.,	Post,	Wheeler,
Driggs,	Keene,	Posey,	Whitehouse,

Drinkhouse,	Kelly,	Price,	Whiteman,
Dunn,	Kennedy,	Raymond,	Williams, G. W.
Eaches,	Kohler,	Richards,	Williams, J. M.,
Earley,	Kunkle,	Rinn,	Wood, N.,
Eshelman,	Labar,	Rippman,	Wood, W. P.,
Evans, J.,	Lauver,	Sample,	Wright,
Fields,	Long,	Sarig,	Zook,
Flynn,	Lucas,	Sautter,	Goodnough,
Fowler, A. I.,	Lynch,	Schaeffer,	Speaker.
Fowler, D.,	Mack,	Schilling,	
Frazier,	MacKinney,	Schleiter,	
Gallaher,	Malie,	Schoener,	

NAYS—0.

The majority required by the Constitution having voted in the affimative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 485 (Senate Bill No. 159), entitled:

An Act to amend section one hundred of the act approved July 14, 1917, (P. L. 840), entitled "An act concerning townships; and revising, amending and consolidating the law relating thereto."

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN G. MARSHALL. Mr. Speaker, This is a Senate Bill, but I would like to know if anyone in the House is familiar with the purpose or reasons of this bill.

BILL POSTPONED.

Mr. STEEDLE. Mr. Speaker, I move that this bill be placed on the postponed calendar.

Mr. MARSHALL. Mr. Speaker, I second the motion.

It was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 618, (Senate Bill No. 41), entitled:

An Act fixing the salary of sheriffs in counties of the eighth class requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157.

Albert,	Frazier,	Lucas,	Schwartz,
Alexander,	Gallaher,	Ludlow,	Shambach,
Anderson,	Gibbon,	Mack,	Sheridan,
Armstrong,	Gilchrist,	MacKinney,	Smith, G. A.,
Asbury,	Glasgow,	Marshall, W. F.,	Smith, H. J.,
Aston,	Goehring,	McBride,	Smith, H.,
Bell, F. A.,	Gorham,	McCaig,	Smith, J. W.,
Bell, W. T.,	Goss,	McCann,	Sowers,
Bentley,	Griffith,	McClure,	Spangler,
Berger,	Gundy,	McCurdy,	Speiser,
Betts,	Haas,	McDaniel,	Stark,
Bidelspacher,	Haines,	McDermott,	Staudenmeier,
Blair,	Hall,	McKim,	Stavitski,
Bluett,	Harer,	Metcalf,	Steedle,
Blumberg,	Harter,	Miller,	Sterling,
Brenneman,	Haslett,	Minehart,	Stevens, A. J.,
Brewster,	Heffran,	Moffatt,	Stevens, A. F.,
Brown,	Henderson,	Morrison,	Stoffiet,
Brownmiller,	Hetrick,	Munley,	Storb,
Burchinal,	Heyburn,	Myers, G. C.,	Storer,
Bush,	Himes,	Myers, P. M.,	Thomas, M. G.,
Coldsmith,	Holcombe,	Nolte,	Thompson,
Craig,	Hollis,	O'Boyle,	Vickerman,
de Young,	Hontz,	Ogle,	Walker,
Diehm,	Horne,	Orr,	Weamer,
Dietz,	Howell,	Parkinson,	Wells,
Dilsheimer,	Huber,	Patterson,	Wettach,
Donahue,	Irvin,	Peelor,	Wheeler,
Driggs,	Johnson,	Perry,	Whitehouse,
Drinkhouse,	Jones, D. J.,	Pitts,	Whiteman,
Eaches,	Jones, E. P.,	Posey,	Williams, G. W.,
Earley,	Keene,	Post,	Williams, J. M.,
Edmonds,	Kelly,	Raymond,	Woner,
Eshelman,	Kennedy,	Richards,	Wood, N.,
Evans, B. P.,	Korns,	Rinn,	Wood, W. P.,
Evans, J.,	Kunkle,	Rippman,	Wright,
Flinchbaugh,	Labar,	Sample,	Zook,
Flynn,	Lafferty,	Sarig,	Goodnough,
Fowler, A. I.,	Little,	Sautter,	Speaker.
Fowler, D.,	Long,	Schleiter,	

NAYS—0.

The majority required by the Constitution having voted in the affimative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Kunkle.

The House resumed the consideration on third reading of House Bill No. 262, entitled:

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Albert,	Fields,	Little,	Richards,
Alexander,	Flynn,	Lucas,	Rinn,
Anderson,	Fowler, A. I.,	Ludlow,	Sarig,
Armstrong,	Fowler, D.,	Lynch,	Schaeffer,
Arthur,	Frazier,	MacKinney,	Sample,
Aston,	Gibbon,	Marcus, J.,	Schleiter,
Baker,	Golder,	Marshall, J. G.,	Schwartz,
Beaver,	Greeby,	Marshall, W. F.,	Smith, H.,
Behney,	Griffith,	McBride,	Smith, J. W.,
Bell, F. A.,	Gundy,	McCaig,	Spangler,
Bell, W. T.,	Haas,	McCann,	Speiser,
Bentley,	Harer,	McClure,	Stark,
Berger,	Harter,	McCurdy,	Staudenmeier,
Betts,	Heffernan,	McDaniel,	Stavitski,
Blair,	Heffran,	McVicar,	Steedle,
Bluett,	Henderson,	Metcalf,	Stevens, A. J.,
Blumberg,	Hetrick,	Miller,	Stevens, A. F.,
Brewster,	Heyburn,	Minehart,	Thomas, L. D.,
Brown,	Himes,	Moffatt,	Thomas, M. G.,
Brownmiller,	Holcombe,	Morrison,	Walker,
Burchinal,	Hollis,	Munley,	Weamer,
Clutton,	Horne,	Nolte,	Wells,
Coldsmith,	Huber,	O'Boyle,	Wettach,
Craig,	Irvin,	Ogle,	Wheeler,
de Young,	Jones, C. B.,	Orr,	Whiteman,
Diehm,	Jones, D. J.,	Parkinson,	Williams, G. W.,
Dilsheimer,	Jones, E. P.,	Patterson,	Williams, J. M.,
Drinkhouse,	Keene,	Perry,	Woner,
Dunn,	Kelly,	Pitts,	Wood, N.,

Eaches,	Kennedy,	Posey,	Wood, W. P.,
Earley,	Kohler,	Post,	Wright,
Evans, B. P.,	Kunkle,	Price,	Goodnough,
Evans, J.,	Lafferty,	Raymond,	Speaker.

NAYS—5.

Boback,	Hontz,	McDermott,	Myers, G. C.,
Brenneman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEE.

Mr. WHITEMAN asked and obained unanimous consent to report a bill from committee at this time.

Mr. WHITEMAN, from the Committee on Games, reported as amended, House Bill No. 234, entitled:

An Act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move that the House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to, and (at 10:25 P. M.) the House adjourned until 11:00 o'clock tomorrow morning.

COMMONWEALTH OF PENNSYLVANIA

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HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 21, 1923.

The House met at 11:00 o'clock A. M.
The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. H. Cox, offered the following prayer:

Our Heavenly Father, we thank Thee for this beautiful morning; for every spiritual, social and temporal blessing which we enjoy continuously from Thy hand.

We pray that Thou wouldst grant the continuance of Thy divine favor upon the members and officers of this Assembly. Bless them with health and strength of body and of mind, that they may faithfully discharge their duties and obligations toward the people of this great Commonwealth. Bless the Speaker of this House and the Governor of the Commonwealth, and all who have to do with the affairs of this State.

We ask it in Christ's name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Edward P. Jones, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED.

By Miss MACKINNEY. HOUSE BILL No. 866.

A joint resolution proposing an amendment to section one, article nine, of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Reform.

By Mr. SPROWLS. HOUSE BILL No. 867.

An Act making an appropriation to the Memorial Hospital Association, of Monongahela City, Washington County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. McBRIDE. HOUSE BILL No. 868.

Allowing and regulating boxing, sparring and wrestling matches and exhibitions; establishing a State Athletic Commission, making an appropriation therefor, and prescribing penalties.

Referred to the Committee on Appropriations.

By Mr. CRAIG. HOUSE BILL No. 869.

An Act relating to the proof of intoxicating liquors sold, offered for sale or furnished, and providing penalties.

Referred to the Committee on Law and Order.

By Mr. PARKINSON. HOUSE BILL No. 870.

An Act authorizing the attachment of wages or salary upon judgments obtained for necessaries limiting the amount of exemption to be claimed and providing for the payment of costs.

Referred to the Committee on Judiciary General.

By Mr. PARKINSON. HOUSE BILL No. 871.

An Act relating to pillows, bolsters, feather beds, comfortables, cushions and upholstered furniture, regulating the making, remaking, renovating, sterilizing, disinfecting, sale, leasing, delivering, and consigning thereof, and the possession thereof with intent to sell, lease, deliver or consign.

Referred to the Committee on Manufactures.

By Mr. McDANIEL. HOUSE BILL No. 872.

An Act making an appropriation to the Uniontown Hospital, Uniontown, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WHITEHOUSE. HOUSE BILL No. 873.

An Act to amend section nine of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 427), entitled, "An Act to Consolidate, Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings".

Referred to the Committee on Judiciary General.

By Mr. CRAIG. HOUSE BILL No. 874.

An Act valiging certain elections of counties, cities, boroughs, townships, school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled, "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto; and validating bonds issued or authorized to be issued in pursuance of such elections.

Referred to the Committee on Judiciary Special.

By Mr. STONER. HOUSE BILL No. 875.

An Act making an appropriation to the Woods Run Settlement Association, Petosky Street, Northside, Pittsburgh, Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SCHLEITER. HOUSE BILL No. 876.

An Act to amend section thirty-two of an act approved the twenty-ninth day of April, one thousand eight hundred and forty-four, (P. L. 486), entitled, "An Act to reduce the state debt, and to incorporate the Pennsylvania canal and railroad company."

Referred to the Committee on Ways and Means.

By Mr. STAVITSKI. HOUSE BILL No. 877.

An Act to protect anthracite coal miners in the determination of the amount of coal to be used as a basis for calculat-

ing compensation for mining; authorizing the miners to employ check weighmen, and prescribing their powers and duties; imposing certain duties on mine inspectors, and prescribing penalties.

Referred to the Committee on Mines and Mining.

By Mr. STAVITSKI. HOUSE BILL No. 878.

An Act to amend section one and to repeal sections four and five of article seven of the act approved the second day of June, one thousand eight hundred and ninety-one, (P. L. 176), entitled "An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," as amended.

Referred to the Committee on Mines and Mining.

By Mr. STAVITSKI. HOUSE BILL No. 879.

An Act relating to anthracite coal mines; providing that the moneys or compensation due for the mining of certain coal shall be paid into a fund for the benefit of the employees, and providing for the administration of the fund.

Referred to the Committee on Mines and Mining.

By Mr. GOEHRING. HOUSE BILL No. 880.

An Act to amend section two hundred and seven of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Referred to the Committee on Education.

By Mr. HALL. HOUSE BILL No. 881.

An Act creating the Camp Meade Memorial Commission to select a site and provide for the construction, erection and dedication of a monument or memorial on the site of Camp Meade used during the Spanish-American War; and making an appropriation.

Referred to the Committee on Military.

By Mr. GEO. W. WILLIAMS. HOUSE BILL No. 882.

An Act to amend section thirteen of the act approved the thirtieth day of January, one thousand eight hundred and seventy-four (P. L. 31) entitled, "A Further Supplement to the act regulating elections in this Commonwealth," as amended; by authorizing the members of the board for receiving, computing and certifying election returns, to act when a majority of the members thereof are not qualified.

Referred to the Committee on Elections.

By Mr. GEO. W. WILLIAMS. HOUSE BILL No. 883.

An Act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled, "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repaling inconsistent legislation," as amended.

Referred to the Committee on Elections.

By Mr. VICKERMAN. HOUSE BILL No. 884.

An Act requiring school districts to make school districts available for meetings for the discussion of political questions; regulating such meetings; and making an appropriation to pay a secretary for each of such meetings.

Referred to the Committee on Appropriations.

By Mr. LUDLOW. HOUSE BILL No. 885.

An Act limiting the power of State banks, banking companies, trust companies, savings banks, and unincorporated banks to become surety on bonds.

Referred to the Committee on Banks and Banking.

By Mr. LITTLE. HOUSE BILL No. 886.

An Act making an appropriation to the Christian Home for Women, at fourteen hundred and twenty-three Liverpool Street, North Side, City of Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. LITTLE. HOUSE BILL No. 887.

An Act making an appropriation to the George Junior Republic Association of Western Pennsylvania situate in Pine Township near Grove City, Mercer County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. CHAPLIN. HOUSE BILL No. 888.

An Act to protect bituminous coal miners in the determination of the amount of coal to be used as a basis for calculating wages; providing that payment shall be made for the quantity mined irrespective of size; requiring mine cars to be of uniform capacity granting the miners the right to employ check-weightmen or check-measurers; and prescribing their powers and duties; imposing certain duties of mine inspectors; and providing penalties.

Referred to Committee on Mines and Mining.

By Mr. GIBBON. HOUSE BILL No. 894.

An Act to repeal an act, approved the eighth day of June, one thousand nine hundred and fifteen (Pamphlet Laws, nine hundred fifteen), entitled, "An Act to fix the salaries of the deputies in the offices of the clerk of the courts, county controller, recorder of deeds, county treasurer, chief deputy sheriff, and chief clerk to the county commissioners, in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population."

Referred to Committee on Counties and Townships.

By Mr. SCHAFFER. HOUSE BILL No. 895.

An Act to fix the salaries of the deputies in the office of the clerk of the courts, county controller, recorder of deeds, county treasurer, chief deputy sheriff and chief clerk to the county commissioners in counties of the third class.

Referred to Committee on Counties and Townships.

By Mr. LORENZO D. THOMAS. HOUSE BILL No. 896.

An Act to ascertain and appoint the fees to be received by the clerk of quarter sessions and oyer and terminer of counties of the third class.

Referred to Committee on Counties and Townships.

By Mr. SARIG. HOUSE BILL No. 897.

An Act to amend sections nine and ten of an act approved the twenty-second day of June, one thousand eight hundred and ninety-one, (P. L. 379), entitled "An Act to provide for the selection of a site and the erection of a State asylum for the chronic insane, to be called the State asylum for the chronic insane of Pennsylvania, and making an appropriation therefor;" changing the name and purpose of said hospital; and repealing sections eleven and fifteen of said act.

Referred to the Committee on Appropriations.

By Mr. GRIFFITH. HOUSE BILL No. 898.

An Act to amend route number sixty-three of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An act

providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioners and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townsnips or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commisioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as ame

Referred to the Committee on Public Roads.

By Mr. COLDSMITH. HOUSE BILL No. 899.

An Act to amend section eight of the act approved the eighteenth day of June, one thousand nine hundred and fifteen (Pamphlet Laws, one thousand fifty-five), entitled, "An Act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane, to be erected west of the Allegheny Mountains, and to be known as the Western State Hospital for the Insane; providing for the management of the same, and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital," as amended; changing the name of said hospital.

Referred to Committee on Judiciary Local.

By Miss MacKINNEY. HOUSE BILL No. 900.

A Supplement to the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four (Pamphlet Laws, seventy-three), entitled "An Act to provide for the incorporation and regulation of certain corporations," requiring notice to the Department of Public Welfare of application for charters and amendments thereto of hospitals, maternity homes and hospitals and certain charitable and eleemosynary institutions and societies; and further regulating the incorporation thereof.

Referred to Committee on Public Health and Sanitation.

By Mr. GUNDY. HOUSE BILL No. 901.

An Act to amend section one of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen; (Pamphlet Laws, one thousand three hundred nineteen), entitled "An Act to establish a State village for feeble-minded women; providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve, and to erect and furnish buildings on same, and to manage said institution; and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years; defining the powers and duties of the board of managers; and making an appropriation for the purposes aforesaid, also for the expenses of maintenance until June one, one thousand nine hundred and fifteen," as amended, by changing the name of said village

Referred to Committee on Judiciary Local.

By Mr. CRAIG. HOUSE BILL No. 902.

An Act to amend section ten hundred and twenty-five of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled, "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

Referred to Committee on Counties and Townships.

By Mr. HAAS. HOUSE BILL No. 903.

An Act to amend section seven of an act approved the eighteenth day of July, one thousand nine hundred and one (P. L. 737), entitled "An Act to provide for the selection of a site and the erection of a State Hospital, for the treatment of the insane under homeopathic management, to be called The Homeopathic State Hospital for the Insane, and making an appropriation therefor," as amended, changing the corporate name of said hospital.

Referred to the Committee on Judiciary Local.

By Mr. CLUTTON. HOUSE BILL No. 904.

An Act declaring as a State highway a certain section of public road, and providing for the construction, improvement and maintenance of the same.

Referred to the Committee on Public Roads.

By Mr. DRINKHOUSE. HOUSE BILL No. 905.

An Act to amend section eight of the act approved the fifth day of May, one thousand eight hundred and seventy-six, (P. L. 121), entitled "An Act to provide for the selection of a site and the erection of a state hospital for the insane for the city and county of Philadelphia, and the counties of Bucks, Montgomery, Delaware, Chester, Northampton and Lehigh, to be called the State Hospital for the Insane for the southeastern District of Pennsylvania, and for the management of the same;" changing the name of said hospital.

Referred to the Committee on Judiciary Local.

By Mr. ALEXANDER. HOUSE BILL No. 906.

An Act to amend section twenty-one of an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 483), entitled, "An Act relating to practice in the courts of common pleas in actions of assumpist and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the Courts power to enforce its provisions," by requiring objections to the form of any pleading to be filed and served upon the opposite party within ten days after the service of such objectionable pleading.

Referred to the Committee on Judiciary General.

By Mr. BLUMBERG. HOUSE BILL No. 907.

An Act making an appropriation to the Women's Southern Homeopathic Hospital of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. HASLETT. HOUSE BILL No. 908.

An Act to amend section nine of the act approved the third day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, two hundred eighty-nine), entitled

"An Act to provide for the selection of a site and the erection of a State institution for the feeble minded, to be called the Western Pennsylvania State Institution for the Feeble Minded, and making an appropriation therefor;" by changing the name of said institution.

Referred to the Committee on Judiciary Local.

By Mr. LABAR. HOUSE BILL No. 909.

An Act to establish as a State Highway a certain section of public road in the county of Pike.

Referred to Committee on Public Roads.

By Mr. LABAR. HOUSE BILL No. 910.

An Act to establish as a State Highway a certain section of public road in the counties of Monroe and Pike.

Referred to the Committee on Public Roads.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 911.

An Act to provide for the erection of new or additional buildings for the maintenance, care and treatment of the poor, indigent insane, and indigent persons afflicted with tuberculosis in poor districts in counties of the second class which now maintain or which shall hereafter maintain a poor house, or a hospital or sanitarium for such purposes; authorizing the county commissioners to borrow moneys, issue and negotiate the sale of bonds, and to levy taxes for the payment of the same.

Referred to Committee on Counties and Townships.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 912.

An Act validating the incurring of certain debts or increase of indebtedness of poor districts in counties of the second class by the county commissioners thereof, for improvements or alterations of the property of such poor districts, and all bonds, and other securities issued therefor, and also the assessments of annual taxes for the payment of such indebtedness since the twentieth day of April, one thousand eight hundred and seventy-four.

Referred to the Committee on Judiciary Special.

By Mr. WILLISTON P. WOOD. HOUSE BILL No. 913.

An Act making an appropriation to the trustees of the State Hospital for the Insane, at Warren, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WILLISTON P. WOOD. HOUSE BILL No. 914.

An Act to amend section one of an act approved the eighth day of June, one thousand eight hundred and eighty-one, (P. L. 83) entitled "An Act to organize the state hospital for the insane at Warren, Pennsylvania, changing the name of said hospital.

Referred to the Committee on Judiciary Local.

By Mr. MOFFATT. HOUSE BILL No. 915.

An Act to provide for the care and treatment of indigent, feeble-minded and epileptic persons of the several counties of the Commonwealth in State and Semi-State institutions for the feeble-minded and epileptic by fixing the maximum amount for maintenance weekly per capita.

Referred to the Committee on Ways and Means.

By Mr. VAN ALEN. HOUSE BILL No. 916.

An Act to amend sections eighteen, twenty-six, thirty-two, thirty-four, thirty-eight, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-nine and sixty-one of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 869) entitled "An Act providing for the organization, government, discipline, maintenance, and regulation of the armed land forces of this Commonwealth."

Referred to the Committee on Military.

By Mr. ORR. HOUSE BILL No. 917.

An Act establishing a State highway in the County of Montgomery, providing for its location, construction, improvement and maintenance by the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. VICKERMAN. HOUSE BILL No. 918.

An Act providing for the taking over, operation, control and management of certain county, city, and poor district insane hospitals by the State under the supervision of the Department of Public Welfare; providing for their transfer; providing for the use of such hospitals not taken over as institutions for the care and treatment of persons mentally defective; providing for the management and maintenance thereof; regulating the commitment of persons thereto; providing for assistance from the State and imposing certain duties upon said department of Public Welfare.

Referred to the Committee on Judiciary Local.

By Mr. VICKERMAN. HOUSE BILL No. 919.

An Act to repeal section twenty-three of the act approved the first day of May, one thousand eight hundred and sixty-one, (P. L. 450), entitled "An Act relating to Allegheny County."

Referred to the Committee on Counties and Townships.

By Mrs. de YOUNG. HOUSE BILL No. 920.

An Act to amend section one of the act approved the fourteenth day of April, one thousand nine hundred five, (P. L. 169), entitled "An Act making it unlawful to trespass upon land posted as private property, and providing the penalty therefor.

Referred to the Committee on Judiciary Special.

By Mrs. de YOUNG. HOUSE BILL No. 921.

An Act requiring persons and agencies engaged in child caring, child placing and child protection work to secure a certificate of approval from the Commissioner of Public Welfare; and regulating the placing out and care of children.

Referred to the Committee on Public Health and Sanitation.

By Mr. LUDLOW. HOUSE BILL No. 922.

An Act providing for the regulation and supervision and for the approval by the Department of Public Welfare of certain maternity homes and maternity hospitals; and providing penalties.

Referred to the Committee on Judiciary Local.

By Mr. LUDLOW. HOUSE BILL No. 923.

An Act to regulate and improve the civil service of the Commonwealth of Pennsylvania, to make any violation of its provisions a misdemeanor, and to provide penalties for any violation thereof.

Referred to the Committee on Judiciary General.

By Mr. WHITEHOUSE. HOUSE BILL No. 924.

An Act to amend part of section one of an act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455), entitled, "An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

Referred to the Committee on Legislative Apportionment.

By Miss MARTHA THOMAS. HOUSE BILL No. 925.

An Act to amend section nine of an act approved the fifteenth day of May, one thousand nine hundred and three, (P. L. 446), entitled, "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania

State Institution for the Feeble-Minded and Epileptic, and making an apropriation therefor," as amended, changing the name of said institution.

Referred to the Committee on Judiciary Local.

By Mr. WONER. HOUSE BILL No. 926.

An Act to amend Section twenty-three of an act, approved the first day of June, Anno Domini, one thousand eight hundred and eighty-nine, (P. L. 420), entitled, "A Further Supplement to an act, entitled, 'An Act to provide revenue by taxation,' approved the seventh day of June, Anno Domini, one thousand eight hundred and seventy-nine."

Referred to the Committee on Ways and Means.

By Mr. WONER. HOUSE BILL No. 927.

An Act fixing a penalty for the sale, furnishing or giving away of wood alcohol or preparation and compounds containing wood alcohol or intoxicating liquor for beverage purposes when death results.

Referred to the Committee on Law and Order.

By Mr. LONG. HOUSE BILL No. 928.

An Act providing for and regulating the public printing and binding, the editing for publication and the distribution of all documents, reports, bulletins and other publications for the use of the Commonwealth, the several departments, boards, commissions and other agencies engaged in the legislative, judicial and administrative work of the State governmnt, the sale of waste paper, the appointment of a Director and other employees, and repealing inconsistent and conflicting legislation.

Referred to Committee on Printing.

By Mr. SAMPLE. HOUSE BILL No. 929.

An Act to amend clause forty-one, section three, article five of a nact approved the twenty-seventh day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred sixty-eight), entitled "An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating and extending existing laws in relation thereto."

Referred to Committee on Municipal Corporations.

By Mr. CRAIG. HOUSE BILL No. 930.

An Act providing for an industrial State highway from the City of Chester to the City of Philadelphia.

Referred to Committee on Public Roads.

By Mr. CRAIG. HOUSE BILL No. 931.

An Act to establish as a State highway a certain section of public road in the County of Delaware.

Referred to Committee on Public Roads.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 932.

An Act requiring the insurance of motor vehicles against liability for damages to persons or property due to the negligent operation thereof.

Referred to Committee on Judiciary General.

BILLS REREFERRED.

Mr. EDMONDS returned from the Committee on Municipal Corporations with the recommendation that it be re-referred to the Committee on Judiciary General, House Bill No. 265, entitled:

An Act to amend section one of an act approved the second day of May, one thousand nine hundred and one, (P. L. 120), entitled "An Act to prevent burgesses and councilmen of the several boroughs within this Commonwealth from soliciting or receiving bribes, and to punish any persons who may offer to bribe the same."

The SPEAKER. The bill is now re-referred to the Committee on Judiciary General.

Mr. COLDSMITH returned from the Committee on Appropriations, with the recommendation that it be re-referred to the Committee on Judiciary General, House Bill No. 785, entitled:

An Act prohibiting the binding out by indenture of minors as apprentices; and repealing inconsistent legislation.

The SPEAKER. The bill is now re-referred to the Committee on Judiciary General.

REPORTS FROM COMMITTEES

Mr. SCHAEFFER, from the Committee on Appropriations, reported as committed House Bill No. 209, entitled:

An Act making an appropriation to O'Hara Brothers for payment for the burial of bodies of indigent persons under instructions of the State Department of Health.

Mr. GIBBON, from the Committee on Constitutional Reform, reported as committed House Bill No. 866, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Mr. SOWERS, from the Committee on Municipal Corporations, reported as amended House Bill No. 638, entitled:

An Act supplementing an act, entitled "An act amending an act, entitled 'A Supplement to an act, entitled "An Act for the government of cities of the second class," approved the seventh day of March, one thousand nine hundred and one; authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards, courts and open spaces, and to regulate and restrict the location of trades and industries, and the location of buildings for specified uses; and to make regulations for trades and industries and for the use of buildings; and, for the above purposes, to divide the cities into districts; and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein; and providing the method of adoption of said districts, regulations, and restrictions, and the method of amendment or change thereof,' approved the twenty-first day of June, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, five hundred seventy)," providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities, establishing the procedure upon said appeals, authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties, and authorizing said appeals to be advanced.

Mr. WELLS, from the Committee on Fisheries, reported as amended House Bill No. 358, entitled:

An Act to amend sections one and eighteen of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws five hundred and fifty-nine), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received;" changing the age limit of persons required to procure licenses; and providing for the purchase with surplus moneys of lands and waters, and the impounding of waters.

Mr. STARK, from the Committee on Forestry, reported as committed, House Bill No. 728, entitled:

An Act to amend Article X of the act approved the third day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred ninety-seven), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing

penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by adding thereto a section, to be section one thousand nine, providing a penalty for interfering with notices posted by the Department.

Mr. STARK, from the Committee on Forestry, reported as committed House Bill No. 721, entitled:

An Act to amend section one hundred and two, clause (j), Article I, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing for co-operation with and receipts of contributions from persons, firms, corporations or associations for forest protection.

Mr. STARK from the Committee on Appropriations, reported as amended, House Bill No. 87, entitled:

An Act making a deficiency appropriation to carry into effect the provisions of an act, approved the twenty-fifth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand one hundred and ninety-five), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations, and regulating the payment thereof."

Mr. STARK from the Committee on Appropriations, reported as committed, House Bill No. 727, entitled:

An Act to amend Article X of the act approved the third day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred ninety-seven), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special or local, or any parts thereof, that may be inconsistent with or supplied by this act," by adding thereto section one thousand and eight; regulating civil actions by and on behalf of persons and the Commonwealth suffering damage from forest fires; and making an appropriation.

Mr. GOSS from the Committee on Municipal Corporations, reported as committed, House Bill No. 501, entitled:

An Act authorizing cities of the third class to appropriate moneys to State park commissions to provide improvements in State parks, and, with the consent of any such commission, to erect, construct, supervise, and maintain in such parks, bathing beaches, recreation centers, playgrounds, playfields, camp sites, boat houses, and boat landings.

Mr. McBRIDE from the Committee on Municipal Corporations, reported as committed, House Bill No. 774, entitled:

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs, township commissioners and township supervisors of townships, and requiring boroughs and townships to pay the expenses in connection therewith.

Mr. KELLEY from the Committee on Elections, reported as amended, House Bill No. 116, entitled:

An Act providing for the appointment by the court of supervisors in election districts in general, municipal, primary and special elections, upon petition of candidates, regulating the method of appointment and prescribing the duties and powers of such supervisors; providing for their compensation; providing penalties for violation, and repealing acts inconsistent herewith.

Mr. CHAPLIN, from the Committee on Counties and Townships, reported as committed, House Bill No. 852, entitled:

An Act to amend sections four, seven and section nine, as amended, of an act approved the twenty-second day of July, one thousand nine hundred and nineteen, (P. L. 1093), entitled "An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand, a board for assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; fixing their salaries, payable by the county; defining the powers and duties of such board; and regulating the assessment of property and occupations for State and county purposes; authorizing the appointment of subordinate assessors and clerks, refining their duties and providing for their compensation, payable by such counties; imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act, and abolishing the office of ward, borough, and township assessor, in so far as respects the assessment of property and occupations for State and county purposes," by exempting buildings and structures in the course of erection, and providing for the placing of borough and township assessments in public places.

Mr. HAAS, from the Committee on Municipal Corporations, reported as committed, House Bill No. 678, entitled:

An Act to amend clause three, section 10, article two of chapter seven of the act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312) entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Mr. A. I. FOWLER, from the Committee on Counties and Townships, reported as committed, House Bill No. 740, entitled:

An Act to amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

Mr. DILSHEIMER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 663, entitled:

An Act to amend sections five and six of an act approved the sixteenth day of May, one thousand nine hundred and nineteen, (P. L. 193), entitled "An Act to provide for the licensing and regulation of public dance halls and ball rooms, and for the regulation, supervision of public dances and balls in cities of the first, second and third class;" by making it the duty of the Mayor to investigate the character of applicants for dance hall and ball room licenses; and providing that no such license shall issue to any person of immoral character or who is an unfit person to hold such license, or who has been convicted of any crime.

Mr. DRINKHOUSE, from the Committee on Appropriations, reported as committed House Bill No. 789, entitled:

An Act making a deficiency appropriation to the Pennsylvania Industrial Reformatory, at Huntingdon, Pennsylvania.

Mr. MOORE, from the Committee on Counties and Townships, reported as committed House Bill No. 855, entitled:

An Act authorizing the county commissioners and sheriff of any county of the second class to organize a uniformed and mounted county police.

Mr. SCHWARTZ, from the Committee on Constitutional Reform, reported as committed House Bill No. 700, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania; providing for a budget system.

Mr. GEORGE A. SMITH, from the Committee on Labor and Industry, reported as committed House Bill No. 379, entitled:

An Act to amend section twenty, and sections sixty-six and seventy-one as amended, of an act approved the seventh

day of June, one thousand nine hundred and one (Pamphlet Laws four hundred ninety-three), entitled "An Act providing for the examination, licensure and registration and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof;" providing that when any plumbing or house drainage is not done in the manner provided in said act, that the owner, occupier or tenant of any building or premises may be restrained by injunction from using the said plumbing in any manner unless the same is changed in accordance with the provisions of this act; and providing for the abatement of nuisances and for penalties.

Mr. JERRY M. WILLIAMS, from the Committee on Elections, reported as committed House Bill No. 118, entitled:

An Act providing for the assessment of occupation or poll tax in cases where the assessor has failed to make such assessment, and the collection of the same, so that such taxes may be assessed by and paid to the county treasurer or the registration officers for the registration of voters; providing a penalty for violation thereof; and repealing acts inconsistent therewith.

Mr. WALKER, from the Committee on Counties and Townships, reported as committed House Bill No. 822, entitled:

An Act to amend sections one hundred and forty-five and one hundred and forty-six of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," by changing the terms of office of supervisors in townships of the second class.

Mr. GLASGOW, from the Committee on Municipal Corporations, reported as committed House Bill No. 682, entitled:

An Act to amend the forty-first clause of section two, article one, chapter five, of the act, approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312) entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," as amended.

Mr. DUNN, from the Committee on Appropriations, reported as committed, House Bill No. 593, entitled:

An Act providing compensation for the residents of this Commonwealth who served in military or naval forces of the United States during the World War; imposing certain duties on the Adjutant General; making an appropriation and repealing inconsistent legislation.

Mr. JOSEPH MARCUS, from the Committee on Constitutional Reform, reported with a negative recommendation, House Bill No. 823, entitled:

A Joint Resolution proposing an amendment to section seventeen, article two of the Constitution of the Commonwealth of Pennsylvania.

Mr. SOWERS, from the Committee on Municipal Corporations, reported with a negative recommendation, House Bill No. 559, entitled:

An Act regulating the manner in which boroughs and first class townships may secure the services of State Police; providing for their payment and discipline; defining their powers and duties and the authority to which they are subject; providing for the appointment of temporary troopers and officers, and making an appropriation.

Mr. WHITEHOUSE, from the Committee on Municipal Corporations, reported as committed House Bill No. 750, (Senate Bill No. 131), entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts and other municipalities or incorporated districts had and held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

INVITATION OF THE PENNSYLVANIA SOCIETY OF WASHINGTON, D. C. TO THE WOMAN MEMBERS.

The SPEAKER. The Chair lays before the House a communication which the Clerk will read.

The Pennsylvania Society of Washington, D. C.
March 19, 1923.

To The Woman Members of The Pennsylvania Legislature:

The Pennsylvania Society of Washington, D. C. which includes in its membership more than a thousand Pennsylvanians now in the Capitol City, request your presence as honor quests at the "Daughters of Pennsylvania Night," April 16th in the New Willard Hotel ball room. The Pennsylvania members of the Daughters of the American Revolution will also be honor guests on that occasion. It was necessary to fix April 16th, in order to accord with the plans of the National Society of the Daughters of the American Revolution.

While I understand that this night is one set aside for meeting of the Legislature, I trust you will be able to be with us as it will be of great value in showing Pennsylvania's active support of woman suffrage and the place she gives to women in public affiairs.

Counting on your presence, and with all good wishes, I am

Sincerely yours,
Clyde Kelly,
President.

The SPEAKER. The communication will be spread upon the Journal.

LEAVE OF ABSENCE EXTENDED TO WOMEN MEMBERS.

Mr. McKIM. Mr. Speaker, this is a signal honor and the courtesy extended to the lady members of this body, I have been informed that the lady members intend or desire to attend this convention on April 16, providing some arrangement could be made for leave of absence.

I move you, Mr. Speaker, that leave of absence be granted the lady members of the House for April 16th, that they may attend this convention.

The SPEAKER. Leave of absence for the lady members has been ask by the gentleman from Allegheny, Mr. McKim. If there are no objections, leave is granted. The Chair hears none and leave is granted.

LEAVES OF ABSENCE.

Mr. WILLISTON P. WOOD asked and obtained leave of absence for Mr. Zook.

Mr. PARKINSON asked and obtained leave of absence for Mr. Sprowls.

Mr. DRINKHOUSE asked and obtained leave of absence for Mr. Connor.

Mr. BLUETT asked and obtained leave of absence for Mr. Blumberg.

Mr. EACHES asked and obtained leave of absence for Mr. Post.

Mr. GRIFFITH asked and obtained leave of absence for Mr. Peelor.

QUESTION OF PERSONAL PRIVILEGE.

Mr. McVICAR. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. McVICAR. Mr. Speaker, and members of the House, yesterday a communication was read from the Governor relative to appropriation bills which has raised an inquiry in the minds of some of the members as to whether there is sufficient time for the preparation and introduction of these bills prior to March 28th, being the date fixed by this House as the last day for the introduction of bills at this session. That inquiry I think is answered by a letter which I have from the Governor and which I will ask the Clerk to read.

The SPEAKER. The communication will be read by the Clerk.

The Clerk read the communication as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 21, 1923.

Hon Nelson McVicar, Chairman, Rules Committee, House of Representatives, Harrisburg, Pa.

My dear Mr. McVicar: The question has been raised whether we can have the Administration measures ready for introduction on or before March 28th. We can and will, and we need no extension of the time fixed as the last day for the introduction of bills.

With reference to appropriation bills, I am assured that all necessary bills in the form required can be prepared for the use of the members of the House in ample time for their introduction on or before March 28th, as fixed by the rules as the last day for the introduction of bills.

Sincerely yours,
GIFFORD PINCHOT.

The SPEAKER. The communication will be spread upon the Journal.

RESOLUTION.

HOUSE BILL No. 25 RECALLED FROM THE SECRETARY OF THE COMMONWEALTH.

Mr. Dunn offered the following resolution, which was twice read, considered and adopted.

In the House of Representatives, March 21, 1923.

Resolved, (if the Senate concur), That House Bill No. 37, Printer's No. 7, entitled "A joint resolution proposing an amendment to article nine, section four, of the Constitution of Pennsylvania," be recalled from the Secretary of the Commonwealth for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

PETITIONS.

FAVORING PASSAGE OF HOUSE BILL No. 221.

Mr. HEFFRAN presented petitions from the Speers M. E. Church, Speers, Pa., and from the Ebenezer M. E. Church, located in the vicinity of Charleroi, Pa., favoring the passage of House Bill No. 221.

Referred to the Committee on Law and Order.

The SPEAKER presented petitions from the First Presbyterian Church of Freedom, Pa., the Grace Evangelical Lutheran Church, Rochester, Pa., and the United Presbyterian Church of New Brighton, Pa., favoring the passage of House Bill No. 221.

Referred to the Committee on Law and Order.

FAVORING DATE FOR FINAL ADJOURNMENT.

Mr. CHRISTIAN MILLER presented a petition, signed by one hundred and fifteen members of the House of Representatives, urging the Chairman of the Committee on Rules to bring before the House a resolution fixing the day for final adjournment of the General Assembly for this session on April 26, 1923.

Referred to the Committee on Rules.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MILLER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER, The gentleman will state his question of personal privilege.

Mr. MILLER. Mr. Speaker, I have a telegram here that I would like to have read to this House.

The SPEAKER. The Telegram will be read for information.

The Clerk read the telegram as follows:

Pittston, Penn., 625P, Mar. 20, 1923.

Hon. Christian Miller, House Capitol Bldg., Harrisburg, Penn.

As member Republican Women's Council, I regret Mrs. Marion's official utterances. Will you as senior Luzerne member please assure our delegation she does not speak for me or many others. Republican women not much interested here.

Emily Johnson.

The SPEAKER. The telegram is referred to the Committee on Law and Order.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 276, entitled:

An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates the procedure upon claims filed therefor the methods for perserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom the lien of taxes for the years one thousand nine hundred and twenty-one one thousand nine hundred and twenty-two and one thousand nine hundred and twenty-three and of municipal claims for work done within six months of the passage of this act and the procedure on tax and municipal claims filed under other and prior Acts of Assembly

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "taxes" as used in this act means any county city borough incorporated town township school bridge road or poor taxes

The word "highway" as used in this act means the whole or any part of any public street public road public lane public alley or other public highway

The words "tax claim" as used in this act mean the claim filed to recover taxes

The words "municipal claim" as used in this act mean the claim filed to recover for the grading guttering macadamizing or otherwise improving the cartways of any public

highway for grading curbing recurbing paving repaving constructing or repairing the footways thereof for laying waterpipes gaspipes culverts sewers branch sewers or sewer connections therein for assessments for benefits in the opening widening or vacation thereof or in the changing of watercourses or the construction of sewers through private lands or in highways of townships of the first class or in the acquisition of sewers and drains constructed and owned by individuals or corporations and of rights in and to use the same for the removal of nuisances or for water-rates lighting-rates or sewer-rates

The word "claimant" as used in this act means the plaintiff or use-plaintiff in whose favor the claim is filed as a lien

The word "contractor" as used in this act means the person or persons who are under contract with the legal plaintiff performed the work for which the lien is given

The word "property" as used in this act means the real estate subject to the lien and against which the claim is filed as a lien

The word "owner" as used in this act means the person or persons in whose name the property is registered if registered according to law and in all other cases means any person or persons in open peaceable and notorious possession of the property as apparent owner or owners thereof if any or the reputed owner or owners thereof in the neighborhood of such property

The word "municipality" as used in this act means any county city borough incorporated town township school district and poor district

Section 2 All taxes which may hereafter be lawfully imposed or assessed on any property in this Commonwealth and all taxes heretofore lawfully imposed or assessed by any municipality on any property in this Commonwealth for the years one thousand nine hundred and twenty-one one thousand nine hundred and twenty-two and one thousand nine hundred and twenty-three in the manner and to the extent hereinafter set forth shall be and they are hereby declared to be a first lien on said property together with all charges expenses and fees added thereto for failure to pay promptly and such liens shall have priority to and be fully paid and satisfied out of the proceeds of any judicial sale of said property before any other obligation judgment claim lien or estate with which the said property may become charged or for which it may become liable save and except only the costs of the sale and of the writ upon which it is made

Section 3 All municipal claims which may hereafter be lawfully imposed or assessed on any property in this Commonwealth and all such claims heretofore lawfully imposed or assessed within six months before the passage of this act and not yet liened in the manner and to the extent hereinafter set forth shall be and they are hereby declared to be a lien on said property together with all charges expenses and fees added thereto for failure to pay promptly and said liens shall have priority to and be fully paid and satisfied out of the proceeds of any judicial sale of said property before any other obligation judgment claim lien or estate with which the said property may become charged or for which it may become liable save and except only the costs of the sale and of the writ upon which it is made and the taxes imposed or assessed upon said property

Section 4 The lien for taxes shall exist in favor of and the claim therefor may be filed against the property by any municipality to which the tax is payable

The lien for the removal of nuisances shall exist in favor of and the claim therefor may be filed against the property from which it is removed or by which it is caused by any municipality by or for which the nuisance is removed

The lien for grading guttering paving macadamizing or otherwise improving the cartways of any highways for grading curbing recurbing paving repaving constructing or repairing the footways thereof or for laying water-pipes gas-pipes culverts sewers branch sewers or sewer connections in any highway for assessments for benefits in the opening widening or vacation thereof or in the changing of water-courses or construction of sewers through private lands or in highways or townships of the first class or in the acquisition of sewers and drains constructed and owned by individuals or corporations and of rights in and to use the same or for water-rates lighting-rates or sewer-rates or rates for any other service furnished by a municipality shall exist in favor of and the claim therefor may be filed against the property thereby benefited by the municipality extending the benefit

When the contractor performing the work is to be paid by assessment bills the lien shall exist for and the claim shall be filed to his use and he shall under no circumstances have recourse to the municipality authorizing the work

Section 5 All real estate by whomsoever owned and for whatsoever purpose used other than property owned by the State or the United States shall be subject to all tax and municipal claims herein provided for except that all property owned by any county city or other municipality or municipal division and actual places of religious worship places of burial not held or used for private or corporate profit and institutions of purely public charity shall not be subject to tax or municipal claims on property by law exempt from taxation except for the removal of nuisances for sewer claims and sewer connections or for the recurbing paving or repairing the footways in front thereof All other real estate by whomsoever owned and for whatsoever purpose used shall be subject to all tax claims and municipal claims herein provided for Provided however That nothing in this act contained shall hinder or prevent any municipality from providing that any municipal work may be done at the expense of the public generally and be paid out of the general funds of the municipality

Section 6 Where any real estate in this Commonwealth is owned by joint tenants tenants in common or co-parceners and any joint tenant or tenant in common or co-parcener has paid his or their proportionate amount of the taxes due thereon any municipality may file a claim for the unpaid taxes against the estate title and interest of the owner or owners who have not paid his her or their proportionate share of the tax whenever a claim for taxes shall have been filed against real estate owned by join tenants tenants in common or coparceners the claimant shall release the estate title and interest of any joint tenant tenant in common or coparcener from said tax claim upon payment by said joint tenant tenant in common or coparcener of his her or its proportionate share of the taxes included therein with proportionate interest and costs and the estate and title of any owner or part owner is either exempt from taxation or municipal claims or has not been subjected by law to taxation or municipal claims the estate and title of such owner or owners as may not be exempt from taxation or municipal claims or has not been subjected thereto shall be subject to the tax and municipal claims provided for in this act as any other real property liable to assessment for taxes and municipal claims the lien being filed against all the estate title and interest of the owner or owners subject to the claim

Section 7 No claim shall be filed for curbing recurbing paving repaving or repairing the footways of any highway unless the owner shall have neglected to do said work for such length of time as may be described by ordinance after notice so to do served upon him or his known agent or occupant of the property except when in the case of curbing or recurbing or repaving the footway it shall form part of an improvement resulting also in the paving macadamizing or otherwise improving the cartway of said highway and if there be no agent or occupant known by claimant it may be posted on the most public part of the property

Section 8 Where claims are to be filed to use the claimant at least one month before the claim is filed shall serve a written notice of his intention to file it unless the amount due is paid Service of such notice may be made personally on the owner wherever found but if he cannot be served in the county where the property is situated such notice may be served on his agent or the party in possession of the property and if there be no agent or party in possession it may be posted on the most public part of the property

Section 9 Claims for taxes water-rents or rates lighting-rates and sewer-rates must be filed in the court of common pleas of the county in which the property is situated on or before the last day of the third calendar year after that in which the taxes or rates are first payable and other municipal claims must be filed in said court within six months from the time the work was done in front of the particular property where the charge against the property is assessed or made at the time the work is authorized within six months after the completion of the improvement where the assessment is made by the municipality upon all the proper-

ties after the completion of the improvement and within six months after confirmation by the court where confirmation is required the certificate of the surveyor engineer or other officer supervising the improvement filed in the proper office being conclusive of the time of completion thereof but he being personally liable to anyone injured by any false statement therein In case the real estate benefited by the improvement is sold before the municipal claim is filed the date of completion in said certificate shall determine the liability for the payment of the claim as between buyer and seller unless otherwise agreed upon or as above set forth

A number of years taxes or rates of different kinds if payable to the same plaintiff may be included in one claim Municipal claims shall likewise be filed within said period where any appeal is taken from the assessment for the recovery o- which such municipal claim is filed In such case the lien filed shall be in the form hereinafter provided except that it shall set forth the amount of the claim as an undetermined amount the amount thereof to be determined by the appeal taken from the assessment upon which such municipal claim is based pending in a certain court (referring to the court and the proceeding where such appeal is pending) Upon the filing of such municipal claim the claim shall be indexed by the prothonotary upon the judgment index and upon the locality index of the court and the amount of the claim set forth therein as an undetermined amount

If final judgment is not obtained upon such appeal within five years from the filing of such municipal claim the claimant in the lien shall within such period of five years file a suggestion of non-payment in the form hereinafter set forth which shall have the effect of continuing the lien thereof for a further period of five years from the date of filing such suggestion Such municipal claim shall be revived in a similar manner during each recurring period of five years thereafter until final judgment is entered upon said appeal and the undetermined amount of such municipal claim is fixed in the manner hereinafter provided

When the final judgment is obtained upon such appeal the court in which said municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed in such claim at the amount determined by the final judgment upon said appeal which shall bear interest from the date of the verdict upon which final judgment was entered and thereafter the amount of said claim shall be the sum thus fixed Proceedings upon said municipal claim thereafter shall be as in other cases

Where on final judgment upon said appeal it appears that no amount is due upon the assessment for the recovery of which such claim is filed the court in which such municipal claim is pending shall upon the petition of any interested party make an order striking such municipal claim from the record and charge the costs upon such claim to the plaintiff in the claim filed

Where such appeal is discontinued the court in which such municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed at the amount of the original assessment which shall bear interest from the date that such assessment was originally payable and thereafter the amount of such claim shall be the sum thus fixed

Section 10 Said claim shall set forth

1. The name of the municipality by which filed
2. The name of the owner of the property against which it is filed
3. A description of the property against which it is filed
4. The authority under or by virtue of which the tax was levied or the work was done
5. The time for which the tax was levied or the date on which the work was completed in front of the particular property against which the claim is filed or the date of completion of the improvement where the assessment is made after completion or the date of confirmation by the court where confirmation is required done
6. If filed to the use of a contractor the date of and parties to the contract for doing said work and
7. In other than tax claims the kind and character of the work done for which the claim is filed and if the work be such as to require previous notice to the owner to do it when and how such notice was given

Said claim must be signed by the solicitor or chief executive officer of the claimant and in the case of a use plaintiff must be accompanied by an affidavit that the facts therein set forth are true to the best of his knowledge information and belief

The eleventh section was read as follows:

Section 11 The property described in tax claims shall include the whole property against which the tax is levied The property described in municipal claims may include the whole contiguous property or it may include only the lot in front of or upon which the work is done or to which service is supplied of such depth as is usual in properties of the same kind or character in the particular neighborhood No municipal claim or tax claim shall be invalid by reason of including therein property to a greater depth than as above provided but the court in which the same is filed may at any time prior to judgment thereon but not afterwards upon it appearing that such claim includes property to a greater depth than is hereby made subject to such claim limit the lien thereof to the proper depth Where any owner or owners of property abutting on a highway conveys a strip of land abutting on said highway which strip is too narrow to be used as a site for the smallest width dwelling allowed by law to be erected thereon such conveyance shall be deemed to be made for the purpose of evading liability for the municipal improvements made or to be made in such highway and in such cases the assessment may be made at the option of the municipality against the lot as it existed before the division and the lien may be filed against the entire lot as thus assessed joining the owners of both the rear lot and the strip in the claim In all cases where a tax is levied on or filed against separate and distinct properties in one amount covering all the proper public authority shall if tendered with all costs if any accept payment of the portion of the whole amount of said tax chargeable upon each or any of the separate and distinct properties so charged together according to the tax rate and assessed valuation thereof and payment and satisfaction of any one portion may be made with out prejudice to the claim against the remainder

On the question,

Will the House agree to the section?

Mr. BLUETT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 11, page 12, line 20 by striking out the word "by" which is the last word in said line.

Amend Section 11, page 13 by striking out the bracket "]" after the word "owner"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twelfth, thirteenth and fourteenth sections were separately read and agreed to as follows:

Section 12 Any person having an interest in the property whensoever acquired may after ten days' prior notice in writing by leave of court intervene as a party defendant and make defense thereto with the same effect as if he had been originally named as a defendant in the claim filed And the claimant may by writing filed at his costs strike off the name of any defendant therein and may substitute as a defendant and issue a scire facias against any person who may have any interest therein as owner or who is the personal representative of an owner who has died either before or after filing the claim but such substitution shall always be without prejudice to any intervening rights

Section 13 In all cases where a tax or municipal claim is levied on or filed against separate and distinct properties as one estate it shall and may be lawful for the proper public authority either before or after filing a claim therefor to apportion the same ratably upon the separate and distinct properties so assessed together And the court in

which the claim is filed on proof that the properties were separate and distinct at the time the tax was levied or the work was done shall at any stage of the proceedings apportion the charge against such properties When apportioned they shall be treated and considered in all respects as if separate and distinct claims had been filed and payment and satisfaction of any one portion may be made without prejudice to the claim as against tne rest

Section 14 Any defendant named in the claim or any person allowed to intervene and defend thereagainst may at any stage of the proceedings present his petition under oath or affirmation setting forth that he has a defence in whole or in part thereto and of what it consists and praying that a rule be granted upon the claimant to file an affidavit of the amount claimed by him and to show cause why the petitioner should not have leave to pay money into court and in the case of a municipal claim to enter security in lieu of the claim whereupon a rule shall be granted as prayed for Upon the pleadings filed or from the claim and the affidavit of defense and without a petition where an affidavit of defense has been filed the court shall determine how much of the claim is admitted or not sufficiently denied and shall enter a decree that upon payment by such petitioner to the claimant of the amount thus found to be due with interest and costs if any thing be found to be due or upon payment into court if the claimant refuses to accept the same and upon payment into court of a sum sufficiently to cover the balance claimed with interest and costs or upon the entry of approved security in the case of a municipal claim that such claim shall be wholly discharged as a lien against the property described therein and shall be stricken from the judgment index Thereafter the material disputed facts if any shall be tried by a jury without further pleadings with the same effect as if a writ of scire facias had duly issued upon said claim to recover the balance thereof but the jury shall be sworn to try the issues between the claimant and the parties who paid the fund into court or entered security and verdict judgment and payment or execution shall follow as in other cases The same course may be pursued at the instance of any owner where the claim has not in fact been filed and if in that event the petitioner complies with the decree made the money paid into court or security entered shall stand in lieu of the claim and the latter shall not be filed and if filed shall be stricken off upon motion

The fifteenth section was read as follows:

Section 15 Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said properties until fully paid and satisfied Provided however That either a suggestion of non-payment and an averment of default in the form hereinafter provided be filed in cases of tax claims either before or after judgment on the scire facias and in cases of other than tax claims after judgment on the scire facias or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scire facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of non-payment and default was filed thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now .....the claimant by.....his solicitor suggests of record that the above claim is still due and owing to the claimant and avers that the owner is still in default for non-payment thereof The prothonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment must be signed by the solicitor or chief executive officer of the claimant The prothonotary shall docket and index the suggestion and averments directed therein and for such services shall be entitled to a fee of one dollar to be taxed and collected as other costs in the claim The filing and indexing of such suggestion and averment within five years of filing the claim or the issuing of any writ of scire facias thereon or of any judgment thereon or of the filing of any prior suggestion and averment of default shall have the same force and effect for the purposes of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or a judgment or judgment of revival had been obtained within such period Provided That no writ of levari facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levari facias Whenever the lien of a claim has been revived and continuing by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid its lien on real estate shall be wholly lost

On the question,

Will the House agree to the section?

Mr. BLUETT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 15, page 17, line 7 by striking out the word "lssued" and inserting in lieu thereof the word "issued"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth and thirtieth sections were separately read and agreed to as follows:

Section 16 Any party named as a defendant in the claim filed or admitted to defend there against may file as of course and serve a notice upon the claimant or upon the counsel of record to issue a scire facias thereon within fifteen days after notice so to do If no scire facias be issued within fifteen days after the affidavit of service of notice is filed of record the claim shall be stricken off by the court upon motion If a scire facias be issued in accordance with such notice the claimant shall not be permitted to discontinue the same or suffer a nonsuit upon the trial thereof but a compulsory nonsuit shall be entered by the court if the claimant does not appear or withdraws or for reason fails to maintain his claim

Section 17 The claim shall be sued by writ of scire facias and the form thereof shall be substantially as follows The Commonwealth of Pennsylvania to (names of the parties defendant) Greeting

Whereas The (city borough or other municipality as the case may be) on the.....day of.....A D 1.... filed its claim in our court of common pleas of.....county at No .....Term 1..... M L D for the sum of $..... with interest from the .....day of..... 1..... for (give the improvement or that for which the claim is filed) against the following property situate in (give location and brief description of the property) owned or reputed to be owned by you

And whereas We have been given to understand that said claim is still due and unpaid and remains a lien against said property

Now you are hereby notified to file your affidavit of defence to said claim if defence you have thereto in the office of the prothonotary of our said court within fifteen days after the service of this writ upon you If no affidavit of defence be filed within said time judgment may be entered against you for the whole claim and the property described in the claim be sold to recover the amount thereof

Witness the Honorable.....President Judge of our said court this.....day of.....A.D. 1.....

.....Prothonotary

(SEAL)

The claimant when he files his praecipe for the writ of scire facias may direct the prothonotary to add and insert the names of any persons whom the claimant may know to have an interest in the premises and the scire facias shall be issued containing such additional names But the parties to the claim may agree upon an amicable scire facias upon such terms as may be agreed upon with the same effect as if a scire facias in the form aforesaid had been duly issued served and returned or the defendants or any of them may waive the issue of a scire facias and appear with like effect as if the scire facias had been issued and served

Section 18 The sheriff to whom the scire facias is given for service shall add to the writ as parties defendant all persons other than those named therein who may be found in possession of the property described or any part thereof and in case no one is found in possession by the sheriff he shall post a true copy of the writ on the most public part of said property and he shall add to the said writ the names of any persons not already named therein whom he may ascertain to have an interest in the property described or any part thereof which writ shall then be further served as follows

(a) By serving as in the case of a summons such of those named in the writ or added thereto as may be found in the county in which the writ issued and

(b) Where the sheriff has information that those named in the writ or added thereto or any of them may be found in any other county of this Commonwealth the said persons shall be served as in the case of a summons by the sheriff of the county in which the said defendants or any of them may reside he being deputized for that purpose by the sheriff of the county in which the writ issues and

(c) In case any of those named in the writ or added thereto cannot be found by the sheriff or their residences within this Commonwealth are unknown to him or in case they reside without the Commonwealth the said writ may be served by advertising a copy thereof or a brief notice of the contents of the same once a week for three successive weeks in one newspaper of general circulation in the county and in the legal periodical if any designated by the court for that purpose Provided however That any defendant may accept service of said writ in person or by counsel with the same effect as if duly served therewith by the sheriff

Where the said writ or the brief notice of the contents thereof have been advertised as aforesaid the same shall have the same effect as if the writ had been personally served and all those named therein or added thereto as to whom publication has been made shall file their affidavit of defence as required by the said writ within fifteen days after the date of the last weekly advertisment of the said writ and all those named therein or added thereto who have been served as in case of a summons shall file their affidavit of defence as required by said writ within fifteen days after such service Service of any such writ may be made at any time within three months from the date on which it was issued but it shall be served and returned at the earliest date possible and the plaintiff may require its return at any time whether or not it be actually served

Section 19 If no affidavit of defence be filed within the time designated judgment may be entered and damages assessed by the prothonotary by default for want thereof Such assessment shall include a five per cent fee for collection to plaintiff's attorney

If an affidavit of defence be filed a rule may be taken for judgment for want of sufficient affidavit of defence or for so much of the claim as is insufficiently denied with leave to proceed for the residue

The defendant may by rule require the plaintiff to reply under oath or affirmation to the statements set forth in the affidavit of defence and after the replication has been filed may move for judgment on the whole record

Section 20 Tax claims and municipal claims shall be prima facie evidence of the facts averred therein in all cases and the averments in both tax and municipal claims shall be conclusive evidence of the facts averred therein except in the particulars in which those averments shall be specifically denied by the affidavit of defence or amendment thereof duly allowed A compulsory nonsuit upon trial shall be equivalent to a verdict for defendant whether the plaintiff appeared or not If plaintiff recovers a verdict upon trial in excess of the amount admitted by the defendant in his affidavit of defence or pleadings he shall be entitled to an attorney's fee for collection equal to five per centum of such excess but not exceeding fifty dollars

Section 21 The judgment upon such claim may be revived by writ of scire facias in the following form The Commonwealth of Pennsylvania to C D and E F

Greeting

Whereas A B claimant on the .....day of..... A D 1.....recovered judgment in the sum of.....dollars against you that the following described property be sold to satisfy the same

(Here describe property in full)

And whereas we have been given to understand that though judgment as aforesaid was rendered yet the amount thereof is still due and unpaid and remains as a lien against said property Now you are hereby notified to file your affidavit of defence to A B's claim upon said judgment if any defence you have in the office of the prothonotary of our said court within fifteen days after service of this writ upon you If no affidavit of defence be filed within that time said judgment may be revived against you for the amount set forth with interest from the time of its recovery and said property to be sold to recover the whole thereof

Witness the Hon.....President Judge of our said court this.....day of.....A. D. 1.....

.....Prothonotary

(SEAL)

But the parties to the judgment may agree upon an amicable scire facias to revive or to an amicable judgment of revival upon such terms as may be agreed upon with the same effect as if a scire facias in the form aforesaid had been duly issued served and returned

Section 22 Said writ of scire facias shall be served and the proceedings thereon shall be conducted as to persons who are found by the sheriff in the manner herein before provided for the original scire facias sur claim but in any and all events two returns of nihil habet to the writs to revive shall be equivalent to personal service upon the defendants The practice and procedure following said scire facias to revive so far as applicable shall be the same as in the case of the original scire facias to collect the claim

Section 23 All judgments for the plaintiff whether on the original scire facias or any scire facias to revive shall be de terris only and shall be recovered out of the property bound by lien and not otherwise but the costs whether as against the plaintiff or the defendant actually defending against the claim may be recovered by execution as in personal actions

Section 24 After the expiration of twenty days from the recovery of judgment whether on the original scire or any scire facias to revive except in cases where the property named is essential to the business of a quasi-public corporation the court shall upon the petition of the plaintiff appoint a sequestrator of the rents issues and profits of the property bound by the judgment unless in the meantime an appeal be taken and approved security given to operate as a supersedeas If the owner against whom the judgment is entered be in possession of the property sequestered or the party in possession refuse to pay a fair rent the court shall upon petition filed and served grant a rule and if it be made absolute award a writ in the nature of a writ of habere facias possessionem directed to the owner commanding him to deliver such possession to the sequestrator within fifteen days thereafter unless such property be occupied by the owner and his family for a home in which case he shall be entitled to retain possession for a period of three months from the time the petition was served upon him

Section 25 Every claim filed scire facias issued verdict recovered and judgment entered in accordance with the provisions of this act shall be docketed in appropriate dockets and except as hereinafter provided shall be entered upon the judgment index of the court When a claim is stricken off or satisfied the name of a defendant stricken out a scire facias discontinued or quashed or a verdict or judgment stricken off or satisfied a note thereof shall be made on such docket or dockets Provided however That in counties in which the filing of liens for county taxes was authorized by law prior to the passing of the act of one thousand nine hundred and one aforesaid the method of filing entering docketing and indexing liens for county road poor school borough school building township and other taxes assessed in boroughs and townships in such counties shall remain and be continued thereafter in the same manner and form as in use prior to the passage of the said act approved

June fourth one thousand nine hundred and one notwithstanding the passage of the same

Section 26 It shall be the duty of the prothonotaries of the courts of common pleas to keep a locality index in which shall be entered all tax or municipal claims hereafter filed and upon any written order therefor they shall give a certificate of search showing all the claims filed against any property For so doing they shall receive the sum of twenty-five cents and five cents additional for each claim certified and no more

Section 27 At any time before the property is sold approved security may be entered for a stay of proceedings until the expiration of one year after the date of filing the claim The entry of such security by the owner before the entry of judgment on the claim shall be equivalent to an admission by him that the property is liable for the claim After the stay has expired the claimant may proceed upon the claim and the bond given separately or simultaneously

Section 28 Execution upon any judgment recovered upon any such claim except where the property named is essential to the business of a quasi-public corporation shall be by writ of levari facias in the following form The Commonwealth of Pennsylvania

To the Sheriff of.....County Greeting

Whereas A. B., claimant on the.....day of.....Anno Domini 1..... recovered judgment in the sum of..... dollars with interest from the.....day of.....Anno Domini 1..... and the costs amounting to.....dollars in our court of common pleas of said county of.....Term .....No.....M. L. D. against C. D. and E F that the following described property in your bailiwick be sold to satisfy the same namely

(Here describe the property in full)

Now this is to command you that you expose the said property to sale by public vendue and outcry after due advertisement according to law and that return of said sale with the moneys realized thereby and this writ you make to our said court on the.....day of.....Anno Domini 1....

Witness the Honorable.....President Judge of our said court this.....day of.....Anno Domini 1.....

Advertisement of such sale shall be made and the deed to the purchaser shall be executed acknowledged and delivered as in other real estate sales by the sheriff

Section 29 The plaintiff in any judgment recovered on a tax or municipal claim may upon paying the sheriff's costs fix an upset price to be realized at any sale under such judgment sufficient to pay all taxes and municipal claims and all accrued but unfilled taxes and claims in full No sale shall be made on a judgment recovered on a tax or municipal claim except for a sum sufficient to pay all taxes and municipal claims in full except as hereinafter provided and the plaintiff in such judgment may purchase the property at such sale for that sum if no one bids a higher price therefor

Section 30 Where judgment is recovered upon any claim the property named in which is essential to the business of a quasi-public corporation the claimant shall have execution thereupon as in other cases of judgments against such corporations Upon the distribution of any fund realized by a sale of the franchises and the whole or any part of the assets of the corporation the court shall determine the actual value of the property bound by the lien and the claim shall be preferred with such other claims to the extent of the value thus determined

The thirty-first section was read as follows:

Section 31 The lien of a tax or a municipal claim shall not be divested by any judicial sale of the property liened where the amount due is indefinite or undetermined or where the same is not due and payable nor shall the lien of a tax or municipal claim be divested by any judicial sale of the property liened as respects so much thereof as the proceeds of such sale may be insufficient to discharge nor except as hereinafter provided shall a judicial sale of the property liened under a judgment obtained on a tax or municipal claim discharge the lien of any other tax or municipal claim than that upon which said sale is had except to the extent that the proceeds realized are sufficient for its payment after paying the costs and expenses of the sale and of the writ upon which it was made and any other prior tax or municipal claims to which the fund may first be applicable On any such sale being made all tax claims shall be paid out of the proceeds thereof first the oldest tax having priority and municipal claims shall be paid next the oldest in point of lien having priority Mortgages ground-rents and other charges on or estates in the property which were recorded or created where recording is not required before any tax other than for the current year accrue or before the actual doing of the work in front of or upon the particular property for which the municipal claim is filed shall not be disturbed by such sale unless a prior lien is also discharged thereby

In case the property be not sold for a sum sufficient to pay all taxes and municipal claims together with the costs thereon the plaintiff in any such claim may postpone the sale without payment of costs and file his petition setting forth that more than one year has elapsed since the filing of his claim that he has exposed the property to sheriff's sale thereunder and was unable to obtain a bid sufficient to pay the upset price in full and if a municipal claimant other than a municipality that he will bid sufficient to pay the upset price and upon the production of searches or a title insurance policy showing the State of the record and the ownership of the property and of all tax and municipal claims mortgages ground-rents or other charges on or estates in the land the court shall grant a rule upon all parties thus shown to be interested to appear and show cause why a decree should not be made that said property be sold freed and cleared of their respective claims mortgages charges and estates If upon a hearing thereafter the court is satisfied that service has been made of said rule upon the parties respondent in the manner provided in this act for the service of writs of scire facias to obtain judgments upon tax and municipal claims and that the facts stated in the petition be true it shall order and decree that said property be sold at a subsequent sheriff's sale-day to be fixed by the court without further advertisement clear of all claims liens mortgages charges and estates to the highest bidder at such sale and the proceeds realized therefrom shall be distributed in accordance with the priority of such claims and the purchaser at such sale shall take and forever thereafter have an absolute title to the property sold free and discharged of all tax and municipal claims liens mortgages charges and estates of whatsoever kind subject only to the right of redemption as provided by law

Any person interested may at any time before the sale pay the petitioner the whole of his claim with interest and costs whereupon the proceedings on petition shall at once determine

For the purpose of enabling the petitioner in any such proceedings to give the notice required he may take the testimony of the defendant in the claim or of any other person whom he may have reason to believe has knowledge of the whereabouts of any of the parties respondent either by deposition commission or letters rogatory

Any county municipality township or school district being a claimant shall have the right and is hereby empowered to bid and become the purchaser of the property at such sale and while the said property so purchased is held and owned by either a county or a municipality township or school district it shall not be subject to tax claims unless it be redeemed by the former owner or other person having the right to redeem as provided by the act to which this is an amendment If however a county municipality township or school district shall become the purchaser at said sale the former owner or other person desiring to redeem shall pay all taxes and municipal claims accrued and chargeable against the property prior to the sale thereof together with the costs and interest thereon and also all taxes and claims whether filed or not which would have accrued and become chargeable against the property had the same been purchased at the sale by some party other than the county city or other municipal division

Upon the delivery by the sheriff of a deed for any property sold under a tax or municipal claim the judgment upon which such sale was had shall thereupon and forever thereafter be final and conclusive as to all matters of defense which could have been raised in the proceeding including payment and no error or irregularity in obtaining or entering of such judgment shall effect the validity thereof

On the question,

Will the House agree to the section?

Mr. BLUETT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 31, page 30, line 27 by striking out the following: "the act to which this is an amendment" and inserting in lieu therefore the word "law"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth and fortieth sections were separately read and agreed to as follows:

Section 32 The owner of any property sold under a tax or municipal claim or his assignees or any party whose lien or estate has been discharged thereby may redeem the same at any time within one year from the date of acknowledgment of the sheriff's deed therefor upon payment of the amount bid at such sale the cost of drawing acknowledging and recording the sheriff's deed the amount of all taxes and municipal claims whether not entered as liens if actually paid the principal and interest of estates and encumbrances not discharged by the sale and actually paid the insurance upon the property and other charges and necessary expenses of the property actually paid less rents or other income therefrom and a sum equal to interest at the rate of ten per centum per annum thereon from the time of each of such payments If both owner and creditor desire to redeem the owner shall have the right so to do only in case he pays the creditor's claim in full If more than one creditor desires to redeem the one who was lowest in lien at the time of sale shall have the prior right upon payment in full of the claim of the one higher in lien Within the year one who was lower in lien may redeem from one higher in lien who has already redeemed and the owner may redeem from him and so on throughout in each case by paying the claim of the one whose right was higher and one higher in lien may redeem from one lower in lien unless his claim is paid but in each case the right must be exercised within the year

Any person entitled to redeem may present his petition to the proper court setting forth the facts and his readiness to pay the redemption money whereupon the court shall grant a rule to show cause why the purchaser should not reconvey to him the premises sold and if upon hearing the court shall be satisfied of the facts it shall make the rule absolute and upon payment being made or tendered shall enforce it by attachment

Section 33 Any claim filed or to be filed under the provisions of this act and any judgment recovered thereon may be assigned or transferred to a third party either absolutely or as collateral security and such assignee shall have all the rights of the original holder thereof

Where the claim has been paid in full by one of several defendants therein whether originally named as such or allowed to intervene and defend it shall be satisfied of record as to him and marked to his use as against the other defendants pro rata according to their respective interests in the property bound by the claim

Section 34 Any claim petition answer replication scire facias affidavit of defense or other paper filed of record may be amended from time to time by agreement of the parties or by leave of the court upon petition for that purpose under oath or affirmation setting forth the amendment desired that the averments therein contained are true in fact and that by mistake they were omitted from or wrongfully stated in the particulars as to which amendment is desired Such amendments shall be of right saving intervening rights except that no amendment of the claim shall be allowed after the time for its filing has expired which undertakes to substitute an entirely different property from that originally described in the claim but the description of the property may be amended so as to be made more accurate as in other cases of amendment

The court may for cause shown and filed of record enlarge the time for filing the affidavit of defense answer or replication for issuing a scire facias or for entering security by rule or special or standing order and any judgment by default may be opened by the court upon cause shown by interveners or other defendants as in other cases but no enlargement of the time for issuing a scire facias shall extend the same beyond the time herein provided for preserving or retaining the lien thereof

Section 35 Any rule granted under the provisions of this act may be made returnable at such time as the court may direct either therein or by rule of court or by special or standing order All petitions answers and replications shall be under oath or affirmation Answers must be filled and served within fifteen days after service of the petition and rules and replications must be filed within fifteen days after service of the last of the answers Replications must be confined to a reply to new matter set forth in the answers

The facts averred by either party and not denied in the answer or replication of the other shall be taken as true in all subsequent proceedings in the cause without the necessity for proof thereof unless amended as herein set forth Any fact necessarily found by the court in finally determining a rule shall also be taken as true in all subsequent proceedings in the cause without the necessity for proof thereof unless either party by writing filed and served at least ten days prior to the time fixed for trial requires that it be submitted to the jury.

Section 36 Unless otherwise herein provided all notices petitions and rules shall be served upon counsel for the parties interested or upon the parties themselves in the manner bills in equity are served or upon the owner by leaving a copy with the party in possession of the real estate or in default of service in any of the methods stated then in such manner as the court shall direct

Section 37 Whenever security is required to be given in accordance with the provisions of this act it may be approved by the prothonotary subject to an appeal to the court as in other cases If thereafter the security be found to be insufficient new security may be required within a given time in default of the entry of which the cause may proceed with the same effect as if none had been given the sureties however remaining liable By agreement of the parties or upon approval by the court after notice new security may be entered in lieu of that originally taken and an exonerator entered on the first bond or the security given may be limited to a particular property if clear of incumbrances and if also the security be entered as a lien upon said property

Section 38 In cases where there is a use-plaintiff if the claim shall be paid or otherwise satisfied or discharged at any time before or after filing it shall be the duty of the use-plaintiff or his legal representatives at the request of the owner or of any other person interested by a statement in writing showing how the claim was paid satisfied or discharged and on the payment of costs if any be due to enter satisfaction on the record of such claim In such cases a refusal to satisfy the claim for a period of sixty days after notice so to do served upon the use-plaintiff or his agent or attorney shall subject such use-plaintiff to a suit as for penalty at the hands of the party aggrieved in such sum as the jury shall determine to be just but not exceeding the amount of the claim

Section 39 From any definitive judgment order or decree entered by the court of common pleas under any of the provisions of this act or from the refusal to open a judgment entered by default an appeal may be taken by the party aggrieved to the Supreme or Superior Court as in other cases

Section 40 This act shall apply only to claims wherein the right to file a lien accrues after the date of its passage and to tax claims for the years one thousand nine hundred and twenty-one one thousand nine hundred and twenty-two and one thousand nine hundred and twenty-three and to municipal claims heretofore lawfully imposed or assessed within six months before the passage of this act and not liened at the time of its passage but the rights of other claimants under existing laws shall remain unaffected by its passage and all claims properly filed thereunder are hereby validated Provided however That all tax and municipal claims filed under any prior act of assembly or directed to be filed under any such prior act or acts including the act approved the fourth day of June one thousand nine hundred and one (Pamphlet Laws three hundred and sixty-four) may hereafter be revived

continued and collected under and according to the procedure and provisions of this act

The forty-first section was read as follows:

Section 41 Nothing contained in this act shall be construed to repeal or affect the validity of any other acts of assembly providing other methods or remedies for the collection of taxes and municipal claims municipalities and use claimants shall have and retain the right to proceed to collect such claims by assumpsit distraint or under the acts relating to the collection of taxes upon seated and unseated land or in any other way or by any other method authorized by law as though this act had not been passed If any clause phrase section or part of this act is held to be unconstitutional it shall not affect the validity of the remaining or other portions of the act

All acts or parts of acts of assembly of this Commonwealth general special or local including those relating to the redemption of property from sheriff's sales on tax and municipal claims appertaining to the subject matter covered by this act and inconsistent herewith shall be and the same are hereby repealed it being intended that this act shall furnish a complete and exclusive system in itself so far as relates to tax and municipal claims except as hereinbefore set forth

On the question,

Will the House agree to the section?

Mr. BLUETT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the last line of Section 41, by adding after the words "except as hereinbefore set forth" the words, nothing contained in this act shall be construed to repeal or to affect the validity of the act of Assembly approved the first day of June 1915 (Pamphlet Laws 660) entitled "An Act to amend an act, approved the 21st day of May 1913 entitled An Act providing for the return of taxes on seated land in counties, poor districts, boroughs, incorporated towns and townships for county poor borough town or township taxes respectively, and providing for the sale of such lands for taxes, so as to include school taxes".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances and for water rents or rates, sewer rates and lighting rates; the procedure upon claims filed therefor, the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, the distribution of the proceeds of such sales and the redemption of the property therefrom, the lien of taxes for the years 1921, 1922 and 1923 and of municipal claims for work done within six months of the passage of this act, and the procedure on tax and municipal claims filed under other and prior Acts of Assembly.

On the question,

Will the House agree to the title?

Mr. BLUETT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Line 6, after words "lighting rates" insert word "for".
Line 11, after word "therefrom" insert for "for"

Line 11, after words "the lien" strike out the words "of taxes for the years 1921, 1922 and 1923" and insert the words "and collection of certain taxes heretofore assessed"

Line 15, Strike out words "municipal claims for work done" and insert words "claim for municipal improvements made and nuisances removed"

Line 16, Strike out first word "of" and insert words "before"

Line 16, after word "and" insert word "for"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 701, as follows:

An Act to further amend sections ten and fourteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended by requiring all proceedings in civil cases before magistrates that are sought to be reviewed by appeal to be taken only to the Municipal Court transferring original jurisdiction in certain civil cases from the court of common pleas to said court providing that costs in all cases shall follow the judgment and that certain judgments shall be final

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" which was amended by the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-three) entitled "An Act amending section ten of an act entitled 'An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof' approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) by changing the jurisdiction in civil actions" is hereby further amended to read as follows

Section 10 The said court hereby created shall have jurisdiction in all civil actions at law and in equity where the value of the matter or thing in controversy exclusive of interest and costs does not exceed the sum of one thousand five hundred dollars ($1,500) In all civil cases where the value of the matter or thing in controversy exclusive of interest and costs does not exceed the sum of one hundred dollars the action shall be commenced only in the municipal court or in a magistrate court In any civil action commenced in the said municipal court the costs shall follow the judgment as in the court of common pleas regardless of the amount claimed or of the amount of said judgment All proceedings in civil cases before magistrates that are sought to be reviewed by appeal shall hereafter be taken only to

the Municipal Court created by the Act of which this is an amendment instead of to the Court of Common Pleas as heretofore practiced Save as aforesaid such review by appeal appeal shall be had in the same manner and subject to the same restrictions as provided by existing law The amount claimed by the plaintiff where the said claim is for a sum certain shall be conclusive as to the jurisdiction of the court in all civil actions brought for the recovery of money and in actions at law or in equity not involving any sum certain the plaintiff shall file with his statement a certificate as to the amount of the thing or matter in controversy The said court shall also have jurisdiction in any civil cases transferred to it by order of a majority of the judges of any court of common pleas of Philadelphia County

The said court shall also have authority with the consent of the court of common pleas to transfer to that court all suits wrongfully brought in the municipal court in excess of its jurisdiction

Section 2 That section fourteen of said act of one thousand nine hundred and thirteen as amended by section one of an act approved the tenth day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred and fifty-seven) entitled "An Act to amend section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred eleven) entitled 'An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof'" is hereby further amended to read as follows

Section 14 All parties believing themselves to be aggrieved by the decision of said Municipal Court may remove their case by appeal or writ of error to the Supreme or Superior Court as the case may be in accordance with the law now existing or which may hereafter be adopted and in accordance with the practice and procedure now existing or which may hereafter be adopted in perfecting appeals from existing courts in Philadelphia County This section shall not apply where the demand or sum in controversy does not exceed five dollars and thirty-three cents In such cases the judgment of the municipal court is final

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To bet ranscribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 515, as follows:

An Act limiting rent as a preferred claim

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where by virtue of the laws of this Commonwealth a landlord's claim for rent is preferred over other claims such preference shall extend only to rent in arrears for a period not exceeding three months

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

The SPEAKER. If there are no objections, the Chair will take up bills on first reading. The Chair hears none.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 582, entitled:

An Act to repeal an act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and seventy-nine) entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safekeeping discipline and employment of prisoners and the government and management of said jails or county prisons"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 692, entitled:

An Act to repeal an act, approved the sixth day of April, one thousand eight hundred and two (Pamphlet Laws, two hundred sixty-five) entitled "An Act authorizing the sale of Provisions, Vegetables and Fruit in the markets of any city, borough, or corporate town within the Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 857, entitled:

An Act providing for the lapsing of unexpended or unencumbered balances of appropriations

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 719, entitled:

An Act to amend sections two, three and thirteen, and to repeal section eleven of the act approved the ninth day of July, one thousand nine hundred and nineteen, (P. L. 809), entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture; providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof; and prescribing penalties for violations of the provisions of this act" by clarifying certain provisions, extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 540, entitled:

An Act prohibiting persons from concealing, changing or destroying manufacturers' serial numbers, or identification marks upon machines or apparatus or from knowingly having any such machine in the possession; and prescribing penalties for violation thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 395, entitled:

An Act to regulate the sale of caustic acid or caustic alkali preparations intended for household use and providing penalties for the violation thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 416, entitled:

An Act to amend section three hundred and four of an act, approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 682), entitled "An Act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 461, entitled:

An act to better secure all bonds, stocks, mortgages or other securities deposited with the State Treasurer by providing for their inspection, examination and verification and the verification of the books containing a record of such **bonds, stocks, mortgages or other securities by the Auditor General or his agents.**

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 759, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 850, entitled:

An Act to amend section three of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand twenty-four) entitled "An Act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" as amended

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 434, entitled:

An Act to amend section four of an act approved the thirteenth day of May, Anno Domini, one thousand nine hundred and fifteen, entitled, "An Act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," changing the maximum number of hours in the working day and working week for minors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 623, entitled:

An Act to amend section five of an act approved the nineteenth day of May, one thousand eight hundred and seventy-four (Pamphlet Laws, two hundred six), entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants, and to provide for the election of Judges thereof," as amended, by changing the provision for appointment of first assistant clerks so as to conform to the Constitution and giving to the Court and Register of Wills joint power to modify the salaries fixed for any assistant clerk.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 600, entitled:

An Act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic, the United-Spanish War Veterans and American Legion a part of the public records of the State; and providing for their publication and distribution.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 690, entitled:

An Act requiring the judges of all courts of record to render their decisions within six months after the trial or argument of a case after a petition is presented

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 760, entitled:

An Act to amend section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 473) entitled, "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors, or marines, designated as 'deceased service men;' defining the term 'deceased service man'; and authorizing county commissioners to provide headstones, markers and burial plots for such deceased service men at the expense

of the county in which they shall die or have a legal residence at the time of their death."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 697, entitled:

An Act making it unlawful for any county city borough or incorporated town to prohibit the wearing of certain military insignia by its employees upon their uniforms

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 758, entitled:

An Act to amend section twenty-three of the act approved the thirtieth day of June, one thousand nine hundred and nineteen (P. L. 678) entitled, "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof; and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended, providing for the increase of punishment for violence of any of the provisions of said section.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 691, entitled:

A Supplement to the act approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (P. L. 322) entitled, "An Act creating a commission to select an historic spot as a cemetery for the burial of bodies of soldiers, sailors, marines, war nurses, and members of the National Guard; defining the powers and duties of the Commission; and making an appropriation," extending the time for the making of the report of the Commission and making an additional appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 707, entitled:

An Act to amend section seventy-nine of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 382), entitled "An Act to consolidate. revise and amend the penal laws of this Commonwealth," providing for the increase of punishment in cases of involuntary manslaughter.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 862, (Senate Bill No. 75), entitled:

An Act to amend section seventy-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth" by providing the penalty for murder of the first degree shall be either death or life imprisonment at the discertion of the jury or of the court as the case may be

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 747 (Senate Bill No. 118), entitled:

An Act providing that the county controller shall be made a party defendant in all suits against any county

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 809 (Senate Bill No. 99), entitled:

An Act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designated for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcholic liquor license laws

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

SENATE BILL NO. 99 MADE A SPECIAL ORDER.

Mr. ARMSTRONG. Mr. Speaker, I move that House Bill No. 809, Senate Bill No. 99, known as the Enforcement Bill, be made a special order of business on second reading on Monday night, March 26, 1923 at 9:30 o'clock; and a special order on third reading and final passage for Tuesday, March 27, 1923 at 11:30 o'clock.

Mr. HIMES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 811 (Senate Bill No. 235), entitled:

An Act relative to the burial of the bodies of deceased widows of soldiers sailors and marines at county expense

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 865 (Senate Bill No. 302), entitled:

An Act authorizing and empowering the county treasurers in counties of the third class to appoint a solicitor prescribing his duties and providing for the compensation of such solicitor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 753 (Senate Bill No. 199), entitled:

An Act to exempt certain real estate of certain organizations of war veterans from taxation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 864 (Senate Bill No. 183), entitled:

An Act requiring prothonotaries to mark the time judgments are left at the office for entering providing for the priority of such liens to be determined according to such time

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 746 (Senate Bill No. 100), entitled:

An Act to amend section ten of an act approved June 27, 1895, (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 749 (Senate Bill No. 194), entitled:

A supplement to an act approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," providing a procedure to incur or to increase indebtedness where the existing indebtedness is less than two per centum but the amount to be incurred exceeds two per centum of the assessed value of the taxable property; and providing that this act shall apply to pending proceedings.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 833, entitled:

An Act conferring the right on the courts of common pleas of various counties to permit amendment of charters of corporations of the first class so as to permit any institution of learning which shall have been incorporated as a corporation of the first class to confer appropriate degrees to any person who shall have satisfactorily passed a required course of study of such institution of learning

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 720, entitled:

An Act to amend section seven hundred three Article VII of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act by providing for compensation for forest fire fighting on private lands listed with the Department of Forestry for forest protection

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 722, entitled:

An Act to amend clause (h) of section one hundred and two Article I of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for the purchase lease building and maintenance of telephone lines for attachments thereto by private parties and appropriating the revenue derived therefrom

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 723, entitled:

An Act authorizing counties cities boroughs and townships to appropriate moneys for Forest work

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 724, entitled:

An Act to amend section one thousand and five Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing further penal provisions for setting fire maliciously or otherwise to any woodlot forest or wild land

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 725, entitled:

An Act to amend Article XII of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 726, entitled:

An Act to amend an act entitled "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenues to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forests now or hereafter acquired by this Commonwealth shall belong to and

form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five) by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration House Bill No. 729, entitled:

An Act to amend sections one thousand one one thousand two and one thousand three and one thousand four Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden refusing to aid a fire warden hindering a forest protection officer in his duties or non-abatement of a nuisance caused by maintaining a special forest fire hazard

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 134, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 234, entitled:

An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GOLDER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GOLDER. Mr. Speaker and members of the House, yesterday the House had an apportunity of listening to the reading of the last of a series of letters which have been passing between the Chief Executive and a member of the House. I find no fault particularly with the letter, but I think it should be followed up so that we may learn to what point such a letter might be leading. I personally do not approve of the work of the General Assembly being carried on like a correspondence school; nor do I even believe that the work of the legislature should be carried on by the Chief Executive taking into his confidence three or four men and leaving the rest of the House, two hundred and some members, to wait until some conclusion might be reached by them. But, casting that aside and putting it upon the ground, if you please, of a pubilc emergency which certainly has not been brought on by this House, we take the letter which was brought to our attention yesterday, in which the Chief Executive very kindly consents to the sum of $3,600,000.00 which we can distribute as the Chief Executive and his departments see fit. Personally I cannot see that this is helping us any nearer to a conclusion of the difficulties which seem to have been presented, but even assuming that there is $3,600,000, which he will let us deal with, at least on paper, I would like to be informed as to what steps will be taken by that department in distributing funds which have been allowed in House Bills 110 and 105, which were prepared upon the same theory, and upon the same basis of a lump sum to many institutions. House Bill 110 makes an appropriation to the Department of Public Welfare for the payment of the care of dependent children in various institutions, and House Bill 105 makes an appropriation to the Department of Public Welfare for the care of dependent adults. Now then, if the theory upon which that bill was written, to wit, that the various institutions would like to know the maximum upon which they can depend, is sound, how can they possibly, if they desire to be consistent, still maintain their position of a lump sum for 105 and 110.

I am not at this time raising here the question about the propriety or wisdom of a lump sum appropriation, but if separate appropriation bills are to be prepared for hospitals, which House Bill 109 is, why, if that is wise, why, if that is their read judgment, should not the same thing be done in 105 and 110. Personally, I don't know why the letter which was given to us yesterday was sent. I don't know whether it is because the Governor desires to hand a stop to the members of the legislature; I don't know whether it was sent to us because in the wisdom of the Chief Executive it was deemed that was the best way, but truly, if they arrive at some consistent proposition, if it is right in the one instance, it ought to be right in the other; if it is wrong in one it ought to be wrong in the other. I think we are entitled to this proposition that if they are going to change it in one instance because it is a good thing then it should be changed in the other.

We have a great many small institutions in this state for which the members have introduced separate appropriation bills, either for the care of the children or for the care of the adults. Surely the same procedure should be made here. Last session, six million and some dollars were appropriated for the care of the hospitals; Four million four hundred and ninety and some thousand dollars were actually appropriated, because some institutions were declared to be sectarian. Now, if it took five million last session to take care of the hospitals, I don't see how we can be performing our duty if we allow any other department of this government to say you can have $3,600,000 to take care of the same institutions. We have got to be bigger than that. The Chief Executive, when he spoke to us at the beginning of the session, declared that he felt that no additional taxes were necessary, that this state could be run on the amount of money which we could get. Now, that may or may not be true, but from utterances that I have heard, and from newspaper articles that I have read, coming from men who seem to know the financial condition of this state, it would indicate that we do need more taxes and that there is not sufficient money. Now, in face of that, it seems to me that the work of the general assembly should be left to the Appropriations Committee, and to the other committees in the general legislative trend of this body.

I do not think it is incumbent upon the Chief Executive to tell us how much money he is going to give us to distribute to institutions. I feel that we should make up our minds that we are going to take care of that end. We want to co-operate with every other branch of this government, I am sure. I am sure that every member of this House wants the

co-operation of every other branch of this government, but I don't think any member of this House is willing to surrender his prerogative. I don't think it is incumbent upon the Chief Executive, if he feels that we have not sufficient money, and in putting it down on paper in dollars and cents, it shows we do not have sufficient money. I do not think the Chief Executive should continue in his attitude so far as this is concerned and say to us that if we cannot get along with what we have, if we think we should have more taxes, it is up to the General Assembly to do that and they must assume that responsibility. It is proper that the Governor should have in mind this: First, are we going to accept the report of the Budget Commission, and I say it in all fairness to that Commission, as to how much money we are to be allowed for specific purposes, and if in the particular instance 109 is to be withdrawn and specific bills are introduced, should not the same measure of action, should not the same procedure be taken with bills 105 and 110.

I have no ax to grind. I ask this primarily because I feel that the children and adults should be taken care of, and the insane and feeble-minded, and in view of the question of its constitutionality, I believe the procedure should be the same this session as it was last session and in the session before and the session to come, and I feel at least that we are entitled to some word as to whether we are proceeding in bills 105 and 110 contrary to the spirit of the letter sent yesterday and whether we would take the same attitude on those bills as we have taken on the others.

The SPEAKER. The remarks of the gentleman on his question of personal privilege will be spread upon the Journal.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 452, entitled:

An Act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effect of the decree thereon

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Albert,	Fowler, A. I.,	Lafferty,	Schaeffer,
Alexander,	Fowler, D.,	Lauver,	Schilling,
Allman,	Frazier,	Little,	Schleiter,
Anderson,	Gallaher,	Long,	Schoener,
Armstrong,	Gelder,	Lucas,	Schwartz,
Arthur,	Gibbon,	Ludlow,	Shambach,
Aston,	Gilchrist,	MacKinney,	Sheridan,
Baldi,	Glasgow,	Malie,	Smith, G. A.,
Beaver,	Goehring,	Mangan,	Smith, H. J.,
Behney,	Golder,	Marcus, J.,	Smith, H.,
Bell, F. A.,	Gorham,	Marcus, J. C.,	Smith, J. W.,
Bell, W. T.,	Goss,	Marshall, J. G.,	Soffel,
Bentley,	Griffith,	Marshall, W. F.,	Sowers,
Berger,	Grimes,	Mathay,	Spangler,
Betts,	Guerin,	McBride,	Speiser,
Bidelspacher,	Gundy,	McCaig,	Stark,
Blair,	Haas,	McCann,	Staudenmeier,
Bluett,	Haines,	McClure,	Stavitski,
Blumberg,	Hall,	McCurdy,	Steedle,
Boback,	Harer,	McDaniel,	Sterling,
Brenneman,	Harter,	McDermott,	Stevens, A. J.,
Brewster,	Haslett,	McKim,	Stevens, A. F.,
Brown,	Haws,	McVicar,	Stoner,
Brownmiller,	Heffernan,	Metcalf,	Storb,
Burchinal,	Heffran,	Millar,	Storer,
Burns,	Henderson,	Miller,	Thomas, M. G.,
Bush,	Hetrick,	Minehart,	Thompson,
Chaplin,	Heyburn,	Moffatt,	Van Alen,
Clutton,	Himes,	Moore,	Vickerman,
Coldsmith,	Holcombe,	Morrison,	Walker,
Conner,	Hollis,	Munley,	Weamer,
Coyne,	Hontz,	Myers, G. C.,	Wells,
Craig,	Hoover,	Myers, P. M.,	Wettach,
de Young,	Horne,	Nolte,	Wheeler,
Diehm,	Howell,	O'Boyle,	Whitehouse,
Fetz,	Huber,	Ogle,	Whiteman,
Dilsheimer,	Johnson,	Orr,	Williams, G. W.,
Driggs,	Jones, C. B.,	Patterson,	Williams, J. M.,
Drinkhouse,	Jones, D. J.,	Perry,	Woner,
Dunn,	Jones, E. P.,	Pitts,	Wood, N.,
Eaches,	Keene,	Post,	Wood, W. P.,
Earley,	Kelly,	Richards,	Wright,
Edmonds,	Kennedy,	Rinn,	Goodnough,
Eshelman,	Kohler,	Rippman,	Speaker.
Evans, B. P.,	Korns,	Sample,	
Fields,	Kunkle,	Sarig,	
Flynn,	Labar,	Sautter,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 476, as follows:

An Act creating regulating and defining the powers of a County Planning Commission and authorizing the creation of a county plan in counties of the second class requiring the county commissioners to furnish to the commission before passage resolutions relating to county improvements to roads lands buildings or means of communications authorizing the commission to report suggestions to the county commissioners concerning improvements and to appear in court with reference thereto authorizing the making of a county map and plan including territory extending three miles beyond the county limits showing proposed improvements in roads lands buildings and means of communication making it unlawful to record plans of land with streets or highways intended for dedication to public use except in boroughs or cities without first securing approval from the commission and making disapproval of a plan by the commission a refusal of proposed dedication

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the second class a department is hereby created to be known as the Department of County Planning which shall be in charge of the County Planning Commission consisting of nine persons who shall be residents of the county and who shall have knowledge and experience in respect to one or more of the following subjects finance commerce industry agriculture transportation architecture landscape architecture real estate building engineering social welfare civic administration and law and at least seven of whom shall not be paid county employees to be appointed by the county commissioners three of them shall be designated to serve until the first day of January one thousand nine hundred and twenty-five three of them until the first day of January one thousand nine hundred and twenty-seven and three of them until the first day of January one thousand nine hundred and twenty-nine their successors shall be appointed at the expiration of their respective terms to serve six years an appointment to fill a casual vacancy shall be only for the unexpired portion of the term three shall constitute a quorum they may make and alter rules and regulations for their own organization and procedure consistent with the resolutions of the county commissioners and the rules of the Commonwealth they shall serve without compensation and make annually to the county commissioners a report of their transactions and recommendations they may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for in the discretion of the county commissioners by proper appropriation and resolution

Section 2 All resolutions of the county commissioners relating to the location of any public building in the county and to the location extension widening enlargement ornamentation or parking of any street boulevard parkway bridge tunnel subway or underground road park playground or other public grounds to the vacation of any highway or portion thereof or to the making or alteration of the county plan of highways or to any surface underground or elevated railway shall be furnished to the County Planning Commission twenty days before their passage and adoption by the county commissioners The said commission may make a report or suggestion in relation thereto if it deems the report necessary or advisable for the consideration of the said commissioners If the said report is made by the commission prior to the expiration of the said twenty days the county commissioners may immediately proceed with the adoption of the said resolution All such reports when delivered to the said commissioners shall be for the information of the public as well as for the commissioners and the commissioners shall furnish to any newspaper of the county on request for publication a copy of any such report

Section 3 The County Planning Commission may appear in any proceeding in the court of quarter sessions of said county with reference to the opening or vacation of any public road or highway bridge tunnel subway or underground road and file a report stating its views with reference thereto and may produce testimony before the said court in connection therewith

Section 4 The County Planning Commission may make or cause to be made and laid before the said county commissioners and in its discretion cause to be published a map or maps of the county and any portion or portions thereof including the territory extending three miles beyond the county limits showing the highways and other public improvements herein before specified and other natural or artificial features and also locations proposed by it for any new highways or other of such improvements or any widening extension or relocation of the same or any change in the county plan by it deemed advisable And it may make recommendations to the said commissioners from time to time concerning any such matters and things aforesaid for action of the county commissioners thereon and in so doing have regard for present conditions and future needs and growth of the county and the distribution and relative location of all the principal streets and railways waterways and all other means of public travel and business communication as well as the distribution and relative location of public buildings public grounds and open spaces devoted to public use and the planning and laying out for dwelling and business purposes of private grounds brought into the market from time to time

Section 5 The County Planning Commission may make recommendations to any public authorities or any corporations or individuals in such counties with reference to the location of any buildings structures or works to be erected or constructed by them All plans of streets or highways for public use and all plans plots and replots of land laid out in building lots and the streets highways alleys or other portions of the same intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto located within the county limits except those located within any city or borough within the said counties shall be submitted to the County Planning Commission and approved by it before it shall be recorded And it shall not be lawful to receive or record such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the County Planning Commission The disapproval of any such plan by the County Planning Commission shall be deemed a refusal of the proposed dedication shown thereon. The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the county concerning maintenance or improvement of any such dedicated lots until the proper authorities of the county shall have made actual appropriation of the same by entry use or improvement And the owners and purchasers shall be deemed to have notice of public plans maps and reports of the commission affecting such property within its jurisdiction provided however That this section shall not apply to property within cities or boroughs

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Miss GRIMES. Mr. Speaker, I move that House Bill No. 476, file folio 1311, be placed on the postponed calendar.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 624, entitled:

An Act fixing the time for the Statute of Limitations to begin to run against the right of action for damages in certain cases

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,	Evans, B. P.,	Lucas,	Schilling,
Alexander,	Evans, J.,	Ludlow,	Schleiter,
Allman,	Fields,	Lynch,	Schoener,
Anderson,	Flinchbaugh,	Mack,	Schwartz,
Armstrong,	Fowler, A. I.,	MacKinney,	Shambach,
Arthur,	Fowler, D.,	Malie,	Sheridan,
Aston,	Gallaher,	Mangan,	Smith, G. A.,
Baker,	Gelder,	Marcus, J.,	Smith, H. J.,
Baldi,	Gilchrist,	Marcus, J. C.,	Smith, H.,
Beaver,	Glasgow,	Marshall, J. G.,	Smith, J. W.,
Behney,	Golder,	Mathay,	Soffel,
Bell, F. A.,	Goss,	McBride,	Sowers,
Bell, W. T.,	Greeby,	McCaig,	Spangler,
Bentley,	Griffith,	McCann,	Speiser,
Berger,	Grimes,	McClure,	Stark,
Betts,	Guerin,	McCurdy,	Staudenmeier,
Bidelspacher,	Haas,	McDaniel,	Stavitski,
Blair,	Haines,	McDermott,	Steedle,
Bluett,	Harer,	McGowan,	Sterling,
Boback,	Harter,	McKim,	Stevens, A. J.,
Brenneman,	Haslett,	McVicar,	Stevens, A. F.,
Brewster,	Haws,	Metcalf,	Stoner,
Bromley,	Heffernan,	Minehart,	Storb,
Brown,	Heffran,	Moffatt,	Storer,
Brownmiller,	Henderson,	Moore,	Thomas, L. D.,
Burchinal,	Hetrick,	Morrison,	Thomas, M. G.,
Burns,	Heyburn,	Myers, G. C.,	Thompson,
Bush,	Himes,	Myers, P. M.,	Van Alen,
Chaplin,	Holcombe,	Nolte,	Walker,
Clutton,	Hontz,	O'Boyle,	Weamer,
Coldsmith,	Horne,	Ogle,	Wells,
Conner,	Huber,	Orr,	Wettach,
Coyne,	Johnson,	Parkinson,	Wheeler,
Craig,	Jones, C. B.,	Patterson,	Whitehouse,
de Young,	Jones, D. J.,	Perry,	Whiteman,
Diehm,	Jones, E. P.,	Pitts,	Williams, G. W.,
Dietz,	Keene,	Post,	Williams, J. M.,
Dilsheimer,	Kelly,	Price,	Woner,
Donahue,	Kennedy,	Raymond,	Wood, N.,
Driggs,	Kohler,	Richards,	Wood, W. P.,
Drinkhouse,	Korns,	Rinn,	Wright,
Dunn,	Kunkle,	Rippman,	Goodnough,
Eaches,	Lafferty,	Sample,	Speaker.
Earley,	Lauver,	Sarig,	
Eshelman,	Long,	Sautter,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affimative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 612, entitled:

An Act authorizing the election of a solicitor of townships by supervisors of second class townsnips in county

convention assembled defining the duties of said solicitor of townships regulating the salary and the manner of payment thereof to the solicitor of townships

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. BIDELSPACHER. Mr. Speaker and members of the House, in order that there may be no misunderstanding as to the intention of this bill, I want to say to the members of the House that is is simply an enabling act and is not mandatory. It enables the supervisors in townships of the second class, in annual convention assembled by a majority vote, to elect a solicitor of townships for a term of two years. There are several reasons for the bill. One of them is this: That it enables the various townships joining together to employ a solicitor, to get expert advice on matters pertaining to road laws. Joined together they can pay a salary sufficient to the solicitor to make it worth his while to spend considerable time on the intricate questions of road laws, and the questions pertaining to the duties of the township supervisors. In this way they can get better service than they do by each one hiring a solicitor independent and alone. In the second place, it oftimes happened that the poor townships, and the smaller townships, have the most intricate questions to contend with pertaining to the construction of their roads. Alone they cannot afford to pay enough to a solicitor to make it worth while for him to spend the time that is necessary to give them the service that they demand. As I said before this is simply an enabling act, permitting township supervisors to join together and apportion the costs in such manner as they may desire in annual convention assembled, hiring a solicitor jointly instead of separately.

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Lycoming, Mr. Bidelspacher, permit himself to be interrogated?

Mr. BIDELSPACHER. With pleasure, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. ALEXANDER. I would like to ask the gentleman, the sponsor of this bill, if it would not be better to have a maximum salary instead of a minimum salary in this bill? In other words, as I read the bill, the salary shall not be less than one thousand dollars per annum, and yet on the other hand the sky is the limit. As far as this bill is concerned, would it not be better to have the maximum salary fixed rather than the minimum.

Mr. BIDELSPACHER. My observation has been that township supervisors are very jealous in guarding the township finances, and I think there is no danger whatever that the solicitor will be overpaid.

Mr. ALEXANDER. Mr. Speaker and members of the House, this, of course, is a solicitor's bill, and you might suppose that I was more or less interested in the salary. It does not seem to me, however, the proper thing to fix a minimum salary but that in a bill where a salary is fixed it seems to me the maximum should be fixed. In other words, if we fix a maximum then the townships know the maximum they can give in fixing this salary. If the job is offered to some attorney at, say five hundred dollars a year, and he does not think that is sufficient, there is nothing in the law that compels him to take the job, and moreover that would give them the maximum here fixed rather than the minimum. That would give the conventions of the townships rather the option to get a good attorney at as fair a salary as possible. Therefore, I would suggest that unless the bill is amended to make a maximum salary rather than a minimum it should be defeated.

Mr. BIDELSPACHER. In order to meet the objection of Mr. Alexander I am perfectly willing that a maximum salary shall go in the bill.

RECONSIDÉRATION OF VOTE.

Mr. BIDELSPACHER. Mr. Speaker, I move that the vote by which this bill passed on third reading be reconsidered.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. BIDELSPACHER. Mr. Speaker, I move that House Bill No. 612, file folio 1181 be recommitted to the Committee on Counties and Townships for the purpose of amendment.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 632, entitled:

An Act to amend an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" by exempting certain corporations from the provisions thereof.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. LUDLOW. Mr. Speaker, I move that House Bill No. 632, File Folio 1183, be placed on final passage postponed calendar.

Mr. HORNE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 557, entitled:

An Act relating to the assignment of rights to receive or recover a debt or money

On the question,
Will the House agree to the bill on third reading?

Mr. JOHN G. MARSHALL. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Fayette, Mr. McDaniel, permit himself to be interrogated?

Mr. McDANIEL. Yes Sir.

Mr. MARSHALL. Will the sponsor of the bill please state to the members of the House the purpose of the bill and the advantages to be secured by its passage?

Mr. McDANIEL. Mr. Speaker and members of the House, this bill is practically the same bill that I proposed

earlier in the session. At that time, owing to a certain clause in the bill, the gentleman from Somerset objected to it. Since that time I have conferred with him and have taken from the bill the phrase that he objected to, which was "damages for a breach of contract". That has been taken from the bill and the bill was redrafted and is now submitted to you for final passage. The bill itself is designed to do away with the cumbersome method now used in the style of cases. When attorneys bring action against a defendant they have to use the names of all the parties in the caption of heir case, and they have to use a certain phrase, which is known to the legal people, "for the use of". This is designed to do away with that term. As it now stands whenever an attorney has a case he must use that form; when it goes to the prothonotary he must index it under those names, the writs are drawn under those names and the sheriff issues his writs of summons and his notices and must rewrite in the captian of the cause all of those names. As this bill does away with all this needless red tape, it seems to me that the bill is meritorious.

Mr. JOHN G. MARSHALL. Mr. Speaker, the explanation that the sponsor of the bill has just given to the members is the very reason that I think this bill should not be passed. As he has stated to you, at the present time if a man has a claim against another man and he assigns that claim to a third party, and if the third party sues he sues in his own name, or in the name of the original obligee for use of the assignee, and suit is brought in that form, and when the papers are served he can tell from the from of the caption what it means and what constitutes the basis of the claim. If A owes B an obligation and B would assign it to C, C in bringing suit against A would bring it in the name of the obligee for use of the assignee against the obligor. The result would be that as soon as the served papers were served upon him he could determine the basis of that claim. Under this act if you eliminate that form of procedure, when a suit is started by a man on a claim which has been assigned, the obligor cannot determine what constitutes the basis of the suit. The suit may be brought by a stranger whom he does not know in any way. The only way he could possibly determine the basis of the suit started against him would be either by consulting the man who brings the suit or wait until the statement of claim is filed at a later date, which might bring out the statement of what constitutes the claim. For that reason I think the procedure, as it is outlined in this bill, is a very dangerous procedure to institute, and we ought to retain the procedure in use at the present time. It is not so cumbersome as it has been outlined to you because under the present law when suit is brought it is just brought in the name of the original obligator. For that reason I think we should vote this bill down.

BILL POSTPONED.

Mr. McDANIEL. Mr. Speaker, owing to the objections raised by the gentleman from Beaver, I move that further consideration of this bill be postponed for the present.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 645, entitled:

An Act to regulate the allotting or subdividing of land which includes the location of streets, lanes or alleys in counties of the second class, except land within a city or borough, by requiring the recording in the office of the Recorder of Deeds of a map or plat prior to the sale, conveyance or mortgaging of any part thereof, and providing penalties for the violation of the act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Albert,	Fowler, A. I.,	Ludlow,	Schwartz,
Alexander,	Fowler, D.,	Lynch,	Shambach,
Anderson,	Frazier,	Mack,	Sheridan,
Armstrong,	Gelder,	MacKinney,	Smith, G. A.,
Aston,	Gibbon,	Mangan,	Smith, H. J.,
Baker,	Gilchrist,	Marshall, J. G.,	Smith, H.,
Baldi,	Glasgow,	Marshall, W. F.,	Smith, J. W.,
Beaver,	Goehring,	McBride,	Soffel,
Behney,	Gorham,	McCaig,	Sowers,
Bell, F. A.,	Griffith,	McCann,	Spangler,
Bentley,	Grimes,	McClure.	Speiser,
Berger,	Haas,	McCurdy,	Stark,
Betts,	Haines,	McDaniel,	Staudenmeier,
Bidelspacher,	Hall,	McDermott,	Stavitski,
Blair.	Harter,	McGowan,	Steedle,
Bluett,	Haslett,	McKim,	Stevens, A. J.,
Boback,	Haws,	McVicar,	Stevens, A. F.,
Brenneman,	Heffernan,	Metcalf,	Storb,
Brewster,	Heffran,	Miller,	Storer,
Bromley,	Henderson,	Minehart,	Thomas, M. G.,
Brown,	Hetrick,	Moffatt,	Thompson,
Brownmiller,	Himes,	Moore,	Van Alen,
Burchinal,	Hollis,	Morrison,	Vickerman,
Burns,	Hontz,	Munley,	Walker,
Bush,	Hoover,	Myers, G. C.,	Weamer,
Chaplin,	Horne,	Myers, P. M.,	Wells,
Coldsmith,	Howell,	Nolte,	Wettach,
Craig.	Huber,	Ogle,	Wheeler,
de Young,	Irvin,	Orr,	Whitehouse,
Diehm,	Jones, C. B.,	Parkinson,	Whiteman,
Dilsheimer,	Jones, D. J.,	Patterson,	Williams, G. W.,
Driggs,	Jones, E. P.,	Perry,	Williams, J. M.,
Drinkhouse,	Keene,	Pitts,	Woner,
Dunn,	Kelly,	Price,	Wood, N.,
Eaches,	Kohler,	Raymond,	Wood, W. P.,
Earley,	Kunkle,	Rinn,	Wright,
Edmonds,	Labar,	Sample,	Goodnough,
Evans, B. P.,	Lafferty,	Sarig,	Speaker.
Evans, J.,	Lauver,	Sautter,	
Fields,	Little,	Schaeffer,	
Flinchbaugh,	Long,	Schleiter,	
Flynn,	Lucas,	Schoener,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 563, entitled:

An Act to amend section one of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hunded and ninety-nine) entitled "An Act regulating service of process from the courts of common pleas or other courts of record and extending the territorial jurisdiction thereof in certain cases" by authorizing the service of writs of summons in any county of the Commonwealth and to repeal section two of said act

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. KUNKLE. By request, I move that this bill be placed on the postponed calendar.

Mr. STAVITSKI. Mr. Speaker, I second the motion.
The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 529, entitled:

An Act concerning aeronautics and to make uniform the law with reference thereto

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. EDMONDS. Mr. Speaker, the gentleman from Blair, Mr. McCurdy, has directed my attention to one or two particulars in which this bill ought to be amended. I move, therefore, that this bill be placed on the postponed calendar.

Mr. FRATT. Mr. Speaker, I second the motion.
The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 606, entitled:

An Act to further amend an act approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty) entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" providing for the rebuilding of decayed and unsafe bridges and certain bridges on State highways

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. GELDER. Mr. Speaker, I move that this bill be placed upon the postponed calendar.
Mr. EACHES. Mr. Speaker, I second the motion.
The motion was agreed to.

Mr. GOLDER. Mr. Speaker, I desire to call the attention of the Chair and the Chief Clerk to the fact that the sponsor of bill 606 appears to be Mr. Golder. I have had to confess my ignorance so often during the last week as to the purpose of this bill that I desire to have the Clerk correct the same to read, "Mr. Gelder".

Mr. GELDER. Mr. Speaker, I desire to assume responsibility for this bill because the bill will not require the money from the Commonwealth that the bill that Mr. Golder is interested in, and Philadelphia, will.

BILLS ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 594, entitled:

An Act authorizing the county commissioners to appropriate county moneys to incorporated agricultural and horticultural societies and associations

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Albert,	Flinchbaugh,	Korns,	Sample,
Anderson,	Flynn,	Kunkle,	Sautter,
Baldi,	Frazier,	Lauver,	Schoener,
Beaver,	Gallaher,	Little,	Schwartz,
Behney,	Gibbon,	Lucas,	Shambach,
Bell, F. A.,	Gilchrist,	Ludlow,	Sheridan,
Bentley,	Glasgow,	Mack,	Smith, G. A.,
Berger,	Golder,	MacKinney,	Smith, H. J.,
Betts,	Gorham,	Marcus, J.,	Smith, H.,
Bidelspacher,	Griffith,	Marshall, W. F.,	Smith, J. W.,
Blair,	Grimes,	McBride,	Soffel,
Bluett,	Gundy,	McCurdy,	Speiser,
Boback,	Harer,	McDaniel,	Stavitski,
Brenneman,	Harter,	McDermott,	Stevens, A. J.,
Brewster,	Haslett,	McKim,	Van Alen,
Bromley,	Haws,	Metcalf,	Vickerman,
Brown,	Heffernan,	Miller,	Walker,
Brownmiller,	Heffran,	Minehart,	Weamer,
Burchinal,	Henderson,	Moffatt,	Wells,
Burns,	Hetrick,	Morrison,	Wheeler,
Coldsmith,	Himes,	Munley,	Whitehouse,
de Young,	Holcombe,	Myers, P. M.,	Whiteman,
Diehm,	Hollis,	Nolte,	Williams, G. W.
Dilsheimer,	Hontz,	O'Boyle,	Williams, J. M.,
Driggs,	Horne,	Orr,	Wood, N.,
Drinkhouse,	Howell,	Parkinson,	Wood, W. P.,
Eaches,	Huber,	Patterson,	Wright,
Earley,	Irvin,	Pitts,	Goodnough,
Edmonds,	Jones, C. B.,	Post,	Speaker.
Evans, B. P.,	Jones, D. J.,	Price,	
Evans, J.,	Jones, E. P.,	Rinn,	
Fields,	Keene,	Rippman,	

NAYS—3.

Moore,	Myers, G. C.,	Stark,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 595, entitled:

An Act to further amend section three of an act approved the nineteenth day of March one thousand nine hundred and fifteen (Pamphlet Laws five) entitled "A Further Supplement to an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" as amended by requiring the salary board to fix the salaries of all employes of such juvenile court

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Alexander,	Gibbon,	Little,	Schaeffer,
Allman,	Gilchrist,	Long,	Schilling,
Anderson,	Glasgow,	Ludlow,	Schwartz,
Arthur,	Golder,	Lynch,	Sheridan,
Aston,	Gorham,	Mack,	Smith, G. A.,
Baldi,	Goss,	MacKinney,	Smith, H. J.,
Beaver,	Greeby,	Malie,	Smith, J. W.,
Bell, F. A.,	Griffith,	Mangan,	Soffel,
Bentley,	Haas,	Marcus, J.,	Sowers,
Bidelspacher,	Harer,	Marcus, J. C.,	Speiser,

Blair,	Harter,	Marshall, W. F.,	Staudenmeier,
Bluett,	Haslett,	McBride,	Stevens, A. J.,
Boback,	Haws,	McCaig,	Stevens, A. F.,
Brewster,	Heffernan,	McCann,	Thomas, L. D.,
Bromley,	Heffran,	McClure,	Thomas, M. G.,
Brownmiller,	Henderson,	McCurdy,	Van Alen,
Burns,	Hetrick,	McDermott,	Walker,
Bush,	Heyburn,	Metcalf,	Weamer,
Coldsmith,	Hontz,	Miller,	Wells,
Craig,	Hoover,	Minehart,	Wettach,
de Young,	Horne,	Moffatt,	Wheeler,
Diehm,	Howell,	Moore,	Whitehouse,
Dilsheimer,	Huber,	Morrison,	Whiteman,
Driggs,	Irvin,	Munley,	Williams, G. W.,
Drinkhouse,	Johnson,	Myers, P. M.,	Woner,
Eaches,	Jones, C. B.,	Nolte,	Wood, N.,
Earley,	Jones, D. J.,	Parkinson,	Wood, W. P.,
Edmonds,	Jones, E. P.,	Patterson,	Wright,
Evans, B. P.,	Keene,	Pitts,	Goodnough,
Fields,	Kennedy,	Rinn,	Speaker.
Fowler, A. I.,	Kohler,	Rippman,	
Frazier,	Korns,	Sample,	
	Lafferty,	Sarig,	

NAYS—3.

Albert,	Myers, G. C.,	Post,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

MR. ALEXANDER IN THE CHAIR.

QUESTION OF PERSONAL PRIVILLEGE.

Mr. HARER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. HARER. Mr. Speaker and members of the House, I have been asked so often this morning in regard to the appropriation bills that I believe an explanation is necessary. Yesterday I made the statement that it would not be necessary to introduce new bills for your hospital appropriations. After talking with a number of members of the House they all seemed to feel that it would help the work of the Appropriations Committee if uniform bills were introduced. We have decideld to try to get these ready for the members, and with the aid that has been given us by different departments, we will have enough blank bills ready by Monday so that each one of you can have bills for your separate institutions in your own territory, and all that will be necesary will be to fill in the name of the institution and the amount of the appropriation that you want. (I don't say that you will get it, but what you want.) I think this will help matters a great deal if you will do this. They will all be ready for you by Monday night.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 232, as follows:

An Act to amend chapter eleven article two of the Act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That chapter eleven article two section seven hundred and fifty of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" which reads as follows

"Section 750 Whenever any highways in townships of the first or second class are so located as to render them liable on account of high wind during the winter season to be so filled with snow as to make them impassable and in the judgment of the supervisors or commissioners as the case may be such drifts of snow can be avoided by the removal of any fence erected along either side of such highway and replacing the same by a fence constructed of posts wire and boards or rail combined such supervisors or commissioners may agree with the owners of such fences upon a plan for the erection of a fence constructed of posts wire and boards or rail combined The township may pay the owners of such fences a sum not to exceed the first cost of the wire used in the construction of such fences The wire used in the construction of such fences shall be without barbs This section shall not apply to any stone wall hedge or ornamental fence"

is hereby amended to read as follows

Section 750 Whenever any highways in townships of the first or second class are so located as to render them liable on account of high winds during the winter season to be so filled with snow as to make them impassable and in the judgment of the supervisors or commissioners as the case may be such drifts of snow can be avoided by the removal of any dry stone wall or fence erected along either side of such highway and replacing the same by a fence constructed of posts and wire such supervisors or commissioners may agree with the owner or owners of such walls or fences upon a plan for the erection of a fence constructed of posts and wire The township may pay the owner or owners of such walls or fences a sum not to exceed the first cost of constructing a fence of posts and wire Barbed wire shall not be used In the event of the failure to agree with the owner or owners of any such dry wall or fence as the supervisors or commissioners may deem necessary to remove in order that the accumulation of snow in a public road may be prevented the supervisors or commissioners as the case may be may remove the same and the compensation to be paid by the owner or owners of any such dry walls or fences shall be determined as authorized in sections six hundred and ninety-six and six hundred and ninety-seven of this act From any award made and entered upon the justice's docket an appeal may be taken by any party aggrieved to the court of common pleas Stone walls laid in lime or cement mortar concrete walls hedge or ornamental fence shall not be removed by the supervisors or commissioners

Section 2 That chapter eleven article two of said act is hereby amended by adding thereto the following section

Section 751 It shall be the duty of all owners of land abutting on the public roads or highways in townships of the first and second class to cut or mow or cause to be cut or mown all small trees brush briers and weeds growing between the beaten track of the road and the side of the road within the legal width thereof at least once "between the first day of June and first day of August" of each and every year and to remove the same by burning or hauling away before the first day of October next following so as not to interfere with the flow of water or cause the accumulation of snow Upon the refusal or failure of any owner or owners of land abutting on the public roads to comply with the provisions of this section it shall be the duty of the supervisors or township commissioners of the respective townships to proceed after the first day of September of each year to cut the obstructions outlined in this act All work or expense incident to performing of such duty by the supervisors or township commissioners shall be charged against the abutting lands and may be collected from the owner or owners thereof as debts of like amount are now by law collected

This section shall not apply to any section of road passing through forest or timber lands unless such lands and timber are maintained for growing timber only

Any neglect or refusal on the part of the supervisors or township commissioners of any township to enforce or comply with the provisions of this section shall subject them to such penalty as is now provided by law for neglect of their duties

The provisions of this section shall take effect on the first day of July one thousand nine hundred and twenty-four

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. WALKER. Mr. Speaker, I move that the vote by which this bill passed on third reading be reconsidered.

Mr. HEFFRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL POSTPONED.

Mr. WALKER. Mr. Speaker, I move that this bill be placed upon the postponed calendar for the purpose of reprinting some amendments that were misprinted.

Mr. HEFFRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 560, entitled:

An Act to repeal the act approved the twenty-third day of February one thousand eight hundred and seventy (Pamphlet Laws two hundred and twenty-three) entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county" and the act approved the nineteenth day of May one thousand eight hundred and seventy-one (Pamphlet Laws nine hundred eighty-three) entitled "A Supplement to an act entitled 'An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county' passed the twenty-third day of February Anno Domini one thousand eight hundred and seventy"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follow, viz:

YEAS—138.

Albert,	Fowler, A. I.,	Labar,	Rinn,
Alexander,	Fowler, D.,	Lafferty,	Rippman,
Anderson,	Frazier,	Lauver,	Sample,
Aston,	Gallaher,	Little,	Sautter,
Baker,	Gelder,	Long,	Schoener,
Baldi,	Gibbon,	Lucas,	Schwartz,
Beaver,	Gilchrist,	Ludlow,	Shambach,
Behney,	Golder,	Lynch,	Sheridan,
Bell, F. A.,	Gorham,	Mack,	Smith, G. A.,
Bentley,	Goss,	Marshall, W. F.,	Smith, H.,
Betts,	Griffith,	McBride,	Smith, J. W.,
Bidelspacher,	Grimes,	McCaig,	Soffel,
Blair,	Haas,	McCann,	Spangler,
Bluett,	Hall,	McClure,	Speiser,
Boback,	Harter,	McCurdy,	Stark,
Brenneman,	Haslett,	McDermott,	Stavitski,
Brewster,	Heffernan,	McKim,	Steedle,
Bromley,	Heffran,	McVicar,	Sterling,
Brown,	Hetrick,	Metcalf,	Stevens, A. J.,
Brownmiller,	Himes,	Miller,	Stevens, A. F.,
Bush,	Holcombe,	Minehart,	Thomas, M. G.,
Chaplin,	Hontz,	Moore,	Van Alen,
Craig,	Hoover,	Morrison,	Walker,
de Young,	Horne,	Munley,	Weamer,
Diehm,	Howell,	Myers, G. C.,	Wells,
Dilsheimer,	Huber,	Myers, P. M.,	Wettach,
Donahue,	Irvin,	Nolte,	Whiteman,
Driggs,	Jones, C. B.,	O'Boyle,	Williams, G. W.
Drinkhouse,	Jones, D. J.,	Orr,	Williams, J. M.,
Dunn,	Jones, E. P.,	Parkinson,	Woner,
Eaches,	Keene,	Patterson,	Wood, N.,
Earley,	Kelly,	Pitts,	Wood, W. P.,
Edmonds,	Kennedy,	Post,	Wright,
Evans, B. P.,	Kohler,	Price,	Goodnough,
Flynn,	Kunkle,	Richards,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 652, entitled:

An Act relating to suits against and service of process upon corporations organized and existing under the laws of the Commonwealth of Pennsylvania ceasing to do business or ceasing to maintain an office within the Commonwealth and the effect of such service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Alexander,	Gallaher,	Lynch,	Schoener,
Anderson,	Gibbon,	Mack,	Sheridan,
Aston,	Gilchrist,	MacKinney,	Smith, G. A.,
Baker,	Goehring,	Marshall, W. F.,	Smith, H.,
Beaver,	Griffith,	McBride,	Smith, J. W.,
Behney,	Hall,	McClure,	Speiser,
Bell, F. A.,	Haslett,	McCurdy,	Stark,
Bentley,	Haws,	McDaniel,	Staudenmeier,
Berger,	Heffernan,	McDermott,	Stavitski,
Betts,	Heffran,	McVicar,	Stevens, A. J.,
Bidelspacher,	Henderson,	Metcalf,	Stevens, A. F.,
Blair,	Hetrick,	Millar,	Storer,
Bluett,	Heyburn,	Miller,	Thomas, M. G.,
Brenneman,	Holcombe,	Minehart,	Thompson,
Brewster,	Hontz,	Moffatt,	Van Alen,
Brown,	Hoover,	Moore,	Walker,
Brownmiller,	Horne,	Morrison,	Weamer,
Burns,	Howell,	Munley,	Wells,
Bush,	Huber,	Myers, G. C.,	Wettach,
Coldsmith,	Irvin,	Myers, P. M.,	Wheeler,
Craig,	Johnson,	Nolte,	Whitehouse,
de Young,	Jones, D. J.,	O'Boyle,	Whiteman,
Dilsheimer,	Jones, E. P.,	Parkinson,	Williams, G. W.,
Donahue,	Keene,	Patterson,	Williams, J. M.,
Driggs,	Kohler,	Perry,	Woner,
Dunn,	Kunkle,	Pitts,	Wood, N.,
Eaches,	Labar,	Post,	Wood, W. P.,
Earley,	Lafferty,	Price,	Wright,
Edmonds,	Lauver,	Raymond,	Goodnough,
Flinchbaugh,	Little,	Richards,	Speaker.
Fowler, A. I.,	Ludlow,	Rippman,	
Fratt,	Long,	Sample,	
Frazier,	Lucas,	Sarig,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 741 (Senate Bill No. 1), entitled:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of one hundred millions of dollars for the improvement of the highways of the Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129.

Alexander,	Fowler, A. I.,	Lucas,	Sarig,
Anderson,	Fowler, D.,	Ludlow,	Sautter,
Armstrong,	Fratt,	Lynch,	Schoener,
Arthur,	Frazier,	Mack,	Schwartz,
Aston,	Gibbon,	Malie,	Shambach,
Baker,	Gilchrist,	Mangan,	Sheridan,
Beaver,	Golder,	Marcus, J.,	Smith, H.,
Bentley,	Goss,	Marcus, J. C.,	Smith, J. W.,
Berger,	Griffith,	Marshall, W. F.,	Spangler,
Bidelspacher,	Haines,	McBride,	Speiser,
Blair,	Hall,	McCaig,	Stavitski,
Bluett,	Heffran,	McCann,	Steedle,
Brewster,	Henderson,	McClure,	Sterling,
Bromley,	Hetrick,	McCurdy,	Stevens, A. J.,
Brown,	Heyburn,	McDaniel,	Stevens, A. F.,
Brownmiller,	Holcombe,	McGowan,	Thomas, L. D.,
Burns,	Hollis,	Metcalf,	Thomas, M. G.,
Bush,	Hontz,	Millar,	Van Alen,
Coldsmith,	Hoover,	Miller,	Walker,
Craig,	Horne,	Minehart,	Wells,
de Young,	Howell,	Moffatt,	Wettach,
Diehm,	Huber,	Moore,	Wheeler,
Dilsheimer,	Johnson,	Morrison,	Whitehouse,
Donahue,	Jones, D. J.,	Munley,	Whiteman,
Driggs,	Jones, E. P.,	Myers, G. C.,	Williams, J. M.,
Drinkhouse,	Keene,	Myers, P. M.,	Woner,
Dunn,	Kelly,	O'Boyle,	Wood, N.,
Eaches,	Kennedy,	Parkinson,	Wood, W. P.,
Earley,	Kohler,	Patterson,	Wright,
Edmonds,	Korns,	Perry,	Goodnough,
Evans, B. P.,	Kunkle,	Pitts,	Speaker.
Evans, J.,	Labar,	Rippman,	
Flinchbaugh,	Little,	Sample,	

NAYS—1.

Albert,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

SPEAKER GOODNOUGH IN THE CHAIR.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 744 (Senate Bill No. 53), entitled:

An Act fixing the per diem compensation of registry or assistant assessors in townships of the first class for the performance of election duties and the method of ascertaining the number of days employed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Albert,	Fowler, D.,	Lucas,	Sample,
Alexander,	Gibbon,	Ludlow,	Sarig,
Arthur,	Gilchrist,	Lynch,	Schaeffer,
Aston,	Glasgow,	Mack,	Schoener,
Baker,	Goss,	Malie,	Schwartz,
Beaver,	Griffith,	Mangan,	Shambach,
Behney,	Haas,	Marcus, J.,	Sheridan,
Bell, F. A.,	Hall,	Marcus, J. C.,	Smith, G. A.,
Bentley,	Fowler, D.,	Long,	Rippman,
Berger,	Harer,	Marshall, W. F.,	Smith, J. W.,
Bluett,	Harter,	McBride,	Sowers,
Brenneman,	Haslett,	McCurdy,	Speiser,
Brewster,	Heffran,	McDaniel,	Staudenmeier,
Brown,	Henderson,	McDermott,	Stavitski,
Brownmiller,	Hetrick,	McGowan,	Sterling,
Bush,	Heyburn,	Miller,	Thomas, L. D.,
Coldsmith,	Hollis,	Minehart,	Thomas, M. G.,
Craig,	Hontz,	Moffatt,	Thompson,
de Young,	Hoover,	Moore,	Van Alen,
Diehm,	Horne,	Morrison,	Walker,
Dietz,	Howell,	Munley,	Weamer,
Dilsheimer,	Huber,	Myers, G. C.,	Wells,
Donahue,	Irvin,	Myers, P. M.,	Wettach,
Driggs,	Jones, D. J.,	Nolte,	Whitehouse,
Drinkhouse,	Jones, E. P.,	O'Boyle,	Whiteman,
Dunn,	Keene,	Ogle,	Williams, G. W.,
Eaches,	Kelly,	Orr,	Williams, J. M.,
Earley,	Kennedy,	Parkinson,	Wood, N.,
Edmonds,	Kohler,	Patterson,	Wood, W. P.,
Eshelman,	Kunkle,	Pitts,	Wright,
Evans, B. P.,	Labar,	Price,	Goodnough,
Flinchbaugh,	Little,	Raymond,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 751, (Senate Bill No. 40), entitled:

An Act fixing the salary of the prothonotary in counties of the eighth class and providing for the payment of all fees and commissions into the county treasury

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. WHEELER. Mr. Speaker I move that the vote by which the House agreed to the bill on third reading be reconsidered.

Mr. CHAPLIN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. WHEELER. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties and Townships for the purpose of a hearing.

Mr. CHAPLIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 748, (Senate Bill No. 191), entitled:

An Act to amend section one of the act approved the seventh day of July one thousand nine hundred and thirteen (Pamphlet Laws six hundred and ninety-three) entitled "An Act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be ap-

proved by a majority of those voting thereon as provided by Article eighteen section one of the Constitution"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129.

Albert,	Grimes,	Mack,	Schaeffer,
Alexander,	Guerin,	MacKinney,	Schleiter,
Anderson,	Haas,	Marshall, W. F.,	Schwartz,
Aston,	Haines,	Mathay,	Shambach,
Baker,	Hall,	McBride,	Smith, G. A.,
Beaver,	Harer,	McCurdy,	Smith, H. J.,
Behney,	Harter,	McDaniel,	Smith, H.,
Bell, F. A.,	Haslett,	McGowan,	Smith, J. W.,
Bentley,	Heffran,	McVicar,	Speiser,
Blair,	Henderson,	Metcalf,	Stark,
Bluett,	Hetrick,	Miller,	Staudenmeier,
Brewster,	Heyburn,	Minehart,	Stavitski,
Burchinal,	Himes,	Moffatt,	Sterling,
Burns,	Holcombe,	Moore,	Stevens, A. J.,
Bush,	Hollis,	Morrison,	Stevens, A. F.,
Coldsmith,	Hontz,	Munley,	Storer,
Craig,	Hoover,	Myers, G. C.,	Thomas, M. G.,
de Young,	Horne,	Myers, P. M.,	Thompson,
Diehm,	Howell,	Nolte,	Van Alen,
Dilsheimer,	Huber,	O'Boyle,	Weamer,
Driggs,	Irvin,	Ogle,	Wells,
Dunn,	Johnson,	Orr,	Whitehouse,
Eaches,	Jones, D. J.,	Parkinson,	Whiteman,
Earley,	Keene,	Patterson,	Williams, G. W.
Edmonds,	Kennedy,	Perry,	Williams, J. M.,
Eshelman,	Korns,	Pitts,	Wood, N.,
Evans, B. P.,	Kunkle,	Post,	Wood, W. P.,
Flynn,	Labar,	Raymond,	Wright,
Fowler, A. I.,	Lafferty,	Rinn,	Goodnough,
Frazier,	Lauver,	Rippman,	Speaker.
Gibbon,	Little,	Sample,	
Gilchrist,	Lucas,	Sarig,	
Griffith,	Ludlow,	Sautter,	

NAYS—1.

Walker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 382, entitled:

An Act relating to the leasing of real property making it unlawful to dispossess tenants or recover leased property except after thirty days' notice prohibiting the execution of leases containing waivers of the provisions of this act and voiding certain leases

On the question,

Will the House agree to the bill on third reading?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Cambria, Mr. McDermott, permit himself to be interrogated?

Mr. McDERMOTT. Yes, sir, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. ALEXANDER. I desire to ask the gentleman if he has considered the question of the unconstitutionality of this bill as to that part of the Constitution which prohibits the impairment of contracts.

Mr. McDERMOTT. I have considered that proposition, the proposed bill from that angle, and due to the fact that there is already a law on the statute books that requires a thirty days notice to dispossess a tenant, but which they have been able to get around by signing a lease, this bill is intended for that purpose. We are willing to take our chance along those lines.

Mr. ALEXANDER. Wouldn't that impair the contract or lease?

Mr. McDERMOTT. Not as I see it.

Mr. ALEXANDER. In other words, a man can enter today into an agreement or lease and agree therein for some particular reason known between the two of them at that time, for instance, I might say, that the owner of the property may have the property for sale, and therefore, in order that he might have possession within a few days after he has sold it, agree with the man who signed the lease that the lessee would give possession of that property upon ten days notice. This act would enable that man to violate his agreement and stay in for thirty days instead of the ten days, would it not?

Mr. McDERMOTT. Why, yes, in that particular case, but the case that this is intended to cover—I might cite an instance that this bill intends to cover. Last summer, on April 1st, as we all know, there was a general strike of the miners throughout the nation and in different parts of Pennsylvania, and there was a response from the miners in this section to a call issued by the United Mine Workers, and in these sections where the miners had no freedom these lessees agreed to vacate on a three or five day notice which was a condition of employment. When the strike took place the miners in those sections were thrown out in the storm, given no consideration whatever. I remember being through there in April and seeing people thrown out of their homes, homes that they had probably paid for two or three times, and no provision being made to take care of them. The United Mine Workers were called on and asked if they would not lend their hand and provide tents to take care of these people. Now, that is the condition that we are trying to remedy, to make that illegal, and this is the only way we can do it to make it illegal for those coal companies to throw people out of their homes in order to break the spirit of unionism that they may have. Is that all?

Mr. ALEXANDER. Mr. Speaker, I appreciate that there have been a great many hardships. I appreciate the condition of the lessees in many instances. I do not think, however, that this bill affects that, although I think most likely it has been intended to affect just what the gentleman has stated, but the letting that he refers to is conditioned upon employment, and therefore, this lease in this bill does not affect that in the least. Where the letting is conditioned upon employment, immediately upon the ending of that employment, without any further notice, except it is taken care of by an Act of Assembly as to that kind of a letting, that letting ends with his employment unless restricted by an Act of Assembly. If that is what the gentleman desires in this bill, to restrict a letting conditioned upon employment and in the event that a man loses his position for some reason, it would give him some time or some notice to make his change from the habitation where he is at that time, I would agree to it, and I think it would be a proper bill under those circumstances. But I am opposed, as a general proposition, to permitting anybody, I don't care who, that has entered into a contract in writing—it is bad enough for them to enter into a verbal agreement, one agreement, of course, is just as binding as another—from entering into an agreement to do certain things and then after having entered into that agreement in good faith, to be permitted at any moment to break that agreement which he in good faith entered into, and I cannot vote for an act of legislation as a legislator, to permit that. No man, except the class to

which he has already referred is covered by this class proposition, but this act is much broader than that, but to permit that man to enter into an agreement in good faith, and then the next minute break that contract, I think that is poor policy, notwithstanding the fact that I have great doubt as to the constitutionality of it.

As I just cited a while ago, and as I already said, I know there are hardships, I know you have lots of men today who are letting property, and that those landlords do not seem to have one grain of conscience. I agree to all of that. I agree to all those hardships, but there is another class who have conscience. You take the man, perhaps, who has a property, as I already stated in my inquiry, and he has that property for sale, and a man comes along and has no place to go, has no place to live, he has to move. He comes to me and he will say, "Mr. Alexander, I would like to rent that property. I have no place to go." And I will say, "I have that property for sale, and I may have to give possession." He says, "All right, I will agree in writing that on ten days' notice I will move." I enter into that agreement and you pass this bill, and such an agreement as that is made, and that is only one of many other kinds, that is practically along the same line, as that mentioned there. The next day, perhaps, I may sell that property, or may not sell it within two months. He can knock me out of a buyer, or a proper purchaser for the property by declining to move out of that for thirty days. I don't think it is proper for this Legislature to permit any man or any woman to violate a contract which he has entered into in good faith.

Mr. McDERMOTT. Mr. Speaker, I tried to take care of that objection at the request of the real estate owners of Pennsylvania. They agreed to submit amendments and if agreeable they would be submitted to the bill. I postponed, or recommitted this bill for that purpose, and those amendments were prepared by the Reference Bureau, at the instigation of attorneys from Pittsburgh, and this is one of them.

"Who at the time of the execution of the lease or of the entering into possession of the leased premises or at the time of the attempted dispossession was or is an employee of the said landlord or of any person, association, co-partnership or corporation owning and leasing the said premises or who was or is an employee of the person, association, co-partnership or corporation actually owning or controlling either directly or indirectly the said landlord or employing him as agent or recovering or repossessing any leased premises from any such tenant for any purpose."

This was along the lines which the member just mentioned, a condition of employment, but I was also sent this letter:

"I am herewith enclosing amendments to the title and to sections one and two of House Bill No. 382 pursuant to a request received from Mr. William Jacoby of Pittsburgh.

"The amendments are made separately because it will be necessary to make the amendment to the title on the floor of the House. The other amendments can be made in committee.

"I feel that in submitting these amendments I should advise you that while there might have been some doubt as to the constitutionality of the act as prepared for and introduced by you, I am convinced that if amended as suggested the doubt would be entirely removed and that the bill if so enacted would be unconstitutional, as class legislation."

So you can see we have tried to take care of this case which has been cited, but it is impossible because you would kill the whole bill.

BILL POSTPONED.

Mr. McDERMOTT. Mr. Speaker, I move that this bill be placed on the postponed calendar.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 380, as follows:

An Act to amend section one of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand seventy-two) entitled "An Act providing a method of establishing title to land acquired at a sale for unpaid taxes"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand seventy-two) entitled "An act providing a method of establishing title to land acquired at sale for unpaid taxes" is amended to read as follows

Section 1 Be it enacted et cetera That in all cases where land has been heretofore sold or shall be hereafter sold for unpaid taxes and the same shall not have been redeemed within the time prescribed by law the purchaser at such sale or his successor in title may present his petition under oath to the court of common pleas of the county wherein the land it situate setting forth (a) the location of the lands by metes and bounds or if it be in a recorded plan of lots the plan number of the lot and the place of record of the plan (b) the names of the former owners reputed owners persons in possession or any other person having or claiming to have a right to interest in claim against said land if any there be and (c) that upon diligent inquiry no person has been found who has or claims to have any right title or interest in or claim against said land unless it be those named in the petition thereupon a rule shall be granted upon the persons named in the petition and generally upon all other persons not named in the petition who have or claim to have any right title or interest in or claim against the said land to appear within sixty days from the service of the rule and show cause why the title of the petitioner to said land should not be adjudicated and decreed valid and indefeasible as against all rights or claims whatsoever the rule may be made returnable to such term or return day as may be fixed by the court and shall be entered of record in the appearance docket of said court and duly indexed therein and also in the ejectment index of said court as to persons domiciled within the county the rule shall be served and returned as writs of summons are served and returned as to those persons who do not have their domicile within the county in which the rule is issued or those whose domicile is outside of the State the rule may be served by mailing a true and attested copy of the petition and rule by registered letter to his or their last known address if any

In addition thereto the court shall direct that notice by one advertisement in a newspaper of general circulation in the county where the land is situated be given to all persons including those named in the petition to appear on or before the return day of the rule and show cause why the title of the petitioner should not be adjudicated and decreed valid and indefeasible as against all rights or claims whatsoever the advertisement shall be made at least sixty days before the return day of the said rule

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Albert,	Gelder,	Ludlow,	Schleiter,
Alexander,	Gibbon,	Lynch,	Schoener,
Anderson,	Gilchrist,	Mack,	Schwartz,

Aston,	Gorham,	MacKinney,	Shambach,
Baker,	Goss,	Mangan,	Sheridan,
Beaver,	Griffith,	Marcus, J. C.,	Smith, H.,
Behney,	Grimes,	Marshall, W. F.,	Smith, J. W.,
Bell, F. A.,	Gundy,	Mathay,	Sowers,
Betts,	Haas,	McClure,	Speiser,
Bidelspacher,	Hall,	McCurdy,	Stark,
Blair,	Harter,	McDaniel,	Staudenmeier,
Bluett,	Haslett,	McDermott,	Stavitski,
Boback,	Heffernan,	McVicar,	Steedle,
Brenneman,	Heffran,	Metcalf,	Sterling,
Brewster,	Henderson,	Miller,	Stevens, A. F.,
Bromley,	Hetrick,	Minehart,	Stofflet,
Brown,	Heyburn,	Moffatt,	Storb,
Brownmiller,	Himes,	Moore,	Storer,
Bush,	Hollis,	Morrison,	Thomas, M. G.,
Coldsmith,	Hontz,	Munley,	Thompson,
Craig,	Hoover,	Myers, G. C.,	Van Alen,
de Young,	Horne,	Myers, P. M.,	Vickerman,
Diehm,	Howell,	Nolte,	Walker,
Donahue,	Huber,	O'Boyle,	Wells,
Driggs,	Irvin,	Orr,	Wettach,
Drinkhouse,	Jones, D. J.,	Parkinson,	Wheeler,
Dunn,	Jones, E. P.,	Patterson,	Whitehouse,
Eaches,	Keene,	Perry,	Whiteman,
Earley,	Kelly,	Pitts,	Williams, G. W.,
Evans, B. P.,	Kohler,	Post,	Williams, J. M.,
Fields,	Kunkle,	Raymond,	Woner,
Flinchbaugh,	Labar,	Richards,	Wood, N.,
Flynn,	Lafferty,	Rippman,	Wood, W. P.,
Fowler, A. I.,	Little,	Sample,	Wright,
Frazier,	Long,	Sarig,	Goodnough,
Gallaher,	Lucas,	Schaeffer,	Speaker.

NAYS—0.

The majority required by the Constitution naving voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 174, as follows:

An Act to protect the public safety by prohibiting the discharge of fire-arms or other weapons within one hundred and fifty yards of any dwelling house or residence without the consent of the owner or tenant thereof and prohibiting the destruction and abuse of certain property by persons while hunting or trapping

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person to shoot or discharge any fire-arm or deadly weapon within one hundred and fifty yards of any occupied dwelling house or residence or any barn stable or other building used in connection with such occupied dwelling house or residence without the permission of the owner or tenant thereof

It is unlawful for any person while hunting or trapping to leave gates or bars open or to break down or destroy fences or tear down rail or post or wood or stone piles without rebuilding them as they were found or through carelessness to injured live stock of any kind

Section 2 Any person violating the provisions of this act shall upon conviction in summary proceedings be sentenced to pay a fine of twenty-five dollars Any person in default of payment of such fine and costs shall undergo imprisonment in the county jail for a period of ten days

Section 3 Every State policeman local policeman constable game protector or other peace officer may arrest without warrant any person caught in the act of violating any of the provisions of this act All fines collected shall be paid into the funds of the county where the offense was committed

Section 4 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118.

Albert,	Flynn,	Lauver,	Post,
Alexander,	Fowler, A. I.,	Little,	Price,
Anderson,	Fowler, D.,	Lucas,	Rinn,
Aston,	Frazier,	Ludlow,	Rippman,
Baker,	Gibbon,	Lynch,	Sample,
Beaver,	Gilchrist,	Mack,	Sarig,
Behney,	Griffith,	MacKinney,	Sautter,
Bell, F. A.,	Grimes,	Marcus, J.,	Schoener,
Bentley,	Haas,	Marcus, J. C.,	Schwartz,
Bidelspacher,	Haslett,	Marshall, W. F.,	Shambach,
Blair,	Haws,	McBride,	Sheridan,
Bluett,	Heffernan,	McCaig,	Smith, H. J.,
Brenneman,	Heffran,	McCann,	Smith, H.,
Brewster,	Henderson,	McClure,	Smith, J. W.,
Bromley,	Hetrick,	McCurdy,	Sowers,
Brown,	Heyburn,	McDaniel,	Spangler,
Bush,	Himes,	McGowan,	Stark,
Chaplin,	Holcombe,	McKim,	Stevens, A. J.,
de Young,	Hollis,	Metcalf,	Thomas, L. D.,
Diehm,	Hontz,	Minehart,	Thomas, M. G.,
Dietz,	Hoover,	Moffatt,	Wells,
Dilsheimer,	Horne,	Moore,	Wheeler,
Donahue,	Huber,	Morrison,	Williams, G. W.
Driggs,	Irvin,	Munley,	Woner,
Drinkhouse,	Johnson,	Myers, P. M.,	Wood, W. P.,
Dunn,	Jones, D. J.,	Nolte,	Wright,
Eaches,	Keene,	O'Boyle,	Goodnough,
Earley,	Kennedy,	Parkinson,	Speaker.
Evans, B. P.,	Kohler,	Patterson,	
Fields,	Kunkle,	Perry,	
Flinchbaugh,	Labar,	Pitts,	

NAYS—7.

Betts,	Howell,	Miller,	Stavitski,
Brownmiller,	Jones, E. P.,	Schaeffer,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADJOURNMENT.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I move that this House do now adjourn until Monday evening, March 26, 1923, at 9:00 o'clock.

The motion was agreed to, and (at 1:40 P. M.) the House adjourned until Monday evening, March 26, 1923, at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

Session 1923 — 125th of the General Assembly

Vol. 7 — HARRISBURG, PA., MONDAY, MARCH 26, 1923. — No. 30.

SENATE

MONDAY, MARCH 26, 1923.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Heavenly Father, we do not forget the wondrous significance of the Holy week on which we have entered, the week that gathers about it so many hallowed memories and associations. We are very thankful that Thou hast been willing to part with Thine only and dearly beloved Son and that He was willing to come to this earth and dwell among men as a healer and a teacher and an example of high and noble living; and most of all are we grateful that He was willing to suffer and to die that we might live. Grant that we may think upon these things, especially during this Passion Week. O God, Grant that as the Lord, Christ gave his very best for us we may gladly give our best unto Him. May we follow in his steps, may we day by day honor and glorify Him and bless our fellowmen. Hear us in our prayer, in the Redeemer's name, Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING PASSAGE OF SENATE BILL No. 217.

The CHAIR presented resolution of the Pittsburgh Underwriters, favoring passage of Senate Bill No. 217.

Which was referred to the Committee on Judiciary General.

The CHAIR also presented petition of Dr. J. B. Grimes, Pittsburgh, favoring passage of Senate Bill No. 217.

Which was referred to the Committee on Judiciary General.

PROTESTING AGAINST PASSAGE OF SENTE BILL No. 217.

The CHAIR also presented petition of Association of Manufacturers' Representatives, Inc., protesting against the passage of Senate Bill No. 217.

Which was referred to the Committee on Judiciary General.

PROTESTING AGAINST PASSAGE OF SENATE BILL No. 163 AND HOUSE BILL No. 66.

Mr. MACDADE presented resolution of Allegheny County League of Building and Loan Associations, protesting against passage of Senate Bill No. 163 and House Bill No. 55,

Which was referred to the Committee on Banks and Building and Loan Associations.

FAVORING PASSAGE OF HOUSE BILL No. 122.

He also presented petition of Corporal John H. Castor Post No. 294, favoring passage of House Bill No. 122.

Which was referred to the Committee on Judiciary Special.

PROTESTING AGAINST PASSAGE OF SENATE BILL No. 196.

He also presented petitions of Franklin Fire Company, No. 1, Chester; Eddystone Fire Company No. 1; Western Pennsylvania Firemen's Association; Darby Fire Company No. 1, and Six-County Fireman's Association, pretesting against passage of Senate Bill No. 196.
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Which were referred to the Committee on Insurance.

PROTESTING AGAINST PASSAGE OF SENATE BILL No. 217

He also presented petition of Penn Athletic Club of Philadelphia, protesting against passage of Senate Bill No. 217,

Which was referred to the Committee on Judiciary General.

OPPOSING FULL CREW LAW.

Mr. VARE presented resolution of Philadelphia Board of Trade, opposing the Full Crew Law.

Which was referred to the Committee on Railroads.

OPPOSING PASSAGE OF HOUSE BILL 466.

He also presented Memorial adopted by the Philadelphia Board of Trade, opposing the passage of House Bill 466,

Which was referred to the Committee on Finance.

OPPOSING HOUSE BILLS 394 AND 521.

Mr. PATTON presented resolutions adopted by the Philadelphia Board of Trade opposing the passage of House Bills 394 and 521,

Which were referred to the Committee on Finance.

OPPOSING PASSAGE OF HOUSE BILL 171.

He also presented petition of the Philadelphia Bourse, protesting against passage of House Bill 171,

Which was referred to the Committee on Railroads.

FAVORING DAYLIGHT SAVING.

Mr. WOODWARD presented numerous petitions, and communications from individuals, organizations and societies, 9943 in all, favoring daylight saving.

OPPOSING DAYLIGHT SAVING.

He also presented 7 communications from citizens opposing daylight saving.

Which were referred to the Committee on Judiciary General.

REPORTS FROM COMMITTEES

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 315, (House Bill No. 425), entitled:

An Act to amend an act, approved the ninth day of April, one thousand nine hundred and thirteen (Pamphlet Laws forty-six), entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department."

Mr. STINEMAN, from the Committee on New Counties and County Seats, reported as amended, Senate Bill No. 119 entitled:

An Act creating the office of controller in counties of the First, Second, Third, Fourth and Fifth classes; prescribing his powers and duties; imposing certain duties upon such county commissioners and county treasurers; and abolishing the office of county auditor.

Mr. ARON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 461, entitled:

An Act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof.

Mr. VARE, fro mthe Committee on Railroads, reported as committed, Senate Bill No. 230, (House Bill No. 219), entitled:

A joint resolution proposing an amendment to article seventeen section eight of the Constitution of the Commonwealth of Pennsylvania authorizing the granting of free passes or passes at a discount to clergymen.

Mr. STEELE, from the Committee on Banks and Building and Loan Associations, re-reported as amended, Senate Bill No. 20, entitled:

An Act relating to treasurers in counties of the fifth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks.

Also from the Committee on Banks and Building and Loan Associations, re-reported as amended, Senate Bill No. 171, (House Bill No. 38), entitled:

An Act relating to treasurers in counties of the fifth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks.

Mr. CULBERTSON, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 316, entitled:

An Act to amend chapter seven of an act approved May 14, 1915, (P. L. 312), entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," by creating a Borough Planning Department, defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the borough, and for three miles beyond the borough limits; and to regulate the making and use of certain public improvements until said plans are approved by said department and authorizing the exercise of the powers herein provided by a park or other municipal commission.

Also from the Committee on New Counties and County Seats, reported as amended, Senate Bill No. 169, (House Bill No. 202), entitled:

An Act relating to depositories of county funds in counties of the sixth class; providing for the selection thereof by the county treasurer, county commissioners and county controller if any there be, and for the payment of interest on county funds, for the use of the county; imposing certain expenses upon counties in connection therewith; and providing penalties.

Mr. DAIX, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 417, (House Bill No. 470), entitled:

An Act to amend sections one and two of the act approved the twenty-third day of June, one thousand nine hundred and seventeen (P. L. 639), entitled "An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the distribution thereof" extending said act to cities of the second class.

Mr. BALDWIN, from the Committee on Finance, reported as committed, Senate Bill No. 414, (House Bill No. 426), entitled:

An Act to amend section thirty of an act approved June first one thousand eight hundred and (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine."

Mr. BUCKMAN, from the Committee on Corporations, reported as committed, Senate Bill No. 247, entitled:

An Act supplementing and amending an act approved May 25, 1921, (P. L. 1159), entitled "An Act authorizing certain corporations to issue preferred or common stock of one or more classes; providing for the manner of issuance, restrictions and regulations in the manner of voting thereof, and the rights and privileges of the holder thereof; validating certain acts of corporations not participated in by the holders of non-voting stock; and repealing all acts and parts of acts inconsistent therewith," further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value, and regulating such issuing of said stock

BILLS INTRODUCED.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 470, entitled:

An Act making an appropriation to the Harrisburg State Hospital, of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. QUIGLEY read in his place and presented to the Chair Senate Bill No. 471, entitled:

An Act making an appropriation to the Lock Haven Hospital, Lock Haven, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. PHIPPS read in his place and presented to the Chair Senate Bill No. 472, entitled:

An Act to amend section one of an act approved the eighteenth ray of July, one thousand nine hundred and seventeen, (P. L. 1072), entitled "An Act providing a method of establishing title to land acquired at a sale for unpaid taxes," extending the provisions of said act to all such sales.

Which was committed to the Committee on Judiciary General.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 473, entitled:

An Act making an appropriation to the Philadelphia Home for Infants located at 4618 Westminster Ave., Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 474, entitled:

An Act making an appropriation to the Home of Industry for Discharged Prisoners, of the city of Philadelphia and State of Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. KRAUSE read in his place and presented to the Chair Senate Bill No. 475, entitled:

An Act providing for the taxation modification remission and collection of all fees received by the several prothonotaries and the several clerks of the courts of this Commonwealth.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 476, entitled:

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class, for the establishment of lines and grades for, and the grading, paving or repaving of said alleys, and the grading of private alleys hereafter laid out, and for apportioning the cost and for the filing of liens therefor.

Which was committed to the Committee on Municipal Affairs.

Mr. CULBERTSON read in his place and presented to the Chair Senate Bill No. 477, entitled:

An Act to amend part of section four of an act approved the sixteenth day of June one thousand nine hundred and nineteen (P. L. 482), entitled "An Act creating a Board of Commissioners of Public Grounds and Buildings; providing for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers and employes, and fixing their salaries; defining the powers and duties of the board and the superintendent with regard to contracts for and the furnishing of furniture, furnishings, stationery supplies, paper, and fuel for the executive and legislative branches of the State Government and the Executive Mansion, the supervision of the Capitol Grounds and buildings the State Arsenal, and Executive Mansion, and repairs, alterations and improvements thereto, and to other buildings land, and property of the State, the disposal of unserviceable personal property of the Commonwealth, the renting of office rooms outside of the Capitol, the bonding of officers and employes of the Commonwealth, and the supervision of the erection of, and repairs and additions to, State institutions, and the expenditure of funds therefor; and repealing supplied and inconsistent laws."

Which was committed to the Committee on Appropriations.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 478, entitled:

An Act making an appropriation to Eagleville Sanatorium for Consumptives, located at Eagleville, Montgomery County.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 479, entitled:

An Act making an appropriation to the Commissioners of Valley Forge Park to pay for land condemned and designated as located within the boundaries of Valley Forge Park.

Which was committed to the Committee on Appropriations.

Mr. NORTON read in his place and presented to the Chair Senate Bill No. 480, entitled:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital of Reading, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. LONG read in his place and presented to the Chair Senate Bill No. 481, entitled:

An Act providing for and regulating the public printing and binding, the editing for publication and the distribution of all documents, reports, bulletins and other publications for the use of the Commonwealth, the several departments, boards, commissions and other agencies engaged in the legislative, judicial and administrative work of the State Government, the sale of waste paper, the appointment of a Director and other employees and repealing inconsistent and conflicting legislation.

Which was committed to the Committee on Public Printing.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 482, entitled:

An Act providing for a referendum to ascertain the preferences of the voters of the Commonwealth relative to the adoption of daylight saving time for a portion of the year.

Which was committed to the Committee on Judiciary General.

Mr. SPROWLS read in his place and presented to the Chair Senate Bill No. 483, entitled:

An Act to establish as a State Highway a certain section of public road in the counties of Washington and Greene.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 484, entitled:

An Act to further amend section four of an act approved the seventeenth day of April, one thousand nine hundred and thirteen, (P. L. 85), entitled "An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania; requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth; and providing penalties for violation of its several provisions, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the license fees, fines, and penalties received."

Which was committed to the Committee on Game and Fisheries.

Also read in his place and presented to the Chair Senate Bill No. 485, entitled:

An Act for the protection of the public health; regulating the character, use and storage of containers for serving ice cream, ice cream soda and beverages, and of finger bowls; and imposing penalties.

Which was committed to the Committee on Public Health and Sanitation.

Mr. STEELE read in his place and presented to the Chair Senate Bill No. 486, entitled:

An Act establishing as a State Highway a certain township road in Union County, and providing for its construction, improvement and maintenance by the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 487, entitled:

An Act to establish as a State Highway a certain section of public road in the counties of Snyder and Union.

Which was committed to the Committee on Public Roads and Highways.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 488, entitled:

An Act allowing additional appeals to the triennial assessments in the several counties.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 489, entitled:

An Act to amend section two of the act of April 19, 1901, (P. L. 88), entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued."

Which was committed to the Committee on Judiciary General.

Mr. JOYCE read in his place and presented to the Chair Senate Bill No. 490, entitled:

An Act for the protection of live stock by prohibiting the use of metal and wire tag fasteners on bags containing feeding stuffs.

Which was committed to the Committee on Agriculture.

Also read in his place and presented to the Chair Senate Bill No. 491, entitled:

An Act imposing an additional State tax on gasoline, and on all other liquids containing any derivative of petroleum or natural gas, produced, prepared or compounded or usable for the purpose of generating power by means of internal combustion and sold in this Commonwealth at wholesale, or at retail in certain cases, or taken for use before it is so sold; providing for the collection of such tax and for the use of the revenue derived therefrom; making an appropriation; and fixing penalties.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 492, entitled:

An Act regulating the operation of billiard and pocket billiard establishments, and defining the persons who may be present therein.

Which was committed to the Committee on Judiciary Special.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 493, entitled:

An Act to amend route number two hundred and seventy-two of section six of an act approved the thirty-first day of May, 1911 (P. L. 468) entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid Highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs, providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 494, entitled:

An Act to exempt from county, city, borough, township, bounty, road, school and poor taxes, real and personal property owned by one or more corporations of purely public charity and used by such owner or owners and other similar associations or corporations exclusively for the purposes of such occupants.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair Senate Bill No. 495, entitled:

An Act establishing a State employes' and judges' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes and judges; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes and judges serve; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties.

Which was committed to the Committee on Pensions and Gratuities.

Mr. BROWN read in his place and presented to the Chair Senate Bill No. 496, entitled:

An Act to further amend section two of an act approved June 20, 1919 (P. L. 521) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties and citing certain acts for repeal," as amended.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 497, entitled:

An Act relating to county bridges; authorizing counties to issue and sell bonds for the erection thereof; and pro-

viding for the division of the cost of construction and erection of joint county bridges and the collection of tolls thereon.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 498, entitled:

An Act to amend Sections one, two and seven of an Act approved the seventeenth day of May, one thousand nine hundred twenty-one (Pamphlet Laws 912), entitled "An Act to regulate the drilling operating and abandoning of oil and gas wells, and providing a penalty for violation of the provisions of this act by providing regulations for the drilling and abandoning of oil or gas wells drilled through a marketable vein of coal or any mine therein.

Which was committed to the Committee on Judiciary Special.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 499, entitled:

An Act to amend section one of an act approved the twenty-eighth day of July, one thousand nine hundred and seventeen (P. L. 1235) entitled, "A supplement to an act approved the thirteenth day of May, one thousand eight hundred and seventy-six, entitled, 'An Act for the incorporation and regulation of banks of discount and deposit,' and authorizing the creation and maintenance of suboffices or subagencies."

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 500, entitled:

An Act to amend section one of the act approved the twenty-second day of April, one thousand nine hundred and fifteen, (P. L. 167), entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry; fixing their duties and salaries, and increasing the salaries of the chief medical inspector, chief of the bureau of statistics and information, and the chief clerk;" by providing for additional supervising inspectors.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 501, entitled:

A supplement to an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1311), entitled "An Act providing for the establishment of a State Industrial Home for Women; authorizing the purchase of a site, and the erection thereon and equipment of necessary buildings; providing for the commitment to said State Industrial Home for Women of females between the ages of sixteen and thirty years, convicted of, or pleading guilty to, the commission or any criminal offense, and providing for the government and management of said institution; and making an appropriation to carry out the purposes of this act;" changing the name of said home.

Which was committed to the Committee on Appropriations.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 502, entitled:

An Act prohibiting the location by cities of the third class of city prisons or lock-ups close to public school buildings.

Which was committed to the Committee on Municipal Affairs.

Mr. EINSTEIN read in his place and presented to the Chair Senate Bill No. 503, entitled:

An Act making an appropriation to the Christian Home for Women, at fourteen hundred and twenty-three Liverpool Street, Northside, City of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 504, entitled:

An Act making appropriation to the Sesqui-Centennial Exhibition Association, situated in the City of Philadelphia, State of Pennsylvania.

Which was committed to the Committee on Exposition Affairs.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 505, entitled:

An Act to appeal an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one, (Appropriation Acts, Page, 269), entitled "An act making an appropriation to the Washington and Jefferson College, Washington, Pennsylvania."

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 506, entitled:

An Act to amend section two of an act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 507, entitled:

An Act to amend section one of an act, approved the ninth day of July, one thousand nine hundred and nineteen, (P. L. 794) entitled "An act providing that estates in buildings, ground, books, curios, pictures, statuary and other works of art, passing by will to any municipality corporation, or unincorporated body, for free exibition within Pennsylvania, shall not be subject to collateral inheritance tax, and, in certain instances, the date when such tax shall become due," extending the act to property passing to colleges, universities and educational institutions.

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 508, entitled:

An Act constituting the board of trustees of Washington and Jefferson College a commission to provide a memorial to the memory of the late James A. Beaver.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 509, entitled:

An Act to require the teaching of the constitution of the United States in the public and private schools.

Which was committed to the Committee on Education.

Mr. BALDWIN read in his place and presented to the Chair Senate Bill No. 510, entitled:

An Act to amend section six of an act approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 539) entitled, "An Act relating to the support and employment of the poor."

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 511, entitled:

An Act making it a misdemeanor to forge or to make or manufacture any object with intent of representing or of permitting the same to be represented as an archeological specimen; or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully forged, made or manufactured; and providing penalties.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 512, entitled:

An Act to amend section one of an act approved the seventeenth day of March, one thousand nine hundred and twenty-one (P. L. 32), entitled, "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors and marines of such counties; providing for an election to determine whether such hall shall be erected; providing for the purchase and condemnation of property for such purposes; regulating the use of such halls and providing for the maintenance and care of the same, by a board of control at the expense of the county;" by providing for second like proceeding, in certain cases and making it the duty of the county commissioners upon favorable result of a second election to erect such hall at some place in the county other than the county seat.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 513, entitled:

An Act to amend section three of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 912), entitled, "An Act to regulate the driling operating, and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act."

Which was committed to the Committee on Judiciary Special.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 514, entitled:

An Act making an appropriation to the Brookville Hospital, Brookville, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 515, entitled:

An Act to regulate and standardize the manufacture and sale of clinical thermometers and to provide a penalty.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair Senate Bill No. 516, entitled:

An Act providing for the appointment and election of assistant assessors for election purposes in certain wards in cities of the third class; fixing their terms of office; and providing for their compensation.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 517, entitled:

An act making an appropriation to the Trustees of the Homeopathic State Hospital for the Insane at Allentown, Pennsylvania.

Which was committed to the Committee on Appropriations.

QUESTION OF PERSONAL PRIVILEGE.

Mr. SCHANTZ. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Lehigh, Mr. Schantz, will state his question of personal privilege.

Mr. SCHANTZ. Mr. President since the last session of the Senate I received a letter from the Governor which I would like to have read by the clerk at this time, for the information of the Senate.

(The letter was read as follows);

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1923.

Hon. Horace T. Schantz, Chairman, Appropriation Committee. The Senate, Harrisburg, Pa.

Dear Senator Schantz: I have given much consideration to the request that House Bill No. 109, making appropriation for State-Aid Hospitals, be replaced by separate appropriation bills for each hospital. Nothing has shaken my confidence in the constitutionality of the lump sum idea, or in the fact that it would be the most efficient and economical way to apropriate for these institutions, but in view of the strong desire of the beneficiaries to know the maximum on which they may depend, I am willing to have the lump sum of $3,600,000 provided for in Bill No. 109, allocated by maximum amounts to the State-aid Hospitals if the following principals to maintain efficiency and economy in the use of the funds appropriated are observed;

1. That the right of any hospital, whether appropriated for or not, to share in State-aid shall depend on whether it attains and maintains a standard to be fixed by law.
2. That, within the maximum appropriated, each hospital shall receive quarterly an amount based on the number of days of medical or surgical service it has given to indigent sick or injured patients.
3. That the per diem allowance for each service shall be determined for each hospital by its classification at the beginning of each quarter based on the number of beds for patients it maintains and its locality as to the population, as determined by law.
4. That the quarterly requisitions, computed on the basis of classification and service to indigent patients, shall be subject to the approval of the Department of Public Welfare.

I attach a suggested form for the individual appropriation bills, and have asked the Commission of Public Welfare to prepare a list of those hospitals which have already applied to that Department for State-aid, and also for a suggestion of how $3,600,000 might equitably be divided between these hospitals.

The standards Bill for hospitals will be ready tomorrow morning, and the Classification and Per Diem within two days.

If you desire assistance in rewriting or amending appropriation bills for State-aid hospitals, I am sure the Legislative Reference Bureau and the Attorney General's office will co-operate to facilitate the work.

Sincerely yours,

GIFFORD PINCHOT.

Mr. PRESIDENT, I desire to state that the form of the bill attached is not the form that will be agreed upon and adopted finally. In consequence of a conference this afternoon. This form will be changed in at least two material points.

Mr. PHIPPS. Mr. President, I desire to interrogate the Senator from Lehigh, Mr. Schantz.

The PRESIDENT. Will the Senator from Lehigh, Mr. Schantz, permit himself to be interrogated?

Mr. SCHANTZ. Mr. President, I will.

Mr. PHIPPS. Mr. President, will it be necessary to have new appropriation bills introduced in place of the ones that have been introduced.

Mr. SCHANTZ. Mr. President, that will not be necessary.

REPORTS FROM COMMITTEES.

Mr. DAIX. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 492 entitled:

An Act regulating the operation of billiard and pocket billiard establishments, and defining the persons who may be present therein.

BILL OVER IN ORDER.

Mr. SMITH. Mr. President, I ask that Senate Bill No. 143, on final passage, entitled:

An Act to amend section one of the act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revise rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation" as amended.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 198, as follows:

An Act to amend section seventy-four of an act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An Act relating to the Elections of this Commonwealth" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventy-four of an act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An act relating to the Elections of this Commonwealth" which as amended by section one of an act approved the sixteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred and seventeen), entitled "An Act amending section seventy-four of an act 'Relating to the elections of this Commonwealth' approved the second day of July Anno Domini one thousand eight hundred and thirty-nine" reads as follows

"Section 74 As soon as the election shall be finished the tickets list of taxables one of the lists of voters the tally-papers and one of the certificates of the oath or affirmation taken and subscribed by the inspectors judges and clerks shall all be carefully collected and deposited in one or more of the ballot-boxes and such box or boxes being closely bound round with tape shall be sealed by the inspectors and judge of the election and together with the remaining ballot-boxes shall within one day thereafter be delivered by one of the inspectors to the nearest justice of the peace who shall keep such boxes containing the tickets and other documents (said justice of the peace to receive the sum of three dollars per year for all services rendered in the care of the ballot-box or boxes placed in his custody said sum to be paid by the county treasurer upon an order drawn by the county commissioners) to answer the call of any persons or tribunal authorized to try the merits of such election and the other list of voters tally-papers and certificates shall be enclosed by the said inspectors and judge in a sealed cover directed to the prothonotary of the court of common pleas of the county and shall by some one of them be delivered into his office within three days thereafter where the same shall be filed is hereby further amended to read as follows

Section 74 As soon as the election shall be finished the tickets list of taxables one of the lists of voters the tally-papers and one of the certificates of the oath or affirmation taken and subscribed by the inspectors judges and clerks shall all be carefully collected and deposited in one or more of the ballot-boxes and such box or boxes being closely bound round with tape shall be sealed by the inspectors and judge of the election and together with the remaining ballot-boxes shall within one day thereafter be delivered by one of the inspectors to the nearest justice of the peace who shall keep such boxes containing the tickets and other documents (said justice of the peace to receive the sum of three dollars per year for one ballot-box and an additional dollar per year for each additional ballot-box for all services rendered in the care of the ballot-box or boxes placed in his custody said sum to be paid by the county treasurer upon an order drawn by the county commissioners) to answer the call of any persons or tribunal authorized to try the merits of such elections and the other list of voters tally-papers and certificates shall be enclosed by the said inspectors and judge in a sealed cover directed to the prothonotary of the court of common pleas of the county and shall by some one of them be delivered into his office within three days thereafter where the same shall be filed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Aron,	DeWitt,	Leslie,	Schantz,
Baldwin,	Einstein,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sones,
Brown,	Homsher,	McNichol,	Sprowls,
Buckman,	Huffman,	Miller,	Steele,
Christley,	Jones,	Norton,	Stineman,
Clark,	Joyce,	Patton,	Stites,
Craig,	Krause,	Phipps,	Vare,
Culbertson,	Kutz,	Quigley,	Weaver,
Daix,	Lanius,	Salus,	Woodward,
Derrick,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. SMITH. Mr. President, I move that Senate Bill No. 242, on final passage, entitled:

An Act to amend sections one, eleven, twelve and fourteen of and to add section eight (a) to an act entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," approved March 19, 1909, (P. L. 46); providing additional qualifications for a member of the State Board of Osteopathic Examiners; providing for the examination and licensing of osteopathic physicians to practice surgery, regulating the practice of the same and requiring additional qualifications therefor, defining osteopathy and providing for the effect of reports and certificates made by osteopathic physicians

and granting additional powers to the Board of Osteopathic Examiners to revoke licenses.

be recommitted to the Committee on Public Health and Sanitation, for the purpose of a hearing.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 176, entitled:

An Act making an appropriation to the State Highway Department for the improvement of certain portions of streets abutting on lands owned by the Commonwealth in Lackawanna County

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,	DeWitt,	Leslie,	Schantz,
Baldwin,	Einstein,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sones,
Brown,	Homsher,	McNichol,	Sprowls,
Buckman,	Huffman,	Miller,	Steele,
Christley,	Jones,	Norton,	Stineman,
Clark,	Joyce,	Patton,	Stites,
Craig,	Krause,	Phipps,	Vare,
Culberston,	Kutz,	Quigley,	Weaver,
Daix,	Lanius,	Salus,	Woodward,
Derrick,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and considera- of Senate Bill No. 273, (House Bill No. 302), entitled:

An Act to amend section one of an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, (P. L. 86), entitled "An Act regulating the compensation of court criers and tipstaves, in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county; limiting the number of tipstaves to be appointed; and repealing an act of Assembly, entitled 'An Act to regulate the fees of court criers and tipstaves of the courts, in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants,' approved the twenty-ninth day of April, Anno Domini, one thousand nine hundred and nine," as amended.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,	DeWitt,	Leslie,	Schantz,
Baldwin,	Einstein,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sones,
Brown,	Homsher,	McNichol,	Sprowls,
Buckman,	Huffman,	Miller,	Steele,
Christley,	Jones,	Norton,	Stineman,
Clark,	Joyce,	Patton,	Stites,
Craig,	Krause,	Phipps,	Vare,
Culberston,	Kutz,	Quigley,	Weaver,
Daix,	Lanius,	Salus,	Woodward,
Derrick,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 120, entitled:

An act fixing the salaries of the controller in counties of the first second third fourth and fifth classes

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salaries of the controller in counties of the first class shall be nine thousand dollars ($9,000) per annum in counties of the second class eight thousand dollars ($8,000) per annum in counties of the third class six thousand dollars ($6,000) per annum in counties of the fourth class four thousand eight hundred dollars ($4,800) per annum and in counties of the fifth class three thousand five hundred dollars ($3,500) per annum

This act shall not apply to any county controller in office at the date of approval of this act

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

On the question,

Will the Senate agree to the section?

Mr. CRAIG. Mr. President, I moved to amend section 1, page 1, lines 10 and 11 by striking out the words "three thousand five hundred dollars ($3500.00)" and inserting in lieu thereof the words "four thousand two hundred dollars ($4200)".

Mr. PHIPPS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act fixing the salaries of the controller in counties of the first second third fourth and fifth classes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dspensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 130, entitled:

An Act to amend section one of the act approved the seventeenth day of May, one thousand nine hundred and nineteen, (P. L. 208), entitled "An Act prohibiting, under certain conditions, the commutation, encumbrance or assignment of the proceeds of life insurance and annuity policies and the in-

come arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it hereby enacted by the authority of the same That section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight) entitled "An Act prohibiting under certain conditions the commutation encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" is hereby amended to read as follows

Section 1 Be it enacted &c That whenever under the terms of any annuity or policy of life insurance or under any written agreement supplemental thereto issued by any insurance company domestic or foreign lawfully doing business in this State the proceeds are retained by such company at maturity or otherwise no person entitled to any part of such proceeds or any installment of interest due or to become due thereon shall be permitted to commute anticipate encumber alienate or assign the same or any part thereof if such permission is expressly withheld by the terms of such policy or supplemental agreement and if such policy or supplemental agreement so provides no payments of interest or of principal shall be in any way subject to such person's debts contracts or engagements nor to any judicial processes to levy upon or attach the same for payment thereof and further that such company shall not be required to segregate such funds but may hold them as part of its general corporate funds

On the question,

Will the Senate agree to the section?

Mr. BARR. Mr. President, I move to amend Section 1, page 2, line 36, by inserting after the word "as" the word: a

Mr. LANG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight) entitled "An Act prohibiting under certain conditions the commutation encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" by extending the same to the proceeds and income from policies issued by both domestic and foreign companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 195, entitled:

An Act to amend Section five hundred and twenty-three of the Act approved the seventeenth day of May, A. D. 1921 (P. L. 284), entitled: "An Act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," changing requirements contained in the subjects entitled "requirements in case of loss" "appraisal" "when loss payable" and "waiver" of said section.

The first section of the bill was as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and twenty-three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and eighty-four) entitled "An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" which reads as follows

Section 523 STANDARD FIRE POLICY FORM The standard form of policy to be issued by any stock fire insurance company shall be plainly printed and no portion thereof shall be in type smaller than the type used in printing the form on file in the office of the Insurance Commissioner and shall be as follows

No.....(Insertion of name of company or companies issuing the policy and other matter permitted to be stated at the head of the policy)

Amount $..... Rate ..... Premium $.....

In consideration of the stipulations herein named and of .....dollars premium does insure .....and legal representatives to the extent of the actual cash value (ascertained with proper deductions for depreciation) of the property at the time of loss or damage but not exceeding the amount which it would cost to repair or replace the same with material of like kind and quality within a reasonable time after such loss or damage without allowance for any increased cost of repair or reconstruction by reason of any ordinance or law regulating construction or repair and without compensation for loss resulting from interruption of business or manufacture for the term of..... .....from the .....day of.....19.... at noon to the.....day of.....19.... at noon against all direct loss and damage by fire and by the removal from premises endangered by fire except as herein provided to an amount not exceeding .....dollars to the following described property while located and contained as described herein or pro rata for five days at each proper place to which any of the property shall necessarily be removed for preservation from fire but not elsewhere namely

DESCRIPTION OF PROPERTY

This policy is made and accepted subject to the foregoing stipulations and conditions and to the stipulations and conditions printed on the back hereof which are hereby made a part of this policy together with such other provisions stipulations and conditions as may be endorsed hereon or added hereto as herein provided

In witness whereof this company has executed and attested these presents

(Date and signatures and titles of officers and agent)

FRAUD MISREPRESENTATION ET CETERA

This entire policy shall be void if the insured has concealed or misrepresented any material fact or circumstances concerning this insurance or the subject thereof or in case of any fraud or false swearing by the insured touching any matter relating to this insurance or the subject thereof whether before or after a loss

PROPERTY UNINSURABLE AND EXCEPTED

This policy shall not cover accounts bills currency deeds evidences of debt money notes or securities nor unless specifically named hereon in writing bullion manuscripts drawing dies or patterns

HAZARDS NOT COVERED

This company shall not be liable for loss or damage caused directly or indirectly by invasion insurrection riot civil war or commotion or military or usurped power or by order of any civil authority or by theft or by neglect of the insured to use all reasonable means to save and preserve the property at and after a fire or when the property is endangered by fire in neighboring premises

This entire policy shall be void unless otherwise provided by agreement in writing added hereto

OWNERSHIP ET CETERA

(a) If the interest of the insured be other than unconditional and sole ownership or (b) if the subject of insurance be a building on ground not owned by the insured in fee simple or (c) if with the knowledge of the insured foreclosure proceedings be commenced or notice given of sale of any property insured hereunder by reason of any mortgage or trust deed or (d) if any change other than by death of an insured take plase in the interest title or posession of the subject of insurance (except change of occupants without increase of hazard) or (e) if this policy be assigned before a loss

OTHER INSURANCE

(a) While the insured shall have any other contract of insurance whether valid or not on property covered in whole or in part by this policy or

INCREASE OF HAZARD

(b) While the hazard is increased by any means within the control of the insured or

REPAIRS ET CETERA

(c) While mechanics are employed in building altering or repairing the described premises beyond a period of fifteen days or

EXPLOSIVES GAS ET CETERA

(d) While illuminating gas or vapor is generated on the described premises or while (any usage or custom to the contrary notwithstanding) there is kept used or allowed on the described premises fireworks Greek fire phosphorus explosives benzine gasoline naptha or any other petroleum product of greater inflammability than kerosene oil gunpowder exceeding twenty-five pounds or kerosene oil exceeding five barrels or

FACTORIES

(e) If the subject of an insurance be a manufacturing establishment while operated in whole or in part between the hours of ten post meridian and five ante meridian or while it ceases to operated beyond a period of ten days or

UNOCCUPANCY

(f) While a described building whether intended for occupancy by owner or tenant is vacant or unoccupied beyond a period of ten days or

EXPLOSION LIGHTNING

(g) By explosion or lightning unless fire ensue and in that event for loss or damage by fire only

CHATTEL MORTGAGE

Unless otherwise provided by agreement in writing added hereto this company shall not be liable for loss or damage to any property insured hereunder while encumbered by a chattel mortgage and during the time of such encumbrance this company shall be liable only for loss or damage to any other property insured hereunder

FALL OF BUILDING

If a building or any material part thereof fall except as the result of fire all insurance by this policy on such building or its contents shall immediately cease

ADDED CLAUSES

The extent of the application of insurance under this policy and the contribution to be made by this company in case of loss or damage and any other agreement not inconsistent with or a waiver of any of the conditions or provisions of this policy may be provided for by agreement in writing added thereto

WAIVER

No one shall have power to waive any provision or condition of this policy except such as by the term of this policy may be the subject of agreement added thereto nor shall any such provision or condition be held to be waived unless such waiver shall be in writing added hereto nor shall any provision or condition of this policy or any forfeiture be held to be waived by any requirement act or proceeding on the part of this company relating to appraisal or to any examination herein provided for nor shall any privilege or permission affecting the insurance hereunder exist or be claimed by the insured unless granted herein or by rider added hereto

CANCELLATION OF POLICY

This policy shall be canceled at any time at the request of the insured in which case the company shall upon demand and surrender of this policy refund the excess of paid premium above the customary short rates for the unexpired time This policy may be canceled at any time by the company by giving to the insured a five days' written notice of cancellation with or without tender of the excess of paid premium above the pro rata premium for the expired time which excess if not tendered shall be refunded on demand Notice of cancellation shall state that said excess premium (if not tendered) will be refunded on demand

PRO RATA LIABILITY

This company shall not be liable for a greater portion of any loss or damage than the amount hereby insured shall bear to the whole insurance covering the property whether valid or not and whether collectible or not

NOON

The word "noon" herein means noon of the standard time at the place of loss or damage

MORTGAGE INTERESTS

If loss or damage is made payable in whole or in part to a mortgagee not named herein as the insured this policy may be canceled as to such interest by giving to such mortgagee a ten days' written notice of cancellation Upon failure of the insured to render proof of loss such mortgagee shall as if named as insured hereunder but within sixty days after such failure render proof of loss and shall be subject to the provisions hereof as to appraisal and time of payment and of bringing suit On payment to such mortgagee of any sum for loss or damage hereunder if this company shall claim that as to the mortgagor or owner no liability existed it shall to the extent of such payment be subrogated to the mortgagee's right to recovery and claim upon the collateral to the mortgagee debt but without impairing the mortgagee's right to sue or it may pay the mortgage debt and require an assignment thereof and of the mortgage other provisions relating to the interest and obligation of such mortgagee may be added hereto by agreement in writing

REQUIREMENTS IN CASE OF LOSS

The insured shall give immediate notice in writing to this company of any loss or damage protect the property from further damage forthwith separate the damaged and undamaged personal property put it in the best possible order furnish a complete inventory of the destroyed damaged and undamaged property stating the quantity and cost of each article and the amount claimed thereof and the insured shall within sixty (60) days after the fire unless such time is extended in writing by this company render to this company a proof of loss signed and sworn to by the insured stating the knowledge and belief of the insured as to the time and origin of the fire the interest of the insured and of all others in the property the cash value of each item thereof and the amount of loss or damage thereto all ne-

cumbrances thereon all other contracts of insurance whether valid or not covering any of said property and a copy of all the descriptions and schedules in all policies any changes in the title use occupation location possession or exposures of said property since the issuing of this policy and by whom and for what purpose any building herein described and the several parts thereof were occupied at the time of fire and shall furnish if required verified plans and specifications of any building fixtures or machinery destroyed or damaged The insured as often as may be reasonably required shall exhibit to any person designated by this company all that remains of any property herein described and submit to examinations under oath by any person named by this company and subscribe the name and as often as may be reasonably required shall produce for examination all books of accounts bills invoices and other vouchers or certified copies thereof if originals be lost at such reasonable time and place as may be designated by this company or its representative and shall permit extracts and copies thereof to be made

APPRAISAL

In case the insured and this company shall fail to agree as to the amount of loss or damage each shall on the written demand of either select a competent and disinterested appraiser The appraisers shall first select a competent and disinterested umpire and failing for fifteen days to agree upon such umpire then on request of the insured or this company such umpire shall be selected by a judge of a court of record in the county in which the property insured is located The appraisers shall then appraise the loss and damage stating separately sound value and loss or damage to each item and failing to agree shall submit their differences only to the umpire An award in writing so itemized of any two when filed with this company shall determine hte amount of sound value and loss or damage Each appraiser shall be paid by the party selecting him and the expenses of appraisal and umpire shall be paid by the parties equally

COMPANY'S OPTIONS

It shall be optional with this company to take all or any part of the articles at the agreed or appraised value and also to repair rebuild or replace the property loss or damaged with other of like kind and quality within a reasonable time giving notice of its intention so to do prior to thirty days after ascertainment of loss or damage is made as herein provided

ABANDONMENT

There can be no abandonment to this company of any property

WHEN LOSS PAYABLE

The amount of loss or damage for which this company may be liable shall be payable sixty days after proof of loss as herein provided is received by this company and ascertainment of the loss or damage is made either by agreement between the insured and this company expressed in writing or by the filing with this company of an award as herein provided

SUIT

No suit or action on this policy for the recovery of any claim shall be sustainable in any court of law or equity unless the claimant shall show compliance with all the requirements of this policy nor unless commenced within twelve months next after the fire

SUBROGATION

This company may require from the insured as an assignment of all right of recovery against any party for loss or damage to the extent that payment therefor is made by is hereby amended to read as follows

"Section 523 STANDARD FIRE POLICY FORM The standard form of policy to be issued by any stock fire insurance company shall be plainly printed and no portion thereof shall be in type smaller than the type used in printing the form on file in the office of the Insurance commissioner and shall be as follows

No.....(Insertion of name of company or companies issuing the policy and other matter permitted to be stated at the head of the policy)

Amount $..... Rate..... Premium $.....

In consideration of the stipulations herein named and of .....dollars premium does insure..... .....and legal representatives to the extent of the actual cash value (ascertained with proper deductions for depreciation) of the property at the time of loss or damage but not exceeding the amount at which it would cost to repair or replace the same with material of like kind and quality within a reasonable time after such loss or damage without allowance for any increased cost of repair or reconstruction by reason of any ordinance or law regulating construction or repair and without compensation for loss resulting from interruption of business or manufacture for the term of .....from the .....day of.....19....at noon to the.....day of .....19....at noon against all direct loss and damage by fire and by removal from premises endangered by fire except as herein provided to an amount not exceeding.....dollars to the following described property while located and contained as described herein or prorata for five days at each proper place to which any of the property shall necessarily be removed for preservation from fire but not elsewhere namely

DESCRIPTION OF PROPERTY

This policy is made and accepted subject to the foregoing stipulations and conditions and to the stipulations and conditions printed on the back hereof which are hereby made a part of this policy together with such other provisions stipulations and conditions as may be endorsed hereon or added hereto as herein provided

In witness whereof this company has executed and attested these presents

(Date and signatures and titles of officers and agent)

FRAUD MISREPRESENTATION ET CETERA

This entire policy shall be void if the insured has concealed or misrepresented any material fact or circumstances concerning this insurance or the subject thereof or in case of any fraud or false swearing by the insured touching any matter relating to this insurance or the subject thereof whether before or after a loss

PROPERTY UNINSURABLE AND EXCEPTED

This policy shall not cover accounts bills currency deeds evidences of debt money notes or securities nor unless specifically named hereon in writing bullion manuscripts mechanical drawings dies or patterns

HAZARDS NOT COVERED

This company shall not be liable for loss or damage caused directly or indirectly by invasion insurrection riot civil war or commotion or military or usurped power or by order of any civil authority or by theft or by neglect of the insured to use all reasonable means to save and preserve the property at and after a fire or when the property is endangered by fire in neighboring premises

This entire policy shall be void unless otherwise provided by agreement in writing added thereto

OWNERSHIP ET CETERA

(a) If the interest of the insured be other than unconditional and sole ownership or (b) if the subject of insurance be a building on ground not owned by the insured in fee simple or (c) if with the knowledge of the insured foreclosure proceedings be commenced or notice given of sale of any property insured hereunder by reason of any mortgage or trust deed or (d) if any change other than by the death of an insured take place in the interest title or possession of the subject of insurance (except change of occupants without increase of hazard) or (e) if this policy be assigned before a loss

Unless otherwise provided by agreement in writing added hereto this company shall not be liable for loss or damage occurring

OTHER INSURANCE

(a) While the insured shall have any other contract of insurance whether valid or not on property covered in whole or in part by this policy or

INCREASE OF HAZARD

(b) While the hazard is increased by any means within the control of the insured or

REPAIRS ET. CETERA

(c) While mechanics are employed in building altering or repairing the described premises beyond a period of fifteen days or

EXPLOSIVES GAS ET CETERA

(d) While illuminating gas or vapor is generated on the described premises or while (any usage or custom to the contrary notwithstanding) there is kept used or allowed on the described premises fireworks Greek fire phosphorus explosives benzine gasoline naptha or any other petroleum product of great inflammability than kerosene-oil gunpowder exceeding twenty-five pounds or kerosene-oil exceeding five barrels or

FACTORIES

(e) If the subject of insurance be a manufacturing establishment while operated in whole or in part between the hours of ten post meridian and five ante meridian or while it ceases to be operated beyond a period of ten days or

UNOCCUPANCY

(f) While a described building whether intended for occupancy by owner or tenant is vacant or unoccupied beyond a period of ten days or

EXPLOSION LIGHTNING

(g) By explosion or lightning unless fire ensue and in that event for loss or damage by fire only

CHATTEL MORTGAGE

Unless otherwise provided by agreement in writing added hereto this company shall not be liable for loss or damage to any property insured hereunder while encumbered by a chattel mortgage and during the time of such encumbrance this company shall be liable only for loss or damage to any other property insured hereunder

FALL OF BUILDING

If a building or any material part thereof fall except as the result of fire all insurance by this policy on such building or its contents shall immediately cease

ADDED CLAUSES

The extend of the application of insurance under this policy and of the contribution to be made by this company in case of loss or damage and any other agreement not inconsistent with or a waiver of any of the conditions or provisions of this policy may be provided for by agreement in writing added thereto

WAIVER

No one shall have power to waive any provision or condition of this policy except such as by the term of this policy may be the subject of agreement added thereto nor shall any such provision or condition be held to be waived unless such waiver shall be in writing added hereto nor shall any provision or condition of this policy or any forfeiture be held to be waived by any requirement act or proceeding on the part of this company relating to appraisal or to any examination herein provided for nor shall any privilege or permission affecting the insurance hereunder exist or be claimed by the insured unless granted herein or by rider added hereto except in the case of loss in which event this company and the assured shall be bound by any agreement entered into by the authorized agents of each nothing in this policy to the contrary notwithstanding

CANCELLATION OF POLICY

This policy shall be canceled at any time at the request of the insured in which case the company shall upon demand and surrender of this policy refund the excess of paid premium above the customary short rates for the expired time This policy may be canceled at any time by the company by giving to the insured a five days' written notice of cancellation with or without tender of the excess of paid premium above the pro rata premium for the expired time which excess if not tendered shall be refunded on demand Notice of cancellation shall state that said excess premium (if not tendered) will be refunded on demand

PRO RATA LIABILITY

This company shall not be liable for a greater proportion of any loss or damage than the amount hereby insured shall bear to the whole insurance covering the property whether valid or not and whether collectible or not

NOON

The word "noon" herein means noon of standard time at the place of loss of damage

MORTGAGE INTERESTS

If loss or damage is made payable in whole or in part to a mortgage not named herein as the insured this policy may be canceled as to such interest by giving to such mortgagee a ten day's written notice of cancellation Upon failure of the insured to render proof of loss such mortgagee shall as if named as insured hereunder but within sixty days after such failure render proof of loss and shall be subject to the provisions hereof as to appraisal and time of payment and of bringing suit On payment to such mortgagee of any sum for loss or damage hereunder if this company shall claim that as to the mortgagor or owner no liability existed it shall to the extent of such payment be subrogated to the mortgagee's right to recovery and claim upon the collateral to the mortgage debt but without impairing the mortgagee's right to sue or it may pay the mortgage debt and require an assignment thereof and of the mortgage other provisions relating to the interest and obligation of such motgagee may be added hereto by agreement in writing

REQUIREMENTS IN CASE OF LOSS

The insured shall give immediate notice in writing to this company of any loss or damage protect the property from further damage forthwith separate the damage and undamaged personal property put it in the best possible order furnish a complete inventory of the destroyed damaged and undamaged property stating the quantity and cost of each article and the amount claimed thereon This company shall upon the receipt of such notice of such loss immediately appoint and notify the assured of such appointment a person resident in this Commonwealth who shall be the authorized agent of such company for the purpose of making adjustments and inquiring into said loss which said agent shall have full power to bind the company in all matters affecting such loss and be fully authorized to settle the amount of such loss the details of the payment and the waiving of any of the provisions herein contained and the assured shall within sixty (60) days after the fire unless such time is extended in writing by this company render to this company a proof of loss signed and sworn to by the insured stating the knowledge and belief of the insured as to the time and origin of the fire the interest of the insured and of all others in the property the cash value of each item thereof and the amount of loss or damage thereto all encumbrances thereon all other contracts of insurance whether valid or not covering any of said property and a copy of all the descriptions and schedules in all policies any changes in the title use occupation location possession or exposures of said property since the issuing of this policy and by whom and for what purpose any building herein described and the several parts thereof were occupied at the time of fire and shall furnish if required verified plans and specifications of any building fixtures of machinery destroyed or damaged That this company shall within seven days from the receipt of such proof of loss if not already examined have examined the property claimed to have been lost destroyed or damaged or the evidence thereof and shall within seven days from such examination deny liability make a compromise offer or agree to the amount claimed and shall in the event of the first of these conditions and of the second of these conditions if the offer be refused by the assured forthwith demand an appraisal from the assured as provided for in the subdivision hereinafter following entitled "APPRAISAL" The insured as often as may be reasonably required shall exhibit to any person designated by this company all that remains of any property herein described and submit to examinations under oath by any person named by this company and subscribe the same and as often as may be reasonably required shall produce for examination all books of accounts bills invoices and other vouchers or certified copies thereof if originals be lost at such reasonable time and place as may be desig-

nated by this company or its representative and shall permit extracts and copies thereof to be made

APPRAISAL

In case the insured and this company shall fail to agree as to the amount of loss or damage as above provided for each shall on the written demand of either select a competent and disinterested appraiser The appraisers shall first select a competent and disinterested umpire and failing for fifteen days to agree upon such umpire then on the request of the insured or this company such umpire shall be selected by a judge of a court of record in the county in which the property insured is located The appraisers shall within fifteen days after their appointment appraise the loss and damage stating separately sound value and loss or damage to each item and failing to agree within seven days thereafter shall submit their differences only to the umpire An award in writing so itemized of any two when filed with this company shall determine the amount of sound value and loss or damage Each appraiser shall be paid by the party selecting him and the expenses of appraisal and umpire shall be paid by the parties equally The appraisers so appointed by this company and the assured shall both be residents of this Commonwealth and of the county in which said loss shall occur and any umpire selected by the said appraisers or appointed by the court shall also be a resident of this Commonwealth residing within the county in which said loss shall occur If either party shall refuse to appoint an appraiser to have the loss to damaged property appraised then the other party may have such appraisal made giving due notice thereof to the other party and said copy of appraisal when so made shall be forthwith filed of record in the courts of common pleas in the county in which said loss shall occur and shall be binding as to the amount of loss upon this company and the assured and the party refusing to have such appraisal made shall be stopped from proving any different value of any of the items contained therein at the time of trial

COMPANY'S OPTIONS

It shall be optional with this company to take all or any part of the articles at the agreed or appraised value and also to repair rebuild or replace the property lost or damaged with other of like kind and quality within a reasonable time giving notice of its intention so to do prior to thirty days after ascertainment of loss or damage is made as herein provided

ABANDONMENT

There can be no abandonment to this company of any property

WHEN LOSS PAYABLE

The amount of loss or damage for which this company may be liable shall be payable immediately without discount after ascertainment of the loss or damage is made either by agreement between the insured and the agent appointed by this company as hereinbefore provided expressed in writing or by the filing with this company of an award as herein provided

SUIT

No suit or action on this policy for the recovery of any claim shall be sustainable in any court of law or equity unless the claimant shall show compliance with all the requirements of this policy nor unless commenced within twelve months next after the fire

SUBROGATION

This company may require from the insured an assignment of all right of recovery against any party for loss or damage to the extent that payment therefor is made by this company

On the question,

Will the Senate agree to the section?

Mr. SALUS. Mr. President, I move to amend

Section 1, page 2, line 6, by striking out the words "two hundred and eighty-four" and inserting in lieu thereof "six hundred and eighty-two"; also line 17, by striking out the words "which reads" and inserting in lieu thereof "is hereby amended to read"; also lines 10 to 28, by striking out the lines 18 to 28 both inclusive and eliminating them from the bill; also page 3, lines 1 to 28, by striking out the lines 1 to 28, both inclusive and eliminating them from the bill; also page 4, lines 1 to 29, by striking out lines 1 to 29, both inclusive and eliminating them from the bill; also page 3, lines 1 to 28, by striking out lines 1 to 28, both inclusive and eliminating them from the bill; also page 6 lines 1 to 29, by striking out lines 1 to 29, both inclusive and eliminating them from the bill; also page 7, lines 1 to 28, by striking out lines 1 to 28, both inclusive and eliminating them from the bill; also page 8, lines 1 to 29, by striking out lines 1 to 29, both inclusive and eliminating them from the bill; also page 9, lines 1 to 28, by striking out the lines 1 to 28, both inclusive and eliminating them from the bill; also page 10, lines 1 to 28, by striking out the lines 1 to 28, both inclusive and eliminating them from the bill; also page 11, lines 1 to 29, by striking out lines 1 to 29, both inclusive and eliminating them from the bill; also page 12, lines 1 to 4, by striking out the lines 1 to 4, both inclusive and eliminating them from the bill; also line 5, by removing the quotation marks preceding the word "section;" also page 14, line 13, by striking out the word "thereto" and inserting in lieu thereof, the word "hereto" also page 15, line 18, by striking out the word "great" and inserting in lieu thereof, the word, "greater"; also page 18, line 5, by striking out the word "of" preceding the word "damage" and inserting in lieu thereof the word "or" also page 20, line 3, by striking out the word "of" and inserting in lieu thereof the word "or"; also page 21, line 8, by inserting after the word "shall" the word "then"; also page 22, line 21, by inserting after the word "payable" the words 'sixty days"; also line 22, by inserting after the word "after" the following words "proof of loss as herein provided is received by this company, and"; also line 23, by inserting after the word "insured" the words, "and this company"

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An act to amend Section five hundred and twenty-three of the Act approved the seventeenth day of May Anno Domini one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and eighty-four) entitled "An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and the fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing requirements contained in the subjects entitled "Requirements in case of loss" "Appraisal" "When loss payable" and "Waiver" of said section

On the question,

Will the Senate agree to the title?

Mr SALUS. Mr President I moved to amend the title, page 1, line 4, by striking out the words "two hundred and eighty-four" and inserting in lieu therefor the words "six hundred and eighty-two"; also line 10 by striking out the word "the".

Mr. BUCKMAN. Mr, President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 195, the bill just read, be recommitted to the Committee on Insurance for the purpose of a hearing.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 217, entitled:

An Act to amend section one of an act approved April 13, 1873 (P. L. 21) entitled "An Act for the establishment of a uniform standard of time throughout the Commonwealth;" prohibiting the adoption of other standards of time.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the thirteenth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws twenty-one) entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth" which as amended by section one of an act approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eighty-two) entitled "An act amending 'An act for the establishment of a uniform standard of time throughout the Commonwealth' approved the thirteenth day of April Anno Domini one thousand eight hundred and eighty-seven so as to make the same uniform to the standard fixed by act of Congress" reads as follows

"Section 1 Be it enacted et cetera That on and after the first day of July Anno Domini one thousand eight hundred and eighty-seven the mean solar time of the seventy-fifth meridian of longitude west of Greenwich commonly called eastern standard time shall be the sole and uniform legal standard of time throughout this Commonwealth and on and after the date aforesaid all days shall everywhere be taken to begin and end in accordance with said standard and every mention of or reference to any hour or time in any and all existing future acts of Assembly municipal ordinances and corporate by-laws in any and all existing or future rules or regulations adopted by any public officer or official board in any and all rules of the courts of the Commonwealth or any of them whether standing or special and whether now in force or hereafter to be promulgated in any and all orders judgments and decrees of said courts or any of them and judgments and sentences of magistrates pronounced or entered on or after date aforesaid in any and all contracts deeds wills and notices in the transaction of all matters of business public legal commercial or otherwise shall be construed with reference to and in accordance with the said standard hereby adopted unless a different standard is therein expressly provided for Provided however That this act shall not operate to impose upon any person any forfeiture of right or subject him to the consequences of any default by reason of any failure occurring prior to the date aforesaid to comply with the requirement of or do any act under or in pursuance of any law ordinance contract notice deed will regulation rule order judgment sentence or decree if such person shall before the said date have properly done the act or acts which would be requisite to save such forfeiture or prevent such default had this law not been enacted And Provided further That when the standard time shall be advanced for any portion of the year by an act of Congress now in force or hereafter passed the time so fixed by such act of Congress shall be the standard time of this Commonwealth for such portion of the year" is hereby further amended to read as follows

Section 1 Be it enacted et cetera That on and after the first day of July Anno Domini one thousand eight hundred and eighty-seven the mean solar time of the seventy-fifth meridian of longitude west of Greenwich commonly called eastern standard time shall be the sole and uniform legal standard of time throughout this Commonwealth and on and after the date aforesaid all days shall everywhere be taken to begin and end in accordance with said standard and every mention of or reference to any hour or time in any and all existing future acts of Assembly municipal ordinances and corporate by-laws in any and all existing or future rules or regulations adopted by any public officer or official board in any and all rules of the courts of the Commonwealth or any of them whether standing or special and whether now in force or hereafter to be promulgated in any and all orders judgments and decrees of said courts or any of them and judgments and sentences of magistrates pronounced or entered on or after the date aforesaid in any and all contracts deeds wills and notices and in the transaction of all matters of business public legal commercial or otherwise shall be construed with reference to and in accordance with the said standard hereby adopted unless a different standard is therein expressly provided for Provided however That this act shall not operate to impose upon any person any forfeiture of rights or subject him to the consequences of any default by reason of any failure occurring prior to the date aforesaid to comply with the requirement of or do any act under or in pursuance of any law ordinance contract notice deed will regulation rule order judgment sentence or decree if such person shall before the said date have properly done the act or acts which would be requisite to save such forefeiture or prevent such default had this law not been enacted And provided further That when the standard time shall be advanced for any portion of the year by any act of Congress now in force or hereafter passed the time so fixed by such act of Congress shall be the standard time of this Commonwealth for such portion of the year And provided That no county city borough town township or other municipal subdivision of the Commonwealth shall by ordinance resolution or rule adopt a different standard of time for any year or any portion of the year than that herein provided and all ordinances resolutions and rules heretofore adopted contrary to this proviso are declared to be void and of no effect

On the question,

Will the Senate agree to the section?

Mr. WOODWARD. Mr. President, I move to amend section 1, as amended, page 4, line 28, by inserting after the word "Commonwealth" the following: "excepting counties of the first and second classes, and cities, boroughs, towns, townships and other municipal subdivisions within the same"

Mr. SALUS. Mr. President, I second the motion.

Mr. WOODWARD. Mr. President, I desire to present the following petitions in favor of this amendment. I will not read the petitions but I would like to state that I have received in favor of daylight savings letters, petitions and post cards to the number of 9943 that I have received against daylight saving seven letters.

Mr. President, I do not propose to take up the time of the Senate, as the arguments have been made in committee pro and con on the question of daylight saving, and I do not propose to make any numerous remarks about the mule and cow or the farmer. This may be a joke in the country but not in the city. Unfortunately it is a line up between the country and the city. I wish to say only this, that the latest argument I have heard against daylight saving is one based on the welfare of the child, that the child will not sleep because of daylight. I simply wish to say this, that I have been interested in welfare a great many years and I have voted for welfare bills which have to do with children but I have never had the opportunity, until this amendment was offered, to vote on the welfare of adults. Perhaps my friends

on the other side may say this does not apply to the adult female, but I take my stand that this amendment would be a great boon to the adult males, hard working adult males of the two great cities, Philadelphia and Pittsburgh, and I think it would be very refreshing if my colleagues would vote for this amendment in favor of those who want an extra hour for recreation in Philadelphia and Pittsburgh.

Mr. BUCKMAN. Mr. President and gentlemen of the Senate, like my friend from Philadelphia I do not intend to take up the time of this body in arguing the question of daylight saving at length. There are, however, a few points that I desire to draw to the attention of the Senators before this vote is taken.

In the first place, I want to say that this is a law enforcement measure. We have heard a great deal lately about law and law enforcement. We have had the standard time law since 1887 and I want to say that this is not a bill against daylight saving, but rather a bill for the enforcement of standard time. In 1887 eastern standard time was adopted by the Commonwealth of Pennsylvania as the time of this state, and this is the only time that is mentioned in the provisions of that act. I have heard Senators on this floor say within the past two or three weeks that they would represent the State of Pennsylvania first and their district afterwards. I, for one, will represent my own district first and the State of Pennsylvania afterwards.

There is nothing in this bill to which any one should object. If the people in the city of Philadelphia, or in the city of Pittsburgh, or in the County of Philadelphia, or in the County of Allegheny, desire to have daylight saving we in the country districts do not object, but what we do object to is having a lack of uniformity throughout the State. If these amendments are incorporated in this bill I shall either vote against it myself or move to have it recommitted. To my mind it will absolutely nullify the intent and purpose of this bill.

In my judgment the amendment would make this bill entirely unconstitutional. The Constitution of this State provides that the laws shall be uniform throughout the State and if we are going to have one time in Philadelphia and another in Harrisburg there will be a lack of uniformity throughout the State. As I have said before, I do not intend to go into the argument for or against daylight saving, but I want to warn the Senators that there is a great deal of objection to this bill, not only in the country districts but I doubt very much if Philadelphia were to vote upon the subject, if there would be any more than fifty per cent of the people of that city, counting the women who now vote, who would vote in favor of daylight saving. I believe it is a misconception that there is anything like unanimity in the counties of Allegheny and Philadelphia upon this subject and I hope that this amendment will not prevail, and that when the Senators names are called they will vote "No" upon this amendment.

Mr. VARE. I am rather amazed at the statement of our distinguished colleague from Bucks County. True he has a law office in Philadelphia and he is there in his law office a few hours a day, but my distinguished colleague has not the slightest conception of what is in the minds of the great working people of that splendid city. Those who live among the working people and who mingle with them, are best qualified to judge of what the great masses of people of that splendid city want.

There are nearly two million people in Philadelphia and I have to hear the first resident of the city who is not for daylight saving. It seems to me if there is anything whatsoever in this principle of home rule this amendment is a good time for the citizens of Pennsylvania to express their opinion whether or not those who live in the country districts of the state and not having mingled with those who come from the great municipalities, it seems to me this is the time to show good faith in backing up the principle of home rule and I hope the amendment offered by my distinguished colleague from Philadelphia will prevail and that the two great cities of Philadelphia and Pittsburgh will be permitted to open up the door of opportunity for the great masses of working people in the mills and the factories and who are so much benefited by the opportunity of having this additional hour of recreation in the afternoon.

Mr. EYRE. Mr. President, I do not want to prolong the session of the Senate tonight by a lengthly discussion of daylight saving. I do not live in the city of Philadelphia twelve months of the year, but I do live there three and one half or four months in the year and I am living there now. I am in a different position than the distinguished Senator of the First District, and I have heard a great deal of complaint by citizens of the city of Philadelphia relative to the fixing of the time of Philadelphia and adjacent territory. My attitude is a little different from that of the distinguished Senator from Philadelphia who first spoke. I, a country member of the Senate, have certainly had over a hundred letters from citizens of the city of Philadelphia protesting against the Daylight Saving Bill being passed. I have had it from the mothers, the wives of working men claiming that their rest is disturbed by having to get up an hour earlier and, Mr. President and gentlemen of the Senate, after all what is the use of fooling ourselves with the thought that we get an hour more of daylight by turning our watches ahead an hour in the morning. We are on exactly the same time. Anybody who wants an hour more of daylight can easily get it by getting up an hour earlier in the morning and nothing is served except confusion by a continual discussion of daylight saving.

I live twenty two miles out from the city of Philadelphia and we have standard time. The government during the war period found it necessary to pass an act of the National Congress as a war measure, giving to the country at large the so-called daylight saving. Immediately after the armistice they repealed the Daylight Saving law. The State of New York and New York has daylight saving. The fact of one year after they had placed it on the statute books, they repealed it. The only thing urged here is the theory that the city of Philadelphia has to do business with the City of New York and New York has daylight saving. The fact of the matter is that there is nothing that would bring New York back to the standard time more quickly than if Philadelphia, Pittsburgh and the cities doing business with the city of New York to stick to the standard time and very soon New York would come back to that standard time.

I am talking for an agricultural district. While I can see that the great city of Philadelphia, the beautiful city of Philadelphia, that I love, and in which I do business three hundred and sixty-five days of the year, and I love as dearly as the representatives from that city, I believe that the majority of the citizens of Philadelphia, if they had an opportunity to vote for or against daylight savings, would stick to the standard time. The people in the country, with a greater population by far than the cities of Philadelphia and Pittsburgh combined, are practically a unit for standard time. They are the people from which the great cities of Philadelphia and Pittsburgh are compelled to draw their supplies. The farmer wants standard time, the farmer needs standard time. The farmer to-day does not work as does the banker and the lawyer, eight or nine hours in a day, but he works fifteen, some of them eighteen hours of the day and at the present time they are compelled to rise at four

o'clock in the morning, in order to get their milk prepared, so that the distinguished Senators from Philadelphia may enjoy fresh milk on the breakfast table. They are compelled, to get up, as I said before, at four o'clock. Push ahead their watches oue hour and they will be compelled to get up at three o'clock. If they are compelled to do that, why should not the citizens of Philadelphia and Pittsburgh, who want the extra hour to play golf in the afternoon, get up an hour earlier. I have no criticism of the golf player. I am not a golf player myself but I play at it. I enjoy playing at golf just as much as the expert does, If I want to play golf, as we ought to do, in the morning, I get up an hour earlier and go to the golf course and bang the ball around before I eat my breakfast, and the citizens of Philadelphia can do the same thing by getting up an hour earlier in the morning if they want to. I sincerely appeal to the members of the Senate to be fair to the farmer, who provides for them everything that they have to eat and who now works longer hours than any other class of workers we find in the state of Pennsylvania. Give him some consideration, vote down the amendment made by the Senator from Philadelphia, because if you put that amendment in you nullify the bill and the bill is absolutely of no value to the citizens of the state of Pennsylvania with those amendments in.

Mr. SALUS. Mr. President, I listened with quite a lot of interest to our other Philadelphia Senators, who, as I understand it, make their living in Philadelphia and reside in the country, and therefore are country Senators, and are so interested in their constitutents. Now if they have such a good time in Philadelphia and earn so much money in it, they should have some feeling for the Philadelphians. To my mind this is a battle of human beings against cows and bulls; of law enforcement, that is the bull, that is all bull; and the cow is the question of milk. They say that we cannot get our milk to the trains in time and we have to get an hour earlier in the morning. My opinion is that the milk they send in on that day is used the next day, so that we do not get that fresh milk they talk about the same day, we have to be satisfied to drink it the following morning, so they have that advantage of us, they get the milk first. If those Senators from the country who live around Philadelphia would investigate just what the people of Philadelphia want they will find that they want daylight saving, I want to say a few little things happened last week, when some men voted on the Dry Bill, and they were from the country, may be they were right, I am not saying they are not. One Senator said: "Will it protect the people from the selfish money-getters?", another one said: "There stands on one side business and profit, on the other side good government, manhood and womanhood."

That is this case. There stands on one side the farmer with his hunger and greed, desiring to save a few pennies on his farm, save a few minutes of sleep and to bring to Philadelphia their milk at their convenience. We on the other side are not interested in any golf players, we are not interested in any pastime, we are interested in the health of our community. We ask of those farmers who are trying to put the rope around out necks, as they do around the bull and the cow, to give us some of the privilege of enjoying that one hour extra recreation out of our lives. We are not asking it for the rich man. We do not ask it for the lawyer. We ask it for the millman, for the workingman, we ask it for the boy and girl growing up into manhood. The Director of Health in Philadelphia came here last week and stated his position as you all know, came here, and said as physician and former Director of Public Health in the City of Philadelphia, he said to you members of this Committee that "our people, the working people need this extra hour, give it to us."

Now we have Senator Woodward, who has been a man interested in the welfare of children of all ages for pretty near all his life, he does not need legislation for him to go out and play golf, he needs no legislation of any kind because I know that his time is his own, but he comes here interested in the citizenship of Philadelphia, the growing population, and Mr. Farmer throughout the State of Pennsylvania, who is so eager and so hungry for the almighty dollar, I want to call his attention to one man in this Senate who loses more by the passing of this daylight saving bill than any farmer of the State and that man said to me "while it is going to lose for me lots of money, I can not put my dollar against the growing boy and girl of this community, I think more of their welfare and more of their happiness than I do of any dollars that I own." That man is Senator Harris, the moving picture magnate of the City of Pittsburgh. Let them take a lesson from the man who is willing to sacrifice money and time for the benefit of the growing children. Mr. Farmer, you are not entitled to everything. Mr. Farmer, Philadelphia, Pittsburgh and Scranton pay ninety per cent. of the taxes that support you and keep up your roads. Mr. Farmer, we are supporting you, if it would not be for us in the big cities you would have to go out and work twenty-four hours of the day. It belongs to us for we are supporting you, you are our dependents, so do not want everything yourselves, do not put your time and your paltry few dollars against the welfare, the happiness and contentment of the growing children and the working people of the municipality that work day and night to pay for your roads, and after all you are just a dependent and we have to support you and we can get along without your milk if it is necessary.

Mr. SPROWLS. Mr. President, with respect for the large cities of Philadelphia, Pittsburgh, Scranton and Claysville, I want to say that the larger cities should try to find out what the smaller cities, boroughs and hamlets, who are their contributors and furnish a large part of their trade, want and try to give it to them. The smaller towns want Eastern Standard Time and we should try to give it to them if possible. I am in business myself and my whole thought and time is spent trying to find out what my customers want and give it to them. The larger cities know what the smaller towns want and it is up to them to give their customers and contributors what they want.

Mr. BARR. Mr. President, may I ask the Clerk to read the amendments that Senator Woodward offered to the bill?

(The amendment was read as follows:)

"Amend section 1, as amended, page 4, line 28, by inserting after the word "Commonwealth" "excepting counties of the first and second classes, and cities, boroughs, towns, townships, and other municipal subdivisions within the same."

Mr. BARR. Mr. President, due to the fact that I come from the great County of Allegheny, and being the only Senator from my county that takes the stand that there is a law on the statute books that makes any other time than eastern standard time illegal, I happened to see an editorial that said I was getting unmerited approval, something of that sort, for taking the stand for law enforcement, I take it for granted that the Act of 1887, passed April 13, 1887, is to-day a law on the statute books, at least a Judge of Allegheny County says that it is, and that was Judge Shafer. In the decision of Judge Shafer an ordinance passed by the City of Pittsburgh he said:

"By an Act of the Legislature of Pennsylvania, approved April 13, 1887, P. L. 21, what is known as Eastern Standard time, that is, the time of the 75th meridian West of Greenwich, was declared to be the standard for computing time for legal purposes in Pennsylvania; it needs no argument and admits of no doubt that neither the Council of the City of Pittsburgh, nor of any borough in the county, nor the supervisors of any township have any power whatever to repeal or modify this law, and therefore to conclude that the ordinance complained of has no legal effect whatever."

Now if you will turn to Article 3, section 7 of the Constitution and take the portions of the Constitution that apply to this amendment, if this amendment were put in, it makes out that act a joke for the simple reason that the Constitution provides that the General Assembly shall not pass any local or special law regulating the affairs of counties, cities, townships, wards, boroughs or school districts, nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been granted by the General Assembly.

Now that covers the proposition, it seems to me. I am not against daylight saving. I have never been against daylight saving, but if you want daylight saving why make a joke out of the act of assembly of 1887? If you want daylight saving, why do you not amend the Act of 1887 and simply say from the last Sunday of April until the first Sunday in October the standard time of the State of Pennsylvania shall be what you want to make it, one hour ahead of the eastern standard time. The very fact that you have Federal Reserve Banks that open their banks at 8 o'clock instead of 9, and close them at two instead of three does not make it right, for the simple reason that the Federal Reserve Banks are working under an Act of Congress, and the Act of Congress is eastern standard time the same as the State of Pennsylvania. If you have a note in bank and the bank closes at 2 o'clock, the banker will not send the note to protest. I will tell you what will be done, he will carry it over a day and you do not have to pay a dollar in addition to what you would pay if the bank had closed at 3 o'clock.

Mr. President and gentlemen of the Senate, I make this explanation simply that my people back home may understand my position. First, I am not against daylight saving, second I am for the law as it stands, unless the Senate and House of Representatives, approved by the Governor, will change the law as it now stands, but until such time as the Act of Assembly governing the State of Pennsylvania is changed, I too stand for the Act of Assembly, I stand for law enforcement, just the same as I did for the law enforcement under the Woner Act, or the Snyder-Armstrong Bill, it does not differ a particle. The Senator from Philadelphia, Mr. Salus, is a good constitutional lawyer, and knows just as well as he is living that if you put this amendment in this bill, the bill is nullified and every other lawyer in the Senate knows it, and the bill will be a joke. Either you have to have the enforcement act of 1887 or you have to amend the Act of 1887 and give us a time that will apply to the entire State of Pennsylvania. That is what you have to do in order to make it legal, and there is not a lawyer on the Senate floor, who would deny it if it came down to brass tacks on the proposition. I just make this explanation in view of the criticism I have had back home of being against daylight saving, and again I repeat I am not against daylight saving, I am for law enforcement, as you find the law on the Statute books, and will stand there until the law is amended.

Mr. LESLIE. Mr. President, there are certain matters pretaining to the question of the sentiment of Pittsburgh. I do not know whether the sentiment has been created by certain newspapers, but one of our evening papers has taken a very determined stand and blocked out on its front page a coupon to be sent to the different members of the county calling upon them to be for daylight saving. In addition to that they have written editorials and letters. Now so far as my position is concerned in receiving letters and coupons from this particular evening paper, I can say positively it has been one hundred to one in favor of daylight saving. I have not computed the hundreds and thousands of those coupons and letters and so on that I have received because I could not have done it and attended to my other business. I have tried in a sense to keep within my own mind as to the great number but I will say to you that these coupons calling upon me show the sentiment of Pittsburgh to be for daylight saving. I would say that I did not receive fifty letters nor a single petition in opposition to it. I did receive some few letters calling upon me to oppose daylight saving or to be for the Derrick Bill, but I think in view of this condition that we are confronted with that the most serious part, the part that means more to the State of Pennsylvania and to its business interests is the position occupied by the Empire State and in that great muncipality, the City of New York, that is taking the stand for daylight saving and if we do not the larger cities with the population we have in Pittsburgh, we are just going to be one hour behind them in our business. Now I am not here to defend the position of the banker nor for him to arrange his employees to open up his bank at 8 o'clock. I am not here to drum up any particular interest of business or the promotion of any great business enterprises. I am not here to tell the Federal Reserve Banks that they will be violating the national law. The Federal Reserve Banks in New York and Cleveland will be an hour ahead of us and the banking institutions of western Pennsylvania and eastern Pennsylvania will be one hour behind them, and if the banking institutions and the business interests and the welfare of people in large centers of population are not to be considered as to the future then what can we expect in the future if communities take advantages of it and have more healthful offspring and get more recreation? The best hour in the morning we all know beginning June, July and August we have daylight at four o'clock and if a man is used to getting up at six, he gets up at five, he gets up at daylight and he starts out in the morning and he has daylight until half past nine at night until the middle of August.

Now it is worth while for this Senate to consider that this is not a contest between the counties from which the Senators come where farming is the most valuable part of the interest of the community. I think there is a broader view, and that broader view is the proposition of the big interests that will be controlled and governed and any banker will tell you that the advantage of one hour over other business might run into the question of hundreds of millions in four or five or six months, not to any particular institution, but the institutions as a whole and our people of Pennsylvania should not be deprived of the opportunity to participate in the enriching of securities simply because the banking institutions have not opened up and they should not be forced either by the question of legislation when remedial legislation can be given to them to bring their employees to work for them at 8 o'clock in the morning and to 4 o'clock in the afternoon. The question of a bank note going to protest; we know that under the legal interpretation a banker could not allow a note to go to protest under the standard time, but the average man who has a note to take care of is not waiting until the last minute to be there and take care of it and have it renewed. So I do not think it is necessary to enter into the question that will be involved

in reference to banking, but we want to make sure that the sentiment whether it is brought about by the Evening Sun of Pittsburgh or not, in reference to the letters and petitions and coupons that I have received, they run into thousands, being one hundred to one in favor of daylight saving.

Mr. WOODWARD. Mr. President, I feel it my duty to ask for one minute to make a few corrections. In the first place to correct the Senator from Washington to tell him that this amendment will not apply to Scranton or Lackawanna County. In the second place I would like to say I know more about the milk business than some of the Senators who have spoken, I have been a director of a milk company for fifteen or twenty years, a very prosperous company. We deliver the morning's milk for breakfast and when the Senator from Chester calls for a glass of milk at the Bellevue-Stratford for breakfast it is not that morning's milk that he gets but the day before. I also have an opinion of Judge Shafer that I would like to read, the final statement that he makes: "There is nothing unlawful or in violation of the Act of Assembly fixing the standard time for any individual or institution or the public generally to move back their activities an hour and to set their clocks forward accordingly. Whenever, however, any specific hour of the day is fixed for the performance of any legal duty it must be taken, of course to be Eastern Standard time.

It seems to me, therefore, that no action which the court could possibly take, and especially no injunction against either the city as a corporation or the members of the council could have any effect upon the situation".

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. Buckman and Mr. Vare, and were as follows, viz:

YEAS—23

Aron,	Heaton,	Mansfield,	Smith,
Baldwin,	Huffman,	McClintock,	Stineman,
Brown,	Joyce,	McNichol,	Stites,
Daix,	Krause,	Patton,	Vare,
Einstein,	Leslie,	Salus,	Woodward,
Harris,	MacDade,	Schantz,	

NAYS—26

Barr,	Culbertson,	Lanius,	Snyder,
Berntheizel,	Derrick,	Long,	Sones,
Betts,	DeWitt,	Miller,	Sprowls,
Buckman,	Eyre,	Norton,	Steele,
Christley,	Homsher,	Phipps,	Weaver,
Clark,	Jones,	Quigley,	
Craig,	Kutz,	Schantz,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the question?

It was agreed to.

The title of the bill was read as follows:

An act to amend section one of an act approved the thirteenth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws twenty-one) entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth" prohibiting the adoption of other standard time

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 291, entitled:

An Act to amend section one of the act approved the twenty-third day of May one thousand nine hundred and seven (Pamphlet Laws two hundred and twenty-five) entitled "An Act providing for the payment of the premiums on bonds of county city borough school-district and township employes" extending the provisions thereof to officers

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-third day of May one thousand nine hundred and seven (Pamphlet Laws two hundred and twenty-five) entitled "An Act providing for the payment of the premiums on bonds of county city borough school-district and township employes" which reads as follows

"Section 1 Be it enacted et cetera That when any employe of any county city borough school-district or township of this Commonwealth shall be required to give a bond for the faithful performance of his duties and such bond shall be required to be endorsed by a surety company it shall be lawful for such county city borough school-district or township to pay the premium on such bond"

is hereby amended to read as follows

Section 1 Be it enacted et cetera That when any officer or employe of any county city borough school-district or township of this Commonwealth shall be required to give a bond for the faithful performance of his duties and such bond shall be required to be endorsed by a surety company it shall be lawful for such county city borough school-district or township to pay the premium on such bond

On the question,

Will the Senate agree to the section?

Mr. JOYCE. Mr. President, I move to amend Section 1, page 1, line 9 by striking out the words "which reads" and inserting in lieu thereof: is hereby amended to read.

Amend section 1, page 1, lines 10, 11, and 12, by striking out the lines 10, 11, and 12, and eliminating them from the bill.

Amend section 1, page 2, lines 1 to 6, by striking out the lines 1 to 6, both inclusive and eliminating them from the bill.

Mr. STINEMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend section one of the act approved the twenty-third day of May, one thousand nine hundred and seven, (P. L. 225), entitled "An Act providing for the payment of the premiums on bonds of county, city, borough, school-district, and township employes;" extending the provisions thereof to officers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 292, entitled:

An Act to amend section ten of the act approved the twenty-seventh day of June one thousand eight hundred and

ninety-five (Pamphlet Laws four hundred and three) entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties"

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" which reads as follows

"Section 10 That from and after the passage of this act all contracts made by the commissioners of said county involving an expenditure exceeding one hundred dollars shall be in writing and shall immediately after their execution be filed with the controller but no contract shall be made nor the payment thereof certified by the controller for over one hundred dollars unless when made with the lowest and best bidder after due notice to be published by the controller when directed by the commissioners if he approve the purpose of the proposals invited all bids to be received by the controller under seal and to be in his presence opened by the commissioners and the contracts awarded of which awards the controller shall keep a record and he shall certify no warrants for contracts not made agreeably thereto" is hereby amended to read as follows

Section 10 That from and after the passage of this act all contracts made by the commissioners of said county involving an expenditure exceeding three hundred dollars shall be in writing and shall be awarded only with the approval of the controller and shall immediately after their execution be filed with the controller but no contract shall be made nor the payment thereof certified by the controller for over three hundred dollars unless when made with the lowest and best bidder after due notice to be published by the controller when directed by the commissioners if he approve the purpose of the proposals invited all bids to be received by the controller under seal and to be in his presence opened by the commissioners and the contracts awarded subject to approval by the controller and of which awards the controller shall keep a record and he shall certify no warrants for contracts not made agreeably thereto All bids shall immediately after they are opened be filed with and be preserved by the controller

On the question,

Will the Senate agree to the section?

Mr. JOYCE. Mr. President, I move to amend Section 1, page 1, line 11, by striking out the words "which reads" and inserting in lieu thereof: is hereby amended to read

Amend section 1, page 2, lines 1 to 16, by striking out lines 1 to 16, both inclusive and eliminating them from the bill.

Amend section 1, page 2, line 19, by inserting after the word "exceeding" the following: one

Amend section 1, page 2, line 24, by inserting after the word "over" the following: one

Mr. STINEMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend section ten of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 293, entitled:

An Act to amend section six of the act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties"

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" which reads as follows

"Section 6 That he shall in the month of January in every year make a report verified by oath or affirmation to the court of common pleas of said county of all receipts and expenditures of the county for the preceding year in detail and classified as required in the fifth section of this act together with a full statement of the financial conditions of the county which report shall thereupon be published one time in such newspapers published in said county as the controller may direct the aggregate cost of which shall not exceed one thousand dollars in any one year to be paid for out of the county treasury which publication shall be in lieu of that required by the twenty-seventh section of the act of fifteenth of April Anno Domini one thouasnd eight hundred and thirty-four" is hereby amended to read as follows

Section 6 That he shall in the month of January in every year make a report verified by oath or affirmation to the court of common pleas of said county of all receipts and expenditures of the county for the preceding year in detail and classified as required in the fifth section of this act together with a full statement of the financial conditions of the county which report shall thereupon be published one time in such newspapers published in said county as the controller may direct the aggregate cost of which shall not exceed fifteen hundred dollars in any one year to be paid for out of the county treasury which publication shall be in lieu of that required by the twenty-seventh section of the act of fifteenth of April Anno Domini one thousand eight hundred and thirty-four

On the question,

Will the Senate agree to the section?

Mr. JOYCE. Mr. President, I move to amend Section 1, page 1, lines 10 and 11, by striking out the words "which reads" and inserting in lieu thereof: is hereby amended to read

Amend section 1, page 2, lines 1 to 16, by striking out the lines 1 to 16, both inclusive and eliminating them from the bill.

Amend section 1, page 2, line 26, by inserting after the word "exceed" the following: one thousand

On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend section six of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled, "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in the case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 324, as follows:

An Act to amend section two thousand one hundred five of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first second and third classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand one hundred and five of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 2105 It shall be lawful for the board of school directors of any school district which has selected a superintendent and employs not less than forty teachers by resolution at any regular meeting duly recorded to authorize the holding of an annual teachers' institute for said district and in such case in all matters pertaining to the holding of institutes it shall be in no wise subject to the authority and jurisdiction of the superintendent of schools of the county in which said district is located and when the holding of the said separate annual institute shall have been authorized as aforesaid the superintendent of schools of said district shall have power to call and conduct a teachers' institute and to draw from the county treasury moneys for the support of the same in like manner and to the same extent as the county superintendents of this Commonwealth are empowered to do and the board of school directors of such district may by a majority vote appropriate such additional funds as it may deem necessary to maintain said institute

The board of directors of any school district of the first second or third class may substitute other equivalent forms of teacher training or teacher improvement for the teachers of such district as may be approved by the Department of Public Instruction in lieu of the teachers' institute hereby provided for and may expend for such purposes the funds available for teachers' institutes or such part thereof as may be necessary for such purpose

And said bill, having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Areeably to order,
The rule requiring bills to be considered in Committee of the Whole being in the case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 328, as follows:

An Act requiring county commissioners to rebuild or repair county bridges closed to vehicular traffic or destroyed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the county commissioners of the several counties to cause to be rebuilt or repaired suitable forpublic travel all county bridges condemned to vehicular traffic or destroyed as soon as may be and if any board of county commissioners shall fail to have any such bridge so rebuilt or repaired within one year after the same is so closed or destroyed the members of the board of county commissioners responsible for the failure or delay in such rebuilding or repairing or the members of said board who fail or refuse to take action in the premises thereof shall be guilty of misdemeanor in office and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or be imprisoned for a term not exceeding six months or both at the discretion of the court and shall be subject to removal from office in the manner provided by law

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreebly to order,
The rule requiring bills to be considered in Committee of the Whole being in the case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 341, entitled:

An Act fixing the mileage chargable by sheriffs requiring its payment in advance in certain cases and providing for its taxation and collection as sheriff's costs when unpaid

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the sheriff of each county of this Commonwealth shall charge and receive for mileage in serving or executing each separate writ warrant notice rule order claim sentence decree or other process pleading or judgment or performing any other duty authorized or directed by law ten cents a mile for each mile necessary to be travelled by him or any of his deputies or employees for rendering any service required therefor Provided that he shall not demand or receive more than one mileage where both the parties plaintiff and defendant in two or more contemporaneous writs are the same or when conducting two or more prisoners at one time to or from a place of detention or correction if he receives the actual expenses for transporting such prisoners and his deputies guarding them

Section 2 Any sheriff may demand prepayment of his mileage for performing any service in any civil proceedings from the party at whose instance or for whose benefit the same is to be performed and shall not be obliged to render such service without being paid or indemnified for such mileage except when it is chargeable against a county or the Commonwealth or a governmental subdivision or agency of either

Section 3 Any sheriff may tax and collect his unpaid mileage in the same manner as his fees or legal costs are taxable against and collectible from any person or body liable for same or sue any person from whom it may be due and shall not be idsqualified to enforce any execution for such mileage by reason of his interest therein

Section 4 All acts or parts of acts general special or local inconsistent herewith are hereby repealed

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend section 2, page 2, line 10, by striking out "Commonwealth" and inserting in lieu thereof the word "Commonwealth".

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act fixing the mileage chargable by sheriffs requiring its payment in advance in certain cases and providing for its taxation and collection as sheriff's costs when unpaid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 342, entitled:

An Act authorizing each sheriff in counties of the first second third forth and fifth classes to appoint a Sheriff's Solicitor to be paid by the proper county and prescribing the duties and salary of such Solicitor

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the sereral counties of the first second third fourth and fifth classes of this Commonwealth the Sheriff shall be and is hereby empowered to appoint one person learned in the law to act as his Solicitor who shall advise such sheriff and his deputies upon all legal matters regulating to the conduct of his office and prosecute or defend all litigation to which he may be a party and perform all other duties imposed upon him by law

Section 2 Each Solicitor shall hold office at the pleasure of the sheriff and shall receive a salary to be paid by the proper county which salary shall be Six Thousand Dollars per annum in each county of the first class Three Thousand Six Hundred Dollars per annum in each county of the second class Two Thousand Dollars per annum in each county of the third class and such compensation as may be fixed from time to time by the respective salary boards of the various counties of the fourth and fifth classes

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend Section 1, page 1, line 9, by striking out the word "regulating" and inserting in lieu thereof: "relating"

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An act authorizing each sheriff in counties of the first second third fourth and fifth classes to appoint a sheriff's Solicitor to be paid by the proper county and prescribing the duties and salary of such Solicitor

On the question,

Will the Senate agree to the title?

Mr. BUCKMAN. Mr. President, I move to amend title page 1, line 2, by striking out the word "fourth and inserting in lieu thereof "fourth".

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 343, entitled:

An Act to amend section two of an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws ninety-five) entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process" as amended

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two of an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws ninety-five) entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process" as amended by the Act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and sixteen) entitled "An Act to amend Section two of an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws ninety-five) entitled 'An Act relating to proceedings where goods and chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process' as amended" which reads as follows "Section two If the court shall make said rule absolute the claimant shall give bond to the Commonwealth of Pennsylvania with security to be approved by the court if in term time or a judge thereof if in vacation in double the value of the goods and chattels claimed in case the appraised value of the said goods and chattels does not exceed the amount of the judgment interests and costs upon which said execution is issued and in case the appraised value does not exceed the amount of said judgment and interest then bond to be given in double the amount of said judgment and interest and probable costs conditioned that he shall at all times maintain his title to said goods and chattels or pay the value thereof to the party thereunto entitled and thereupon the sheriff shall deliver said goods and chattels to the claimants" is hereby further amended to read as follows

Section 2 Said rule for an interpleader shall become absolute at the return day thereof unless exceptions thereto sufficient in law are filed by any of the parties interested or before such return day if such parties filed a stipulation agreeing to an interpleader and the clerk of said court shall make docket entries accordingly where no hearing is required and if the claimant or someone in his behalf at or before such return day presents to said court or to any judge thereof in chambers a sworn statement of title in the form required for framing an issue under this act showing that the claimant has a prima facie title to the property claimed and does not derive the same directly or indirectly by from or through any defendant in such execution or process said rule for an interpleader shall be made absolute by said court or judge upon the filing of such statement of title without hearing any plaintiff who has not previously filed any exception to said rule If said rule

shall be made absolute either with or without a hearing the claimant shall give bond to the Commonwealth of Pennsylvania with security to be approved by said court or a judge thereof in double the appraised value of the goods and chattels claimed or in double all claims with interest and probable costs thereon for which said property is in legal custody whichever shall be the smaller amount conditioned that he shall at all times maintain his title to said goods and chattels claimed or pay the value thereof to the party or parties thereunto entitled in accordance with their respective interests therein by reason of such executions or process or otherwise and thereupon the sheriff shall withdraw all levies and attachments on the property claimed and deliver any goods and chattels actually in his custody to the claimant upon payment by the latter of the charges incurred by the sheriff in taking and keeping and transporting the same Provided that the claimant shall first have filed the statement of the title required by this act in each suit or proceeding in which any execution or attachment issued and any of said goods and chattels were levied upon or seized by said sheriff

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend section 1, page 2, line 7, by striking out the words "which reads" and inserting in lieu thereof: is hereby amended to read as follows

Amend section 1, page 2, line 7, by striking out the words "section two"

Amend section 1, page 2, lines 8 to 23, by striking out lines 8 to 23, both inclusive and eliminating them from the bill.

Amend section 1, page 2, lines 24 to 29, both inclusive by underscoring all the words contained therein.

Amend section 1, page 3, by underscoring all the words contained on page 3.

Amend section 1, page 4, by underscoring all the words contained on page 4.

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend section two of an act, approved the twenty-sixth day of May, one thousand eight hundred and ninety-seven (P. L. 95), entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the execution or process" as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 345, entitled:

An Act to amend Section two of the act approved the eleventh day of July one thousand nine hundred and one (Pamphlet Laws six hundred and sixty-three) entitled "An Act to regulate and establish the fees to be charged by Sheriffs in this Commonwealth and to provide for the taxation and collection of the same"

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two of the act approved the eleventh day of July One Thousand Nine Hundred and One (Pamphlet Laws six hundred and sixty-three) entitled "An Act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of the same" which reads as follows "Section two All sheriff's costs shall be due and payable when the services are performed and it shall be lawful for him to demand and receive from the party instituting the proceedings or any party liable for the costs thereof all unpaid sheriff's fees on the same before he shall be obliged by law to make return thereof and in case he does not choose to collect his fees in this manner he shall file with each return he makes an itemized list of his costs on or before the return day thereof and if no exceptions are filed to the same on or before the next ensuing return day the same shall be considered taxed and confirmed absolutely and the said sheriff may issue an execution to collect the same without further suit" is hereby amended to read as follows

Mr. BUCKMAN. Mr. President, I move to amend section 1, page 1, line 9, by striking out the words "which reads" and inserting in lieu thereof the words "is hereby amended to read"; also by striking out the letters "Sec-" and eliminating it from the bill; also lines 10 to 13, by striking out lines 10 to 13, both inclusive and eliminating them from the bill; also page 2, lines 1 to 10, by striking out lines 1 to 10, both inclusive and eliminating them from the bill; also lines 11 to 29, by underscoring all the words in lines 11 to 29, both inclusive; also page 3, lines 1 to 14, by underscoring all the words in lines 1 to 14, both inclusive.

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

On the question,

Will the Senate agree to the section?

It was agreed to.

The title of the bill was read as follows and agreed to.

An act to amend section two of the act approved the eleventh day of July one thousand nine hundred and one (Pamphlet Laws six hundred and sixty-three) entitled "An Act to regulate and establish the fees to be charged by Sheriffs in this Commonwealth and to provide for the taxation and collection of the same"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 346, entitled:

An Act authorizing the sheriffs of the several counties of this Commonwealth to organize themselves into a State Association for the purpose of holding annual meetings to secure more uniformity and co-operation in the conduct of their offices and providing for the payment of certain expenses in connection with such meetings by the various counties

The first section of the bill was read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the sheriffs of the several counties of this Commonwealth are hereby authorized to organize themselves into a State Association with power to hold annual meetings at such time and place within the State as they may designate for the

purpose of securing more uniformity and co-operation in the conduct of their offices and improving their services to the public

The second section of the bill was read as follows:

Section 2 Each sheriff or deputy sheriff or solicitor representing any sheriff shall be allowed all reasonable expenses including hotel bills and traveling expenses actually incurred going to attending and returning from any annual meeting of the Association which shall be paid by the county of which he is an officer by orders drawn on the Treasurer thereof The time spent in attending such meetings shall not be more than four days exclusive of the time employed in travelling thereto and therefrom The expenses of the annual meetings of the Association including any necessary for printing committee meetings and stenographic service shall be paid by the proper counties but shall not exceed Twenty-five dollars for each county the sheriff of which is a member of said Association

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend section 2, page 2, line 10, by inserting after the word "necessary" the word: amount

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act authorizing the sheriffs of the several counties of this Commonwealth to organize themselves into a State Association for the purpose of holding annual meetings to secure more uniformity and co-operation in the conduct of their offices and providing for the payment of certain expenses in connection with such meetings by the various counties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 347, entitled:

An Act empowering any chief deputy appointed by deed of any sheriff in any county of this Commonwealth to perform any duty incumbent upon such sheriff, until a written revocation of such appointment be recorded, with like effect as if such official act had been done by the sheriff in person, regardless of the ability or temporary disability of such sheriff to act, while such sheriff continues in office.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any chief deputy heretofore or hereafter appointed as required by law by any sheriff in any county of this Commonwealth by deed duly recorded in the office for recording deeds in such county shall have full power and authority to perform any duty incumbent upon such sheriff until a written revocation of such appointment is similarly recorded with like effect in law as if such official act had been done by the sheriff in person regardless of the ability or temporary disability of such sheriff to act while such sheriff continues in office Provided that nothing in this act shall operate to relieve such sheriff or his sureties from liability upon their official bonds to the Commonwealth

Section 2 All acts or parts of acts general special or local inconsistent herewith are hereby repealed

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend section 1 page 1, line 8 by striking out "incombent" and inserting in lieu thereof the word "incumbent"

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act empowering any chief deputy appointed by deed of any sheriff in any county of this Commonwealth to perform any duty incumbent upon such sheriff until a written revocation of such appointment be recorded with like effect as if such official act had been done by the sheriff in person regardless of the ability or temporary disability of such sheriff to act while such sheriff continues in office

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 358, (House Bill No. 390), on second reading, entitled:

A Joint Resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations; prescribing the powers and duties of said commission, and making an appropriation.

be recommitted to the Committee on Appropriations.

Mr. EYRE. Mr. President, I second the motion.

The motion was agreed to.

Mr. BALDWIN. Mr. President, I move that Senate Bill No. 359, on second reading, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

be recommitteed to the Committee on Finance.

Mr. EYRE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreebly to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 366, as follows:

An Act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any writ of scire facias to substitute the personal represenative or representatives of a decendant as defendant or defendants in a pending action or judgment in place of said decendent or to show cause why execution should not issue against the real estate of any decendent against which such judgment was a lien at the time of his death or to revive and continue the lien of any such judgment against any such lands in the hands of the widow heirs devisees or alienees of said decendent may be served upon said personal representatives widow heirs devisees or alieness in any county of this Commonwealth within which they may be found and the sheriff of the county where such writ issues may deputize the sheriff of the county where such parties defendant may be found to make such service

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 411, as follows:

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and forty-nine) entitled "An Act to fix the number of senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future elected Senators"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and forty-nine) entitled "An Act to fix the number of Senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future elected Senators" is hereby amended to read as follows

Seventeenth District The county of Lebanon and the boroughs of Adamstown Akron Columbia Denver Elizabethtown Ephrata Lititz Manheim Marietta and Mount Joy and Mountville and the townships of Clay Conoy East Cocalico East Donegal Elizabeth Ephrata Mount Joy Penn Rapho Warwick West Cocalico West Donegal and West Hempfield in the county of Lancaster

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 416, (House Bill No. 450), entitled:

An Act to further amend clause three, section one of an act approved the eighth day of May, one thousand eight hundred and fifty-four (Pamphlet laws six hundred forty-four), entitled, "A further supplement to the act entitled, 'An Act concerning divorces'" as amended by taking away the right of support or alimony in certain cases.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 444, as follows:

An Act authorizing the county commissioners and controller in third class counties to appoint a collector of delinquent taxes and defining his powers with regard to the collection of taxes returned by county tax collectors as uncollectible and for which credits have been claimed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners and controller acting as the salary board are authorized to appoint and to fix the salary of a delinquent tax collector The said delinquent tax collector shall give such bond to the county as the said board may require conditioned for the faithful performance of his duties It shall be the duty of such delinquent tax collector to carefully scrutinize the list of credits returned by the several collectors of county taxes at the time of making settlement of their respective duplicates and ascertain whether any of said taxes so remaining or reported as uncollected are collectible and in any case where he shall be able to locate the persons by whom such taxes were payable he shall proceed to collect such taxes together with penalties and interest due and pay the same into the county treasury giving the person paying the same a proper receipt therefor

Section 2 In the collection of such taxes the said collector of delinquent taxes shall have and possess any and all of the powers now conferred upon collectors of county taxes by the laws of this Commonwealth and no exonerations granted to any county tax collector exempting him from the collection of such taxes shall exempt any person from the payment of such taxes or prevent the collection of the same by the delinquent tax collector herein provided for

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 451, on second reading, entitled:

An Act to amend section one thousand four hundred and twenty-three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" conferring jurisdiction on the municipal court to enforce compulsory attendance of pupils.

be recommitted to the Committee on Education for the purpose of a hearing.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES.

RESOLUTION RECALLING FROM THE SECRETARY OF THE COMMONWEALTH HOUSE BILL NO. 37.

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, March 21, 1923.

Resolved (if the Senate concur), That House Bill No. 37, Printer's No. 7, entitled "A joint resolution proposing an amendment to article nine, section four, of the Constitution of Pennsylvania," be recalled from the Secretary of the Commonwealth for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 72.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 72, entitled:

An Act to amend section two of an act approved May 20, 1921 (P. L. 944), entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor."

HOUSE CONCURS IN SENATE BILL NO. 1.

He also returned to the Senate, Senate Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of one hundred millions of dollars for the improvement of the highways of the Commonwealth.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 41.

He also returned to the Senate, Senate Bill No. 41, entitled:

An Act fixing the salary of sheriffs in counties of the eighth class requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 17.

He also returned to the Senate, Senate Bill No. 17, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 53.

He also returned to the Senate, Senate Bill No. 53, entitled:

An Act fixing the per diem compensation of registry or assistant assessors in townships of the first class for the performance of election duties and the method of ascertaining the number of days employed.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 191.

He also returned to the Senate, Senate Bill No. 191, entitled:

An Act to amend section one of the act approved the seventh day of July, one thousand nine hundred and thirteen (Pamphlet Laws six hundred and ninety-three), entitled, "An Act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon as provided by Article eighteen, section one, of the Constitution."

with the information that the House has passed the same without amendment.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF SENATE BILLS NO 154, AND NO. 19.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following Senate Bills:

Senate Bill No. 154, entitled, "An act to validate acts done by or rights accrued to corporations before the recording of their charters".

Senate Bill No. 19, entitled, "An Act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell or adulterated or deleterious ice cream including coated ice cream and the coating thereof fixing a standard of butter fat for ice cream providing penalties for the violation thereof and providing for the enforcement thereof".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL No. 102.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 22, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 102, entitled, "An Act amending Section 4 of the act entitled, 'An Act regulating the practice bail costs and fees on appeals to the Supreme Court and Superior Court' approved the nineteenth day of May one thousand eight hundred and ninety-seven Pamphlet Laws sixty-seven by providing a shorter period within which to appeal in cases where loss and hardship would otherwise result to the estates of decedents".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL No. 95.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 21, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 95, entitled, "An Act for the prevention of fraud and the protection of the public health relating to milk cream or skimmed milk whether or not condensed evaporated concentrated dried powdered or dessicated prohibiting the introduction of foregn fats into them regulating the sale of and definng condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof".

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be a Notary Public for the term of four years, to compute from the date of expiration of his present commission:

WESTMORELAND COUNTY.

Geo. J. Loughran, Greensburg, March 23, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named person to be a Notary Public, for the term of four years, to compute from the date of expiration of his present commission:

CRAWFORD COUNTY.

A. G. Bellen, Titusville, April 1, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY

Miss A. L. Felding, McKeesport, April 1, 1923.
Fred Golden, Pittsburgh, Mar. 29, 1923.
Robert B. Keenan, Carnegie, April 1, 1923.
James J. Marshall, Pittsburgh, April 1, 1923.
Chas R. Farnell, Russelton, April 1, 1923.
Miss Elizabeth C. Ritz, Pittsburgh, April 1, 1923.
Miss Margaret N. Ryan, Pittsburgh, April 1, 1923.

BUTLER COUNTY

M. Morgen Dorcy, Butler, April 1, 1923.

CLARION COUNTY

William Cartwright, East Brady, Mar. 4, 1923.

COLUMBIA COUNTY

Jess Aimetti, Berwick, Mar. 17, 1923.

DELAWARE COUNTY

Miss Jane Bolan, Chester, April 1, 1923.

ERIE COUNTY

Loverett Cushman, North East, April 1, 1923.
Miss Gertrude Gross, Erie, April 1, 1923.
Miss N. J. Pfeffer, Erie, April 1, 1923.
Sydney N. Schuster, Erie, April 1, 1923.

FAYETTE COUNTY

Charles Feighley, Oliver, April 1, 1923.

GREENE COUNTY

Mrs. Anna H. Tilton, Waynesburg, April 1, 1923.

LACKAWANNA COUNTY

Frank A. Noack, Moscow, April 1, 1923.

LANCASTER COUNTY

Ellsworth Elmer Gates, Lancaster, April 1, 1923.
Roy H. Shirk, Lancaster, April 1, 1923.

LAWRENCE COUNTY

H. W. Crosswell, Ellwood City, April 1, 1923.

LUZERNE COUNTY

George E. William, Plymouth, April 1, 1923.

McKEAN COUNTY

Griffith C. Burch, Rushequa, April 1, 1923.

MONTGOMERY COUNTY

W. L. Hirst Bergen, Bryn Mawr, April 1, 1923.

PHILADELPHIA COUNTY

Mrs. Anna J. Bennie, Philadelphia, April 1, 1923.
Max Berger, Philadelphia, Mar. 2, 1923.
Charles G. Enz, Philadelphia, April 1, 1923.
Chas. G. Fessler, Philadelphia, April 1, 1923.
Mrs. Gamlila M. Gallagher, Philadelphia, Mar. 17, 1923.
Miss Agnes V. Gallagher, Philadelphia, April 1, 1923.
Mrs. Florence B. Harvey, Philadelphia, April 1, 1923.
Maurice J. Hausman, Philadelphia, April 1, 1923.
Herbert Jay Meyers, Philadephia, April 1, 1923.
Peter P. O'Connor, Philadelphia, Jan. 20, 1923.
Solomon Rosenstein, Philadelphia, Mar. 24, 1923.
J. Wilson Scott, Jr., Philadelphia, April 1, 1923.

WESTMORELAND COUNTY

Frank N. Sowash, Irwin, April 1, 1923.

YORK COUNTY.

Robert R. Lloyd, Delta, Mar. 23, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

William E. Brown, Pittsburgh.
Miss Virginia R. Bruning, Pittsburgh.
John D. Cole, Wexford.
Joseph Alva Hamilton, Pittsburgh.
Stephen T. Lovasik, Tarentum.
Greer McIlvain, Pittsburgh.
Miss Martha L. Rudolf, Pittsburgh.
Miss Winifred Whippo, Wilkinsburg.
Louis Zimmerman, Pittsburgh.

BEAVER COUNTY.

Carl B. Phillipp, Rochester.

COLUMBIA COUNTY.

Norman E. Crawford, Bloomsburg.

DAUPHIN COUNTY.

Daniel H. Runkel, Harrisburg.

LANCASTER COUNTY.

Miss Cora A. Myer, Lecla.

LEHIGH COUNTY.

Harry T. Armstrong, Bethlehem.
Mrs. Pauline B. Beck, Allentown.

LUZERNE COUNTY.

Miss Mary Oldershaw, Plains.
Thomas F. Ward, Wilkes-Barre.

MERCER COUNTY.

Paul Tvrdy, Farrell.

NORTHAMPTON COUNTY.

Miss Erma L. Marsh, Bethlehem.
Frank Taroney, Bethlehem.

PHILADELPHIA COUNTY.

Lorenzo Berardelli, Phila., 1430 S. 12th St.
Miss Alice M. Brown, Phila., 264 S. 38th St.
Miss Evalyn T. Cavin, Phila., 1029 Spruce St.
Frank P. Corley, Phila., 136 S. 4th St.
Miss G. L. Darrach, Phila., 5826 Willow Ave.
Mrs. Katherine Flick, Phila., 3041 Chestnut St.
Miss Rose C. Fox, Phila., 4250 Griscom St.
Joseph F. Gleason, Phila., 1519 Belfield St.
Adolph T. Kohn, Phila., 200 Lincoln Blvd.
Howard T. Loland, Phila., 317 Midland Ave.
Henry C. McVey, Phila., 2947 N. 26th St.
Gino A. Pappla, Phila., 1613 S. 12th St.
Myer Pasik, Phila., 612 Chestnut St.
Miss Grace A. Preston, 111 Rochelle Ave.
Matthias Shalita, Phila., 2400 N. 29th St.
Albert W. Tuttle, Phila., 512 Reading Ter.
Mrs. Ethel B. White, Phila., 1234 Real Est. Tr. Bldg.
Fred P. Winthrop, Phila., 5409 Lebanon Ave.

SCHUYLKILL COUNTY.

J. Gordon Oxley, Pottsville.

WASHINGTON COUNTY.

Alexander Gross, Washington.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Mrs. Ruth S. Abercrombie, Mt. Lebanon, Pgh. April 6, 1923
B. B. Conner, Aspinwall, April 1, 1923.
Millard Fisher, Pittsburgh, April 7, 1923.
Fred C. Grate, Pittsburgh, April 6, 1923.
Jos. H. Hammill, Carnegie, April 6, 1923.
Miss Laura E. Rubbard, Pittsburgh, April 3, 1923.
F. S. Mellon, Jeannette, April 1, 1923.
Miss May S. Murphy, Crafton, April 6. 1923.
Arthur A. Cesterling, Wilmerding, April 7, 1923.
George Rese, Pittsburgh, April 2, 1923.
Robbin B. Wolf, Pittsburgh, April 6, 1923.

BEAVER COUNTY.

W. T. Brastow, Ambridge, April 6, 1923.
Noble P. Kyser, Freedom, April 3, 1923.

BERKS COUNTY.

A. J. Althouse, Hamburg, April 8, 1923.

CAMBRIA COUNTY.

Miss Susanna G. Snare, Johnstown, April 1, 1923.

CENTRE COUNTY.

H. J. Griffith, Bellefonte, April 4, 1923.
Howard A. Moore, Howard, April 7, 1923.

CLEARFIELD COUNTY.

J. A. Frank, Curwensville, Mar. 17, 1923.

CUMBERLAND COUNTY.

Herman Berg, Jr., Carlisle, April 6, 1923.

ELK COUNTY.

Miss Nellie Keeley, Dagus Mines, April 3, 1923.

ERIE COUNTY

W. C. Varnum, Erie, April 1, 1923.

FRANKLIN COUNTY.

Miss Clara L. Fortna, Chambersburg, April 2, 1923.
W. H. Kegerreis, Fannettsburg, April 7, 1923.

GREENE COUNTY.

Owen J. Brown, Mount Morris, April 3, 1923.

INDIANA COUNTY.

Davis A. Palmer, Black Lick, Mar. 10, 1923.

JEFFERSON COUNTY.

Miss Amy M. Stufft, Breckville, April 14, 1923.
Mrs. Blanche B. Wilson, Big Run, April 2, 1923.

LACKAWANNA COUNTY.

John E. Bradley, Scranton, April 2, 1923.

LAWRENCE COUNTY.

T. V. A. Malley, New Castle, April 8, 1923.
R. C. McKinley, New Castle, April 8, 1923.

LUZERNE COUNTY.

Frank B. Brown, Wilkes-Barre, Mar. 9, 1923.
Wm. J. Coplan, West Pittston, April 1, 1923.
Michael Danko, Hazleton, April 1, 1923.
Robert W. Jones, Wilkes-Barre, April 7, 1923.

McKEAN COUNTY.

Daniel B. Sellin, Kane, Feb. 14, 1923.
Malvin L. Peterson, Kane, April 1, 1923.

MERCER COUNTY.

Fred H. Bartleson, Sharpsville, April 6, 1923.
John Fitzpatrick, Farrell, April 6, 1923.
W. W. Johnson, West Middlesex, April 1, 1923.

MONTGOMERY COUNTY.

Miss Alice E. Crooks, Bridgeport, April 7, 1923.
William E. Starr, Norristown, April 4, 1923.

NORTHAMPTON COUNTY.

Pasquale Costiello, Bethlehem, April 6, 1923.

NORTHUMBERLAND COUNTY.

Oscar N. Raeder, Mt. Carmel, March 24, 1923.

PHILADELPHIA COUNTY.

Miss Rachel C. Buchanan, Philadelphia, April 7, 1923.
Thos. E. Brennan, Philadelphia, April 7, 1923.
Wm. R. Brown, Philadelphia, April 1, 1923.
Miss Marie I. Bradley, Philadelphia, April 7, 1923.
James H. Clemens, Philadelphia, April 7, 1923.
John B. Comber, Philadelphia, April 7, 1923.
Miss Annie E. Connell, Philadelphia, April 6, 1923.
Harry C. Hagen, Philadelphia, April 1, 1923.
Mrs. Marie J. Hauf, Philadelphia, April 7, 1923.
Clement Henderson, Philadelphia, April 7, 1923.
Edward G. Holloway, Philadelphia, April 2, 1923.
Lewis Hornick, Philadelphia, April 6, 1923.
Robert F. Irwin, Jr., Philadelphia, April 7, 1923.
P. J. McFarland, Philadelphia, April 7, 1923.
James W. Moore, Philadelphia, April 1, 1923.
G. N. Nicholson, Philadelphia, April 7, 1923.
Daniel F. Ryan, Philadelphia, April 1, 1923.
Samuel D. Schwartz, Philadelphia, April 3, 1923.
Harry C. Tily, Philadelphia, April 4, 1923.
Richard P. Tricker, Jr., Philadelphia, April 7, 1923.
Geo. W. Weir, Philadelphia, April 7, 1923.
G. Walter Welsh, Philadelphia, April 7, 1923.
Edmond J. Whyte, Philadelphia, April 7, 1923.

VENANGO COUNTY.

Daniel J. Skelly, Oil City, April 8, 1923.

WARREN COUNTY.

Miss Alice R. Kelley, Warren, April 1, 1923.

WASHINGTON COUNTY.

Phillip A. Burkhardt, Donora, April 1, 1923.

WESTMORELAND COUNTY.

Frank Ceraso, Vandergrift, April 3, 1923.

YORK COUNTY.

S. C. Reigler, York, April 1, 1923.

GIFFORD PINCHOT.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Edward Hoopes, of East Bradford, as Justice of the Peace, in and for the Township of East Bradford, Chester County, vice Herman Hoopes, deceased, to serve until the first Monday in January, 1924.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,	DeWitt,	Leslie,	Schantz,
Baldwin,	Einstein,	Long,	Sisson,
Barr,	Eyre,	MacDade,	Smith,
Berntheizel,	Harris,	Mansfield,	Snyder,
Betts,	Heaton,	McClintock,	Sones,
Brown,	Homsher,	McNichol,	Sprowls,
Buckman,	Huffman,	Miller,	Steele,
Christley,	Jones,	Norton,	Stineman,
Clark,	Joyce,	Patton,	Stites,
Craig,	Krause,	Phipps,	Vare,
Culbertson,	Kutz,	Quigley,	Weaver,
Daix,	Lanius,	Salus,	Woodward,
Derrick,			

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

RECESS.

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORT FROM COMMITTEE.

Mr. JOYCE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JOYCE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 502, entitled:

An Act prohibiting the location by cities of the third class of city prisons or lock-ups close to public school buildings.

HOUSE MESSAGE.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 174, (Senate Bill No. 518), entitled:

An Act to protect the public safety by prohibiting the discharge of fire-arms or other weapons within one hundred and fifty yards of any dwelling house or residence, without the consent of the owner or tenant thereof, and prohibiting the destruction and abuse of certain property by persons while hunting or trapping.

Which was committed to the Committee on Judiciary Special.

House Bill No. 141, (Senate Bill No. 519), entitled:

A Supplement to an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An act providing a system for government of boroughs, and revising, amending, and consolidating the law relating to boroughs," so as to provide a system of government for those parts of a borough which are located in a county adjoining the county in which the original borough is situated. Including assessment of property; levying and collection of taxes; making municipal improvements and filing and collecting of liens for the same; the jurisdiction of courts for the enforcement of borough ordinances and State laws; and primary, general, municipal and special elections, and repealing inconsistent laws.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 212, (Senate Bill No. 520), entitled:

An Act to amend sections fourteen and sixteen of article six, chapter seven of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312) entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Which was committed to the Committee on Municipal Affairs.

House Bill No. 262, (Senate Bill No. 521), entitled:

An Act to amend part of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455), entitled "An act to fix the number or Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

Which was committed to the Committee on Legislative Apportionment.

House Bill No. 289, (Senate Bill No. 522), entitled:

An Act to amend part of section forty-one of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; of legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also,

generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

Which was committed to the Committee on Judiciary General.

House Bill No. 294,(Senate Bill No. 523), entitled:

An Act to amend section two hundred and six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" providing for the election of school directors and election officers in independent school districts, and limiting the terms of appointed directors in such districts created prior to the passage of this act.

Which was committed to the Committee on Education.

House Bill No. 317, (Senate Bill No. 524), entitled:

An Act to amend section one of an act approved the seventeenth day of May, one thousand nine hundred and nineteen, (P. L. 208), entitled "An Act prohibiting, under certain conditions, the commutation, encumbrance, or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

Which was committed to the Committee on Insurance.

House Bill No. 380, (Senate Bill No. 525), entitled:

An Act to amend section one of the act approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws ten hundred seventy-two), entitled, "An act providing a method for establishing title to land acquired at a sale for unpaid taxes."

Which was committed to the Committee on Judiciary General.

House Bill No. 388, (Senate Bill No. 526), entitled:

An Act to repeal the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and seventy-three) entitled "An Act to authorize the compilation and publication of not less than two nor more than four volumes of Statutes at Large of Pennsylvania in addition to the sixteen volumes heretofore authorized additional volumes being necessary to connect the Statutes at Large and the Pamphlet Laws of Pennsylvania in a serial and complete publication of the Laws of the Province and Commonwealth and to provide for the appointment of a Commission to control and supervise the preparation of said volumes and of a competent person to compile and edit them and making an appropriation therefor."

Which was committed to the Committee on Judiciary Special.

House Bill No. 403, (Senate Bill No. 527), entitled:

An Act to enable city, county, poor, ward, school, borough, and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties if the surety or sureties have paid the taxes, to collect taxes for the payment of which they have become personally liable, without having collected the same, by the expiration of the authority of their respective bonds, or by the expiration of the authority of their respective warrants or by the expiration of their terms of office, and to extend the time for the collection of the same for a period of two years from the passage of this act.

Which was committed to the Committee on Judiciary General.

House Bill No. 412, (Senate Bill No. 528), entitled:

An Act authorizing any county separately or counties interested jointly to lease for a term of years, from a bridge company or corporation, any toll bridge spanning a river or stream when such bridge is used solely for highway purposes or jointly for highway, railroad, or street railway purposes; discontinuing tolls on any such bridge during such lease; and authorizing counties to appropriate money, levy taxes and incur indebtedness for such purposes.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 452, (Senate Bill No. 529), entitled:

An Act authorizing the courts of common pleas to change the name of persons, prescribing the procedure and the effect of the decree thereon.

Which was committed to the Committee on Judiciary General.

House Bill No. 498, (Senate Bill No. 530), entitled:

An Act to amend section one of the act approved the first day of June one thousand nine hundred and seven (P. L. 364) entitled "An Act to increase the pay of jurors and witnesses in this Commonwealth" as amended

Which was committed to the Committee on Judiciary General.

House Bill No. 507, (Senate Bill No. 531), entitled:

An Act to amend section fifty-three, clause (a) of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees thereof; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

Which was committed to the Committee on Judiciary General.

House Bill No. 523, (Senate Bill No. 532), entitled:

An Act to further amend section five of the act approved the thirty-first day of March, one thousand eight hundred and seventy-six, (P. L. 13), entitled "An Act to carry into effect section five, of article fourteenth, of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the state or county treasury, in counties containing over one hundred and fifty thousand inhabitants," as amended.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 524, (Senate Bill No. 533), entitled:

An Act to amend part of section one of an act approved the tenth day of May, one thousand nine hundred and twenty-

one, (P. L. 455), entitled, "An Act to fix the number of representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

Which was committed to the Committee on Legislative Apportionment.

House Bill No. 528, (Senate Bill No. 534), entitled:

An Act to amend section seven, article six, of the act approved the twenty-seventh day of June, one thousand nine hundred and thirteen, (P. L. 568) entitled, "An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto".

Which was committed to the Committee on Municipal Affairs.

House Bill No. 536, (Senate Bill No. 535), entitled:

An Act to amend sections two, three, four, five, as amended, seven, nine and ten of the act approved the thirtieth day of March, one thousand nine hundred and seventeen, (P. L. 21), entitled "An Act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith."

Which was committed to the Committee on Judiciary General.

House Bill No. 551, (Senate Bill No. 536), entitled:

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312), entitled, "An Act providing a system of government for boroughs and revising, amending, and consolidating the law relating to boroughs," by adding an additional sub-section to section nine of article seven of chapter six thereof to empower boroughs without petition of property owners, to grade, pave, curb, macadamize or otherwise improve public streets, or parts thereof, and assess the entire cost thereof against the owners of the property abutting thereon when said streets or parts thereof do not exceed one thousand feet in length and connecting two streets theretofore paved and improved.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 560, (Senate Bill No. 537), entitled:

An Act to repeal the act approved the twenty-third day of February, one thousand eight hundred and seventy, (P. L. 223), entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy, in said county," and the act approved the nineteenth day of May, one thousand eight hundred and seventy-one, (P. L. 983), entitled "A supplement to an act, entitled 'An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy, in said county,' passed the twenty-third day of February, Anno Domini one thousand eight hundred and seventy."

Which was committed to the Committee on Judiciary General.

House Bill No. 571, (Senate Bill No. 538), entitled:

An Act to amend section three hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" changing the compensation of township auditors

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 588, (Senate Bill No. 539), entitled:

An Act to regulate the allotting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plat prior to the sale, conveyance or mortgaging of any part thereof and providing penalties for the violation of the act.

Which was committed to the Committee on Judiciary General.

House Bill No. 594, (Senate Bill No. 540), entitled:

An act authorizing the county commissioners to appropriate county moneys to incorporated agricultural and horticultural societies and associations.

Which was committed to the Committee on Agriculture.

House Bill No. 595, (Senate Bill No. 541), entitled:

An Act to further amend section three of an act approved the nineteenth day of March, one thousand nine hundred and fifteen (P. L. 5) entitled, "A further supplement to an act entitled, 'An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof', approved the fifth day of May, one thousand nine hundred and eleven; constituting the said court the juvenile court of said county, and prescribing its organization, and powers therein and otherwise" as amended, by requiring the salary board to fix the salaries of all employes of such juvenile court.

Which was committed to the Committee on Judiciary General.

House Bill No. 605, (Senate Bill No. 542), entitled:

An Act to amend section one of article two of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws, twenty), entitled, "An Act for the government of cities of the second class," as amended, by changing the name of the Department of Charities to the Department of Public Welfare.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 610, (Senate Bill No. 543), entitled:

An Act to amend section seventy-four of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (Pamphlet Laws three and eighty-two), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth."

Which was committed to the Committee on Judiciary General

House Bill No. 624, (Senate Bill No. 544), entitled:

An Act fixing the time for the Statute of Limitations to begin to run against the right of action for damages in certain cases.

Which was committed to the Committee on Judiciary Special.

House Bill No. 635, (Senate Bill No. 545), entitled:

An Act to amend section six of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated "as deceased service men" defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

Which was committed to the Committee on Military Affairs.

House Bill No. 645, (Senate Bill No. 546), entitled:

An Act to regulate the allotting or subdividing of land which includes the location of streets, lanes or alleys in Counties of the second class, except land within a city or

borough, by requiring the recording in the office of the Recorder of Deeds of a map or plan prior to the sale, conveyance or mortgaging of any part thereof, and providing penalties for the violation of the act.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 652, (Senate Bill No. 547), entitled:

An Act relating to suits against and service of process upon corporations organized and existing under the laws of the Commonwealth of Pennsylvania ceasing to do business, or ceasing to maintain an office within the Commonwealth, and the effect of such service.

Which was committed to the Committee on Judiciary General.

House Bill No. 698, (Senate Bill No. 548), entitled:

An Act lapsing certain appropriations available for expenditure by the Department of Public Instructions

Which was committed to the Committee on Appropriations.

House Bill No. 702, (Senate Bill No. 549), entitled:

An Act to amend section three and section four of an act approved the fifth day of May one thousand nine hundred and twenty-one entitled "An act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiations offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be paid at some future time with or without profit and imposing penalties"

Which was committed to the Committee on Banks and Building and Loan Associations.

House Bill No. 713, (Senate Bill No. 550), entitled:

An Act to amend clause (f) of section one, article two, and section four of article five of an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled, "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers and regulating their incorporation, and to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsel, and employes: prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes of railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled, 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars,' approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled, 'An act to provide for the incorporations and regulation of certain corporations' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act," by providing that new tariffs and schedules shall not go into force until after the approval of the Commission.

Which was committed to the Committee on Judiciary Special.

RECONSIDERATION OF SENATE BILL NO. 225.

Mr. ARON. Mr. President, I move to reconsider the vote by which Senate Bill No. 225 (House Bill No. 372), entitled:

An Act to amend section forty-five of an act approved the fifteenth day of April, one thousand eight hundred and thirty-four (P. L. 509), entitled "An Act relating to county rates and levies and township rates and levies," by removing the exemption of females from arrest and imprisonment for non-payment of taxes.

was defeated on March 13th.

The PRESIDENT. How did the Senator vote?
Mr. ARON. Mr. President, I voted "no".
Mr. MILLER. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. MILLER. Mr. President, I voted "no".
The motion was agreed to.
And the question recurring,
Shall the bill pass finally?

BILL POSTPONED.

Mr. ARON. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

MOTION TO READ BILLS THE FIRST TIME

Mr. HOMSHER. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 119, entitled:

An Act creating the office of controller in counties of the first, second, third, fourth and fifth classes; prescribing

his powers and duties; imposing certain duties upon such county commissioners and county treasurers; and abolishing the office of county auditor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 169, (House Bill No. 202), entitled:

An Act relating to depositories of county funds in counties of the sixth class providing for the selection thereof by the county treasurer county commissioners and county controller if any there be and for the payment of interest on county funds for the use of the county imposing certain expenses upon counties in connection therewith and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 230, (House Bill No. 219), entitled:

A joint resolution proposing an amendment to article seventeen section eight of the Constitution of the Commonwealth of Pennsylvania authorizing the granting of free passes or passes at a discount to clergymen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 247, entitled:

An Act supplementing and amending an act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (P. L. 1159), entitled "An act authorizing certain corporations to issue preferred or common stock of one or more classes; providing for the manner of issuance restrictions and regulations in the manner of voting thereof, and the rights and privileges of the holders thereof; validating acts of corporations not participated in by the holders of non-voting stock; and repealing all acts and parts of acts inconsistent therewith," further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value, and regulating such issuing of said stock.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 315, (House Bill No. 425), entitled:

An Act to amend an act approved the ninth day of April one thousand nine hundred and thirteen (P. L. 46) entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 316, entitled:

An Act to amend chapter seven of an act approved May 14, 1915. (P. L. 312) entitled "An act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs "by creating a Borough Planning Department, defining its jurisdiction, and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the borough, and for three miles beyond the borough limits; and to regulate the making and use of certain public improvements until said plans are approved by said department, and authorizing the exercise of the powers herein provided by a park or other municipal commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 414, (House Bill No. 426), entitled:

An Act to amend section thirty of an Act approved June first one thousand eight hundred and eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June, Anno Domini, one thousand eight hundred and seventy-nine"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 417, (House Bill No. 470), entitled:

An Act to amend sections one and two of the act approved the twenty-third day of June, one thousand nine hundred and seventeen (P. L. 639), entitled "An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the dstribution thereof" extending said act to cities of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 461, entitled:

An Act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, instruction and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 492, entiled:

An Act regulating the operation of billiard and pocket billiard establishments, and defining the persons who may be present therein.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 502, entitled:

An Act prohibiting the location by cities of the third class of city prisons or lock-ups close to public school buildings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. LESLIE. Mr. President, I move that the Senate do now adjourn until eleven o'clock tomorrow morning.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:43 P. M., until Tuesday morning, March 27, 1923, at 11 o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 26, 1923.

The House met at 9:00 O'clock, P. M.
The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Eternal and Almighty God, with whom there is no variance nor shadow of turning, while Thou canst not look with complacency upon our sins, yet Thou dost love us with an everlasting love; and Thou hast made the assembling of this House again, in this session, a possibility; and as the members of this Assembly, the Representatives of this people, gather again for another legislative session we pray Thy richest blessing to rest upon them. Enrich them, with an endowment of wisdom and knowledge, that will enable them to faithfully discharge the duties and responsibilities that rest upon them. O, Thou eternal God, endue the men and women of this House with that nobility of character, that sincerity of purpose, that clarity of vision that will enable them to play their part nobly, true to themselves and to the best interests of humanity and the furtherance of Thy cause in the kingdom of the earth.

We ask it in Jesus' name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Wednesday, March 21, 1923.

The Clerk proceeded to read the Journal of the proceedings of Wednesday, March 21, 1923, when, on motion of Mr. Walker, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED.

By Mr. GIBBON. HOUSE BILL No. 933.

An Act authorizing county commissioners to appropriate money from funds of the county to aid in the planting of trees and the establishment of tree nurseries in aid of the reforestration of wood lots of farms or any other lands denuded of timber trees which it is desired to reforest.

Referred to the Committee on Counties and Townships.

By Mr. HASLETT. HOUSE BILL No. 934.

An Act making an appropriation to the Oil City Hospital, Oil City, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HASLETT. HOUSE BILL No. 935.

An Act making an appropriation to the Grand View Institute for the care and treatment of poor consumptives, Oil City, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. VICKERMAN. HOUSE BILL No. 936.

An Act for the repression of prostitution and assignation making it unlawful to solicit, aid or permit prostitution; or to use or permit the use of any phase for the purpose of prostitution or assignation; making certain evidence admissable in proceedings under this act, authorizing the commitment of prostitutes to private institutions; providing for their parole; and prescribing penaltes.

Referred to the Committee on Law and Order.

By Mr. VICKERMAN. HOUSE BILL No. 937.

An Act to amend section five of an act approved the tenth day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, four hundred nineteen), entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended; providing that nomination papers for the office of representative in the general assembly shall be filed with the county commissioners of the respective counties.

Referred to Committee on Elections.

By Mr. VICKERMAN. HOUSE BILL No. 938.

An Act to further amend section seven of an act approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred nineteen), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation;" as amended, to provide for filing petitions for nomination for Representative in the General Assembly with the county commissioners.

Referred to Committee on Elections.

By Mr. WELLS. HOUSE BILL No. 939.

An Act providing for the payment of certain claims for damages done to livestock, poultry or bees by bear, providing a method for the ascertainment of such damage and making an appropriation.

Referred to Committee on Appropriations.

By Mr. LUDLOW. HOUSE BILL No. 940.

An Act to amend, revise, change and consolidate the laws relating to the assessment of persons, property and subjects of taxation, and the levy and collection of taxes in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, and in cities of the third class, boroughs, towns, townships, school districts of the second, third and fourth classes, independent school districts, and certain poor districts; permitting cities of the second class to accept the provisions of this act and become subject thereto; and repealing existing laws.

Referred to Committee on Judiciary Local.

By Mr. BLAIR. HOUSE BILL No. 941.

An Act providing for the payment by counties of expense incurred by district attorneys.

Referred to Committee on Counties and Townships.

By Mr. LUDLOW. HOUSE BILL No. 942.

An Act to amend section five hundred and two, as amended, section five hundred and thirty-seven, as amended, and section five hundred and forty-six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to Committee on Judiciary Local.

By Mr. LUDLOW. HOUSE BILL No. 943.

An Act to amend section three hundred and ninety of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred

forty), entitled, "An Act concerning townships; and revising amending and consolidating the law relating thereto."

Referred to Committee on Judiciary Local.

By Mr. LUDLOW. HOUSE BILL No. 944.

An Act prohibiting the collection from persons borrowing money of taxes imposed upon loans by the laws of the Commonwealth.

Referred to Committee on Judiciary Local.

By Mr. DRINKHOUSE. HOUSE BILL No. 945.

An Act making an appropriation to the Nazarene Home for the Aged, at Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. LUDLOW. HOUSE BILL No. 946.

An Act providing that in certain cases it shall not be a defense in an action against a corporation on a negotiable instrument issued or indorsed in its name to prove that it was issued or indorsed by an officer or officers thereof contrary to the by-laws of said corporation.

Referred to Committee on Judiciary General.

Mr. DIEHM. HOUSE BILL No. 947.

An Act to establish as a State highway a certain section of public road in the County of Lancaster.

Referred to Committee on Public Roads.

By Mr. DIEHM. HOUSE BILL No. 948.

An Act establishing as a State highway a certain section of public road in the counties of Lancaster and Berks.

Referred to Committee on Public Roads.

By Mr. HOWARD SMITH. HOUSE BILL No. 949.

An Act establishing a Court of Claims in the Commonwealth of Pennsylvania; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof.

Referred to Committee on Judiciary General.

By Mr. HOWARD SMITH. HOUSE BILL No. 950.

An Act providing for the publication of the estimated cost of all public construction, repair or maintenance work, exceeding fifteen hundred dollars; providing that the proper officers or agents of the Commonwealth and of every county, city, borough, township, school district or other political sub-division of the Commonwealth, shall keep complete and accurate accounts of the costs of all such work, providing for the furnishing of certified copies of such accounts; and fixing penalties.

Referred to Committee on Judiciary General.

By Mr. HOWARD SMITH. HOUSE BILL No. 951.

An Act to further amend section thirteen of an act, approved the thirty-first day of May, Anno Domini one thousand nine hundred and eleven (Pamphlet Laws, four hundred and sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other oppointees; providing for taking over from the counties of townships of the Commanwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth. and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, by providing for the deposit of bankable securities by the contractor in lieu of surety bond.

Referred to Committee on Public Roads.

By Mr. HOWARD SMITH. HOUSE BILL No. 952.

An Act to carry into effect section eleven of article one of the Constitution of the Commonwealth of Pennsylvania, by designating the manner, the courts and the cases in which suits may be brought against the Commonwealth; defining the procedure in such cases and providing for the payment of judgments, interest and costs by the Commonwealth.

Referred to Committee on Judiciary General.

By Mr. HOWARD SMITH. HOUSE BILL No. 953.

An Act to amend section four of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Commisioner, two deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employees; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or tollroads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town pe-

titions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of costs of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended by providing for the holding of public meetings by the State Highway Commssioner.

Referred to Committee on Public Roads.

By Mr. DIEHM. HOUSE BILL No. 954.

An Act establishing as a State highway a certain section of public road in the county of Lancaster.

Referred to Committee on Public Roads.

By Mr. LONG. HOUSE BILL No. 955.

An Act making an appropriation to the legal representative of the estate of Honorable Samuel A. Whitaker, deceased, elected a Representative in the General Assembly of the Commonwealth, from Chester Count.

Referred to Committee on Appropriations.

By Mr. HUBER. HOUSE BILL No. 956.

An Act to amend section one of the act approved the twenty-fifth day of June, one thousand eight hundred and eighty-five (Pamphlet Laws one hundred eighty-one), entitled "An Act to authorize certain corporations to become sole surety for the faithful performance of any trust or duty, and to authorize certain officers to approve the same;" by requiring the approval thereof when the certificates issued by the Insurance Department to said corporations have been filed in the prothonotary's office.

Referred to Committee on Appropriations.

By Mr. KUNKLE. HOUSE BILL No. 957.

An Act to provide for the laying out, altering and vacating roads lying in one county and partly in an adjoining county, forming or intended to form a continuous highway from one county to another, and providing for the location, construction of a joint county bridge or said road.

Referred to Committee on Public Roads.

By Mr. KUNKLE. HOUSE BILL No. 957.

An Act to amend section two of an act approved the twentieth day of June, one thousand nine hundred and nineteen, (P. L. 521), entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended, changing the rate upon certain transfer and exempting property passing to charitable institutions.

Referred to the Committee on Judiciary General.

By Mr. MINEHART. HOUSE BILL No. 959.

An Act to repeal the act approved the eleventh day of July, one thousand nine hundred and seventeen, (P. L. 818), entitled "An Act relating to dogs, and the protection of livestock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done by dogs, and payment thereof by the proper county to licensed dogs; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, and on city councils of cities of the first and second class; and providing penalties," and section thirty-nine of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entiled "An Act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding puposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties."

Referred to the Committee on Agriculture.

By Mr. WALKER. HOUSE BILL No. 960.

An Act making an appropriation to the Canonsburg General Hospital Association, at Canonsburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. SARIG. HOUSE BILL No. 961.

An Act to exempt bequests or devises in trust for the perpetual care and preservation of burial lots or graves therein from the payment of transfer inheritance tax.

Referred to the Committee on Ways and Means.

By Mr. EDMONDS. HOUSE BILL No. 962.

An Act to amend sections 20, 40 and 47 of an act entitled "An Act relating to warehouse receipts" approved the eleventh day of March, Anno Domini one thousand nine hundred and nine.

Referred to the Committee on Judiciary General.

By Mr. EDMONDS. HOUSE BILL No. 963.

An Act to amend sections 32 and 38 of an act entitled "An Act relating to the sale of goods," approved the nineteenth day of May, Anno Domini one thousand nine hundred and fifteen.

Referred to the Committee on Judiciary General.

By Mr. EDMONDS. HOUSE BILL No. 964.

An Act exempting water filters or contrivances to purify water and appurtenances thereto, leased or hired, from levy or sale on execution or distress for rent.

Referred to the Committee on Judiciary Special.

By Mr. EDMONDS. HOUSE BILL No. 965.

An Act to repeal an act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 991), entitled "An Act restricting the appointment of corporate difuciaries by testators or by any court or register of wills to corporations fully subjected to supervision and examination by the Banking Department."

Referred to the Committee on Judiciary General.

By Mr. EDMONDS. HOUSE BILL No. 966.

An Act to regulate and improve the civil service of counties of the first class; making violations of its provisions a misdemeanor, and providing penalties for violations thereof.

Referred to the Committee on Municipal Corporations.

By Mr. GELDER. HOUSE BILL No. 967.

An Act to amend an act approved the twenticth day of April, one thousand nine hundred and five, (P. L. 237), entitled "An Act to provide for the repair and maintenance or improvement, by the proper county, city, borough, of turnpikes heretofore or hereafter appropriated or condemned, or any part thereof for public use free of tolls," as amended, providing for the maintenance and repair of abandoned turnpikes and turnpikes of dissolved companies by the several townships, cities and boroughs.

Referred to the Committee on Municipal Corporations.

By Mr. KELLY. House Bill No. 968.

An Act to amend part of section one of an act, approved the twenty-second day of July, one thousand nine hundred and thirteen, (P. L. 948), entitled "An Act establishing certain public roads as State Highways, and providing for their construction and maintenance at the expense of the Commonwealth."

Referred to the Committee on Public Roads.

By Mr. KELLY. HOUSE BILL No. 969.

An Act to amend route two hundred and eighty-eight, section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commission, two Deputy State Highway Commissioners, Chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State-aid in the improvement maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts art not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. KELLY. HOUSE BILL No. 970.

An Act to amend section one of an act approved the twenty-first day of July, one thousand nine hundred and nineteen (Pamphlet Laws, one thousand sixty-five), entitled "A further supplement to an act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (Pamphlet Laws, nine hundred seventy-seven), entitled 'An Act to provide for the personal registration of electors, and their enrollment as members of political parties, in cities of the first and second classes of this Commonwealth; to make such registration a condition of the right to vote in such cities, and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities; and providing for the payment of witness fees for persons summoned before the commissioners; to provide penalties for violations of the provisions; and to repeal acts inconsistent herewith."

Referred to Committee on Elections.

By Mr. LAFFERTY. HOUSE BILL No. 971.

An Act to further regulate the construction, maintenance and inspection of buildings in cities of the first class.

Referred to Committee on Public Health and Sanitation.

By Mr. HARER. HOUSE BILL No. 972.

An Act imposing an emergency State tax in addition to the present taxes on all subjects now taxable for State purposes; providing for its collection; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. McCAIG. HOUSE BILL No. 973.

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred and eleven, (P. L. 275), entitled "An Act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof," as amended; providing for the disposition of certain fines and imposing additional penalties.

Referred to the Committee on Judiciary General.

By Mr. McCAIG. HOUSE BILL No. 974.

An Act to amend section two of the act approved the fifth day of May, one thousand nine hundred and twenty-one, (P. L. 389), entitled "An Act to regulate and control the manufacture, sale, offering for sale, giving away, and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania; providing for the approval and disapproval of such weights, measures, and devices by the Bureau of Standards; and prescribing penalties," authorizing the Bureau of Standards to pass upon types of bottles, cans, jars, or cartons; and fixing standards thereof.

Referred to the Committee on Manufactures.

By Mr. McCAIG. HOUSE BILL No. 975.

An Act to amend section six, as amended, and section eight of the act approved the twenty-fourth day of July, one thousand nine hundred and thirteen, (P. L. 965), entitled "An Act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," changing the legal weight of certain commodities, and providing for the disposition of certain fines.

Referred to the Committee on Agriculture.

By Mr. BURNS. HOUSE BILL No. 976.

An Act providing for the refunding of moneys erroneously paid into the State Treasury as taxes by dealers in goods, wares, and merchandise under the mercantile license law.

Referred to the Committee on Appropriations.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 220.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 23, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 220, entitled, "An Act to amend section one hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled, 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as amended"

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 132 and 233.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following House Bills:

House Bill No. 132 entitled, "An Act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class".

House Bill No. 233, entitled, "An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 82.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 22, 1923.

To the Honorable, the House of Representatives of the Comwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 82, entitled, "A supplement to an act entitled'An act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments to the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and twenty-one' as approved the twenty-seventh day of May Anno Domini one thousand nine hundred and twenty-one providing for deficiencies in certain appropriations made to the Executive Judicial and Legislative Departments by the act to which this is a supplement and for other minor expenses incurred or to be incurred to May thirty-first one thousand nine hundred and twenty-three by certain of the Executive Judicial and Legislative Departments not provided for by said act".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 296.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 26, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 296, entitled, "An Act to amend section fifty-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled 'An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth' ".

GIFFORD PINCHOT.

PETITIONS.

PROTESTING AGAINST THE PASSAGE OF HOUSE BILL No. 394.

The SPEAKER presented a petition from the Philadelphia Board of Trade protesting against the passage of House Bill No. 394.

Referred to the Committee on Ways and Means.

PROTESTING AGAINST THE PASSAGE OF HOUSE BILL No. 466.

The SPEAKER presented a petition from the Philadelphia Board of Trade protesting against the passage of House Bill No. 466.

Referred to the Committee on Ways and Means.

PROTESTING AGAINST THE PASSAGE OF HOUSE BILL No. 171.

The SPEAKER presented a petition from the Philadelphia Board of Trade protesting against the passage of House Bill No. 171, known as the Full Crew Law.

Referred to the Committee on Railroads.

PROTESTING AGAINST THE PASSAGE OF HOUSE BILL No. 521.

The SPEAKER presented a petition from the Philadelphia Board of Trade protesting against the passage of House Bill No. 521, known as the Luxury Tax Bill.

Referred to the Committee on Law and Order.

PROTESTING AGAINST ADDITIONAL TAX LEVIES.

The SPEAKER presented a petition from the Philadelphia Board of Trade protesting against additional tax levies, and an income tax.

Referred to the Committee on Ways and Means.

FAVORING THE PASSAGE OF SENATE BILL No. 99.

The SPEAKER presented petitions from the Men's Bible Class of the First Presbyterian Church, Ambridge, Pa., The New Century Club of Carbondale, Pa., the South Brownsville M. E. Church, South Brownsville, Pa., the First United Evangelical Church of Easton, Pa., and the Men's Bible Class of Olivet Presbyterian Church, Easton, Pa., favoring the passage of Senate Bill No. 99.

Referred to the Committee on Law and Order.

INVITATION TO VISIT READING.

To the Speaker of the House of Representatives, and Members of the General Assembly of the Commonwealth of Pennsylvania.

During the first week of October, 1923, the city of Reading will celebrate its one hundred and seventy-fifth anniversary.

The citizens of Reading are desirous of extending to pou and your honorable body, an invitation to attend the celabration commemorating this historic event.

Among one of the main features, will be the one hundred and fiftieth anniversary of the founding of The Volunteer Fire Department of the city of Reading.

A cordial welcome awaits you, and we will do all in our power to make your stay with us one long to be remembered.

Ernest B. Posey.

QUESTION OF PERSONAL PRIVILLEGE.

Mr. DAVID FOWLER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. DAVID FOWLER. Mr. Speaker, on March 14th, in the Senate Chamber, Senator Barr made a statement, in which he says:

"One thing more, in the hearing that was held in the House, where I thought as a member of that Committee there appeared there in the camouflage two labor leaders, Mr. Ritchie and Mr. Phillips. Mr. Ritchie said he represented the Pennsylvania Federation of Labor, and the following day Mr. Phillips said he represented the Federation of Labor of Pennsylvania."

I hold here a letter from the American Federation of Labor, signed by Mr. Frank Morrison, secretary-treasurer, in the absence of Samuel Gompers, who has been in the hospital for some weeks. Mr. Morrison states that Mr. Gompers had refused to answer the letter.

"Dear Mr. Fowler: Your letter of March 19th, addressed to President Gompers has in his absence been brought to my attention for reply.

"Referring to Mr. Joseph Ritchie of 1211 Filbert Street, Philadelphia, Pennsylvania, permit me to advise you that Mr. Ritchie is the official representative of the American Federation of Labor in Philadelphia, and when he appears before a committee in the Pennsylvania Legislature in behalf of pending legislation or in opposition thereto, he speaks as an official representative of the organized labor movement.

"President Gompers will appreciate your kind personal reference to himself. He is gaining every day and his physician expects him to be able to leave the hospital in the course of a few days. Fraternally yours, Frank Morrison, Secretary-Treasurer, American Federation of Labor."

I merely offer that, Mr. Speaker, and members of the House, to show that Mr. Ritchie was within his rights as a representative of the American Federation of Labor when he appeared before this House. Thank you.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

REPORTS FROM COMMITTEES.

Mr. STAVITSKI, from the Committee on Iron and Coal, reported as committed House Bill No. 274, entitled:

An Act to amend section three of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 831), entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines; prescribing their qualifications, and regulating the salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines."

Mr. McBRIDE, from the Committee on Elections, reported as committed House Bill No. 482 (Senate Bill No. 33), entitled:

An Act to amend section seven of the act approved the tenth day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, four hundred and nineteen), entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" as amended.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor House Bill No. 51, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 51.

Mr. McKIM, Mr. Speaker, I ask unanimous consent to this bill passed finally be reconsidered.

Mr. LITTLE. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. McKIM. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. LITTLE. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McKIM, Mr, Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend bill page 3, sec. 4, by striking out in lines 12, 13, 14 and 15 the following: "The amount found by the Public Service Commission to be due and owing to the Commonwealth by any county and railroad company or companies shall be final and conclusive and if" and insert in lieu thereof the following:

The findings, determinations. or orders of the Public Service Commission, relative to the approval of plans and the allocation of costs, damages and expenses, made under the provisions of this act, shall be subject to appeal to the Superior Court in the same manner and to the same extent, as is now provided by law for other findings, determinations, or orders of such commission. The compensation for damages which the owners of adjacent property taken, injured, or destroyed, may sustain in the construction of any such bridge (for which compensation the said owners are hereby invested with warrant of authority upon appeal from the determination of the commission, to sue the Commonwealth) shall after due notice and hearing be ascertained and determined by the commission, with the right of appeal to the proper court of common pleas as is now provided by law for other similar determinations of such commission. If

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON SECOND READING.

(SPECIAL ORDER)

The SPEAKER. The hour of 9:30 having arrived the Chair lays before the House the Special Order of the day.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 809 (Senate Bill No. 99), entitled:

An Act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this entire act is an exercise of the power granted by Amendment XVIII of the Constitution of the United States and of the police power of this Commonwealth for the protection of the public welfare health peace safety and morals of the people of this Commonwealth and all of its provisions shall be liberally construed for the accomplishment of these purposes

The second section was read as follows:

Definitions

Section 2 (a) The phrase "intoxicating liquor" as used in this act shall mean anything found and determined from time to time to be intoxicating by act of Congress passed pursuant to and in the enforcement of the Constitution of the United States of America

(b) The word "person" shall mean and include natural persons associations partnerships and corporations for whatever purpose organized

(c) The word "officer" shall mean and include all sheriffs deputy sheriffs constables state and municipal policemen county and city detectives and any other persons authorized to serve warrants.

(b) The term "private dwelling" shall be construed not only in its ordinary sense but also to include the room or rooms used and occupied not transiently but solely as a residence in an apartment house hotel or boardinghouse

On the question,

Will the House agree to the section?

Mr. CHAPLIN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 2, lines 5, 6, 7 and 8 by striking out the following "anything found and determined from time to time to be intoxicating by act of Congress passed pursuant to and in the enforcement of the Constitution of the United States of America" and insert in lieu thereof the following: "any beverages containing not less than three and one-half per centum of alcohol by volume"

On the question,

Will the House agree to the amendments?

They were not agreed to,

On the question recurring,

Will the House agree to the section?

It was agreed to.

The third, fourth, fifth, sixth, seventh and eighth sections were read and agreed to as follows:

Manufacture of and Traffic in Intoxicating Liquor Prohibited

Section 3 It shall be unlawful for any person to manufacture sell offer for sale barter furnish transport possess or deliver within or import into or export out of this Commonwealth any intoxicating liquor for beverage purposes except as hereinafter set forth provided however that nothing in this act shall prohibit the alcoholic contents of malt or brewed liquors from exceeding one-half of one per cent during the process of manufacture only thereof and provided further that it shall not be unlawful to manufacture nonintoxicating cider and fruit juices exclusively for use in the private dwelling

Exemption as to Private Dwelling Prima Facie Evidence

Section 4 It shall not be unlawful however to possess intoxicating liquor for beverage purposes in one's bona fide private dwelling while the same is occupied and used by him as his dwelling only provided such liquor was lawfully acquired prior to the passage of this act and is for use only for the personal consumption of the owner thereof and his family residing in such dwelling and of his bona fide guests when entertained by him therein which entertainment shall not be deemed an unlawful furnishing Provided however That proof of the possession of such intoxicating liquor shall be prima facie evidence that the same was acquired possessed and used in violation of this act

Advertisement and Manufacture of and Traffic in Implements Substances and so forth used to Manufacture

Section 5 It shall be unlawful for any person to advertise manufacture sell offer for sale or possess for sale any utensil contrivance machine preparation compound tablet capsule confection substance formula direction or receipt designed or intended for use in the unlawful manufacture of intoxicating liquor

Nuisances

Section 6 Any room house building boat vehicle structure or place where intoxicating liquor is manufactured sold offered for sale bartered furnished or possessed in violation of this act and all intoxicating liquor and property kept or used in maintaining the same is hereby declared to be a common nuisance and any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties hereinafter provided

Injunction to Abate Nuisances

Section 7 An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General of the State or by the district attorney of the respective county or by the solicitor of any municipality Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists a temporary writ of injunction shall forthwith issue restaining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the intoxicating liquor or other things used in connection with the violation of this act constituting such nuisance No bond shall be required in instituting such proceedings It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no intoxicating liquor shall be manufactured sold offered for sale bartered furnished or possessed in such room house building structure boat vehicle or place or any part thereof Upon the decree of the court ordering such nuisance to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the Court may in its discretion permit it to be occupied or used if the owner lessee tenant or occupant thereof shall give bond with sufficient surety to be approved by the Court making the order in the penal and liquidated sum of not less than five hundred dollars ($500.00) payable to the Commonwealth of Pennsylvania for use of the county in

which said proceedings are instituted and conditioned that intoxicating liquor will not thereafter be manufactured sold offered for sale bartered furnished possessed or otherwise disposed of therein or thereon and that he will pay all fines costs and damages that may be assessed for any violation of this Act upon said property

Search Warrants

Section 8 Whenever any individual makes complaint in writing before any alderman justice of the peace or magistrate supported by his oath or affirmation and subscribed to by him alleging that there is probable cause to believe and that he has just and reasonable grounds for believing and does believe that intoxicating liquor is unlawfully manufactured sold offered for sale bartered furnished or possessed or that any mash still implement or other property designed or intended for use in the unlawful manufacture sale or furnishing of intoxicating liquor is possessed in or upon any room house building boat vehicle structure receptacle premises or any other place or thing whatsoever said complaint describing the said place or thing to be searched and the thing or things to be seized as nearly as may be and setting forth probable cause the said alderman justice of the peace or magistrate if it be made to appear that there is probable cause for such belief shall issue a warrant to search the said place or thing and seize the said thing or things described in the aforesaid complaint said search warrant describing the place or thing to be searched and the thing or things to be seized as nearly as may be and being directed to any officer or officers commanding him or them to make search by day or by night of the room house building boat vehicle structure receptacle premises or any other place or thing whatsoever therein described for any such thing or things and if any such be there found to seize the same and to make a return of said warrant together with the thing or things so seized or taken to the said alderman justice of the peace or magistrate for disposition according to law Said officer or officers may arrest without warrant and bring before the alderman justice of the peace or magistrate who issued said search warrant the person or persons found in possession or custody of the said thing or things so seized

Provided That no search warrant shall issue to search any private dwelling occupied as such unless it is being used for the unlawful sale of intoxicating liquor or unless it is in part used for some business purpose such as a store shop saloon restaurant hotel boarding-house warehouse or public garage

If no person shall be found in the possession thereof or if upon preliminary hearing the person or persons so arrested shall be bound over to appear at the Court of Quarter Sessions of the Peace or the person or persons so arrested shall be discharged having denied the ownership or possession thereof it shall be the duty of the said alderman justice of the peace magistrate to deliver the said thing or things so seized or taken to the district attorney or the person designated by him to be held by him subject to such disposition by the Court as is hereinafter provided

The right to a search warrant as provided for in this section shall be in addition to all other rights of search and seizure now existing under law

Seizure of Vehicle Conveyance Craft or Receptacle Unlawfully Transporting Intoxicating Liquor

The ninth section was read as follows:

Seizure of Vehicle Conveyance or Receptacle Unlawfully Transporting Intoxicating Liquor

Section 9 When any officer shall discover any person in the act of transporting in violation of this act intoxicating liquor in any wagon buggy motor vehicle water or air craft or other vehicle or receptacle or otherwise it shall be his duty to seize any and all intoxicating liquor and container found therein being transported contrary to law with or with out a warrant Whenever intoxicating liquor transported or possessed illegally shall be so seized by any officer he shall take possession of the vehicle and team or motor vehicle boat air or water craft or any other conveyance or receptacle and shall arrest any person in charge thereof Such officer shall proceed at once to make information against the person or persons so arrested and shall forthwith file an inventory of the property so seized with the magistrate and serve a copy of such inventory on the party in charge at the time of seizure In the event that no person shall be found in possession of said intoxicating liquor or container or of said vehicle team conveyance craft or receptacle or the person so arrested shall be discharged having denied the ownership or possession thereof or the person so arrested is held for court it shall be the duty of the officer having custody of said intoxicating liquor and property so seized to forthwith deliver possession thereof to the district attorney of the county wherein said seizure occurred or to the person designated by him to abide the judgment of the court as hereinafter set forth

Provided however That the said vehicle team conveyance craft or receptacle shall be returned to the owner upon the execution by him of a good and valid bond with sufficient sureties in the sum double the value of the property to be approved by the magistrate alderman or justice of the peace or a Judge of the Court of Quarter Sessions conditioned that the said vehicle team conveyance or craft shall be delivered to the district attorney of the county or the person designated by him at the time of the condemnation proceedings hereinafter provided in this act to abide the judgment of the Court or otherwise to remain in full force and virtue said bond to be payable to the Commonwealth of Pennsylvania for the use of the county in which said conviction is had Said bond shall be returned to the Court of Quarter Sessions and there held to abide the final disposition of the case

On the question,

Will the House agree to the section?

Mr. SPANGLER. Mr. Speaker, I offer the following amendment.

The amendment was read by the Clerk as follows:

"Amend section 9, line 14, after the word "law" strike out the words "with or without warrant".

On the question,

Will the House agree to the amendment?

Mr. SPANGLER. Mr. Speaker and members of the House, section 9 of this bill involves one of the most fundamental rights of the people in our constitution. I have not offered this amendment in a frivolous manner, but I offered it for the purpose of perfecting, as far as I can, the provisions so that the same shall not come in conflict with the clear and obvious personal liberties of the people of our Commonwealth.

The section provides that:

"When any officer shall discover any person in the act of transporting in violation of this act intoxicating liquor in any wagon buggy motor vehicle water or aircraft or other vehicle or receptacle or otherwise it shall be his duty to seize any and all intoxicating liquor and container found therein being transported contrary to law with or without warrant" and after that it provides that the liquor in the vehicle shall be seized and the person shall be arrested.

Now, the constitution of the United States and the constitution of Pennsylvania, Article 4 of the United States Constitution, which is one of the amendments to the Constitution of the United States, and Section VIII, Article 1, of the Constitution of Pennsylvania, the two sections are identical, and both provide:

"The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

That section, Mr. Speaker, has lent itself to a great many decisions of our courts, high and low, Federal and State, and it is to those decisions that I purpose to have recourse this evening, but before I proceed that far, I wish to call the attention of the House to one fact, and that is, that this section goes further than the corresponding section in the Volstead Act, for the Volstead Act does not

convey the words "with or without warrant," and the lawyers who drew that Volstead Act realized that if they put a section of that kind in the act, they were putting in something that would not stand the test of either the Supreme Courts of the State nor of the courts of the United States. So, gentlemen, before I proceed to the authorities, I wish to say that I tried to find in the books of law, a legal definition for the word "discovery", and I could find no such legal definition. However, I did find the definition of "discover" in the Century Dictionary, and the word "discover" as defined in the Century Dictionary means to get first sight of or knowledge of something previously unknown or unforeseen; find out, or ascertain, to spy, specifically defined, to bring to the knowledge of the world, or to discover a principle, a cavel or a plot; to disclose, reveal, betray; to examine, explore. In other words, the word "discover" is a word of broad meaning, and in that connection, "with or without warrant" is going to convey to the minds of the constables, and to the officers of our Commonwealth, the belief and the understanding that they have a right to arrest on the highways of our Commonwealth any automobile that they might have the least suspicion contained something in violation of this act.

In other words, they could stand along the highway and subject to search motor car after motor car, or passenger after passenger, if they were searching for somebody who is carrying a package in violation of the act that we are now about to pass.

Now, if the House will bear with me, I shall read a few extracts from decisions that I found that relate to this question, and all these decisions that I am referring to are decisions that have been rendered since the passage of the Volstead Act and not before.

In Adams vs. Commonwealth, reported in 246 Southwestern Reporter, 788, January 12, 1923.

"Appellant Adams rode into county seat on horse. Officer noted suspicious bulge in saddle pockets. Officer followed him to blacksmith shop, then sent for a search warrant and discovered moonshine whiskey in bags. Warrant not produced at trial, nor its loss accounted for. Court in conclusion said: ' In the absence of a search warrant or a satisfactory showing of its loss and regularity, the Commonwealth is not entitled to introduce evidence in this case. There is no cause against the Appellant Adams.' "

Not that the violation was not clear, but that the court considered that the Constitutional provision should transcend the rights of the Commonwealth or of the State where it came in conflict with that great Constitutional provision.

In Price vs. Commonwealth, Court of Appeals of Kentucky, September 26, 1922.

"Nanny Price convicted of illegally possessing intoxicating liquors. Fined and imprisoned. On appeal, she was discharged because the search warrant was insufficient; the court stating that the affidavit presented to the court in this case did not state or show the required facts, but merely stated that the state's attorney was informed that the facts did exist. It (affidavit) does not give the name of the person furnishing information; makes no statement as to where or how the belief was obtained or on what information his belief was obtained. In a provision of the Constitution similar to section VIII, the Court says: 'The language of this section is clear and unequivocal and provides that no warrant shall issue to search a place or search any person or thing without probable cause supported by oath or affirmation.' In interpreting the Fourth Amendment of the Federal Constitution and similar provisions in the constitutions of the various states, it has been uniformly held, that the existence of probable cause is a question for the court and cannot be delegated to the accuser."

People vs. Margolis, Supreme Court of Mich., 190 N. W. R. 306, November 2, 1922.

"This court in a long line of decisions has recognized the constitutional right of the individual to be secure in his person, his house, his papers and his possessions from search except by search warrant based upon oath or affirmation describing the place to be searched and the things to be seized. The Supreme Court of the United States has likewise upheld such constitutional right of the individual. In this case, the officers without warrant entered the place of the individual and found intoxicating liquors. Defendants were discharged," because he was wrongly arrested without a warrant.

In Royce vs. Commonwealth, 239 Southwestern Reporter 795, the Court of Appeals of Kentucky, April 18, 1922.

"Where the possession of intoxicating liquors is open and obvious so that anyone within reasonable distances can readily and reasonably see it, no search warrant is needed and the evidence thus obtained may be reviewed upon trial of the accused."

That is, where a person discovers, or sees a person carrying intoxicating liquors.

Welchek vs. State, 247 S. W. R. 529, Court of Appeals of Texas, January 17, 1923.

"The right of the citizen to be secure in his house and private premises and possessions from unlawful and unwarranted search and seizure is as secure as the bill of rights can make it. It should be held sacred by officers and good citizens and infringement be defended against to the last limit. The man who so intrudes does so at his peril. This much is said in caution against misunderstanding."

There have been some recent decisions on the question of search and seizure and reported in annotations corpus juris, that other case I just referred to here. These opinions here, I shall just cite briefly.

Haley vs. Gardner, Florida 91 S. 376.

"Searching of premises and seizure of property therein without warrant is invasion of Constitutional rights."

"The finding of probable cause is judicial function and cannot be delegated by judge to accuser." United States vs. Kelih, 272 Federal Reporter 484.

"Search and seizure without warrant constitutes unlawful search and seizure," and there are many other cases.

Now, there is one case here, and I will be through with the reading of this case in just a minute, in Helton vs. Commonwealth, 243 Southwestern Reporter 918, September 22, 1922, I shall read this case, because I think it presents, or that it states the law as clearly as it can be stated. A deputy sheriff with two or three others were watching out for persons who might be transporting liquor. They met the appellant on the public highway, and he had something tied up in an apron, whereupon, he was arrested, and there was found wrapped up in the apron a quart jar of whiskey and another quart jar in his pocket. That the arresting party did not know what he had until after he was arrested and searched and none of them had a warrant for his arrest, or a search warrant to authorize a search of his person, and that he had not in the presence of the deputy sheriff or any of them violated any law. That defendant protested when he was arrested and demanded sheriff to show him authority, but sheriff had none, but arrested and searched him and then taken before a Justice of the Peace who issued a warrant.

Section 10 of the Constitution of Kentucky is same as provision in Pennsylvania Constitution. Under this section, this court has recently in two exhaustive opinions,

held, that 'no search of the person or personal baggage or personal belongings where seizure of articles found on such person is authorized by law without a search warrant unless and until the offender has first been taken into custody by lawful arrest and that evidence obtained by such an unlawful arrest is incompetent against the person arrested in any prosecution against him. It was held, however, in the case of Royce vs. Commonwealth, 194 Kentucky, 480, 239 S. W. 795, that where the possession of the unlawful thing is open and obvious so that anyone within reasonable distance can readily and plainly see it, no search warrant is necessary and the evidence thus obtained may be received upon the trial of the accused. It is admitted in the brief of the attorney general that unless the quart jar tied up in the apron may be said to have been open and obvious to the officers within a reasonable distance and that they could have ascertained thereby that it was whiskey, they then had no right to arrest and search appellant without a warrant or a search warrant. The evidence in the case shows without contradiction that the officer and his party did not know what appellant had until they arrested and searched him and that one passing appellant on the highway could not have ascertained from observation what the package contained, and they did not and could not have known what was in his pocket. It is perfectly clear from the evidence that the officer and his party merely arrested the party upon their suspicion that he might have whiskey on or about his person and there was nothing so open and obvious to them as to authorize his arrest and search.

The rights of citizens guaranteed by our Constitution must be protected. The right of the citizen to protection against unlawful search and seizure was regarded by our forefathers in the formation of this government as one of the sacred things which would be vouchsafed to him at all times and there is no higher duty resting upon the court than the duty to enforce this Constitution provision, and thereby uphold the sacredness of one's person and security of one's possession. It takes no flight of imagination to picture what would happen if every petty officer clothed with some temporary authority might without restraint or hindrance at his will hold up a citizen on the highway for search or search his home in the effort to procure evidence against him. It results from what we have said that the action of the deputy sheriff and his party was wholly without warrant of law and the evidence thus found or disclosed to them was wholly incompetent against the appellant. The judgment is reversed with directions to grant appellant a new trial.'

"The Constitutional guarantee against unreasonable seizures and searches in purpose and effect forbids the legislature to enact laws that authorize unreasonable searches or seizures as well as forbids unreasonable searches and seizures by officers purporting to act under laws that authorize reasonable seizures and searches. No search or seizure is permissible under the law without a proper warrant duly issued search as a reasonable search and seizure may be allowed by law as an incident to a lawful arrest. Where an arrest without a warrant is allowed by law as for an offense being committed or threatened in the presence of an officer authorized by law to make arrest for such offense, a reasonable search and seizure that is properly incident to a lawful arrest may be made.

There was a recent Philadelphia case in which Judge Dickinson, of the United States Court of Philadelphia, very recently stated in a decision:

"The right of the people to be secure in their houses and effects against reasonable searches and seizures is not limited to dwelling houses. If the rule be not so, then not only a garage, a house, shop, store, an office and even a safe-deposit vault might be ransacked by officers under suspicion. Such is not the law. An unlawful search cannot be justified by what is found. A search that is unlawful when it begins is not made lawful when it ends by the seizure of liquor. It was against prying on the chance of discovery that the constitutional amendment was intended to protect the search. Neither is the discretion of the officer, however, good, a substitute in law for a search warrant issued by a proper magistrate. It is to the latter that the law has committed the discretion to say when a warrant shall issue and it can only issue on a probable cause supported by oath or affirmation, particularly describing the place to be searched and the persons or things to be seized. Constant reiteration of these fundamental principles is warranted by the fact that they seem to be so frequently overlooked."

Mr. Speaker, I have perhaps become somewhat tedious in quoting authorities to this House, many of which, perhaps the men who are not lawyers do not properly comprehend, but in order that the statements that I make, and in order that the amendment that I offer may show upon its face that it is founded upon good law, it was necessary for me to quote those authorities.

Now, I will say this, and I will make a prediction, that if the House, or if the Legislature, does not adopt this amendment, the Supreme Court of the State of Pennsylvania will read that amendment into this act. We are here a legislative body, we are responsible to the people of Pennsylvania for the character of legislation that passes through this Hall, and it should be our duty that when a piece of legislation as important as this section is, a section which involves, as I say, the personal liberties, the personal rights of the individual, that we should not pass a law with a provision in it that we know is violative of the fundamental provisions of our State and our Federal Constitution.

Now, I, a few moments ago, quoted you the definition of the word "discover." If instead of discover the drafter of that bill had said "see" or "perceive" it would have been more definite, but the word "discover" is positively indefinite as set forth in this act, and it acts as an invitation to any minion of the law to go out upon the public highway and subject any automobile that passes along the road, not that he has any knowledge or foreknowledge, that that man is violating the law, but in a vain attempt to secure somebody that he thinks may have violated the law, and that is the thing that we must defend the people of this Commonwealth against, because such a provision as that has no place in a free country, and the courts have so declared.

We have had instances of what I mentioned a moment ago in York County, I think it was only last summer, that I had reported to me on the most reliable authority that the State Police, stood at the Wrightville bridge, on the York County side, and they stopped automobile after automobile as it went by, and they searched into that automobile to find out whether that automobile had liquor in it. They had nothing to define that automobile, they had no seach warrant, they had no warrant of any kind, and yet they invaded the sanctity of personal rights on a mere suspicion.

Why, gentlemen, the liberties that this country possesses at the present time have come after eighteen hundred years of struggle. There was, away back in the German forest, a feeling of personal liberty among our ancestors, but the spirit of personal liberty, and the rights of the people, did not become articulate until the nobles of England forced King John to grant the Magna Charta, and upon that great charter of personal rights we founded our liberties, and they were built upon and built upon until the time of our Constitution, which was the true outgrowth of the Magna Charta, and the liberties that the people of England had

been insisting upon and demanding from their rulers for century upon century; and when, finally the Constitution of the United States came for ratification there were a great number of the states of the Union that refused to ratify that constitution until it contained the Bill of Rights, and one of the most important features, in fact the keystone of that Bill of Rights is that amendment of it, which is section VIII of the Constitution of Pennsylvania. It has been said many times and oft, that "Necessity is the tyrant's plea," and that is true. We say that we must enforce a certain law, and that we are justified in doing that, justified in doing certain acts that are not right because it is necessary, but, sir, we should not attempt to enforce one section of the Constitution by violating another and particularly when that other relates to the rights and the liberties of the people of our Commonwealth.

It is for this reason, gentlemen of the House, that I have detained you. I believe that this section can be amended to correspondent with the Volstead Act without weakening that section. I have not read the section of the Volstead Act, but I have that section on my desk, and that section of the Volstead Act is identical with the section in this act with those words stricken out. Now then, if we are going to pass this act let us pass it in a form that does not violate the Constitution of the State; let us not pass it in a way that will be declared unconstitutional; let us not pass it in a manner that will harass our people; let us not pass it in a way that will give to our minions of the law, our State Police and our constables a misapprehension as to what the law is, that will invite them to violate the law in its enforcement, but rather let us take the responsibility to amend this act in such a way as will conform to the Constitution of Pennsylvania and the Constitution of the United States, and thereby we will pass an act that will at least show that this Legislature has not been asleep about the fundamental principles of law that it should have known.

Mr. PERRY. Mr. Speaker and gentlemen of the House, this bill has been emasculated and has been amended up to date in such a manner that the father hardly knows his child. I would not like to be a party to disfiguring it any more, and I would ask this House to vote this and all other amendments down, as I don't think that any of the friends of the bill want any amendments in it, and I know the opponents neither want the bill nor the amendments, and I hope you vote it down.

On the question recurring,
Will the House agree to the amendments?
It was not agreed to.
On the question recurring,
Will the House agree to the section?
It was agreed to.

The tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections were separately read and agreed to as follows:

Penalties

Section 10 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than five thousand dollars ($5,000.00) or undergo an imprisonment of not more than three (3) years or both at the discretion of the court

Certain Seized Property Declared Contraband and For Provisions for Disposal or Sale of Same

Section 11 (A) No property rights shall exist in any intoxicating liquor or property designed for the manufacture or sale of intoxicating liquor intended for use in violating any of the provisions of this act or which has been so used but upon possession or use of any such intoxicating liquor or property in violation of this act the same shall be deemed contraband and shall be forfeited to the Commonwealth.

Upon the transportation of intoxicating liquor in violation of this act the wagon buggy team motor vehicle water or air craft or other vehicle or receptacle in which it is so transported shall be forfeited to the Commonwealth subject to the provisions herein set forth

No such intoxicating liquor or property or vehicle team conveyance craft receptacle or other property when in the custody of the law or of any officer shall be seized or taken therefrom on any writ of replevin or other like process

(B) If upon hearing before the Court of Quarter Sessions or a Judge thereof it appears that any such intoxicating liquor or property so in the custody of the law or of any officer was so possessed or intended for use in violating any of the provisions of this act or has been so used such intoxicating liquor and property shall be adjudged forfeited and condemned and shall be disposed of as hereinafter provided or if upon such hearing it appears that any vehicle team conveyance craft receptacle or other property seized under the provisions of this act had been used for the unlawful transportation of intoxicating liquor such vehicle team conveyance craft receptacle and other property shall be adjudged forfeited and condemned and shall be disposed of as hereinafter provided unless the Court shall otherwise order

(I) Upon conviction of any person of a violation of this act the Court shall order and direct the sheriff of the county to destroy all such condemned intoxicating liquor and property seized or obtained from such defendant or defendants except that the court may order the same or any part thereof to be delivered to a hospital for its use and make return to the Court of compliance with said order Except that any vehicle team conveyance or craft seized under the provisions of this act shall be disposed of as hereinafter provided

(II) In any case in which (a) the defendant is acquitted of a violation of this act and denies the ownership or possession thereof or (b) no claimant appears for same or (c) appearing is unable to sustain his claim therefor the Court shall order all such condemned intoxicating liquor and property (except vehicles teams conveyances and crafts) publicly destroyed by the sheriff of the county Provided the Court may order the same or any part thereof to be delivered to a hospital for its use Return of compliance with said order shall be made by the sheriff to the Court

(III) In the case of any vehicle team conveyance or craft seized under the provisions of this act and condemned as aforesaid the Court shall order a public sale thereof by the sheriff of the county notice of which sale shall be given in the same manner as notice is required to be given of the sale of personal property under a writ of fieri facias the proceeds of such sale to be paid to the county treasurer for the use of the county In the event that any such vehicle team conveyance or craft is when so seized held and possessed under a bailment lease or contract and the legal title thereto is in another person who shall prove that the unlawful use for which the same was seized was without his knowledge or consent then the claim of the bailor for money due under said bailment lease or contract shall attach to and be paid out of the funds derived from said sale after payment of costs and the balance distributed as above provided In case it appears at said hearing that the owner of any such vehicle team conveyance or craft has not been found within the jurisdiction of the Court the sheriff shall give ten (10) days' notice of said sale by registered letter to the person if any whose name appears thereon as the manufacturer thereof together with the manufacturer's number if any appearing thereon

(C) In addition to the provisions aforesaid the Court shall in its order of condemnation and in every conviction under this act where it shall appear that intoxicating liquor was unlawfully transported in a motor vehicle declare that the license issued by the State Highway Department for any motor vehicle so forfeited and condemned or issued to any defendant convicted of transporting intoxicating liquor in any motor vehicle shall be forfeited and revoked and it shall be the duty of the clerk of the court in which such conviction is had or order of condemnation made to certify such conviction to the State Highway Commissioner who shall suspend or revoke the license issued for such motor vehicle or to such person and no other license shall be issued to such person or for such motor vehicle for a period of one (1) year following such suspension or revocation Provided

that a license may be issued for such motor vehicle after the public sale thereof as above provided

(D) (I) The proceedings for the forfeiture or condemnation of all property the destruction or sale of which is provided for in subsections (II) and (III) of Clause (B) of this section shall be in rem in which the Commonwealth shall be the plaintiff and the property the defendant A petition shall be filed in the Court of Quarter Sessions of the Peace verified by oath or affirmation of any officer or citizen containing the following (a) a description of the property so seized (b) a statement of the time and place where seized (c) the owner if known (d) the person or persons in possession if known (e) an allegation that same had been possessed or used or was intended for use in violation of this act (f) and a prayer for an order of forfeiture that the same be adjudged forfeited to the Commonwealth and condemned and be ordered sold or destroyed (as the case may be) according to law unless cause be shown to the contrary

(II) A copy of said petition shall be served personally on said owner if he can be found within the jurisdiction of the court or upon the person or persons in possession at the time of the seizure thereof Said copy shall have endorsed thereon a notice as follows

"To the Claimant of Within Described Property

"You are hereby required to file an answer to this petition setting forth your title in and right to possession of said property within fifteen (15) days from the service hereof and you are also notified that if you fail to file said answer a decree of forfeiture and condemnation will be entered against said property

Said notice shall be signed by petitioner or his attorney or the district attorney

(III) If the owner of said property is unknown or outside the jurisdiction of the Court and there was no person in possession of said property when seized or such person so in possession cannot be found within the jurisdiction of the Court notice of said petition shall be given by the sheriff by advertisment in a newspaper of general circulation published in the county where such property shall have been seized once a week for three (3) successive weeks Said notice shall contain a statement of the seizure of said property with a description thereof the place and date of seizure and shall direct any claimants thereof to file a claim therefor on or before a date given in said notice which date shall not be less than twenty-one (21) days from the date of the first publication

(IV) Upon the filing of any claim for said property setting forth a right of possession thereof the case shall be deemed at issue and a time be fixed for the hearing thereof

(V) At the time of said hearing if the Commonwealth shall produce evidence that the property in question was unlawfully possessed or used the burden shall be upon the claimant to show (a) that he is the owner of said property (b) that he lawfully acquired the same (c) that it was lawfully used and possessed by him and (d) in the event that it shall appear that the property was unlawfully used by a person other than the claimant then such claimant shall show that such unlawful use was without his knowledge or consent

(VI) Any person claiming the ownership of or right of possession to any intoxicating liquor vehicle team conveyance craft or other property the disposition of which is provided for in this section may at any time prior to the sale thereof present his petition to the Court alleging his lawful ownership thereof or right of possession thereto and if upon public hearing thereon due notice of which having been given to the district attorney such claimant shall prove by competent evidence to the satisfaction of the Court that said intoxicating liquor vehicle team conveyance craft or property was lawfully acquired possessed and used by him or if it appearing that the property was unlawfully used by a person other than the claimant he shall prove that such unlawful use was without his knowledge or consent then the Court may order the same returned to said claimant otherwise it shall be destroyed or sold (as the case may be) as hereinabove provided

(VII) Unless either the Commonwealth or the claimant shall demand a jury trial within five (5) days after the conclusion of the hearing the right to such jury trial shall be deemed to have been waived.

(E) The provisions of this section shall apply to the disposition of any intaxicating liquor or property in the custody of the law or of any officer at the time of the passage of this act

The County Commissioner to Provide Facilities for Storage

Section 12 The county commissioners of each county shall provide the district attorney with suitable facilities for the storage and safe-keeping of all intoxicating liquor or other property seized or held under the provisions of this act

Evidence Pleadings

Section 13 In any prosecution under this act when proof has been given in evidence of the manufacture sale offering for sale bartering furnishing transportation possession delivery importation or exportation of any intoxicating liquor the same shall be prima facie evidence that the same was so manufactured sold offered for sale bartered furnished transported possessed delivered imported or exported for beverage purposes but this presumption shall not apply to the manufacturing furnishing transportation possession delivery importation or exportation of medicines nor to the sale of such by or to registered pharmacists and regularly licensed physicians or others lawfully authorized to buy and sell such medicine nor to the sale of intoxicating liquor for medicinal purposes to a duly registered pharmacist physician or surgeon or by any such pharmacist upon the prescription of a duly licensed physician or surgeon nor shall it apply to anything unfit for beverage purposes or to extracts ordinarily used for culinary purposes And this act shall not apply to such extracts when intended to be used for flavoring anything which when so flavored shall not violate the provisions of this act nor shall it apply to the manufacture sale transportation importation possession distribution or use of wine for sacramental purposes or like religious rites

It shall be unnecessary in any complaint information indictment or other pleadings to negative any proviso or exception contained in this act

No Person Excused from Testifying—Immunity—Liable for Perjury

Section 14 No person shall be excused on the ground that it may tend to incriminate him or subject him to a penalty of forfeiture from attending and testifying or producing books papers documents and other evidence in obedience to a subpoena of any court in any suit or proceeding based upon or growing out of any alleged violation of this act but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing as to which in obedience to a subpoena and under oath he may testify from prosecution and punishment for perjury committed in so testifying

Saving Clause

Section 15 Nothing in this act shall affect any case in which it shall appear that the crime therein charged was committed prior to the date of the approval hereof but such offenders may be prosecuted and punished as if this act had not been passed under and in accordance with laws then in force and for such purpose such laws are hereby specifically saved from repeal

Jurisdiction of Offense When Delivery Made by Carrier

Section 16 In case of a sale or furnishing of intoxicating liquor where the delivery thereof was made by a common or other carrier (whether the same be an interstate shipment or an intra-state shipment) the sale and furnishing and delivery shall be deemed to be made in the county wherein the delivery was made by such carrier to the consignee his agent or employee or in the county wherein the sale was made or from which the shipment was made and prosecution for such sale or furnishing or delivery may be had in any such county A prosecution in one county may be pleaded in bar of a prosecution in another county for the same offense The Court in the county first securing jurisdiction shall proceed to final disposition of the action

If Any Section Held Invalid Remainder of Act in Force

Section 17 If any provision of this act shall be held by any court to be unconstitutional such judgment shall not affect any other section or provision of the same It is

hereby declared as a legislative intent that this act would have been passed had such unconstitutional provision not been included therein

Repealing Clause

Section 18 The following acts and parts of acts viz the act approved the thirteenth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred and eight) entitled "An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" and its amendment approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seven) entitled "An act amending an act approved the thirteenth day of May one thousand eight hundred and eighty-seven entitled 'An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof' by prohibiting the manufacture sale offering for sale transportation importation exportation furnishing or possession for beverage purposes of anything determined and found to be intoxicating by act of Congress passed pursuant to and in the enforcement of the Constitution of the United States of America and by restraining and regulating the sale of vinous spirituous malt or brewed liquors or any admixtures thereof fit for beverage purposes other than such as are from time to time determined and found to be intoxicating by any such act of Congress" be and the same are hereby repealed.

All other acts and parts of acts inconsistent with this act are hereby repealed. The repeal of any such acts shall not operate to revive any act general local or special heretofore repealed or superseded

The title was read as follows:

An Act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

On the question,

Will the House agree to the title?

Mr. McVICAR. Mr. Speaker, when this bill was pending in the Senate a number of amendments were made, and it was their intention, so I am advised, to amend the title so as to clarify it by adding the words "search warrants" after the word "Forfeitures". I therefore now offer such an amendment for the purpose of clarifying the title only.

The amendment was read by the Clerk as follows:

Amend title, line 7, by inserting after the word "forfeitures" the following: "search warrants."

On the question,

Will the House agree to the amendment?

The SPEAKER declared the noes appeared to have it.

Mr. McVICAR. Mr. Speaker, I ask for a roll call on this amendment.

The SPEAKER. A roll call has been asked for.

Mr. OGLE. Mr. Speaker, there seems to be an amicable understanding between the friends of this measure and its opponents that it should pass second reading tonight without any amendments. Whatever is offered, I think we ought to keep good faith on all sides and I hope that the gentleman from Allegheny will withdraw his motion and let the title stand as reported from the Senate.

Mr. McVICAR. Mr. Speaker, this amendment, as I stated before, is offered for only one purpose, that is, to clarify the title and to remove any question that there might be as to its constitutionality, and I know that every member of this House doesn't want to raise any such question. The amendments to this title were prepared at the Attorney General's office and it was thought wise only for a matter of clarity that this change should be made. Personally, there might be a question in regard to that conclusion but it seems to me it would be wise to remove any doubt as to the constitutionality of the title, and as the bill has already passed the Senate, if it is to be amended, it must be amended in the House.

Mr. STEEDLE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. STEEDLE. Did I understand, the Speaker of the House to say that the "noes" had it?

The SPEAKER. The Chair said that the "noes" appeared to have it.

Mr. STEEDLE. Then, if that is true, isn't it the custom that it should have unanimous consent?

The SPEAKER. Any two members can ask for a roll call.

Is the call for the roll seconded?

The yeas and nays were required by Mr. McVicar and Mr. Vickerman and were as follows

YEAS—76.

Alexander,	Harer,	McVicar,	Storer,
Anderson,	Haslett,	Minehart,	Thomas, L. D.,
Aston,	Heffran,	Moffatt,	Thomas, M. G.,
Bell, F. A.,	Henderson,	Moore,	Thompson,
Bentley,	Himes,	Morrison,	Vickerman,
Bidelspacher,	Holcombe,	Ogle,	Walker,
Blair,	Horne,	Parkinson,	Wells,
Brenneman,	Irvin,	Peelor,	Wheeler,
Burchinal,	Jones, D. J.,	Pitts,	Whiteman,
Bush,	Jones, E. P.,	Post,	Williams, G. W.
Clutton,	Kelly,	Price,	Woner,
Coldsmith,	Kennedy,	Raymond,	Wood, N.,
Diehm,	Kunkle,	Rhodes,	Wood, W. P.,
Driggs,	Long,	Richards,	Wright,
Edmonds,	Ludlow,	Schleiter,	Zook,
Fowler, A. I.,	MacKinney,	Smith, G. A.,	Goodnough,
Frazier,	Marshall, J. G.,	Spangler,	Speaker.
Gelder,	McCurdy,	Stark,	
Gilchrist,	McDaniel,	Stevens, A. F.,	
Goss,	McKim,	Stoner,	

NAYS—129.

Albert,	Evans, B. P.,	Kohler,	Rinn,
Allman,	Evans, J.,	Korns,	Rippman,
Armstrong,	Fields,	Labar,	Sample,
Arthur,	Flinchbaugh,	Lafferty,	Sarig,
Asbury,	Flynn,	Lauver,	Sautter,
Baker,	Fowler, D.,	Little,	Schaeffer,
Baldi,	Fratt,	Lucas,	Schilling,
Beaver,	Gallaher,	Lynch,	Schoener,
Behney,	Gibbon,	Mack,	Schwartz,
Bell, W. T.,	Glasgow,	Malie,	Shambach,
Berger,	Golder,	Mangan,	Sheridan,
Betts,	Gorham,	Marcus, J.,	Smith, H. J.,
Bluett,	Greeby,	Marcus, J. C.,	Smith, H.,
Blumberg,	Griffith,	Marshall, W. F.,	Smith, J. W.,
Boback,	Grimes,	Mathay,	Soffel,
Brewster,	Guerin,	McBride,	Sowers,
Bromley,	Gundy,	McCaig,	Speiser,
Brown,	Haas,	McCann,	Sprowls,
Brownmiller,	Haines,	McClure,	Staudenmeier,
Burns,	Hall,	McDermott,	Stavitski,
Chaplin,	Harter,	McGowan,	Steedle,
Colville,	Haws,	Metcalf,	Sterling,
Conner,	Heffernan,	Millar,	Stevens, A. J.,
Coyne,	Hetrick,	Miller,	Stofflet,
Craig,	Heyburn,	Munley,	Storb,
de Young,	Hollis,	Myers, G. C.,	Van Alen,
Dietz,	Hontz,	Myers, P. M.,	Weamer,
Dilsheimer,	Hoover,	Nolte,	Wettach,
Drinkhouse,	Howell,	O'Boyle,	Whitehouse,
Dunn,	Huber,	Orr,	Williams, J. M.
Eaches,	Johnson,	Patterson,	
Earley,	Jones, C. B.,	Perry,	
Eshelman,	Keene,	Posey,	

So the question was determined in the negative, and the amendment was not agreed to.

On the question recurring,

Will the House agree to the title?

It was agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF VOTE.

Mr. BUSH. Mr. Speaker, I move that the vote by which House Bill No. 475, file folio 1105, entitled:

An Act to amend section two hundred and thirty-five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships and revising, amending, and consolidating the law relating thereto," as amended.

was defeated on final passage on Tuesday, March 20, be reconsidered.

Mr. HENDERSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 209, entitled:

An Act making an appropriation to O'Hara Brothers for payment for the burial of bodies of indigent persons under instructions of the State Department of Health

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 866, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 638, entitled:

An Act supplementing an act, entitled "An act amending an act, entitled 'A Supplement to an act, entitled "An Act for the government of cities of the second class," approved the seventh day of March, one thousand nine hundred and one; authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards, courts and open spaces, and to regulate and restrict the location of trades and industries, and the location of buildings for specified uses; and to make regulations for trades and industries and for the use of buildings; and, for the above purposes, to divide the cities into districts; and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein; and providing the method of adoption of said districts, regulations, and restrictions, and the method of amendment or change thereof,' approved the twenty-first day of June, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, five hundred seventy)," providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities, establishing the procedure upon said appeals, authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties, and authorizing said appeals to be advanced.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 358, entitled:

An Act to amend sections one and eighteen of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws five hundred and fifty-nine), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received;" changing the age limit of persons required to procure licenses; and providing for the purchase with surplus moneys of lands and waters, and the impounding of waters.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 728, entitled:

An Act to amend Article X of the act approved the third day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred ninety-seven), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by adding thereto a section, to be section one thousand nine, providing a penalty for interfering with notices posted by the Department.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 721, entitled:

An Act to amend section one hundred and two, clause (j), Article I, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing for co-operation with and receipts of contributions from persons, firms, corporations or associations for forest protection.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 87, entitled:

An Act making a deficiency appropriation to carry into effect the provisions of an act, approved the twenty-fifth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand one hundred and ninety-five), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations, and regulating the payment thereof."

And said bill having been read at length the first time, Ordered to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 727, entitled:

An Act to amend Article X of the act approved the third day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred ninety-seven), entitled "An Act

to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special or local, or any parts thereof, that may be inconsistent with or supplied by this act," by adding thereto section one thousand and eight; regulating civil actions by and on behalf of persons and the Commonwealth suffering damage from forest fires; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 501, entitled:

An Act authorizing cities of the third class to appropriate moneys to State park commissions to provide improvements in State parks, and, with the consent of any such commission, to erect, construct, supervise, and maintain in such parks bathing beaches, recreation centers, playgrounds, playfields, camp sites, boat houses, and boat landings.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 774, entitled:

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs township commissioners and township supervisors of townships and requiring boroughs and townships to pay the expenses in connection therewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 116, entitled:

An Act providing for the appointment by the court of supervisors in election districts in general, municipal, primary and special elections, upon petition of candidates, regulating the method of appointment and prescribing the duties and powers of such supervisors; providing for their compensation; providing penalties for violation, and repealing acts inconsistent herewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 852, entitled:

An Act to amend sections four, seven and section nine, as amended, of an act approved the twenty-second day of July, one thousand nine hundred and nineteen, (P. L. 1093), entitled "An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand, a board for assessment and provision of taxes; providing for the appointment of the members of such board by the county commissioners; fixing their salaries, payable by the county; defining the powers and duties of such board; and regulating the assessment of property and occupations for State and county purposes; authorizing the appointment of subordinate assessors and clerks, defining their duties and providing for their compensation, payable by such counties; imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act, and abolishing the office of ward, borough, and township assessor, in so far as respects the assessment of property and occupations for State and county purposes," by exempting buildings and structures in the course of erection, and providing for the placing of borough and township assessments in public places.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 678, entitled:

An Act to amend clause three, section 10, article two of chapter seven of the act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312) entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 740, entitled:

An Act to amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 663, entitled:

An Act to amend sections five and six of an act approved the sixteenth day of May, one thousand nine hundred and nineteen, (P. L. 193), entitled "An Act to provide for the licensing and regulation of public dance halls and ball rooms, and for the regulation, supervision of public dances and balls in cities of the first, second and third class;" by making it the duty of the Mayor to investigate the character of applicants for dance hall and ball room licenses; and providing that no such license shall issue to any person of immoral character or who is an unfit person to hold such license, or who has been convicted of any crime.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 789, entitled:

An Act making a deficiency appropriation to the Pennsylvania Industrial Reformatory at Huntingdon Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 855, entitled:

An Act authorizing the county commissioners and sheriff of any county of the second class to organize a uniformed and mounted county police

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 700, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for a budget system

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 379, entitled:

An Act to amend section twenty, and sections sixty-six and seventy-one as amended, of an act approved the seventh day of June, one thousand nine hundred and one (Pamphlet Laws four hundred ninety-three), entitled "An Act providing for the examination, licensure and registration and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof;" providing that when any plumbing or house drainage is not done in the manner provided in said act, that the owner, occupier or tenant of any building or premises may be restrained by injunction from using the said plumbing in any manner unless the same is changed in accordance with the provisions of this act; and providing for the abatement of nuisances and for penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 118, entitled:

An Act providing for the assessment of occupation or poll tax in cases where the assessor has failed to make such assessment, and the collection of the same, so that such taxes may be assessed by and paid to the county treasurer or the registration officers for the registration of voters; providing a penalty for violation thereof; and repealing acts inconsistent therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 822, entitled:

An Act to amend sections one hundred and forty-five and one hundred and forty-six of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," by changing the terms of office of supervisors in townships of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 682, entitled:

An Act to amend the forty-first clause of section two, article one, chapter five, of the act, approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312) entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 593, entitled:

An Act providing compensation for the residents of this Commonwealth who served in military or naval forces of the United States during the World War; imposing certain duties on the Adjutant General; making an appropriation and repealing inconsistent legislation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 750 (Senate Bill No. 131), entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts and other municipalities or incorporated districts had and held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL PLACED ON THE CALENDAR.

Mr. ALEXANDER. Mr. Speaker, I move that House Bill No. 29, file folio 1155, entitled:

An Act proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

be placed upon the calendar, notwithstanding the negative recommendation of the Committee on Constitutional Reform.

Mr. BIDELSPACHER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. ALEXANDER. Mr. Speaker and members of the House, this bill which I have moved to place on the calendar notwithstanding the negative recommendation is House Bill No. 29, file folio 1155. From the letters which I have received I am satisfied that the members of this committee have reported this out with a negative recommendation, must have had the same idea as those who are writing letters about it. Everyone seems to think that this resolution is a bill creating an income tax in the Commonwealth of Pennsylvania. This is as far from the fact as it is possible for anything to be. Members of the House, this is an important matter, and I would like you to get what I am saying about it because it is important to all. As I said before, I believe that there is a misunderstanding about this resolution. This resolution was passed by the last House, and if passed by this House, it means a re-submittal to the people of the whole Commonwealth of Pennsylvania before the amendment can be made. Now, if you will look on the second page of this bill, you will see there that it provides that all taxes and this is the clause to be amended in the Constitution that all taxes shall be uniform upon the same class of subjects, and in the territorial limits of the authority levying the tax, and shall be levied and collected only under general laws; but subjects of taxation, and this is the amendment that is proposed, but subjects of taxation may be classified for the purpose of laying graded and progressive taxes, and in the case of inheritance income taxes exemptions may be granted. Now at the present time, there is not a thing to hinder this legislature, if it sees fit so to do, to pass an income tax. It doesn't mean any constitutional amendment to do that, but it does need a constitutional amendment to grade the inheritance tax, and if sometime in the future some legislature should see fit to pass an income tax, as they did some years ago to pass an inheritance tax, that legislature may at that time grade that tax. There is nothing incumbent upon that legislature by reason of this to pass an income tax. It only says in the event that happens it permits that legislature to properly grade that income tax. It saves the advertising and submission again to the electorate of the Commonwealth to say whether or

not it shall be amended the second time. There is nothing in this clause whatever that affects the inheritance tax; nothing in this whatever, at this time, within the action of this legislature, but it refers the whole subject of this amendment to the people of the Commonwealth of Pennsylvania. If the people of the Commonwealth see fit to vote it down, that is their doing, but it seems to me that that clause of the Constitution should be amended, it should be amended so that the inheritance tax of today, so that the poor man who dies, leaving but $500.00 or $1000.00, should be permitted to have that tax either exempted entirely or be graded as inheritance taxes of the United States at the present time are. If you defeat this bill, I understand, of course, there is another bill at the present time relative to the grading of inheritance tax, but that means that if this bill is defeated, naturally, we will have to wait two years more before that bill is finally passed upon, before the people can vote upon it, and before we can have any relief in the grading and the exemption of inheritance taxes. And I say there must be some misunderstanding about this because anybody that is interested in this bill should see that there is no danger of an income tax by reason of this, and whether you have this bill or not, any legislature may pass an income tax later on, but they may not be permitted to grade that tax, which is the most important thing about it, and I would ask you to vote "aye" on this motion.

Mr. GOSS. Mr. Speaker, the bill under discussion, for which a reconsideration is asked, is bill number 29. If my memory serves me correctly, the bill only was introduced on the 25th day of January, 1921. It was reported out of the committee on April 7 1921, but due t oconfusion at that time, the members of this House did not have the opportunity to study the bill. In some respects I agree with the gentleman from Delaware in regard to the first portion of this bill in regard to the inheritance tax. It is very meritorious and we at the present time have a bill before the House introduced by my colleague, Miss MacKiney of Butler, covering that feature of the bill. The other feature of this bill is very objectionable. The phraseology of this bill is couched in such language, Mr. Speaker and gentlemen of this House, that it is very confusing. In the first place, it is the first step to burden the poor people of this State with a possible income tax, and I must concede to Mr. Alexander that he is anticipating, and his anticipations no doubt will be realized, if this blll s put back on the calendar for further consderation. I ask you gentlemen of the House to vote "no" upon the reconsideration of this bill.

Mr. BIDELSPACHER. Mr. Speaker, and members of the House, in rising to second the motion of the gentleman from Delaware, Mr. Alexander, I simply want to emphasize this one thing and that is, if this motion does not prevail we will have lost valuable time. A resolution of this kind was passed two years ago, a similar resolution, it is the identical resolution, in fact. If we pass this at this time then it is voted on by the people at the next election. If the motion is defeated and a substitute resolution is passed by this House, that substitute resolution must be passed again in two years from now and cannot be voted upon by the people until four years from this date. So far as the reference to the income tax is concerned, there is nothing whatever in this resolution that commits this general assembly or any subsequent general assembly to the enactment of an income tax. It simply provides that in the event at any time hereafter an income tax is passed by the general assembly that that income tax can be graded. All of you men of this House who are practicing attorneys know what a hardship the present inheritance tax works. Under the present law there is absolutely no chance to exempt any one from its provisions. A man may die and leave a large family with an estate of only one thousand dollars, so his family is removed but one step from absolute poverty, and yet we are helpless and that estate must pay two per cent. to the Commonwealth. I want to urge again the importance of having this motion prevail at this time, so that we may not lose valuable time.

Mr. SARIG. Mr. Speaker, ladies and gentlemen of the House, I believe that this bill is a joint resolution which we should place before the members of this House. I was a member in 1917 when the inheritance tax was passed. I remember distinctly that we had counted on some other sources of revenue, for instance, the manufacturers' tax and several others, but it so happened they were defeated and towards the end of the session we were placed in the embarrassing position that we were compelled to vote for this inheritance tax or go back to our people without providing the money needed for our hospitals, our schools, our roads and other necessities. If there ever was a thing for which I was ashamed afterwards, it was the vote I cast for that inheritance tax, although I did cast it, as I said before under a sort of pressure. It so happened right in my own neighborhood, less than six months after, that several deaths, fathers dying leaving small estates, a poor widow and three or four children, yet the State cut into that very meager amount and took 2% away from them. I say to you, if there ever was a vote of which I was ashamed it was that vote, and I feel now that when we have the opportunity to give the exemption, which we should give to the poor families left in destitute circumstances, we should take advantage of that opportunity, and we should place this bill before this House, and pass it so as to give the people of Pennsylvania a chance to vote whether they want such a measure or not. I believe it is fair also in regard to the income tax provisions as well as the inheritance tax provisions, and I believe that here in Pennsylvania we have placed the burden of taxation continually on that class of people who can least afford to pay it. We have placed the burden on real estate and it has been passed on in rents and taxes and in other ways to the poorer class of people, while there are wealthy corporate interests in this Commonwealth that have never paid their just share of the taxes.

This is a just measure, and for the benefit, and in behalf, of the common people of Pennsylvania, I believe we should place it on the calendar, pass it, and then put it up to the people of Pennsylvania whether they want it or not.

Mr. RHODES. Mr. Speaker and members of the House, The objection to this bill, in my opinion, is because of its ambiguity. As the bill is now drawn, it would open up taxation, graded and progressive taxes, on everything. It would not only be limited to inheritance or income taxes, but would take away the restraint of equality of taxation, so that the Legislature could lay graded taxes on everything. Therefore, I say the bill is vicious and should be defeated in its present form.

Mr. ALEXANDER. Mr. Speaker and members of the House, I do not quite follow the gentleman when he says that no tax except the inheritance tax should be graded. The fact is that it is beneficial in all instances that we might grade taxes. Of course, I cannot understand just what is in his mind that should not be graded. My idea is especially at this time to grade the inheritance tax, I have in my mind at the present time, as my friend Mr. Sarig has already related, one or two instances; one of them the case of two sisters who died within a month of each other. One left her estate to the other and under the collateral inheritance tax, the state took 10% of it and in

two weeks they took another 10% out of the same estate. With a resolution of this kind that could have been prevented. Surely we can leave it in the hands of the legislature to say what taxes should be graded. I have in my mind at the present time that under the United States Constitution and it seems to me we can make no mistake by amending the constitution of Pennsylvania to agree with that document, the Constitution of the United States which many of us believe was written by men who must have been inspired in order to write a paper of that kind, This simply follows in the line of that document and surely there can no harm come, there can be no benefit to anybody and that Constitution states that all taxes may be graded. who does not deserve, and should not have that benefit.

As has already been said, we lose about two years in passing a bill of this kind, when there can no harm come from a clause or phraseology of this kind in the bill. There is nothing in this that makes for an income tax. I want to say now that if I had any idea that this was the passing of an income tax, I would never move to put it on the calendar because I am absolutely opposed, especially at this time with our present system of taxation, to an income tax, and as I said, I feel sure that if that was the question at this time I would be one of the first to vote no on the question of an income tax.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Alexander and Mr. Bidelspacher and were as follows:

YEAS—93.

Alexander,	Eshelman,	Jones, E. P.,	Smith, G. A.,
Anderson,	Evans, B. P.,	Korns,	Smith, J. W.,
Aston,	Evans, J.,	Kunkle,	Stark,
Baker,	Fields,	Labar,	Staudenmeier,
Behney,	Flinchbaugh,	Lauver,	Sterling,
Bell, F. A.,	Fowler, A. I.,	Long,	Stevens, A. F.,
Betts,	Fratt,	Lucas,	Thomas, L. D.,
Bidelspacher,	Frazier,	Ludlow,	Thompson,
Blair,	Gallaher,	MacKinney,	Walker,
Bluett,	Gelder,	Marshall, J. G.,	Weamer,
Brewster,	Gilchrist,	Marshall, W. F.,	Wells,
Bromley,	Griffith,	McCurdy,	Whitehouse,
Brownmiller,	Gundy,	McDermott,	Whiteman,
Burns,	Hall,	Minehart,	Williams, G. W
Chaplin,	Harer,	Myers, G. C.,	Woner,
Clutton,	Henderson,	Ogle,	Wood, N.,
Craig,	Hetrick,	Orr,	Wood, W. P.,
de Young,	Heyburn,	Peelor,	Wright,
Diehm,	Hontz,	Rippman,	Zook,
Dietz,	Hoover,	Sample,	Goodnough,
Driggs,	Horne,	Sarig,	Speaker.
Eaches,	Howell,	Schleiter,	
Earley,	Jones, C. B.,	Schoener,	
Edmonds,	Jones, D. J.,	Sheridan,	

NAYS—86.

Albert,	Gorham,	Marcus, J.,	Perry,
Allman,	Goss,	Marcus, J. C.,	Pitts,
Armstrong,	Greeby,	Mathay,	Post,
Arthur,	Grimes,	McBride,	Price,
Baldi,	Guerin,	McCann,	Raymond,
Bell, W. T.,	Harter,	McClure,	Rhodes,
Berger,	Haslett,	McDaniel,	Richards,
Blumberg,	Haws,	McGowan,	Rinn,
Boback,	Heffernan,	Metcalf,	Sautter,
Brenneman,	Heffran,	McKim,	Schilling,
Brown,	Himes,	McVicar,	Schwartz,
Bush,	Johnson,	Miller,	Smith, H. J.,
Colville,	Keene,	Moffatt,	Smith, H.,
Coyne,	Kelly,	Moore,	Stoner,
Drinkhouse,	Kennedy,	Morrison,	Storb,
Dunn,	Kohler,	Munley,	Storer,
Flynn,	Little,	Myers, P. M.,	Thomas, M. G.,
Gibbon,	Lynch,	Nate,	Vickerman,
Glasgow,	Mack,	O'Boyle,	Wettach,
Goehring,	Malie,	Parkinson,	Wheeler,
Golder,	Mangan,	Patterson,	Williams, J. M.

So the question was determined in the affirmative and the motion was agreed to.

RESOLUTION RECALLING HOUSE BILL No. 232 FROM THE GOVERNOR.

Mr. HALL offered the following resolution which was twice read considered and adopted:

In the House of Representatives, March 23, 1923.

Resolved (if the Senate concur), That House Bill No. 332, file folio 263, entitled:

An act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADJOURNMENT IN MEMORY OF THE LATE HONORABLE WILLIAM E. CROW.

Mr. BURCHINAL offered the following resolution, which was twice read, considered and unanimously agreed to:

In the House of Representatives, March 26, 1923.

Whereas, The late Honorable William E. Crow was a former member of the Senate of Pennsylvania and in the eight sessions of the General Assembly during which he served he rendered faithful, valuable and conspicuous services to the Commonwealth of Pennsylvania and its citizens, and

Whereas, By reason of his ability and qualities of leadership he was honored by being elected State Chairman of the Republican party, in which capacity he rendered most faithful and valued service greatly to the deteriment of his failing health, and

Whereas, In recognition of his services as a Senator in the General Assembly and as the leader of his party he was honored by the Governor of the Commonwealth with an appointment as Senator in Congress of the United States; Therefore be it

Resolved, That when this House adjourn this week it do so in honor of the memory of the late Honorable William E. Crow, a former member of the Senates of Pennsylvania and of the United States.

RESOLUTION RECALLING HOUSE BILL No. 26 FROM THE GOVERNOR.

Mr. WHITEHOUSE offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, March 26, 1923.

Resolved, (if the Senate concur), that House Bill No. 26, Printer's No. 96, File Folio 369, entitled "An Act to amend section twenty-four of the act approved the seventh day of June, one thousand nine hundred and seventeen, (Pamphlet Laws, four hundred twenty-nine), entitled 'An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor;' providing for the sale of the real and personal property of decedent without known heirs, kindred or surviving spouse, and the payment of the net proceeds of such sale into the State Treasury," be recalled from the Governor for the purpose of amendment.

Ordered, That the clerk present the same to the Senate for its concurrence.

RESOLUTION RELATIVE TO ADJOURNMENT OUT OF RESPECT TO THE LATE HONORABLE GEORGE W. ALLEN.

Mr. STEEDLE offered the following resolution which was twice read, considered and adopted:

Resolved, That when the House adjourn to night it do so out of respect to the late Honorable George W. Allen, a former member of this House from Allegheny County.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GOLDER.

The House resumed the consideration on third reading of House Bill No. 45, entitled:

An Act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissioners in cities of the first and second class in relation thereto and providing penalties

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. GOLDER. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of a hearing and amendment.

Mr. WONER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. MATHAY. Mr. Speaker, I move that House Bill No. 850 entitled:

An Act to amend section three of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand twenty-four) entitled "An Act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" as amended

on page 13 of to-day's calendar, bills on second reading, be recommitted to the Committee on Labor and Industry for the purpose of a hearing.

Mrs. PITTS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the posponed calendar by Mr. EDMONDS,

The House resumed the consideration on third reading of House Bill No. 529, entitled:

An Act concerning aeronautics and to make uniform the law with reference thereto

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. EDMONDS. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of a hearing and amendment.

Mr. GOLDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

The SPEAKER asked and obtained unanimous consent to take up the second reading calendar at this time.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 582, as follows:

An Act to repeal an act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and seventy-nine) entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safekeeping discipline and employment of prisoners and the government and management of said jails or county prisons"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assmbly met and it is hereby enacted by the authority of the same That an act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and seventy-nine) entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" is hereby repealed

Section 2 The safe-keeping discipline and employment of prisoners and the government and management of the jails or county prisons in the several counties of the third and fourth classes shall vest in and be exercised by the official or officials who exercised said functions and who were in charge of the government and management of said jails or county prisons prior to the passage of the act hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 692, as follows:

An Act to repeal an act approved the sixth day of April one thousand eight hundred and two (Pamphlet Laws two hundred and sixty-five) entitled "An act authorizing the sale of Provisions Vegetables and Fruit in the markets of any city borough or corporate town within the Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the sixth day of April one thousand eight hundred and two (Pamphlet Laws two hundred sixty-five) entitled "An act authorizing the sale of Provisions Vegetables and Fruit in the markets of any city borough or corporate town within this Commonwealth" is repealed hereby

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 857, as follows:

An Act providing for the lapsing of unexpended or unencumbered balances of appropriations

Section 1 Be it enacted by the Senate and House of Repre-

sentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter unless otherwise specifically stated in the act making the appropriation the unexpended or unencumbered balances of all appropriations made for any purposes whatsoever shall lapse at the end of the day of May thirty-first of the second year following that in which the appropriations are made by the legislature and for this purpose the Auditor General and the State Treasurer shall consider as lapsed or as having reverted to the State Treasury under the terms hereof all such balances in appropriations as are not covered by requisitions filed in the Auditor General's Office on or before August first of the second year after that in which the appropriations are made by the legislature or which are not otherwise encumbered Such balances remaining in appropriations shall be regarded as unencumbered unless notices of encumbrances thereon together with satisfactory details thereof shall be filed with the Auditor General and State Treasurer by the proper official or officials on or before August first of the second year following that in which the appropriations are made

Any contracts or agreements encumbering appropriations notices of which encumbrances have been previously given to the Auditor General and State Treasurer according to the terms hereof must be completed and requisitions in the usual form filed in the Auditor General's office on or before May thirty-first of the fourth year following that in which the appropriations are made Otherwise the amounts represented by such notices of encumbrances shall likewise lapse and shall be no longer available for the purposes for which appropriated

Section 2 The unexpended balances in all appropriations made by the legislatures prior to one thousand nine hundred and twenty-three shall lapse as of May thirty-first one thousand nine hundred and twenty-three unless requisitions thereon are filed or the same are shown to be encumbered by notices of contracts or agreements filed with the Auditor General and State Treasurer by the proper official or officials on or before August first one thousand nine hundred and twenty-three

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 719, entitled:

An Act to amend section two three and thirteen and to repeal section eleven of the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and nine) entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof and prescribing penalties for violations of the provisions of this act" by clarifying certain provisions extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding

The first second, third and fourth sections were seperately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act aproved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and nine) entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof and prescribing penalties for violations of the provisions of this act" is hereby amended to read as follows

Section 2 After investigation and public hearing and with the approval of the Secretary of Agriculture the bureau may from time to time as far as practicable establish and promulgate standards for the grade and other classification of farm products and in co-operation with the Bureau of Standards of the Department of Internal Affairs the bureau may establish and promulgate standards for receptacles for farm products by which their quality value or quantity may be determined and may make regulations governing the marks brands and labels which may be required upon receptacles for farm products for the purpose of showing the name and address of the producer or packer or distributor the quantity nature and quality of the product or any of them and for the purpose of preventing deception with reference thereto The provisions of this paragraph shall not apply to canned farm products

Any standard for any farm product or any standard for any receptacles for farm products or any requirement for marking receptacles for farm products now or hereafter made mandatory under authority of the Congress of the United States shall forthwith as far as applicable be established or prescribed and promulgated by the bureau as the official standard or requirement in this state

No standard established or requirement for marking prescribed under this section shall become effective until the expiration of not less than six months after it shall have been promulgated

Section 2 That section three of said act is hereby amended to read as follows

Section 3 Whenever any standard for the grade or other classification of any form products becomes effective under this act no person thereafter shall pack for sale offer for sale consign for sale or sell any such farm product grown manufactured or prepared within this State to which such standard is applicable unless it conform to such standard subject to such variations therefrom as may be allowed in the rules and regulations made under this act except that any such farm product may be packed offered or consigned for sale or sold without conforming to the standard for the grade or other clasification applicable thereto if the product or the package containing it is not described marked or labeled in such a way as to indicate or to appear upon ordinary observation that the product conforms to the standard

The director is authorized to make such rules and regulations under this act as may be deemed necessary to prevent deception with reference to any standards made effective under the act except as it applies to standard receptacles for farm products

Whenever any standard for a receptacle for farm products becomes effective under this act no person thereafter shall manufacture for sale or shipment sell offer for sale consign for sale or ship any receptacle either filled or unfilled to which the standard is applicable unless the receptacle conform to the standard subject to such variations therefrom as may be allowed in the regulations made under this act The Bureau of Markets and the Bureau of Standards of The Department of Internal Affairs by their joint action are authorized to make such rules and regulation under this act as may be deemed necessary to enforce the provisions of this section relating to standard receptacles for farm products

Whenever any requirement for the marking branding or labeling of a receptacle for farm products becomes effective under this act no person thereafter shall pack for sale offer for sale consign for sale or sell and deliver farm products in a receptacle to which such requirement is applicable unless the receptacle be marked branded or labeled according to such requirement or unless such product be brought from outside the State and offered for sale consigned for sale or sold in the original package

The director is authorized at any time to cause such investigations classifications and tests to be made and such certificates to be issued and upon payment or tender of ment of the market value thereof to cause such samples to be taken as he may deem necessary to enforce the provisions of this section

Section 3 That section thirteen of said act is hereby amended to read as follows

Section 13 Any person violating or failing or refusing to comply with any of the provisions of this act or with intent to deceive answers or reports falsely in response to any of

the requirements of this act or who willfully interfers with the director his employes or agents in the execution or on account of the execution of his or their duties prescribed in this act shall be prosecuted in a summary proceeding before any alderman magistrate or justice of the peace of the proper city or county and upon being convicted thereof shall be punished for the first offense by a fine of not more than twenty-five dollars and upon conviction of the second offense by a fine of not less than twenty-five dollars nor more than one hundred dollars and upon conviction of the third and each subsequent offense by a fine of not less than one hundred dollars nor more than five hundred dollars In default of the payment of any fine as aforesaid any person convicted shall be sentenced to serve one day in the jail of the proper county for each dollar of the fine and costs

Any violations of the provisions of this act relating to standard receptacles for farm products which may be established as herein provided for shall be prosecuted in a summary proceeding before any alderman magistrate or justice of the peace of the proper city or county by the inspectors of weights and measures of the respective cities and counties and the Chief of the Bureau of Standards of the Department of Internal Affairs and his deputies

Section 4 That section eleven of said act is hereby repealed

The title was read as follows:

An Act to amend sections two, three and thirteen, and to repeal section eleven of the act approved the ninth day of July, one thousand nine hundred and nineteen, (P. L. 809), entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture; providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof; and prescribing penalties for violations of the provisions of this act" by clarifying certain provisions, extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding.

On the question,

Will the House agree to the title?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the clerk as follows:

Amend title page 1 line 1 by striking out the word "section" and inserting in lieu theerof "sections"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 540, as follows:

An Act prohibiting persons from concealing changing or destroying manufacturers' serial numbers or identification marks upon machines or apparatus or from knowingly having any such machine in the possession and prescribing penalties for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person who shall remove alter deface cover or destroy the manufacturers' serial number or any other manufacturers' number or distinguishing number or indentification mark upon any machine or other apparatus for the purpose of concealing or destroying the identity of any such machine or other apparatus or who shall knowingly have in his or her possession any such machine or apparatus from which the manufacturers' serial number or any other manufacturers' number or distinguishing number or identification mark has been removed altered defaced covered or destroyed for the purpose of concealing or destroying the identity of such machine or other apparatus shall be liable to a fine of not less than one hundred ($100.00) or more than five hundred ($500.00) dollars or imprisonment for a period not to exceed six months or or both at the discretion of the court

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 395, as follows:

An Act to regulate the sale of caustic acid or caustic alkali preparations intended for household use and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of January one thousand nine hundred and twenty-four it is unlawful for any person or copartnership or corporation to sell at wholesale or retail within this Commonwealth any caustic acid or caustic alkali preparations intended for household use without affixing to the bottle box vessel or package containing the same a label printed or plainly written containing the name of the article the name and place of business of the manufacturer seller or distributor of such household preparation and in addition the word "Poison" which shall conspicuously appear thereon in capital letters not less than twenty-four point size or which shall be affixed thereto as a sticker conspiciously placed

The word "Caustic" shall within the intent and purpose of this act be construed to mean any preparation containing free or chemically unneutralized hydrochloric acid in a concentration of ten (10) per centum or sulphuric acid in a concentration of ten (10) per centum or nitric acid in a concentration of five (5) per centum or carbolic acid (phenol) in a concentration of five (5) per centum or oxalic acid in a concentration of ten (10) per centum or acetic acid in a concentration of twenty (20) per centum or hydrochlorous acid (calx chlorinata bleaching powder or chloride of lime) in a concentration of one hundred per centum (100) or potassium hydrate (caustic potash Vienna paste pearlash potassa carbonas) in a concentration of ten (10) per centum or sodium hydrate (caustic soda concentrated lye) in a concentration of twenty (20) per centum or silver nitrate (lunar caustic) in a concentration of five (5) per centum

Section 2 Any person or copartnership or corporation violating section one of this act of assembly is guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one hundred dollars and the costs of prosecution

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 416, as follows:

An Act to amend section three hundred and four of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An act relating to insurance amend-

ing revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred and four of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies association and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 304 Annual Meeting of Stockholders or Members Notice The annual meeting for the election of directors or trustees of any insurance company shall be held at such time on or before the first day of May as the by-laws of the company may direct of the time and place of which meeting at least thirty days' previous notice shall be given to the stockholders or in the case of a mutual company to the members by publication not less than three times in at least or two daily or weekly newspapers and in the legal periodical if any designated by the rules of the court of the proper county for the publication of legal notices published in the city or county wherein the company is domiciled

Section 2 All acts or parts of acts inconsistent herewith or supplied hereby are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 461, as follows:

An Act to better secure all bonds stocks mortgages or other securities deposited with the State Treasurer by providing for their inspection examination and verification and the verification of the books containing a record of such bonds stocks mortgages or other securities by the Auditor General or his agents

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Auditor General through such agents as he may select shall at his discretion but not less than twice yearly examine all the bonds stocks mortgages or other securities which under the law are deposited with the State Treasurer in whatever capacity and shall verify the books in which a record is kept of all such bonds stocks mortgages or other securities and for this purpose the Auditor General is hereby authorized to employ such consultants experts accountants or investigators as he may deem advisable A record of the results and date of such examination and verification shall be made in a book or books kept for this purpose in the office of the Auditor General

Section 2 The State Treasurer shall whenever demand is made upon him by the Auditor General submit for the inspection and examination of the Auditor General or his agents all such bonds stocks mortgages or other securities and the books containing the record thereof and his failure so to do shall disqualify him from holding his said office

Section 3 All acts or parts of acts insonsistent herewith are hereby repealed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreably to order,

The rule requiring bills to be considered in Committee of the Whole being in the case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 759, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine be amended by adding thereto the following section

Section 17 In addition to the purposes stated in article nine section four of this Constitution the State may be authorized by law to issue bonds to the amount of five millions of dollars for the purpose of acquiring and erecting buildings and equipping the same for the use of the Pennsylvania National Guard

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreably to order,

The rule requiring bills to be considered in Committee of the Whole being in the case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 434, as follows:

An Act to amend section four of an act approved the thirteenth day of May Anno Domini one thousand nine hundred and fifteen entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecution thereunder and establishing certain presumptions in relation thereto providing penalties for the violations of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" changing the maximum number of hours in the working day and working week for minors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act approved the thirteenth day of May Anno Domini one thousand nine hundred and fifteen entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their

employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the condition of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" is hereby amended to read as follows

Section 4 No minor under sixteen years of age shall be permitted to work in about or in connection with any establishment or in any occupation for more than forty-eight hours in any one week or more than eight hours in any one day or before six o'clock in the morning or after eight o'clock in the evening of any day In computing the maximum number of hours per day or per week permitted under this act the hours spent in school by said minors shall be considered as part of the working day or working week

Section 2 This act shall take effect on the first day of July Anno Domini one thousand nine hundred and twenty-three

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in the case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 623, as follows:

An Act to amend section five of an act approved the nineteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws two hundred and six) entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for the counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof" as amended by changing the provision for appointment of first assistant clerks so as to conform to the Constitution and giving to the Court and Register of Wills joint power to modify the salaries fixed for any assistant clerk

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the nineteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws two hundred and six) entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof" which was amended by section one of an act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and eight) entitled "An Act to further amend the fifth section of an act entitled 'An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof' approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes" is hereby further amended to read as follows —

Section 5 The register of wills of each and every county containing over one hundred fifty thousand inhabitants in which a separate orphans' court is or may be hereafter established shall be clerk of such orphans' court and subject to its directions in all matters pertaining to his office The said register of wills may with the consent and approval of said court appoint assistant clerks Said clerks shall receive annual salaries payable monthly by the treasurer of said respective counties as follows to wit In counties of the first and second class the first assistant four thousand dollars the second assistant three thousand and the third assistant twenty-three hundred dollars and in counties of the third class the first assistant thirty-five hundred dollars the second assistant twenty-five hundred dollars and the third assistant eighteen hundred dollars and in counties of the fourth class the first assistant twenty-five hundred dollars the second assistant two thousand dollars and the third assistant fourteen hundred dollars the annual salaries of all other assistants to be fixed by the judge or judges of the said court but said annual salaries not to exceed two thousand dollars each in counties of the first and second class fifteen hundred dollars each in counties of the third class and twelve hundred dollars each in counties of the fourth class which salaries shall be paid out of the fees of said office paid into the treasury of the county upon bills attested by said register and countersigned by a judge of said court Provided however That in any case where the court and the register of wills acting jointly shall certify that the clerk holding any of the positions hereinbefore mentioned by reason of special experience or efficiency is justly entitled to compensation exceeding that hereinbefore mentioned the said court and register may fix the salary of such clerk at an amount not more than twenty per cent greater than that mentioned as aforesaid But in the event that the fees received in said office of register of wills be not sufficient to fully pay the register and his assistants then payment shall be made in full to the said register of wills but to his assistants in manner as follows namely where there are more than one assistant then the balance of fees remaining to the credit of said office of register of wills shall be divided among each of said assistants in proportion as his salary shall stand to the whole

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreably to order,

The rule requiring bills to be considered in Committee of the Whole being in the case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 600, as follows:

An Act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic the United-Spanish War Veterans and American Legion a part of the public records of the State and providing for their publication and distribution

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the department commanders of the Grand Army of the Republic The United-Spanish War Veterans shall report to the Secretary of Internal Affairs the proceedings of the annual encampment or conventions of their respective departments with such general and special orders and circulars and other data which may form a part of said proceedings then the said proceedings so reported shall be considered State records and under the direction of the Secretary of Internal Affairs shall be printed and bound and a printed and bound copy thereof shall be sent to each post in the State of Pennsylvania of the organization of whose proceedings the same is a report

Section 2 Not more than one thousand copies of each of annual reports shall be printed and bound and the balance remaining after the distribution provided for in section one of this act may be requestioned as follows The State Librarian three hundred copies the Legislative Reference Bureau and the Senate Library ten copies and the executive head of the organization of whose proceedings it is a report the remaining copies

Section 3 The act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and ninety-eight) entitled "An act entitled an act to make the proceedings of the Department of Pennsylvania Grand Army of the Republic a part of the public records of the State" is hereby repealed

All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 690, as follows:

An Act requiring the judges of all courts of record to render their decisions within six months after the trial or argument of a case or after a petition is presented

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all suits actions or causes whatsoever including petitions rules and motions which have heretofore been brought or which may hereafter be brought in any court of record either in law or equity the judge or judges hearing the case shall render under their signature their decision decree order or opinion as the case may require within six months from the date of the trial or hearing or argument of the same or from the date any such petition shall have been presented Nothing in this act however shall require any such decision decree order or opinion to be rendered within six months from the date of the approval of this act

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 760, as follows:

An Act to amend section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the term "deceased service man" as used in this act shall be defined and construed to mean and include any soldier sailor marine or members of the enlisted nurse corps having a legal residence within their county who has died or shall hereafter die any where within or without the United States while in the service of the United States in the military naval or other branch of the combative forces of said United States during any war in which the United States has been or shall hereafter be engaged or where a state or condition of war has existed or shall hereafter exist in the United States or any foreign country or territory or upon the high seas or of any honorably discharged soldier sailor or marine who served or who shall hereafter serve in any such combative force of the United States during any war in which the United States has been or shall hereafter be engaged or who has served or shall hereafter serve in any such combative force of the United States where a state or condition of war existed or shall hereafter exist in the United States or any foreign country or territory or upon the high seas or any such honorably discharged soldier sailor marine or member of the enlisted nurse corps who has died within the county although his residence may be elsewhere whenever the body of said soldier sailor marine or member of the enlisted nurse corps is unclaimed by any relatives or friends and the county commissioners are notified of the condition in writing giving the facts by any organization of veterans said county commissioners shall investigate the case and if the claim is found to be correct they shall treat the same as the body of a deceased service man or who was in active service in the militia of the State of Pennsylvania under and in pursaance of any proclamation issued by the Governor during the Civil War and not only mustered into the service of the United States and has been or hereafter shall be honorably discharged or releived from such service and shall hereafter die within their county or shall die beyond their county and shall have a legal residence within their county at the time of his death

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 697, as follows:

An Act making it unlawful for any county city borough or incorporated town to prohibit the wearing of certain military insignia by its employees upon their uniforms

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any county city borough incorporated town or township or any department or bureau thereof to forbid or prohibit by ordinance rule or regulating the wearing by any of its employees or agents of any service bar or insignia provided or authorized by the United States Government indicating military service in any war upon any part of the uniform worn by them as employees or agents of said county city borough incorporated town or township

Section 2 All acts or parts of act inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 758, as follows:

An Act to amend section twenty-three of the act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and

proceedings in actions for damages arising from the use of any motor vehicle" as amended providing for the increase of punishment for violation of any of the provisions of said section

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-three of the act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle" which was amended by the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and eighty-two) entitled "An act to amend an act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight entitled 'An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle' providing additional requirements with regard to applications for and transfers of registrations and with regard to speed and weight of and lights upon motor vehicles requiring operators to carry registration certificates providing standard tests to ascertain the vision and hearing of operators providing for the payment of certain witness fees authorizing officers to stop and examine motor vehicles designating the officers before whom information may be brought and imposing additional penalties" is hereby further amended to read as follows

Section 23 No person whether an employee of the owner or custodian of any motor vehicle or not shall tamper with or make use of or operate ony motor vehicle without the knowledge or consent of the owner or custodian thereof

No person shall operate a motor vehicle while under the influence of intoxicating liquor or any narcotic or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic drugs to operate any motor vehicle owned by him or in his custody or control

No person shall take part in any race or speed contest for a prize or wager or otherwise upon any public highway or attempt to establish or lower any speed record upon any public highway

Any operator of a motor vehicle who shall have injured the person or property of any other user of the highway shall stop and render such assistance as may be necessary and shall upon request give his name and address to the injured party or his proper representative This provision shall apply to the owner of the motor vehicle if present whether he was operating such motor vehicle or not

No person shall turn off any or all of the lights on a motor vehicle for the purpose of avoiding identification or arrest

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred ($100) dollars nor more than five hundred ($500) dollars or to undergo imprisonment not exceeding three (3) years or both at the discretion of the court and the clerk of the court in which such conviction is had shall certify forthwith such conviction to the State Highway Commissioner who shall suspend or revoke the license issued to such person and no other license shall be issued to such person for a period of three (3) years following such suspension or revocation

And said bill having been read at length the second time and agreed.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 691, as follows:

A Supplement to the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and twenty-two) entitled "An act creating a Commission to select an historic spot as a cemetary for theburial of bidies of soldiers sailors marine war nurses and members of the National Guard defining the powers and duties of the Commission and making an appropriation" extending the time for the making of the report of the Commission and making an additional appropriation

Whereas The Commission to select an historic spot as a military cemetary was appointed shortlv before the session of the General Assembly of one thousand nine hundred and twenty-three and has therefore been unable to complete its work therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commission appointed by the Governor pursuant to the provisions of the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and twenty-two) entitled "An act creating a Commission to select an historic spot as a cemetery for the burial of soldiers sailors marines war nurses and members of the National Guard defining the powers and duties of the Commission and making an appropriation" shall make a report of its work to the General Assembly of one thousand nine hundred twenty-five and shall include in such report a statement of the appropriation necessary to secure lands for such cemetary

Section 2 The sum of five hundred dollars in addition to the unexpended balance of the appropriation made in said act of the twenty-sixth day of April one thousand nine hundred and twenty-one is hereby appropriated to the said Commission to carry into effect the provisions of said act

Section 3 That section three of the act to which this is a supplement be and the same is hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 707, as follows:

An Act to amend section seventy-nine of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" providing for the increase of punishment in cases of involuntary manslaughter

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventy-nine of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" is hereby amended to read as follows

Section 79 If any person shall be charged with involuntary manslaughter happening in consequence of an unlawful act it shall and may be lawful for the district attorney with the leave of the court to waive the felony and to pro-

ceed against and charge such person with a misdemeanor and to give in evidence any act or acts of manslaughter and such person on conviction shall be sentenced to pay a fine not exceeding three thousand dollars and to suffer an imprisonment not exceeding seven years or the district attorney may charge both wilful and involuntary manslaughter in the same indictment in which case the jury may acquit the party of one and find him or her guilty of the other charge

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 862 (Senate Bill No. 75), entitled:

An Act to amend section seventy-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth" by providing the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventy-five of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth" is hereby amended to read as follows:

Section 75 That every person convicted of the crime of murder of the first degree his aiders abettors and counsellors shall be sentenced to suffer death in the manner provided by law or to undergo imprisonment for life at the discretion of the jury trying the case which shall fix the penalty by its verdict the court to impose the sentence so fixed as in other cases In cases of pleas of guilty the court where it determines the crime to be murder of the first degree shall at its discretion impose sentence of death or imprisonment for life and it shall be the duty of the clerk of the court wherein such conviction takes place and he is hereby required within ten days after such sentence of death to transmit a full and complete record of the trial and conviction to the Governor of this Commonwealth

On the question,

Will the House agree to the section?

Mr. GOLDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page2, line3, by eliminating from the bill from line 3, to line 12, both inclusive.

Amend section 1, page 2, line 16, by inserting before the word "manner" the following "in the"

On the question,

Will the House agree to amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section seventy-five of an act approved March 31, 1860 (P. L. 382,) entitled "An act to consolidate, Revise and Amend the Penal Laws of this Commonwealth"; by providing that the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 747, (Senate Bill No. 118), entitled:

An Act providing that the county controller shall be made a party defendant in all suits against any county

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 811, (Senate Bill No. 235) entitled:

An Act relative to the burial of the bodies of deceased widows of soldiers sailors and marines at county expense

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 865, (Senate Bill No. 302), entitled:

An Act authorizing and empowering the county treasurer in counties of the third class to appoint a solicitor prescribing his duties and providing for the compensation of such solicitor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 753, (Senate Bill No. 199), entitled:

An Act to exempt certain real estate of certain organizations of war veterans from taxation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 864, (Senate Bill No. 183), entitled:

An Act requiring prothonotaries to mark the time judgments are left at the office for entering providing for the priority of such liens to be determined according to such time

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of

the same That from and after the first day of July next each of the prothonotaries of the several courts of common pleas in this Commonwealth shall endorse upon each judgment and each revival of a judgment entered at such office and upon the judgment docket the time they are left at the office for such purpose

When two or more judgments or revivals are left upon the same day or when a judgment and a mortgage affecting the same property are left at the respective offices upon the same day the priority of the respective liens shall be determined according to the time entered

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 10 by inserting after the word "revivals" the following "of judgments which have lost their lien"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act requiring prothonotaries to mark the time judgments are left at the office for entering providing for the priority of such liens to be determined according to such time

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 746 (Senate Bill No. 100), entitled:

An Act to amend section ten of an act approved June 27, 1895, (P. L. 403) entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 749 (Senate Bill No. 194), entitled:

A supplement to an act approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," providing a procedure to incur or to increase indebtedness where the existing indebtedness is less than two per centum but the amount to be incurred exceeds two per centum of the assessed value of the taxable property; and providing that this act shall apply to pending proceedings.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 833, entitled:

An Act conferring the right on the Courts of Common Pleas of various counties to permit amendment of charters of corporations of the first class so as to permit any institution of learning which shall have been incorporated as a corporation of the first class to confer degrees upon any person who shall have satisfactorily passed a required course of study of such institution of learning

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for the courts of Common Pleas of any county of this Commonwealth or any Judge thereof upon petition duly presented by the directors or officers of an existing corporation of the first class incorporated for the purpose of instruction in any calling asking that their charter and rights be amended and their powers broadened so as to enable such corporation to confer appropriate degrees to persons who shall have satisfactorily passed a required course of study of such institution to grant such amendment and upon the granting of such amendment such institution of learning shall be authorized to confer appropriate degrees to any person who shall have satisfactorily passed the required course of study

On the question,

Will the House agree to the section?

Mr. PERRY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 1, by striking out the word "requirde" and inserting in lieu thereof: "required"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 That nothing in this act shall be construed to include such institutions as are set forth particularly in the Act of General Assembly dated the twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five (Pamphlet Laws three hundred thirty) or any of the supplements thereto

An Act conferring the right on the Courts of Common Pleas of various counties to permit amendment of charters of corporations of the first class, so as to permit any institution of learning, which shall have been incorporated as a corporation of the first class, to confer appropriate degrees upon any person who shall have satisfactorily passed a required course of study of such institution of learnings.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 720, as follows:

An Act to amend section seven hundred three Article VII of the act approved the third day of June one thousand

nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for compensation for forest fire fighting on private lands listed with the Department of Forestry for forest protection

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven hundred three Article VII of an act aproved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" is hereby amended to read as follows

Section 703 Land Owners—Nothing in this act shall be so construed as to relieve the owner or lessee of lands upon which fires may burn or be started from the duty of extinguishing such fire so far as may lie within his power

No owner or lessee of land upon which fire may burn or be started nor any person during employment with such owner or lessee nor any other person with a present vested interest in such land shall receive compensation under this act for extinguishing fire upon his land or the land to which his interest is attached Provided however That this provision shall not apply to the extinguishing of fires on lands which are listed with the Department of Forestry under agreement for the better protection management and development of such land for the present and future timber supply and where the expenditure on the part of the land owner for such purpose shall be not less than ten cents per acre per year of which assessments paid to any protection association co-operating with the Department of Forestry may be a part

No person who is responsible for the spreading of a fire to a woodlot forest or wild land nor any person in his employ may receive compensation from a fire warden for helping to extinguish such fire

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 722, as follows:

An Act to amend clause (h) of section one hundred and two Article I of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for the purchase lease building and maintenance of telephone lines for attachments thereto by private parties and appropriating the revenue derived therefrom

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (h) of section one hundred and two Article I of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" is hereby amended to read as follows

(h) He shall plan and put into effect as rapidly as convenient a system of fire-towers observation stations and a system of telephone lines which shall cover the regions subject to forest fires and for such purposes he may purchase the necessary material and equipment to build and and maintain such towers stations and lines and hire the necessary labor for the installation of such systems In maintaining systems of telephone lines he is authorized to buy or lease any existing lines He may permit the attachment of telephones of persons firms and corporations on such lines under such conditions and for such rental as may be agreed upon and shall through the Commissioner of Forestry deposit all moneys so received with the State Treasurer which shall be placed into the fund appropriated for forest protection purposes and such moneys shall be available upon requisition of the Commissioner of Forestry for the extension maintenance and upkeep of such telephone lines and for such purposes such moneys are hereby specifically appropriated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 723, as follows:

An Act authorizing counties cities boroughs and townships to appropriate moneys for forest work

Section 1 Be it enacted by the Senate and House of Represenatives of the Commonwealth of Pensylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of any county the council of any city or borough and the Commissioners or supervisors of any township may appropriate moneys from their respective treasuries to any forest protection association co-operating in forest work with the State Department of Forestry or to be expended in direct co-operation with said Department of Forestry in forest work

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 724, as follows:

An Act to amend section one thousand and five Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing alllaws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing further penal provisions for setting fire maliciously or otherwise to any woodlot forest or wildland

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand and five of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" is hereby amended to read as follows

Section 1005 Penalty for Causing (Forest) Fire on or within Woodlots Forests or Wild Lands—

(a) It shall be unlawful for any person to set fire to or cause to be set on fire either accidently or otherwise directly or indirectly in person or by agent any woodlot forest or wild land or property material or vegetation being or growing thereon without permission of the owner either by dropping lighted matches tabacco or other substances or in any other manner whatsoever or to start fires anywhere and permit them to spread to woodlots forest or wild land thereby causing damage to or destruction of such property as aforesaid

It shall be unlawful to use fire for the purpose of smoking out birds bees animals or any other creature from hollow trees logs or subterranean holes or caverns when by so doing the fire may or does spread to adjoining or neighboring woodlots forest or wild lands

Any person violating any of the foregoing provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined for each offense not exceeding five hundred dollars or undergo imprisonment not exceeding six months or both in the discretion of the court

(b) If any person shall maliciously set fire to or cause to be set on fire directly or indirectly in person or by agent any woodlot forest or wild land or property material or vegetation being or growing thereon such person shall be guilty of a felony and upon conviction shall be sentenced to pay a fine not exceeding five thousand dollars and be imprisoned in a penitentiary for a period not exceeding ten years

(c) This section shall not apply to the setting of a back fire in good faith to extinguish a fire then burning

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 725, as follows:

An Act to amend Article XII of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Article XII of said act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" is hereby amended by adding thereto section twelve hundred and two as follows

Section 1202 Definitions—(a) The term "person" as used in this act shall include not only individuals or natural persons but as well artificial persons existing only in contemplation of law and shall be construed to mean associations partnerships limited partnerships joint stock companies and corporations and their officers agents and employes

(b) The terms "woodlot" "forest" or "wild land" in this act are intended to include woods farmers' woodlots marshes brush barrens brush lands wild unseated uncultivated land and any land which has enough inflammable debris to constitute in the judgment of the chief forest fire warden a menace to life or property

(c) The term "set" shall cover all manner of ways in which woodlot forest or wild land fires may be started either by direct act or by an appliance or by indirection

(d) The term "nuisance" as used in this act shall include and apply to 1 Unprotected woodlots forests or wild lands covered wholly or in part by inflammable debris or otherwise likely to further the spread of fire which by reason of location or condition or lack of protection endangers life and property when adjoining lying near to or intermingling with other woodlots forests or wild lands 2 Movable and stationary engines of all kinds whenever their location condition or operation endangers by fire any woodlots forests or wild lands 3 A fire on or within woodlots forests or wild lands burning uncontrolled or without sufficient precaution being taken to prevent its spread

(e) The plural shall whenever the context warrants include the singular and the singular the plural

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 726, entitled:

An Act to amend an act entitled " An act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an act entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania togeather with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forest now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine nundred and fifteen (Pamphlet Laws eight hundred and twenty-five)" by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand seven hundred and one of an act entitled "An Act to amend an Act entitled 'An act to amend sections two thousand seven hudred and one and two thousand seven hundred and two of an Act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forests now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five)" is hereby amended to read as follows

Section 2701 The net receipts and proceeds derived in any way from or on account of the forest reservations now or hereafter acquired by this Commonwealth together with all water-powers and water-rights belonging to this Commonwealth in the streams rives lakes or other waters of this Commonwealth and all real estate owned by this Commonwealth which is not used for State or other public purposes all escheated estates in this Commonwealth and all other property or money which shall in any way accrue to such fund whether by Act of Assembly devise gift

or otherwise shall belong to and contitute a fund to be known and designated as "The State School Fund of Pennsylvania" which is to be maintained as herein provided Provided however That the forest reservations shall continue to be wholly under the control of the State Forest Reservation Commission as now provided by law

On the question,

Will the House agree to the section?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1 page 3, line 3, by underscoring the word "net"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections and title were separately read and agreed to as follows:

Section 2 That section two thousand seven hundred and two of said act is hereby amended to read as follows

Section 2702 All real and personal property belonging to the State School Fund shall be wholly under the control and management of the State Board of Education The net receipts derived in any way from or on account of the State forest reservations or from or on account of any real or personal property belonging to the State School Fund and all other moneys accruing to said fund shall always be promptly paid to the State Treasurer and kept by him in a separate account subject to the disposal of the State Board of Education as herein provided and the State Treasurer shall deposit said funds in the properly authorized depositories for State funds and shall add to such funds the interest received from the depositories for the use of the same All income derived from any investments of the State School Fund shall be paid to the State Treasurer and kept deposited as herein provided in a separate account subject to the order of the State Board of Education The State Treasurer and his bondsmen shall be responsible for the safe-keeping of and accounting for said funds in the same manner and under the same penalties as for the safekeeping of and accounting for the other funds of this Commonwealth

Section 3 All acts or parts of acts general local or special inconsistent with this act are hereby repealed

An Act to amend an act entitled, "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith,' approved the eighteenth day of May, Anno Domini one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), by providing that all receipts and proceeds derived in any way from, or on account of, the State forests now or hereafter acquired by this Commonwealth shall belong to, and form a part of, 'The State School Fund of Pennsylvania', approved the fourth day of June, Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws, eight hundred and twenty-five)", by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 729, as follows:

An Act to amend sections one thousand one one thousand two one thousand three and one thousand four Article ten of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden refusing to aid a fire warden hindering a forest protection officer in his duties or non-abatement of a nuisance caused by maintaining a special forest fire hazard

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand and one of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" is hereby amended to read as follows

Section 1001 Penalty for Neglect of Duty—If a fire warden shall fail to perform his duty or shall render a false or fraudulent statement or service alleged to have been performed or shall fail to pay promptly the respective amounts due those who have rendered service after said amounts have been transmitted to him he shall upon conviction in a summary proceeding before any magistrate alderman or justice of the peace be sentenced to pay a fine not exceeding one hundred dollars and in default of the payment of such fine and costs be imprisoned in the county jail one day for each dollar of fine and costs unpaid not however exceeding thirty days

Section 2 That section one thousand and two of said act is hereby amended to read as follows

Section 1002 Penalty for Refusing to Aid a Fire Warden—If any fire warden being in need of assistance in the suppression of fire shall call upon any person to render assistance and such person shall refuse without a just and fair excuse he shall upon conviction in a summary proceeding before any magistrate alderman or justice of the peace be sentenced to pay a fine not exceeding one hundred dollars and in default of the payment of such fine and costs be imprisoned in the county jail one day for each dollar of fine and costs unpaid not however exceeding thirty days

Section 3 That section one thousand and three of said act is hereby amended to read as follows

Section 1003 Penalty for Hindering an Officer in His Duties—A person who shall prevent or obstruct or attempt to prevent or obstruct a fire warden or ex officio fire warden in the performance of a duty required by this act or the exercise of the rights of entry access or examination by any warden or officer of this bureau shall upon conviction in a summary proceeding before any magistrate alderman or justice of the peace be sentenced to pay a fine not exceeding one hundred dollars and in default of the payment of such fine and costs be imprisoned in the county jail one day for each dollar of fine and costs unpaid not however exceeding thirty days

Section 4 That section one thousand and four of said act is hereby amended to read as follows

Section 1004 Penalty for Non-Abatement or Removal of Nuisance—Every person or corporation refusing to comply with an order of the chief forest fire warden for the abatement of a nuisance under this act shall upon conviction in a summary proceeding before any magistrate alderman or justice of the peace be sentenced to pay a fine not exceeding one hundred dollars and in default of the payment of such fine and costs be imprisoned in the county

jail one day for each dollar of fine and costs unpaid In construing or enforcing the provisions respecting the abatement of nuisances under this act the neglect or refusal of any officer agent or other person acting for or employed by a corporation and having within the scope of his employment the supervision of the property complained about shall in every case be deemed to be the neglect or refusal of the corporation itself

Every day's continuance in the non-abatement of a nuisance after an order by the chief forest fire warden to abate the same shall be a separate and distinct offense

If a preliminary injunction be granted or any interlocutory order of supersedeas intervene no penalty shall be incurred on account of non-abatement of such nuisance for the period of time such injuncticon or supersedeas is in force

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreebly to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 134, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine be amended by adding thereto the following section

"Section 16 In addition to the purposes stated in article nine section four of this Constitution the State may be authorized by law to issue bonds to the amount of twenty-five millions of dollars for the purpose of acquiring land in the State forest purposes"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreebly to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 234, as follows:

An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the laws relating to game and other wild birds and wild animals are amended revised consolidated and changed as hereinafter provided

ARTICLE 1

PRELIMINARY PROVISIONS

Section 101 DEFINITIONS Whenever used in this act unless a contrary intention is evident from the context word "person" shall include individuals copartnerships associations and corporations the singular shall include the plural and the masculine the feminine and neuter

The word "Board" shall mean the Board of Game Commissioners

The word "Secretary" shall mean the Executive Secretary of the Board of Game Commissioners

The term "game-birds" shall include (a) the anatidae commonly known as swan geese brant and river and sea ducks and (b) the pygopodes commonly known as loons and grebes (the members of these two orders being commonly known as wild water-fowl) (c) the rallidae commonly known as rails coots mudhens and gallinules (d) the limicolae commonly known as shore-birds plover surf-birds snipes woodcock sandpipers tattlers and curlew (e) the gallinae commonly known as wild-turkey grouse pheasants partridges and quail and (f) the birds commonly known as reed-birds and black birds

The term "game animals" shall include (a) the wapiti or elk (b) the deer (c) the bear (d) the wild rabbit and hare (e) the red gray black and fox squirrel and (f) the raccoon

The word "game" shall include "game-animals" and "game-birds"

The term "fur-bearing animals" shall include (a) the mink (b) the muskrat (c) the opossum (d) the otter (e) the raccoon (f) the skunk commonly called the polecat and (g) the beaver

The word "vermin" shall include all wild animals not classed as game animals or fur-bearing animals and all wild birds other than game birds and protected birds

The term "unprotected birds" shall include (a) the blue jay (b) the English sparrow (c) the European starling (d) the kingfisher (e) the buzzard (f) the goshawk (g) the sharpshinned hawk (h) the Cooper's hawk (i) the red-tailed hawk (j) the red-shouldered hawk (k) the broad-winged hawk (l) the marsh hawk (m) the rough-legged hawk (n) the duck-hawk (o) the pigeon hawk (p) the barred owl (q) the great gray owl (r) the great-horned owl (s) the snowy owl (t) the hawk owl (u) the crow (v) the bule heron (w) the green heron and (x) the night heron

The term "protected birds" shall include all wild birds not included within the terms "game birds" and "unprotected birds"

The term "wild birds" includes all birds other than domestic birds

The term "open season" shall mean the time during which game or fur-bearing animals may be legally taken or killed and shall include both the first and the last day of the season or period designated by this act

The term "close season" shall mean the time during which game or fur-bearing animals may not be legally taken or killed and includes all periods of time not included within the open season

Section 102 SHORT TITLE This act shall be known and may be cited as "The Game Law"

Section 103 EFFECT OF ACT ON EXISTING LAWS The provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal by this act of any provision of law shall not revive any law heretofore repealed or superseded nor shall such repeal affect any act done liability incurred or any right accrued or vested or affect abate or prevent any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

Section 104 CONSTITUTIONALITY The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not effect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included therein

ARTICLE II

BOARD OF GAME COMMISSIONERS

Section 201 APPOINTMENT OF BOARD OF GAME COMMISSIONERS

The Governor with the advice and consent of the Senate shall appoint six competent citizens of this State to be and act as a Board of Game Commissioners no two of whom shall be from the same Senatorial district The members of the Board shall hold office for the term of six years and shall receive no compensation for their services

Section 202 PRESENT BOARD CONTINUED The game commissioners in office at the date of the approval of this act shall until the expiration of their respective terms of office or until their successors are appointed hold their positions on the Board created by this act subject to removal by the Governor Of the first members of the Board of Game Commissioners appointed under the provisions of this Act two members shall be appointed for terms expiring the third Tuesday of January one thousand nine hundred and twenty-nine two members for terms expiring the third Tuesday of January one thousand nine hundred and twenty-seven and two members for terms expiring the third Tuesday of January one thousand nine hundred and twenty-five Thereafter such appointments of members shall be for terms of six years

SECTION 203 VACANCIES BY DEATH RESIGNATION OR REMOVAL Upon the death resignation or removal from office of any persons so appointed as aforesaid the Governor shall appoint a competent person to serve for the unexpired term

Section 204 MEETINGS OF BOARD ELECTION OF OFFICERS The Board shall have an office at the Capitol and shall hold meetings at such office on the first Thursday of January and July and at such other times and places within the State as the Board shall appoint for the transaction of business At the meeting held on the first Thursday of January of each year the Board shall elect one of its members as president and one of its members as vice-president Such officers shall hold office for a period of one year

Section 205 EXECUTIVE SECRETARY DUTIES AND POWERS The Board shall select a competent person to be known as the Executive Secretary who shall be their chief administrative officer and have charge of all activities under the jurisdiction of the Board He shall remain such during the pleasure of the Board and shall take the oath of office prescribed by the Constitution and file the same with the Secretary of the Commonwealth The Executive Secretary shall be the Chief Game Protector and shall have charge of direct supervise and control all other Game Protectors and employees of the Board The compensation of the Executive Secretary unless fixed by statute shall be fixed by the Board The Executive Secretary shall give bond to the Commonwealth in the sum of forty thousand dollars conditioned for the faithful performance of the duties of his office

The Executive Secretary shall occupy as his permanent headquarters the rooms assigned to the Board and shall be supplied from time to time by the Board of Public Grounds and Buildings such furniture equipment and office supplies as may be necessary for the use of the Board

The Executive Secretary shall have authority to have printed the biennial report of the Board and such bulletins literature posters and other printing as may be necessary to the work of the Board

Section 206 GAME PROTECTORS AND EMPLOYEES SECRETARY OF BOARD The Board shall appoint such number of competent men as in their opinion may be needed not exceeding the number approved by the Governor which number however shall not be less than eighty to discharge properly the duties devolving upon said Board whose powers and duties are hereinafter defined and who shall be known as Game Protectors Such number shall include men appointed Game Protectors and detailed to such administrative or office duty as in the opinion of the Board may be advisable The Board shall also appoint such employees and stenographers as may be deemed necessary The compensation and duties of such Game Protectors employees and stenographers unless fixed by statute shall be fixed by the Board All Game Protectors shall give bond in the amount of five hundred dollars unless a larger amount is required by the Board

Section 207 DEPUTY GAME PROTECTORS The Board may appoint competent men throughout the Commonwealth to be known as Deputy Game Protectors in such number as may be agreed upon with the Governor who shall possess the rights and powers given by law to game protectors and be subject to all requirements and regulations either of the law or of rules of the Board controlling the action of such game protectors Such Deputy Game Protectors shall not be entitled to recompense from either the county or Commonwealth for services rendered or expenses incurred in the performance of their duties unless specifically employed for special duties by written order of the Board or the Executive Secretary All Deputy Game Protectors shall give bond in the amount of three hundred dollars

Section 208 PRESENT GAME PROTECTORS CONTINUED All Game Protectors holding office at the date of the approval of this act shall remain in office until removed by the Board and the commissions of said officers shall continue in force under the provisions of this act with the same effect as prior to the passage of this act

Section 209 PURPOSE OF BOARD It is the duty of said Board to protect propagate and preserve the game fur-bearing animals and protected birds of the State and to enforce by proper action and proceedings the laws of this Commonwealth relating to the same The Board shall collect classify and preserve all such statistics data and information as in their judgment will tend to promote the objects of this act to take charge of and keep all reports books papers and documents which shall in the discharge of their duties hereunder come into their possession or under their control

Section 210 BIENNIAL REPORT It is the duty of said Board on or before the first day of June of each even numbered year to prepare and present to the Governor of this State a biennial report showing what has been done by them during the two calendar years immediately preceding the amount of money received by them and from what sources and the amount expended by them and for what purposes with such recommendations for legislative action as the Board may deem wise The Governor shall lay said report before the Legislature convening next after its receipt

Section 211 SECRETARY TO MAKE MONTHLY RETURN TO STATE TREASURER The Secretary to the Board shall at least once a month make return of all moneys received and collected under the provisions of this act to the State Treasurer to be applied to the purposes otherwise provided for in this act

Section 212 REPORTS BY PROTECTORS Each Game Protector shall keep a record of his official acts receipts and expenditures and at the close of each month make summary of such record with such statements in detail as shall be necessary and report the same to the Secretary At such intervals as the Secretary may direct not to exceed a period of six months each Game Protector shall file an affidavit covering the correctness of all accounts and reports rendered during the intervening period The Secretary shall report to the Board any negligence or dereliction of duty or incompetency on the part of any Protector with the facts relating thereto and shall make such further reports as may be required by the Board

Section 213 POWERS OF MEMBERS OF BOARD SECRETARY AND GAME PROTECTORS Each member of the Board the Secretary and each Game Protector shall have the power

(a) To enforce all laws relating to game and other wild birds and wild animals and to go upon any property outside of buildings posted or otherwise in the performance of his duty

(b) To execute all warrants and search warrants for the violation of the laws relating to game and other wild birds and animals

(c) To serve subpoenas for the examination investigation and trial of all offenses against the laws relating to game and other wild birds and animals

(d) To carry fire arms or other weapons concealed or otherwise in the performance of their duties and any such officer shall at all times be privileged to protect himself in the performance of his duties

(e) To arrest without warrant any person found in the act of violating any of the provisions of this act or in pursuit immediately following such violation or any person whom they have reasons to suspect as being an unnaturalized

foreign-born resident when such person has in possession a firearm or a dog of any kind

(f) To call upon any citizen of this Commonwealth for assistance in making arrests

(g) To search without warrant and examine any person or any boat conveyance vehicle game bag coat or other receptacle for game or any camp tent or cabin in the presence of any person stopping at or belonging to such camp tent or cabin or any roster when he has reason to believe that any of the laws relating to game or other wild birds and animals have been violated

(h) To secure and execute search warrants and in pursuance thereof to enter any building enclosure or car and to break open any apartment chest locker box trunk crate basket bag package or container and to examine the contents thereof

(i) To seize and take possession of all birds or animals which have been caught taken or killed or had in possession or under control or which have been shipped or about to be shipped at any time in any manner or for any purpose contrary to the laws of this Commonwealth

(j) To purchase or sell game which is otherwise forbidden for the purpose of securing evidence to be used in the prosecution of violators of the game laws and to dispose of the same in the manner hereinafter provided for seized game after it is no longer required as evidence

(k) To seize all guns shooting or hunting paraphernalia traps dogs boats decoys or other appliances used in violation of any of the laws relating to game or other wild birds or wild animals when making an arrest or found in the execution of a search warrant

(l) To administer any oath required by the provisions of this act or relative to any violation of any law relating to game or other wild birds or wild animals and where game is found in a camp or in possession or under control of any individual or hunting party to question such persons or persons under oath relative to the taking ownership or possession of the same

ARTICLE III

HUNTING LICENSES

Section 301 RESIDENTS OF STATE For the purposes of this article any person who has been a bona fide resident of this Commonwealth for a period of thirty days next preceding his application and was born in the United States of America or was fully naturalized under the laws of the United States shall be entitled to the license herein referred to as the Resident Hunter's License upon the further fulfillment of the requirements of this article

Section 302 RESIDENT LICENSE FEE Each such resident as provided in the preceding section upon application made verbally or in writing to any County Treasurer within the Commonwealth and the presentation of proof that he is a citizen of the United States and a bona fide resident of this Commonwealth under the requirements of this article and in the case of naturalized foreign-born applicants the production of such applicant's Naturalization papers and the production of such the payment to said County Treasurer of one dollar and ten cents shall be entitled to the license herein designated as a "Resident Hunter's License" and a tag with the number of the license thereon

Section 303 NON-RESIDENT LICENSE FEE Every non-resident of this Commonwealth such person being a citizen of the United States upon application made verbally or in writing to any County Treasurer or to the Secretary of the Game Commission at Harrisburg and the presentation of proof that he is a citizen of the United States and the payment of fifteen dollars to said County Treasurer or Secretary shall be entitled to the license herein designated as a Non-Resident Hunter's License" and a tag with the number of the license thereon

Section 304 THE LICENSE CERTIFICATE Said licenses shall be issued on a form prepared and supplied by the Board Such license shall bear a description of the person applying for the same setting forth the occupation the color of the hair and eyes any marks or scars peculiar to the applicant and such other description as the Board may require with the date of its issue In the case of foreign-born applicants such license shall contain the nationality of the person and all dates and numbers of the naturalization papers All licenses legally issued shall authorize the person named therein to hunt for and kill any wild animals or wild birds under the restrictions and requirements of existing laws during the period for which the license is issued the date of which is inscribed thereon Said Certificate before being valid must be countersigned by the licensee

Section 305 LICENSE PERIOD All licenses issued after January first one thousand nine hundred and twenty-three shall be in force until the thirtieth day of April one thousand nine hundred and twenty-four After the thirtieth day of April one thousand nine hundred and twenty-four all licenses shall be issued for the year beginning the first day of May and ending the thirtieth day of April of the year following In all cases however application for such license may be made and a license issued prior to the date upon which such license is in force

Section 306 LICENSE TAG The Board shall also furnish free of charge there shall be issued with each license a tag bearing the license number in figures at least one inch in height which tag said licensee is required to display on the outer garment on the back between the shoulders in such manner that all figures are plainly visible at all times while hunting The license tag for the current year only shall be displayed

Section 307 PERSONS AUTHORIZED TO TAKE APPLICATIONS FOR LICENSES It is lawful for any justice of the peace magistrate or notary public to take applications for such licenses for which service the applicant shall pay fifteen cents in addition to the license fee prescribed said fifteen cents to be retained by said official as his fee for taking such application and remitting payment therefore to the county treasurer of the county in which said official is located Such application and remittance shall be forwarded to the County Treasurer within twenty-four hours No license shall be issued at any place other than the office of the County treasurer except in the case of a non-resident who may secure his license at the office of the Board

Section 308 COUNTY TREASURER TO KEEP RECORD AND MAKE REPORT Each County Treasurer of this Commonwealth shall keep in a book to be supplied by the Board a correct and complete record of all "Resident and Non-Resident Hunter's Licenses" issued by him Such book shall be in the form of an alphabetical index Each County Treasurer shall enter therein at the close of each week the name and place of residence of each individual to whom a license shall have been issued during that week and to forward weekly to the Board on blanks furnished to him a complete list of licenses granted with names and addresses of licenses and such other information and data as the Board may require Said index shall be open at any reasonable hour to the inspection of any officer of the Commonwealth whose duty it is by law to protect the game of the Commonwealth

Section 309 COUNTY TREASURER TO COLLECT AND REMIT LICENSE FEES REPORTS COMPENSATION The County Treasurers of the several counties shall be agents of the Commonwealth for the collection of said license fees and for services rendered in collecting and paying over the same the said agents shall be allowed to retain for their own use the sum of ten cents from the amount paid for each Resident Hunter's License and fifty cents from the amount paid for each Non-Resident Hunter's License which amount shall be full compensation for services rendered by him in each case under the provisions of this act Each County Treasurer shall remit all balances arising from this source at least once a month to the State Treasurer upon a form to be supplied by the Board at the cost of the Commonwealth and shall in every instance forward a duplicate of such report to the Secretary All such moneys shall be placed in the game fund by the State Treasurer

Any County Treasurer who shall fail to comply with any of the provisions of this act relating to hunting licenses shall not be entitled to retain the sum hereinbefore fixed for his services but such sums shall be paid to the State Treasurer and if not so paid may be recovered by the Board by suit in the same manner as like amounts are now by law recoverable

Section 310 REVOCATION OF LICENSEE RIGHT TO HUNT DENIED The Board may revoke any hunter's license and deny any person the right to secure a license or to hunt anywhere with or without a license for a period of from one to five years if said person has either been convicted or signed an acknowledgment of violating any game law or if satisfied the holder of any license is unfitted physically or mentally to carry firearms or has been using firearms for the purpose of hunting while intoxicated Such license may also be revoked or any person be denied the right

to hunt by the Board upon receipt of proper transcripts or court records indicating that any person has been convicted in any court of record of having destroyed or carried away notices posted by the Commonwealth or personal property or crops of any kind on lands on which such person may be hunting or has been careless in the use of firearms while hunting and thereby caused injury to human life or live stock or has caused forest fires The license of any person convisted of a second or subsequent offense of violating any of the game laws shall be revoked by the Board as herein provided and such person is hereby denied the right to hunt anywhere with or without a hunter's license for a period of two years from the date of such conviction To revoke a license then in force or to deny by action of the Board any person the right to secure a license or to hunt anywhere for any period the Board shall send a written notice to that effect to such person at his address either by registered mail or have it delivered in person by a representative of the Board The Board shall supply to the County Treasurer of each county in writing the name address and the term for which such person has been denied the right to hunt together with any other data said Board may deem necessary

Section 311 CERTAIN ACTS DECLARED UNLAWFUL It is unlawful for any person

(a) Except in the defense of person or property to hunt or chase or to shoot at or kill or pursue with intent to take kill or wound any wild birds or wild animals with firearms or with a device of any kind propelling with force a leaden or metal pellet or bullet or through the use of traps or with any other device or instrument or by the use of dogs without first securing a license and license tag and wearing such tag and showing and displaying such license as required by the provisions of this article Nothing in this clause shall be construed to prevent any person under the age of fourteen years to trap for fur-bearing animals or vermin without securing a license

(b) Under the age of fourteen years to receive a hunting license under any circumstances whatsoever

(c) Under the age of sixteen years to receive a hunting license without presenting a written request therefor bearing the signature of his father or mother or legally constituted guardian

(d) Under the age of seventeen years to use firearms of any kind for the purpose of hunting any wild birds or wild animals unless accompanied by a person twenty-one years of age or over unless such hunting is done on the premises whereon such person resides

(e) To procure a license under an assumed name or in which an address other than his legal place of residence is given or to make any false statement whatsoever in securing a license

(f) To lend or transfer a license or tag to another

(g) To knowingly issue or aid in securing a license under the provisions of this act for himself or any other person not legally entitled to the same

(h) After being denied the right to hunt by action of the Board to hunt anywhere during the period such right has been denied with or without a hunter's license or

(i) After conviction of a second or subsequent offense of violating any of the game laws to hunt anywhere with or without a hunters license for a period of two years from the date of such conviction

Section 312 LEGAL HUNTING BY RESIDENTS WITHOUT LICENSE

Nothing in this article shall be construed to prevent any citizen of the United States residing within this Commonwealth from having a gun in his home or from using such gun in defense of either person or property or from shooting at targets or to prevent any bona fide owner or any bona fide lessee of lands within this Commonwealth or any member of the family or household other than hired help of such owner or lessee if such person is a citizen of the United States actually residing upon such lands in this Commonwealth from hunting thereon or by and with the consent of the owner thereof from hunting upon the lands immediately adjacent and conected with his own lands without securing the license provided for by this article unless the Board has denied or this act does deny to such person the right to hunt anywhere The burden of proof shall be upon any person so hunting to show that he was hunting lawfully

Section 313 PRIMA FACIE EVIDENCE OF HUNTING For the purpose of this act the fact that any person shall be found in possession of a gun trap or other device of any description usable for the purpose of killing or taking wild birds or wild animals or in the possession of the dead body of any wild bird or wild animal either in the field in the forests on the public highways or on the waters of this Commonwealth shall be considered "prima facie evidence" that such person is hunting and shall require him at all times to display his license tag for the current year as provided in this article and to show immediately upon demand his "Resident or Non-Resident Hunter's License" to any officer whose duty it is to protect the wild animals and birds or to show his license immediately upon demand by any owner or lessee or by any employe or representative of such owner or lessee upon whose lands such person may be found

Section 314 REBUTTAL OF PRIMA FACIE EVIDENCE DEPOSIT AND RETURN OF PENALTIES In all cases of arrest for violation of any of the provisions of the preceding section except where the dead body of any wild bird or wild animal is found in possession of the accused the affidavit of the person charged with such violation denying the charge made shall overbalance what is termed "prima facie evidence" in said section

Any person displaying his license tag properly but unable to produce immediately upon demand his hunter's license at once sign a proper acknowledgement and deposit with the officer accosting him the fine of twenty dollars stipulated in this article for which such officer shall give an official receipt such fine shall as soon as possible be forwarded by the officer in question to the Board with a report covering the case if the defendant desires a return of a fine so paid he shall file at the office of said Board at Harrisburg within twenty days an affidavit stating fully the reasons why he was unable to display said license immediately and give his description place of residence license number where same was secured and its date or attach the license itself whereupon said Board if satisfied that the purpose was not to violate the provisions of this article shall return such fine to the defendant otherwise the fine shall be deposited as hereinafter provided and the case considered closed

Section 315 REPORT OF GAME KILLED Not later than thirty days after the expiration of any Resident or Non-Resident Hunter's License issued under the provisions of this Article it shall be the duty of the licensee to forward to the Board at Harrisburg on a form attached to such license or on a form supplied by the Board upon request if the original form has been mislaid or lost a report of all wild birds animals killed by such lecensee during the period for which said license was issued

Section 316 PENALTIES Any non-resident of this Commonwealth who shall hunt chase trap take shoot at wound or kill or attempt to hunt chase trap take shoot at wound or kill any wild birds or animals without a non-resident hunting license having been lawfully issued to him shall be sentenced to pay a fine of forty dollars and costs of prosecution for each offense and each day shall be considered a separate offense

Any person who shall fail to sign his license certificate as hereinbefore provided shall be sentenced to pay a fine of five dollars and costs of prosecution

Any person who violates any of the provisions of this article except as above provided shall be sentenced to pay a fine of twenty dollars and costs of prosecution for each offense Provided That an additional fine of twenty dollars and costs of prosecution shall be imposed when any person is convicted of

(a) Hunting anywhere during any period of time that such right has been denied him by the Board or by this act or

(b) Securing a hunters' license either in his own or an assumed name during any period of time that he has been denied such privilege by the Board Each day shall be considered a separate offense

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall suffer imprisonment one day for each dollar of fine imposed

ARTICLE IV

SPECIAL LICENSES

Section 401 ACT NOT TO APPLY IN CERTAIN CASES This act shall not be construed to apply to or prohibit the taking of game and wild birds by any public zoological garden of the State or any public institution of the State wherein animals or birds are maintained alive for educational purposes or for the purpose of scientific study or experiment or to the Board or to its duly authorized agents acting for the State or to prevent the Board through its duly authorized agents from destroying birds or animals destructive to game in such manner as it may direct

Section 402 BOARD EMPOWERED TO GRANT LICENSES Under the conditions and limitations hereinafter prescribed the Board may grant licenses at their discretion good for the term of one year from their date Such licenses shall not be transferable Such licenses may be issued (a) to any person within this Commonwealth of known scientific attainment in ornithology or mammalogy (b) to any agent of any public museum in this Commonwealth (c) to a teacher or ornithology in any school within this Commonwealth (d) to any person within the Commonwealth desiring to breed or raise game in captivity and to sell the same (e) to any person desiring to possess breed or sell ferrets (f) to any person qualified to practice taxidermy and (g) to fur dealers or persons purchasing or receiving raw furs for commercial purposes

No person so long as he is legally acting under the authority of a license issued by the Board shall be liable to any of the penalties provided for in this act

Section 403 REPORTS BY HOLDERS OF LICENSES INSPECTIONS At the expiration of any license the holder thereof shall file a sworn statement on blanks supplied by the Board covering all his transactions thereunder before a renewal license may be granted The holder of each license shall keep a record of all transactions under his license and such record together with all plants and premises shall be open to inspection upon demand of any member or officer of the Board He shall also answer without evasion any question relative to the ownership of any bird or animal or part thereof found in his posession or under his control or that has passed through his hands that may be asked by any member or officer of the Board

Section 404 APPLICATIONS FOR LICENSES Any person firm association or corporation desiring a license as provided for in this article shall present a petition therefor on forms supplied by the Board and shall pay to the Secretary one dollar except in the case of breeders and dealers in ferrets in which case he shall pay to the Secretary twenty-five dollars All such license fees shall be paid into the State Treasury for the use of the game fund The petition shall be accompanied by the written statement of at least two well known citizens of the community in which the applicant resides certifying to his good character and to his fitness to be intrusted with the authority granted by such special license

In the case of applications for licenses by firms associations or corporations the petitions shall bear the name of the president or general manager and the license shall be issued in his name all petitions for propagating licenses shall be accompanied by the written description of the premises to be used for such purpose with the location thereof upon notification of the favorable consideration of any petition for a propagating license the applicant shall file with the Board a duly executed bond in the sum of five hundred dollars given to the Commonwealth conditioned for the faithful observation by the principal named in the license and his agents and employes of all the provisions of this act upon the conviction of the principal named in any such bond or any of his agents or employes of violating any of the provisions of this act such bond shall be forfeited to the Commonwealth

Section 405 COLLECTING LICENSES Licenses authorizing the holder to collect birds their nests with eggs found therein and animals protected by this Act for exhibition in public museums or scientific study or school instruction may be issued to (a) persons of known scientific attainment in either ornithology or mammalogy for scientific study or (b) agents of public museums for exhibition purposes or (c) teachers of ornithology in any school within the Commonwealth During the period covered by such licenses birds and animals may be taken in numbers not to exceed the following

	Number of Specimens of Each Species	Number of nests of Each Species and Eggs Found Therein
(a) Scientists in Ornithology or Mammalogy		
Protected birds,	Unlimited	Unlimited
Game birds,	Unlimited	Unlimited
Game and Fur-bearing animals,	Unlimited	Unlimited
(b) Agents of Public Museums		
Protected birds,	8	3
Game birds,	4	2
Game and Fur-bearing animals,	5	
(c) Teachers of Ornithology		
Protected birds,	4	1

The license shall be on a form prepared by the Board and shall indicate the classification of said license and the number of specimens that may be taken thereunder It is unlawful for the holder of a Collecting License to sell or exchange or ship from or remove out of this Commonweatlh without the written consent of the President of the Board any birds or nests or eggs or animals collected It is unlawful for the holder of any Collecting License to take in one year more than the number of birds nests with eggs or animals of any species than herein stipulated

Section 406 LICENSES TO PROPAGATE GAME Licenses issued to persons residing within this Commonwealth and of the age of twenty-one years or upwards and to associations and corporations resident within this Commonwealth shall authorize the holder thereof and his or its assistants to breed or raise game of any kind and to sell the same dead or alive or the eggs of game birds at any time under the regulations hereinafter provided

It is unlawful to breed or raise game of any kind in captivity or to sell eggs of game birds without a propagating license except game bred or raised and released for stocking purposes in a wild state or sold to the Board or bred and raised for home consumption only

Section 407 PREMISES USED BY PROPAGATING LICENSES For raising small game the premises used by holders of propagating licenses may be in such form as to the operator thereof seems best suited to his purposes so long as wild game is prevented from coming onto such property

For raising elk or deer the premises shall be surrounded by a wire fence of approved pattern with a height of not less than eight feet so constructed and maintained as to absolutely prevent wild elk or deer from entering in any manner into said premises Before the fence surrounding any such premises shall be closed all wild elk and deer that may be upon said territory shall as far as possible be driven therefrom by the owner under the direction of an officer of the Board

Section 408 DISPOSING AND REMOVING GAME FROM PROPAGATING PREMISES Where game of any kind is raised or eggs of game birds are produced on premises under authority of any propagating license it may be sold or given away and shipped alive from said enclosure for propagating purposes or may be killed within said enclosure for sale or gift without regard to sex or numbers at any time of the year under the following regulations

Before any live game of any kind raised under authority of any propagating license is shipped out of the Commonwealth it must be offered to the Board for propagating purposes and the Secretary shall within ten days advise the licensee whether it desires to purchase the same If not purchased by the Board it may be shipped to any other state or nation if properly tagged as hereinafter provided Game so raised when dead may be shipped anywhere if tagged properly

Before any game raised or eggs produced under authority of any propagating license are shipped or removed from any premises the licensee shall apply to the Board for a tag which shall be supplied at cost said tag shall be composed of two parts and when detached one part thereof containing the name and address of the purchaser and the kind and number of game or eggs shipped or removed shall be attached to the container or the bird or animal the other part of the tag containing the information required shall be immediately be returned to the Board the tag attached to a container or a bird or animal shall so remain until the eggs are removed from the container or the living bird or animal is released from the container or the dead body of any bird is sold or the dead body of any animal is cut up for retail purposes or final consumption at which time the tag

shall be removed by the person receiving the eggs or finally disposing of the bird or animal and shall at one be forwarded to the Board

It is unlawful for any licensee or his agent or employee to neglect to return to the Board any tag with the information thereon required or to kill sell give away remove or ship any game bred or raised or eggs of game birds produced under the authority of any propagating license except in compliance with the provisions of this section

It is unlawful for any person to neglect to remove and return to the Board any tag attached to any container or to any bird or animal except in compliance with this section

It is unlawful for any person to wilfully or wantonly remove or mutilate or destroy any tag attached to any container or bird or animal according to the provisions of this section except in the manner and at time and place provided for in this section

It is unlawful for any person to wilfully or wantonly remove or mutilate or destroy any tag attached to any container or bird or animal according to the provisions of this section except in the manner and at the time and place provided for in this section

It is unlawful for any person to wilfully use any tag of the kind provided for in this section for the carrying removal or shipment of game or the eggs of game birds taken or killed outside of premises used for propagating game under authority of a license or for the purpose of a second shipment of game or eggs from any such premises

Nothing contained in this section requiring the tagging of game or eggs shall apply to any game released within this Commonwealth or hatched from the eggs of game birds and released for stocking purposes or sold to any representative of the Board for propagating purposes

Section 409 POSSESSION BREEDING AND SELLING OF FERRETS It is unlawful for any person to breed or to sell ferrets or to offer to sell ferrets either for himself or as the agent of another or to have any ferret in his possession except by virtue of a license issued by the Board It is unlawful for any breeder or dealer in ferrets to sell or for any common carrier or the agent of any common carrier to deliver any ferret to any person within this Commonwealth unless the person to whom such ferret is to be sold or delivered shall possess a proper license to have such animal in possession Proof to the satisfaction of the person selling or delivering any ferret of the possession of any such license must be required by the production of the license or by inquiry made to the Board and a record shall be made of all sales by dealers showing the name address ferret license number and date of such license before the sale is consummated

Section 410 LICENSES TO TAXIDERMISTS Licenses issue to persons residing within this Commonwealth desiring to practice taxidermy for profit shall authorize the holder thereof to receive from any person any bird or animal that has been legally or accidentally killed and to keep such specimen or any part thereof in possession indefinitey and to tan or cure or mount the same either himself or through any legitimate employe It is unlawful for any person within this Commonwealth to practice taxidermy for profit without a license issued by the Board It is unlawful for the holder of any such license to sell or to ship from or remove or permit the removal out of the Commonwealth of any specimen of a bird or animal protected by this act without the written consent of the president of the Board The Secretary may issue a permit subject to the conditions or regulations therein stipulated to any licensed taxidermist authorizing the shipment of any specimen to fur-dressing tanning or taxidermy firms in other States for dressing tanning or mounting and return to said taxidermist

Section 411 LICENSES TO FUR DEALERS Licenses issued to persons to act as fur dealers shall authorize the holder thereof to receive or to purchase and to resell raw furs for commercial purposes It is unlawful for any person to purchase or receive or resell raw furs for commercial purposes without a license issued by the Board

Section 412 PENALTIES Any person violating any of the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

(a) For the sale or exchange or shipment or removal out of this Commonwealth of birds or nests or eggs or the taking of birds or eggs or nests contrary to the provisions of this article by agents of museums of teachers of ornithology or persons of scientific attainment in ornithology or mammalogy acting under the authority of any license twenty-dollars

(b) For the practice of taxidermy for profit without a license as provided in this article twenty-five dollars and in addition thereto twenty-five dollars for each specimen of a bird or animal protected by this act mounted or in possession for mounting

(c) For the sale or shipment from or removal from or the permitting of the removal from the Commonwealth by the holder of any taxidermy license of each mounted specimen of a bird or animal protected by this act without the written consent or permit required by this act twenty-five dollars

(d) For the breeding or raising of game in captivity without a propagating license contrary to the provisions of this article twenty-five dollars for each bird or animal so bred or raised

(e) For neglecting to return to the Board the part of the tag not attached to the container or bird or animal with the information thereon required or for the killing or sellng or giving away or removing or shipping of game bred or raised or eggs produced by the holder of any propagating license or his agent or employe contrary to the provisions of this article fifty dollars

(f) For neglecting to remove and to return to the Board as provided in this article the tag attached to any container or to any bird or animal ten dollars

(g) For wilfully or wantonly removing or mutilating or destroying a tag attached to a container or bird or animal contrary to the provisions of this article fifty dollars

(h) For wilfully using any tag for the carrying or removing or shipping of game or the eggs of game birds taken or killed outside of premises for propagating game under authority of license or for the purpose of a second shipment of game from any such premises contrary to the provisions of this article fifty dollars

(i) For the breeding or selling or offering for sale or having in possession or delivering any ferret contrary to the provsions of this article twenty-five dollars for each ferret

(j) For purchasing or receiving or re-selling raw furs for commercial purposes without a license as provided in this article twenty-five dollars

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall suffer imprisonment one day for each dollar of fine imposed

ARTICLE V.

HUNTING SEASON. BAG LIMITS.

Section 501. OPEN SEASON. The open season for game-birds and game-animals, Sundays excepted, is as follows:

KIND OF GAME	OPEN SEASON
Black birds and upland or grass plover,	From Aug. 1st to Nov. 30th.
Rail, coot or mud-hen, reedbird, sand-piper, tatler, curlew, Wilson or jacksnipe, or any other kind of shore-bird excepting Woodcock,	From Sept. 1st to Nov. 30th.
Woodcock,	From Oct. 1st to Nov. 30th.
All birds known as wild water-fowl,	From Oct. 1st to Jan. 15th.
Raccoon,	From Oct. 1st to Feb. 15th.
Ruffed grouse, commonly called pheasant, male ring-neck pheasant, Virginia partridge, commonly called quail, Gamble quail, Valley quail, and Hungarian quail, and gray, black and	

fox squirrel, ...
From Nov. 1st to Nov. 30th.
Red Squirrel, ...
From Nov. 1st to Aug. 15th next following.
Wild Turkey, ...
From Nov. 1st to Nov. 15th.
Wild Rabbit and Hare, ..
From Nov. 1st to Dec. 15th.
Bear, ...
From Nov. 1st to Dec. 15th.
Male deer, with two or more points to one antler: provided, a male deer with an antler eight or more inches long without points, measuring from the top of the skull as the deer is in life, shall be considered legal, ...
From Dec. 1st to Dec. 15th.
Male elk, with four or more points to one antler,
From Dec. 1st to Dec. 15th.

Section 502 BAG LIMIT It is unlawful for any person to kill in any one day or in any one season more game-animals or game-birds than hereinafter enumerated

Kind of Game	In one Day	In one season
Wild Turkey	1	1
Ruffed Grouse	3	15
Male Ring-neck Pheasants	2	6
Quail also known as partridge of the combined kinds	8	25
Woodcock	6	20
Squirrels including the fox black and gray combined	6	20
Wild rabbits	5	40
Hares	3	15
Bear	1	1
Bear (By hunting party)	4	4
Deer	1	1
Deer (By hunting party)	6	6
Elk	1	1
Elk (By hunting party)	1	1

Except as hereinafter otherwise provided every deer taken shall be a male deer having two or more points to one antler Provided a male deer having an antler eight or more inches long without points measuring from the top of the skull as the deer in in life shall be considered legal

Every elk taken shall be a male elk killed through the method known as "Still Hunting" only having not less than four points to one antler

Nothing contained in this section shall prohibit any owner who raises ring-neck pheasants strictly in captivity from killing any number of such birds during the open season on lands he may own or control

Secton 503 TRAPPING CERTAIN GAME BIRDS It is unlawful to trap quail of any kind and ring-neck pheasants from the first day of December to the first day of April next following the purpose of keeping them alive during the winter of for the purpose of separating a covey to increase the chances of propagation but for no other purpose whatever it is unlawful for any person to transport from one locality to another locality in this State any such quail or pheasant excepting by written permission of the president of the Board of Game Commissioners all birds thus taken shall be liberated in the spring as soon as the weather will permit

Section 504 POWER OF BOARD TO CLOSE COUNTIES TO HUNTING For the purpose of adding to the protection of game or fur bearing animals and to assist in its or their increase the Board upon petition may close for a term of years any county to the hunting of game birds game animals of any kind

Section 505 PETITIONS FOR CLOSE SEASONS Whenever at least two hundred citizens of any county representing a majority of the townships or boroughs at least fifty per centum of whom were regularly licensed during the preceeding season shall through petition certify to the Board that in their opinion an absolute close season is necessary to insure the better protection and consequent increase of game or fur bearing animals of any kind in that county and asking that such county be closed to hunting for a period the Board shall forward to said petitioners and others a form setting forth such questions as they may consider best suited to determine the game conditions in said county and the necessity for closing said county to hunting or trapping which forms with replies to entitles such answer to consideration before said Board shall be returned to the Board on or before the return day as fixed upon said forms such petitioners shall also publish for at least three consecutive weeks at their own expense in at least two prominent newspapers in the county the statement that such petition has been filed with its purposes and the return day as fixed by the Board and shall file with said Board duly certified copies of such notices on or before the return day

Section 506 PROCEDURE BEFORE BOARD If the written answers as returned shall fail to satisfy the Board that such close season is necessary or those opposing such action shall demand a hearing before said Board then a hearing shall be had such date and at such place within the county affected as may be decided upon by the Board The expenses of such hearing shall be paid by those demanding the same If after the receipt of the written answers or the public hearing or both the Board is satisfied such close season is necessary it is empowered to declare a close season not to exceed five years for such animals or birds or any of them

Section 507 ACTION OF BOARD TO BE ADVERTISED The Board to make such close season effective and binding shall be required to publish annually their decision and action regarding this matter in at least three newspapers if there be that many in each county affected thereby and to have notices of such action declaring such county closed to hunting or trapping printed and annually distributed in reasonable numbers throughout the affected territory

Section 508 PENALTIES Any person taking wounding or killing any game or fur-bearing animal in any county closed to hunting or trapping by action of the Board pursuant to the provisions of this article shall be liable to the fines provided for a violation of this article

Section 509 EXTENDING SEASON FOR SQUIRRELS RABBITS AND WOODCOCK REMOVAL OF PROTECTION

Upon receipt of a petition from any county containing the signatures of not less than two hundred citizens at least fifty per centum of whom were regularly licensed during the preceding season setting forth their desire for an extension of the open season for squirrels rabbits or woodcock or that squirrels or rabbits have become a nuisance in that county or any portion thereof stating the manner in which squirrels or rabbits have become a nuisance or their reasons for such desire with such other information as the petitioners may deem advisable the Board if after investigation is satisfied the conditions in such county warrant may declare such county or any township or townships thereof open during an additional season not exceeding one month at such time of the year as may be deemed necessary except between January first and August twentieth During any such special open season squirrels rabbit and woodcock may be killed and disposed of only under the same conditions and in the same number as during the general open season

The Board may extend such special open season from year to year so long as in their opinion conditions in such county warrant without a new petition being filed each year

To open a county or any portion thereof to the killing of squirrels rabbits or woodcock during a special season as herein provided a notice to that effect shall be published by the Board before the beginning of such special open season in not less than three newspapers of general circulation if there be so many published in the county affected once a week for at least two consecutive weeks setting forth the dates of any such special open season and the conditions governing same

Section 510 REMOVAL OF PROTECTION FROM BEARS Upon the receipt of a petition from any county containing the signatures of not less than two hundred citizens setting forth that bears have become a nuisance in that county stating the manner in which such animals are a nuisance and such other information as the petitioners may deem advisable the Board after investigation if satisfied the conditions in such county warrant may declare such county or portion thereof open during a special season to the killing in any number by it specified and at any time during the year of bears by any method except by the use of steel-traps or dead-falls It is unlawful for any person to kill bears during such special season unless such person shall comply with the provisions of this act relating to

hunters licenses and such regulations as the Board may prescribe

To either open a county to the killing of bears as herein provided or to revoke such declaration a notice to that effect shall be published by the Board in not less than three newspapers of general circulation if there be so many published in the county affected once a week for three consecutive weeks setting forth the date such action becomes effective and the regulations adopted Bears killed during any special season shall be disposed of only in the manner provided for the disposition of bears legally killed during the general season

Section 511 REMOVAL OR PROTECTION FROM FEMALE DEER SPECIAL DEER LICENSE Upon receipt of a petition signed at least two hundred residents of any county setting forth that deer have become a nuisance in that county or any township thereof stating the manner in which such animals are a nuisance the Board if satisfied that conditions warrant or if in their opinion the sexes are not balanced properly may declare such county or any township thereof open to the killing of large female deer through the use of legal firearms as hereinafter provided by residents of the Commonwealth during a special season not exceeding three days following the regular open season for deer During such special season the killing of female deer shall be in accordance with such rules and regulations as the Board may adopt

Ninety or more days prior to the date of any such special open season a notice shall be published by the Board in at least two newspapers of the county one time each week for three consecutive weeks setting forth the date or dates of such special season and the conditions governing same

Before any person shall hunt for female deer during a special open season declared by the Board such person shall have a Resident Hunter's License before hunting on any property where this act requires such license and shall also apply to and obtain from the board at Harrisburg a SPECIAL FEMALE DEER LICENSE the fee for which is hereby fixed at Five Dollars such license shall entitle the holder to kill one female deer Such special female deer licenses shall be issued only in such number for each county or township as the Board may deem advisable and shall be issued in the order of the applications made to the Board

It is unlawful for any person to hunt for or kill or attempt to kill female deer during any special open season declared by the Board unless complying with the provisions of this section relative to licenses and complying with the rules and regulations prescribed by the Board Deer killed during such special season shall be disposed of only in the manner provided for the disposition of deer legally killed during the general open season but no provision of this act relative to the number of deer that may be killed by any person or any hunting party or camp shall be construed to prevent the killing of female deer by any resident if legally authorized as herein provided

Section 512 PENALTIES Any person violating any of the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

For taking wounding killing or transporting from one locality to another within this State or for attempting to take kill or wound contrary to this article or any rules and regulations adopted by the Board

(a) Each elk two hundred dollars and six months' imprisonment

(b) Each deer one hundred dollars

(c) Each bear fifty dollars

(d) Each wild turkey ruffed grouse ring-neck pheasant quail or woodcock twenty-five dollars

(e) Each other bird or animal ten dollars

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall suffer imprisonment one day for each dollar of fine imposed

ARTICLE VI

FUR-BEARING ANIMALS

Section 601 OPEN SEASON FOR FUR-BEARING ANIMALS The open season for fur-bearing animals excepting racoons and beavers is from the first day of November to the last day of February next following The open season for racoons is from the first day of October to the fifteenth day of February Next following excepted

There is no open season for beavers

Section 602 UNLAWFUL TAKING KILLING POSSESSION ETC OF FUR-BEARING ANIMALS Except as otherwise provided in this act it is unlawful for any person to take or kill or wound or capture or attempt to take or kill or wound or capture any fur-bearing animal except during the open season or to have in possession the green pelt of any fur-bearing animal or any part thereof except during the open season therefor and for fifteen days thereafter

It is unlawful to buy or sell or offer to buy or sell or to ship out of this State any fur-bearing animal or any part thereof knowing the same to have been unlawfully taken

This section does not prohibit the possession at any time of fur-bearing animals killed or taken outside of this State or the possesion of the tanned or cured skins or any parts thereof of fur-bearing animals not unlawfully killed or the possession of live fur-bearing animals legally taken within this State during the open season

Section 603 ILLEGAL METHODS OF TAKING FUR-BEARING ANIMALS EXCEPTIONS In the taking or killing of fur-bearing animals it is unlawful to use poison explosives or chemicals or to smoke out or dig out any den or house of any kind or to cut den trees or to use steel traps unless visited at least once every thirty-six hours except when prevented by sickness or storm All traps so used must be marked with a metallic plate or tag attached to the trap or chain bearing in plain English the name and address of the owner and must be taken up or sprung at the end of the season

Nothing contained in this section shall prevent persons residing upon cultivated lands from digging out dens or houses of fur-bearing animals excepting beavers during the close season in fields which are under cultivation or from preventing any person from killing or capturing alive any fur-bearing animals excepting beavers at any time in any manner when found in the act of destroying personal property or in the immediate pursuit thereafter but in no case shall the pursuit be carried beyond the limits of the property upon which the damage is done The person killing or capturing any such fur-bearing animal or accidentally killing or capturing and injuring a fur-bearing animal during the close season while legally hunting or trapping for other animals in season shall immediately notify the secretary at Harrisburg and such animal or the pelt thereof shall be disposed of as may be directed by the Secretary Failure to notify the Secretary as herein provided shall constitute prima facie evidence of the unlawful killing or capturing of fur-bearing animals

Section 604 DISTURBING TRAPS OF ANOTHER LARCENY It is unlawful for any person to disturb the traps of another or to take a fur-bearing animal from the traps of another unless specifically authorized by the owner Any person taking a trap or taking a fur-bearing animal from a trap set by another is guilty of the larceny of personal property and punishable accordingly

Section 605 BEAVERS AND THEIR DAMS PROTECTED It is unlawful to kill or capture or to attempt to kill or capture any beaver within this Commonwealth or to destroy or disturb in any manner interfere with the dams or houses of such animals except upon special permit from the Board

Section 606 ARTICLE NOT TO APPLY TO BOARD Nothing contained in this article relating to the taking killing and possession of fur-bearing animals shall apply to the Board or any of its officers or agents while acting for the Commonwealth

When it is proven to the satisfaction of the Board that fur-bearing animals are excessively destroying property or otherwise becoming a nuisance in any section the Board may at any time remove or have removed such animals from that locality or direct the killing and disposition of same in such manner as the case may require

Section 607 PENALTIES Any person killing or capturing or attempting to kill or capture any beaver or destroying or disturbing or interfering with their dams or houses contrary to the provisions of this article shall be sentenced to pay a fine of one-hundred dollars and costs of prosecution for each offense

Any person violating any of the provisions of this article except as otherwise provided for shall be sentenced to pay a fine of ten dollars and costs of prosecution for each offense

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall suffer imprisonment one day for each dollar of fine imposed

ARTICLE VII

GENERAL HUNTING REGULATIONS

Section 701 UNLAWFUL TAKING KILLING POSSESSION ETC OF GAME Except as otherwise provided in this act it is unlawful for any person to take or kill or wound or attempt to take or kill or wound any game except during the open season or to have in possession either living or dead any game or any part thereof except game lawfully taken during the open season which may be had in possession during the open season therefor and for thirty days thereafter The burden of proof that game or any part thereof found in possession of any person after the close of the open season was lawfully taken shall be upon the person in whose possession such game or part thereof is found This clause does not prohibit the possession at any time of game killed or taken outside of this State or the possession of the tanned or cured skins or any parts thereof of birds or animals not unlawfully killed or the possession of live raccoons when lawfully taken during the open season

It is unlawful for any person to knowingly use any game that has been unlawfully killed or taken or to knowingly aid or assist in the concealment of any game unlawfully killed or to knowingly have in possession with intent to use or conceal the same any game or part thereof that has been unlawfully killed or taken

Section 702 HUNTING ON SUNDAY AND AT NIGHT It is unlawful for any person to hunt for or shoot at or chase or catch or kill or attempt to shoot at or chase or catch or kill with or without dogs any game upon the first day of the week commonly called Sunday or to hunt for or shoot at or catch or kill or attempt to hunt for or shoot at or catch or kill any game between one half hour after sunset of one day and one-half hour before sunrise of the day following except that raccoons and woodchucks may be hunted for and killed at any time either day or night during the open season Sundays excepted

Any person violating any of the provisions of this section shall be liable to the fine hereinafter provided

Section 703 LAWFUL METHODS OF HUNTING It is lawful to hunt for or catch or take or wound or kill game of any kind only through the use of a gun pistol or revolver of a kind the use of which is not hereinafter prohibited except

(a) That raccoons may be killed or captured in any manner if complying with the provisions of this act when using traps except that unless as a protection to property as hereinafter provided such animals may not be taken through the use of automatic firearms or poisons or explosives or chemicals or by smoking out or digging out dens or houses or cutting den trees

(b) That blinds and decoys in number as provided for in this act may be used in hunting wild water fowl

(c) That residents under the age of fourteen years may take rabbits not exceeding the bag limits provided by this act through the use of box-traps during the open season upon the lands whereon such persons reside if visited at least once every thirty-six hours

(d) That it is lawful to use steel traps with a spread of jaws not exceeding six and one-half inches if a metallic plate or tag is attached to each trap or chain bearing in plain English the name and address of the owner for the purpose of taking vermin so long as such traps are not set where rabbits or other game may be caught and such traps are visited once every thirty-six hours unless prevented by sickness or storm and at the end of the trapping season all traps are sprung or removed and

(e) In any manner for scientific purpose pursuant to a license issued by the Board

Section 704 UNLAWFUL METHODS OF HUNTING

(a) Unlawful methods and Devices

It is unlawful for any person to shoot at or to shoot for game unless the same is plainly visible to him or to dig out or smoke live game out of its den or place of refuge

It is unlawful to hunt for or catch or take or kill or wound or attempt to catch or take or kill or wound game or any kind excepting raccoons and woodchucks through the use of what is commonly known as an automatic gun or an automatic firearm of any kind or a swivel gun or an air-rifle or the the apparatus known as a silencer or from an automobile or vehicle or boat or craft of any kind propelled by any mechanical power or to set lay or prepare for use or to use any trap snare net bird-lime deer-lick pit-fall turkey-blind turkey-call or turkey-pen or to make use of or to take advantage of any artificial light battery or other contrivance or device or to make use of any method or device not specifically permitted by this act for the purpose of catching or taking or wounding or killing game

It is unlawful to hunt for or catch or take or kill or wound or attempt to catch or take or kill or wound raccoons except in the manner provided in the proceeding section

(b) Unlawful Manner of Hunting Elk Deer or Bear

It is unlawful to kill or attempt to kill any elk or deer or bear except through the use of a gun propelling one all-lead or lead alloy or soft-nosed or expanding bullet or ball at a single discharge or to take an elk in any manner except through the method known as still-hunting

(c) Unlawful to Kill Elk or Deer in Water

It is unlawful for any person at any time to shoot at or kill or wound or capture or attempt to kill or wound or capture either an elk or a deer while taking refuge in or swimming through the waters of any of the streams ponds or lakes

(d) Use of Dogs in Hunting Deer Elk Wild Turkey

It is unlawful for any person to make use of a dog in hunting elk or deer or wild turkey or squirrel and every person who takes a dog into the woods or who has possession or control of a dog in the woods and every person in a camp which has a dog in their possession or control or in which a dog is harbored shall be liable to the fines prescribed in this article for the unlawful chasing taking or killing of elk or deer or wild turkey or squirrel as the case may be if such dog within a radius of ten miles from said camp or from any point where such dog has been accompanied by such person or persons runs after pursues or follows upon the track of any elk or deer for a distance of one-half mile or does pursue or scatter wild turkeys

(e) Hunting with Ferrets

Except as otherwise provided in this act it is unlawful for any perosn to hunt for or catch or kill or cause or permit the hunting of hares or rabbits with or through the use of a ferret The fact that any person shall place a ferret in any hole or opening outside of buildings in which a rabbit might be found or shall be caught in the act of using a ferret in taking hares or rabbits or shall have a ferret in possession or under control in either the fields or forests or any vehicle upon the highways or on railroad or railway cars shall render such person liable to the penalty prescribed in this article Any ferret found running at large or found in the possession or under the control of a person not possessed of a ferret license or of a person convicted of violating any provision of this act shall be forfeited to the Commonwealth and shall be immediately killed by the officer or citizen into whose hands such animal may come

(f) Unlawful Crafts

It is unlawful to hunt for or pursue or to follow after with intent to kill game of any kind from or with or through the use of any boat or craft propelled by any means other than oars or pole or hand-paddle Any person using a craft or boat for such purposes contrary to this section or the captain or owner or other person in charge of such boat or craft who shall allow or knowingly permit the same to be used contrary to this section shall be liable to the fines provided for in this article

(g) Hunting with Decoys

It is unlawful for any person or for any number of persons acting together to place in any of the waters of this Commonwealth for the purpose of attracting wild waterfowl more than thirty-six specimens of artificially prepared wooden ducks or ducks of any character commonly used as decoys or to shoot over or attempt to control more than thirty-six such decoys so placed as to cover not exceeding one-fourth of a mile upon any stream or lake

It is unlawful for any person or for any number of persons acting together to use decoys unless each specimen is

marked with a metallic plate or tag giving in plain English the name and address of the owner or owners or to have such decoys in the water more than thirty-six hours without removing them for at least twelve hours before replacing in the water

Section 705 UNLAWFUL KILLING OF ELK AND DEER It is unlawful for any person at any time by standing on watch or otherwise to kill or attempt to kill a second male elk or a second male deer in one season It is unlawful for any person at any time to shoot at or wound or kill or attempt to shoot at or wound or kill or have in possession a female elk or a female deer or any part thereof or a male elk or a male deer found in a wild state or any part thereof that may not be lawfully taken except as otherwise provided by the laws of this Commonwealth relating to the taking of game animals and game birds under authority of a license issued by the Board

Section 706 POSSESSION OF DEER OR ELK WITHOUT HEAD ATTACHED

The possession or control of a deer or elk or of any portion of either of such animals shall be prime facie evidence that such animal was killed unlawfully in this Commonwealth unless the head bearing antlers as hereinbefore provided is attached in a natural way Each person in whose possession or under whose control the same may be found or whom may be proven to have had such animal or part thereof in possession or under control shall be liable to the penalty provided in this article for the unlawful killing of elk or deer as the case may be unless such person shall immediately upon demand made by an officer of the Commonwealth whose duty it is to protect game produce the head bearing such antlers or shall swear that the flesh in question found in his possession or proven to have been under his control is a part of a deer or elk legally killed in the Commonwealth both or either as in the mind of the officer investigating may be considered necessary

Section 707 HUNTING REGULATIONS FOR PARTIES HUNTING LARGE GAME TAGGING LARGE GAME

Each camp or body of men hunting together for elk or deer or bears shall at all times while hunting maintain a roster or record giving in plain English the name address and license numbers of all persons hunting with that party at any time during that season such roster or record shall be kept at the camp boarding house or other stopping place and if not in a camp or stopping together in the possession of the leader or captain of such party such roster or record shall at all times be open to inspection by any officer whose duty it is to protect the game of the Commonwealth and shall be produced upon the demand of any such officer every failure to keep or produce any such roster or record shall render the person responsible for such neglect or refusal to penalties provided in this article

It is unlawful for any body of men either camping together or hunting in unison or in any manner cooperating with each other to kill or be possessed of in one season more than six legal male deer or more than one legal male elk or more than four bears found in a wild state

Every perosn in a camp or body of men hunting together or in any manner co-operating with others in hunting for elk or deer or bear shall be individually liable to the full penalty imposed in this article for each elk or deer or bear killed in excess of the number provided for in this section after the time the various members of such party hunting together have had ample opportunity to go together not exceeding the close of said day and ascertain that the legal limit of such animals has been killed in any case where more than the lawful number of elk or deer or bear are killed unintentionally by any camp or hunting party any excess animals shall be turned over to the nearest game protector or paid representative of the Department of Forestry within eighteen hours after killing for delivery to a charitable institution and the head and skin shall be disposed of by the Board

Every person who may hunt individually or with another camp or party hunting in unison for elk or deer or bear or in any manner co-operating with others hunting for such animals after having participated in any manner in killing during the season the number of such animals prescribed in this section for camps or hunting parties shall be liable to the full penalty and costs of prosecution prescribed in this article for killing such animals contrary to the provisions of this article and such penalty shall be imposed for every day such person shall hunt contrary to the provisions of this section

Each person killing an elk or deer or bear found in a wild state shall attach thereto a tag or marker within six hours after such killing bearing in plain English his name address license number and county number with the location where such game was killed Every failure to have said tag attached as herein provided shall subject the person so neglecting to the penalties provided in this article Any game found in the possession of any person and not tagged as herein provided shall be confiscated If the person responsible for such neglect to tag any such game cannot be located each member of the samp or party shall be individually liable to such penalty

Section 708 KILLING GAME FOR HIRE It is unlawful for any person to kill game for wages or hire or in evasion of this provision and to that end it shall be unlawful for any person acting as a guide to deliver or in manner cause to be delivered to the benefit of his employer or the person he may be guiding game killed by him or for the employer of any employe acting in the capacity of a guide to receive game killed by such employe or guide while in his employ

Section 709 KILLING GAME BY MISTAKE RETURN OF PENALTY Each individual who may by mistake kill any game or fur-bearing animal contrary to the provisions of this act shall have returned to him one-fourth of the penalty imposed by law for such offense and actually paid by him to a legally authorized representative of the Commonwealth if such individual to the best of his ability shall at once dress and hang up or deliver the carcass of the game or fur-bearing animal so killed and shall immediatey after such killing and caring for or delivering of the carcass make report of the wrong done to any Game Protector or the District Attorney of the County or a justice of the peace or a representative of the Department of Forestry in the neighborhood where the offense was committed and shall give to such person definite information regarding the place where such carcass may be found or deliver the carcass to such official for disposition as hereinafter provided and shall within twenty-four hours after such killing forward to the Board at Harrisburg a statement in writing under oath explaining when and where and how such mistake was made

Said one-fourth of the penalty imposed by law and paid into the hands of the Board shall be returned to the said individual as quickly as possible after the said Board is satisfied that said killing was by mistake and was not intentional or by carelessness

Section 710 SHIPPING GAME BY PARCEL POST Except as in this act otherwise provided it is unlawful for any person to ship game or any part thereof killed in a wild state in this Commonwealth by parcel post Nothing contained in this section shall be construed to prevent the shipment of skins of raccoons or bears legally killed if marked properly to show the contents

Section 711 TRANSPORTING SMALL GAME It is unlawful for any person to ship or transport by common carrier of any description or by automobile or vehicle of any kind any small game or part thereof killed in a wild state in this Commonwealth or for any common carrier or his or its agent to transport small game of any kind from one point to another point in this Commonwealth unless such small game is accompanied by the owner thereof or is carried upon the same train or automobile or vehicle with such owner in the following manner Such game shall be carried upon the person in the hunting-coat or game-bag or openly as hand-baggage without cover in such manner as to be easily seen and inspected When such game is carried in baggage or boxed for shipment each package or box or receptacle of any description containing such game shall have attached thereto a card or marker bearing in English the name of the person owning same with the place of his residence the name of the county wherein such game was killed and the number of each species of small game contained in said package

Section 712 TRANSPORTING LARGE GAME It is unlawful for any person or for any common carrier or his or its agent to ship or transport large game of any kind unless the carcass shall in all instances have attached thereto a card or marker bearing the name and address of the owner with the name of the county wherein the same was killed It is unlawful for any person to cut up large game and ship or transport or carry or convey any art thereof or for any common carrier or his or its agent to transport any such part unless each division thereof shipped uncovered or each package container or baggage of every description containing any part of such game shall have

attached a card or marker bearing in English the name of the owner of such game with his home address and the character of the contents of such package so that such contents may be determined by an outside inspection of such package

Section 713 TRANSPORTATION OF GAME OUTSIDE OF STATE Except as otherwise provided in this act it is unlawful for any person at any time to ship or transport or remove or attempt to ship or transport or remove or cause or attempt to have shipped or transported or removed out of this State any game-animal or game-bird or protected bird or to catch or take or kill or have in his possession or under his control any game-bird or game-animal or protected bird with intent to allow or aid in the shipment or removal thereof out of this State and it is unlawful for any person acting in the capacity of a common carrier or his or its agent or as the operator of an automobile or in control of a vehicle of any kind to knowlingly receive for transportation or remove or aid or assist in removing or attempt to remove beyond the limits of the State any game-animal or game-bird or protected bird

Nothing contained in this section shall be held to impose any penalty upon the transportation of game in unbroken packages in transit through this State from another State nor upon the shipment out of the State at any ime of game legally killed or taken in another State whether the same be in original packages or otherwise nor upon the shipment of game legally killed in this Commonwealth which is delivered in good faith to a common carrier for transportation from one point to another point in this State if necessarily carried out of this State to reach its destination but actually delivered at the point of destination within this State and in the case of small game is accompanied by the owner thereof

Any non-resident licensed hunter may take with him personally when leaving the State in the manner prescribed by law relating to the shipment of game from one point to another point in this Commonwealth and the tagging of game any game except elk that such licensee has lawfully taken or killed not exceeding during the season the number that any one person may lawfully take or kill in any two days

Section 714 SHIPPING GAME TO TAXIDERMISTS Nothing contained in this article relative to the shipment of parts of game within or out of the Commonwealth shall apply to the shipment of a bird or animal or part thereof legally or accidently killed that the holder thereof may desire to preserve as a trophy or as a specimen and shall send to a licensed taxidermist for tanning or mounting when the package is properly marked showing the contents thereof Provided that all such shipments out of the Commonwealth shall be legal only pursuant to a permit secured from the Secretary

Section 715 BUYING AND SELLING GAME It is unlawful for any person at any time to knowlingly buy or sell or barter or expose for sale or barter or have in possession for sale or barter any game or parts thereof no matter where such game has been killed excepting rabbits killed in another state and the skins of raccoons and bears no matter where killed

Nothing in this section shall be construed to prevent the purchase or sale of game raised under authority of a propagating license or the purchase or sale or introduction into this State at any time of live game for propagating purposes that has been inspected and legally passed by a representative of the Bureau of Animal Industry of the Department of Agriculture or to prevent at any time the sale within the State or the shipment out of the State without a license of any kind of any animal raised in captivity and not found in a wild state in this Commonwealth or the purchase or sale of the tanned cured or mounted heads or skins or parts thereof of any game not killed in a wild state in this Commonwealth The burden of proof as to the origin of such specimens shall be upon the person offering same for sale

Section 716 DOGS PURSUING ELK OR DEER LIABILITY OF OWNERS Any dog pursuing or following upon the track of an elk or deer is hereby declared to be a public nuisance Such dog may be killed by any person when pursuing or following upon the track of an elk or a deer for a distance believed by such person to be one-half mile or more or by any officer whose duty it is to protect the game of the State upon affidavit being made by any person acquainted with the facts that said dog is in the habit of or has been seen or heard running upon the track of or pursuing any elk or deer for a distance of one-half mile or more within a period of two years from the date of such affidavit The owner or person harboring or in control of a dog either killed in conformity with the law or proven to have pursued an elk or deer for the distance of one-half mile or more shall be liable to a penalty of fifty dollars for each elk and twenty-five dollars for each deer pursued and one hundred dollars for each elk and fifty dollars for each deer killed or caused to be killed by such dog running at large without the aid or direction of its master Where the owner or person harboring or in control of a dog shall neglect or refuse to take such action as may be necessary to prevent such dog from running elk or deer after notice in writing from an officer whose duty it is to protect the game to the effect that the dog in question is in the habit of pursuing elk or deer he shall be liable to double the amount as fixed before for the first offiense

Section 717 DOGS PURSUING SMALL GAME OR PROTECTED BIRDS IN CLOSE SEASON Any dog pursuing or following upon the track of any small game or protected bird during what is known as the close season for such animal or bird is hereby declared to be a public nuisance and may be killed by the owner or lessee of land whereon it is found or by an employee of such owner or lessee or by an officer of the Commonwealth whose duty it is to protect the game or wild birds unless such dog shall wear a collar having attached thereto a metallic tag or plate upon which shall be plainly incribed in English the name and address of tne owner of such dog and also a dog license tag as provided by the laws of the Commonwealth Any dog thus wearing a collar inscribed and tagged as before mentioned pursuing small game or protected birds during what is known as the close season may be killed by the owner or lessee of any land upon which such dog may be found or by any employee of either the owner or lessee or by any officer of the State whose duty it is to protect the game of the State when such dog is seen upon the track of such game after notice in writing from that particular person or from the Secretary of the Board has been given to the owner or reputed owner or person in control of such dog to the effect that the dog in question is in the habit of destroying or pursuing or following upon the track of game or protected birds contrary to this section

Any person who shall or negligently permit his dog or a dog under his control to pursue small game during the close season on land other than his own or which he may control shall be liable without notice of any kind to a penalty of ten dollars for each day small game or protected birds may be pursued in violation of this section and to an additional penalty of five dollars for each such annimal or bird killed by such dog without the aid or direction of its master together with costs of prosecution

Section 718 TRAINING OF DOGS ON CERTAIN GAME During tne period between one hour before sunrise and ten o'clock Post Meridian dogs when accompanied by and under control of their owner or handler may be trained upon any game in ths State excepting elk or deer or wild-turkey from the fifteenth day of August to the thirty-first day of March next following Sundays excepted so long as no firearms usually raised at arm's length and fired from the shoulder are carried and no injury is inflicted upon said animals or birds this section does not prohibit the training of dogs on raccoons during the night-time Under control is hereby defined to mean within call except when actually on a trail or track of legal game

Any person who shall train a dog or dogs or permit a dog or dogs under his control to pursue or follow upon the track of any small game contrary to the foregoing provisions shall be liable to a fine of ten dollars for each offense

Section 719 IMPORTING SELLING AND RELEASING CERTAIN BIRDS EGGS AND ANIMALS It is unlawful for any person to bring or in any manner to have transported into this Commonwealth from any other State or country any living specimen or any egg thereof of the bird known as the European starling or any other bird or any living animal the importation of which is prohibited by the Secretary of Agriculture of the United States under the provisions of any law of the United States or to release within this Commonwealth any fox wild cat mink or weasel brought into this State from another state or country or reared in captivity

It is unlawful to bring into or to sell within this Commonwealth living game of any kind either birds or animals that have been imported from any other state or nation

or to release within this Commonwealth for propagating purposes imported game of any kind excepting under a certificate to be issued from the Department of Agriculture of Pennsylvania after inspection by a representative of the Bureau of Animal Industry of that Department and quarantine when necessary Any person violating any of the provisions of this section shall be sentenced to pay the fine provided for in this article

Section 720 REMOVAL OR KILLING OF GAME DESTROYING PROPERTY When it is proven to the satisfaction of the Board that game is excessively destroying property or otherwise becoming a nuisance in any section of the State the Board may at any time remove or have removed such animals or birds from that neighborhood or direct the killing and disposition of the same as the case may require

Nothing in this act shall be construed to prevent any person actually residing upon or cultivating lands within this Commonwealth as either the owner or lessee or the employee of such owner or lessee from killing in any manner at any time any elk or deer or bear or rabbit or squirrel or raccoon or of the birds commonly known as blackbirds regardless of sex or age which he may find on lands actually engaged in the material destruction of cultivated fruit-trees cultivated crops vegetables live-stock poultry or bee-hives or in the case of blackbirds destroying either the eggs or young of other birds or from destroying such animals or birds anywhere on the property under their control immediately following such destruction Any such person shall at all times prove that material damage was being done by the animal or bird killed and report such killing except in the case of blackbirds within twenty-four hours either verbally or in writing to the nearest game protector or the office of the Board at Harrisburg and shall also dress and care properly for the carcass of any animal killed for delivery to such charitable institution as such officer or board may direct

Failure to prove material damage or make the report herein required or dress and care for such carcass properly shall be prima facie evidence that the purpose of such killing was not to relieve the destruction of property as herein contemplated and shall subject any person killing any animal or bird named in this section to the full fine hereinafter provided for unlawfully killing such animal or bird

Nothing in this act shall be construed to prevent any person from killing a bear at any time or in any manner when such animal is inflicting or attempting to inflict injury to either the person or personal property of any individual or the killing of such bear in a pursuit commenced within forty-eight hours after the commission of such offense or to prevent any person from killing a bear at any time in any manner when such animal is found within one-half mile of his regular place of residence if such person has just cause to fear injury to persons or his personal property No steel traps shall be used for the purposes stipulated in this provision relative to bear An bear killed under this provision shall be reported and the carcass dressed and cared for and disposed of in the same manner as directed in this section

Section 721 POSSESSION OR INTERFERENCE WITH NEST OR EGGS OF BIRDS Except as otherwise provided in this act it is unlawful for any person to take or have in possession or under control of either the nest or any egg found therein of any game-bird or protected bird or to wantonly interfere with or destroy any such nest or egg Any person violating any of the provisions of this section shall be liable to the fine hereinafter provided

Section 722 UNLAWFUL KILLING AND POSSESSION OF PROTECTED BIRDS Except as otherwise provided in this act it is unlawful for any person at any time to shoot at or wound or take or kill any protected birds or to have such bird either living or dead or any part thereof in his possession

Nothing contained in this section shall be construed to prevent any person from killing any eagle or hawk or owl or heron protected by this act when caught in the act of destroying domestic livestock poultry game other protected birds their nests or young or fish in licensed rearing ponds or to prevent such killing immediately following such destruction No protected bird or any part thereof killed as herein provided or by accident shall be mounted or retained in possession except pursuant to a permit obtained from the Board

Any person violating any of the provisions of this section shall be liable to the penalty hereinafter provided

Section 723 UNLAWFUL SALE OF PROTECTED BIRDS AND PLUMAGE Except as otherwise provided in this act it is unlawful for any person acting either for himself or as the agent or representative of another to have any protected bird or any part of the plumage or skin thereof or any bird or part of the plumage or skin of a bird that may have been brought into this Commonwealth from another state or country which belongs to the same family as those found in a wild state in this Commonwealth in possession or under control for the purpose of sale or to offer or expose the same for sale or to transport or ship or remove or attempt to transport or ship or remove from this Commonwealth for any purpose any such bird either living or dead or any part of the plumage or skin thereof

Any persons violating any of the provisions of this section shall be liable to the fine hereinafter provided

Section 724 OWNERSHIP OF CARCASS OF GAME. The ownership of the carcass of game lawfully shot and killed shall be deemed to be in the person who inflicts a mortal wound which causes the death of the bird or animal and which enables the hunter to obtain possession of the carcass

When a mortal wound has been lawfully inflicted on any game but the same is not killed immediately and continues in flight and is thereafter lawfully shot by another hunter who inflicts a mortal wound thereby stopping the flight of such game and killing it enabling such hunter to take possession of the carcass the ownership of the carcass shall be deemed to be in the hunter whose fatal wound stopped the flight of such game and enabled him to take possession of the carcass In case of a dispute a disinterested person other than an officer whose duty it is to enforce the game laws may be called in to arbitrate the matter

Section 725 PENALTIES Any person violating any of the provisions of the sections of this article shall upon conviction be sentenced to pay the following fines and costs of prosecution for each offense

(a) For hunting or shooting or chasing or catching or killing any game or attempting to shoot or chase or catch or kill with or without dogs any game upon the first day of the week commonly called Sunday or for hunting for or shooting at or catching or killing or attempting to hunt for or shoot at or catch or kill any game between one-half hour after sunset of one day and one-half hour before sunrise of the day following contrary to the provisions of this article twenty-five dollars

(b) For using a boat or craft or permitting the same to be used contrary to the provisions of this article fifty dollars for each day

(c) For using decoys contrary to the provisions of this article ten dollars for each decoy

(d) For using traps in taking vermin contrary to the provisions of this article ten dollars for each trap

(e) For failure to keep, or produce upon demand by an officer the roster or record of a hunting party as required by the provisions of this article twenty-five dollars

(f) For failure to tag or mark a deer or elk or bear within six hours after killing as required by the provisions of this article twenty-five dollars

(g) For shipping transporting carrying or conveying parts of large game in any package container or baggage of any description without having a card or marker attached as provided by this article twenty-five dollars

(h) For a common carrier or his or its agents to knowingly or negligently transport game from one point to another in this Commonwealth contrary to the provisions of this article twenty-five dollars

(i) For violating any of the provisions of this article relating to living birds and the eggs thereof and living animals imported or brought into or released within this Commonwealth fifty dollars for each bird or egg or animal imported or sold or released contrary to said provisions

(j) For interfering with or destroying the nest or egg of any game bird contrary to the provisions of this article fifty dollars for each nest

(k) For interfering or destroying the nest or egg of a protected bird contrary to the provisions of this article ten dollars for each nest

(l) For shooting at or wounding or taking or killing or possessing any protected bird contrary to the provisions of this article ten dollars

(m) For selling or offering for sale or possessing for the purpose of sale or transporting or shipping or attempting to transport or ship any protected bird or any bird that may have been brought into this Commonwealth which belongs

to the same family or the skins or plumage of any such bird twenty dollars

(n) Except as otherwise herein provided for hunting or chasing or catching or taking or killing or wounding or receiving or delivering or transporting or shipping or using or concealing or assisting to conceal or having in possession or attemptin to hunt for catch take kill wound or transport contrary to this article or for violating any of the provisions of this article relating to the shipping or transportation or removal out of this Commonwealth or relating to the buying or selling or bartering of

I Each elk two hundred dollars and six months' imprisonment

II Each deer one hundred dollars

III Each bear fifty dollars

IV Each wild turkey ruffed-grouse ring-neck pheasant quail or woodcock twenty-five dollars

V Each other game-bird or game animal ten dollars

In any case where any game-bird or game-animal was legally taken and held in possession after the time permitted by this article the fine shall be one-half of the fine above prescribed

In addition to the fine above prescribed any person who shall make use of or have in possession or under control a ferret contrary to the provisions of this article shall be liable to a fine of twenty-five dollars for each ferret and costs of prosecution

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall suffer imprisonment one day for each dollar of fine imposed

ARTICLE VIII

STATE GAME LANDS HUNTING GROUNDS AND GAME REFUGES

(a) STATE GAME LANDS

Section 801 ACQUISITION The Board may acquire title to or control of lands within the Commonwealth suitable for protection and propagation of game or for hunting purposes or to be used as hereinafter provided by purchase gift or otherwise to be known as State Game Lands The Board may also acquire title to such lands by condemnation proceedings in the same manner as provided for the condemnation of lands for State Forests The Board may purchase or erect such buildings as may be deemed necessary properly to maintain and protect such lands The Board may purchase or lease land from which the ownership of minerals oil or gas and the right to mine and drill for the same have been expected All purchases and leases shall be made only with the consent of a majority of the Board The President shall represent the Board in all purchases and leases

Section 802 TITLE AND CONTROL The title to any land acquired by purchase gift or otherwise shall be approved by the Attorney General and shall be taken by the Board in the name of the Commonwealth The deed to any such land shall be deposited with the Secretary of Internal Affairs The entire control of such land shall be under the direction of the Board

Section 803 PURCHASE PRICE No land shall be purchased at a price to exceed ten dollars per acre except where buildings or cultivated lands deemed necessary to the proper maintenance and administration of Game Refuges or for game propagation are included The Board may expend for the purchase of lands during any year such amount as in their opinion can be allotted to that purpose

Section 804 SALE AND EXCHANGE Whenever the Board shall deem it to the best interests of the Commonwealth it may by resolution adopted by unanimous vote at a meeting when a majority of the Board are present and voting and with the consent of the Governor authorize the exchange of any lands or any part thereof to which title has been acquired by purchase gift or otherwise together with the buildings improvements and appurtenances thereof for privately owned lands of equal or greater value and adapted for State Game lands or game propagation or may authorized the sale of any lands to which title has been acquired as aforesaid or any part thereof to the party or parties offering the highest price thereof after advertisement once each week for three successive weeks in at least two newspapers published in the county or counties in which the land is situate

The Attorney General shall prepare the necessary deeds to consummate such exchange or sale and the deeds shall be executed by the President of the Board The proceeds of such sale shall be deposited in the game fund

Section 805 FIXED CHARGES Lands acquired by purchase gift or otherwise shall be exempt from the payment of all taxes except such fixed charges as apply to and are imposed upon State Forests

Section 806 USE OF LANDS Lands to which title has been acquired by the Board or which have been leased or any part thereof may be used for the purpose of creating and maintaining State Game Refuges and Hunting Grounds either or both for the propagation of game and as much thereof as deemed necessary may be used for the administration of such lands The Board after consultation with the Department of Forestry may cut and remove and sell or permit the cutting and removing and selling of timber on lands to which title has been acquired by the Board by purchase gift or otherwise the net proceeds from which shall be deposited in the Game Fund The Board may grant rights-of-way on and across lands acquired as aforesaid when such grant will not adversely affect game protection and propagation The Board may also at its discretion grant leases for church or school purchases for a period not to exceed ten years

(b) STATE GAME REFUGES

Section 815 STATE GAME REFUGES The Board may establish and maintain State Game Refuges for the protection and propagation of game on all or any portion of State Game Lands wherein game and fur-bearing animals shall not be hunted pursued disturbed or molested at any time The Board may also with and by the consent of the State Forest Department or proper Federal authority locate State Game Refuges on State Forests or National Forests No such Refuge shall exceed in area one-half of the total area of the State or National Forest on which it is located No State Game Refuge shall be established within ten miles of another State Game Refuge nor shall a Refuge exceed ten miles at its greatest traverse dimension

Section 816 BOUNDARY LINES NOTICES Each State Game Refuge shall be surrounded by a well defined fire-line road or other clear strip of land and by at least one wire at the boundary thereof On the boundary of each State Game Refuge there shall be posted in conspicuous places not more than one hundred and fifty yards apart notices bearing the following "State Game Refuge Hunting is Unlawful" and such other information or rules and regulations as the Board may deem advisable

(c) AUXILIARY STATE GAME REFUGES

Section 825 APPLICATION FOR AUXILIARY REFUGES Whenever the owner or owners or persons in control of suitable lands having an area of not less than five hundred acres desiring to have said lands or part thereof set apart as a Refuge for game and wild birds they may make application to the Board giving a description of said lands including (a) specific location (b) map or sketch showing an outline or said lands and the location of all buildings roads streams and fences (c) the type of such lands whether woodland abandoned farmland or cultivated land The Board may have an examination made of said lands and if found suitable for game protection and propagation purposes shall notify the owner or owners or persons in control of said lands to that effect The owner or owners or persons in control of said lands may then present a petition as hereinafter provided to the Board on forms supplied by the Board declaring his or their desires

Section 826 CONTENTS OF PETITION FOR AUXILIARY REFUGES A petition for an Auxiliary State Game Refuge shall state clearly (a) that the owner or owners or persons in control of such lands are willing to vest in the Commonwealth all hunting rights upon said lands without charge or for such remuneration as may be agreed upon between them (b) that neither they their families their agents their tenants nor any other persons shall hunt thereon by and with their authority (c) that they will make every effort to protect said refuge from forest fires hunting and from violations of any nature (d) that the agreements shall continue in force for an uninterrupted period of not

less than ten years and such longer period as may be desired by the petitioners and (e) all such other information as the Board may require The petition shall be endoresd by at least fifty qualified electors of the county or counties wherein said lands are located

Section 827. ESTABLISHMENT OF AUXILIARY REFUGES If upon investigation the Board finds that the proposed Auxiliary Game Refuge is not within a radius of five miles from any State Game Refuge or other Auxiliary State Game Refuge and decides that the establishment of the proposed auxiliary game refuge is advisable it may enter into an agreement in the form of a lease with the owner or owners or persons in control of such property and shall thereupon declare said lands or any part thereof an Auxiliary State Game Refuge The Board shall surround that part of the lands set aside as a refuge by a single wire as a marker if the same is not already surrounded by a suitable enclosure and shall post notices along the boundary line of the refuge not more than one hundred and fifty yards apart Such notices shall bear the words "Auxiliary State Game Refuge Hunting is Unlawful" and such other information or rules and regulations as the Board may deem advisable

Section 828 ADVERTISEMENT OF THE ESTABLISHMENT OF AUXILIARY REFUGES The Board shall cause notice of its action declaring lands to be an Auxiliary State Game Refuge to be advertised at least one time each week for three consecutive weeks in at last two newspapers of general circulation in the county or counties wherein such refuge is located and shall also have a suitable notice published for at least two consecutive months in not less than two sportsmen's journals if there be so many published monthly in the State

(d) REGULATIONS PENALTIES

Section 840 RULES AND REGULATIONS The Board may formulate adopt and post such rules and regulations for the government of lands under its control and for protection and propagation of game thereon as it may deem necessary for their proper use and administration or as may be established pursuant to agreements with the State Forest Commission or proper Federal authority or lessors Such rules and regulations shall be the law of this Commonwealth controlling such lands and a violation of any of the provisions of such rules and regulations shall subject the offender to the payment of fines provided for in this article for the violation of such rules and regulations

Section 841 ENTRY UPON REFUGES Any citizen may go upon a State Game Refuge or an Auxiliary State Game Refuge without firearms or traps or dogs except during the months of October November and December The Board may through the Secretary by written permission grant to responsible persons the right to hunt or trap for vermin on State Game Refuge or Auxiliary State Game Refuges between December sixteenth and September thirtieth next following The Board may adopt rules and regulations setting forth the manner in which persons working upon or living within the boundaries of Auxiliary State Game Refuges may be or go upon such refuges at any time

The Board may under proper permit authority for the granting of which is hereby given the Secretary authorize the owner tenant or lessee of lands used for an Auxiliary State Game Refuge or any member of his family residing upon any part of said lands leased to the Board for the purpose of creating said refuge or hunting grounds in connection therewith to take not more than ten rabbits through the use of box traps during any season on said lands set aside as an Auxiliary State Game Refuge

Nothing contained in this Article shall be construed to prevent school children at a time other than the open season under proper supervision of an instructor from entering without firearms or traps or dogs an Auxiliary State Game Refuge at any time for the study of bird animal and plant life

In connection with their official duties it is unlawful for any member or employee or duly appointed agent of the Board or the Department of Forestry or the Federal Forest Service to go upon a game refuge at any time and in any manner with or without firearms or traps or dogs

Except as above provided it is unlawful for any person to carry firearms or traps within the limits of or take a dog upon a State Game Refuge or an Auxiliary State Game Refuge at any time

Except as above provided it is unlawful for any person to go upon a State Game refuge or an Auxiliary Game Refuge during the months of October November and December

Except as in this article otherwise provided it is unlawful for any person to hunt for or catch or kill or wound or drive or to attempt to hunt for or catch or kill or wound or drive any birds or animals within the limits of a State Game Refuge or an Auxiliary State Game Refuge

It is unlawful for any person to violate any of the rules and regulations adopted by the Board for the protection and preservation of protected birds and game on Auxiliary State Game Refuges

Section 842 PENALTIES Any person violating any of the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

For catching or killing or wounding or driving or attempting to catch or kill or wound or drive

(a)	Each elk	$200 and 6 months imprisonment
(b)	Each deer	$100
(c)	Each bear	$ 50
(d)	Each wild turkey ruffed grouse ring-necked pheasant quail or woodcock	$ 25
(e)	Each other bird or animal	$ 10

For violating any of the provisions of this article not above specifically provided for or for violating any of the rules and regulations of the Board $25 and costs of prosecution for each offense

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall suffer imprisonment one day for each dollar of fine imposed

ARTICLE IX

UNNATURALIZED FOREIGN-BORN RESIDENTS

Section 901 DEFINITION OF UNNATURALIZED FOREIGN-BORN RESIDENTS For the purpose of this article any unnaturalized foreign-born person who shall live or reside within the boundaries of the Commonwealth for ten consecutive days shall be considered a resident and shall be liable to the fines imposed for violations of the provisions of this article

Section 902 HUNTING ET CETERA POSSESSION OF FIREARMS OR DOGS It is unlawful for any unnaturalized foreign-born resident to hunt for in any manner or capture or kill any wild bird or animal of any description either game or otherwise except in defense of person of property and to that end it is unlawful for any unnaturalized foreign-born resident to either own or be possessed of a shotgun or rifle or pistol or firearm of any make or kind or a dog of any kind

Section 903 CONCLUSIVE AND PRIMA FACIE EVIDENCE OF VIOLATIONS The possession of a shotgun or rifle or pistol or firearm of any make or kind or of a dog of any kind at any place outside of buildings by an unnaturalized foreign-born resident shall be conclusive proof of a violation of the provisions of this article

The presence of a shotgun or rifle or pistol or firearm of any make or kind or of a dog of any kind in a room or house or building or tent or camp of any description occupied or controlled by an unnaturalized foreign-born resident shall be prima facie evidence that such firearm or dog is owned or controlled by the person occupying or controlling the property in which the same is found and shall render such person liable to the fines imposed by this article

Section 904 PENALTIES Any person violating the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

For the capture or killing contrary to the provisions of this article any wild bird or animal

(a) Each elk two hundred dollars and six months imprisonment

(b) Each deer one hundred dollars

(c) Each bear fifty dollars

(d) Each wild turkey ruffed grouse ring-neck pheasant quail or woodcock twenty-five dollars

(e) Each other bird or animal ten dollars

For hunting in any manner or for owning or possessing a shotgun or rifle or pistol or firearm or dog contrary to the provisions of this article twenty-five dollars and costs of prosecution

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second and subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall suffer imprisonmentone day for each dollar of fine imposed

Section 905 FORFEITURE OF FIREARMS AND DOGS All shotguns rifles pistols firearms and dogs found in possession or under control of an unnaturalized foreign-born resident shall upon the conviction of any such person or upon his signing an acknowledgment of guilt as hereinafter provided in this act be forfeited to the Commonwealth All such firearms shall be sold by the Board as hereinafter provided All such dogs shall be either killed in a humane manner or disposed of in such manner as the Board may direct

ARTICLE X

BOUNTIES

Section 1001 BOUNTIES ON CERTAIN ANIMALS A reward or bounty shall be paid for the killing within the Commonwealth only of the following animals For each Canada or bay lynx commonly called bobcat or wildcat eight dollars for each fox two dollars and for each weasel one dollar

Section 1002 MAKING CLAIM FOR BOUNTY Any person having killed within this Commonwealth any such animal and being desirous of securing the reward or bounty provided for such killing shall produce such slain animal or the entire pelt thereof before any game protector or deputy game protector or any other person authorized to administer oaths within this Commonwealth and shall make affidavit on forms supplied by the Board that (a) he or some member of his family or household naming such person killed the same (naming it) (b) stating clearly the approximate time of such killing (c) that it was killed in a wild state (d) that the place (naming it) where such animal was killed was within the Commonwealth and (e) that such animal was not reared in captivity no person shall include in one affidavit more than ten claims for bounties for animals killed Each officer other than a salaried game protector shall receive a fee of twenty-five cents for each affidavit containing one claim and fifty cents for each affidavit containing more than one claim Game Protectors and deputy game protectors are authorized to administer the oath required by this section Deputy game protectors shall supply seals at their own expense

The person administering the oath shall without spliting the face or otherwise mutilating the skin deliver said affidavit and skin or pelt to the claimant for bounty who shall as soon as may be forward such affidavit and the unmutilated salted cured or tanned skin or pelt of the animal or animals to the Secretary of the Board at Harrisburg

Section 1003 PAYMENT OF BOUNTIES MONTHLY ACCOUNTING Upon the receipt of such affidavit and skins or pelts in proper form if the Secretary is satisfied that the skins or pelts presented to him are the skins or pelts of animals for the killing of which a bounty is offered by this act and that such claims are in all respect legitimate he shall split the face of the skin from a point between the eyes through the end of the nose and shall as quickly as may be forward his check to the claimant for the amount found to be due and shall if requested return all such skins or pelts at the expense of the game fund to such address as the owner may direct The Secretary shall at least once a month render an accounting to the Auditor General in such form as he may prescribe of all claims paid giving the name and address of the payee the number of the check given and the amount so paid

Section 1004 UNLAWFUL COLLECTION OF BOUNTY PENALTIES It is unlawful for any person to collect or to attempt to collect a bounty for the killing of any animal the face of which is split before presentation to a person authorized to take affidavits or to collect or attempt to collect a second bounty for the killing of any animal or to collect or attempt to collect such bounty through the presentation of the skin or carcass or any part thereof of any animal not named in this act or through deception of any character or to present for the purpose of securing a bounty the skin or carcass or any part thereof of an animal that has been reared or held in captivity or the skin or carcass or any part thereof of any animal killed or captured outside of this Commonwealth

Any person who shall wilfully or fraudulently collect or attempt to collect any reward or bounty to which he is not legally entitled under the provisions of this act or shall aid or abet or assist in any capacity official or otherwise in any attempt to defraud the State through the collection or payment of any reward or bounty shall be guilty of a misdemeanor and upon conviction thereof shall in addition to the penalty that may be imposed for perjury where a false affidavit is made be sentenced to pay to the Commonwealth for the use of the game fund a fine of not less than one hundred dollars or more than five hundred dollars and in default of the payment thereof with costs shall suffer an imprisonment in the jail of the county in which the affidavit is made for a period of one day in jail for each dollar of fine and costs imposed and unpaid

ARTICLE XI

ENFORCEMENT OF ACT PROCEDURE PENALTIES

Section 1101 JURISDICTION Except in cases where the offense is designated a misdemeanor or a felony each magistrat alderman and justice of the peace shall have the power of summary conviction in matters pertaining to violations of any of the provisions of this act

Section 1102 PROCEDURE All summary proceedings under the provisions of this act shall be commenced by affidavit made within two years after the date of any violation Any magistrate alderman or justice of the peace on complaint made before him by affidavit charging any person with having violated any of the provisions of this act or any of the rules and regulations issued by the Board pursuant to this act shall issue his warrant under his hand and seal directed to any constable police officer game protector or any officer whose duty it is to enforce the game laws of the Commonwealth and cause such person to be brought before him When any person is arrested without warrant the officer making the arrest shall immediately take such person before a magistrate alderman or justice of the peace and make complaint by affidavit The magistrate alderman or justice of the peace shall in all cases hear the evidence and determine the guilt or innocence of the person accused If such person is convicted of the offense charged the magistrate alderman or justice of the peace shall also find as a fact any bird or animal or part thereof found in possession is unlawfully possessed and the defendant shall be sentenced to return to the Commonwealth any bird or animal or part thereof found to be unlawfully in his possession and to pay the full fine prescribed by this act for such violation together with the costs of prosecution and in default of the return of such bird or animal or part thereof or the payment of such fine and costs shall be imprisoned one day for each dollar fine and costs of prosecution so imposed

Section 1103 ACKNOWLEDGEMENT OF GUILT Any person charged with violating any provision of this act may sign an acknowledgement of the offense committed either before or after the beginning of suit and pay to any duly appointed and commissioned game protector or deputy game protector the fine provided by this act together with costs accruing to that date and surrender to the Commonwealth any bird or animal or part thereof unlawfully taken or possessed Such person shall receive a printed receipt therefor which shall bear the imprint of the seal of the Board and the signature of its secretary and shall be evidence of full satisfaction of the offense committed

Section 1104 ARRESTS WITHOUT WARRANT SEIZURE OF CERTAIN PROPERTY AND GAME Any officer whose duty it is to preserve the peace of the Commonwealth may arrest without warrant any person caught in the act of violating any of the laws relating to game or other wild birds or wild animals or in pursuit immediately following any such violation He may seize all guns shooting or hunting paraphenalia traps dogs boats decoys or other appliances used in violation of any such laws or which he may find in the execution of a search warrant and may seize all birds or animals found either in the possession or under the control of the suspected person

Section 1105 ARRESTS ON SUNDAY Any officer whose duty it is to enforce the game laws of the Commonwealth or any officer whose duty it is to preserve the peace of the Commonwealth may arrest on Sunday without warrant any person caught in the act of violating any of the laws relating to game or other wild birds or wild animals or in pursuit immediately following such violation and in such cases the person arrested may be committed to the jail or

lockup for safekeeping for that day Such person shall be taken before a proper magistrate alderman or justice of the peace and he proceeded against as soon as may be on a week day following the arrest

Section 1106 SEARCH WARRANTS Any magistrate alderman or justice of the peace upon receiving proof of the probable cause for believing in (a) the concealment of any bird or animal caught taken killed had in possession under control shipped or about to be shipped contrary to the provisions of this act or (b) the concealment by an unnaturalized foreign-born resident of any firearm or dog shall issue a search wararnt and cause a esarch to be made in any place

Section 1107 PENALTY FOR RESISTING ARREST Any person who by force menance or in any manner resists arrest for violation of any of the provisions of this act or refuses to go with an officer after an arrest has been made or interferes with an officer of the Commonwealth in the performance of his duty under the provisions of this act shall be sentenced to pay a fine of one hundred dollars and cost of prosecution and in default of the payment of such fine and costs shall be imprisoned one day for each dollar of fine and costs

Section 1108 INVESTIGATIONS BY OFFICERS ETC The officer investigating any violation of the game-laws is hereby authorized to administer oaths relative to such matter and where birds and animals of any kind are found in a camp or in possession or under control of an individual or hunting party such possession shall be considered prima facie evidence that the same was taken illegally unless the person or persons in charge or in possession or control of such birds or animals shall answer satisfactorily immediately under oath if required such questions relating to the taking or ownership or possession of same as may be considered necessary by the officer investigating and in every case where such person or persons in charge or in possession or in control of such birds or animals refuse to so answer such questions the birds or animals thus found are hereby declared forfeited to the Commonwealth and such officer is directed to take charge of and dispose of same as provided by this act

Section 1109 REVIEW OF PROCEEDINGS BY COURT OF QUARTER SESSIONS Any person convicted of violating any of the provisions of this act may enter into good and sufficient recognizance to pay the fine imposed and costs within a period of ten days after the date of his conviction or may certiorari or appeal the proceedings within five days after such conviction to the court of quarter sessions of the county Any prosecutor dissatisfied with the finding of any magistrate alderman or justice of the peace may in like manner appeal to said courts within said period All such appeals shall be only on allowance of the court of quarter sessions or a judge thereof on cause shown and shall be determined by the court of quarter sessions without a jury

Section 1110 FINES TO BE FORWARDED TO SECRETARY All fines recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrendered by the court receiving the same to the prosecutor who in turn as soon as may be shall forward or deliver such fines and penalties to the secretary Where any officer of the Commonwealth other than a salaried officer is the prosecutor the fines and penalties shall as soon as the case is fully determined before him be forwarded by such magistrate alderman or justice of the peace to the secretary at Harrisburg together with a statement of the cause for which such fines were collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution All fines received by the Secretary shall be paid into the State Treasury monthly for the use of the game fund

Section 1111 WHEN CERTAIN CONVICTIONS TO BE DEEMED SECOND CONVICTIONS Any person convicted or pleading guilty or signing an acknowledgement of guilt under the provisions of this act who prior thereto was convicted or plead guilty or signed an acknowledgement of guilt for violating any of the game laws then in force shall be sentenced under this act and be denied by the Board or by this act the right to hunt anywhere with or without a hunter's license in the same manner as if such person had been convicted of a second offense against this act

Section 1112 DISPOSITION OF SEIZED BIRDS AND ANIMALS All birds and animals protected by this act or parts thereof found in the possession of any person not legally taken and seized under the provisions of this act shall be forfeited to the Commonwealth All dead game so forfeited shall be forwarded immediately to the most convenient charitable institution or to a charitable institution designated by the Secretary All live game and all other birds and animals or parts thereof not classed as game so seized shall be disposed of by the Board

Section 1113 DISPOSITION OF SEIZED PROPERTY WHEN DEFENDANT CONVICTED When a defendant is convicted of violating any of the laws relating to game or other wild birds or wild animals and pays the fine and costs imposed all guns traps boats decoys dogs and other shooting or hunting paraphernalia seized in connection with his arrest shall if the use of the same is not forbidden by this act be returned to the defendant except in the case of the conviction of any unnaturalized foreign-born person and in case the fine and costs are not so paid in full all property other than illegal devices so seized shall be sold at public auction in such manner and subject to such conditions as the Board shall direct The cost of any such sale shall be part of the costs of prosecution Any fund arising from any such sale shall be applied first to the cost of the sale second to the payment of costs of prosecution and third to the payment of the fine imposed The remained if any shall be returned to the owner of the property thus seized The defendant shall be entitled for the first offense only to the credit of one day off his imprisonment for each dollar applied toward the payment of his fine

Property seized the use of which is forbidden by this act shall be forfeited to the Commonwealth and be disposed of by the Board

Section 1114 DISPOSITION OF SEIZED PROPERTY WHEN OWNER ESCAPES ARREST All guns traps dogs boats decoys and other shooting or hunting paraphernalia seized under the provisions of this act where the owner thereof escapes arrest and refuses to present himself and make claim to the property shall be held for a period of ten days after which time such property shall be sold in a manner prescribed for the sale of property seized where the defendant is convicted The fund arising from such sale shall be applied first to the payment of the costs of the sale second to any costs of prosecution accrued and the remainder thereof shall be forfeited to the Commonwealth

ARTICLE XII

Section 1201 ESTABLISHMENT OF GAME FUND APPROPRIATION All license fees fines and other moneys received and collected (a) under the provisions of any law repealed and replaced by this act and now held in the State Treasury as a fund or any part of a fund seperate and apart for the various purposes designated by law or (b) that may be hereafter paid into the State Treasury under the provisions of any act so repealed or replaced or (c) that may be paid into the State Treasury under the provisions of this act shall be placed in a separate fund to be known as "The Game Fund" and shall be held seperately and apart solely for the purposes of the payment under the supervision of the Board (a) of the salaries and expenses of the officers and employes of the Board and contingent office expenses (b) for wild bird game and fur-bearing animal protection and propagation (c) for the purchase of game for propagation purposes (d) for feeding game and wild birds (e) for the creation acquisition maintenance and administration of hunting grounds and game refuges (f) for the purchase of other lands and buildings and for the erection of buildings (g) for the purchase and maintenance of equipment (h) for control of vermin the payment of bounties and expenses in connection therewith and (i) for the payment of all or any part of the cost of any printing posters notices tags badges buttons and such other like materials as in the opinion of the Board may be necessery to its work

The sum of not less than one-third of the amount received from Hunters' Licenses shall be set aside for the purchase and distribution of game and for the propagation of game on lands owned or leased by the State where such propagation is for the distribution of game in other counties than where propagated

All such moneys placed in the game fund under the provisions of this section are hereby made available immediately and are hereby specifically appropriated t the Board for the purposes herein specified

Section 1202 MONEY TO BE PAID MONTHLY UPON REQUISITION OF SECRETARY The money in such fund shall be paid to the use of said Board monthly in advance upon requisition by its secretary

The Auditor General shall upon requisition from time to time of the Secretary of the Board and the proper accounting for moneys already advanced from the fund draw his warrant upon the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes before specified at the time such requisition is made

ARTICLE XIII

ACTS OF ASSEMBLY REPEALED SAVING CLAUSE

Section 1301 REPEALS The following acts and parts of acts of assembly are hereby repealed as respectively indicate The repeal clause of the first section of an act shall not repeal the enacting clause of such act

I Sections one two three four five and eight of an act entitled "An act to prevent the hunting of deer and other wild beasts beyond the limits of the lands purchased of the Indians by the Proprietaries of this province and against killing deer out of season" approved the ninth day of April one thousand seven hundred and sixty (one Smith Laws two hundred twenty-seven) chapter four hundred fifty-six absolutely

II An act entitled "An act for the better preservation of Game and Insectivorous Birds" approved the twenty-first day of April one thousand eight hundred and fifty-eight (Pamphlet Laws three hundred seventy-one) absolutely

III An act entitled "A supplement to an act for the better Preservation of Game approved April twenty-first Anno Domini one thousand eight hundred and fifty-eight" approved the fourteenth day of April one thousand eight hundred and fifty-nine (Pamphlet Laws six hundred forty) absolutely

IV An act entitled "A supplement to an act for the better preservation of game and insectivorous birds approved the twenty-first day of April one thousand eight hundred and fifty-eight" approved the thirty-first day of March one thousand eight hundred and sixty-eight (Pamphlet Laws fifty-one) absolutely

V An act entitled "An act providing for the taking of game", approved the twenty-first day of April one thousand eight hundred and sixty-nine (Pamphlet Laws eighty-four) except in so far as it relates to fish

VI An act entitled "An act to amend and consolidate the several acts relating to game and game fish" approved the first day of May one thousand eight hundred and seventy-three (Pamphlet Laws eighty-nine) except in so far as it relates to fish

VII An act entitled "A supplement to an act approved the first day of May one thousand eight hundred and seventy-three entitled 'An Act to amend and consolidate the several acts relating to game and game fish'" approved the eighteenth day of March one thousand eight hundred and seventy-five (Pamphlet Laws twenty-six) absolutely

VIII An act entitled "An act to amend and consolidate the several acts relating to game and game fish" approved the fifth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and four) except in so far as it relates to fish

IX An act entitled "A supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish' approved the fifth day of May Anno Domini eighteen hundred and seventy-six" approved the twenty-fourth day of March one thousand eight hundred and seventy-seven (Pamphlet Laws forty-five) number forty-four absolutely

X An act entitled "An act regulating the hunting and killing of web-footed wild fowl" approved the seventeenth day of May one thousand eight hundred and eighty-three (Pamphlet Laws thirty-four) absolutely

XI An act entitled "An act to permit the killing at any season of the year of the small bird known as the English sparrow" approved the fourth day of June one thousand eight hundred and eighty-three (Pamphlet Laws sixty-eight) absolutely

XII An act entitled "An act to amend part of an act entitled 'An act to amend and consolidate the several acts relating to game and game fish' et cetera with the supplements thereto' approved the twenty-seventh day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and sixty three) number one hundred and fifty except in so far as it relates to fish

XIII An act entitled "An act to amend the first section of an act entitled 'An act regulating the hunting and killing of web-footed wild fowls' approved May seventeenth Anno Domini one thousand eight hundred and eighty-three" approved the sixteenth day of April one thousand eight hundred and eighty-five (Pamphlet Laws eight) number nine absolutely

XIV An act entitled "An act to amend the ninth section of an act entitled 'An act to amend and consolidate the several acts relating to game and game fish'" approved the twenty-third day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred and sixty-nine) absolutely

XV An act entitled "An act to amend the ninth section of an act entitled 'An act to amend and consolidate the several acts relating to game and game fish'" approved the twenty-fifth day of April one thousand eight hundred and eighty-nine (Pamphlet Laws fifty-three) absolutely

XVI An act entitled "An act prohibiting the killing or taking of song and wild birds except in certain cases and providing a penalty therefor" approved the fourteenth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred and eighteen) absolutely

XVII An act entitled "A supplement to an act approved May fourteenth one thousand eight hundred and eighty-nine entitled 'An act prohibiting the killing and taking of song and wild birds except in certain cases and providing a penalty therefor' amending the first sixth and eighth section thereof" approved the fifteenth day of April one one thousand eight hundred and ninety-one (Pamphlet Laws twenty) absolutely

XVIII An act entitled "An act to provide for the appointment of game commissioners for the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors" approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and seventy-three) Absolutely

XIX An act entitled "An act for the better protection of game and game mammals game birds song and insectivorous birds limiting the number of game birds and game mammals to be killed by any one person in one day or in one season prohibiting the sale of the same and the shipment thereof out of the State and providing penalties for the violation thereof" approved the fourth day of June one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and twenty-three) absolutely

XX An act entitled "An act to amend the title to an act approved the fourth day of June Anno Domini one thousand eight hundred and ninety-seven" approved the sixth day of May one thousand eight hundred and ninety-nine (Pamphlet Laws two hundred and fifty-three) number one hundred and forty-nine absolutely

XXI An act entitled "An act authorizing and empowering the owners and lessees of real estate within this Commonwealth to kill hare or rabbits upon their own premises at all seasons of the year" approved the eleventh day of April one thousand nine hundred and one (Pamphlet Laws seventy-three) number forty-two absolutely

XXII An act entitled "A supplement to an act entitled 'An act to provide for the appointment of game commissioners of the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors' approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five extending the powers of said protectors making disposition of fines received by them and regulating their pay" approved the twenty-first day of May one thousand nine hundred and one (Pamphlet Laws seventy-three) number forty-two absolutely

XXIII An act entitled "An act to prohibit the capture or killing of beaver within the Commonwealth of Pennsylvania and providing penalties for the violation of its provisions" approved the seventeenth day of March one thousand nine hundred and three (Pamphlet Laws twenty-eight) absolutely

XXIV An act entitled "An act to provide for the appointment of deputy game protectors for the Commonwealth of Pennsylvania and defining their duties" approved the eleventh day of April one thousand nine hundred and three (Pamphlet Laws one hundred and sixty-three) absolutely

XXV An act entitled "An act to provide for the appointment of special deputy game protectors for the Commonwealth of Pennsylvania and defining their duties and powers" approved the eighteenth day of April one thousand nine hundred and five (Pamphlet Laws two hundred and one) absolutely

XXVI An act entitled "An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred and forty-eight) absolutely

XXVII An act entitled "An act regulating the hunting and killing and possession of wild-water-fowl in the Commonwealth of Pennsylvania and prescribing penalties for violation of its provisions approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws sixty-three) number fifty-seven absolutely

XXVIII An act entitled "An act to provide for the better protection of deer in the Commonwealth of Pennsylvania and prescribing penalties for violation of its several provisions" approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws seventy) absolutely

XXIX An act entitled "An act to provide for the taking or killing of rabbits or hares in this Commonwealth and prescribing penalties for violation of its several provisions" approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws seventy-two) absolutely

XXX An act entitled "An act to amend sections six and twenty-three of the act entitled 'An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions' approved the twenty-second day of April Anno Domini one thousand nine hundred and five changing the open season for ruffed-grouse commonly called pheasant prohibiting the killing of game birds in the night-time limiting the kind of guns to be used in killing game regulating prosecutors for the violation of the provisions of this act and the disposition of the fines and penalties imposed therefor" approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws seventy-four) absolutely

XXXI Section two three and four of an act entitled "An act to provide for the better protection and preservation of song and insectivorous birds and other wild birds and providing penalties for violation of its several provisions" approved the eighth day of May one thousand nine hundred and seven (Pamphlet Laws one hundred and eighty-six) absolutely

XXXII An act entitled "An act prohibiting the use of automatic guns for the killing of game or wild-birds within this Commonwealth and prescribing a penalty for violation of its provisions" approved the thirty-first day of May one thousand nine hundred and seven (Pamphlet Laws three hundred and twenty-nine) absolutely

XXXIII An act entitled "An act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania prohibiting the hunting for or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents forbidding the ownership or possession of shot gun or rifle by any unnaturalized foreign-born resident within the Commonwealth and prescribing penalties for violation of its provisions" approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and sixty-six) absolutely

XXXIV An act entitled "An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received" approved the seventeenth day of April one thousand nine hundred and thirteen (Pamphlet Laws eighty-five) absolutely

XXXV An act entitled "An act to provide for the better protection and preservation of deer and elk squirrels and certain birds classed as game-birds within the Commonwealth providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions" approved the ninth day of April one thousand nine hundred and fifteen (Pamphlet Laws seventy-three) absolutely

XXXVI An act entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof" approved the fifteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and twenty-six) absolutely

XXXVII An act entitled "An act providing for the establishment regulation and maintenance by the Board of Game Commissioners of State Game Preserves on the Forestry Reservations and elsewhere and providing penalties for violation of this act" approved the sixteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and thirty-five) absolutely

XXXVIII An act entitled "An act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania prohibiting the hunting for or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents forbidding the ownership or possession of dogs by any unnaturalized foreign-born resident within the Commonwealth and prescribing penalties for violation if its provisions" approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and forty-four) absolutely

XXXIX An act entitled "An act for the better protection of wild animals and birds and game within this Commonwealth requiring non-residents to procure a license before hunting in this Commonwealth providing penalties for violation of any of its several provisions and prescribing the disposition of license fees and penalties received" approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred fifty-one) absolutely

XL An act entitled "An act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws five hundred and seventy-two) absolutely

XLI An act entitled "An act to amend sections one three and four of an act approved the eighth day of May one thousand nine hundred and nine entitled 'An act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania prohibiting the hunting for or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents forbidding the ownership or possession of shot-gun or rifle by any unnaturalized foreign-born resident within the Commonwealth and prescribing penalties for violation of its provisions' by providing that pistol and firearm of any kind be added to the firearms enumerated in said act" approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and seventy-nine) absolutely

XLII An act entitled "An act to amend section twelve of the act of April seventeenth one thousand nine hundred and thirteen entitled 'An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received by making available these funds as soon as paid into the State Treasury" approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and ninety-six) absolutely

XLIII An act entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof" approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and seventy) absolutely

XLIV An act entitled "An act providing a method for the abatement of the penalty as fixed by law for killing by mistake a deer or an elk in this Commonwealth" approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eighty-four) absolutely

XLV An act entitled "An act taking protection from the red squirrel and changing the open season for blackbirds" approved the fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and ninety-nine) absolutely

XLVI An act entitled "An act relating to the disposition of penalties collected under the provisions of the act of May eighth one thousand nine hundred and nine amended by the act of July eleventh one thousand nine hundred and seventeen (Pamphlet Laws four sixty-six and seven seventy-nine respectively) also the act of June first one thousand nine hundred and fifteen (Pamphlet Laws six forty-four) relating to the possession by unnaturalized foreign born residents of firearms and dogs respectively" approved the seventh day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and twenty-three) absolutely

XLVII An act entitled "An act authorizing the Board of Game Commissioners or the Conservation Commission to acquire through purchase or gift lands for game-preserve purposes" approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and thirty-three) absolutely

XLVIII An act entitled "An act to amend section three of an act entitled 'An act to provide for the appointment of Game Commissioners for the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-fie as amended by the Act of the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred sixty) as further amended by the act of the twenty-second day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred sixty eight) authorizing the Board of Game Commissioners to increase its force of game protectors to eighty if so many be needed" approved the twelfth day of July one thousand nine hundred and twelve (Pamphlet Laws nine hundred and thirty- two) absolutely

XLIX An act entitled "An act providing for the establishment of auxiliary State game preserves" approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand fifty-nine) absolutely

L An act entitled "An act to amend section one of an act approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and seventy) entitled 'An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof" approved the first day of April one thousand nine hundred and twenty-one (Pamphlet Laws ninety) absolutely

LI An act entitled "An act to further amend section four and amend section six of an act approved the seventeenth day of April one thousand nine hundred and thirteen (Pamphlet Laws eighty-five) entitled 'An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received'" approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and fifty-nine) absolutely

LII An act entitled "An act to amend and further amend sections five seven fourteen fifteen sixteen nineteen twenty-one twenty-two and twenty-six of an act approved the seventh day of June one thousand nine hundred seventeen (Pamphlet Laws five hundred seventy-two) entitled 'An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions' sections fourteen and fifteen previously having been amended" approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and fifty-three) absolutely

LIII An act entitled "An act to amend section twenty-four of an act approved the seventh day of June one thousand nine hundred seventeen (Pamphlet Laws five hundred seventy-two) entitled 'An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and twenty-six) absolutely

LIV An act entitled "An act to amend section eight of an act approved the seventeenth day of April one thousand nine hundred and thirteen (Pamphlet Laws eighty-five) entitled 'An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the law of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received'" approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and thirty-two) absolutely

LV An act entitled "An act relating to the taking of certain fur-bearing animals" approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred) absolutely

LVI All other acts or parts of acts inconsistent herewith are hereby repealed Provided however this act shall not repeal or in any manner affect any of the provisions of an act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to livestock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain state county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" or any of its amendments

Section 1302 SAVING CLAUSE All other acts and parts of acts inconsistent with this act are repealed The repeal of any of the aforesaid acts of Assembly shall not effect any prosecution pending at the date of the passage of this act nor prevent the institution of any prosecutions for violations of any of the provisions of the aforesaid acts committed prior to the passage of this act but all such pending prosecutions shall be terminated and all such violations shall be prosecuted in the same manner and under the same authority and with like effect as prior to the passage of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF VOTE.

Mr. SHAMBACH. Mr. Speaker, I move that the vote by which the House agreed to transcribe this bill for a third reading be reconsidered.

Mr. GOLDER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. WHITEMAN. It is not my intention to talk against the proposed amendment, but inasmuch as the gentleman did not hear the Speaker, it is only fair that he should have an opportunity to introduce his amendments.

On the question recurring,

Will the House agree to the motion?

The Speaker announced, the "nays" appear to have it.

Whereupon, a division was called for, and one hundred and nine members, or more than a majority of the House, having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

Mr. SHAMBACH. Mr. Speaker, I move that the vote by which the House agreed to this bill on second reading be reconsidered.

Mr. OGLE. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. SHAMBACH. Mr. Speaker, I move that the vote by which the House agreed to the title be reconsidered.

Mr. OGLE. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. SHAMBACH. Mr. Speaker, I move that the vote by which the House agreed to sections 501 to 1302, inclusive, be reconsidered.

Mr. OGLE. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the section 501?

Mr. SHAMBACH. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by Clerk.

The amendments were read by the Clerk as follows:

Amend section 501, page 35, by striking out the following: "Male deer with two or more points to one antler: provided, a male deer with an antler eight or more inches long without points measuring from the top of the skull as the deer is in life, shall be considered legal," and inserting in lieu thereof the following:

"Male deer with two or more points to one antler: provided, a male deer with an antler four or more inches long without points measuring from the top of the skull as the deer is in life, shall be considered legal.

On the question,

Will the House agree to the amendments?

Mr. WHITEMAN. Mr. Speaker, I fully appreciate the position in which the gentleman is placed in introducing this amendment. I think he is simply trying to interpolate into the code the sentiment of a certain part of his constituency. Now Mr. Speaker, I believe there is not a single member of this House who could not amend this code as prepared if he wished to please certain elements in his constituency. The code, however, represents the product of nearly two months work by the Game Committee. It has been prepared and amended and drawn in a form in which the committee has sought to please the state at large and the State as a whole, rather than any particular community. It has been in the crucible for nearly two months. The Senate is anxious to have the bill. The Committee on Game feels it has done the best it could. The committee heard the gentleman in regard to the buck law and its decision is now in the code, and the committee therefore feels that in order to expedite the bill, and in order to prevent the expense of reprinting at this time, that the amendment should not be inserted. The Game Commission is at the present time finding it necessary to get out its license tags, they must be printed soon in order to be available for the season, and for that reason the committee feels that it is inopportune at this time to amend the bill or attempt an amendment such as the one in question, and the gentleman will have his opportunity to insert such an amendment before the Senate Game Committee.

Mr. CHAPLIN. Mr. Speaker, this bill to which the amendment has just been offered, is known as the proposed Game Code. It was before the Game Committee for six weeks and the Game Committee worked continuously with the help of the Game Commission, and this bill now is the product of careful study over a period of from ten to fifteen years by the sportsmen of Pennsylvania and the Game Commission. This bill as it now appears on the calendar was agreed to. Every section was taken upon one by one and agreed to by a majority of that committee. Of course there was something that this member of the committee wanted and something that another member wanted, so we just gave and took until we have what we think is a very good law. I hope that the members of this House will vote down this amendment.

Mr. IRVIN. Mr. Speaker, the Committee has been fighting over this bill ever since the beginning of the session and I think it would be better to turn the fight over to the Senate.

Mr. SHAMBACH. Mr. Speaker, it is not my office to antagonize the best thought of a committee, but I feel that some explanation is necessary before this particular part of the code, or the Game Law, is passed upon in the whole by this House. The law pertaining to spike bucks is the thing in question. The spike buck is determined by the code of 1921-1922 to comprehend a buck eighteen months old, practically a full grown deer. Now the code, or the proposed code, would increase the antlers to eight inches, and qualifies every thing, requiring two points to the horn of the antlers. Now my object in suggesting this amendment is projected from a group of hunters of the Seven Mountain section of the State of Pennsylvania, and the hunters of big game in those Seven Mountains are not contending that the spike buck should be slaughtered, but they are contending that there are several points that ought to be considered and understood before this law goes any further, so far as the length of the horn is concerned. In the first place, their argument is that there is no need in protecting the spike buck or increasing the length of the horn or having a forked horn, because in last season's shooting there were more bucks killed than any time previous in the records of the histories of Pennsylvania, and it is a fact known to the Game Commission and to all those conversant with the game laws and with big game that the does and bucks are causing a great deal of damage in some of our orchard counties. Now the fact that they are increasing is the cause of the trouble, but I want to qualify myself by saying that I am not in favor of shooting the doe, personally, nor are the men that I am representing, but we do object to having the length of the horns of the spike buck increased because it is not necessary, and because we feel that the larger buck is hindered in his process of procreation, because it is a scientific fact that the spike buck with the shorter horn drives away the larger bucks, and that is known to the old hunters of the State of Pennsylvania and you cannot place him in the same class as you can the stock on a farm, and it has nothing to do with the size and stamina of the young deer, because the spike bucks are protected, and before the season is on they have already performed their function, and then are shot, and the offsprings come along regardless of whether they stay there another year or not. The argument is brought out that most hunters want big heads, that they want a nice mounting, and by protecting the spike buck they could get a nicer mounting. I will cite the case of a young man who hunted deer in Pennsylvania for twenty-five years and never got a chance to shoot a male deer until last fall, when he shot a spike buck, and I want to say this, that while the majority of camps are not meathunters the spike buck is the best eating buck of the whole bunch.

Now in the second place I want to call your attention to the things these hunters are against. The spike buck with four inches is a difficult proposition, and if he has eight inches he may be a difficult proposition, or if he has two points it is a difficult proposition for a hunter in the brush, and I want to call attention to this point that a buck running through the woods or the brush of Pennsylvana careening his head, cannot be determined as to the number of points on his antlers. I say that as having had experience for twenty-five years hunting

big game and shooting my quota of deer and bear, and I am right here to say in behalf of these amendments that I have not known how many points a deer had on the antlers until I walked up to them and saw them after I had shot them, and it is impossible to determine the number of points if you are going to qualify that to show they must have more than four inches on the horn. It puts the innocent hunter of jeopardy of breaking the law, and that is the thing we don't want. We do not want the innocent to suffer just because he is not able to determine absolutely until he shoots the deer what sort of a horn he has. I will cite you the instance of a man shooting what he thought was a fine deer because of the points on the horn. After it was shot he found it was a spikehorned buck. He would have violated the law had the law been in existence, and for that reason we do not wish to have this law imposed upon the big game hunters of the State of Pennsylvania. My third reason is this: It is an unpopular law among the big game hunters. Up to this time we have been able to impress them with this idea that they should look before they shoot, and if this law passes I am quite positive those men will shoot and then look, which we do not want. There is no question but that the sportsmen and the hunters of game in Pennsylvania do not desire that sort of thing, so I am asking you to amend the bill, first, because it is not necessary to protect the bucks with horns under four inches; second because it puts the honest hunter in jeopardy of breaking the laws because he cannot tell how many horns a deer has on his head or how many points he has, and it tends toward making the man who is respecting the law, making him break that law, and third, because it is an unpopular law, and therefore I call the attention of the House to it that they may consider it before voting on this bill. Then I feel that I have done my duty and have presented as best I could the thought of the men who have been the hunters of big game in the section which I represent.

Mr. BURCHINAL. Mr Speaker, the purpose of this act is to protect female deer and human beings. The gentleman just stated a few minutes ago that the principal is to look before you shoot, and I think it should be. If you incorporate this in the game laws you will make it necessary for the hunter to look before he shoots. A great many people were killed in this State last year for the reason that they did not stop and look but shot at a noise, and killed female deer and human beings. For that reason the Game Commision has incorporated this in the Game laws, and I am opposed to these amendments for the reason that the game law is for the protection of human beings, and that is the important thing.

On the question recurring,
Will the House agree to the amendment?
It was not agreed to.
On the question recurring,
Will the House agree to the section?
It was agreed to.

Section 502 was read as follows:

Section 502 BAG LIMIT It is unlawful for any person to kill in any one day or in any one season more game-animals or game-birds than hereinafter enumerated

Kind of Game	In one Day	In one season
Wild Turkey	1	1
Ruffed Grouse	3	15
Male Ring-neck Pheasants	2	6
Quail also known as partridge of the combined kinds	8	25
Woodcock	6	20
Squirrels including the fox black and gray combined	6	20
Wild rabbits	5	40
Hares	3	15
Bear	1	1
Bear (By hunting party)	4	4
Deer	1	1
Deer (By hunting party)	6	6
Elk	1	1
Elk (By hunting party)	1	1

Except as hereinafter otherwise provided every deer taken shall be a male deer having two or more points to one antler Provided a male deer having an antler eight or more inches long without points measuring from the top of the skull as the deer is in life shall be considered legal

Every elk taken shall be a male elk killed through the method known as "Still Hunting" only having not less than four points to one antler

Nothing contained in this section shall prohibit any owner who raises ring-neck pheasants strictly in captivity from killing any number of such birds during the open season on lands he may own or control

On the question,
Will the House agree to the Section?

Mr. SHAMBACH. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 502, page 36, line 26, by striking out the word "eight" and insert in lieu thereof the word "four".

On the question,
Will the House agree to the amendments?
It was not agreed to.
On the question,
Will the House agree to the section?
It was agreed to.

Sections 503 to 1302, inclusive, and the title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY THE SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution of the House of Representatives as follows:

In the House of Representatives, March 21, 1923.

Resolved, (if the Senate concur), That House Bill No. 37, Printers No. 7, entitled "A joint resolution proposing an amendment to article nine, section four, of the Constitution of Pennsylvania," be recalled from the Secretary of the Commonwealth for the purpose of amendment.

SENATE MESSAGE.

HOUSE BILL CONCURRED ON BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 302.

An Act to amend section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-six) entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An Act to regulate the fees of court

criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine" as amended.

With information that the Senate has passed the same without amendment.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE

The Clerk of the Court being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 176. (HOUSE BILL No. 1100).

An Act making an appropriation to the State Highway Department for the improvement of certain portions of streets abutting on lands owned by the Commonwealth in Lackawana County.

Referred to the Committee on Public Roads.

SENATE BILL No. 198. (HOUSE BILL NO. 1101).

An Act to amend section seventy-four of an act approved the second day of July, one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen), entitled "An act relating to the Elections of this Commonwealth", as amended.

Referred to the Committee on Elections.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 619 (Senate Bill No. 85), as follows:

An Act authorizing cities of the third class to regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of promoting the public health safety order convenience prosperity and general welfare cities of the third class may by ordinance regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces therein and may make different regulations for different districts thereof and may alter the same but no alteration of such regulations may be made except by the affirmative vote of not less than two-thirds of the elected or appointed members of the council or other local legislative body having jurisdiction

Section 2 It shall be the duty of the city planning commission of said cities where such bodies exist of a committee of the council or such other commission or committee as may be created by the council for the purpose to recommend to the council the boundaries of districts and appropriate regulations and restrictions to be imposed therein Such body shall make a tentative report and hold public meeting thereon before submitting its final report at such time as the council may require after such final report council shall afford persons interested an opportunity to be heard at a time and place to be specified in a notice of hearing to be published for ten consecutive days in a daily newspaper or newspapers of general circulation in said cities And the said cities shall not determine the boundaries of any district nor impose any regulations or restrictions until after the final report and after said hearing before council

The council of said cities may from time to time after public notice and hearing amend supplement or change said regulations restrictions or district boundaries Provided That if a protest against a proposed amendment supplement or change be presented duly signed by the owners of twenty per centum or more of the frontage proposed to be altered or by the owners of twenty per centum of the frontage immediately in the rear thereof or by the owners of twenty per centum of the frontage directly opposite the frontage proposed to be altered a three-fourths vote of the members of council shall be required

Section 3 This act shall not apply to any existing or proposed building or extension thereof used or to be used by public service corporations if upon petition of the corporation the Public Service Commission shall after a public hearing decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—135.

Albert,	Eshelman,	Korns,	Sample,
Alexander,	Evans, B. P.,	Kunkle,	Sautter,
Anderson,	Fields,	Labar,	Schilling,
Armstrong,	Flinchbaugh,	Lafferty,	Schleiter,
Baldi,	Fowler, A. I.,	Lauver,	Schwartz,
Beaver,	Frazier,	Little,	Shambach,
Behney,	Gallaher,	Long,	Smith, G. A.,
Bell, F. A.,	Gelder,	Lucas,	Smith, H. J.,
Bell, W. T.,	Gilchrist,	Ludlow,	Smith, H.,
Berger,	Glasgow,	Mack,	Smith, J. W.,
Betts,	Goehring,	MacKinney,	Sprowls,
Bidelspacher,	Gelder,	Marcus, J.,	Stark,
Bluett,	Griffith,	Marcus, J. C.,	Staudenmeier,
Blumberg,	Grimes,	McClure,	Steedle,
Brenneman,	Guerin,	McCurdy,	Sterling,
Brewster,	Hall,	McDaniel,	Stevens, A. F.,
Bromley,	Harter,	McDermott,	Stofflet,
Brown,	Haslett,	McKim,	Stoner,
Burchinal,	Heffernan,	Metcalf,	Storb,
Burns,	Henderson,	Moffatt,	Thomas, L. D.,
Bush,	Hetrick,	Munley,	Thompson,
Chaplin,	Heyburn,	Myers, G. C.,	Van Alen,
Clutton,	Himes,	Myers, P. M.,	Vickerman,
Coldsmith,	Hollis,	Nolte,	Walker,
Colville,	Hontz,	O'Boyle,	Wettach,
Conner,	Horne,	Orr,	Wheeler,
Coyne,	Howell,	Parkinson,	Whitehouse,
Craig,	Huber,	Peelor,	Whiteman,
Diehm,	Irvin,	Perry,	Woner,
Dietz,	Johnson,	Price,	Wood, W. P.,
Driggs,	Jones, D. J.,	Raymond,	Wright,
Eaches,	Jones, E. P.,	Rhodes,	Zook,
Earley,	Keene,	Rinn,	Goodnough,
Edmonds,	Kennedy,	Rippman,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

ADJOURNMENT.

Mr. McCURDY. Mr. Speaker, in accordance with the resolution adopted by the House, I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to, and (at 11:59 P. M.) the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

Session 1923 — 125th of the General Assembly

Vol. 7. HARRISBURG, PA., TUESDAY, MARCH 27, 1923. No. 31.

SENATE

TUESDAY, MARCH 27, 1923.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our heavenly Father, we thank Thee for this beautiful day and for all the blessings Thou hast bestowed upon us. While so many men in other lands are suffering for food and raiment and the other things needful for bodily comfort, Thou hast made full provision for us. We thank Thee for our health and strength, and we thank Thee for the privilege of living in this wonderful age when all the doors of opportunity are wide open, the opportunity for doing something in life that is really worth while. We pray Thee that we may be true to Thee and loyal to the highest and noblest ideals, and may we strive in all that we do and say and think to honor and glorify Thee. Bless, we pray, the Senate in the business that lies before it; be with the House in the very important matters that will come before that body. Bless our Governor, the President of the United States, our native land, and bless the whole wide world, for Jesus sake. Amen.

JOURNAL APPROVED.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceeding session, when, on motion of Mr. BUCKMAN the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. CRAIG, from the Committee on Public Roads and Highways, reported, as committed, Senate Bill No. 434, entitled:

An Act to further amend section one of an act, approved the twelfth day of June, one thousand nine hundred and nineteen, entitled "An Act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys and to incur indebtedness and issue bonds and other obligations, for the improvement and maintenance of State highways and State-aid highways or any public highway in any county of the Commonwealth. and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases."

Mr. PHIPPS, from the Committee on Military Affairs, reported, as committed, Senate Bill No. 294, entitled:

An Act to amend sections two and five of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 473), entitled "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors or marines, designated as 'deceased service men'; defining the term 'deceased service man'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

Also from the Committee on Military Affairs, reported, as committed, Senate Bill No. 457, entitled:

An Act to amend section twenty-two of an act approved July 17, 1921 (P. L. 869) entitled "An Act providing for the organization government, discipline, maintenance and regulation of the armed land forces of this Commonwealth," authorizing the Governor to confer brevet rank upon certain officers.

Mr. WOODWARD from the Committee on Judiciary General, reported, as committed, Senate Bill No. 297, entitled:

An Act to quiet the title to real estate; and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has formerly been held or conveyed by, to, or for corporations not authorized by law to hold the same.

Mr. STITES, from the Committee on Judiciary General, reported, as amended, Senate Bill No. 296, entitled:

An Act to amend section two of the act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 94), entitled "An Act authorizing the establishment by counties of hospitals, for the treatment of persons afflicted with tuberculosis: providing for the management and maintenance thereof; and authorizing the incurring of indebtedness and the levy of taxes therefor," by empowering the county commissioners and county controller, where such office exists, to take by eminent domain proceedings land necessary for the establishment of such hospitals; giving the board of trustees powers concurrent with the county commissioners and county controler in reference to the planning and construction of such hospitals.

Mr DAIX, from the Committee on Judiciary General, reported, as amended, Senate Bill No. 275, (House Bill No. 365), entitled:

An Act to amend section one of the act approved the fifteenth day of March, one thousand nine hundred and eleven, (Pamphlet Laws twenty), entitled "An Act regulating in criminal trials the cross-examination of a defendant, when testifying in his own behalf," by prohibiting the introduction as evidence of certain testimony or records.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 529, (House Bill No. 452), entitled:

An Act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effect of the decree thereon.

Also from the Committee on Judiciary General, reported, as committed, Senate Bill No. 146, entitled:

An Act to define real estate brokers and real estate salesmen, and providing for the licensing, regulation and super-

vision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the Department of the Secretary of the Commonwealth.

Mr. LONG, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 383, (House Bill No. 373,) entitled:

An Act to amend an act approved June fifteenth, one thousand nine hundred and eleven (P. L. 955) entitled "An Act making state taxes unpaid bonus, interest, penalties and all public accounts a first lien upon the franchise and property of corporations, companies, associations, joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof, and repealing section four of the act approved April sixteen one thousand eight hundred and twenty-seven," by extending its provisions to include individuals and providing for attorneys' commissions, making such commissions part of said claim and giving such commissions and costs the same priority as said taxes, bonus, interest and penalties.

Mr. NORTON, from the Committee on Legislative Apportionment, reported, as committed, Senate Bill No. 449, entitled:

An Act to amend so much of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455) entitled, "An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

Mr. STINEMAN, from the Committee on Public Roads and Highways, reported, as committed, Senate Bill No. 435, entitled:

An Act to further amend section three hundred eighty-six, clause four, of the act, approved the fourteenth day of July, one thousand nine hundred seventeen (Pamphlet Laws, eight hundred forty), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto."

Also from the Committee on New Counties and County Seats, reported, as committed, Senate Bill No. 172, (House Bill No. 186), entitled:

An act authorizing county commissioners to purchase road machinery and to rent the same to the townships of such county.

Also from the Committee on New Counties and County Seats, reported as committed Senate Bill No. 446, entitled:

An act fixing the salaries of the county commissioners, county controller, county treasurer, register of wills recorder of deeds and clerk of the courts in counties of the third class.

Also from the Committee on New Counties and County Seats, reported, as committed, Senate Bill No. 422, entitled:

An Act fixing the compensation of jury commissioners in counties of the seventh class.

Mr. MANSFIELD, from the Committee on Municipal Affairs, reported, as committed, Senate Bill No. 321, entitled:

An Act to amend section one of article one of an act, approved the seventh day of March, one thousand nine hundred and one, entitled "An act for the goverment of cities of the third class."

Mr. CULBERTSON, from the Committee on New Counties and County Seats, re-reported, as committed, Senate Bill No. 39 entitled:

An Act fixing the salary of sheriffs and deputy sheriffs in counties of the seventh class; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

Also from the Committee on New Counties and County Seats, reported, as committed, Senate Bill No. 166, (House Bill No. 57), entitled:

An Act authorizing boroughs to appropriate moneys or to levy and collect, with the assent of electors, a special tax for the purpose of purchasing fire engines and fire apparatus, and to assist existing fire companies in the purchase of fire engines and fire apparatus.

Also from the Committee on Public Roads and Highways, reported, as committed, Senate Bill No. 258, entitled:

An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships and revising, amending, and consolidating the law relating thereto, fixing the compensation of township auditors.

Also from the Committee on New Counties and County Seats, reported, as committed, Senate Bill No. 429, entitled:

An Act to amend section one of the act approved the thirty-first day of March, one thousand nine hundred and twenty-one, (P. L. 71) entitled, "An act providing for the salaries of court criers and tipstaves of the several courts in counties of the fourth class."

Mr. KUTZ, from the Committee on Judiciary General, reported, as committed, Senate Bill No. 332, entitled:

An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder.

Mr. STINEMAN, from the Committee on Public Roads and Highways, reported, as committed, Senate Bill No. 433, entitled:

An Act further amending the act, approved the eighth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred seventy), entitled "An Act creating a Division of Township Highways in the State Highway Department; conferring powers and imposing duties upon officers of the State Highway Department; requiring certain duties of clerks of the courts of quarter sessions; and providing penalties."

Mr. JONES, from the Committee on Public Roads and Highways, reported, as committed, Senate Bill No. 123, entitled:

An Act to amend Route Two Hundred and Twenty-three of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; pro-

viding for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Mr. JOYCE, from the Committee on Judiciary General, reported, as committed, Senate Bill No. 282, entitled:

An Act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto.

Mr. MacDADE, from the Committee on Judiciary General, re-reported, as amended, Senate Bill No. 30, entitled:

An Act to amend an act approved May 5, 1921, (P. L. 379), entitled "An Act to amend an act, approved the nineteenth day of June one thousand nine hundred and eleven, (P. L. 1059), entitled 'An act extending the powers of judges of courts of quarter sessions and of oyer and terminer, in relation to releasing prisoners in jails and workhouses on parole,' by extending said act to include houses of correction, conferring similar powers on other courts of record and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law;" providing the procedure in cases of parole; conferring power to parole upon the several courts instead of judges thereof; and fixing the time when petitions for parole may be first presented.

BILLS INTRODUCED.

Mr. EYRE read in his place and presented to the Chair Senate Bill No. 551, entitled:

An Act to amend section one of the act approved the first day of July, 1919 (P. L. 710), entitled "An act relating to fires and fire prevention; imposing duties; and conferring powers heretofore exercised by the State Fire Marshal, upon the Department of State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said department, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires, and the inspection of all and the removal or change of certain buildings; imposing duties on school authorities, and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the department, and the enforcement of its orders; and prescribing penalties;" fixing the powers of the Department of State Police and cities, boroughs and townships relative to the erection and installation of tanks, pumps, drawing-off or measuring devices used in connection with inflammable liquids.

Which was committed to the Committee on Judiciary Special.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 552, entitled:

An Act making an appropriation to the Board of Trustees of The Philadelphia Museums.

Which was committed to the Committee on Appropriations.

Mr. LANIUS read in his place and presented to the Chair Senate Bill No. 553, entitled:

An Act for the appointment of a commission to study conditions relating to blind persons in Pennsylvania, and make recommendations, and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 554, entitled:

An Act to amend section twelve of the act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent herewith;" providing for the reinstatement of licensees in certain cases.

Which was committed to the Committee on Public Health and Sanitation.

Also (by request) read in his place and presented to the Chair Senate Bill No. 555, entitled:

An Act supplemental to an act entitled "An Act to establish a Bureau of Housing for the sanitary inspection and control of tenement boarding and lodging houses defining its powers and duties and providing certain penalties" approved July twenty-fourth one thousand nine hundred and thirteen (Pamphlet Laws one thousand and fifteen) and providing for the protection of the health safety and welfare of the people of Pennsylvania by establishing regulations for the lighting ventilation sanitation protection maintenance erection alteration improvement use and occupancy of dwellings affected establishing administrative procedure and remedies and prescribing penalties for violation thereof and repealing acts inconsistent herewith.

Which was committed to the Committee on Municipal Affairs.

Mr. WEAVER read in his place and presented to the Chair Senate Bill No. 556, entitled:

An Act to further amend section one of an act approved the twelfth of May, one thousand nine hundred and eleven, (P. L. 301), entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas, of the Commonwealth, in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same," as amended.

Which was committed to the Committee on Judiciary General.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 557, entitled:

An Act authorizing Council in cities of the first class, by Ordinance to require the installation of standpipes and sprinkler systems in certain buildings in such cities; to prescribe the kind and character thereof, and regulations therefor and to provide for the enforcement of such Ordinance.

Which was committed to the Committee on Municipal Affairs.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 558, entitled:

An Act to amend section six hundred and three of an act approved the seventeenth day of May nineteen hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An Act Relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance and providing penalties and repealing existing laws."

Which was committed to the Committee on Insurance.

Mr. HUFFMAN read in his place and presented to the Chair Senate Bill No. 559, entitled:

An Act making an appropriation to the commission constituted for the purpose of acquiring and maintaining toll-bridges over the Delaware River between Pennsylvania and New York.

Which was committed to the Committee on Appropriations.

Mr. MacDADE, read in his place and presented to the Chair Senate Bill No. 560, entitled:

An Act to establish as a State Highway a certain section of public road in the county of Delaware.

Which was committed to the Committee on Public Roads and Highways.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 561, entitled:

An Act to amend sections one, two and three of an act, entitled "A further supplement to the act regulating elections in this Commonwealth," approved the thirtieth day of January, Anno Domini one thousand eight hundred and seventy-four, as amended, so as to abolish the December assessment of voters.

Which was committee to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 562, entitled:

An Act to amend Section 8 of an act entitled "An act to provide for the personal registration of electors as a condition of their right to vote at elections, and their enrollment as members of political parties as a further condition of their right to vote at primaries, in cities of the first class of this Commonwealth, by removing from office all existing registration commissioners and their appointees in said cities, and authorizing the Governor to appoint registration commissions therein; defining the jurisdiction of said commissions, and the powers and duties of the commissioners constituting same, and of their appointee, including registrars, inspectors of registration, clerks, and council; fixing their qualifications, terms of office, and compensation; granting them certain immunity from arrest on registration days; and empowering such inspectors to arrest without warrant certain persons committing certain offenses in violation of this act in their presence, as well as to enter and inspect buildings given as residence of electors to interrogate the inmates thereof to copy or demand a list of the lodgers therein, and to supervise the conduct of registrars; regulating the registration of electors at polling places by registrars, and at the office of commissions by commissioners and the right of parties or bodies of electors to have watchers thereat, and the preparation and use of street lists and other records of those registered; allowing the names of persons not entitled to vote to be struck from the registers in certain cases; permitting all records regarding registration to be inspected and copies by any elector under certain conditions; directing how the registers shall be used at elections and primaries; compelling the attendance of witness fees; and providing penalties for refusal to obey subpoenas; directing receiver of taxes to appoint chief clerks of commissions as deputies to collect poll taxes and to give receipts therefor; authorizing such clerks to administer oaths, sign subpoenas and vouchers, and to collect and disburse witness fees, prescribing a method for challenging persons applying for registration, and the procedure for the correction of registers, and for appealing from actions of registrars to said commissions; and allowing for appeals from the decisions of the commissions in certain cases to courts of common pleas; imposing certain duties upon election officers and upon the councils, treasurers, controllers, receivers of taxes, police officers, and other officials of said cities and upon the courts, judge, prothonotaries, sheriffs, commissioners, peace officers, and other officers of the judicial districts and counties in which said cities are situated or with which they are co-extensive; legalizing certain acts required hereby if done on any Sunday or legal holiday; requiring said cities to provide for the maintenance of said commissions, and the compensation of their appointees, and the payment of all expenses necessary to carry out the provisions of this act, and to transfer the unexpended balances of all appropriations heretofore made for the personal registration of electors of said cities during the year one thousand nine hundred and nineteen to and for the use of the said commissions; punishing and fixing penalties for violations hereof; and repealing all legislation inconsistent herewith", approved the 10th day of July, A. D. 1919 (P. L. 862.)

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 563, entitled:

An Act to provide for the assessment of county poll or personal taxes in cities of the first-class and to repeal laws inconsistent with its provisions.

Which was committed to the Committee on Elections.

Mr. WOODWARD. Mr. President, I present to the Chair a series of bills which have been prepared by the Commission on Reorganization of the State Government and I wish to make this statement: that in the introduction of these bills they are not put in with any spirit of conflict with the pending code from the Governor's office. These bills are introduced by our Commission simply to have them in committee in case anything adverse should occur to the Governor's code

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 564, entitled:

An Act creating a Department of Purchasing; defining its powers and duties; regulating the purchase, storage, distribution and sale of supplies, and the printing, binding and distribution of documents and printed matter for the Commonwealth; amending, revising, consolidating and changing the law relating thereto, and abolishing existing departments having charge thereof; and repealing certain acts.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 565, entitled:

An Act creating a Department of Game and Fish; charging the department with the enforcement, administration and execution of laws heretofore enforced, administered and executed by or through the Department of Fisheries and the Board of Game Commissioners; defining the powers and duties of the department, and prescribing penalties; abolishing certain departments, boards, commissions and officers; providing for the disposition of certain moneys now held by or hereafter paid to the State Treasurer under any statute the enforcement of which is by this act imposed on the department; and making appropriations.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 566, entitled:

An Act to amend section eight of the act approved the eighteenth day of April, one thousand nine hundred and nineteen, (P. L. 62), entitled "An act authorizing the issue

and sale of bonds to the amount of fifty millions of dollars by the Commonwealth of Pennsylvania; defining the powers and duties of the Governor, the Auditor General, and the State Treasurer, in relation thereto; making an appropriation of the proceeds of such bonds for the purpose of improving and rebuilding the highways of the Commonwealth; providing for the payment of interest on, and the redemption of such bonds by the Sinking Fund Commission; and making an appropriation to carry out the provisions of this act." Providing for the redemption of said bonds by the Board of Finance and Revenue.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 567, entitled:

An Act fixing a fiscal year for the Commonwealth; abolishing the present financial year; and regulating appropriations and public accounts in accordance therewith.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 568, entitled:

An Act creating a Bureau of Professional Examination and Licensure in the Department of Public Instruction; creating examining boards for the various professions, occupations and businesses required by the provisions of existing law to be licensed, registered or permitted; abolishing all existing boards, bureaus and councils of professional education, examination and licensure; providing for the examination and licensing of applicants in said professions, occupations and businesses, the regulation of the same and the suspension and revocation of licenses, registrations and permits, by said bureau and examining boards; and providing for the collection and accounting for of all fees and other moneys connected therewith and the payment thereof into the general fund of the state treasury.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 569, entitled:

An Act fixing the salaries of certain State officers, and abolishing all additional compensation of such officers.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 570, entitled:

An Act providing for the merging of moneys held in certain special funds in the State Treasury, with moneys in the general fund; providing for the use of all moneys in the general fund for the payment of appropriations, and for the payment from the general fund of moneys appropriated and dedicated for special purposes.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 571, entitled:

A Joint Resolution proposing an amendment to section fifteen, article three, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 572, entitled:

A Joint Resolution proposing an amendment to section thirteen of article three of the Constitution of Pennsylvania.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 573, entitled:

A Joint Resolution proposing an amendment to section twelve of article three of the Constitution of Pennsylvania.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 574, entitled:

An Act to amend section two of the act approved the eighth day of May, one thousand nine hundred and nineteen (P. L. 148) entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll-bridges over the Delaware River," as amended, by substituting the Commissioner of Highways and Public Works in place of the Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania, as a member of the Commission created by said act.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 575, entitled:

An Act to amend sections two and eight of an act approved the twenty-fifth day of July, one thousand nine hundred and seventeen (P. L. 1180) entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River, and making an appropriation therefor," by substituting the Commissioner of Highways and Public Works in place of the Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania, as a member of the Commission created by said act.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 576, entitled:

An Act providing for the rebuilding by the Commonwealth through the Department of Highways and Public Works of certain county brides, the procedure therefor, the payment of a portion of the cost thereof in certain cases by counties, cities and railroads; and the maintenance thereof when completed by the counties.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 577, entitled:

An Act to amend sections two and three of the act approved the ninth day of July, one thousand nine hundred and nineteen, (P. L. 814), entitled "An Act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River, connecting the city of Philadelphia and the city of Camden, and the approaches thereto, providing for a joint commission for that purposes, and defining its powers and duties; providing for an independent commission in this Commonwealth in relation thereto, and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadelphia; and providing for the acquiring, taking, and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridge upon its completion; and making an appropriation for the purposes of this act," as amended by substituting the Commissioner of Highways and Public Works in place of the Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania, as a member of the commission created by said act.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 578, entitled:

An Act to amend sections 1 and 2 as amended and sections 3, 5, 6, 8, 9 and 10 of the act approved July 18, 1919, (P. L. 1049), entitled, "An Act authorizing the Board of Commissioners of Public Grounds and Buildings to erect a soldiers' and sailors' Memorial Bridge with the approaches thereto and memorial pylons, in the city of Harrisburg, to commemorate the services of the soldiers and sailors of the Commonwealth; providing for the letting of contracts therefor; providing for a proportion of the cost to be paid by the

city of Harrisburg, and public service corporations using or affected by the building of said bridge; providing for acquiring any property necessary by eminent domain; giving the Board of Commissioners of Public Grounds and Buildings the right to sell a portion of the land to the Pennsylvania Railroad Company to conform to the plans of the architect; providing for the maintenance of said bridge; and making an appropriation to carry out the provisions of this act," by transferring to the Commissioner of Highways and Public Works the powers and duties granted to and imposed on the Board of Commissioners of Public Grounds and Buildings by said act.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 579, entitled:

An Act Creating a Department of Public Works; vesting in said Department and transferring from the Board of Commissioners of Public Grounds and Buildings all power and authority relating to the construction, maintenance, improvement and repair of public buildings and institutions, the improvement and maintenance of the capitol grounds, and amending, consolidating revising and changing the law relating thereto; providing for the preservation, improvement, maintenance and care of State parks, and monuments and memorials erected from appropriations made by the General Assembly; making the Commissioner of Public Works the representative of the Commonwealth on the Pennsylvania State Park and Harbor Commission of Erie; abolishing certain park, memorial and monument commissions; and transferring the State Art Commission to the Department.

Which was committed to the Committee on Finance.

Mr. QUIGLEY read in his place and presented to the Chair Senate Bill No. 580, entitled:

An Act to enable city, county, poor, ward, school, borough, and township tax collectors, their executors and administrators or their surety or sureties, to collect taxes for the payment of which they have become personally liable by the expiration of the authority of their respective bonds, or warrants or terms of office, and to extend the time for the collection of the same, for a period of two years from the passage of this act; and authorizing such taxes to be entered as municipal liens, and the land of which such taxes were assessed to be sold.

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEES.

Mr. DAIX. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX, from the Committee on Judiciary Special, reported, as committed, Senate Bill No. 551, entitled:

An Act to amend section one of the act approved the first day of July, 1919 (P. L. 710), entitled "An Act relating to fires and fire prevention; imposing duties; and conferring powers heretofore exercised by the State Fire Marshall, upon the Department of State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said department, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires, and the inspection of all and the removal or change of certain buildings; imposing duties on school authorities, and on certain corporations associations, and fire rating agencies; providing for the attendance of witnesses before the department, and the enforcement of its orders; and prescribing penalties;" fixing the powers of the Department of State Police and cities, boroughs and townships relative to the erection and installation of tanks, pumps, drawing off or measuring devices used in connection with inflammable liquids.

Mr. MACDADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MACDADE, from the Committee on New Counties and County Seats, reported, as committed, Senate Bill No. 532, (House Bill No. 523), entitled:

An Act to further amend section 5 of the act approved the 31st day of March, 1876, (P. L. 13), entitled an act to carry into effect section 5 article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants as amended.

TIME OF NEXT MEETING.

Mr. BALDWIN offered the following resolution, which was twice read, considered and agreed to.

In the Senate, Tuesday, March 27, 1923.

Resolved (if the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening, April second, at nine o'clock; and when the House of Representatives adjourns this week it reconvenes on Monday evening, April second, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGES.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 26.

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, March 6, 1923.

Resolved (if the Senate concur), That House Bill No. 26, entitled:

An Act to amend section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" providing for the sale of the real and personal property of a decedent without known heirs kindred or surviving spouse and the payment of the net proceeds of such sale into the State Treasury

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 332.

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives March 26, 1923.

Resolved (if the Senate concur), That House Bill No. 332, entitled:

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 85 RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 85, entitled:

An Act authorizing cities of the third class regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. MacDADE. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. CRAIG. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Section 2, page 2, line 11, by striking out the word "at" and inserting in lieu thereof the word "At"; also Section 3, page 3, line 8, by inserting after the word "building" the word "in".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Aron,	DeWitt,	Long,	Smith,
Baldwin,	Einstein,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Berntheizel,	Heaton,	McClintock,	Sprowls,
Betts,	Homsher,	McNichol,	Steele,
Brown,	Huffman,	Miller,	Stineman,
Buckman,	Jones,	Norton,	Stites,
Christley,	Joyce,	Patton,	Vare,
Clark,	Krause,	Phipps,	Weaver,
Craig,	Kutz,	Quigley,	Woodward,
Culberston,	Lanius,	Salus,	Eyre,
Daix,	Leslie,	Sisson,	Pres. Pro Tem.
Derrick,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE, (T. L. Eyre), announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 6, entitled:

An Act to amend section two of the act approved the sixth day of July, one thousand nine hundred and seventeen, (P. L. 734), entitled "An act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth, together with their solicitor, steward, or superintendent, and such other executive officer as may be designated by said directors and overseers or other officers, to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania, as part of their official duties; and providing for the payment of the expenses thereof."

Senate Bill No. 112, entitled:

An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed for purposes which have been proved or may prove impracticable impossible or inadvisable for any other lawful municipal purpose or to provide for the cancellation of the authority to borrow such moneys

Senate Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania, authorizing the State to issue bonds to the amount of one hundred millions of dollars for the improvement of the highways of the Commonwealth.

Senate Bill No. 17, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania.

Senate Bill No. 41, entitled:

An Act fixing the salary of sheriffs in counties of the eighth class; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

Senate Bill No. 53, entitled:

An Act fixing the per diem compensation of registry or assistant assessors in townships of the first class for the performance of election duties; and the method of ascertaining the number of days employed.

Senate Bill No. 199, entitled.

An act to exempt certain real estate of certain organizations of war veterans from taxation.

Whereupon,

The PRESIDENT PRO TEMPORE (T. L. Eyre) in the presence of the Senate signed the same.

BILL OVER IN ORDER.

Mr. SMITH. Mr. President, I ask that Senate Bill No. 143, on final passage, entitled:

An Act to amend section one of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to later amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 20, as follows:

An Act relating to treasurers in counties of the fifth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the fifth class the

salary of the county treasurer shall be five thousand dollars ($5,000) per annum

Section 2 Each county to which this act applies shall at the cost of the county furnish the office furniture books stationery and supplies required for the use of the county treasurer and also all needed fuel and the services of a janitor and pay the premium on the bonds of the county treasurer required for the safe-keeping and return of county money

Section 3 The county treasurer shall appoint and may dismiss the deputies or clerks of his office

Section 4 All county treasurers within the counties to which this act applies whose salaries are fixed by this act and their several deputies and clerks authorized and their respective salaries designated by the salary board shall be paid for their services by fixed and specific salaries which shall be a charge upon the treasury of the county to which each such officer shall respectively belong said salaries shall be paid semi-monthly on the second and fourth Mondays of the month succeeding that in which his services were rendered

Section 5 The salary board in all counties of the fifth class composed of the county commissioners county controller and county treasurer shall fix and determine annually the salaries to be paid to and the number of deputies and clerks required for the proper dispatch of business in the office of the county treasurer subject to appeal to the court of common pleas by any officer or tax payer dissatisfied with the number appointed and compensation fixed in the case of any such appeal the court shall make an order fixing the number and salaries of such appointees

Section 6 The salaries fixed and provided by this act shall be in lieu of all or any moneys fees perquisites mileage expenses and other allowances which are now or may hereafter be received by or allowed to such treasurer except commissions due or payable to the county-treasurers for acting as agent of the Commonwealth which commissions shall be payable to the county treasurer as now authorized by law all said moneys fees mileage or perquisites received by any of them as compensation fees or perquisites from any source whatsoever shall in all cases belong to the county and shall be paid into the county treasury (except where required to be paid by the Commonwealth) as provided in this act but the necessary traveling expenses of the officers incurred in the administration of their offices shall be paid by the county

Section 7 This act shall take effect on the first Monday of January one thousand nine hundred and twenty-four but shall not be construed to apply to any officer in office at the date of the approval of this act but all such officers shall be entitled to receive and collect the fees and salaries now provided by law for such office

Section 8 All laws or parts of laws general local or special inconsistent with this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Aron,	DeWitt,	Long,	Smith,
Baldwin,	Einstein,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Berntheizel,	Heaton,	McClintock,	Sprowls,
Betts,	Homsher,	McNichol,	Steele,
Brown,	Huffman,	Miller,	Stineman,
Buckman,	Jones,	Norton,	Stites,
Christley,	Joyce,	Patton,	Vare,
Clark,	Krause,	Phipps,	Weaver,
Craig,	Kutz,	Quigley,	Woodward,
Culberston,	Lanius,	Salus,	Eyre,
Daix,	Leslie,	Sisson,	Pres. Pro Tem.
Derrick,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 120, as follows:

An act fixing the salaries of the controller in counties of the first second third fourth and fifth classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salaries of the controller in counties of the first class shall be nine thousand dollars ($9,000) per annum in counties of the second class eight thousand dollars ($8,000) per annum in counties of the third class six thousand dollars ($6,000) per annum in counties of the fourth class four thousand eight hundred dollars ($4,800) per annum and in counties of the fifth class four thousand two hundred dollars ($4,200)

This act shall not apply to any county controller in office at the date of approval of this act

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. CRAIG. Mr. President, I ask unanimous consent to amend Section 1, line 12, by adding thereto after the figures ($4200.00) the words "per annum."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 130, as follows:

An Act to amend section one of the act approved the seventeenth day of May, one thousand nine hundred and nineteen, (P. L. 208), entitled "An Act prohibiting, under certain conditions, the commutation, encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," bv extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it hereby enacted by the authority of the same That section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight) entitled "An Act prohibiting under certain conditions the commutation encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" is hereby amended to read as follows

Section 1 Be it enacted &c That whenever under the terms of any annuity or policy of life insurance or under any written agreement supplemental thereto issued by any insurance company domestic or foreign lawfully doing business in this State the proceeds are retained by such company

at maturity or otherwise no person entitled to any part of such proceeds or any installment of interest due or to become due thereon shall be permitted to commute anticipate encumber alienate or assign the same or any part thereof if such permission is expressly withheld by the terms of such policy or supplemental agreement and if such policy or supplemental agreement so provides no payments of interest or of principal shall be in any way subject to such person's debts contracts or engagements nor to any judicial processes to levy upon or attach the same for payment thereof and further that such company shall not be required to segregate such funds but may hold them as part of its general corporate funds

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,	DeWitt,	MacDade,	Smith,
Baldwin,	Einstein,	Mansfield,	Snyder,
Barr,	Harris,	McClintock,	Sones,
Berntheizel,	Heaton,	McNichol,	Sprowls,
Betts,	Homsher,	Miller,	Steele,
Brown,	Huffman,	Norton,	Stineman,
Buckman,	Jones,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Clark,	Krause,	Quigley,	Weaver,
Craig,	Kutz,	Salus,	Woodward,
Culberston,	Lanius,	Schantz,	Eyre,
Daix,	Leslie,	Sisson,	Pres. Pro Tem.
Derrick,	Long,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 217, entitled:

An Act to amend section one of an act approved the thirteenth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws twenty-one) entitled "An Act for the establishment of a uniform standard of time throughout the Commonwealth" prohibiting the adoption of other standard time

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,	Culberston,	Lanius,	Snyder,
Barr,	Derrick,	Long,	Sones,
Berntheizel,	DeWitt,	Miller,	Sprowls,
Betts,	Heaton,	Norton,	Steele,
Brown,	Homsher,	Phipps,	Stineman,
Buckman,	Huffman,	Quigley,	Weaver,
Christley,	Jones,	Schantz,	Eyre,
Clark,	Joyce,	Sisson,	Pres. Pro Tem.
Craig,	Kutz,	Smith,	

NAYS—15.

Aron,	Krause,	McClintock,	Stites,
Daix,	Leslie,	McNichol,	Vare,
Einstein,	MacDade,	Patton,	Woodward,
Harris,	Mansfield,	Salus,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 291, as follows:

An Act to amend section one of the act approved the twenty-third day of May one thousand nine hundred and seven (Pamphlet Laws two hundred and twenty-five) entitled "An Act providing for the payment of the premiums on bonds of county city borough school-district and township employes" extending the provisions thereof to officers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-third day of May one thousand nine hundred and seven (Pamphlet Laws two hundred and twenty-five) entitled "An Act providing for the payment of the premiums on bonds of county city borough school-district and township employes" is hereby amended to read as follows

Section 1 Be it enacted et cetera That when any officer or employe of any county city borough school-district or township of this Commonwealth shall be required to give a bond for the faithful performance of his duties and such bond shall be required to be endorsed by a surety company it shall be lawful for such county city borough school-district or township to pay the premium on such bond

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Aron,	DeWitt,	MacDade,	Smith,
Baldwin,	Einstein,	Mansfield,	Snyder,
Barr,	Harris,	McClintock,	Sones,
Berntheizel,	Heaton,	McNichol,	Sprowls,
Betts,	Homsher,	Miller,	Steele,
Brown,	Huffman,	Norton,	Stineman,
Buckman,	Jones,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Clark,	Kutz,	Quigley,	Weaver,
Craig,	Lanius,	Salus,	Woodward,
Culberston,	Leslie,	Schantz,	Eyre,
Daix,	Long,	Sisson,	Pres. Pro Tem.
Derrick,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 292, as follows:

An Act to amend section ten of the act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties an dabolishing the office of county auditor in said counties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties

and abolishing the office of county auditor in said counties" is hereby amended to read as follows

Section 10 That from and after the passage of this act all contracts made by the commissioners of said county involving an expenditure exceeding three hundred dollars shall be in writing and shall be awarded only with the approval of the controller and shall immediately after their execution be filed with the controller but no contract shall be made nor the payment thereof certified by the controller for over three hundred dollars unless when made with the lowest and best bidder after due notice to be published by the controller when directed by the commissioners if he approve the purpose of the proposals invited all bids to be received by the controller under seal and to be in his presence opened by the commissioners and the contracts awarded subject to approval by the controller and of which awards the controller shall keep a record and he shall certify no warrants for contracts not made agreeably thereto. All bids shall immediately after they are opened be filed with and be preserved by the controller.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Aron,	DeWitt,	MacDade,	Smith,
Baldwin,	Einstein,	Mansfield,	Snyder,
Barr,	Harris,	McClintock,	Sones,
Berntheizel,	Heaton,	McNichol,	Sprowls,
Betts,	Homsher,	Miller,	Steele,
Brown,	Huffman,	Norton,	Stineman,
Buckman,	Jones,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Clark,	Kutz,	Quigley,	Weaver,
Craig,	Lanius,	Salus,	Woodward,
Culberston,	Leslie,	Schantz,	Eyre,
Daix,	Long,	Sisson,	Pres. Pro Tem.
Derrick,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 293, as follows:

An Act to amend section six of the act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" is hereby amended to read as follows

Section 6 That he shall in the month of January in every year make a report verified by oath or affirmation to the court of common pleas of said county of all receipts and expenditures of the county for the preceding year in detail and classified as required in the fifth section of this act together with a full statement of the financial conditions of the county which report shall thereupon be published one time in such newspapers published in said county as the controller may direct the aggregate cost of which shall not exceed fifteen hundred dollars in any one year to be paid for out of the county treasury which publication shall be in lieu of that required by the twenty-seventh section of the act of fifteenth of April Anno Domini one thousand eight hundred and thirty-four

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Aron,	DeWitt,	MacDade,	Smith,
Baldwin,	Einstein,	Mansfield,	Snyder,
Barr,	Harris,	McClintock,	Sones,
Berntheizel,	Heaton,	McNichol,	Sprowls,
Betts,	Homsher,	Miller,	Steele,
Brown,	Huffman,	Norton,	Stineman,
Buckman,	Jones,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Clark,	Kutz,	Quigley,	Weaver,
Craig,	Lanius,	Salus,	Woodward,
Culberston,	Leslie,	Schantz,	Eyre,
Daix,	Long,	Sisson,	Pres. Pro Tem.
Derrick,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideraation of Senate Bill No. 324, entitled:

An Act to amend section two thousand one hundred five of the act approved May 18, 1911, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first, second and third classes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Aron,	DeWitt,	MacDade,	Smith,
Baldwin,	Einstein,	Mansfield,	Snyder,
Barr,	Harris,	McClintock,	Sones,
Berntheizel,	Heaton,	McNichol,	Sprowls,
Betts,	Homsher,	Miller,	Steele,
Brown,	Huffman,	Norton,	Stineman,
Buckman,	Jones,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Clark,	Kutz,	Quigley,	Weaver,
Craig,	Lanius,	Salus,	Woodward,
Culberston,	Leslie,	Schantz,	Eyre,
Daix,	Long,	Sisson,	Pres. Pro Tem.
Derrick,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. JOYCE. Mr. President, I ask that Senate Bill No. 328, on third reading, entitled:

An Act requiring county commissioners to rebuild or repair county bridges closed to vehicular traffic or destroyed

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 341, as follows:

An Act fixing the mileage chargeable by sheriffs requiring its pay in advance in certain cases and providing for its taxation and collection as sheriff's costs when unpaid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the sheriff of each county of this Commonwealth shall charge and receive for milage in serving or executing each separate writ warrant notice rule order claim sentence decree or other process pleading or judgment or performing any other duty authorized tor directed by law ten cents a mile for each mile necessary to be travelled by him or any of his deputies or employees for rendering any service required therefor Provided that he shall not demand or receive more than one mileage where both the parties plaintiff and defendant in two or more contemporaneous writs are the same or when conducting two or more prisoners at one time to or from a place of detention or correction if he receives the actual expenses for transporting such prisoners and his deputies guarding them

Section 2 Any sheriff may demand prepayment of his mileage for performing any service in any civil proceedings from the party at whose instance or for whose benefit the same is to be performed and shall not be obliged to render such service without being first paid or indemnified for such mileage except when it is chargeable against a county or the Commonwealth or a governmental subdivision or agency of either

Section 3 Any sheriff may tax and collect his unpaid mileage in the same manner as his fees or legal costs are taxable against and collectable from any person or body liable for same or sue any person from whom it may be due and shall not be disqualified to enforce any execution for such mileage by reason of his interest therein

Section 4 All acts or parts of acts general special or local inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Aron,	DeWitt,	MacDade,	Smith,
Baldwin,	Einstein,	Mansfield,	Snyder,
Barr,	Harris,	McClintock,	Sones,
Berntheizel,	Heaton,	McNichol,	Sprowls,
Betts,	Homsher,	Miller,	Steele,
Brown,	Huffman,	Norton,	Stineman,
Buckman,	Jones,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Clark,	Kutz,	Quigley,	Weaver,
Craig,	Lanius,	Salus,	Woodward,
Culberston,	Leslie,	Schantz,	Eyre,
Daix,	Long,	Sisson,	Pres. Pro Tem.
Derrick,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 342, on third reading, entitled:

An Act authorizing each sheriff in counties of the first second third fourth and fifth classes to appoint a Sheriff's Solicitor to be paid by the proper county and prescribing the duties and salary of such Solicitor.

be recommitted to the committee on Judiciary General.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 343, as follows:

An Act to amend section two of an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws ninety-five) entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two of an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws ninety-five) entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process" as amended by the Act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and sixteen) entitled "An Act to amend Section two of an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws ninety-five) entitled 'An Act relating to proceedings where goods and chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process' as amended" is hereby amended to read as follows

Section 2 Said rule for an interpleader shall become absolute at the return day thereof unless exceptions thereto sufficient in law are filed by any of the parties interested or before such return day if such parties filed a stipulation agreeing to an interpleader and the clerk of said court shall make docket entries accordingly where no hearing is required and if the claimant or someone in his behalf at or before such return day presents to said court or to any judge thereof in chambers a sworn statement of title in the form required for framing an issue under this act showing that the claimant has a prima facie title to the property claimed and does not derive the same directly or indirectly by from or through any defendant in such execution or process said rule for an interpleader shall be made absolute by said court or judge upon the filing of such statement of title without hearing any plaintiff who has not previously filed any exception to said rule If said rule shall be made absolute either with or without a hearing the claimant shall give bond to the Commonwealth of Pennsylvania with security to be approved by said court or a judge thereof in double the appraised value of the goods and chattels claimed or in double all claims with interest and probable costs thereon for which said property is in legal custody whichever shall be the smaller amount conditioned that he shall at all times maintain his title to said goods and chattels claimed or pay the value thereof to the party or parties thereunto entitled in accordance with their respective interests therein by reason of such executions or process or otherwise and thereupon the sheriff shall with-

draw all levies and attachments on the property claimed and deliver any goods and chattels actually in his custody to the claimant upon payment by the latter of the charges incurred by the sheriff in taking and keeping and transporting the same Provided that the claimant shall first have filed the statement of the title required by this act in each suit or proceeding in which any execution or attachment issued and any of said goods and chattels were levied upon or seized by said sheriff

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Aron,	DeWitt,	MacDade,	Smith,
Baldwin,	Einstein,	Mansfield,	Snyder,
Barr,	Harris,	McClintock,	Sones,
Berntheizel,	Heaton,	McNichol,	Sprowls,
Betts,	Homsher,	Miller,	Steele,
Brown,	Huffman,	Norton,	Stineman,
Buckman,	Jones,	Patton,	Stites,
Christley,	Joyce,	Phipps,	Vare,
Clark,	Kutz,	Quigley,	Weaver,
Craig,	Lanius,	Salus,	Woodward,
Culberston,	Leslie,	Schantz,	Eyre,
Daix,	Long,	Sisson,	Pres. Pro Tem.
Derrick,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 345, as follows:

An Act to amend Section two of the act approved the eleventh day of July one thousand nine hundred and one (Pamphlet Laws six hundred and sixty-three) entitled "An Act to regulate and establish the fees to be charged by Sheriffs in this Commonwealth and to provide for the taxation and collection of the same"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two of the act approved the eleventh day of July One Thousand Nine Hundred and One (Pamphlet Laws six hundred and sixty-three) entitled "An Act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of the same" is hereby amended to read as follows

Section 2 No sheriff shall be required to render any service in any civil proceeding until he receives indemnity satisfactory to him for the payment of his official fees mileage expenses and legal costs or prepayment of same from the party at whose instance or for whose benefit such service is to be performed but any money advanced for his charges and not earned or expended shall be refunded to the payor therof Any sheriff without obtaining any extension of time for the return of any writ notice decree order or process may refuse to make return thereof until he shall receive all unpaid fees mileage expenses and legal costs relating thereto from the party for whose benefit the same was granted or issued unless his charges are to be paid by the Commonwealth or any county thereof and in case he does not receive his charges in advance or upon demand he may file with his return an itemized list of unpaid fees mileage cost and expenses respecting the services to which such return relates and if no exceptions are filed to the same within thirty days from the time of making such return the items including in such list shall be considered taxed and confirmed as fees and costs due such sheriff and become a judgment in law against the party for whose benefit the services were rendered as well as against any other party who may be or become liable for such fees and costs by law and the said sheriff may issue an execution for the amount so taxed and collect the same from any party so chargeable therewith without further suit and shall not be disqualified to enforce such execution by reason of his interest therein Provided that such taxation may be reviewed and execution controlled by any court having jurisdiction if sufficient cause be shown by any person aggrieved

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Derrick,	Mansfield,	Snyder,
Baldwin,	DeWitt,	McClintock,	Sones,
Barr,	Einstein,	McNichol,	Sprowls,
Berntheizel,	Harris,	Miller,	Steele,
Betts,	Heaton,	Norton,	Stineman,
Brown,	Homsher,	Patton,	Stites,
Buckman,	Huffman,	Phipps,	Vare,
Christley,	Jones,	Quigley,	Weaver,
Clark,	Joyce,	Salus,	Woodward,
Craig,	Leslie,	Schantz,	Eyre,
Culberston,	Long,	Smith,	Pres. Pro Tem.
Daix,	MacDade,		

NAYS—3.

Kutz,	Lanius,	Sisson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 346, as follows:

An Act authorizing the sheriffs of the several counties of this Commonwealth to organize themselves into a State Association for the purpose of holding annual meetings to secure more uniformity and co-operation in the conduct of their offices and providing for the payment of certain expenses in connection with such meetings by the various counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the sheriffs of the several counties of this Commonwealth are hereby authorized to organize themselves into a State Association with power to hold annual meetings at such time and place within the State as they may designate for the purpose of securing more uniformity and co-operation in the conduct of their offices and improving their services to the public

Section 2 Each sheriff or deputy sheriff or solicitor representing any sheriff shall be allowed all reasonable expenses including hotel bill and travelling expenses actually incurred going to attending and returning from any annual meeting of the Association which shall be paid by the county of which he is an officer by orders drawn on the Treasurer thereof The time spent in attending such meetings shall not be more than four days exclusive of the time employed in travelling thereto and therefrom The expenses of the annual meetings of the Association including any necessary amount for printing committee meetings and stenographic service shall be paid by the proper counties but shall not exceed Twenty-five dollars for each county the sheriff of which is a member of said Association

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Aron,	Daix,	Mansfield,	Sisson,
Baldwin,	Derrick,	McClintock,	Smith,
Barr,	DeWitt,	McNichol,	Snyder,
Berntheizel,	Einstein,	Miller,	Sones,
Brown,	Harris,	Norton,	Steele,
Buckman,	Heaton,	Patton,	Stineman,
Christley,	Homsher,	Phipps,	Vare,
Clark,	Jones,	Quigley,	Weaver,
Craig,	Long,	Salus,	Eyre,
Culberston,	MacDade,	Schantz,	Pres. Pro Tem.

NAYS—4.

Betts,	Kutz,	Lanius,	Sprowls,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 347, as follows:

An Act empowering any chief deputy appointed by deed of any sheriff in any county of this Commonwealth to perform any duty incumbent upon such sheriff, until a written revocation of such appointment be recorded, with like effect as if such official act had been done by the sheriff in person, regardless of the ability or temporary disability of such sheriff to act, while such sheriff continues in office.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any chief deputy heretofore or hereafter appointed as required by law by any sheriff in any county of this Commonwealth by deed duly recorded in the office for recording deeds in such county shall have full power and authority to perform any duty incumbent upon such sheriff until a written revocation of such appointment is similarly recorded with like effect in law as if such official act had been done by the sheriff in person regardless of the ability or temporary disability of such sheriff to act while such sheriff continues in office Provided that nothing in this act shall operate to relieve such sheriff or his sureties from liability upon their official bonds to the Commonwealth

Section 2 All acts or parts of acts general special or local inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Smith,
Barr,	Einstein,	Mansfield,	Snyder,
Berntheizel,	Harris,	McClintock,	Sones,
Betts,	Heaton,	McNichol,	Steele,
Brown,	Homsher,	Norton,	Stineman,
Buckman,	Jones,	Patton,	Vare,
Christley,	Joyce,	Phipps,	Weaver,
Clark,	Kutz,	Quigley,	Woodward,
Craig,	Lanius,	Salus,	Eyre,
Culbertson,	Leslie,	Schantz,	Pres. Pro Tem.
Daix,			

NAYS—1.

Miller,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. BROWN. Mr. President, I ask that Senate Bill No. 366, on third reading, entitled:

An Act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 411, entitled:

An Act to amend part of section one of the act approved the tenth day of May, 1921, (P. L. 449) entitled "An Act to fix the number of Senators in the General Assembly of the State; apportion the State into senatorial districts, as provided by the Constitution; and to regulate the election of, and the terms of office of, the present and future elected Senators."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Schantz,
Baldwin,	DeWitt,	MacDade,	Sisson,
Barr,	Einstein,	Mansfield,	Smith,
Berntheizel,	Harris,	McClintock,	Snyder,
Betts,	Heaton,	McNichol,	Sones,
Brown,	Homsher,	Miller,	Sprowls,
Buckman,	Huffman,	Norton,	Steele,
Christley,	Jones,	Patton,	Stineman,
Clark,	Joyce,	Phipps,	Eyre,
Craig,	Kutz,	Quigley,	Pres. Pro Tem.
Culbertson,	Lanius,	Salus,	
Daix,	Leslie,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 416, (House Bill No. 450), entitled:

An Act to further amend cause three section one of an act approved the eighth day of May, one thousand eight hundred and fifty-four (P. L. 644) entitled: "A further supplement to the act entitled 'An Act concerning divorces'" as amended by taking away the right of support or alimony in certain cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Aron,	Davis,	Long,	Salus,
Baldwin,	DeWitt,	MacDade,	Sisson,

Berntheizel,	Einstein,	Mansfield,	Smith,
Barr,	Harris,	McClintock,	Snyder,
Brown,	Heaton,	McNichol,	Sones,
Christley,	Homsher,	Miller,	Steele,
Clark,	Jones,	Norton,	Weaver,
Craig,	Joyce,	Patton,	Eyre,
Culbertson,	Kutz,	Phipps,	Pres. Pro Tem.
Daix,	Leslie,	Quigley,	

NAYS—4.

Betts,	Derrick,	Lanius,	Sprowls,

A majority of all the Senators having voted "aye" the question was determinted in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 444, entitled:

An Act authorizing the county commissioners and controllers in third class counties to appoint a collector of delinquent taxes; and defining his powers with regard to the collection of taxes returned by county tax collectors as uncollectible and for which credits have been claimed.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Daix,	Long,	Schantz,
Baldwin,	Derrick,	MacDade,	Sisson,
Barr,	DeWitt,	Mansfield,	Smith,
Berntheizel,	Einstein,	McClintock,	Snyder,
Betts,	Harris,	McNichol,	Sones,
Brown,	Homsher,	Miller,	Steele,
Buckman,	Jones,	Norton,	Stineman,
Christley,	Joyce,	Phipps,	Weaver,
Clark,	Kutz,	Quigley,	Eyre,
Craig,	Lanius,	Salus,	Pres. Pro Tem.
Culbertson,	Leslie,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

QUESTION OF PERSONAL PRIVILLEGE.

Mr. WEAVER. Mr. President, I rise to a question of personal privilege.

The CHAIR. The Senator from Westmoreland, Mr. Weaver, will state his question of personal privilege.

PRESENTATION TO MR. W. HARRY BAKER.

Mr. WEAVER. Mr. President, this is a matter for which I do not feel called upon to make any apology, neither to this Senate nor to the State of Pennsylvania at large. I have been requested by the members of the transcribing force of the Senate to say a few words in honor of the 49th birthday of the Secretary of this Senate. The only mistake in this matter is that some other person was not selected to say these few words, some person more capable. However, I warm up to my subject for I remember that this presentation is to be made by the transcribing force of the Senate, not out of truculence, not out of adulation, not out of any desire to secure something of value out of downright admiration and love of these people for this man. It has always been a great pleasure to me, although I have had some advantages of school, some of those advantages coming rather late in life, it has always been a matter of very great pleasure to have been able to go along down through the years of history and discover here and there some man who, in spite of the fact that he has not received the scholastic advantages, the school advantages of other men, he has been able to rise to the height that the average man with scholastic attainments has not been able to attain. It is undoubtedly true that that is the one chief thing that makes us love Abraham Lincoln as much, or more, than anything else perhaps, and so we find men the whole way down the line and going back as we are reminded by the incidents of this week of that rugged character who sometimes in his impulsiveness stood straight on his feet and then, owing to too much impulsiveness, fell down for the time being, we are reminded of that character, Peter, who was not cultured like Luke, but who, notwithstanding some weaknesses had the greatest power and strength of the apostles, so much so indeed, that the Great Teacher himself felt called upon to say to him one day "Thou art Peter and upon this rock will I build my church and the gates of hell shall not prevail against it". And so we have found these strong rugged characters all through history. This man, W. Harry Baker, familiarly known as "Harry" by all of us is perhaps the most versatile man I think in public life in Pennsylvania to-day. It requires a great deal of taste and tact to say something that will compliment a man and not at the same time offend, and in some instances outrage his sense of propriety. I am exceedingly anxious not to offend in this line, my friend and your friend. His graces are too well known to warrant me in standing before you now and enlarging upon them. Suffice it to say that we love him as much for what he is not as for what he is, because sometimes what a man is is almost wrecked or destroyed by what he is not. We love him because he is not indiscreet. We love him because he knows the value of silence when silence is the proper thing. We love him because he understands thoroughly that altho speech is sometimes silver silence is also golden, and we also know that he will never be charged with the offence of unwise talk.

I very often feel that when I make a break myself and when I sometimes hear my friends making them, since I am not the only one that makes them, when I see myself doing these things and see my friends also doing them, I am reminded of a very ridiculous thing that occurred one time when I was singing in a quartet, the soprano of which was the aunt of one of the present most noted musical composers in the United States. There was at the same time, in the same quartet, a young man singing baritone, who afterwards sang in Omaha and Chicago, and rose to some eminence in that line, but he had occassionally more zeal than wisdom. One day when singing an arrangement of Lang's —instead of waiting until the organist had made the modulation into a different key, he was a bit headstrong, he took the wrong key and persisted in it to the end. This woman stood beside me and I could hear her saying out of the corner of her mouth to me, "My God, listen to that fellow! Just listen to him." And so it is sometimes when we go wrong: I do thank the Lord I do not often have to say that about Harry Baker. Now this being his 49th birthday, his friends of the transcribing room have brought 49 beautiful roses here and asked me to present them to him. I am reminded of a rather rare piece of poetry that comes to me from somewhere, I have never been able to discover the author, if any person here can tell me I will be under obligation to him,—it is like this:

If the rose were born a lily,
And by force of art and eagerness for light,
Grew tall and fair,
It were a true type of the first fiery soul,
That makes a humble name honorable.
They who take it by inheritance alone,
Adding no brightness to it are like stars seen in the ocean,
They were never there but for their bright originals in heaven.

I am quite certain that Harry Baker himself is not shining with any foreign light. He is not reflecting the light of any person else, but all he is and all he does is within Harry Baker. Now at the end of this little informal talk let me as the representative of these people and as the spokesman for the members of this Senate say to him that we wish him at least 49 more returns of this happy day.

Mr. BAKER. Mr. President and members of the Senate, it is a very rare occasion when a person who is not a member of this body is permitted to address it, and I certainly appreciate your kindness in permitting me to say a few words of thanks to the boys in the transcribing room for this remembrance. There have been times in other years when I felt that something was going to happen on my birthday but this year my birthday does not fall on a day when the Senate will be in session, and consequently this beautiful basket of flowers came as a great surprise to me. Words cannot express how deeply I appreciate the kindly feeling of the transcribing force toward me. Oft times people get credit to which they are not entitled and frequently that applies to me. If we had not such an efficient force in the transcribing room many things would go wrong. I believe that few of the Senators fully realize how much work these boys do. They really do not start their labors until after the session closes and then they are here to stay night and day until the work is done. Their association has been most pleasant and I want to thank them sincerely for this beautiful basket of flowers that they have given to me for my 49th birthday.

The PRESIDENT. I am sure that the Senator from Westmoreland, Mr. Weaver, voices the sentiment of every member of this body in their appreciation of the service rendered to this body by its efficent Secretary.

BILL INTRODUCED.

Mr. BARR. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 581, entitled:

An Act to further amend section one thousand two hundred ten as amended, of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any part thereof, that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 119, as follows:

An Act creating the office of controller in counties of the first second third fourth and fifth classes prescribing his powers and duties imposing certain duties upon such county commissioners and county treasurers and abolishing the office of county auditor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the office of county controller is hereby established in each county of the Commonwealth of the first second third fourth and fifth classes At the municipal election in the year one thousand nine hundred and twenty-three and every four years thereafter there shall be elected in each of said counties not having a controller and in each of the counties where the term of the county controller then in office expires on the first Monday of January next succeeding a controller who shall hold office for a term of four years from the first Monday of January next succeeding such election At the municipal election in the year one thousand nine hundred and twenty-five and every four years thereafter there shall be elected in each of said counties where the term of county controller then in office expires on the first Monday of January next succeeding a controller for a term of four years from the first Monday of January next succeeding such election Whenever any county shall hereafter come within any of the classes of counties to which this act applies there shall be elected in such county at the first municipal election thereafter and every four years thereafter a controller who shall hold his office for a term of four years from the first Monday of January next succeeding his election The controller of each county shall hold his respective term of office until his successor shall be duly elected and qualified if he shall so long behave himself well In any of said counties not having a controller at the date of the passage of this act and in any of said counties hereinafter coming within the provisions of this act the office of county auditor shall be abolished from and after the date when the controller herein provided for shall commence his term of office

Section 2 No person holding any office under the United States shall be eligible to the office of controller during his continuance in office nor until one year thereafter No county commissioner county treasurer prothonotary register of wills clerk of the courts recorder of deeds sheriff or district attorney or their chief clerks or deputies shall be eligible to the office of county controller until two years after the expiration of their respective terms of office but a controller shall always be eligible to re-election or appointment

Section 3 Before entering upon the duties of his office the controller shall give bond to the county in which he may be elected with at least two sufficient sureties or with corporate surety in the sum of twenty thousand dollars to be approved by the court of common pleas of said county conditioned for the faithful performance of his duties and those of his deputies. The cost and expense of procuring any bond shall be paid by the county from the county treasury The controller and his deputies and clerks shall also each take and subscribe the oath or affirmation as prescribed by article seven of the Constitution and a wilful violation of said oath shall constitute perjury. The oaths and the bond herein provided for shall be recorded in the recorder's office of the proper county and shall then be filed and kept in the county commissioners' office Records thereof or certified copies of the same may be used in evidence in all judicial proceedings with the same force and effect as the original.

Section 4 The Governor shall appoint a person in each county wherein this act is or becomes operative to act as controller for such county until his successor in office is duly elected qualified and shall also appoint a suitable person to fill any vacancy that may occur by death resignation or removal from office of the controller in any county wherein this act is or becomes operative

Section 5 The controller shall appoint a deputy controller and such other clerks anl persons as may be necessary The salary of such deputy and clerks shall be fixed by the county commissioners and the county controller in the manner now provided by law The deputy controller shall during the necessary or temporary absence of the controller or in the case of a vacancy in said office have the same powers and perform the same duties as are herein provided for the office of controller

Section 6 The controller shall have general supervision and control of the financial affairs of the county and of the accounts and official acts of all officers or other persons who

shall collect receive or distribute the public moneys of the county or who shall be charged with the management or custody thereof. He may at any time require from any of them in writing an acount of all moneys or property which may have came into their control He shall immediately upon the discovery of any default or discrepancy report the same to the county commissioners and to the court of common pleas of the county and shall take immediate measures to secure the public moneys or property and to secure the removal of the delinquent party if in office and not removed by the county commissioners

Section 7 The controller shall cause to be kept a full and regular set of books in detail by double entry of all the financial operations of the county embracing as many accounts under separate titles as may be necessary to show distinctly and separately all the property of the county its receipts and expenditures and all debts and accounts due the county officers or others the amount raised from each source of revenue and the expenditures in detail and classified with reference to the objects thereof He shall prescribe the form and manner of keeping the books and papers used by each of the officers of said county in connection with the financial affairs of their offices He shall on or before the first day of February annually deliver to the county commissioners in writing a detailed estimate of the expenditures for the legitimate purposes of the county for the current year including interests due and to fall due on the lawful debts of the county bearing interest The commissioners shall on or before the fifteenth day of February thereafter fix such rate of taxation upon the valuation of the property of the county as will raise sufficient sums to meet the said expenditures .The commissioners shall not by contract or otherwise increase the expenditures of the county in any year to an amount beyond the taxes assessed for the said year

Section 8 The controller shall in the month of January in each year make a report verified by oath or affirmation to the court of common pleas of the county of all receipts and expenditures of the county for the preceding year in detail and classified as required by the seventh section of this act Such report shall also contain a full statement of the financial condition of the county The report shall be published one time in such newspapers published in the county as the controller may direct The aggregate cost of such publication shall not in any one year exceed fifteen hundred dollars and shall be paid out of the county treasury

Section 9 The controller shall keep his office in a room or rooms of the court house or city hall of the county and such room or rooms shall be furnished at the expense of the county The controller shall furnish to the county commissioners whenever required by them a detailed account of any officer or other person having in his possession or under his control funds belonging to the county He shall at all times between the hours of ten o'clock ante meridian and two o'clock post meridian give information respecting any of said accounts to any taxpayer of the county demanding the same

Section 10 The controller shall scrutinize audit and decide on all bills claims and demands whatsoever against the county All persons having such claims shall first present the same to the controller and if required make oath or affirmation before him to the correctness thereof He may if he deems it necessary require evidence by oath or affirmation of the claimant or other persons that the claim is legally due and that the supplies work or services for which payment is claimed have been furnished or performed under legal authority He shall inquire and ascertain whether any officer or agent of the county is interested in the contract under which any claim may arise or has received or is to receive any commission consideration or gratuity relating thereto or whether there has been any evasion of the twelfth section of this act by making two or more contracts for small amounts which should have been in one contract If he shall find that there has been any evasion or that any such officer or agent is so interested he shall refuse to approve the claim All claims which he shall find legally due he shall approve and certify to the county commissioners All claims which he shall find or believe to be not legally due he shall disapprove He shall countersign all receipts given by the county treasurer to persons paying money into the treasury and keep an accurate record of the same

Section 11 After the controller shall have assumed the duties of his office it shall be unlawful for the county commissioners of such county to draw any warrant on the county treasury for the payment of any debt claim or demand whatsoever unless the same has been audited and approved by the controller as provided in this act Except that separate warrants for the payment of fees of jurors witnesses criers and tipstaves of the several courts of the county which amounts shall be ascertained by the several courts of the county and entered upon the records thereof shall be duly certified by the respective clerks of the courts to the county commissioners after having first been sworn to before the controller for preservation as soon as the warrants are issued

Section 12 All contracts made by the county commissioners of any county involving an expenditure exceeding three hundred dollars shall be in writing and shall immediately after their execution be filed with the controller No contract shall be made or payment thereof be certified by the controller involving more than three hundred dollars unless such contract is made with the lowest or best bidder after due notice published by the controller when directed by the county commissioners if the controller approved the purposes for which bids are invited All bids on contracts shall be received by the controller and such bids shall be opened and contracts awarded by the county commissioners in the presence of the controller He shall keep a record of all such awards and shall not certify any warrants or approve any bills founded upon any contracts not made in accordance with the provisions hereof

Section 13 All warrants drawn on the county treasurer by the county commissioners on certificates as provided in the tenth eleventh and twelfth sections of this act shall be countersigned by the controller and he shall keep a correct register thereof noting (a) the number (b) the date and amount of each (c) date of payment and (d) to whom and for what issued and shall report to the commissioners monthly or oftener if required by them the amount of outstanding warrants registered and the amount of money in the treasury

Section 14 The controller shall have the custody (a) of all official bonds (except his own) given to the county (b) of all title deeds to real estate owned by the county (c) of all contracts entered into by or on behalf of the county (d) of all books documents and papers relating to its financial affairs and (e) of all bonds and other obligations issued by said county when paid All such bonds and other obligations when so paid shall be distinctly cancelled by him and be carefully and regularly filed A register of such cancellation shall be kept in a book to be provided for that purpose

Section 15 No county treasurer shall pay any moneys out of the county treasury except on warrant drawn by a majority of the county commissioners and countersigned by the controller The books of the county treasurer shall at all times during office hours be open to the inspection of the controller and the county treasurer shall report daily to the controller all moneys received by him for the county the person by whom and on what account they were paid The county treasurer shall cancel all warrants when paid by distinctly spearing or cutting them He shall also report daily all moneys paid out by him giving the number of the warrant and the party to whom paid and shall deliver the warrants to the controller who shall cancel the same All outstanding warrants issued before any controller enters upon the duties of his office shall be presented to him as other claims against the county Provided That in counties to which this act applies wherein the poor tax is paid into the county treasury the county treasurer shall keep a separate account of such poor tax received by him and pay out the same upon warrants drawn by a majority of the directors of the poor of the county

Section 16 All duties devolved and powers conferred on the county auditors by the act of April fifteenth one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An act relating to counties and townships and county and township officers" shall be performed and exercised by the controller so far as regards county accounts and State taxes for which the county is or may be liable All other accounts with the Commonwealth shall be audited by the auditor of accounts of prothonotaries clerks et cetera appointed by the court of common pleas under the act of April twenty-first one thousand eight hundred and forty-six and its amendments and supplements The report required by the eighth section of this act shall have the same effect as the report of auditors under the said act of April fifteenth one thousand eight

hundred and thirty-four with like rights of appeal therefrom

Section 17 The act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" and the several amendments thereto are hereby repealed but such repeal shall not affect the term of any county controller in office at the time of the passage of this act and all such officers in office shall hold their respective offices until the expiration of their respective terms and shall have the powers perform the duties and be subject to the limitations and restrictions provided for by this act

All other acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. CRAIG. Mr. President, I move that Senate bill No. 169, (House Bill No. 202), on second reading, entitled:

An Act relating to depositories of county funds in counties of the sixth class providing for the selection thereof by the county treasurer county commissioners and county controller if any there be and for the payment of interest on county funds for the use of the county imposing certain expenses upon counties in conection therewith and providing penalties

be recommitted to the Committee on New Counties and County Seats.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 171, (House Bill No. 38), entitled:

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies and the compensation of deputies and clerks.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 230, (House Bill No. 219), entitled:

A Joint Resolution proposing an amendment to article seventeen, section eight of the Constitution of the Commonwealth of Pennsylvania, authorizing the granting of free passes or passes at a discount to clergymen.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 247, as follows:

An Act supplementing and amending an act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and fifty-nine) entitled "An act authorizing certain corporations to issue preferred or common stock of one or more classes providing for the manner of issuance restrictions and regulations in the manner of voting thereof and the rights and privileges of the holders thereof validating certain acts of corporations not participated in by the holders of non-voting stock and repealing all acts and parts of acts inconsistent therewith" further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value and regulating such issuing of said stock

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and fifty-nine) entitled "An act authorizing certain corporations to issue preferred or common stock of one or more classes providing for the manner of issuance restrictions and regulations in the manner of voting thereof and the rights and privileges of the holders thereof validating certain acts of corporations not participated in by the holders of non-voting stock and repealing all acts or parts of acts inconsistent therewith" which reads as follows

"Section 1 Be it enacted et cetera That every corporation theretofore or hereafter incorporated under the laws of this Commonwealth excepting those referred to in section two of this act may create two or more kinds of common stock and two or more kinds of preferred stock at the time of its corporation by provisions inserted in the certificate of incorporation or at any later time with the consent of a majority in interest of its stockholders having voting power obtained at a meeting to be called for that purpose Notice of the time place and purpose of such meeting shall be published once a week for sixty (60) days prior to said meeting in a newspaper of general circulation and in the legal journal if any of the county in which the principal office of the corporation in this Commonwealth is located Such classes of stock may from time to time be authorized and issued out of the unissued stock of the corporation Such stock may be issued in one or more classes in such amounts for each class without regard to the amount of any other class or the amount of unqualified common stock and with such designations rights privileges limitations preferences and voting powers or prohibitions restrictions or qualifications of the voting and other rights and powers and upon such terms as to redemption in any class thereof at least less than par and convertible or not into any other class of stock common or preferred as may be set forth in the original certificate of incorporation or as may be approved and adopted by the stockholders at the time of the authorization or at any time prior to the issuance thereof The rate of preferred dividend for any class of stock shall not exceed ten per centum (10%) per annum Such stock may be issued for cash or property or in exchange for other stock of the corporation or through all or more than one of said methods and the stock so exchanged for such preferred stock and returned to the corporation may be issued again by the corporation" is hereby amended to read as follows

Section 1 Be it enacted et cetera That every corporation heretofore or hereafter incorporated under the laws of this Commonwealth excepting those referred to in section two of this act may create two or more kinds of common stock and two or more kinds of preferred stock either with nominal or par value or without nominal or par value at the time of its incorporation by provisions inserted in the certificate of incorporation or at any later time and in case of corporations heretofore incorporated by amendment in the manner now provided by law of its certificate of incorporation with the consent of a majority in interest of its stockholders having voting power obtained at a meeting to be called for that purpose Notice of the time place and purpose of such meeting shall be published once a week for sixty (60) days prior to said meeting in a newspaper of general circulation and in the legal journal if any of the county in which the principal office of the corporation in this Commonwealth is located Such classes of stock may from time to time be authorized and issued out of the unissued stock of the corporation Such stock may be issued in one or more classes in such amounts for each class without regard to the amount of any other class or the amount

of unqualified common stock and with such designation rights privileges limitations preferences and voting powers or prohibitions restriction or qualifications of the voting and other rights and powers and upon such terms as to redemption in any class thereof and convertible or not into any other class of stock common or preferred as may be set forth in the original certificate of incorporation or in any amendment thereof or as may be approved and adopted by the stockholders at the time of the authorization or at any time prior to the issuance there of The rate of preferred dividend for any class of stock shall not exceed ten per centum (10%) per annum Such stock may be issued for cash or property or in exchange for other stock of the corporation or through all or more than one of said methods and the stock so exchanged for such preferred stock and returned to the corporation may be issued again by the corporation

The certificate of incorporation and in the case of corporations heretofore incorporated the amendment of the certificate of incorporation in lieu of the statements now prescribed by law as to the amount of the corporations capital stock and the number and par value of the shares into which it is divided shall set forth and show

(a) The number of shares with nominal or par value and the number of shares without nominal or par value that may be issued by the corporation and the classes if any into which such shares are divided

(b) The nominal or par value of shares of stock other than shares which it is stated are to have no nominal or par value

(c) In the case of corporations hereinafter to be incorporated the amount of the capital with which the corporation wil begin business

(d) In the case of corporations heretofore incorporated the amount of the capital stock that the corporation is authorized to issue at the time of such amendment of its certificate of incorporation

Section 2 That said act be and the same is hereby further amended by adding thereto the following sections

Section 7 Every certificate for shares of stock without any nominal or par value shall have plainly stated upon its face the number of shares which it represents and no certificate shall express any par value for such shares or any rate of dividend to which it shall be entitled in terms of percentage of any par or other value

Section 8 Any corporation having shares without any nominal or par value in pursuance of this act may increase or reduce the number of shares which it may issue in the manner and subject to the terms and conditions now provided by law for the increase or reduction of the capital stock of a similar corporation having shares with a par value

Section 9 For the purpose of this act the "stated capital" of any corporation hereafter to be incorporated issuing shares without nominal or par value shall be the capital with which the corporation will begin business as stated in the certificate of incorporation or upon amendment of its certificate of incorporation by any corporation hereto fore incorporated as in this act provided the then authorized capital of the corporation so amending or as may thereafter be increased or decreased as provided by law In the case of corporations having outstanding shares with a nominal or par value as well as shares without nominal or par value the portion of "stated capital" applicable to the shares without nominal or par value shall be the excess of the "stated capital" over and above shares having a par value

Section 10 For the purpose of computing the bonus required to be paid under the laws of this Commonwealth and such tax or taxes if any the determination of which is based on the par value of the shares of stock and not on the number of shares or the actual or ascertained value thereof and for the purpose of determining the amount of the liability of stockholders in their individual capacity for work and labor done to carry on the operation of the corporation or for the debts due laborers mechanics and clerks but for no other purpose each share of stock without any nominal or par value under the provisions of this act shall be considered the equivalent of a share having a nominal or par value of one hundred dollars

Section 11 For the purpose of any certificate of notification report return or similar instrument wherein the amount or par value of stock or capital or capital stock paid in outstanding called or retired is required to be stated in the case of shares without a nominal or par value and with respect to such shares for the purpose of ascertaining and fixing the "stated capital" the amount of such shares without a nominal or par value shall be taken and deemed to be the amount in the aggregate of the par value of the shares called or retired Provided That in case of such shares without a nominal or par value authorized but unused and not presently to be issued it shall not be necessary in such certificate report return or similar instrument to show the amount or par value thereof and only the number of shares thereof need be stated

Section 12 For the purpose of any statutory provision limiting the amount of capital stock which a corporation may have or for the purpose of determining the relation between indebtedness and capital stock or prescribing the portion or amount or par value of stock or capital which must be paid in cash or otherwise whether at the time of formation before commencing business or from time to time subsequent thereto the stated capital of a corporation having shares without nominal or par value shall be held and deemed to be its capital stock or the amount thereof

Section 13 Nothing in this act contained shall be construed as excepting or relieving a corporation from any requirement of the law as to the amount in dollars of paid in capital in cash or otherwise which it must have at any time

Section 14 In any investigation or proceeding by the Commonwealth of Pennsylvania or any agency thereof to determine the value of the property assets or capital stock of a corporation having shares without nominal or par value under the provisions of this act neither the stated capital of such corporation or the number of shares of its outstanding stock without a nominal or par value shall be controlling but the same may be disregarded or considered only to such extent as the Commonwealth or its agency shall deem necessary or proper for the purpose of such investigation or proceeding

Section 15 Except as otherwise provided by this act corporations issuing shares without any nominal or par value under the provisions hereof shall be and remain subject to the laws of this Commonwealth now or hereafter in force relating to the formation or regulation rights powers and privileges of such corporations

Section 16 All acts or parts of acts inconsistent herewith are repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 315, (House Bill No. 425), entitled:

An Act to amend an act approved the ninth day of April one thousand nine hundred and thirteen (Pamphlet Laws forty-six) entitled "An act fixing the number and salaries of clerks and other employes in the Auditor General's Department"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 316, as follows:

An Act to amend chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" by creating a Borough Planning Department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the borough and for three miles beyond the borough limits and to regulate

the making and use of certain public improvements until said plans are approved by said department and authorizing the exercise of the powers herein provided by a park or other municipal commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding thereto the following article to be known as Article IX Borough Planning Commission

Section 1 The council of any borough may at any time create by ordinance a department to be known as the Department of Borough Planning which shall be in charge of a Borough Planning Commission consisting of five persons to be appointed by the burgess and councils In the first instance one member of said commission shall be appointed for one year one member for two years one member for three years one member for four years and one member for five years and annually therafter a member of said commission shall be appointed for a term of five years An appointment to fill a casual vacancy shall be only for the unexpired portion of the term All members of the said commission shall reside within the zone of jurisdiction of said commission as hereinafter defined They may make and alter rules and regulations for their own organization and procedure consistent with the ordinances of the borough and the laws of the Commonwealth They shall serve without compensation and make annually to the burgess and councils a report of their transactions They may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for through proper appropriation by councils

Section 2 The clerks of council shall upon introduction furnish to the Borough Planning Commission for its consideration a copy of all ordinances and bills and all amendments thereto relating to the location of any public building of the borough and to the location extension widening narrowing enlargement ornamentation and parking of any street boulevard parkway park playground or other public ground and to the relocation vacation curtailment changes of use or any other alteration of the borough plan with relation to any of the same and to the location of any bridge tunnel and subway or any surface underground or elevated railway The said commission shall have the power to disapprove any of the said ordinances bills or amendments which disapproval however must be communicated to councils in writing within ten days from the introduction of said ordinances but such disapproval shall not operate as a veto

Section 3 The Borough Planning Commission may make or cause to be made and lay before councils and at its discretion cause to be published maps of the borough or any portion thereof including territory extending three miles beyond the borough limits showing the streets and highways and other natural and artifical features and also locations proposed by it for any new public buildings civic centre street parkway park playground or any other public ground or public improvement or any widening extension or relocation of the same or any change in the borough plan by it deemed advisable and it may make recommendations to councils from time to time concerning any such matters and things aforesaid for action by councils thereto and in so doing have regard for the present conditions and future needs and growth of the borough and the distribution and relative location of all the principal and other streets and railways waterways and all other means of public travel and business communications as well as the distribution and relative location of all public buildings public grounds and open spaces devoted to public use

Section 4 The Borough Planning Commission may make recommendations to any public authorities or any corporations or individuals in said boroughs with reference to the location of any buildings structures or works to be erected or constructed by them

Section 5 All plans plots or re-plots of lands laid out in building lots and the streets alleys or other portion of the same intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto and located within the borough limits or for a distance of three miles outside there shall be submitted to the Borough Planning Commission and approved by it before it shall be recorded And it shall be unlawful to receive or record such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the Borough Planning Commission The disapproval of any such plan by the Borough Planning Commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the borough concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the borough shall have made actual appropriation of the same by entry use or improvement No sewer water or gas-main or pipes or other improvement shall be voted or made within the area under the jurisdiction of said commission for the use of any such purchasers or owners nor shall any permit for connection with or other use of any such improvement existing or for any other reason made be given to any such purchasers or owners until such plan is so approved Where the jurisdictional limit of three miles outside the borough limits as provided in this section may conflict with the zone of similar character connnected with another borough or city of the third class the jurisdiction of said commission shall extend only to the point equidistant between the borough limits and limits of said municipality

Section 6 It shall be proper for said cities to provide by ordinance for the exercise of all rights and powers herein conferred upon the Borough Planning Commission by a park commission or kindred municipal bureau or commission authorized under existing laws And no person holding office under the government of any of said borough except the burgess members of councils or commissioners shall be ineligible to serve as a member of a Borough Planning Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 414, (House Bill No. 426), entitled:

An Act to amend Section thirty of an act approved June one one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A Further Supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BALDWIN. Mr. President, I move that Senate Bill No. 414, (House Bill No. 426), the bill just read, be recommitted to the Committee on Finance.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 417, (House Bill No. 470), entitled:

An Act to amend sections one and two of the act approved the twenty-third day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred thirty-nine) entitled "An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the distribution thereof" extending said act to cities of the second class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 461, as follows:

An Act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof

Section 1 Be it enacted by the Senate and house of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person co-partnership association or corporation shall erect construct maintain or operate any dry cleaning or dyeing establishment or business except in accordance with the provisions of this act

For the purposes of this act dry cleaning and dyeing shall be construed to mean the business of cleaning sponging or dyeing cloth feathers any kind of fabrics or textiles by the use of any inflammable volatile liquid or product

Section 2 No person co-partnership association or corporation shall erect maintain construct or operate any dry cleaning or dyeing establishment or business without first obtaining approval from the Bureau of Fire Protection Department of State Police Application for such purpose shall be made upon form prescribed by said Department and shall be accompanied by plans and specifications showing compliance with the requirements of this act as it relates to the construction maintenance and equipment and operation of the dry cleaning and dyeing establishment or business to be erected constructed maintained or operated

No building used for dry cleaning purposes shall be located within ten feet of any other building unless separated therefrom by an unpierced fire wall all rooms or structures used or to be used for the purpose of dry cleaning or dyeing as above defined shall be non-combustible material and construction shall not exceed one story in height shall be without basement cellar or open space below the ground floor No dry cleaning building shall be used for any purpose or occupancy other than dry cleaning dyeing and reclaiming gasoline

Section 3 All walls of such dry cleaning and dyeing rooms or structures shall be of brick laid in cement-mortar or of reinforced concrete not less than twelve inches in thickness or of stone laid in cement-mortar not less than sixteen inches in thickness or of other noncombustible material constructed of a thickness of not less than twelve inches The roof of such building shall be of fire-resistive construction No combustible material shall be permitted in the construction of dry rooms or racks

All windows doors or other openings in dry rooms or dry cleaning buildings shall be protected by wire glass in metal frames or fireproof shutters doors or covers Intercommunicating openings shall be provided with standard self-closing fire doors and there shall be no direct openings between dry cleaning rooms and dry rooms

Venting apertures shall be provided in wash rooms and dry rooms kept clear of obstruction covered by suitable galvanized wire web and in such numbers so as to provide free circulation of air

Sparkless exhaust fan of sufficient size to properly vent room and flue of non-combustible material shall be built into the wall or securely fastened thereto so as to change volume of air every five minutes

All discharge outlets or vent apertures shall be provided with suitable wire screen or equivalent and located without hazard to surrounding property

There shall be no direct sewer connections with dry cleaning or dry rooms or structures and floor of such rooms shall be of concrete construction not lower than surface of earth surrounding wall

Section 4 No steam boiler furnace or steam generator or heating device exposed fire or other spark emitting device shall be permitted in any washing drying or distilling room or in line with vapor travel therefrom

Heating of such buildings or rooms shall be by steam or hot water system or equivalent in safety

Electrical wiring and equipment including motors shall conform to National Electrical Code All artificial lighting shall be by incandescent electric lights of approved type

Transfer of all liquids shall be through continuous piping pipe connections or threaded joints shall be made up litharged and glycerined and all outlets or drain lines shall be drained by gravity to setting or storage tanks No dry cleaning liquid shall be settled in any open or unprotected vessels or tanks provided that nothing in this section shall prohibit scrubbing and brushing in dry cleaning rooms but not more than three gallons of volatile fluid shall be used in any one container and shall be so used in metallic pan or container and such volatile liquid or substance shall be returned to settling or storage tanks as soon as operation is completed

Storage tanks for volatile inflammable liquids shall conform to the standards of the Bureau of Fire Protection Department of State Police and no such tanks shall be installed without approval from said Bureau

Section 5 Fire extinguishers of approved type shall be provided for each two hundred square feet of floor space or when seperate rooms are maintained one extinguisher for each room

As a means of fire extinguishment in any such room or structures the same shall be equipped with steam pipes separate and other than pipes used for heating or power located near the ceiling In these pipes there shall be not less than two openings all of which shall point toward the ceiling The steam supply for such pipes shall be continually available for service while the plant is in operation and shall be sufficient to completely fill the room space in less than one minute An outside screw and yoke valve shall be placed in the steam service line or lines outside of the buildings and shall be accessible for operation in case of fire Where feasible such fire protection system shall be extended and connected to extractors washers and tumblers so that the fire extinguishing agent may be admitted to the interior of such machines An approved system using a fire deterrent chemical or gas may be installed in lieu of a steam extinguishing system

Section 6 Nothing in this act shall be construed so as to restrict or limit the location of any building actually being used for dry cleaning purposes prior to passage of this act except where the fire hazard is in the opinion of the Bureau of Fire Protection of such character as would menance or endanger surrounding property

Nor shall the provisions of this act be held to apply to any building business or establishments now in use so as to cause the same to be rebuilt but should any dry cleaning room or part thereof be reconstructed rebuilt or repaired the same shall as to new work be so reconstructed rebuilt or repaired in conformity with the provisions of this act

Section 7 Any building inspector fire chief or fireman of any community inspector of the Commonweatlh of Pennsylvania or Department of State Police shall be permitted to enter any building or buildings at any reasonable hour for purpose of inspection

Section 8 Any violation of this act shall be deemed a misdemeanor and any person or any member or officer of any co-partnership association or corporation found responsible therefor shall upon conviction be sentenced for the first offense to pay a fine of not less than ten dollars nor more than fifty dollars and for any subsequent offense to pay a fine of not less than one hundred dollars nor more than five hundred dollars or to imprisonment in the county prison for a period not exceeding sixty days or both at the discretion of the court

Section 9 This act shall not be construed to repeal an act of General Assembly approved the eighteenth day of April one thousand eight hundred and sixty-four (Pamphlet Laws four hundred and sixty-five) entitled "An act to provide for the appointment of a Fire Marshal for Allegheny County" nor to repeal an act of General Assembly approved the eighth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred and five) entitled "An act creating the office of Fire Marshal to be attached to the Department of Public Safety in cities of the first class prescribing his duties and powers and providing penalties for violation of the provisions of the act and providing for the method of appointment compensation and for the maintenance of his office"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. LONG. Mr. President, I ask that Senate Bill No. 492, on second reading, entitled:

An Act regulating the operation of billiard and pocket billiard establishments and defining the persons who may be present therein

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the While being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 502, as follows:

An Act prohibiting the location by cities of the third class of city prisons or lock-ups close to public school buildings

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any city of the third class to erect or construct a city prison or lock-up or to use any existing building or lock-up for the first time which will be or is located within five hundred feet of any public school building

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS INTRODUCED.

Mr. JONES. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 582, entitled:

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken; regulating the certification of such title, the purchase, sale and transfer of motor vehicles, and their registration; providing for the collection of fees for the certification of titles, and for disposition thereof; forbidding the destruction, removal, alteration, covering or defacement of any engine, manufacturer's or other distinguishing number or identification mark on motor vehicles, and providing for the assignment of special numbers in certain cases; imposing duties on the State Highway Commissioner, sheriffs, constables police officers and other peace officers; and providing penalties.

Which was committed to the Committee on Public Roads and Highways.

Mr. HARRIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 583, entitled:

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities, and providing for the division of the assets and liabilities of said townships.

Which was committed to the Committee on Municipal Affairs.

Mr. EYRE. Mr. President, I ask unanimous concent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EYRE read in his place and presented to the Chair Senate Bill No. 584, entitled:

An Act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Banks and Building and Loan Associations.

REPORTS FROM COMMITTEES.

Mr. STEELE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEELE, from the Committee on New Counties and County Seats, reported, as committed, Senate Bill No. 224 entitled:

An Act providing for the filling of vacancies in the office of tax-collector, in boroughs, by the council of the borough, and repealing certain acts inconsistent therewith.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ from the Committee on Appropriations, reported as amended, Senate Bill No. 5, entitled:

An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania, at Scranton, Pennsylvania.

Also from the Committee on Appropriations reported as amended, Senate Bill No. 21, entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin and Mount Carmel Coal Fields, Pennsylvania.

Also from the Committee on Appropriations reported as amended, Senate Bill No. 58, entitled:

An Act making a deficiency appropriation to State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania, at Ashland, Schuylkill County, Pennsylvania.

Also from the Committee on Appropriations reported as amended, Senate Bill No. 96, entitled:

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the Deaf, at Scranton, Pennsylvania.

Also from the Committee on Appropriations reported as amended, Senate Bill No. 128, entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh, Pennsylvania, to cover deficiency in maintenance and education of State pupils.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 438, entitled:

An Act making a deficiency appropriation to the Commissioners of Fairmont Park.

MOTION TO READ BILLS THE FIRST TIME.

Mr. PHIPPS. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreebly to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 5, entitled:

An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania, at Scranton, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 21, entitled:

An Act making a deficiency appropriation to State Hospital for Injured Persons of the Trevorton, Shamokin and Mount Carmel Coal Fields, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 58, entitled:

An Act making a deficiency appropriation to State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania, at Ashland, Schuylkill County, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 96, entitled:

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the Deaf, at Scranton, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 123, entitled:

An Act to amend Route Two Hundred and Twenty-three of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turn pikes or toll roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decided the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs: providing penalt for injuring or destroying State highways; making appropriation to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 128, entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh, Pennsylvania, to cover deficiency in maintenance and education of State pupils.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 146, entitled:

An Act to define real estate brokers and real estate salesmen and providing for the licensing, regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the Department of the Secretary of the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 166, (House Bill No. 57), entitled:

An Act authorizing Boroughs to appropriate moneys or to levy and collect with the assent of electors a special tax for the purpose of purchasing fire engines and fire apparatus and to help existing fire companies in the purchase of fire engines and fire apparatus.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 172, (House Bill No. 186), entitled:

An act authorizing county commissioners to purchase road machinery and to rent the same to the townships of such county.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 224, entitled:

An Act providing for the filling of vacancies in the office of tax-collector, in boroughs, by the council or the borough, and repealing certain acts inconsistent therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 258, entitled:

An Act to amend section three hundred and twenty-five of the act approved the fourteentn day of July, one thousand nine hundred and seventeen, (P. L. 840) entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto; fixing the compensation of township auditors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 275, (House Bill No. 365), entitled:

An Act to amend section one of the act approved the fifteenth day of March, 1911 (P. L. 20) entitled An Act regulating the criminal trials, the cross-examination of a defendant when testifying in his own behalf by prohibiting the introduction as evidence of certain testimony or records.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 282, entitled:

An Act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 294, entitled:

An Act to amend sections two and five of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 473), entitled "An Act providing for the burial of certain persons who are, have been or shall be soldiers, sailors or marines designated as deceased service men; defining the term 'deceased service man'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 296, entitled:

An Act to amend section two of the act approved May 20, 1921 (P. L. 944) entitled "An Act authorizing the establishment by counties of hospitals, for the treatment of persons afflicted with tuberculosis; providing for the management and maintenance thereof; and authorizing the incurring of indebtedness and the levy of taxes therefor," by empowering the county commissioners and county controller, where such office exists, to take by eminent domain proceedings land necessary for the establishment of such hospitals; giving the board of trustees powers concurrent with the county commissioners and county controller in reference to the planning and construction of such hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 297, entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has formerly been held or conveyed by, to, or for corporations not authorized by law to hold the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 321, entitled.

An Act to amend section one of article one of an act approved the seventh day of March, one thousand nine hundred and one, entitled "An act for the government of cities of the second class."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 332, entitled:

An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 422, entitled:

An Act fixing the compensation of jury commissioners in counties of the seventh class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 429, entitled:

An Act to amend section one of the act approved the thirty-first day of March, one thousand nine hundred and twenty-one, (P. L. 71) entitled, "An Act providing for the salaries of court criers and tipstaves of the several courts in counties of the fourth class."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 433, entitled:

An Act further amending the act, approved the eighth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred seventy), entitled "An Act creating a Division of Township Highways in the State Highway Department; conferring powers and imposing duties upon officers of the State Highway Department; requiring certain duties of clerks of the courts of quarter sessions; and providing penalties."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 434, entitled:

An act to further amend section one of an act, approved the twelfth day of June, one thousand nine hundred and nineteen, entitled "An act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys, and to incur indebtedness and issue bonds obligations, for the improvement and maintenance of State highways and State-aid highways of any public highway and any county of the Commonwealth, and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 435, entitled:

An act to further amend section three hundred eighty-six, clause four, of the act, approved the fourteenth day of July, one thousand nine hundred seventeen (Pamphlet Laws, eight hundred forty) entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 438, entitled:

An Act making a deficiency appropriation to the Commissioners of Fairmount Park.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 446, entitled:

An Act fixing the salaries of the county commissioners, county controller, county treasurer, register of wills, recorder of deeds and clerk of the courts in counties of the third class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 449, entitled:

An Act to amend so much of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455) entitled "An Act to fix the number of Representatives in the General Assembly of the State, and to proportion the State into representative districts as provided in the constitution."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 457, entitled:

An Act to amend section twenty-one of an act approved the seventeenth daw of May, one thousand nine hundred and twenty-one, (P. L. 869), entitled "An Act providing for the organization, government, discipline, maintenance, and regulation of the armed land forces, of this Commonwealth, authorizing the Governor to confer brevet rank upon certain officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 529, (House Bill No. 452), entitled:

An Act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effect of the decree thereon.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 532, (House Bill No. 523), entitled:

An Act to further amend section 5 of the act approved the 31st day of March, 1876, (P. L. 13), entitled An Act to carry into effect section 5 of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 551, entitled:

An Act to amend section one of the act approved the first day of July, 1919 (P. L. 710), entitled 'An act relating to fires and fire prevention; imposing duties and conferring powers heretofore exercised by the State Fire Marshal, upon the Department of State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and other as assistants to said department, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires, and the inspection of all and the removal or change of certain buildings; imposing duties on school authorities, and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the department, and the enforcement of its orders; and prescribing penalties;" fixing the powers of the Department of State Police and cities, boroughs and townships relative to the erection and installation of tanks, pumps, drawing off or measuring devices used in connection with inflammable liquids

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 27, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Mrs. Constanie Neal, Pittsburgh.

BERKS COUNTY.

Robert E. Garrison, Reading.
Franklin M. Guldin, Reading.
Miss Miriam R. Weik, Wyomissing.

DAUPHIN COUNTY.

Miss Hazel P. Eator, New Cumberland.

BLAIR COUNTY.

Miss Ethel R. Hewitt, Altoona.

BUCKS COUNTY.

Stewart Nase, Sellersville.

LAWRENCE COUNTY.

Miss Alice Sedgwick, New Castle.

PHILADELPHIA COUNTY.

Miss Pauline Strotbek, 2721 N. 5th St., Philadelphia.
Oscar R. Willett, 730 N. 38th St., Philadelphia.

WASHINGTON COUNTY.

Miss Ella Rosenberg, Washington.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 27, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

L. A. McKee, Pittsburgh, April 1, 1923.

BERKS COUNTY.

James B. Shaner, Reading, April 1, 1923.

BRADFORD COUNTY.

Chas. C. Yocum, Sayre, Mar. 25, 1923.

CLINTON COUNTY.

Oliver L. Sallada, Jersey Shore, Mar. 31, 1923.

DAUPHIN COUNTY.

Miss Laura M. Wakefield, Harrisburg, April 1, 1923.

LANCASTER COUNTY.

George Hommond, Lancaster, April 1, 1923.

LAWRENCE COUNTY.

Roy Frazier, New Castle, April 1, 1923.

PHILADELPHIA COUNTY.

Mrs. J. L. Flaren, Philadelphia, April 1, 1923.
Harry A. Grear, Philadelphia, April 1, 1923.
David J. Miller, Philadelphia, April 1, 1923.
Miss Anna E. Woods, Philadelphia, April 1, .1923.

WASHINGTON COUNTY.

M. N. Borland, Burgettstown, Mar. 9, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 27, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named person to be a Notary Public, for the term of four years, to compute from the date of confirmation:

TIOGA COUNTY.

G. E. Clark, Westfield.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 27, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named person to be a Notary Public, for the term of four years, to compute from the date of confirmation of his present commission:

POTTER COUNTY.

Jacob Riser, Austin, March 31, 1923.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BALDWIN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BALDWIN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Aron,	Culberston,	Joyce,	Phipps,
Baldwin,	Daix,	Kutz,	Quigley,
Barr,	Derrick,	Lanius,	Schantz,
Berntheizel,	DeWitt,	Leslie,	Snyder,
Betts,	Einstein,	Long,	Sones,
Brown,	Harris,	MacDade,	Steele,
Buckman,	Heaton,	Mansfield,	Stineman,
Christley,	Homsher,	McClintock,	Weaver,
Clark,	Huffman,	McNichol,	Eyre,
Craig,	Jones,	Miller,	Pres. Pro Tem.

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BALDWIN. Mr. President, I move that the Executive Session do now rise.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE, (T. L. Eyre), announced that the chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 85, entitled:

An Act authorizing cities of the third class to regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces

Senate Bill No. 99, entitled:

An Act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; providing for penalties, forfeitures and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

Whereupon,

The PRESIDENT PRO TEMPORE, (T. L. Eyre), in the presence of the Senate signed the same.

Mr. EINSTEIN asked and obtained leave of absence for next week.

BILLS INTRODUCED.

Mr. SMITH. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 585, entitled:

An Act authorizing and empowering local boards of health of the Commonwealth to organize district health associations for the purpose of holding annual meetings; providing for the representation of each board of health in said district associations and providing for the payment of the expenses thereof.

Which was committed to the Committee on Public Health and Sanitation.

RECESS.

Mr. SCHANTZ. Mr. President, I move that the Senate do now take a recess until four o'clock this afternoon.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, Tuesday March 27, 1923.

Resolved (if the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening, April second, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, April second, at nine o'clock.

HOUSE CONCURS IN SENATE BILL No. 99.

He also returned to the Senate, Senate Bill No. 99 entitled:

An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for berevage purposes and articles and substances designed or intended for use in the manufacture thereof providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

with the information that the House has passed the same without amendment.

BILLS INTRODUCED.

Mr. BALDWIN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BALDWIN (By request of Mr. Eyre) read in his place and presented to the Chair Senate Bill No. 586, entitled:

An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and certain existing and certain new Administrative Departments, Boards, Commission and Officers; abolishing, combining, changing the names of, reorganizing or authorizing the reorganization of, certain administrative Departments, Boards, Commissions, Bureaus, Divisions, offices and Agencies; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative Departments, Boards and Commissions; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain Departments, Boards, and Commissions; and prescribing the manner in which the number and compensation of the Deputies and all other assistants and employees of certain Departments, Boards and Commissions shall be determined.

Which was committed to the Committee on Finance.

Also (By request of Mr. Eyre), read in his place and presented to the Chair Senate Bill No. 587, entitled:

An Act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers on the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity.

Which was committed to the Committee on Finance.

Also (By request of Mr. Eyre), read in his place and presented to the Chair Senate Bill No. 588, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SISSON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SISSON read in his place and presented to the Chair Senate Bill No. 589, entitled:

An Act authorizing sheriffs, in counties of the fourth class to appoint a solicitor; prescribing the duties of said solicitor, and fixing his salary.

Which was committed to the Committee on Judiciary General.

Mr. SMITH. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SMITH (by request) read in his place and presented to the Chair Senate Bill No. 590, entitled:

An Act fixing a minimum salary for police officers of the cities of the Commonwealth.

Which was committed to the Committee on Municipal Affairs.

Mr. ARON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON read in his place and presented to the Chair Senate Bill No. 591, entitled:

An Act making an appropriation to the Stetson Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 592, entitled:

An act making an appropriation to the Kensington Hospital for Women at Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. JONES. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 593, entitled:

An act to amend an act approved the thirtieth day of June, one thousand nine hundred and nineteen, (Pamphlet Laws, six hundred and seventy-eight), entitled "An Act relating to and regulating the use and operation of motor vihicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in sections for damages arising from the use of any motor vehicle;" as amended, by further regulating the use of registration plates; prescribing fees for omnibuses and changing other existing fees; changing the date for the licensing year; limiting the weights of certain trailers; providing for the examination of operators; authorizing the State Highway Commissioner to publish and sell lists of registrations; authorizing municipalities to enact certain ordinances; making an appropriation for refunding moneys; and providing penalties.

Which was committed to the Committee on Public Roads and Highways.

Mr. HARRIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 594, entitled:

A Supplement to an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred and sixty-eight), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act;" as amended, and further providing for certain provisions to be incorporated in the contract and specifications; providing for arbitration in certain cases, for contingencies and cancellation of contracts.

Which was committed to the Committee on Public Roads and Highways.

REPORTS FROM COMMITTEES.

Mr. STEINMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STINEMAN, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 453 entitled:

An Act to amend section ten hundred and twenty-five of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (P. L. 840) entitled, "An act concerning townships; and revising, amending, and consolidating the law relating thereto."

Mr. JONES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES, from the Committee on Agriculture, reported as committed, Senate Bill No. 540, (House Bill No. 594), entitled:

An Act authorizing the county commissioners to appropriate county moneys to incorporated agricultural and horticultural societies and associations.

Mr. LONG. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LONG, from the Committee on Agriculture, reported as amended, Senate Bill No. 386, (House Bill No. 471), entitled:

An Act to amend sections one and two as amended and three of an act approved the twenty-fourth day of April, one thousand eight hundred and eighty-five, (P. L. 9), entitled "An Act to amend an act, entitled 'An Act to provide for the destruction, and to prevent the spread of Canada thistles,' approved the twenty-second day of March, Anno Domoni one thousand eight hundred and sixty-two," extending the provisions of said act to cichorium intybus the weed commonly know as chickory or succory or blue daisy.

Mr. SPROWLS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SPROWLS, from the Committee on Agriculture, reported as committed, Senate Bill No. 382, (House Bill No. 259), entitled:

An Act relating to the drainage of wet and spouty lands by providing for the construction of surface or under drains over lands owned by others.

Mr. CHRISTLEY. Mr. President. I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHRISTLEY, from the Committee on Agriculture, reported as amended, Senate Bill No. 314, (House Bill No. 423), entitled:

An Act authorizing boards of County Commissioners to cooperate with the Department of agriculture and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious diseases of livestock and poultry and dangerous plant diseases and insect pests.

BILLS INTRODUCED.

Mr. CULBERTSON. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CULBERTSON read in his place and presented to the Chair Senate Bill No. 595, entitled:

A joint resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Finance.

Also, read in his place and presented to the Chair Senate Bill No. 596, entitled:

An act prohibiting the manufacture, sale and use of certain motor vehicles geared above certain speeds.

Which was committed to the Committee on Public Roads and Highways.

Also, read in his place and presented to the Chair Senate Bill No. 597, entitled:

An act making an appropriation to the Carlisle Hospital, Carlisle, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD, read in his place and presented to the Chair Senate Bill No. 598, entitled:

An act authorizing cities of the third class to sell certain real estate, and prescribing the procedure to be followed:—

Which was committed to the Committee on Municipal Affairs.

Mr. JOYCE. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JOYCE, read in his place and presented to the Chair Senate Bill No. 599, entitled:

An Act to amend section fourteen of the act approved the 27th day of June A. D. 1895 (P. L. 403) entitled "An Act creating the office of county controller in counties of this Commonwealth containing two hundred and fifty thousand inhabitants" prescribing the appointments of said office, fixing the salaries thereof, and repealing all acts or parts of acts inconsistent therewith.

Which was committed to the Committee on New Counties and County Seats.

Also, read in his place and presented to the Chair Senate Bill No. 600, entitled:

An Act to amend section one of the act approved the 8th day of June one thousand nine hundred and fifteen (P. L. 915), entitled "An act to fix the salaries of the deputies in the offices of the clerk of the courts, county controller, recorder of deeds, county treasurer, chief deputy sheriff, and chief clerk to the county commissioners, in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population; by changing the manner of fixing salaries and prescribing the minimum thereof; and making the act apply to counties of the third class.

Which was committed to the Committee on New Counties and County Seats.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

The PRESIDENT (Lieutenant-Governor David J. Davis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 72, entitled:

An Act to amend section two of an act approved May 20, 1921 (Pamphlet Laws nine hundred and forty-four) entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor"

House Bill No, 302, entitled:

An act to amend section one of an act approved the twenty seventh day of April, one thousand nine hundred and eleven (P. L. 86), entitled "An act regulating the compensation of court criers and tipstaves, in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed; and repealing an act of Assembly, entitled 'An act to regulate the fees of court criers and tipstaves of the courts, in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants,' approved the twenty-ninth day of April, Anno Domini, one thousand nine hundred and nine," as amended.

House Bill No. 450, entitled:

An Act to further amend clause three section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred forty-four) entitled "A further supplement to the act entitled 'An act concerning divorces'" as amended by taking away the right of support or alimony in certain cases

Whereupon,

The PRESIDENT (Lieutenant-Governor David J. Davis) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES.

Mr. JOYCE. Mr. President, I ask unanimous consent to make reports from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JOYCE, from the Committee on New Counties and County Seats reported as committed, Senate Bill No. 599, entitled:

An Act to amend section fourteen of the act approved the twenty-seventh day of June, A. D., 1895 (P. L. 403) entitled "An Act creating the office of county controller in counties of this Commonwealth containing two hundred and fifty thousand inhabitants", prescribing the appointments of said office, fixing the salaries thereof, and repealing all acts or parts of acts inconsistent therewith.

Also from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 600, entitled:

An Act to amend section one of the act approved the eighth day of June, one thousand nine hundred and fifteen (P. L. 915) entitled "An Act to fix the salaries of the deputies in the offices of the clerk of the courts county controller, recorder of deeds, county treasurer, chief deputy sheriff, and chief clerk to the county commissioners, in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population; by changing the manner of fixing salaries and prescribing the minimum thereof; and making the act apply to counties of the third class.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. No. 314, (House Bill No. 423), entitled:

An Act authorizing boards of County Commissioners to cooperate with the Department of agriculture and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious disease of livestock and poultry and dangerous plant diseases and insect pests.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 382, (House Bill No. 259), entitled:

An Act relating to the drainage of wet and spouty lands by providing for the construction of surface or under drains over lands owned by others.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 386, (House Bill No. 471), entitled:

An Act to amend sections one, two as amended and three of an act approved April 24, 1885, (P. L. 9), entitled "An Act to amend an act entitled 'An Act to provide for the destruction and to prevent the spread of Canada thistles' approved the twenty-second day of March, A. D., one thousand eight hundred and sixty-two" extending the provisions of said act to cichorium intybus the weed commonly known as chickory or succory, or blue daisy.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 453, entitled:

An Act to amend section ten hundred and twenty-five of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840) entitled, "An Act concerning townships; and revising, amending, and consolidating the law relating thereto."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 540, (House Bill No. 594), entitled:

An Act authorizing the county commissioners to appropriate county moneys to incorporated argicultural and horticultural societies and associations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 599, entitled:

An Act to amend section fourteen of the act approved the twenty-seventh day of June, A. D. 1895 (P. L. 403) entitled "An Act creating the office of county controller in counties of this Commonwealth containing two hundred and fifty thousand inhabitants", prescribing the appointments of said office, fixing the salaries thereof, and repealing all acts or parts of acts inconsistent therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 600, entitled:

An Act to amend section one of the act approved the eighth day of June, one thousand nine hundred and fifteen (P. L. 915) entitled "An act to fix the salaries of the deputies in the offices of the clerk of the courts, county controller, recorder of deeds, county treasurer, chief deputy sheriff, and chief clerk to the county commissioners, in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population by changing the manner of fixing salaries and prescribing the minimum thereof; and making the act apply to counties of the third class.

And said bill having been read at length the first time
Ordered, To be laid aside for second reading.

ADJOURMENT.

Mr. VARE. Mr. President, I move that the Senate do now adjourn.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4.25 P. M., until Monday evening, April 2, 1923 at 9 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 27, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty and eternal God, we come to Thee this morning with gratitude and thanksgiving for the manifold blessings which Thou hast bestowed upon us daily. We thank Thee for this day. We thank Thee that Thou hast created us rational beings and endowed us with the power of thought and reason. We thank Thee for the privilege of living, and we pray, our Father, that Thou wouldst help each one, from the least to the greatest, to realize that to discover Thy will, to live and think and act in harmony therewith, is to achieve the primary objective of life here and hereafter; and that to fail in its discovery—to live and think

and act contrary, is to fail, in the saddest, as well as the most irreparable sense of the word "failure."

We pray Thee that Thou wouldst bless the members of this House, as their duties and responsibilities become more and more exacting, with that portion of Thy spirit and presence that will qualify them for every duty and every hour and every need. May Thy blessing rest upon the Governor of this Commonwealth, and the Speaker of this House, as well as all who have to do with the welfare of humanity and the glory of Thy name.

We ask it in Jesus' name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Miss MacKinney, the further reading was dispensed with, and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. LORENZO D. THOMAS. HOUSE BILL No. 977.

An Act to amend an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 894), entitled "An act to amend an act approved the twenty-fifth day of June, one thousand nine hundred and thirteer (Pamphlet Laws, five hundred and fifty), entitled 'An act authorizing the several counties, incorporated towns, and boroughs to appropriate annually sums of money to each camp of the United States War Veterans, and the Army of the Philippines, and to each post of the American Veterans of Foreign Service, in the respective counties, boroughs, and towns, to aid in defraying the expenses of Memorial Day,' by authorizing appropriations to each post of the American Legion, Veterans of Foreign Wars, and to each Naval Association, and each post of the Grand Army of the Republic" to include authorization of appropriations to each organization of ex-service men incorporated under the act of April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto.

Referred to the Committee on Military.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 978.

An act to amend section one hundred and ninety-six as amended, section one hundred and ninety-seven as amended, section one hundred and ninety-eight, section four hundred and twenty-seven, section four hundred and thirty-four as amended, and section one thousand and forty of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840) entitled, "An act concerning townships; and revising, amending and consolidating the law relating thereto."

Referred to the Committee on Counties and Townships.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 979.

An act to amend section two of an act aproved the fifth day of May, one thousand nine hundred and twenty-one, (P. L. 397) entitled, "An act authorizing a State association of township supervisors and township commissioners, and providing for the payment of the expenses thereof by the respective counties."

Referred to the Committee on Counties and Townships.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 980.

An act to amend section eleven of an act, approved the eighth day of July, one thousand nine hundred and nineteen, (P. L. 770) entitled, "An act creating a Division of Township Highways in the State Highway Department, conferring powers and imposing duties upon officers of the State Highway Department, requiring certain duties of clerks of the courts of quarter session, and providing penalties," requiring clerks of the court to certify lists of township auditors to the State Highway Commissioner.

Referred to the Committee on Public Roads.

By Mr. HOLLIS. HOUSE BILL No. 981.

An act making an appropriation to the Lewistown Hospital, of Lewistown, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. McCAIG. HOUSE BILL No. 982.

An Act making an appropriation to the Home of the Good Shepherd, Lincoln Avenue, Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BURD P. EVANS. HOUSE BILL No. 983.

An Act authorizing John J. Higgins of the City of Philadelphia, Pennsylvania, to bring suit against the Commonwealth.

Referred to the Committee on Judiciary General.

By Mr. BLUETT. HOUSE BILL No. 984.

An Act providing for the taxation modification, remission and collection of all fees received by the several clerks of the courts of this Commonwealth.

Referred to the Committee on Judiciary Special.

By Mr. BLUETT. HOUSE BILL No. 985.

An Act providing that mortgages shall cease to be a lien upon the real estate described in the mortgage from and after the expiration of fifty years from the date the principal becomes due unless such mortgages are re-recorded or a declaration recorded that the principal or some part thereof remains unpaid and providing further that every mortgage the principal of which is overdue more than fifty years at the time of the approval of this act, shall not lose its lien under the provisions of this act if within five years after the approval of this act such mortgage shall be recorded or a declaration recorded that the principal or some part thereof remains unpaid.

Referred to the Committee on Judiciary General.

By Mr. CLUTTON. HOUSE BILL No. 986.

An Act to provide for the establishment and management of a State Industrial Farm on the site acquired under an act approved the twenty-fifth day of July, Anno Domini, one thousand nine hundred thirteen, entitled, "An act to provide for the selection of a site and the erection of a state institution for the detention, care and treatment of inebriates, or persons habitually addicted to the use of alcoholic drink, or intoxicating drugs, to be called the State Institution for Inebriates, and making an appropriation therefor;" making an appropriation therefor and authorizing the removal thereto of prisoners in the eastern penitentiary district.

Referred to the Committee on Appropriations.

By Mr. CLUTTON. HOUSE BILL No. 987.

An Act to amend sections one, two, three and four, of an act approved the eleventh day of July, Anno Domini, one thousand nine hundred and seventeen, entitled, "An Act to regulate the importation into this Commonwealth of dependent, delinquent or defective children, and providing a penalty for the violation thereof.

Referred to the Committee on Judiciary Local.

By Mr. SPANGLER. HOUSE BILL No. 988.

An Act making an appropriation to the York Hospital, West College Avenue, York, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SPANGLER. HOUSE BILL No. 989.

An Act making an appropriation to the York Society to Protect Children and Aged Persons, of York, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STONER. HOUSE BILL No. 990.

An Act amending sections three, nine, nineteen and twenty-four of an act approved the thirtieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws six hundred seventy-eight), entitled, "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended by an act approved the sixteenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred eighty-two), entitled, "An Act to amend an act, approved the thirtieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight), entitled 'An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicles; providing additional requirements with regard to applications for, and transfers of, registrations, and with regard to speed and weight of, and lights upon, motor vehicle;' requiring operators to carry registration certificates; providing standard tests to ascertain the vision and hearing of operators; providing for the payment of certain witness fees; authorizing officers to stop and examine motor vehicles; designating the officers before whom information may be brought; and imposing additional penalties," and amending section twelve of said act approved the thirtieth day of June, one thousand nine hundred and nineteen; by modifying the provisions with respect to the length, width and load of motor vehicles; increasing the registration and license fees; providing for the payment by the State Highway Department of one-half of all registration and license fees to the Treasurers of the respective counties from which the same were paid: and providing that no motor vehicle, except hook-and-ladder trucks and water towers, shall be registerable unless equipped with pneumatic tires on all wheels.

Referred to the Committee on Public Roads.

By Mr. STONER. HOUSE BILL No. 991.

A Joint resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section thirty-four.

Referred to the Committee on Constitutional Reform.

By Mr. STONER. HOUSE BILL No. 992.

A Joint resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-five.

Referred to the Committee on Constitutional Reform.

By Mr. STONER. HOUSE BILL No. 993.

An Act to amend route number one hundred and fifteen, as amended, and route number two hundred and seventy-eight of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highway solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships and counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement or township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. STONER. HOUSE BILL No. 994.

A Supplement to an Act approved the eighth day of May, one thousand nine hundred and nineteen (Pamphlet Laws, one hundred and thirty-eight), entitled, "An act requiring counties having a population of over one million and less than one million five hundred thousand, to establish a pension fund for the employes of such counties, and providing for the administration of such fund and payments therefrom," by restricting the provisions of said act so that the same shall hereafter be applicable to counties of the second class only, and by extending the provisions of said act so that the same shall apply to all county employes working for wages on a per diem basis, or any other basis, and providing that all county employes shall have full credit hereafter for all services heretofore or hereafter rendered on a per diem or other basis in calculating the total period of their employment for any of the purposes mentioned in said act.

Referred to Committee on Counties and Townships.

By Miss GRIMES. HOUSE BILL No. 995.

A Joint Resolution proposing an amendment to Article fifteen of the Constitution of Pennsylvania, by adding thereto section four.

Referred to Committee on Constitutional Reform.

By Mr. HALL. HOUSE BILL No. 996.

An Act to amend section twelve of the act approved the day of June, one thousand nine hundred and eleven (Pam-

phlet Laws, six hundred thirty-nine), entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medicine and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith;" for the reinstatement of licenses in certain cases.

Referred to Committee on Judiciary Special.

By Mr. HALL. HOUSE BILL No. 997.

An Act authorizing and empowering the District Attorneys of each county to organize themselves into a State Association, for the purpose of holding meetings, and providing for the payment of the expenses thereof and of the District Attorneys attending by the several counties.

Referred to Committee on Counties and Townships.

By Miss MARTHA G. THOMAS. HOUSE BILL No. 998.

An Act to amend section one of the act approved the twenty-fourth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand one hundred sixteen), entitled, "An act appropriating to the Department of Health any moneys to be received from the United States Government in the promotion of sanitation, public health, and health education, the protection and care of maternity infancy and old age, and the prevention, treatment, and cure of disease."

Referred to Committee on Education.

By Mr. OGLE. HOUSE BILL No. 999.

An Act providing for the refunding of liquor license fees and additional taxes to holders of licenses to manufacture or sell vinous, spirituous, malt or brewed liquors, or any admixture thereof, intoxicating liquor or ethly alcohol, where the Act of Assembly under the authority of which such licenses were granted has been repealed by the General Assembly of one thousand nine hundred and twenty-three prior to the expiration of the license year for which such licenses were issued; providing for the payment of such refund in certain cases by the county in which such license was granted and the repayment to such county by the city, borough, township and State of their respective shares of such refund and for the payment of such refund in certain cases by the State alone; providing the procedure in such cases and making an appropriation.

Referred to Committee on Law and Order.

By Mr. HUBER. HOUSE BILL No. 1000.

An Act to repeal section six hundred and thirty-four of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, seven hundred eighty-nine), entitled, "An act relating to insurance; establishing an insurance department; and amending revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyd's associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; providing penalties; and repealing existing laws."

Referred to Committee on Insurance.

By Mr. KOHLER. HOUSE BILL No. 1001.

An Act to quiet the title to real estate; and to enable citizens of the United States, and corporaions authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Referred to Committee on Judiciary General.

By Mr. MOORE. HOUSE BILL No. 1002.

An Act to further amend part of section six of an act, approved the thirty-first day of May, Anno Domini one thousand nine hundred and eleven, entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several township or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete record thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes, or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State: providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid Highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs, providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Referred to the Committee on Public Roads.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 1003.

An act establishing the office of fire marshal in all counties of the second class defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his order and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste.

Referred to the Committee on Insurance.

By Mr. LYNCH. HOUSE BILL No. 1004.

An Act to amend the act approved the fourth day of April, one thousand eight hundred and seventy-two (P. L. 40), entitled "An act supplemental to an act, entitled 'A supplement to acts relating to incorporations by the courts of common pleas,' approved on the ninth day of April, Anno Domini one thousand eight hundred and fifty-six;" providing for the publication of notice and the mailing of notices to stockholders in case of dissolution proceedings.

Referred to the Committee on Corporations.

By Mr. WILLIAM T. BELL. HOUSE BILL No. 1005.

An Act making an appropriation to the Pittsburgh Home for Babies, Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HASLETT. HOUSE BILL No. 1006.

An Act authorizing Justices of the Peace to take affidavits and acknowledgments in counties adjacent to those in which they are resident.

Referred to the Committee on Judiciary Local.

By Mr. WILLIAM F. MARSHALL. HOUSE BILL No. 1007.

An Act to amend an act approved the first day of June, one thousand nine hundred and fifteen (P. L. 661) entitled, "An act relating to the maintenance of insane, feeble-minded, and other persons confined in the various institutions of the Commonwealth; fixing liability for their support; providing for the collection of the moneys due the Commonwealth therefor, and for proceedings relating thereto."

Referred to the Committee on Ways and Means.

By Mr. ALFRED I. FOWLER. HOUSE BILL No. 1008.

An Act fixing the pay of election officers and clerks in counties of the third class.

Referred to the Committee on Elections.

By Mr. ALFRED I. FOWLER. HOUSE BILL No. 1009.

An Act making it unlawful for a person to become a candidate and to file nomination petitions as a candidate for more than one office or on more than one party ticket.

Referred to the Committee on Elections.

By Mr. FLINCHBAUGH. HOUSE BILL No. 1010.

An Act prohibiting the sale of brewed and malt liquors to minors.

Referred to Committee on Law and Order.

By Mr. HENDERSON. HOUSE BILL No. 1011.

An Act for the registration as law students of citizens who served in the military and naval forces of the United States during the war with Germany.

Referred to Committee on Judiciary General.

By Mr. STAUDENMEIR. HOUSE BILL No. 1012.

An Act validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways and validating municipal liens therefor.

Referred to Committee on Judiciary Special.

By Mr. DAVID J. JONES. HOUSE BILL No. 1013.

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws, three hundred twelve), entitled "An act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs."

Referred to Committee on Municipal Corporations.

By Mr. DAVID J. JONES. HOUSE BILL No. 1014.

An Act providing for the filling of vacancies in the office of tax-collector in boroughs and townships, by the court of quarter sessions, and repealing certain acts inconsistent therewith.

Referred to Committee on Municipal Corporations.

By Mr. McDANIEL. HOUSE BILL No. 1015.

An Act to validate certain municipal claims and municipal liens in the several cities and boroughs of the Commonwealth; providing for the filing of claims therefor, and the proceedings for the collection of such claims.

Referred to the Committee on Judiciary Local.

By Mr. DRIGGS. HOUSE BILL No. 1016.

An Act to establish as a State Highway a certain section of public road in the county of Bradford.

Referred to the Committee on Public Roads.

By Mr. DRIGGS. HOUSE BILL No. 1017.

An Act to establish as a State Highway a certain section of public road in the county of Bradford.

Referred to the Committee on Public Roads.

By Mr. DRIGGS. HOUSE BILL No. 1018.

An Act to establish as a State Highway a certain section of public road in the county of Bradford.

Referred to the Committee on Public Roads.

By Mr. BRENNEMAN. HOUSE BILL No. 1019.

An Act to establish as a State Highway a certain section of public road in the county of York.

Referred to the Committee on Public Roads.

By Mr. BUSH. HOUSE BILL No. 1020.

An Act prohibiting driving across certain crossings of highway and railroad at grade without coming to a stop.

Referred to the Committee on Public Roads.

By Mr. BUSH. HOUSE BILL No. 1021.

An Act making an appropriation to the Brownsville General Hospital, Brownsville, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. STONER. HOUSE BILL No. 1022.

A Supplement to an act entitled "An act for the government of cities of the second class," approved March seventh, one thousand nine hundred and one (Pamphlet Laws, twenty), providing for the abolition of the Department of Assessors now existing in such cities providing that the valuations and assessments of property therein taxable for city purposes shall be the valuations and assessments placed thereon by county officers for county purposes and that all future taxes for city purposes shall be levied and assessed against such property based upon the valuations and assessments placed thereon for taxation for county purposes.

Referred to Committee on Municipal Corporations.

By Mr. SARIG. HOUSE BILL No. 1023.

An Act providing a system of employment and compensation for the inmates of county jails and prisons.

Referred to Committee on Labor and Industry.

By Mr. GRIFFITH. HOUSE BILL No. 1024.

An Act to amend section one of an act approved the seventeenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, one thousand twenty-one), entitled, "An act to exempt from taxation public property used for public purposes, actual places of religious worship, places of burial not used or held for private or corporate profit, and institutions of purely public charity, and repealing prior acts relating thereto."

Referred to Committee on Ways and Means.

By Mr. McDANIEL. HOUSE BILL No. 1025.

An Act to provide a method of relieving [illegible] the charge of a life interest imposed thereon

judgment or decree of any court in this Commonwealth in any partition proceedings.

Referred to Committee on Judiciary General.

By Mr. FRAIZER. HOUSE BILL No. 1026.

An Act making an appropriation for the erection, construction and equipment of an armory at Beaver Falls.

Referred to the Committee on Appropriations.

By Mr. STAVITSKI. HOUSE BILL No. 1027.

An Act to repeal the act approved the twentieth day of June, one thousand nine hundred and nineteen, (P. L. 521), entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," and the amendments thereto.

Referred to the Committee on Ways and Means.

By Mr. GEORGE A. SMITH. HOUSE BILL No. 1028.

An Act to establish as a State Highway a certain section of public road in the County of Pike.

Referred to the Committee on Public Roads.

By Mr. PARKINSON. HOUSE BILL No. 1029.

An Act creating the Court of Industrial Relations, defining its powers and duties, and relating thereto, repealing all acts and parts of acts in conflict therewith, and providing penalties for the violation of this act.

Referred to the Committee on Judiciary General.

By Mr. BLAIR. HOUSE BILL No. 1030.

An Act making an appropriation to the Elmwood Home for Boys, at Erie, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. VICKERMAN. HOUSE BILL No. 1031.

An Act making an appropriation to the Salvation Army and Rescue Home, at Bellevue, Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BOBACK. HOUSE BILL No. 1032.

An Act defining the Scranton poor district; providing for the election of the poor board therein; defining the powers and duties of such board; and abolishing the present office of poor directors.

Referred to the Committee on Municipal Corporations.

By Mr. DUNN. HOUSE BILL No. 1033.

An Act providing that any person who was engaged in the military or naval service of the United States during any war in which the United States was engaged, and having an honorable discharge therefrom, shall receive credit for the experience and training derived from such service, in service examinations.

red to the Committee on Military.

DUNN. HOUSE BILL No. 1034.

romote the health and efficiency of firemen in st class by providing for a two-platoon system for the certain officers of the uniformed fire force of the Department of Public Safety of such cities.

Referred to the Committee on Municipal Corporations.

By Mr. MACK. HOUSE BILL No. 1035.

An Act to amend section one of the act approved the first day of June, one thousand nine hundred and seven, (P. L. 364), entitled "An Act to increase the pay of jurors and witnesses in this Commonwealth," as amended.

Referred to the Committee on Judiciary Local.

By Mr. MACK. HOUSE BILL No. 1036.

An Act making an appropriation to the Trustees of Temple University at Philadelphia for the Teachers College.

Referred to the Committee on Municipal Corporations.

By Mr. MACK. HOUSE BILL No. 1037.

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, four hundred sixty-one), entitled "An act to provide for the removal or retirement of judges of the Supreme, Superior, common pleas, orphans', municipal, and county court, permanently disqualified by reason of physical or mental disability to perform their regular judicial functions or duties, and providing for the payment of compensation to them during the balance of the term for which they may have been elected, and, in certain cases, for the remainder of their lives after resignation or retirement, and for filling the vacancies caused thereby; providing for judges who have been retired or who may have retired or resigned under provisions of previous acts or otherwise; and repealing certain acts.

Referred to Committee on Judiciary General.

By Mr. CLUTTON. HOUSE BILL No. 1038.

An Act making an appropriation to the Community Hospital of the Borough of Somerset in the County of Somerset.

Referred to Committee on Appropriations.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 1039.

An Act to establish as a State Highway a certain section of public road in the county of Tioga.

Referred to Committee on Public Roads.

By Mr. WHITEMAN. HOUSE BILL No. 1040.

An Act providing for the distribution of the four mill tax on certain personal property between the State and the several counties and cities co-extensive with counties.

Referred to Committee on Ways and Means.

By Mr. WHITEMAN. HOUSE BILL No. 1041.

An Act to amend sections one and two of an act approved the twentieth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand twenty-one), entitled "An act imposing a State tax on gasoline, and on all other liquids containing any derivative of petroleum or natural gas, produced, prepared, or compounded or usable for the purpose of generating power by means of internal combustion and sold in this Commonwealth, except for the purpose of resale; providing for the collection of such tax and for the distribution and use of the revenues derived therefrom; making an appropriation; and fixing penalties;" by increasing the amount of said tax and providing for the use of the revenues thereof for State highway purposes.

Referred to Committee on Ways and Means.

By Mr. WHITEMAN. HOUSE BILL No. 1042.

An Act imposing a State Tax on certain personal property now taxable for county purposes; exempting the same from taxation for county and municipal purposes; providing

for the assessment and collection of such tax; imposing certain duties on certain county officers and local assessors, and in counties co-extensive with cities on certain city and county officers; providing penalties; and repealing existing legislation.

Referred to the Committee on Ways and Means.

By Mr. McVICAR. HOUSE BILL No. 1043.

An Act to amend section twelve of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 483), entitled "An act relating to practice in the courts of common pleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the courts power to enforce its provisions;" providing for an appeal to the Supreme or Superior Court where the court decides a question of law against the defendant.

Referred to the Committee on Judiciary General.

By Mr. GILCHRIST. HOUSE BILL No. 1044.

An Act establishing a State highway in the county of Wayne and Lackawanna providing for its location, construction, improvement, and maintenance by the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. GILCHRIST. HOUSE BILL No. 1045.

An Act to establish as a State Highway a certain section of public road in the counties of Susquehanna and Wayne.

Referred to the Committee on Public Roads.

By Mr. DRINKHOUSE. HOUSE BILL No. 1046.

An Act making an appropriation to the Lankenau Hospital, of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BEHNEY. HOUSE BILL No. 1047.

An Act authorizing the commissioners of the various counties to appropriate money to volunteer fire companies within their respective counties.

Referred to Committee on Municipal Corporations.

By Mr. SCHILLING. HOUSE BILL No. 1048.

An Act making an appropriation to the Hamot Hospital Association, of Erie, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. VICKERMAN. HOUSE BILL No. 1049.

An Act making an appropriation to the Dixmont Hospital at Dixmont, Allegheny County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 1050.

An Act to amend route twenty and twenty-one of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468) entitled, "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioners and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers and the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for the payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Referred to the Committee on Public Roads.

By Mr. VICKERMAN. HOUSE BILL No. 1051.

An Act making an appropriation to the Dixmont Hospital, at Dixmont, Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ANDERSON. HOUSE BILL No. 1052.

An Act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks, in counties of the sixth class.

Referred to the Committee on Counties and Townships.

By Mr. MORRISON. HOUSE BILL No. 1053.

An Act making an appropriation to the Saint Vincent's Hospital Association, of the City of Erie, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. MORRISON. HOUSE BILL No. 1054.

An Act making an appropriation to the Erie Home for the Friendless, of the City of Erie, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. MORRISON. HOUSE BILL No. 1055.

An Act making an appropriation to the Erie Infants Home and Hospital of Erie, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SCHILLING. HOUSE BILL No. 1056.

An Act making an appropriation to the Florence Crittenton Home, of Erie, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SCHILLING. HOUSE BILL No. 1057.

An Act making it unlawful for the driver or operator of any motor vehicle to cause or permit any dog or other domestic animal to ride upon any part of said vehicle except within the body thereof.

Referred to the Committee on Public Roads.

By Mr. RINN. HOUSE BILL No. 1058.

An Act authorizing cities and boroughs to appropriate moneys to organizations of veterans to assist in paying rent.

Referred to the Committee on Municipal Corporations.

By Mr. RINN. HOUSE BILL No. 1059.

An Act making an appropriation to Saint Lukes Hospital, located at South Bethlehem, Lehigh County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. MATHAY. HOUSE BILL No. 1060.

An Act to amend section thirteen of an act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor."

Referred to the Committee on Judiciary General.

By Mr. RINN. HOUSE BILL No. 1061.

An Act making an appropriation to the Children's Home, of South Bethlehem, Salisbury Township, Lehigh County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. MATHAY. HOUSE BILL No. 1062.

An Act to provide for cumulative voting in elections by all corporations conducted for profit.

Referred to the Committee on Judiciary General.

By Mr. SOWERS. HOUSE BILL No. 1063.

An Act to amend section two of the act approved the eighth day of May, one thousand nine hundred and one, (P. L. 142) entitled, "An act relative to verdicts and judgments in actions of ejectment, and to regulate procedure in such actions," as amended; by requiring defendants to file an answer within fifteen days after the declaration is served upon him, and authorizing the prothonotary to enter judgment for failure thereof.

Referred to the Committee on Judiciary Special.

By Mr. HOWARD SMITH. HOUSE BILL No. 1064.

An Act making appropriation to the Germantown Dispensary and Hospital, Germantown, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WRIGHT. HOUSE BILL No. 1065.

An Act to establish as a State Highway a certain section of public road in the county of Bedford.

Referred to Committee on Public Roads.

By Mr. WILLISTON P. WOOD. HOUSE BILL No. 1066.

An Act to amend section one of the act approved the second day of June, one thousand eight hundred and ninety-one (Pamphlet Laws, one hundred sixty-eight), entitled, "An Act to enable the county commissioners of the several counties to sell any real estate which they may acquire, and make deeds therefor," excepting from the provisions of said act real estate acquired at tax sales.

Referred to Committee on Counties and Townships.

By Mr. HOWARD SMITH. HOUSE BILL No. 1067.

An Act making an appropriation for the Hospital Department of the Jewish Hospital Association, of Philadelphia.

Referred to Committee on Appropriations.

By Mr. BLUMBERG. HOUSE BILL No. 1068.

An Act making an appropriation to the Maternity Hospital, in the City of Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. ALBERT. HOUSE BILL No. 1069.

An Act to establish as a State Highway a certain section of public road in the county of Northampton.

Referred to Committee on Public Roads.

By Mr. BLUMBERG. HOUSE BILL No. 1070.

An Act making an appropriation to the Maternity Hospital, in the city of Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BLUMBERG. HOUSE BILL No. 1071.

An Act making an appropriation to the Women's Southern Homeopathic Hospital of Philadelphia.

Referred to Committee on Appropriations.

By Mr. NOLTE. HOUSE BILL No. 1072.

Making an appropriation to the Howard Hospital, of Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. ALEXANDER. HOUSE BILL No. 1073.

To amend, revise, change and consolidate the laws relating to the assessment of persons, property and subjects of taxation, in counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes, and in cities of the third class, boroughs, towns, townships, school districts of the second, third, and fourth classes, independent school districts and certain poor districts; permitting cities of the second class to accept the provisions of this act and become subject thereto; and repealing existing laws.

Referred to the Committee on Counties and Townships.

By Mr. STEEDLE. HOUSE BILL No. 1074.

An Act supplemental to an act entitled "An Act to establish a Bureau of Housing for the sanitary inspection and control of tenement boarding and lodging houses; defining its powers and duties and providing certain penalties: approved July twenty-fourth, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand and fifteen) and providing for the protection of the health safety and welfare of the people of Pennsylvania by establishing regulations for the lighting, ventilation, sanitation, protection, maintenance, erection, alteration, improvement, use and occupancy of dwellings and land appurtenant thereto; defining the classes of dwellings affected; establishing administrative procedure and remedies and prescribing penalties for violation thereof and repealing acts inconsistent herewith.

Referred to Committee on Public Health and Sanitation.

By Mr. STEEDLE. HOUSE BILL No. 1075.

An Act for the prevention and treatment of mental diseases, mental defect, epilepsy and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition and deportation of mental patients; providing for the payment by individuals, counties or the Commonwealth of the cost of the admission, care and discharge of mental patients; and imposing penalties.

Referred to Committee on Public Health and Sanitation.

By Mr. MOFFATT. HOUSE BILL No. 1076.

An Act discontinuing the reporting of opinions of the Supreme and Superior Courts not deemed of sufficient importance.

Referred to Committee on Judiciary General.

By Mr. STEEDLE. HOUSE BILL No. 1077.

An Act to repeal the act approved the first day of June, one thousand nine hundred and fifteen (Pamphlet Laws, six hundred forty-four), entitled "An Act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania; prohibiting the hunting for, or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents; forbidding the ownership or possession of dogs by any unnaturalized foreign-born resident within the Commonwealth; and prescribing penalties for violation of its provisions."

Referred to Committee on Game.

By Mr. STEEDLE. HOUSE BILL No. 1078.

An Act to amend section twelve of the act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith;" providing for re-hearings in cases where licenses have been suspended or revoked and for the reinstatement of licenses in certain cases.

Referred to the Committee on Public Health and Sanitation.

By Mr. MOFFATT. HOUSE BILL No. 1079.

An Act relating to the satisfaction of mortgages, the determination of the amount due and unpaid on the same and to whom payable in certain cases; Including all cases where a mortgage is given to secure a bond or bonds, and the mortgage is claimed by one claimant and the bond or bonds by another; all cases where a mortgage is made to a trustee without naming or designating the cestui que trust or imposing any duties on the trustee to be performed on behalf of the bond holder or bond holders, and the bonds or the judgments confessed on the same are assigned to a claimant or claimants other than the trustee; and all cases where there is a dispute as to what bond or bonds are secured by such mortgage; providing procedure for determining the issues involved in such cases, and the satisfaction of such mortgages, the payment of costs in such cases, with the right of appeal, without affecting the validity of the bonds as personal obligations or as liens on land other than as they claim priority as the bonds secured by such mortgages, and providing for scire facias, execution and sale on such mortgage.

Referred to the Committee on Judiciary General.

By Mr. JOSEPH MARCUS. HOUSE BILL No. 1080.

An Act to make reinstatements in the civil service of persons honorably released from the active military or naval service of the United States after service in any of the wars in which the United States has been engaged.

Referred to the Committee on Military.

By Mr. STAUDENMEIER. HOUSE BILL No. 1081.

An Act to establish as a State Highway a certain section of public road in the county of Schuylkill.

Referred to the Committee on Public Roads.

By Mr. STORER. HOUSE BILL No. 1082.

An Act making it unlawful to interfere or attempt to interfere with persons about to procure marriage licenses, or to influence or attempt to influence such persons to go to certain officers for such purpose.

Referred to the Committee on Law and Order.

By Mr. McKIM. HOUSE BILL No. 1083.

An Act authorizing the State Highway Commissioner to approve and authorize the use of illuminated rear license plates on registered motor vehicles.

Referred to the Committee on Public Roads.

By Mr. McKIM. HOUSE BILL No. 1084.

Supplement to an act approved the twenty-third day of June, one thousand nine hundred eleven, Pamphlet Laws one thousand one hundred twenty-three, entitled "An act establishing in each county a Board of Viewers, prescribing their duties, providing for their appointment as viewers road juries, juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" as the same was amended and supplemented by subsequent acts, by providing for the compensation to be paid to the members of the Board of Viewers in counties of the second class.

Referred to the Committee on Counties and Townships.

By Mr. KENNEDY. HOUSE BILL No. 1085.

An Act for the protection of Memorial Day; prohibiting certain races, games and sports thereon, and providing penalties.

Referred to the Committee on Military.

By Mr. O'BOYLE. HOUSE BILL No. 1086.

An Act providing for the public health, safety and welfare, requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of hospitals, poor houses or other charitable institutions, schools, churches and buildings of municipal or quasi municipal character; and providing penalties for the violation of this act.

Referred to the Committee on Iron and Coal.

By Mr. ANDREW F. STEVENS. HOUSE BILL No. 1087.

An Act making appropriation to the sesqui-centennial exhibition association, situated in the City of Philadelphia, State of Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. CRAIG. HOUSE BILL No. 1088.

An Act to amend route one hundred and eighty of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two deputy State Highway Commisioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be

complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highways, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the wokr is to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State Aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalties for injuring or destroyng State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. CRAIG. HOUSE BILL No. 1089.

An Act to amend route one hundred and thirty-five of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Referred to Committee on Public Roads.

By Mr. HORNE. HOUSE BILL No. 1090.

An Act to amend sections one thousand one hundred five, and one thousand one hundred thirty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to Committee on Education.

By Mr. GOEHRING. HOUSE BILL No. 1091.

An Act providing for the safe-keeping of ballot boxes by the Sheriff wherein any vacancies occurs in the office of justice of the peace or persons designated by the Court of Common Pleas to receive ballot boxes and making the Sheriff responsible for the safekeeping of such ballot boxes while in his possession.

Referred to Committee on Elections.

By Mr. GOEHRING. HOUSE BILL No. 1092.

An Act to further amend part of section five of an act, approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred nineteen), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain party officers, including State Committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as approved the seventeenth day of May, Anno Domini, one thousand nine hundred and twenty-one (Pamphlet Laws, six hundred eighty).

Referred to Committee on Elections.

By Mr. GOEHRING. HOUSE BILL No. 1093.

An Act to amend section nineteen of an act, approved the tenth day of June, Anno Domini, one thousand eight hundred and ninety-three, (Pamphlet Laws, four hundred nineteen), entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections."

Referred to the Committee on Elections.

By Mr. GOEHRING. HOUSE BILL No. 1094.

An Act to further amend part of the sixth section of an act, entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," approved the twelfth day of July,

Anno Domini one thousand nine hundred and thirteen; so as to change the time for filing petitions of nomination, and the time for the organization of the State Committees, as approved the eighteenth day of May, Anno Domini, one thousand nine hundred and seventeen (Pamphlet Laws, two hundred forty-four).

Referred to the Committee on Elections.

By Mr. GOLDER. HOUSE BILL No. 1095.

An Act relating to debts of municipalities.

Referred to the Committee on Judiciary General.

By Mr. POST. HOUSE BILL No. 1096.

An Act fixing the salary of the Superintendent of Public Instruction.

Referred to the Committee on Education.

By Mr. POST. HOUSE BILL No. 1097.

An Act to amend sections four and five of the act approved the first day of July, one thousand nine hundred and nineteen, (P. L. 708), entitled, "An Act to fix the salaries of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, and the judges of the orphans' courts."

Referred to the Committee on Judiciary General.

By Mr. POST. HOUSE BILL No. 1098.

An Act fixing the salary of the Governor.

Referred to the Committee on Appropriations.

By Mr. POST. HOUSE BILL No. 1099.

An Act to amend sections one and two of the act approved the sixteenth day of March, one thousand nine hundred and twenty-one, (P. L. 29), entitled "An Act to fix the salaries of the judges of the Supreme Court and the judges of the Superior Court."

Referred to the Committee on Judiciary General.

PETITIONS.

FAVORING THE PASSAGE OF HOUSE BILL NO. 809.

The SPEAKER presented petitions from the Siloam Methodist Episcopal Church, Olivet Bethany Methodist Episcopal Church, Oak Lane Presbyterian Church, Calvary Methodist Episcopal Church, Columbia Avenue M. E. Church, First United Presbyterian Church, Temple Baptist Church, McDowell Memorial Presbyterian Church, 34th Street Baptist Church, Centenary M. E. Church, Bethany Baptist Fox Chase Church, Fox Chase Methodist Episcopal Church, Tioga M. E. Church, Third Moravian Church, Harper Memorial Presbyterian Church, Woodland Baptist Church, Twenty-ninth Street M. E. Church, Memorial Presbyterian Church, Trinity Reformed Church, all of Philadelphia, Pa.; Venice United Presbyterian Church, MacDonald, Pa.; The Westminister Presbyterian Church, Burgettstown, Pa.; The Board of Temperance and Public Morals of the Philadelphia Conference; Fritz Memorial Methodist Episcopal Church, Bethlehem, Pa.; and the Fritz Memorial Methodist Episcopal Bible School of Bethlehem, Pa. favoring the passage of House Bill No. 809, known as the Administration Enforcement Bill.

Referred to the Committee on Law and Order.

PROTESTING AGAINST THE PASSAGE OF THE PINCHOT DRY BILL.

The SPEAKER presented petitions from the Citizens of the Thirty-eighth ward, Philadelphia, protesting against the passage of the Pinchot Dry Bill.

Referred to the Committee on Law and Order.

BILL ON THIRD READING.

(SPECIAL ORDER.)

The SPEAKER. The hour of 11:30 A. M. having arrived, the Chair lays before the House the Special Order of the day set for this hour.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 809 (Senate Bill No. 99), entitled:

An Act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ARMSTRONG. Mr. Speaker and members of the House, as sponsor for this bill I ask your indulgence for just a few moments before the roll is called. Few, if any, bills that have come before this House during my years of service have been more closely studied by the members and more thoroughly discussed than the one upon which we are about to vote. Whether we favor or oppose prohibition, none of us will deny that the American people were within their rights when they adopted the Eighteenth Amendment. Having adopted that amendment as a concurrent resolution, it became equally binding upon the Congress of the United States and the legislatures of the several states to enact legislation carrying into effect the will of the people. That is exactly what we are now trying to do.

Of necessity, all legislation of this kind is more or less in the nature of a compromise. There are radicals who would demand of us that we go beyond all reason, ignoring the limitations of the Constitution, and establishing a sort of inquisition for the suppression of the illegal traffic in liquor. But we must not allow ourselves to be governed by these radicals. On the other extreme there are those who would make a mockery of the law by refusing to adopt any enforcement legislation whatsoever. They would give free rein to vice and throw the mantle of protection around the bootlegger and moonshiner. With equal vigor we must resist a destructive policy such as that would be.

Therefore, it becomes necessary for us to study the question and find a conservation and safe act that will properly enforce our Constitution. We believe we have done this. We are very certain that the extremists, whether wet or dry, will find little satisfaction in this bill. But we are not legislating for them. We are making laws in the interests of the great mass of the liberty-loving, law-abiding citizenship of this Commonwealth. And I am convicted that in this bill we have the very best that we could hope for.

May I not take opportunity at this moment to thank the members of the House for the honest criticisms you have made of this measure and for the earnest efforts you have put forth to get it in the best possible shape.

I stand ready to give it my heartiest support, for I am convinced that its adoption will mean a more effective instrument for the suppression of crime. It will also create increase respect for law and order.

And now, finally, before the vote is taken I would like to read to you an extract from an address delivered by Abraham Lincoln before the Legislature of Illinois, of which body he was at that time a member:

"As the patriots of '76 did to the support of the Declaration of Independence, so to the support of the Constitution and the laws let every American pledge his life, his property, and his sacred honor; let every man remember that to violate the law is to trample on the blood of his father, and to tear the charter of his own and his children's liberty. Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap. Let it be taught in schools, in seminaries, and in colleges. Let it be written in primers, spelling-books, and in almanacs. Let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the political religion of the nation."

Mr. PERRY. Mr. Speaker and gentlemen of the House, the more that I consider this bill, the more I am minded of a story, of a visitor to Harrisburg while the Legislature was in session. After he saw all the excitement here he asked what was the cause of it. Someone informed him that the Legislature was in session for the purpose of enacting laws. He said, "Why don't they pass one law to enforce all the rest of the laws that we have on the statute books and then go home?" And I think that applies to this law under consideration today and if our existing laws would be enforced as they snould be enforced, there would be no need for more enforcement laws. I think that the Brooks High License Law and the Woner Act, are better enforcement measures than the present measure under discussion. Only a few short weeks ago, the judge of Philadelphia Cou ty sat in the License Court, taking under consideration the licenses of that county, and refused to grant fifty licenses because they had either pleaded guilty or had been convicted in the federal courts, showing that we have ample laws to govern the so-called liquor traffic in the State of Pennsylvania but the song has gone forth to do away with the saloon. Under this act, gentlemen of the House, instead of doing away with the saloon, we create more saloons. In other words, you can't put a lock upon the saloons as they exist today. They are selling nothing but what the government of United States sells or said they shall sell. If they are found doing anything else, then the civic and federal laws will take care of them; and if this law passes, instead of paying a license fee it opens the door for everybody else that wants to put a counter or a table whichever it may be, in a cigar store, restaurant or wherever he wants, and start the sale of what they want to witnout paying the revenue to the State or city. At the present time the State very readily says that under the existing revenues we can't meet our expenses, but by one stroke of the pen, if you pass this bill, you will cut $5,500,000 off the State and Counties of Pennsylvania. I know myself, being a member of the Ways and Means Committee, that the State of Pennsylvania needs every dollar that it can possibly get; and the Chairman of that Ways and Means Committee has appointed a sub-committee to devise ways and means for gaining revenue for the State. Much has been said of this bill. I don't know how those gentlemen that came here at that public hearing can reconcile themselves to this bill, as it exists today. I sat in that open hearing of that Law and Order Committee and I saw and heard the Attorney General of the State saying, "Vote for this bill and vote it in its entirety." I have heard gentlemen of the cloth get up and expound this bill, expound the Governor of this grand and glorious state of ours, as being one of the most courageous governors that any state in the Union has ever had, a man that stood for his convictions and believed in those convictions, and that he had presented the State of Pennsylvania with one of the greatest law enforcement bills that was ever drafted in the United States. And what have we today? A bill that has been torn asunder leaving nothing in it, and as I said before, does nothing but do away with the revenue of the State and cities. And there is one clause in this bill to which I want to call the attention of the members of the House; namely, in line 12, section 1, it says "the word officer shall be and include all sheriffs, deputy sheriffs, constables, state and municipal policemen, county and city treasurers." That would be all right, Mr. Speaker and members of the House, that takes in and includes every constitutional officer of the State and city also; but the bill goes further and says, "and any other persons authorized to serve warrants." What that added part means, I am at loss to understand unless, as it has been talked about, that the Attorney General is to receive an appropriation of $250,000 to swear in officers that he will have direct control of. That is the only interpretation that I can put upon that section of the act. But stress was laid upon the constitutionality of this bill last night, that we should pass a certain amendment to the title, which was very appropriately voted down by the members of this House. I, for myself, can't see how any lawyer of repute in this House can vote for this bill when it was told to us here on the floor last night that it will be unconstitutional. Also, I wish to call the attention to the important thing that has been said here by my friend Mr. Armstrong, Lincoln said at one time in coining a phrase, that "you can fool all the people some of the time and some of the people all of the time, but you can't fool all of the people all of the time;" and I would like to know, Mr. Speaker and members of the House, when this thing of Lincoln's was put into effect as far as legislative bodies are concerned, or to think, when Legislatures of the country will legislature for the majority instead of the minority, and I can't conceive by any stretch of imagination why people who come here as members of the Legislature representing their districts, with the promise, probably, of something else that they might obtain, will go along and absolutely betray their friends ana constituents back home. And I say, Mr. Speaker, that they will not continue long, and will simply do away with members of that caliber, with members of that kind. And it is my understanding that all goods seized under this bill shall be turned into the district attorneys of the various counties. I cannot believe, in my talk with some of the district attorneys, but that that entails another added expense to the counties in which those seized goods will be taken. And the search and seizure clause of this bill has formed the whole bill. There has been nothing said as far as the bill is concerned about anything else, the most of it being "search and seizure." The search and seizure of this drastic bill has been so amended that they claim that it is almost null and void, and some of the members of this House take the stand that as long as the drastic feature of that search and seizure is taken from the bill that it is all right. Probably that may be a fact, but the fact still remains that the constitutional rights of each and every citizen of this great Commonwealth of Pennsylvania, are endangered by such acts of the Legislature. As I said in my former remarks, there is enough legislation upon the statute books today, and if that legislation is enforced I don't know the reason why any more legislation such as this will be necessary; and I say with all frankness and all fairness to the Speaker, that if this bill is passed here today, which I hope and trust it will not be, it will be only two years hence before that great body of men, known as the Anti-Saloon League, will come forth with another bill and say this bill is a failure, the same as they say today that the Woner Act is a failure, which they were so anxious to have enacted into law. So, I hope and trust, Mr. Speaker, that each and every member here today will vote, will vote honestly and truly to his constituency and the home people; and I know that the majority voting in that spirit of fairness will wipe this bill off the books.

Mr. STERLING. Mr. Speaker and members of the House, the question in this debate, as I understand the bill, is whether or not the Woner Bill or law shall remain on our statute books, or whether in its place, we shall have the measure which has come to be called the Pinchot Bill. It is our duty as legislators, representing our respective constituencies, to study whether or not the bill now being debated will more effectually bring about the result to be accomplished, whether or not the bill under debate it so drafted that it will for all times stand the test of judicial interpretation, because, as I understand it, enforcement of law is not dependent as much upon the letter of the law as upon the spirit of the law. I dare say that it depends more upon the spirit of those who go to judge such question than upon any other thing. It may well be doubted, Mr. Speaker and members of the House, whether the majority of the people in any of the states in this Union are in favor of such a measure as is here being debated. It may well be doubted whether any member of Congress or any members of any of the legislatures of these states or of this legislature of you men and women,—it may well be doubted whether, when applied to yourselves you seriously are in favor of a measure such as is now being debated. I have given some thought and some study to the Woner Bill, and to the Pinchot Bill, and since there will be many other speakers following, I want to touch on just a few of the high spots that I have been able to discover in the comparison of the two measures. We have been living under the Woner Act for two years, and if you will honestly look about in the various counties of this State and see what has been done under the Woner Act you will find that it has failed only to be effectual where the decision of twelve men, representing the opinion, the public opinion of this measure, have the decision in their hands. The district attorneys throughout the counties have been successful in prosecutions under the Woner measures. The courts have seen fit in passing upon license applications, to refuse where the applicants have been previously convicted, and generally speaking, the Woner Act has been very effectual. And then, coming to the comparsion of the deficiencies in the present measure, the virtues of the Woner Act stand out most strikingly, because, under it, you have the licensed saloon. Licensed to do what? To sell alcoholic beverages of a legal content, and nothing more. You have them where they ought to be. You have them under legal regulation. You have them under judicial supervision. There is no price so high to pay for taking off the Woner measure as will justify the indiscriminate sale of alcoholic beverages all over this great State, beside the churches, beside the schools, without any distinction as to the distance that may separate them, without any distinction as to what else may there be sold, in those stores, soda fountains, grocery stores, cigar stores, all sorts of stores. It will take legions upon legions of men and women even to give sufficient dignity to any enforcement measure as might be worthy of the name American and Pennsylvanian, if you take off of the statute books the present safeguard, given you, as I have just mentioned, by the taking away of the licensed saloon. Coming, then, to the bill now under debate, there are two great weaknesses as I have been able to discover them.

First, the double jeopardy feature, and for the benefit of those who may not understand the term "double jeopardy", I ask your indulgence for a second or two so that it may be explained. Under the Constitution of the State of Pennsylvania, section 10 of article 1, it is provided. "No person shall, for any indictable offence, be proceeded against criminally by information, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger, or by leave of the court for oppression or misdemeanor in office;" then, "No person shall, for the same offence, be twice put in jeopardy of life or limb," which means that, under our Constitution and under the Constitution of the United States the enforcement here sought, a man and a woman having once been charged and tried for a given offense, cannot for a second time be charged and tried for that same offense. The Supreme Court of the United States as held recently that conviction and punishment in a State court under a state law, for making, transporting and selling intoxicating liquors is not a bar to a prosecution in a Court of the United States under the federal law for the same act. In view of this decision, why should the State of Pennsylvania pass an act involving the use of its police power and the levy of the taxes to provide funds for the enforcement thereof, when the offender, after enduring the punishment provided for therein, and being sufficient by the Legislature, remains liable to be punished anew in a court of the United States for the same act? It is true that the act might be amended to provide that no one should be punished under its terms for an offense for which he had already been convicted and punished under the Volstead Act, but there is nothing to prevent the federal officers from securing his conviction and punishment under the Volstead Law after his conviction and punishment under the proposed state act, if passed, and the Supreme Court has specifically declared that such double punishment is constitutional. It may be true that while the Woner Act remains on the statute books, together with the Volstead Law, the same objection can be made to it; but there is at least this difference, that under the Woner Act, the holder of a license is punishable for violation of the terms of his license, which only permits him to sell malt, vinuous, spiritious beverages, containing less than one half of one percent of alcohol; whereas under the proposed act he is punishable for making, transporting, selling or possessing any intoxicating liquors, which offenses are those specifically forbidden and punishable by the Volstead Act.

Deputy Attorney General Campbell stated at the public hearing that the clause on search and seizure in this proposed measure now under debate was similar to that found in the Volstead Act. The correctness of this assertion may be easily tested by an examination of the Volstead Act and the Pinchot Dry Bill. On the question of search and seizure the Volstead Act, Section 25, provides for the issue of search warrants as provided in Title II of Public Law, No. 24 of the 65th Congress, approved June 15, 1917. By referring to this legislation (Barnes Federal Code, Page 2408, sections 10050 to 10069 inclusive) you will see there an elaborate and reasonable system is provided, by which to guard and protect the rights of persons accused before instituting a search of their homes or their business places, to be followed by a seizure of things therein contained.

Section 10052 provides that "a search warrant cannot be issued, but upon probable cause, supported by an affidavit, naming or describing the persons, and particularly describing the property and place to be search" In this section it is also provided that in all proper cases depositions should be taken of the complainant and other witnesses by the Judge or Commissioner issuing the warrant, and the depositions must be signed by the witnesses.

Section 10056 required the Judge or Commissioner to confine the search to the daytime, unless the evidence is positive that unlawful goods are on the premises in question.

Section 10057 requires that a search warrant must be executed and returned within ten days after it is made.

Sections 10065 and 10068 hold all persons strictly accountable for any perjury in the affidavit or testimony to

support the warrant, or for issuance of a warrant with malice or without probable cause, subjecting such persons to fine and imprisonment.

Section 10067 provides for a sentence of fine and imprisonment upon any officer who willfully exceeds his authority in executing the warrant, or who exercises that authority with unnecessary severity.

This, Mr. Speaker and members of the House is the search and seizure clause as written in the Volstead Act, and I ask you and I ask the drafters of this bill now under debate to point to me and to you any provisions in this bill under debate which will pretend to approach that degree of positive protection that comes to American citizenry and American institutions. Examination of the proposed act shows that practically not a single one of these wholesome safeguards are provided for. It is true that the amendment adopted by the Senate apparently restricts the issuance of search warrants for private dwellings, occupied as such, to cases where probable cause is shown that liquor is being sold therein, but no such restriction applies to business places of any kind, nor is the power to issue search warrants restricted to Judges learned in the law, or to United States Commissioners, appointed by Judges, learned in the law, or similar officers, as in the Volstead Act. We have for many years listened incessantly to the demand for a restriction of the authority of the minor judiciary, especially in the great municipalities of this Commonwealth, and under this proposed act, you will be vesting in the authority of men, generally speaking, untrained, undeveloped and unknown in the law, such rights as only judges of the United States Courts appointed by such judges have a right to deal with. You will throw open especially in the crowded foreign sections and districts of this great State the people living there to the unscrupulous constable, the unscrupulous deputy constable attached to the magistrate's court and to the justice of the peace courts' opening the way to greater graft, to greater blackmail, to more bootlegging, all of which will result, Mr. Speaker and members of this House, not to the proper respect for the laws that we love, but rather for less respect, for less tolerance, and for less discretion in our conduct where such a law, which involves primitive instincts, is involved. But the point that I wish to call to your special attention is that the Volstead Act follows the hitherto universal practice of requiring before the issuing of a search warrant whether for a house or a business place or a vehicle, that some person shall be accused of a crime, and provides for the punishment of the accuser for perjury or malicious prosecution, and in the bill under debate, there is a total silence to the punishment of one who may commit perjury in taking an affidavit, that upon his belief there is a violation of the law. The bill under discussion is totally silent. That may be brought by someone who may be malicious, in the prosecution of another for a violation. Mr. Speaker and members of the House, I want to call to your attention the fact that under the Volstead Act it is necessary before a search warrant will go out that the affiant state facts, definite, specific facts, which, after stated, will permit a commissioner or a judge learned in the law, to determine whether or not there is probable cause. But under the bill now under discussion all that the affiant need do is to say that he believes there is probable cause. The weakness is apparent. The judge, the magistrate, unlearned in the law, will himself be unable, generally, to determine whether the probable cause is legal probable cause; then, it will be impossible, as I read the act, for the accused, if discharged, to prosecute the informant for perjury or for malicious prosecution, because all that he is obliged to do, is to state that upon his belief there is ground, there is probable cause for a search warrant.

Mr. Speaker and members of this House, if for no other reason a choice should be made between the Woner measure now upon our books and this proposed legislation; then the two reasons that I have just assigned, in my judgment, are sufficient reasons to choose that the Woner measure be permitted to remain on the statute books tried and tested as it has been by the Supreme Court of this State. No such safeguards of the rights of the citizens are to be found in the Pinchot Bill, such as I have described are in the Volstead Bill. Under it, I may obtain a search warrant for your office, for your factory, on mere showing of probable cause, to believe in the opinion of some magistrate, not learned in the law, that the liquor is being manufactured, sold or possessed therein, and in the case of a private dwelling, that the liquor is being sold therein.

I assume no responsibility and cannot be punished for perjury if I swear falsely or for malicious prosecution, if the accused should prosecute me for this offense; for it is established that no one can be punished for stating his belief that a thing is being done in a given place. There will be other speakers following me in opposition to the Pinchot Bill, that I am sure will touch upon the burden of proof. The incriminative evidence, and that point was so properly and splendidly raised by my colleague from York, Mr. Spangler, last evening, on section 9 of this bill. The point that I want to make in conclusion Mr. Speaker and ladies and gentlemen is this: If it is our duty to choose between two measures, both of which are enforcement measures; if we are obliged as we are, to see to the proper endorsement of the law, is it not our duty to wisely and calmly study these two bills from the angle suggested? Is it not our duty to see which of the two measures will bring the greatest good to the greatest number? I submit to you, Mr. Speaker and members of the House, that in my opinion after careful and conscientious study of both of these bills, I am satisfied that this great State will be better off, that its citizenry will have more protection, and that the morals of this great Commonwealth will move with proper progress under the Woner measure and not under the proposed Pinchot Bill which I ask you here today to defeat.

Miss MacKINNEY. Mr. Speaker, ladies and gentlemen of the House, no subject of legislation which has been, or will be, presented at this session of the Legislature is of such vital importance to the women of this Commonwealth as the Enforcement Act now before us.

The saloon, which is abolished by this act, has deprived the women in the home, whether it be a hovel or a palace, of all sense of security, protection, or peace. The saloon has brought to her poverty, degradation of her loved ones, and untold heartache. She has seen her children deprived of all that she has hoped and coveted for them. Her mother heart has been wrung with anguish, as she unwillingly witnessed, and at the same time was powerless to prevent, her little ones being forced out of her home into the battle of life at an early age, because of economic necessity.

Children unfit physically, uneducated, and unprepared to enter life's arena, and all because the family purse was depleted at the neighborhood's saloon.

Every child has a right to be well born, properly fed, comfortably clothed, and adequately educated. Thousands and thousands of children in this great Commonwealth, have been deprived of this, their natural heritage, because of legalized liquor traffic.

Some have said that the 18th Amendment was hastily adopted, that we were not prepared for such a change. Hasty! The mothers of this country—The White Ribboners

have been working for over one hundred years to destroy the liquor traffic and when the 18th Amendment was ratified, a peon of joy went up from the women of America, rejoicing that now children would never know the temptation of the open saloon.

Women of Pennsylvania came to the last session of this legislature asking the law makers of this great Commonwealth to bring the laws of the state into harmony with our federal law, abolish the saloon and make bootlegging impossible in Father Penn's state.

We asked you for bread and you gave us a stone. You legalized the liquor traffic in Pennsylvania because the revenue was needed and thus made our State for the last two years the "Happy hunting ground" of that pirate of our days, the bootlegger.

Then we entered the campaign last spring and supported with our ballots candidates for Governor and for the legislature who would pledge on every and all occasions to abolish the saloon and drive the bootlegger from our state.

The Senate has redeemed its pledge, our Governor is ready to keep his and the women voters of the state are asking us to keep ours.

When I say women, I mean the women of all state organizations, irrespective of parties.

I hold in my hand the legislative programs of six great state organizations of women; Women's Christian Temperance Union, State Federation of Pennsylvania Women, Pennsylvania League of Women Voters, State Committee of Republican Women, State Committee of Democratic Women, Pennsylvania Congress of Mothers' and Parent-Teacher's Association. The vote must be unanimous before any subject of legislation is endorsed by the council of these six great organizations of women. It was by such a unanimous vote that the 200,000 women composing these great organizations decided to ask the legislature of 1923 for an adequate enforcement law, repeal all license laws and make bootlegging impossible.

This is what our program says:

"LAW ENFORCEMENT. There are three essentials in law enforcement: an adequate law, officials that are in full sympathy with the law, and patriotic citizens who will support and encourage faithful officials in the performance of their duties. Because these essentials have been disregarded, Pennsylvania has become the "happy hunting ground" for the bootlegger and his allies.

"Ability to enforce its laws is a test of the strength of any government. If our government cannot enforce its own laws, then democracy is a failure and we are following the trail of other republics in the past to the grave yard of nations. We can and will enforce this prohibition law, if the 1923 legislature will provide for the carrying out of the first two essentials, and the patriotic citizens of the Commonwealth will look after the third."

The women feel that the enforcement law that is now before us will accomplish that result, and are asking us to vote for this bill. They are asking us to vote for the home and against the saloon, to vote for the well-being of the children of our state and against the bootlegger.

There is absolutely no middle ground, my friends, Your vote, if registered for this law, is with the home and children; if against this enforcement bill, it must be for the present laws which legalize the saloons and make our dear old state a haven for that pirate, the bootlegger.

Which will you chose today, the home or the saloon; the children of our state, or the bootlegger? The women of your district are watching and praying that you will vote for this bill.

And now, before I am seated, may I answer at least one of the remarks of my colleague from Philadelphia, Mr. Sterling? He said in his address that he doubted very much if in any state the majority of the people were in favor of the 18th Amendment. Our records show that three-fourths of all the counties in the whole United States had voted themselves dry by local option, before the 18th Amendment was passed and made a part of the Federal Constitution.

Mr. MILLAR. Mr. Speaker and members of the House, in asking you to vote against this bill today, I will not repeat what Mr. Spangler said last night with reference to Section 9, nor anything that has been said this morning by the preceding speakers, but I do want to supplement what Mr. Spangler said and what the preceding speakers said. I want to read for the information of the House, a part of the debate, and particularly a statement by Mr. Volstead, in support of his bill on July 19, 1919, in Congress, wherein he says in speaking of search warrants. "This writ is issued in strictest regulations that you can imagine. The power to issue this writ is under the espionage act. We purposely took out of the search warrant provision of that act, except as against persons who might be disloyal, every tooth that we could, because we were opposed to the granting of any broad general power to search anybody, except they were disloyal. If anybody gets a warrant not in good faith, he is subject to severe punishment. If the officer executing it exceeds the power given in the warrant, he can also be punished. In every way it is sought to be guarded. No justice of the peace can issue it. No one but a court of record or a United States Commissioner can grant one. You have got to go before a court and subject yourself to an examination before a judge or the commissioner will give you a search warrant."

Now, that is a statement by Volstead himself, made in support of his bill at the time of the debate in the House at Washington. Now, so far as section 9 is concerned, and supplementing what Mr. Spangler said last night, I want to read an excerpt of an opinion of the United States Supreme Court in the case of Veeder against the United States made but a short time ago.

"No search warrant shall be issued unless the judge has first been furnished with facts under oath—not suspicions, beliefs or surmises—but facts which, when the law is properly applied to them, tend to establish the necessary legal conclusion, or facts, which when the law is applied to them to establish probable cause for believing that the legal conclusion is right. The invioliability of the accused's home is to be determined by the facts, not by rumor, suspicion or guesswork. If the facts afford the legal basis for the search warrant, the accused must take the consequences. But equally there must be consequences for the accuser to face."

And again, an excerpt from the opinion of the Supreme Court in the case of Gouled against the United States, decided in February 1921, Mr. Justice Clark, speaking:

"Searches and seizures are as unconstitutional under the amendment when made valid search warrants as they are unconstitutional, because unreasonable, when made without them."

Now, under the present act, as Mr. Sterling has pointed out, there is no redress against a malicious accuser who makes the affidavit required by the Pinchot Bill and gets a search warrant, Mr. Armstrong, in asking for your support for the bill, read an excerpt from a speech made by Lincoln, in which Lincoln said, "Some of our ideals should amount, or can amount, to a political creed or religion", and in that I fully agree for the history of the Anglo Saxon race from Runnymede in 1215, down to the present time, has been a reiteration by succeeding governments and succeeding legislative bodies of certain fundamental rights inherent in all free people. He also said, when asking for your support for the bill, that there are two classes interested—the liberals and the radicals, but from my study of the bill the radicals apparently prevail,

for coupling his desire to follow Lincoln with the present bill, we find several radical differences from the existing order of things; and, mind you, the existing order has not been made in a day, but is the accumulative history of the present race. For instance, this burden of proof one of the greatest steps forward, given to man by the Magna Charta in 1215 was the fact that he must first be considered innocent and placed on trial in that status, and considered innocent until the Commonwealth or until the prosecutor has by a preponderance of evidence, established his guilt. And yet, under this act, we would go back almost eight hundred years to the time when man, certainly, had fewer liberties and was less to be envied than he is today. Another radical change and here again the radicals have prevailed, is contained in the first section, which provides that a criminal statute a penal satute must be liberally construed, a thing unheard of in the law in Pennsylvania today. It is the fundamental idea of American justice, that an accused shall be treated with the utmost consideration, and shall be given the benefit of every possible doubt until the Commonwealth again, by preponderance of evidence has established his guilt, and yet they would wipe that away. Another radical change in the criminal law is that provision that a search warrant may be issued by any justice of the peace or alderman, or magistrate anywhere. In other words a magistrate of Pittsburgh might issue a warrant to search my home in Philadelphia or the reverse. At the present time, the criminal law is fundamentally right. Warrants must be issued where the crime is committed, and in that way, the authorities who issue the warrant are answerable to those who elect them and if they do that which is not right, there is a remedy; whereas, under the present bill, if it passes, there would by no remedy for such a condition. The ardor of the proponents of this bill leads me to believe that some men must not be sincere in proposing it, for the reason that if they were sincere they probably would lose their jobs, and I find so many men infesting the halls of this House, and buttonholing the members that it makes me believe that legislation is agitated and proposed so that some particular men in favorable places may continue to draw fat salaries at the expense of the public, although not out of the public treasury.

The Woner Act was a regulatory measure, and it was an attempt to set up the machinery which would enforce the eighteenth amendment, and laws can only be enforced by men. It will do us no good to pass another law because it would not enforce itself if we can't enforce the Woner Act. In addition to that, the Woner Act regulates the sale of the liquor which is permitted to be sold, and by the way, this act doesn't give you permission to sell anything which you have not the right to sell today, but which they regulate today. The Woner Act permits a court to say wnether or not a particular man may or may not have a license. He is required to petition the court and to appear to be examined, and the court has ample power to refuse a license to an improper person or to a person who might be too liberal in his dispensation of liquor.

In the second place, the Woner Act regulates the person to whom the liquor may be sold. If the proposed bill would go through, this liquor might be sold to minors or anyone else; but under the Woner Act, that is forbidden.

In the third place, as Mr. Sterling pointed out, it regulates the place in which it may be sold, and in the residential communities of the big cities that is a very important factor.

In the fourth place, it regulates the periods of the day, the days of the week and of the year upon which liquor may be sold. It cannot be sold on election day. A saloon can't be open on election day. It can't be sold on Sunday. It must close at a certain time at night.

In the fifth place, if a man is improperly granted a license, the court, at the succeeding application for license may revoke it, and that gives the court a periodical absolute, complete regulatory power over the sale of the liquors provided for in this bill . There is a radical change in the fourth section entitled "burden of proof," to which I called the attention of Deputy General Campbell this morning. In that section it provides that it shall not be unlawful to possess intoxicating liquors for beverages purposes, provided liquors have been lawfully acquired prior to the act. Now, it apparently has been overlooked and isn't yet taken with any good grace that liquor may still be inherited and may be lawfully obtained even after the passage of this act. And yet the man or woman who would inherit liquor, if this act passes, will automatically, without any action on his or her part, become a criminal. There is no repeal and I wonder at this of the Act of June 9, 1891, authorizing the granting of liquor license by the quarter sessions courts, or the act of July 30, 1897, authorizing the granting of wholesale liquor licenses by the State Treasurer. There is absolutely no safeguard in the seventh sectin for the unwarranted attempt by anyone to evade what is alleged to have been a nuisance and the act even goes so far as to say that it shall not be necessary for the court to find that the property involved was unlawfully, but they can go right on anyhow and abate it.

In the last part of the 8th section, we have these words: "The right to a search warrant as provided for in this section shall be in addition to all other rights of search and seizure now existing under the law." The act almost seems to be a contradiction in terms; they admit in the act that there is ample provision at the present time for search and seizure; but, nevertheless they want an additional remedy, and instead of being an instrument for the prosecution it undoubtedly will become an instrument for the persecution of innocent people. In the latter part of clause (a) of section 11, it repeats an impossible provision of the Volstead Act, providing that if intoxicating liquor or property shall be seized, and is in the custody of the law, that no writ of replevin may be issued to gain possession of it. Now, it is very possible under the existing law and under the law which would be in effect if this bill were passed for liquor lawfully possessed to be unlawfully seized; and this act, if passed, would place the person who lawfully possessed liquor in the anomolous position of having to establish the right before the courts would cheerfully return goods which he lawfully possessed. There is no warrant in this state, nor was there any warrant in the United States for any such provisions. It would have been ample if the proponents of the Volstead Act and the proponents of this act had permitted a writ of replevin to issue for the recovery of the chattels unlawfully taken from you, because the instrument by which you would get the return of your chattels, is the same in that case as it is in the enforcement of this act namely the courts; and there is no reason at all why innocent people should be subjected to the unnecessary work and labor of asserting an inherited property right. There is some question in my mind as to whether or not the attempt to amend the title last night was not an attempt to make something constitutional which otherwise may not be. If you will remember, an attempt was made to add a word or two in the title. You will find in section 3 of article 3 of the Constitution of Pennsylvania, that no bill except general appropriation bills shall be passed containing more than one subject, which shall be clearly expressed in its title. Now, there is nothing ex-

pressed in the title of this bill with reference to the search warrant, and that leads me to believe that there may have been some effort to get it in under section 3, but even then, it might not be constitutional, for still the search warrant is a subject apart from the regulation of the sale of liquor. What is true of that is true of revocation of automobile licenses. They are in no way related to the sale of liquor, are separate and to my mind are separate and independent subjects, and therefore unconstitutional under section 3 of article 3. There are numerous other objections, which I would heartily approve, but which I do not think there is time to talk about, because others will speak of them. But I want to say this in conclusion that if I had spoken first, I would have said just what the speaker from Philadelphia, Mr. Perry, has said, and what Mr. Sterling from Philadelphia has said, and my silence is in no way to be construed as not including those reasons with my reasons for voting against, and asking you to vote against this bill.

Mr. WHITEMAN. Mr. Speaker and members of the House, prohibition is no longer an issue for prohibition has been written into the Constitution, and the question before us today is the question as to whether or not this is a law which should be enacted, as to whether or not it is a good law, and as far as I am concerned, Mr. Speaker, the thing before us to-day is the fundamental issue as to whether or not we are for or against, a feeling which we all recognize. The opponents of this measure to-day have gone at length into it in an effort to show that it would not be a good law. I have no disposition to inquire into the intricacies of this measure. As for me, Mr. Speaker, it is enough to know that men who are learned in the law, and men who are in favor of prohibition and law enforcement, are for this law, and that the men who are opposed to prohibition, who are opposing law enforcement are numbered amongst the opponents of this law. That, Mr. Speaker, is enough for me to take my stand upon this law. The opponents of this law have talked at length about search and seizure. Mr. Speaker, I am not afraid of search and seizure. No man who stands within the law need be afraid of search and seizure. Mr. Speaker, I am afraid of the evil which this law is intended to wipe out; I am afraid of the search and seizure embodied in that evil which goes into the homes and searches and seizes the money which that family needs for its support, which it needs for its bread, which it needs for the clothing and the attention of its children. I am against the search and seizure which goes into the home and takes out of that home its furniture and pawns it for the fulfilling of the indulgence of that evil. I am against the search and seizure which enters the brain and robs the brain of its responsibilities, and makes murderers of men; I am against the search and seizure, Mr. Speaker, which robs the man, enters the brain and searches out and seizes the responsibility of citizenship of man and robs him of his ability to function as a law abiding citizen.

Mr. Speaker, not more than a week ago I shook hands with a young man who eight years ago stood in the shadow of the gallows because he had killed a man while under the influence of liquor. He had been refined in the crucible of the law's reform, he came out again, and as I talked to him the question of strong drink came up, and I asked him if he thought that it would ever effect him or influence him again and he said to me, "Mr. Whiteman, I would not take all the liquor in the world for the kiss that I got from my mother when I came home." Mr. Speaker, I have not seen my mother, except in memory, for twenty years, but today I am going to cast my vote in the hope and in the expectation that some day I shall receive her approbation in that this day I have done my part and cast my vote to help save the sons and daughters of mothers.

Mr. DAVID FOWLER. Mr. Speaker and members of the House, on previous occasions I was considered to be representing labor on all measures. I have attempted to show in the last few weeks some underhanded work of those people who tried to discredit labor upon this very question. I have many friends in this House that will be for this bill today, that no doubt will be for labor, and I am not going to charge you with any crime against labor for your opinions here today, only so far as I shall defend the men who represented labor upon the floor of this House, and who were deliberately insulted as I said before. I appeared as labor's choice upon this floor, but from the accounts of the Harrisburg papers I am now quoted as the Reverend David Fowler. They said that I addressed a meeting in Harrisburg as the Rev. Mr. Fowler, so as Rev. Fowler I shall be wet today. Let me say to you that I shall be consistent today with what I did in past legislatures in this very room. I pointed out in the past sessions the evil of passing the Eighteenth Amendment at that time and I offer no apology for the stand that I took at that time, because it is absolutely proven that it has sent hundreds and hundreds of people to their graves. Much has been said here in the past about Barleycorn and my old friend who is not here this session, who opposed me upon this question in past sessions, said we were here to bury John Barleycorn, but today they have discovered that the ghost of Barleycorn is still walking about the earth and they are trying to throw a protection around themselves for fear his ghost will mop them up. Let me say to you that from propaganda that has been spread broadcast against the wet men in this House, why a good many people are of the opinion today that it is even sacreligious and un-American to oppose this drastic piece of legislation.

In 1898 in the Spanish-American war, I served my country in the Philippine Islands, and let me just say this, Mr. Speaker and members of the House, for two years while we were serving in the Philippine Islands we were permitted to have the army canteen under proper regulations. For two years while the army canteen was in effect not one man out of our outfit went into the guard house for intoxication, and those fanatics who are now condeming us were in Washington then, as they were in this House, trying to abolish the cigaretts; and later in the next war they were around collecting them; they were in Washington intimidating the members of Congress to abolish the saloon in the armies so that our boys would be saved. While they were doing that they were carrying the demijohn into Congress to try to get votes for it. I don't need to say that, I can say this, that every time that I represented this issue with men here they were perfectly sober, and some men voted in past sessions here that cannot say that. Let me say that while they were passing this piece of meritorious legislation for the poor soldier boy they were mopping it up themselves, and I guess they were afraid that the soldier boys in the Philippines would get a little bit of it, and in their same cellers you will find it today, in a good many of them. Let me say to you that after the abolishment of the canteen our boys went over to Bolinao across to Manila Bay, and the first pay they received they came back home and they were fined $15.60, a month's wages, and deprived of their liberty for thirty days. That is what they did. They say they were doing it for the boys. My friends, we have had many panics in America. I can remember when a boy that we had the wagons going through the streets and they were passing out meat; the next panic came around and they were passing out soup;

later on the coffee wagons were going all over Chicago, and the next panic came along and the bread wagons were out in New York. In these cities we have the meat wagón and the bread wagon and the coffee wagons and now we find the fanatics in this State coming in here with the water wagon.

Now let me say a word with regard to this bill. There is not much left for me because men of legal talent have thoroughly gone into the parts of this bill, but I have some views in regard to this bill of my own. They say the search and seizure has been eliminated but if you will look back into the pages of that bill you will find it is very much there. It reminds me of a man in our organization one time who was turning in his expense account, and in the expense account he had a suit of clothes for forty dollars. The secretary of our organization sent the bill back and said, "We are not paying for clothes, we are giving you hotel expenses, railroad expenses, etc.," so he sent him the bill back and when he got it back the total amount of the bill was exactly as it was in the first place, and he sent a little note with it in which he said, "The suit of clothes is still in there, but you cannot see it." That is the same thing in this bill, you cannot see it, some of us cannot see it. Mr. Speaker and members of the House, I have worked under similar bills in the southern coal fields of West Virginia. Let me say to you who are here preaching for law and order, who are out for the upholding of the Constitution, you completely shut your eyes at the murder in West Virginia and in other states, you shut your eyes to child labor. What have you got? You pass laws here for child labor and then you permit the work shop to be put in the garret of the home and you aren't doing a thing. Law and order, constitution, yes, every inch of it, not one paragraph, but from the beginning to the end. My friends, I saw women and babies shot down, while I was sent back to Colorado after the last session here, and I went in after our men had been shot by a thug system which this very bill creates. Detectives! I was sent in by General Bandolis to stop the march of the miners in West Virginia, and while we were there the detective army, employed under similar conditions as in this bill, were dropping bombs amongst us. Then our boys were dragged into Charlestown. I appeared as a witness in the Blizzard treason case, after they had tried to wipe out every defense that the working people ever had. The constitution wiped aside by injunctions! I say to you, if the constitution is to stand you must wipe aside the injunction laws with an amendment, set aside the injunction. Supposing we have a return to the conditions that we had last April in the Connellsville fields and in the Somerset fields of the State, the thug army has been created, men, women and children evicted from their homes and put into tent colonies. Let us take this act. Supposing, and it will be done, supposing that the evictions of five thousand miners and their wives and little children will take place again, what is going to happen under this bill? Under the nuisance clause they can place one of the thugs into their camps, place a still into the camp, make liquor and sell it, and then this law will empower the thug army to abolish the camp and send back the miners into the company houses for the purpose of breaking a strike. That was done in West Virginia. That was done, my friends, in West Virginia. I saw them do it. Not only that. I have here a man, a preacher—we talk about making liquor and you know the labor men are not always the violators of the law—let us see what this says: "Deputy Stat Police in Shine Raids. Gather in Much Mash. Several Stills, Many Containers and Several Prisoners. Rev. Eckels is Held on a Still Charge." So, we are not all bad fellows, you see there are others. I want to say that I know very wel that some who are camouflaging that they are here in the interests of the women and the little children have their little drop in the cellar too. My friends, they say that the woman's program, and that the women want this, and they are demanding it. Well, God bless you, I voted to give the women the rights in this House, but I have never voted to give them a threat that says unless I shall do what they say in the Republican Party I am going to be kicked out, I have the ten commandments of the woman's organization that were sent out, and they class me as a man that is violating a promise. I won't bother reading the ten commandments because they are practically the same as what my lady friend has read out, but this is what I told them: "Dear Madam: I am in receipt of your letter of January 29th, 1921, also enclosing legislative program of the State Federation of Pennsylvania Women and contents noted. Permit me to say that if the contents of a bill were conveyed in the title it would be easy for me to answer the ten commandments passed by your association. When bills have been introduced I shall give them my earnest consideration," and I have done that. "Trusting that I have made myself clear and when your bills have been introduced I shall be glad for you to get in touch with me when I shall be in a position to give you my honest opinion." Is that violating a promise?

Governor Pinchot! I have never promised the Governor. I have nothing personal against the Governor, only that I wrote him from West Viginia that I would be glad to come back on his labor program, and he has not shown me any yet. I believe this bill provides for two things. Some of the newspapers claim that the Governor has ambitions to run for the presidency of the United States. Let us say that that is true, that that is his ambition, and I shall be with him if he will do certain things that he promised in my district. He didn't talk on the wet question or the dry question in my district. I don't believe he got me many votes in my district, I didn't need them, I had the prohibition nomination. But, he said, there, that I want, when I leave the Governor's chair, to have the working men and women and little children say, I have passed laws that will better your conditions in life. By heavens, if he does that, if he passes and puts as much effort behind Senator Vare's old age pension bill, and Doctor Steedle's old age pension bill, does something for those who have reached the winter of life, I think you cannot stop him from going to the presidency.

This is just a word for the women and little children. I believe I have done as much as the woman's organizations, I have attempted to try to do something for the women and little children. Where is an organization like the labor union? Was there an organization ever created that ever did more in the interest of women and babies. There are women who say they are the mothers of our State. God bless you, I have a mother too, and that mother when I was a boy nine years of age used to dress me up in an old cut coat of my fathers and send me down into the coal mine. You would see it then, I used to come home, and then you would say that because a man takes a drink of beer he cannot enter into the kingdom of heaven. I will enter there if you fellows have got a chance and don't you forget it. Let me say to you there was not a greater pleasure in my life than when I came home at night, and when we had but very little, how we sat there, mother and I, and father too, with a little bread and cheese and an onion, that was the miners diet then, and a nice cold glass of beer. Let me say to you, that man that says she is not decent, or is not as good a mother as any in this State has got me to whip.

This is a revenue getter. They forget that the other night they opposed a bill because it would reduce the revenue. Mr. Hazeltine favors search and seizures for what? He says in the enforcement of the Pinchot Bill it will add a

considerable sum to the State revenue. An enforcement officer trying to build up the revenues of the state by throwing some poor fellow in jail. If that is the kind of legislation we must pass to enforce the law, then, gentlemen, I am for it. Much has been said about Abraham Lincoln. I do not want to be quoting Abraham Lincoln or Theodore Roosevelt. Some people have already taken all claim to Roosevelt, none of us believe in Roosevelt, only certain people. I have been an admirer of Roosevelt. I am also an admirer of old honest Abe Lincoln. Much has been said about him but let us see what he said. Abraham Lincoln said, "Prohibition will work great injury to the cause of temperance. It is a species of intemperance for it goes beyond the bounds of reason in that it attempts to control a man's body by legislation and makes a crime of things that are not crimes and prohibition will strike a blow at the very principles on which this government was founded." That is what Abe said. I wish he were with us now. Those splendid ideas. The question has often been asked, my friends, what good was to be derived from national prohibition? It has cost this government hundreds of millions of dollars, with a consequent increase of taxation upon the public. It has cost more lives to enforce it in proportion to the number of men employed by the government than the nation lost in the World War. It has transformed millions of formerly law abiding citizens into corruptors, bribers, bootleggers and law breakers. It has bred official corruption in our government. It has taken away from the people liberty and freedom and made us a nation of outlaws; it has taken away pure liquor and beer, and subtsituted it with poison and dope, and no one can deny that, because over two hundred died in three months as a result of poisoned booze. That is from an article dated March 26th appearing in a Philadelphia paper. Then, it has taught the people to make home brews, and no one can deny that. It is teaching the people to secretly drink behind closed doors, and when you pass that bill you don't eliminate the saloons, only the name of one, but you create distributing stations that innocent boys and girls will go into the candy stores and into the grocery stores and cultivate an appetite for liquor and beer. It is multiplying the blind by hundreds, it is creating thousands of dope fiends and I believe now that foreign nations who are planted the poppy fields to make dope in the past, believed that they that they can make this a dope country so they can go after us later on. It was said in the Senate chamber by a man whom I have the greatest respect for, that argument was entirely on the stars and stripes, and then he said the reason the German army was defeated was because they were drunk. Great God! That I would credit the American soldier with whipping a German army that was drunk. I tell you they can lick them sober. It has created diseases of the stomach, liver and kidneys, eyes and heart, all due, my friends, to the consumption of home brew, that contains wood alcohol, fusil oil, copper and other deleterious materials, It has branded us as drunken criminals unfit for self-control.

Last, but far from being least, that is not a complete list of its full consequences. It has torn down the fortification of true democracy in this country and has enthroned the hypocrite, the fanatic, the grafter, thief, liar, bootlegger, smuggler and murderer. These, my friends, are not all of its evil consequences, but I venture this, it is more than sufficient as a comparison for any good the other fellow may ever claim for it. Let us do something that will bring us back. Let us get, my friends, to this position that a man will not be ashamed to take his wife and his little ones into the worshipping places without the fear that some fanatic might say, "He is a terrible man, he takes a drink."

You are chasing men away from your church doors. Make it a place we love to go. Don't make crimes, as Abe Lincoln said, of things that are not crimes, for I say to you, my friends, and particularly the women, and we need you, let us discuss laws that will bring sunshine into homes, let us take care of those who have reached the winter of life, let us cut out the poor farms, let us cut out the Marys and Johns that are walking arm and arm in lovers lane today, and going over to the poor house fifty years from now, let us stop the condition when Mary and John stand at the altar and the preacher, or priest, says unto them, "Let no man tear asunder." But still we have institutions in this State, poor farms, that when Mary and John step to the door of the poor farm, John goes into one building and Mary into another, violating the law of God, my friends, I say, let us do this, let us compensate the widows and orphans of this great State, let us make it that the poor old woman that has to go to the washtub now, and has to send her little boys into the coal mines, or cotton fields will be taken care of. I have a picture here of little children in this advanced age, in the cotton fields of the south, about seven years of age. Let us do this; Let us compensate those who have received injuries in the State, let us compensate those who become sick and cannot provide for themselves and their families, let us reconstruct and rehabilitate those whom we have crippled in the industries, making them useful citizens. This will crown you all, and send you back to this House of Representatives with credit.

Mr. Speaker and gentlemen of the House, I do not wish to take up any more time. I want to say to you that in the past I have enjoyed the friendship of many that are on the other side. I will retain that friendship, and I want to say to you that I trust, and I would not ask a man who went to the polls and declared himself a dry or a wet, but I will say if you all stand to your pledge to-day as you went before the people asking for votes and don't be a Judas Iscariot, and if you do that, this bill will meet its just defeat today. I thank you.

Mr. McKIM. Mr. Speaker and gentlemen of the House, you have reasons pro and con on this bill now under consideration. It has been said that we ought to consider this measure not from a prohibition standpoint.

The first thing which we as members of this House must get clearly into our minds is: That the measure before us is not a prohibition measure; it does not involve the question of wet or dry; neither does the principle of beer and light wines as against hard liquors enter into the merits or demerits of the bill now before us.

The question which must be decided and which decision rests with us, is "Law Enforcement". The bill before us is a law enforcement measure, purely and simply, and before we can intelligently vote upon the bill, we must in my judgment settle to our own satisfaction two questions:

First: Have we now sufficient laws upon our statute books to bring about a proper enforcement of the Eighteenth Amendment to the Constitution.

Secondly: If we have not sufficient legal machinery on our statute books to enforce the prohibition against the sale and use of intoxicating liquors as a beverage in our State, then will this bill bring home the bacon and permit the State of Pennsylvania to clean up the mess of lawlessness within our borders, and drive the rum runners and bootleggers from out fair State?

The answer to the first proposition is so plain as to need no further argument. It is frankly admitted by all, that under the present law in our State, the authorities are not able to cope with the illegal liquor traffic nor to curb the

nefarious business of the bootlegger. The slogan of the opponents of this measure has been "that the Eighteenth Amendment cannot be enforced;" which is not only an admission of the inefficiency of our present laws relating to the liquor traffic, but is also an insult to the citizenry of our great State, by even intimating that the great State of Pennsylvania, of which we are all justly proud, is not big enough and courageous enough to cope with a handful of bootleggers and criminals and drive them and their nefarious business out of our fair State, I say to you that we are big enough and courageous enough to do this; and that we will do it, and furthermore, I say to this House that the bill before us at this time, if written upon our statute books will furnish the necessary legal machinery to do this very thing.

I hear the opponents of this measure say that it would take an army of men to enforce the laws against the liquor trade. My answer to this challenge is that if it will take an army to drive out the iniquitous saloon and the low down un-American bootlegger from our State, then let us mobilize such an army at once. The supremacy of the law ought to be our first consideration.

We hear much expertly prepared propaganda to the effect that the question of personal liberty is involved in this enforcement measure and that the Eighteenth Amendment together with the efforts upon the part of the various states to enforce this amendment is an undue interference with our constitutionally guaranteed right to life, liberty and the pursuit of happiness.

The proponents of this argument are unmindful of the fundamental principle that with all liberty there goes hand in hand the obligation placed upon us, to so use this liberty so as not to interfere with the rights and happiness of others.

There was a time when our forebears, finding an abode or pasture more to his liking than the one he possessed, he by pure brute force drove away his neighbor who was in possession of the same, and took possession of the pasture or abode for his own. There was a time when a man desiring to take unto himself a helpmate, sought out a fair maiden, and taking her by the hair of the head, dragged her to his hovel without asking any man's leave. There was a time when the bartering in human souls was permitted in our fair land. There was a time when the traffic in intoxicating liquors as a beverage was sanctioned by the laws of our land, and the purveyor of this poisonous stuff could debauch the homes of our people and pauperize the addicts to its use. The cave man and his tactics soon became a menace and law and order said he must cease. The ardent wooer and free love advocate became a scourge and he was restrained. Slavery became a curse in our fair land and was driven from our borders at the sacrifice of our nations manhood in a great civil war.

The traffic and use of intoxicating liquors became a cancerous growth eating out the very vitals of our moral, social and political fabric, and the sovereign people of these United States, through their duly approved representatives, wrote into our constitution the Eighteenth Amendment, prohibiting the manufacturing and sale of intoxicating liquors for beverage purposes.

All of these measures were abridgments of the personal liberties of certain classes of men who saw fit to enjoy them. Each abridgment, however, was accomplished on the principle of the greatest good for the greatest number and for the preservation of law and order. To abridge and curtail the rights and liberties of the few in order to safeguard the rights of the many is the fundamental principle and prerogative vested in the sovereign government. Someone has well said that "Liberty must be limited in order to be preserved."

Who are the "personal liberty" advocates who are finding fault with the Eighteenth Amendment and are opposing the bill? I venture to say that ninety per cent. of them are actuated by selfish motives or are directly interested in the liquor business. Are their motives pure and will they stand the light of day? Most of them are the band of personal liberty advocates who will concede to the beer drinker and the use of light wines his inalienable right to indulge his appetite, then will in the same breath say to the man or woman who likes their hard liquor or eye opener in the morning, "You must do without your whiskey; the law must forbid the use of such intoxicants."

We here another class of men, and maybe, some women, who are opposed to this bill, (gentle women and feminine men, perhaps,) not because it is an enforcement measure (they are in favor of law enforcement), but because of the fact that the bill goes too far. It does not give the criminal a chance. Why they never heard of a search and seizure being made to operate against a criminal; and the burden of proof, why impossible. Why, say they, they can search your house for contraband liquor and your house is your home, and your home is your castle; and mind you, say they, they can do this in the night time, when I am at a prize fight or prayer meeting and my wife is at home alone.

And what is more, if they find my cellar, they are permitted to take my liquor from there, and it will be "prima facie" evidence against me. Did you ever hear such shallow twaddle? A man once hired out to a Scotch farmer (with emphasis on the Scotch) as a farm hand. At breakfast there was placed before him a bowl with milk in it to be used with his porridge which was served from a container in the middle of the table. A pesky fly flew into the milk, whereupon the hired man began to laugh uproarously. The Scotchman inquired as to the cause of this unusual mirth, when the hired man explained: "I am laughing at that silly fly trying to swim in that bowl of milk when it could just as easily walk."

Now the arguments against this bill, because of the search and seizure and the prima facie evidence clauses are just as shallow as the milk in the Scotchman's bowl and just as silly to the hearers as the antics of the fly. These clauses are merely a reiteration of the federal law as written upon our federal statutes and to which we are now amenable.

We have on our books practically the same laws with reference to stolen goods, gambling devices, deadly weapons, smuggled goods and many others, and we hear no complaint about the hardships imposed by these laws by unscrupulous officers of the law or criminal imposters. And who are objecting to these so-called objectionable clauses? Are they not mostly those who are opposed to any enforcement measure against the illegal use of intoxicants? Are they using these objections as an excuse to oppose a bill for which they would not vote if these clauses were eliminated? Have you heard of any women's organization objecting to this bill because of the fear that they will be molested in the night time by criminals under the guise of enforcement officers? Have any of the adult bible classes sent you memorials protesting against the bill on this score? Have any of the civic bodies of your districts requested you to oppose this bill because of the search and seizure clause? Have you received word from the mayors of your cities protesting against the passage of this bill, because of any undue advantage may be taken of the law by the criminal?

An attempt has been made to draw labor into this mess, but I say to you that labor as a class and the rank and file of labor unionism is 100% American and stand four square on the question of strict law enforcement against illegal liquor or any other evil.

The trouble with some of us it that we are too solicitous to help, aid and abet the bootlegger and his damnable practices. We should remember that the function of the law-making body is to make it harder to break the law, rather than to make it easier for the criminal to escape his just punishment.

Another argument against the bill is that it takes away the licensed saloon. Since when did the saloon become an instrument of public benefaction? The saloon which has debauched more lives, ruined more homes and corrupted more public officials than any other institution in the State. Since when did it gain its reputation as a moral agency? It never has had such a reputation and never will. It is said that when the saloon is taken away, soft drink emporiums will spring up throughout the State like the ice-cream parlors in which near beer will be sold to our children. My answer is, that if these soft drink emporiums obey the law they will do no more harm than the ice-cream parlors, and furthermore, I say that this act will provide the necessary legal machinery to see to it that they do obey the law.

We are to be congratulated upon having a Governor in the executive chair who stands four square on law enforcement and the abolition of the saloon. A Governor who has the fear of God in his heart; a wholesome regard and respect for the law; an intelligent conception of the will of the people as expressed at the last election; and with all this he has the courage to do the right as he sees it.

It is the duty of this House to do our share in writing this enforcement measure upon our Statute books, and by so doing we will furnish Governor Pinchot with the necessary legal machinery to make good the mandate of the people of Pennsylvania with respect to the saloon and the liquor traffic. I say this is our duty and if we do this I am confident that the voters back home will see to it that the fear of the ballot, if not the fear of God, is instilled into the minds of our judges, district attorneys, mayors, burgesses and other peace officers, which fear of or respect for the ballot will bring about an honest enforcement of the Eighteenth Amendment and the just punishment of all criminals.

We must meet this matter now before us conscientiously. We may by our vote fool the people back home; we may fool the Governor; we may fool our colleagues by our side; but cannot fool our own conscience. Let your conscience be your guide in your vote on this bill.

Mr. STOFFLET. Mr. Speaker and members of the House, I have taken a cold and my voice is not what it should be, but I will do the best I can. This reminds of a little chapter I once read in the Bible. A good many have been speaking, but I am one of the last ones, and I came to the conclusion that this was like Christ said when a man makes a wedding feast he first puts out the wine that is good, and then when men have well drunk, he puts out that which is not so good.

I don't expect to change the views of a single member with anything that I might be able to say. Wretchedness has killed the reason and fanaticism has tumbled their judgment aside. When I announced myself as a candidate for this office, I made no pledges. The drys started to write to me, the wets started to write to me, I refused to declare myself in one way or the other. After a time the wets stopped writing the drys kept right on. At first they requested that I declare myself, then they demanded that I declare myself, and then they threatened that if I would not declare myself they would put me down as a wet. They did so, and on that wet platform I was elected.

I am not going to erect a patriotic smoke screen, I am not going to use the stars and stripes as a wrapper for a bundle of bunk, I am not going to build any little red school house up along the creek, nor am I going to rattle the bones of the great men of this country. We are not voting today for wet or dry; we are voting for a principle, and this reminds of a little story:

An old Irishman died, and after his death the neighbors came in to console the widow, and one of them said, "And sure, Patrick Murphy was a fine man." Another one said, "And sure, Patrick Murphy was a good neighbor". Another one came in and said, "And sure, Patrick Murphy was a good husband and a good provider". And Mrs. Murphy said, "He was, he was". She says, "On every Saturday night, just as sure as the clock struck, Patrick Murphy put his pay envelope down on that table; of course, there never was a darn cent in it, but it was the principle of the thing". We are not voting wet or dry. The men that vote here today consider one of two things, and neither one of them is for the good of the people. Gentlemen, I bow my head in humble submission to the powers who have said that the 18th amendment is a law, but I deny it. It is not a law. No sage in law or wisdom can point his finger to a single syllable of the ten commandments, or one single feature in the law of nature, and show me that it can be used as a foundation for this insensate folly. There is nothing in the law of nature that prevents me from having any quantity of liquor in my possession, either large or small; there is nothing in the ten commandments or the 22nd chapter of Chronicles that prevents me from having any quantity of liquor in my possession, large or small, but there is that in the natural law that prevents me from drinking too much of that liquor and to become irresponsible for my conduct. That has always been regarded as a misdemeanor, punishable by fine and imprisonment. We have a perfect right to codify all the violations against the law of nature, and to attach thereto pains and penalties; we have a perfect right to codify all the offenses against the ten commandments, and attach thereto pains and penalties, and in case of violation, inflict those penalties, but we have no right to attach shame and penalties to acts which are in themselves in their very nature innocent. You can attach anything to the constitution. It has been declared that this is a part of the constitution, and it must be enforced. What is there to prevent the introduction of a bill into the House of Congress what is there to prevent its passage; what is there to prevent the Senate from passing that same bill; what is there to prevent the President from signing it, and then have thirty-six states ratify it, trying to regulate the rainfall of this country, or the barber's itch? Absolutely nothing. It is a part of the constitution but it has no basis, and no foundation either in the natural or the moral law and cannot be enforced. The poor old constitution has suffered terribly. Once that constitution was a noble structure but one monstrosity after another has been grafted on it, until today it resembles the monstrous Harlequin of an unnatural political scientist. If you step back with me into the first decade of this present century, I will show you an element in the political life of this country that was both restless and radical, disgruntled Republicans who failed to hit the lime light under the old Republican banner then under the Bull Moose and Progressive standards they ran for office until George W. Perkins rounded them up and ran them for office until they were clean out of the political pasture their with their wind and their money gone, stayed outside until the 18th amendment offered fertile opportunities and they became ultra-prohibitionists for no other reason than to get into public office.

You cannot change human nature, by any means of legislation; human nature is the same today as it was in the garden of Eden and the minute that you change it, then it

is no longer human nature. I stood one day in a famous art gallery and looked at the work of a great master, the picture of an Egyptian queen the wife of Amenophis the 4th. The queen who lived 1300 years before Christ, out of a costly frame, rich with gilt she peered back at me with a supercilious look and had it not been for the intense olive of her complexion and her peculiar head-dress I would have thought that I was looking into the eyes of a highly cultured woman of the present day, around her lips curled the smile of Mona Lisa with all your legislation with all your civilization, when I walk down the street today I meet the prototypes of Judas Iscariot, of Benedict Arnold, of Pontius Pilot, the Mary Magdalenes, and the Neroes of Prohibition who still sit and fiddle on their favorite strings while the rest of the nation is being consumed with the fires of anger and resentment. I am just as sorry for the man who falls for drink as any man dare be; I am sorry for the fellow that drinks in secret. Think of the poor fellow who has chewed up three carloads of cardamon seeds, thirty barrels of cloves and several tons of cinnamon bark, trying to disguise his breath and to appear respectable. I am sorry for the brilliant fellow the man that is actually worth while who once in a while joins a party of friends where, the wine is a little too red, or is poured a little too freely and he becomes intoxicated, not for what he does to himself, because that is easily remedied, but for the opportunity that his folly presents to the cad, to the unworthy, to the mediocre, to make a handle out of it to ruin his reputation, a lever with which to crush him utterly. I have never yet seen the time when these rats did not take the opportunity of doing that. I am also sorry for the poor fellow that fritters away his opportunities through drink. Of course, you may say that the vilest sinner can turn back at any point, but back to what? Back to shattered health, back to a father, gray-haired and bowed in sorrow; back to a mother broken-hearted and in her grave; back to a wife damned through all eternity by his thoughtless brutality; back to the little children who do not dare to go out on the street for fear their father would come down the sidewalk drunk and covered with the filth of the stable and the gutter. I am sorry for the garden of his days in which he should have planted the seeds of and loving kindness, overgrown with weeds that blossom in his patches and his rags, his twisted lips, his quailed and knotty fact that no one lives, but sorry as I am for the gray-haired father, sorry as I am for the heart-broken mother, sorry as I am for the disgraced wife and children, I cannot vote for so pernicious a bill as this; for a bill with such vicious provisions as this one has, and I want to warn you gentlemen, members of this House, right here and now that we cannot permit this bill to pass this House because if we do, we open the door of the White House to the most dangerous man in the political history of this county. I thank you.

Br. McVICAR. Mr. Speaker, the greatest opportunity that God has given to man is that of service. Service not for self, not for riches, not for personal aggrandizement, or for any other selfish purpose, but a service of love to God, to country, to fellowmen.

I am profoundly grateful that I am a citizen of a country whose call for service has never been unheeded in time of great national need. In 1861, the call was made for the preservation of the union, the constitution and the flag. The response came from hundreds of thousands. In 1898, a call was made to aid the oppressed on a neighboring Island. The same generous response was made. Again in 1917, the call came to leave our own country, to travel over perilous waters, into an unknown land. Again the same generous response came from the north, the south, the east and the west.

But let us remember that it is not only in time of war that our country needs our service. In times of peace, when the sky is clear and the sun is shining brightly, there may be a cloud arising in the west, so small that it is apparent to but only a few, and yet it is certain to bring disorder and havoc unless the cause for its appearance is made to disappear.

No thoughtful or observant American can help but discern that the constitution of his country is being violated with impunity by the high and the low, the rich and the poor, the public official and the private citizen. "A house divided against itself cannot stand". Neither can the constitution of a nation permanently endure with half loyalty and half disloyalty thereto. Daniel Webster gave his life in support of the union and the constitution. Abraham Lincoln gave the last full measure of devotion to the union and the constitution. Theodore Roosevelt, a one hundred per cent American, always was prepared to support and defend the union and the constitution. Shall we be content with a lower standard?

The question today is not whether we are wet or dry, but the question is—Shall we support the Constitution of the United States? To that question there can be but one answer. In its consideration, we should not permit our minds to be confused or perverted by any specious reasoning or sophistry that this bill in some of its parts is defective. Remember that we have people wise enough today to criticise the Ten Commandments and the Lord's Prayer. But rather let us ask whether the Commonwealth of Pennsylvania should have a part in finishing the work which the nation thus far has so nobly advanced. Whether this bill is an honest and intelligent effort to put our State in a position where it can co-operate with the United States in enforcing the Eighteenth Amendment.

Mr. Speaker and Members of the House, there are two clear and distinct calls which we hear today. One is the call of selfishness, greed and personal liberty, to vote against this measure for many reasons, none of which is altruistic. The other is the call to vote for this measure and thereby render a service of love to God, to country, to our homes, to our families and posterity. Which call shall we heed.

That we may be inspired to do our duty in this important matter, I conclude by quoting a verse of poetry which a very honored and revered jurist (who has fallen asleep) is said to have repeated every day as an inspiration to duty. It reads:

"I live for those who love me,
For those who know me true,
For the heaven that smiles above me,
And awaits my spirit too;
For the cause that lacks assistance,
For the wrong that needs resistance,
For the future in the distance,
And the good that I may do."

Mr. ALEXANDER. Mr. Speaker, ladies and gentlemen, as I sat here this morning and heard the arguments for and against this bill, and I have looked over this House, I have concluded there is no man sits here and looks into the faces of the members of this House as I have but can be moved as I have been moved. I see from the expressions of the members of this House that their minds are as my mind, that the only fear about voting, of each and all of you is the fear of doing wrong.

My friend from Armstrong, Mr. Armstrong, has well said, and it has been reiterated by a number that have followed, that the issue is not here as to what we believe as to prohibition, what we believe here as to the right of sup-

pressing our liberty, or whether the eighteenth amendment was properly passed, neither has it to do with the suffering in the past of the women and the children around the firesides caused by the demon rum, it is as far from that issue as anything can be. So we clear our minds of all of that, let us clear our minds of the prejudice of the one side and the prejudice of the other. I will simply speak of that. I am not unmindful of the many letters that you have received, and which I have received. In my hand I hold the letters, all the letters that I have received from those people favoring the passage of this bill. In this hand now I hold the letters of all the people that have written me concerning the defeat of this bill. To me, however, that is insignificant, as you must see that is a very small proportion of the people of this Commonwealth and mostly they are from my district, people from that district who are vitally interested in the purposes of this bill. Every one of these letters received favor the passage or the defeat of the Pinchot enforcement bill I have looked through my files but I have been unable to find anywhere in those files a bill that to my mind is an enforcement bill I am inclined to think that this is a misnomer, that this bill that we call an enforcement is rather a bill of relief. In other words, it relieves every hotel man in this State from paying a license, and that is all it does do. I resent the thought that has been given here on the floor of this House that the opponents of this bill are those who are opposed to the enforcement of the eighteenth amendment. The eighteenth amendment, I want to say, as solemnly as I can say anything, is a part of the constitution of this grand country of ours; it is just as important as any other part of that constitution, and it is the duty of every man in this House, and every man on the outside, and every man inside of the boundaries of this country, to enforce the eighteenth amendment to the limit. I want to say to you that I stand now ready with any man or any woman to see that the eighteenth amendment is enforced, and I want to say further than that, that we have a bill that is a real bill on the statute books of this State that will enforce, and the only thing you need is honest men in office that will enforce it. I say this very seriously. In the County of Delaware, where I live, I have the honor and have had the honor for a number of years of being solicitor to the sheriff of that county, and during the year 1922, the sheriff of that county prosecuted, or rather arrested, forty-two men for violating the Woner Act. We only had two out of that forty-two that escaped. The other forty men were convicted. In Delaware County, the district attorney, William Taylor, has enforced the Woner Act, and I defy any man or woman to say that he has not. We have jurors in Delaware County, who according to their oath when the evidence so warrants it, convict a man for selling or manufacturing or possessing liquor, and during the year 1922 the district attorney of Delaware county prosecuted one hundred and sixty-two violators, and out of those one hundred and sixty-two there were but five men acquited. Don't tell me the Woner act cannot be enforced. The Woner act further than that is a regulation. Repeal if you will by this bill the Woner act, which is an amendment of the Brooks high license law, and as has already been said, when you do you take away all restrictions from the sale of this lower content liquor. The Brooks high license law is a real law. I say now that if the eighteenth amendment had not been conceived in hypocrisy, it perhaps would have been a decent law and a law that we would have known what we are talking about like the Brooks high license law. What is the eighteenth amendment? It prohibits the manufacture, the sale, the transportation, the possession, etc., of intoxicating liquors, and then it leaves to Congress to say what intoxicating liquors are. Not so with this bill that you are asking to repeal. The bill which you are asking to repeal, passed thirty-six years ago, prohibits without a license the sale or manufacture of vinous, spiritous, malt or brewed liquors, or any admixture thereof. It does not take any judge of any court to define what that means. It does not need any act of Congress to tell you what that means and yet that is the bill that you are going to wipe off your statute books. You are going to leave open the right to every Tom, Dick and Harry throughout the Commonwealth to sell lower content liquor wherever he pleases, whenever he pleases, on Sunday or any other day. I say to you beyond any question there can be no doubt of it that the Woner act today as it stands, an amendment of the Brooks High license law, is a good sound law. I say again, and reiterate, if you place honest men at the head of it, they won't be coming and making footballs out of you every time you are running for office and asking you to vote for some other bill. I cannot blame these good people, I don't blame them. They see on every side of them the evil; they see the jails and penitentiaries being filled with crime today such as has never been known before, and they wonder many times, and no doubt on bended knees they ask God to show them why it is. Then somebody who wants to use the party and use the thing for political purposes, tells them, "You want a new law. Go to your legislature and get a new law." That is not what they want, this is what they want, place honest officials at the head of it, take this thing out of politics, stop bothering us every time we come here, and there won't be any question about the law's being enforced.

Now then, this bill, and I want to refer to just one thing, this is the first chance that I have had to answer some of the accusations. I have been accused of breaking a pledge. It has been said in some of the newspapers, as coming from the Governor of this Commonwealth, that I have broken a pledge. They say that I promised the Governor in the last campaign that I would support his platform, and to that indictment I plead guilty, just as solemnly as I vote against this bill today. But, let us look into this indictment and see what it was. He told you one of the many things that he was going to do was to clean up the mess. Every body in this House knows that I have fought for two years to help him do that. He tells you that he is going to run the saloon out of business. I hope he does, that is, the illegal saloon, and he said he is going to run the bootlegger out of the State. I am with him through all of it and will go out at nights and help him do it if he says so, and then he points to this act, and another thing he said in the platform, repeating and referring to that grand man whom we all love, the following motto, "We should all live for high ideals, but these high ideals must be practiced in a practical manner," and to that I say Amen, and I am with him. But this bill that is presented to this House today is neither practical, sensible nor anything else, and if I today would vote for this bill just because somebody tells me that I had entered into a conspiracy or I agreed rather to follow it, I would feel as if I had been guilty of a conspiracy to deceive the people of this State, of a conspiracy to take from this State two millions of dollars at this time. Now, at this particular date, when just now we have an appeal from the Governor asking for additional funds, which means you and I must vote for additional taxes upon the people of this Commonwealth, the people of this Commonwealth that are burdened with taxes more than they can bear—yes I did offer a luxury tax bill, with the hope that if anything was needed, that might be the thing that would help, but I have been in the past working as every other member of this House has been working with the hope that

no other taxes would be necessary, that we would be able to gather enough money somewhere or spread the deficiency along for a certain period, whereby no extra burden would come, but we cannot do it if we are going to throw two millions away so lightly and for no purpose whatever. Absolutely none. I say now, and I say with those members who have already spoken, that if it was a question of dollars and cents, as far as the enforcement of the eighteenth amendment is concerned, I would shut my eyes to the two millions, and I would say, it is well spent if the eighteenth amendment can be enforced. But my friends, I am just as sure as I am standing here today that this bill that we have rather than help enforce it, will do anything else. Don't tell me a hotel with its sign out on that corner, it is harder to control his selling with a license than it is to take his sign down and leave him go up some dark alley somewheres where it takes four or five detectives to find him. Why, it is the most absurd proposition that I have ever heard of. In the City of Philadelphia two weeks ago those judges sworn to do their duty, refused the licenses of 49 men because they had violated the Woner Act. Pass this bill, let the Governor sign it today, and tomorrow morning those 49 men will open up their doors, and you cannot shut them, under any law under the sun. In our part of the country, in Delaware County, two men were refused in the last term because they had violated the Woner Act. Pass this bill, sign it by the Governor, and the moment it becomes a law, both of those men will start into business again, and there is no law on the statute books to stop them. Tell me this is an enforcement act? Tell me if you will, after you look at it. I want to say now there in no man in this house has been more desirous of following the governor than I have, but threats or promises or innuendos is no way to make me follow any program.

I am mindful of that saying of the Bard of Avon, "First to Thine own shall be true, and hence it must follows as the night the day Thou canst not be false to any man." It is my belief that the supreme thing for us to do is to be true to ourselves be true without thinking of the consequences, whether reward or profit, whether honor or power, whether disgrace or poverty is as a dream of dreams, this is my high ideal of duty.

Now, let us see for just one moment as we refer to this bill in one particular that has not been referred to, there is in this bill a most revolutionary clause. In the first place, or rather before I turn to that I want to turn to another thing which shows just why I cannot understand why this was placed in a bill of this kind: it prohibits the manufacture of non-intoxicating cider and fruit juices exclusively for use in the private dwelling. I don't see why they did not prohibit the farmer from drawing water from his well or his spring. Where is there one of these things prohibited by any law, and if it is not prohibited, or permitted in any law why is it in this except perhaps to pull the wool over some one's eyes and get their vote for this bill. Look at section four, "it shall not be unlawful, however, to possess intoxicating liquor for beverage purposes in one's bona fide private dwelling while the same is occupied and used by him as his dwelling only provided such liquor was lawfully acquired prior to the passage of this act." Does that mean to say that if you lawfully acquire liquor after the passage of this act that you are going to be punished for a lawful acquisition after the passage of the act? If not, why was that clause placed in there? Then, we do go on down further, and notwithstanding it says "it shall not be unlawful" for a man to possess liquor in his own house, "proof of the possession of such intoxicating liquor shall be prima facia evidence that the same was acquired, possessed and used in violation of this act". Now, we are told that there is nothing new in this prima facia feature, we have been told that that is in some of the fish laws, the gunning laws, we are told that that is also in the law as to stolen property, we are told that it is in a number of other laws, the automobile act. I defy anybody, I defy the man who wrote this bill, I defy anybody on the floor of this House to point out to me one law which tells you that it shall be lawful to do a thing, and then puts the burden on you to show that you are not doing an unlawful act. Every one of the acts that have been referred to on this proposition are acts which in the first place start out and say it shall be unlawful to do certain things. And so they said in the hearing before the committee that it was in the Woner Act. It is no such a thing. They say it is in the concealed deadly weapon act, there is no such a thing in it, but there is another thing in those acts today, it says from the fact that it is possessed the jury may infer, and when I went to the Governor, and went to the man who wrote this bill, he argued with me that prima facia meant nothing more than inference. I said if that is all it means then write it in English in the bill so we will know. You and I differ. The Supreme Court of the United States differs. They say that, or rather the courts in many of the states have construed this so that in criminal law prima facia means proof beyond a reasonable doubt. And every man who knows anything about criminal law knows that that is the highest degree of proof that the Commonwealth is called upon to prove. The presumption in every land, just as we have in the case of Coffin vs. the United States in commenting upon this principle says that every code of law that has reason, that has religion, that has humanity as its foundation must have this law written into it and this presumption it is presumed, and this rule should be indelibly inscribed upon the hearts of every judge and every jury that this presumption can only be overcome by such positive evidence that would carry to the mind of the jury a degree of conviction short of absolute certainty. Why this principle can be traced back as far Deutoronomy. The book of Moses gives this principle. It is handed down from the old Roman law,and one of the best examples of that is an account we have of Numerinus being charged and brought before the Emporer Julius contended himself with a simple denial. There was no proof against him, and his advisory, a passionate man, could not restrain himself any longer and cried out Oh, illustrious Caesar if it sufficeth to deny what in the future is going to become of the guilty. To which the Emperor Julius replied, "If it sufficeth to accuse what is going to become of the innocent." And, after all that is the foundation of every law. Our law has not been passed for the purpose of punishing the guilty, the purpose of the laws is that we should deter other men from committing some crime, hence we have the old rule that is as old as law itself, "That better ninty-nine men escape punishment rather than one innocent man be condemned. That is for the reason that the law is not, as I said before for the purpose of punishing the guilty, but the law of every land is for the purpose of protecting the innocent. Then, wherefore, is written into this this revolutionary thing, for the purpose of enforcing a misdemeanor. Calling upon every man, all you have to do is show a bottle of whiskey that he got out of his house, lawfully there, mind you, because the bill says it shall not be unlawful for him to have it, and yet all you have to do is to go into a man's home where under this act it is not unlawful for him to keep it, you can take that bottle, set it up before a jury and the buden is on him, notwithstanding the Fifth Article of the Constitution which is just as sacred as the eighteenth amendment. He is bound to go on that stand and refute it, he is bound to take the stand, as I

say, notwithstanding the Fifth Article of the Constitution. I say this is revolutionary. It is not necessary, and as I have already said, the Woner Act does not have it in there. Are you therefore going to write in this law that revolutionary clause today taking away that presumption, and if there is anything in the world today, if there is anything place that that presumption should stand and last to the end, it is in such a place as this where the act itself makes it unlawful for him to have the thing, and yet puts the burden of proof on him that it is lawful, for the act says so. It is the most ridiculous and absurd proposition that I have every heard put to any sensible man, and asking you to make it a law of this great Commonwealth of ours.

Now, then, I am not going to take up any more of your time, ladies and gentlemen, for you are not going to be moved by either fear or by threat or by recompense or by reward. You know the oath you took, you know your duty to that oath, to your God, to your country and to yourself; you are men and women that are responsible for that oath, without fear or without threat. I resent this thing of telling you if you don't do so and so such and such will happen, and especially to any man and woman as the men and women of this House are just as conscience of their oath as any other officer of this Commonwealth. You hold that sacred oath, an oath just as sacred between yourself and your God as any other man and any other woman, and I ask you now as a most conscientious body of men and women that ever sat in this House, you men and women who are able to judge for yourselves, you men and women who don't have to go into a anti-room and be advised as to what is right and wrong, it is only the insane that you have to do that to, I say it is an insult to your intelligence when any man stoops so low as to tell a sane body as this what is right and what is wrong.

You are the keepers of your conscience, you are men who have sworn according to the dictates of your conscience to believe what you believe is right and I appeal to you as good thinking conscientious men and women that now when the time comes to take that vote that you listen to nothing except that you raise your eyes to Almighty God and ask him to guide you, to see what is right, and as your conscience within yourself directs as to how you shall vote here, so I ask you to vote.

Mr. LUDLOW. Mr. Speaker and members of the House, for three hours I think we have listened in good humor and good will to the arguments which have been presented by the men and women, arguments pro and con have been presented. I hesitate to think what would have happened had our friend from Northampton had his usual voice and his Greek vocabulary, because if with his present difficulties he can floor our brother from Lycoming I wonder what he could have done with the rest of us in normal form. I want to say also that this is not the first time that the chairman of the Appropriations Committee has been floored this session.

Much has been said out of this chamber, very little in it, about fanatics, about patriotic and unpatriotic service. I start by conceding that any man or woman in this body has a right honestly to disagree with me, and if such person disagrees with me I am not going to raise my hand to high heaven and yell, "Oh, you are not patriotic." That is not the way to discuss matters in an assembly of this kind. I want simply to say this is not a question of whether a man is a Republican or a Democrat, it is not a question of whether a man came here pledged to support the administration or not support it, but just as has been said the gentleman from Delaware county, each man is here to fight this thing out as he sees the light and in no other way. I found a man out here on the outside who was walking up and down incessantly repeating twenty or twenty-five times, "Year by year, with weakened beer, I am growing drier and drier." I have been receiving literature since I have been here, starting in witn two black bottles at the top. It makes me think of that song we used to sing as children about ninety-nine black bottles hanging on the wall. Since the advocates or local option began they knocked out one by one of the bottles until the eighteenth amendment and the Volstead Act came along, and we came down here at the beginning of the session with only two black bottles left hanging on the wall. Then the other day the man who has been getting out that paper admitted that one of the black bottles had gone, and he set his picture on the other side and there was only one black bottle hanging on the wall, and we are going, by our vote today, to take the other black bottle off the wall, and when we pass this bill we are going to show the picture of the same man facing the other way.

I want to say to the members of the House here that much has been said on the legal points, and I am very much embarrassed by what my brother from Philadelphia, Mr. Perry, said when he didn't see how any lawyer of repute could see any good in this bill. I want to tell you, it embarrassed me very much because, if forsooth, I find anything in this bill that looks good to me I fall within that indictment, sir, and I am not a lawyer of good repute, and say what you like I hope I may leave the House and carry away with me whatever little reputation I brought here with me. Sometimes some people are not so sure what that was. I got a letter the other day which said, "My dear Mr. Ludlow: I was not here at the last election in your district but I am now one of your constitutents. There are two things you have got to vote for or else I will vote against you at the next election." He is talking about the next election and we have not yet finished this job. "First I want you to be for daylight saving," so I have got this as a secret which I will whisper to Philadelphia people, I have got fifty per cent of his support. Then he said, "If you vote dry, I am against you." Now if I do this thing, which I intend to do and should purchance come up again two years hence for reelection which does not worry me at all, I do not know how that man can vote under the Vickerman bill and cast a fractional vote for me. How can he vote a half vote for me on the daylight savings question and vote half against me on the Pinchot Dry Bill? So I have got to work my way in fear and trepidation. But that is two years from now and in the meantime my better half is holding down the job at home with five little reasons for my voting "aye" on this bill Mr Speaker and members of the House, I wonder whether with this indictment stairing me in the face about the repute of the man who can address himself to any points of merit in the bill, whether I can, without wearying you and very briefly, seriously show you the error of some of those views. First of all, because it was said the first shall be last and the last shall be first, our brother from Delaware County has said that he cannot find any justification anywhere in the law of Pennsylvania for this burden of proof I am going to refer him to just one decision of the superior court of Pennsylvania, where Justice Keller decided that all of this presumption as to the burden of proof would be decided without showing it to be unconstitutional and still reserving to the defendant every right that is properly his, and if he cares to look at Commonwealth versus Berryman 72 Pennsylvania Superior Court, page 479, he will have the answer in far better language than I can express it here. Much has been said about search and seizure in condemnation of it, and if you think that is something new let me tell you they have been doing it since 1860. If something sixty-three years old is something new, let us go on putting in something new. We have

had it time and again not in one act, but in act after act, and I will cite you quickly just the names and the titles of the acts without a citation of the opinion; Animals kept for baiting or fighting, Act of April 3, 1872; apparatus or instruments in regard to opium, Act of June 10, 1885; explosive in Philadelphia, Act of March 20, 1856; gambling implements, Act of March 31, 1860; obscene books, Act of May, 12, 1897; stolen goods, Act of March 31, 1860; bottles, etc., bearing registered names or trademarks, Act of June 15, 1911; diseased live stock, Act of July 22, 1913; inspection of employment agencies, Act of June 7, 1915; game and fish laws, Act of June 3, 1919, about which we heard something quite early this morning. And so they go, again and again, the power to search and seize. And then last night our friend from York got up and in trying to amend, I think he made a mighty good argument, but I am at this time not like the lawyer but like the man on the jury, I do not have to agree, but he made an argument about the use of the word "discovery". After I heard his speech last night I went back to my room and re-read my history and came to the conclusion that Christopher Columbus did not discover America, he only suspected it, and when he went back home, Queen Isabel conferred upon him that order, that new order, the order of Suspicious Explorers. Now that is facetious, but let us be serious on that point. The circuit court of appeals of the United States, just a few months ago in a case out in the west,in the ninth circuit decided that this much mooted search and seizure clause, which mark you, must only be reasonable, there is nothing against a reasonable search and seizure, it only says it shall not be unreasonable search and seizure, and the court held there under the amendment, when you construe that, you have the same rights that you have at common law, and it is notorious in Pennsylvania that we practice common law except where we modify it by statute, and as long as we are modifying it by statute, the words, "with or without warrant", were put in there particularly to meet the Pennsylvania rule without creating a breach of the peace, and under the common law you may see something that is, but unless there is breach of the peace committed you cannot take the goods. Hence those words and hence the use of the word "discover". I discover in the word "discover" that when I see a thing I discover it, and yet when I go around with my nose up in the air and scent it. I suspect it. I think we can leave that to the rule of the distinction between reasonable and unreasonable action. You have heard about the Woner Act, and you men and women coming from Philadelphia, don't you know that by the time you pay that great big license fee and by the time you pay your rent, and by the time you pay your big overhead and get a reasonable profit, you cannot do it on light wine and near beer, and you know it, and I know it, and what is the use of fooling ourselves about it. I think that the licensed saloon under the Woner act is a saloon with a revolving door. The first thing you meet going in the door is one-half of one per cent, but as you revolve it is one per cent then one and a half to two per cent, then two to two and a half per cent, then two and a half to three per cent, and before you get very far you are inside under the license at about three or three and a half per cent, as my friend Chaplin tried to read into the bill last night. Under the Woner act in Philadelphia that is done and every one knows it. What is the use of fooling ourselves about it. Now then as to the question of double jeopardy. My friend Mr. Sterling, in a very concise and lawyerlike way, talks about the danger or risk to the man who is accused under the double jeopardy clause of the Constitution which says that no man can twice be put in jeopardy for the same offence. But it is not same offense and the Supreme Court of the United States has so construed. When we pass this law it will be an offense under our law, and why should we be so blamed considerate of the man who has violated this clause. If he is guilty let him take the consequences. Let us face the music, and if a man is guilty let us make him get the full effect. When you are shooting certain kinds of birds why not use a double-barreler shot gun?

Now, Mr. Speaker, two years from now a lot of people will forget many of us, and I am afraid from the batch of letters that I have received that they have started to forget me already, but I am not a bit afraid about the people back home two years from now, what I am concerned with just now is my vote this morning, and my reasons for it. It really is the afternoon, but I think up until luncheon, we may say it is still morning. I am concerned with my reason, but I am concerned far more with another thing, and that is that twenty years from now they wont have the slightest idea who Ludlow is, or who somebody else is, but I must not mention any other names, but they will know that the Legislature back in 1923 tried to put teeth into something which up till that time was toothless, that in 1923, when the lid was almost off the Legislature tried to get its bearings again and put the lid back on. The eyes of the country are on us to-day, not yesterday, or last week, but right now, right at this hour, the eyes of the whole United States are upon us. David Lawrence, in one of those articles of his written back in February, said that Pennsylvania, was the object of every ones' gaze all over the country to see how we were going to act. This is one of the big states, and one of the states that is reported strongly the other way, not dry, so to speak. This is our chance to go on record, and it may not be a bad idea for you to know how Pennsylvania went in 1919 and how she went the other day: On February 25, 1919, the 18th Amendment was voted for as follows: 29 Senators in the affirmative, and 16 in the negative. In 1923, when the vote was taken on this act there were 30 Senators in the affirmative and 15 in the negative. Think that over. Over in Jersey, where they say they never agreed to the 18th Amendment, they only lacked a constitutional majority but listen to the vote n New Jersey. The vote there was in the Senate 10 for the amendment, and 8 against; in the house 52 for and four against the amendment. The only thing in Jersey to-day is this: They have not got very much over in the Senate, but over in the Governor's office by a slight transposition of one letter they got one single thing under the Volstead act, their Seltzer. It seems to me now is the time to stop, now is the time to take our vote, now is the time to go on record, not for to-day or tomorrow, or next year, or two years from now, but now is the time to go on record for twenty years from now, and I cheerfully take my responsibility on that.

I want to read just one thing that you read in this morning's papers that our clear thinking Junior Senator of Pennsylvania, with the clear thinking Senior Senator from Pennsylvania said over in Reading yesterday. He said, "The 18th Amendment is here to stay and it is senseless to believe that it can be done away with. As it stands we can do one of three things: we can enforce it as it is; we can leave it on the statute books unenforced, or we can modify it to make it practically effective. But since the law is the law, I believe it should be enforced. If it cannot be enforced then let us face the issue like men and modify it."

I agree with him, but let us start from the beginning. There are three things we can do. The second is unthinkable, and that is not to enforce it, and that leaves us with the first and third, and the first is, let us try with all the

powers we have got to enforce it, and if backed up by all the power, and with the co-operation of that very efficient district attorney, who we understand you have in the neighboring county, backed up by the power of public opinion in the clubs, dance halls, and the colleges and schools, we will stop making a farce out of the 18th amendment. Let us stand up like regular Americans and say we are for this thing, we are going to give it a square deal. Try this thing out. If it is not a square deal, some of you will be back here two years from now, who are against this thing today, and who are saying, "Don't let us change this thing now". Take the thing as Senator Reed has said, let us take the amendment just as we find it, and let us try in an honest manner under our Constitution to enforce it. That is personally why I am going to vote for the bill, and I hope you will do the same.

Mr. HAAS. Mr. Speaker, I yield to no one in loyal, patriotic support of the Constitution and laws of the United States, and of this Commonwealth.

In vigorously opposing the passage of this bill, I am doing so from no ulterior motive whatsoever, but wholly because I believe I am casting my vote honestly and according to the dictates of my own conscience. Also, let me say this that I, personally, am absolutely dry and that I have never in any way, shape, or form violated any of the provisions of the 18th Amedment or the Volstead Act.

Let us first of all remember that we are discussing this bill; not a moral issue, nor a wet and dry issue. To my mind this is not a wet and dry issue, regardless of how much the organizations favoring the passage of this bill are trying to make it that. That issue is settled; the 18th Amendment and the Volstead Act closed the book. Concurring with the provisions of the 18th Amendment, the Legislature of 1921 passed our state enforcement measure, the Woner Act. That Legislature must have believed that that act was in accordance with the mandate of the Federal Constitution. Now we are being led to believe that the act is a failure. I personally do not believe that there has ever been any determined effort to enforce the provisions of the Woner Act, until the new governor was inaugurated. With his sincere determination and the tools he now has at hand, he seems to be doing exceptionally well.

Section 3 of the National Prohibition Act provides that the Act shall be liberally construed "to the end that the use of intoxicating liquor as a beverage may be prevented." In Pennsylvania it has always been held that penal statutes, imposing fines and penalties, "are to be construed strictly as penal, and not liberally as remedial laws." Of course, a penal statute is not to be so strictly construed as to defeat the action. Our judges have been wise in holding that "no man incurs a penalty unless the act which subjects him to it is clearly both within the spirit and letter of the statute imposing such penalty."

Why should not the Legislature in the framing of a penal act say clearly what is meant by the Act instead of putting in a provision, contrary to our decisions, that the Act shall be "liberally" construed? By so doing there is an invitation to read into the act the vagaries and individual opinions of those who are charged with its enforcement and interpretation.

In Section 4 of the proposed act the burden of proof is put upon the possessor of intoxicating liquors "to prove that such intoxicating liquor was lawfully acquired, possessed and used." The inevitable conclusion concerning this Section is that wherever the question arises any individual, who has in his home intoxicating liquor, may be called upon to establish that such liquor has been acquired lawfully. This clause would subject many innocent people to great dangers. It is commonly known that before July 1, 1919, many large stocks were laid in. Wholesalers went out of business in 1919, records were lost and destroyed, and not one person out of ten thousand would have the means now, of establishing in a court of law the evidence showing how possession was acquired. In many cases barrelled liquors have been bottled by the owners. In many cases the original wrappings and containers have been destroyed, and this section would, without doubt, lead to great persecution and perjuries and also blackmail. The burden of proof should never be placed upon the defendant in any penal case. The Commonwealth in all cases should be obliged to prove the guilt of the defendant. The wise policies of our laws should not depart from that, the Commonwealth must not only prove the guilt of a defendant but must prove that guilt beyond any reasonable doubt, and particularly should this be so with regard to a sumptuary law, which is in derogation of the natural rights of the individual.

The most serious crime upon our statute books is murder. It carried the most serious penalty. Murder in the first degree is punished by death, yet a murderer is given the benefit of a reasonable doubt. The burden is never cast upon him, and never shifts from the Commonwealth. The fanatical idea of this act is that a bootlegger is in a class by himself, committing a crime more serious than murder and is required to assume the burden of proof and prove his innocence.

The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, is guaranteed by the Constitution of the United States as well as by the Constitution of Pennsylvania, it being specifically stated in both documents that "no warrant to search any place or to seize any person or things shall issue without describing them as nearly as may be, nor without probable cause supported by oath or affirmation subscribed to by the affiant." The Act of Congress of June 15, 1917, sets forth under what conditions search warrants may be issued. It is interesting to compare this Act with the proposed Act of Assembly and to note how zealous was Congress to hedge about the issuance of search warrants with certain restrictions and limitations, the majority of which are omitted entirely from the Act under discussion. Under the act of Congress a search warrant cannot be issued but upon probable cause, supported by affidavit, naming or describing the person and particularly describing the property and the place to be searched.

The judge or commissioner must, before issuing the warrant examine on oath the complainant and any witnesses he may produce, require their affidavits or take their depositions in writing and cause them to be subscribed by the parties making them.

The affidavits or depositions must set for the facts tending to establish the grounds of the application or probable cause for believing that they exist. If the Judge or Commissioner is thereupon satisfied of the existence of the grounds of the application or that there is probable cause to believe their existence, he must issue a search warrant.

The judge or commissioner must insert a direction in the warrant that it be served in the day time, unless the affidavits are positive that the property is on the person or in the place to be searched, in which case he may insert a direction that it be served at any time of the day or night.

It will be observed that under the Act of Congress search warrants are applied for before judges or commissioners. United States Commissioners, as is commonly known, are invariably trained in the law, lawyers being appointed to that position. They are "an adjunct of the Court". In all cases they weigh the evidence with the caution, and often

with the wisdom, of judges of the bench. Therefore, in Federal cases, one can rest assured that search warrants will only be issued where evidence is produced of such character as is reasonable within the meaning of the Constitution.

In our proposed act the issuance of search warrants is not carefully restricted. An individual can go before an alderman, a justice of the peace, a magistrate, ninety-nine percent of which have no training in the law and upon baldest affidavit of probable cause obtain a search warrant. If one alderman in a city refuses to issue the search warrant there are a dozen others who can be influenced. There are notoriety seekers among alderman. There are ignorant justices of the peace. Any justice of the peace in a county can act. If the alderman of a city refuse to act under this section the affidavit can be made before some remote justice of the peace in the country. Any lawyer who reads the provisions of this act will give it as his sincere opinion that a search warrant can be obtained in any given case under our system in Pennsylvania.

The Federal government maintains one Commissioner in a district, usually, as stated, a lawyer and usually also a lawyer of standing and responsibility, alive to his relations to his government, his people and the courts. It is not easy to influence him to act in any case unless there is evidence produced which he can weigh and measure. The average justice of the peace or alderman neither tries to, nor can, judicially weigh evidence produced before him. His impulse in civil cases is to give judgment for the plaintiff; in criminal cases, to bind the defendant over for court. His desire to do justice usually is subordinated to the desire to secure the payment of his fees. He makes the adminitration of his office not a judicial but a business matter. Yet this act intends to commit our rights, secured by both Federal and State constitutions, into the hands of irresponsible, unlearned and usually quite pliable justices of the peace and aldermen.

It is of particular interest to note section 20 of the search and seizure clauses of the Volstead Act. It provides that 'a person who maliciously and without propable cause procures a search warrant to be issued and executed shall be fined not more than one thousand dollars or imprisoned not more than one year.

The Bill under discussion makes no penalty provision of any kind for false swearing in order to procure a search warrant. If any property is seized, although the owner of that property did not know it was used, or being used, in violation of the act, the burden is cast upon him to show that it was being unlawfully used without his knowledge or consent. How can that burden be met in many cases excepting only by simple denial, and simple denial would not seem to be sufficient to overcome the presumption that is set up against the claimant by casting the burden upon him.

Under section 13 where a person is shown to possess intoxicating liquor, that fact shall be taken to be prima facie evidence that the possession was unlawful.

Frankly, what does the proposed law do? It takes away five and one-half million of dollars of revenue from the state, counties and municipalities. It does not fulfill the Governor's pledge as it will not drive one single saloon out of business. One county in Pennsylvania had approximately 375 licensed places in 1920. The judges refused to grant any licenses the next year and now they have about 600 places selling liquors. This bill paves the way for hundreds of blind tigers and I am firmly convinced that the brewer and saloonman want the bill to pass. It will remove the cost of the license and will give wider distribution to the brewer.

The question today is not law enactment but law enforcement. Along the line of enforcement just listen to this clipped from a newspaper several days ago: "Miss Georgia Hopley, the only general prohibition agent of her sex in the Federal service explained today, her favorite method of picking up evidence of bootlegging was listening in on conversation of the men into whose company she might be thrown while riding on a train or traveling otherwise in pursuance of her duties. Usually from behind the pages of a magazine, I am listening to all that may be said by the men riding near met, she said. I often hear conversation that furnishes me a tip regarding some violation of the law."

Germany was condemned for all times in the eyes of the world for conducting such a system upon those whom she considered were her enemies. Shall we as liberty-loving people endorse a spy system of this kind upon our own folks?

We must never forget that the duty of every legislator is to insist upon the passage of only such laws as are wise and proper and which represent the wishes of the majority of the people. Legislation is only an effort to put into force the will of the majority. In so doing, however, we must remember there are some things, which no matter how good they may be in themselves, the majority has no right to inflict upon the minority. "The chief object of a Constitution is to limit the power of majorities."

Majority rule, unlimited, would be the most grinding of tyrannies the minority at times would be mere slaves whose right to life, liberty and comfort no one who choose to join the majority would be bound to respect.

It is childish to imagine that every law, no matter what its nature, can command respect. Nothing is more attractive to the benevolent vanity of men than the notion that they can effect great improvement in society by the simple process of forbidding all wrong conduct, or conduct which they think is wrong, by law, and of enjoining all good conduct by the same means. The principal danger lies in the attempt often made to convert into crimes, acts regarded by large numbers —perhaps a majority—as innocent.

Quoting from the pamphlet of the Women's Legislative Council, under the heading Law Enforcement, they say: "There are three essentials in law enforcement: an adequate law, officials that are in full sympathy with the law, and patriotic citizens who will support and encourage faithful officials in the performance of their dutiy." Further on they say, "We can and will enforce the prohibition law, if the 1923 Legislature will provide for the carrying out of the first two essentials, and the patriotic citizens of the Commonwealth will look after the third."

The first essential we can do. I still believe, however, that in the Woner Act we have that law. The second, we as a legislative body have no control over. It is presumptious to assume that we have any control over the judges, district attorneys, and other enforcement officers.

Relative to third essential, we may delude ourselves, upon the subject if we can, but there is no evidence that in Pennsylvania the majority favor stringent legislation as provided in the act. No law can be enforced that does not have the moral support of the people behind it. It does not pay to goad the people too far and this Act, in its present form, taking under consideration our system of justices of the peace, aldermen and magistrates, with irresponsible constables and detectives, would be a great agency of oppression and in a short time the people would be so aroused to injustices that an attempt to enforce its provisions would be met with force. It is useless to call for an observance of the Constitution and the statutes of any state or government, when the natural rights of the people are invaded.

In forcing upon the people a measure of this kind we indeed make vain the sacred labors of the Founders of the

Republic. Have those men who sought in anguish and toil to establish forever in this land the doctrine of the rights of the individual man laid their foundations upon a bed of sand —pervious at last to the ever present pressure of intolerance?

This, my friends, is the age of intolerance. The bigots and fanatics are saying to us, "If you do not believe as we do, you shall be politically and spiritually damned. I say to them that unless they change their attitude that this glorious Commonwealth of Pennsylvania will eventually be crucified upon the cross of intolerance, and for that crucifixion there shall be no Easter Morn.

Under our Constitution, we have three branches of government, the executive, the legislative, and the judicial. Each separate and distinct unto itself, and when anyone attempts to usurp the power of more than one of these branches he exceeds the authority vested in him by the Constitution.

Frankly, I do not like the methods that have been used to force this bill through the House. Members of this House have been coerced and intimidated. It is rumored that they have been threatened with the loss of patronage. An attempt has been made to discredit certain legislation before their constituents by publishing a fictitious list of so-called pledges to this act. It has been said that a vote for the bill is a vote for the Administration; a vote the other way, against it. I say a vote against the bill is a vote against fanaticism, a vote against un-American legislation. A vote against this bill is a vote to show the people of Pennsylvania that the law-making body of this state can still function. I could not stultify my manhood by voting for this bill and I would far rather be retired by my constituents to innocuous desuetude than be afraid to vote and voice my convictions.

The poem of J. G. Holland is very apropos of the occasion:

"God give us men! A time like this demands
Strong minds, great hearts, true faith and ready hands.
Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy!
Men who possess opinions and a will;
Men who have honor; men who will not lie;
Men who can stand before a demagogue
And scorn his treacherous flatteries without winking.
Tall men, sun-crowned, who live above the fog in public duty and in private thinking.
For while the rabble with their thumb-worn creeds;
Their large possessions and their little deeds
Mingle in strife, lo! Freedom weeps,
Wrong rules the land and waiting justice sleeps."

The Roman never despaired of the Republic, and we need have no misgivings as to the destiny of this State so long as we are men of the Oak instead of the Willow.

I call upon you to have the courage of your convictions and vote accordingly.

Mr. HARER. Mr. Speaker and members of the House, the hour is growing late and I think every man and woman in here is well informed on this subject. I therefore move the previous question.

The motion was seconded by the following: Messrs. Haws, Dunn, Bidelspacher, Edmonds, Aston, Fratt, Orr, Burd P. Evans, Blair, McCurdy, Horne, Golder, Bluett, Baldi, Dilsheimer, Bromley, Joshua Evans, Jefferson Smith, Conner, Howard Smith, Burns.

The SPEAKER. More than twenty members having joined in moving the previous question.

On the question,

Shall the main question be put?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. ARMSTRONG. Mr. Speaker, I ask that the roll be verified.

The roll was verified as follows:

YEAS—107.

Albert,	Frazier,	Labar,	Richards,
Anderson,	Gallaher,	Lauver,	Sample,
Armstrong,	Gelder,	Long,	Schleifer,
Aston,	Gilchrist,	Ludlow,	Shambach,
Baker,	Goehring,	MacKinney,	Smith, G. A.,
Beaver,	Goss,	Marshall, J. G.,	Stark,
Bell, F. A.,	Griffith,	Marshall, W. F.	Stevens, A. J.,
Bentley,	Gundy,	McClure,	Stoner,
Berger,	Hall,	McCurdy,	Storb,
Betts,	Harer,	McDaniel,	Storer,
Bidelspacher,	Harter,	McKim,	Thomas, L. D.,
Blair,	Haslett,	McVicar,	Thomas, M. G.,
Brenneman,	Heffran,	Metcalf,	Thompson,
Brewster,	Henderson,	Minehart,	Van Alen,
Brown,	Hetrick,	Moffat,	Vickerman,
Burchinal,	Himes,	Moore,	Walker,
Bush,	Holcombe,	Morrison,	Wells,
Chaplin,	Hollis,	Ogle,	Wheeler,
Clutton,	Hoover,	Orr,	Whiteman,
Coldsmith,	Horne,	Parkinson,	Williams, G. W.
Diehm,	Irvin,	Patterson,	Woner,
Driggs,	Jones, C. B.,	Peelor,	Wood, N.,
Edmonds,	Jones, D. J.,	Pitts,	Wood, W. P.,
Evans, B. P.,	Jones, E. P.,	Post,	Wright,
Flinchbaugh,	Kelly,	Price,	Zook,
Fowler, A. I.,	Korns,	Raymond,	Goodnough,
Fratt,	Kunkle,	Rhodes,	Speaker.

NAYS—100.

Alexander,	Eshelman,	Little,	Sarig,
Allman,	Evans, J.,	Lucas,	Sautter,
Arthur,	Fields,	Lynch,	Schaeffer,
Asbury,	Flynn,	Mack,	Schilling,
Baldi,	Fowler, D.,	Malie,	Schoener,
Behney,	Gibbon,	Mangan,	Schwartz,
Bell, W. T.,	Glasgow,	Marcus, J.,	Sheridan,
Bluett,	Golder,	Marcus, J. C.,	Smith, H. J.,
Blumberg,	Gorham,	Mathay,	Smith, H.,
Boback,	Greeby,	McBride,	Smith, J. W.,
Bromley,	Grimes,	McCann,	Soffel,
Brownmiller,	Guerin,	McCaig,	Sowers,
Burns,	Haas,	McDermott,	Spangler,
Colville,	Haines,	McGowan,	Speiser,
Conner,	Haws,	Millar,	Sprowls,
Coyne,	Heffernan,	Miller,	Staudenmeier,
Craig,	Heyburn,	Munley,	Stavitski,
de Young,	Hontz,	Myers, G. C.,	Steedle,
Dietz,	Howell,	Myers, P. M.,	Sterling,
Dilsheimer,	Huber,	Nolte,	Stevens, A. F.,
Donahue,	Johnson,	O'Boyle,	Stofflet,
Drinkhouse,	Keene,	Perry,	Weamer,
Dunn,	Kennedy,	Posey,	Wettach,
Eaches,	Kohler,	Rinn,	Whitehouse,
Earley,	Lafferty,	Rippman,	Williams, J. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with the information that the House has passed the same without amendment.

REASONS FOR VOTE.

Mr. SPANGLER. Mr. Speaker and members of the House, I vote in the negative for the reason expressed by me at great length on the evening of Monday, March 26th, when the bill, Senate Bill No. 99, was on second reading. Had the House accepted my amendment, which would not have weakened but strenugthened the bill, I should have voted for the bill.

Miss GRIMES. When Governor Pinchot interrogated me in the fall campaign, I told him that I did not believe in bootlegging and that I thought the saloon was an archaic institution that has passed. I told him further that I was

not dry, and that I believed in light wine and beer, although I realized that such a change was not a matter of state action but must be brought about by Federal legislation. The Governor said, "Bully for you", and his secretary, Mr. Stahlnecker, wrote down what I had said.

Since that time a lot of pressure has been brought to bear on me by advocates of this bill, even amounting to threats that I would not be returned unless I voted for the bill. I have been accused as having been sent here as a tool by the wet interests of my district and having accepted bribes from them. There has been absolutely no coercion of any sort brought to bear upon me by the wet interests of my district. The only efforts at coercion have come from the other side. I have thought this matter through to the position I now take, which is based upon my conscience and the sentiment of my district.

I would rather have the wet label on me than the label of the hypocrite.

Mr. LORENZO D. THOMAS. Mr. Speaker, the following telegram explains my vote on this bill:

Wilkes-Barre, Penna., Mar. 25, 1923.

Hon. Lorenzo Thomas,
House of Representatives, Harrisburg, Pa.

At meeting of the Republican Women's organization of Luzerne County held at the Woman's Club House, March twenty-fourth, the following resolution was unanimously adopted, that telegrams be sent to our representatives endorsing the enforcement bill now before the legislature and the entire program as outlined by the Governor.

Mrs William S. Tompkins, Secretary.

Mr. WONER. Mr. Speaker, I vote "aye" on this bill for the following reasons:

First, I vote for this bill because it will tear the mask of legal pretense from the near-beer saloons in this state.

Second, I vote for this bill because it will put real power into the arm of the law to lay hold upon the bootlegger, bring him to account and vindicate the law.

Third, I favor this bill because it is based upon the principle that honest laws shall be hard to evade and easy to enforce.

Fourth, I favor this bill because it interprets the eighteenth amendment to mean just what it says, that "the manufacture and sale of intoxicating liquor for beverage purposes" shall be prohibited, not merely driven out in one place to be allowed to flourish in another.

What is Function of Government?

Let us be frank and honest with ourselves and with our government. Do we mean to give the handicap to the lawbreaker and the bootlegger, or are we ready to write into law through this bill, the highest indisputable principle, enunciated by William E. Gladstone, that the chief function of government is to make the way of the transgressor hard?

We talk much of human rights and justly so. But when we fail to make laws that deny the right to do wrong we are failing of our duty.

Shall we Get Rid of License?

If this bill did nothing else save help rid us of the licensed near-beer saloon, it would be worth while.

License for non-intoxicating beverages is not wrong in a moral sense, because all agree that the thing licensed is not wrong, but it gives legal status to an institution which leads to a train of evils.

I have no apology to make for sponsoring the present law which carries license for non-alcoholic drinks.

We accepted it as the best enforcement plan we could obtain in 1921. But at once after the adjournment of the Assembly I began a campaign for the enforcement principle in this present bill.

Courts throughout the state have had much to say about license for non-intoxicants. Some have been biased in views against the plan of the Brooks Law. Others have declared it bad policy to continue license with the Eighteenth Amendment a part of the Constitution. I quote from Judge George W. Maxey of Scranton, who, in denying all license in Lackawanna County in March 1922, said:

"We were persuaded to refuse to grant any retail licenses in this county because we believe that in too many instances our retail liquor licenses were being used merely as badges of respectability for "hootch" emporiums, that is for establishments where vile, deadly and illegal liquor is sold. We believe it almost physically impossible for our enforcement agencies, unless their personnel is vastly augmented, to adequately supervise the seven hundred retail saloons in Lackawanna County and to secure a due compliance with the national and state laws regulating the sale of beverages. Some drinking places may continue to be lawless whether licensed or unlicensed, until the law's heavy hand falls upon them, but it is against the public policy of the state to lend its license for use merely as a window-dressing for bootlegging parlors."

Is Burden of Proof Unfair?

In this bill the definition of the crime and the penalty is much the same as in the Woner act.

There is much ado about a thing of little consequence in this fuss about the burden of proof, which is much the same as in the Woner act.

When the law interpreting the Eighteenth Amendment, states clearly that it is unlawful to manufacture, sell, offer for sale, furnish, possess, transport, import or export, intoxicating liquor for beverage purposes, it is clear anyone found violating the provision has done so with full knowledge of the laws and, as the lawful uses to which such intoxicants may be put are also plainly set forth, the case with which it may be shown that such use or posession of liquor was lawful, leaves little or no burden upon an alleged act.

The burden of proof is on the point as to whether the liquor was for beverage purposes or not beverage purposes. Is this point often a puzzling one?

Are Our Rights Invaded?

No one's right is invaded by this bill.

The right to search is well restricted and if we oppose a reasonable, properly guarded search clause, we may as well oppose the purpose to honestly enforce the Eighteenth Amendment.

If officers are to be denied power to enter places where the law is being violated, then we are limiting the province of the law and extending the domain where men may do as they please in spite of the law.

Do we want to save the lawbreaker from his just penalty, or do we want to bring him to justice?

Real Question At Issue.

Finally, this is not a question of wet or dry. It is a question of the reign of the bootlegger, or the triumph of the basic law of the land.

It is not a question of the right or wrong of booze. It is a question of obedience to law, or defiance of law.

It is a question of making it easy, by a weak law, to trample upon the constitution, or making it hard, by a strong law, to get away with a riot of rum.

The greatest need of this hour, in this state, is courage to help build up honest government authority and power to make that authority felt by every breaker of the law.

This need will be met, in a great measure, by the passage of this bill.

The eyes of the Nation are upon Pennsylvania.

The eyes of the Nation are upon this House at this very hour.

If we defeat this bill, it will be heralded as a drastic setback for forward-going work for the supremacy of the law.

If we pass this bill, we give notice to the people of America that the great Keystone State has thrown the dynamics of its virile moral force back of the sweeping movement to lift humanity to a higher level and usher in the triumph of the fondest hopes of all the ages, human good through sober, sane, self control and obedience to the sacred laws of man's best endeavor.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 34.

Commonwealth of Pennsylvania,
Executive Department, Harrisburg, March 27, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 34, entitled:

An Act to amend clause two of section three hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (P. L. 840) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" by extending the power to tax property for lighting purposes in second class townships

GIFFORD PINCHOT.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

TIME OF NEXT MEETING.

In the Senate, March 28, 1923.

Resolved (if the House of Representatives concur) That when the Senate adjourns today it reconvene on Monday Evening, April 2, at 9 o'clock, and when the House of Representatives adjourns this week it reconvene on Monday Evening, April 2, at 9 o'clock.

Ordered, that the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDMENTS TO SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 85.

An Act authorizing cities of the third class to regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces

SENATE MESSAGE.

RESOLUTIONS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution of the House of Representatives as follows:

Resolved, If the Senate concur, That House Bill No. 332, entitled

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged

be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

RESOULTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution of the House of Representatives, as follows:

In the House of Representatives, March 26, 1923.

Resolved, (if the Senate concur), that House Bill No. 26, printer's No. 96, File Folio 369, entitled "An Act to amend section twenty-four of the act approved the seventh day of June, one thousand nine hundred and seventeen, (Pamphlet Laws, four hundred twenty-nine), entitled 'An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recordir and registering of the decree of the orphans' court in collection therewith and for the fees therefor;' providing for the sale of the real and personal property of a decedent without known heirs, kindred or surviving spouse, and the payment of the net proceeds of such sale into the State Treasury", be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 450.

An Act to further amend clause three section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred forty-four) entitled "A further supplement to the act entitled 'An act concerning divorces'" as amended by taking away the right of support or alimony in certain cases

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 6.

An Act to amend section two of the act approved the sixth day of July, one thousand nine hundred and seventeen, (P. L. 734), entitled "An act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth, together with their solicitor, steward, or superintendent, and such other executive officer as may be designated by said directors and overseers or other officers, to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania, as part of their official duties, and providing for the payment of the expenses thereof."

SENATE BILL No. 112.

An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed for purposes which have been proved or may prove impracticable impossible or inadvisable for any other lawful municipal purpose or to provide for the cancellation of the authority to borrow such moneys

SENATE BILL No. 1.

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of one hundred millions of dollars for the improvement of the highways of the Commonwealth.

Senate Bill No. 17.

A Joint Resolution proposing an amendment to article three (III) of the Constitution of the Commonwealth of Pennsylvania.

SENATE BILL No. 17.

An Act fixing the salary of sheriffs in counties of the eighth class; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

SENATE BILL No. 53.

An Act fixing the per diem compensation of registry or assistant assessors in townships of the first class for the performance of election duties and the metnod of ascertaining the number of days employed

SENATE BILL No. 191.

An Act to amend section one of the act approved the seventh day of July, 1913 (P. L. 693) entitled "An Act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority of those voting thereon as provided by Article 18, Section 1, of the Constitution."

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECESS.

Mr. HORNE. Mr. Speaker, I move that this House do now take a recess until 9:00 o'clock this evening.

The motion was agreed to, and, at 4:10 P. M., the House took a recess until 9:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

REPORTS FROM COMMITTEES.

Mr. POST, from the Committee on Ways and Means, reported as committed, House Bill No. 961, entitled,

An act to exempt bequests or devices in trust for the perpetual care and preservation of burial lots or graves therein from the payment of transfer inheritance tax.

Mr. CONNER, from the Committee on Ways and Means, reported as committed, House Bill No. 112, entitled,

An Act to amend section five of the act approved the seventeenth day of June, one thousand nine hundred and thirteen, (P. L. 507), entitled "An Act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes;" providing for the assessment of property and the collection of taxes, interest and penalties in cases of the refusal or failure of taxables to make return, and in the case of false or incomplete returns.

Mr. CONNER, from the Committee on Ways and Means, reported as committed, House Bill No. 145, entitled,

A Supplement to the act approved the seventeenth day of June, one thousand nine hundred and thirteen, (P. L. 507), entitled, "An act to provide revenue for State and county purposes, and, in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes;" authorizing the payment of taxes for county and city purposes on certain investments through the use of adhesive stamps prepared by the Auditor General of the State for the use of the several counties and cities.

Mr. CONNER, from the Committee on Ways and Means, reported as committed House Bill No. 709, entitled

A Supplement to an act approved the twentieth day of June, one thousand nine hundred and nineteen, (P. L. 521), entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties and citing certain acts for repeal," providing additional taxes upon the transfer of certain kinds and classes of personal property upon which county and city taxes have not been paid as required by law.

Mr. HEFFERNAN, from the Committee on Ways and Means, reported as committed House Bill No. 926, entitled,

An Act to amend Section twenty-three of an act, approved the first day of June, Anno Domini, one thousand eight hundred and eighty-nine, (P. L. 420), entitled, "A Further Supplement to an act, entitled, 'An Act to provide revenue by taxation,' approved the seventh day of June, Anno Domini, one thousand eight hundred and seventy-nine."

Mr. BLUETT, from the Committee on Corporations, reported as committed House Bill No. 136, entitled,

An Act requiring telephone companies operating in the same territory to make connections and to provide for the interchange of messages; regulating the rates to be charged for such interchange; and conferring certain powers and duties in connection therewith upon the Public Service Commission.

Mr. HENDERSON, from the Committe on Judiciary Local, reported as committed House Bill No. 908, entitled,

An Act to amend section nine of the act approved the third day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, two hundred eighty-nine), entitled "An Act to provide for the selection of a site and the erection of a State institution for the feeble minded, to be called the Western Pennsylvania State Institution for the Feeble Minded, and making an appropriation therefor;" by changing the name of said institution.

Mr. FRAZIER, from the Committee on Judiciary Local, reported as committed, House Bill No. 798, entitled,

An Act relating to building constructions in cities of the first class by prescribing the maximum undivided floor areas permitted, and permitting the use of non-fireproof steel roof trusses and purlins in certain cases; prescribing limitations on garages, automobile service stations and buildings for similar purposes; and constructions permitted for curtain

and spandrel walls; permitting the use of wood furring and stud-partitions in certain cases; and repealing inconsistent laws.

Mr. STRAUDENMEIER, from the Committee on Judiciary Local, reported as committed House Bill No. 905, entitled,

An Act to amend section eight of the act approved the fifth day of May, one thousand eight hundred and seventy-six, (P. L. 121), entitled "An Act to provide for the selection of a site and the erection of a state hospital for the insane for the city and county of Philadelphia, and the counties of Bucks, Montgomery, Delaware, Chester, Northampton and Lehigh, to be called the State Hospital for the Insane for the southeastern District of Pennsylvania, and for the management of the same;" changing the name of said hospital.

Mr. BROWN, from the Committee on Judiciary Local, reported as committed, House Bill No. 899, entitled,

An Act to amend section eight of the act approved the eighteenth day of June, one thousand nine hundred and fifteen (Pamphlet Laws, one thousand fifty-five), entitled, "An Act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane, to be erected west of the Allegheny Mountains, and to be known as the Western State Hospital for the Insane; providing for the management of the same, and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital," as amended; changing the name of said hospital.

Mr. BROWN, from the Committee on Judiciary Local, reported as committed, House Bill No. 901, entitled,

An Act to amend section one of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen; (Pamphlet Laws, one thousand three hundred nineteen), entitled "An Act to establish a State village for feeble-minded women; providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve, and to erect and furnish buildings on same, and to manage said institution; and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years; defining the powers and duties of the board of managers; and making an appropriation for the purposes aforesaid. also for he expenses of maintenance until June one, one thousand nine hundred and fifteen," as amended, by changing the name of said village

Mr. LABAR, from the Committee on Education, reported as committed House Bill No. 657, entitled,

An Act to amend section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled, "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the compensation of auditors of the accounts of school districts of the fourth class.

Mr. KENNEDY, from the Committee on Ways and Means, reported as committed House Bill No. 462, entitled,

An act to amend section one of the act approved the fifteenth day of July, one thousand eight hundred and ninety-seven, (P. L. 292), entitled, "An act to provide revenue by taxation," eliminating the provision of said act permitting the payment of taxes by banks at the rate of ten mills on the dollar of the par value of the shares of stock.

Mr. DAVID J. JONES, from the Committee on Judiciary Local, reported as committed House Bill No. 756, entitled,

An Act to amend section one and two of the act approved the eighth day of April, one thousand eight hundred and sixty-one (Pamphlet Laws, two hundred seventy), entitled, "An Act for the suppression of fortune telling and similar purposes."

Mr. DAVID J. JONES, from the Committee on Judiciary Local, reported as committed House Bill No. 654, entitled,

An Act providing that in all cases of prosecutions for any crime or misdemeanor where the defendant has been discharged by any justice of the peace, alderman, burgess, mayor or other committing magistrate and in all cases of summary proceedings before said officers, the county shall not be liable for the costs unless the same are approved by the county controller in counties having a county controller or by the county solicitor in counties not having a county controller.

Mrs. PITTS, from the Committee on Judiciary Local, reported as committed House Bill No. 848, entitled

An Act to provide for the care, treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and Juvenile Courts; and imposing certain expenses upon counties.

Mrs. BREWSTER, from the Committee on Corporations, reported as committed House Bill No. 639, entitled

An Act authorizing the purchase and consolidation of water or water power companies organized prior to the first day of April, one thousand nine hundred and five, and providing the manner in which such merger shall be affected.

Mr. MATHAY, from the Committee on Ways and Means, reported as committed House Bill No. 708, entitled

An Act to amend sections two, five, seven and sixteen of an act approved the seventeenth day of June, one thousand nine hundred and thirteen, (P. L. 507), entitled, "An Act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes;" by requiring personal property returns and tax receipts to indicate and identify each mortgage included, or upon which the tax is paid; requiring the production of such receipt before entering satisfaction on any such mortgage in the recorder's office; and authorizing the recorder of deeds to receive such taxes.

Mr. BURD P. EVANS, from the Committee on Judiciary Local, reported as committed House Bill No. 914, entitled

An Act to amend section one of an act approved the eighth day of June, one thousand eight hundred and eighty-one, (P. L. 83) entitled "An Act to organize the state hospital for the insane at Warren, Pennsylvania, changing the name of said hospital.

Mr. POSEY, from the Committee on Judiciary Local, reported as committed House Bill No. 813, entitled

An Act to amend section one of an act approved the eighth day of May, one thousand eight hundred and eighty-nine, (P. L. 127), entitled "A supplement to the Act of April twentieth, one thousand eight hundred and sixty-nine, entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth, and their discharge therefrom,' fixing the amount of compensation to be paid to the commissioners appointed under section six of said Act, and declaring who shall be liable therefor, and for the costs of proceedings under said section;" by imposing certain duties on the lawyer member of the commission, and fixing his compensation therefor.

Mr. ASTON, from the Committee on Judiciary Local, reported as committeed House Bill No. 925, entitled

An Act to amend section nine of an act approved the fifteenth day of May, one thousand nine hundred and three,

(P. L. 446), entitled, "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern State Institution for the Feeble-Minded and Epileptic, and making an appropriation therefor," as amended, changing the name of said institution.

Mr. GEORGE A. SMITH, from the Committee on Judiciary Local, reported as committed House Bill No. 903, entitled

An Act to amend section seven of an act approved the eighteenth day of July, one thousand nine hundred and one (P. L. 737), entitled "An Act to provide for the selection of a site and the erection of a State Hospital, for the treatment of the insane under homeopathic management, to be called The Homeopathic State Hospital for the Insane, and making an appropriation therefor," as amended, changing the corporate name of said hospital.

Mr. ASTON, from the Committee on Judiciary Local, reported as committed House Bill No. 942, entitled

An Act to amend section five hundred and two, as amended, section five hundred and thirty-seven, as amended, and section five hundred and forty-six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. ASTON, from the Committee on Judiciary Local, reported as committed, House Bill No. 943, entitled,

An Act to amend section three hundred and ninety of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled, "An Act concerning townships; and revising amending and consolidating the law relating thereto."

Mr. ASTON, from the Committee on Judiciary Local, reported as committed, House Bill No. 944, entitled,

An act prohibiting the collection from persons borrowing money of taxes imposed upon loans by the laws of the Commonwealth.

Mr. ASTON, from the Committee on Judiciary Local, reported as committed, House Bill No. 940, entitled,

An Act to amend, revise, change and consolidate the laws relating to the assessment of persons, property and subjects of taxation, and the levy and collection of taxes in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, and in cities of the third class, boroughs, towns, townships, school districts of the second, third and fourth classes, independent school districts, and certain poor districts; permitting cities of the second class to accept the provisions of this act and become subject thereto; and repealing existing laws.

Mr. BROWN, from the Committee on Judiciary Local, reported with negative recommendation, House Bill No. 664, entitled,

An act to regulate and establish the fees to be charged by Justice of the Peace, Alderman and Magistrates in this Commonwealth.

Mr. BUSH, from the Committee on Education, reported with a negative recommendation, House Bill No. 163, entitled,

An Act to amend section five hundred and forty-two, of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any part thereof, that are or may be inconsistent therewith," as amended.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were read as follows:

SENATE BILL No. 85.

An Act authorizing cities of the third class to regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces

SENATE BILL No. 99.

An Act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 27, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the House and Senate recalling House Bill No. 37, Printer's No. 7, entitled, "A joint resolution proposing an amendment to Article 9, Section 4, of the Constitution of Pennsylvania," from the Secretary of the Commonwealth, for the purpose of amendment.

GIFFORD PINCHOT.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 20. (HOUSE BILL No. 1139).

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies, and the compensation of deputies and clerks.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 130. (HOUSE BILL No. 1140).

An Act to amend section one of the act approved the seventeenth day of May, one thousand nine hundred and nineteen, (Pamphlet Laws two hundred and eight), entitled "An act prohibiting, under certain conditions, the commutation, encumbrance, or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

Referred to the Committee on Insurance.

SENATE BILL No. 217. (HOUSE BILL No. 1141).

An act to amend section one of an act approved the thirteenth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws twenty-one) entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth" prohibiting the adoption of other standards of time.

Referred to the Committee on Judiciary General.

SENATE BILL No. 291. (HOUSE BILL No. 1142).

An Act to amend section one of the act approved the twenty-third day of May, one thousand nine hundred and seven, (P. L. 225), entitled "An Act providing for the payment of the premiums on bonds of county, city, borough, school-district, and township employes;" extending the provisions thereof to officers.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 292. (HOUSE BILL No. 1143).

An Act to amend section ten of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

Referred to the Committee on Counties and Townships.

SENATE BILL No. 293. (HOUSE BILL No. 1144).

An Act to amend section six of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled, "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

Referred to the Committee on Counties and Townships.

SENATE BILL No. 324, (HOUSE BILL No. 1145).

An Act to amend section two thousand one hundred five of the act approved May 18, 1911, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first, second and third classes.

Referred to the Committee on Education.

SENATE BILL No. 341. (HOUSE BILL No. 1146).

An Act fixing the mileage chargeable by sheriffs, requiring its pay in advance in certain cases, and providing for its taxation and collection as sheriff's costs when unpaid.

Referred to the Committee on Judiciary General.

SENATE BILL No.343. (HOUSE BILL No. 1147).

An Act to amend section two of an act, approved the twenty-sixth day of May, one thousand eight hundred and ninety-seven (P. L. 95), entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the execution or process" as amended.

Referred to the Committee on Judiciary General.

SENATE BILL No. 345. (HOUSE BILL No. 1148).

An act to amend section two of the act approved the eleventh day of July one thousand nine hundred and one (Pamphlet Laws six hundred and sixty-three) entitled "An Act to regulate and establish the fees to be charged by Sheriffs in this Commonwealth and to provide for the taxation and collection of the same."

Referred to the Committee on Judiciary General.

SENATE BILL No. 346. (HOUSE BILL No. 1149).

An Act authorizing the sheriffs of the several counties of this Commonwealth to organize themselves into a State Association for the purpose of holding annual meetings to secure more uniformity and co-operation in the conduct of their offices and providing for the payment of certain expenses in connection with such meetings by the various counties.

Referred to the Committee on Judiciary General.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR.

SENATE BILL No. 347. (HOUSE BILL No. 1150).

An Act empowering any chief deputy appointed by deed of any sheriff in any county of this Commonwealth to perform any duty incumbent upon such sheriff until a written revocation of such appointment be recorded with like effect as if such official act had been done by the sheriff in person regardless of the ability or temporary disability of such sheriff to act while such sheriff continues in office

Referred to the Committee on Judiciary General.

SENATE BILL No. 411. (HOUSE BILL No. 1151).

An Act to amend part of section one of the act approved the tenth day of May, 1921, (P. L. 449) entitled "An Act to fix the number of Senators in the General Assembly of the State; apportion the State into senatorial districts, as provided by the Constitution; and to regulate the election of, and the terms of office of, the present and future elected Senators,"

Referred to the Committee on Legislative Apportionment.

SENATE BILL No. 444. (HOUSE BILL No. 1152).

An Act authorizing the county commissioners and controller in third class counties to appoint a collector of delinquent taxes; and defining his powers with regard to the collection of taxes returned by county tax collectors as uncollectable and for which credits have been claimed.

Referred to the Committee on Counties and Townships.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 51, as follows:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when a state highway crosses a creek rivulet or river which is the boundary line between two boroughs or two townships of the first class or between a borough and a township of the first class and over which creek rivulet or river a bridge has heretofore been erected so as to avoid crossing at grade the tracks of any railroad company or companies on either or both sides of said creek rivulet or river and it is necessary for the safety and convenience of the traveling public that a new bridge be erected it shall be the duty of the Commonwealth to construct said new bridge under the direction and supervision and upon such location as may be approved by the State Highway Commissioner

The plans and specifications for said bridge shall be prepared by the State Highway Commissioner and be submitted by him to the proper county authorities and to the railroad company or companies for their approval

In the event that the State Highway Commissioner the county and the railroad company or companies cannot agree upon the plans and specifications submitted by the State Highway Commissioner the Public Service Commission upon application of any of the said parties after public hearing shall adopt plans and specifications for said bridge making such change or changes therein as to them may seem just and proper whereupon it shall be the duty of the Commonwealth to construct said bridge in accordance with said plans and specifications

Section 2 When the plans for said bridge are completed it shall be the duty of the State Highway Commissioner to endeavor to agree with the County Commissioners of the county in which said bridge is situated and the railroad company or companies owning or leasing the track or tracks over which said bridge crosses as to the portion the State the county and railroad company or companies shall pay of the damages cost and the expenses of the construction of said bridge and the portion of the cost of maintenance thereof

Section 3 In the event the parties cannot agree as provided for in section two it shall be the duty of the Public Service Commission upon application of any of said parties after hearing to proportion the costs damages and expenses of the construction of said bridge and the future maintenance thereof among the State county and railroad company or companies in such proportion as said Commission may deem just and proper

Section 4 The findings determiniations or orders of the Public Service Commission relative to the approval of plans and the allocation of costs damages and expenses made under the provisions of this act shall be subject to appeal to the Superior Court in the same manner and to the same extent as is now provided by law for other findings determinations or orders of such commission The compensation for damages which the owners of adjacent property taken injured or destroyed may sustain in the construction of any such bridge (for which compensation the said owners are hereby invested with warrant of authority upon appeal from the determination of the commission to sue the Commonwealth) shall after due notice and hearing be ascertained and determined by the commission with the right of appeal to the proper court of common pleas as is now provided by law for other similar determinations of such commission If the said county railroad company or companies fail or neglect to pay said amount within ninety days after the completion of said bridge the Attorney General shall bring suit against such delinquent county or railroad company or companies to recover the amount due in the same manner as debts of like amount are now by law recoverable

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas any nays were taken and were as follows, viz:

YEAS—110.

Alexander,	Gorham,	MacKinney,	Schleiter,
Allman,	Goss.	Malie,	Schoener,
Anderson,	Greeby,	Marcus, J.,	Smith, H. J.,
Aston,	Griffith,	Marcus, J. C.,	Smith, J. W.,
Bell, F. A.,	Grimes,	Marshall, W. F.	Soffel,
Bentley,	Gundy,	McBride,	Sowers,
Bidelspacher,	Haas,	McCaig,	Sprowls,
Bluett,	Hall,	McCann,	Staudenmeier,
Blumberg,	Haslett,	McClure,	Stavitski,
Bromley,	Haws,	McDermott,	Steedle,
Brown,	Heffernan,	McGowan,	Stevens, A. J.,
Burchinal,	Hetrick,	Miller,	Stoner,
Bush,	Heyburn,	Minehart,	Storer,
Colville,	Hollis,	Morrison,	Thomas, L. D.,
Conner,	Horne,	Munley,	Van Alen,
Craig,	Irvin,	Myers, P. M.,	Vickerman,
Dilsheimer,	Johnson,	Nolte,	Walker,
Driggs,	Jones, C. B.,	O'Boyle,	Wells,
Dunn,	Jones, E. P.,	Ogle,	Wheeler,
Earley,	Kelly,	Orr,	Whitehouse,
Edmonds,	Kennedy,	Patterson,	Williams, G. W.
Eshelman,	Korns,	Perry,	Williams, J. M.,
Evans, B. P.,	Kunkle,	Price,	Wood, N.,
Evans, J.,	Lafferty,	Raymond,	Wright,
Gallaher,	Lauver,	Rhodes,	Zook,
Gelder,	Little,	Rinn,	Goodnough,
Gibbon,	Long,	Sample,	Speaker.
Goehring,	Ludlow,	Sarig,	

NAYS—4.

Albert,	Brenneman,	Millar,	Sheridan.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 276, as follows:

An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior Acts of Assembly

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "taxes" as used in this act means any county city borough incorporated town township school bridge road or poor taxes

The word "highway" as used in this act means the whole or any part of any public street public road public lane public alley or other public highway

The words "tax claim" as used in this act mean the claim filed to recover taxes

The words "municipal claim" as used in this act mean the claim filed to recover for the grading guttering macadamizing or otherwise improving the cartways of any public highway for grading curbing recurbing paving repaving constructing or repairing the footways thereof for laying waterpipes gaspipes culverts sewers branch sewers or sewer connections therein for assessments for benefits in the opening widening or vacation thereof or in the changing of watercourses or the construction of sewers through private lands or in highways of townships of the first class or in the acquisition of sewers and drains constructed and owned by individuals or corporations and of rights in and to use the same for the removal of nuisances or for water-rates lighting-rates or sewer-rates

The word "claimant" as used in this act means the plaintiff or use-plaintiff in whose favor the claim is filed as a lien

The word "contractor" as used in this act means the person or persons who are under contract with the legal plaintiff performed the work for which the lien is given

The word "property" as used in this act means the real estate subject to the lien and against which the claim is filed as a lien

The word "owner" as used in this act means the person or persons in whose name the property is registered if registered according to law and in all other cases means any person or persons in open peaceable and notorious possession of the property as apparent owner or owners thereof if any or the reputed owner or owners thereof in the neighborhood of such property

The word "municipality" as used in this act means any county city borough incorporated town township school district and poor district

Section 2 All taxes which may hereafter be lawfully imposed or assessed on any property in this Commonwealth and all taxes heretofore lawfully imposed or assessed by any municipality on any property in this Commonwealth for the years one thousand nine hundred and twenty-one one thousand nine hundred and twenty-two and one thousand nine hundred and twenty-three in the manner and to the extent hereinafter set forth shall be and they are hereby declared to be a first lien on said property together with all charges expenses and fees added thereto for failure to pay promptly and such liens shall have priority to and be fully paid and satisfied out of the proceeds of any judicial sale of said property before any other obligation judgment claim lien or estate with which the said property may become charged or for which it may become liable save and except only the costs of the sale and of the writ upon which it is made

Section 3 All municipal claims which may hereafter be lawfully imposed or assessed on any property in this

Commonwealth and all such claims heretofore lawfully imposed or assessed within six months before the passage of this act and not yet liened in the manner and to the extent hereinafter set forth shall be and they are hereby declared to be a lien on said property together with all charges expenses and fees added thereto for failure to pay promptly and said liens shall have priority to and be fully paid and satisfied out of the proceeds of any judicial sale of said property before any other obligation judgment claim lien or estate with which the said property may become charged or for which it may become liable save and except only the costs of the sale and of the writ upon which it is made and the taxes imposed or assessed upon said property

Section 4 The lien for taxes shall exist in favor of and the claim therefor may be filed against the property tax by any municipality to which the tax is payable

The lien for the removal of nuisances shall exist in favor of and the claim therefor may be filed against the property from which it is removed or by which it is caused by any municipality by or for which the nuisance is removed

The lien for grading guttering paving macadamizing or otherwise improving the cartways of any highways for grading curbing recurbing paving repaving constructing or repairing the footways thereof or for laying water-pipes gas-pipes culverts sewers branch sewers or sewer connections in any highway for assessments for benefits in the opening widening or vacation thereof or in the changing of water-courses or construction of sewers through private lands or in highways or townships of the first class or in the acquisition of sewers and drains constructed and owned by individuals or corporations and of rights in and to use the same or for water-rates lighting-rates or sewer-rates or rates for any other service furnished by a municipality shall exist in favor of and the claim therefor may be filed against the property thereby benefited by the municipality extending the benefit

When the contractor performing the work is to be paid by assessment bills the lien shall exist for and the claim shall be filed to his use and he shall under no circumstances have recourse to the municipality authorizing the work

Section 5 All real estate by whomsoever owned and for whatsoever purpose used other than property owned by the State or the United States shall be subject to all tax and municipal claims herein provided for except that all property owned by any county city or other municipality or municipal division and actual places of religious worship places of burial not held or used for private or corporate profit and institutions of purely public charity shall not be subject to tax or municipal claims on property by law exempt from taxation except for the removal of nuisances for sewer claims and sewer connections or for the recurbing paving or repairing the footways in front thereof All other real estate by whomsoever owned and for whatsoever purpose used shall be subject to all tax claims and municipal claims herein provided for Provided however That nothing in this act contained shall hinder or prevent any municipality from providing that any municipal work may be done at the expense of the public generally and be paid out of the general funds of the municipality

Section 6 Where any real estate in this Commonwealth is owned by joint tenants tenants in common or co-parceners and any joint tenant or tenant in common or co-parcener has paid his or their proportionate amount of the taxes due thereon any municipality may file a claim for the unpaid taxes against the estate title and interest of the owner or owners who have not paid his her or their proportionate share of the tax whenever a claim for taxes shall have been filed against real estate owned by join tenants tenants in common or coparceners the claimant shall release the estate title and interest of any joint tenant tenant in common or coparcener from said tax claim upon payment by said joint tenant tenant in common or coparcener of his her or its proportionate share of the taxes included therein with proportionate interest and costs and the estate and title of any owner or part owner is either exempt from taxation or municipal claims or has not been subjected by law to taxation or municipal claims the estate and title of such owner or owners as may not be exempt from taxation or municipal claims or has not been subjected thereto shall be subject to the tax and municipal claims provided for in this act as any other real property liable to assessment for taxes and municipal claims the lien being filed against all the estate title and interest of the owner or owners subject to the claim

Section 7 No claim shall be filed for curbing recurbing paving repaving or repairing the footways of any highway unless the owner shall have neglected to do said work for such length of time as may be described by ordinance after notice so to do served upon him or his known agent or occupant of the property except when in the case of curbing or recurbing or repaving the footway it shall form part of an improvement resulting also in the paving macadamizing or otherwise improving the cartway of said highway and if there be no agent or occupant known by claimant it may be posted on the most public part of the property

Section 8 Where claims are to be filed to use the claimant at least one month before the claim is filed shall serve a written notice of his intention to file it unless the amount due is paid Service of such notice may be made personally on the owner wherever found but if he cannot be served in the county where the property is situated such notice may be served on his agent or the party in possession of the property and if there be no agent or party in possession it may be posted on the most public part of the property

Section 9 Claims for taxes water-rents or rates lighting-rates and sewer-rates must be filed in the court of common pleas of the county in which the property is situated on or before the last day of the third calendar year after that in which the taxes or rates are first payable and other municipal claims must be filed in said court within six months from the time the work was done in front of the particular property where the charge against the property is assessed or made at the time the work is authorized within six months after the completion of the improvement where the assessment is made by the municipality upon all the properties after the completion of the improvement and within six months after confirmation by the court where confirmation is required the certificate of the surveyor engineer or other officer supervising the improvement filed in the proper office being conclusive of the time of completion thereof but he being personally liable to anyone injured by any false statement therein In case the real estate benefited by the improvement is sold before the municipal claim is filed the date of completion in said certificate shall determine the liability for the payment of the claim as between buyer and seller unless otherwise agreed upon or as above set forth

A number of years taxes or rates of different kinds if payable to the same plaintiff may be included in one claim Municipal claims shall likewise be filed within said period where any appeal is taken from the assessment for the recovery of which such municipal claim is filed In such case the lien filed shall be in the form hereinafter provided except that it shall set forth the amount of the claim as an undetermined amount the amount thereof to be determined by the appeal taken from the assessment upon which such municipal claim is based pending in a certain court (referring to the court and the proceeding where such appeal is pending) Upon the filing of such municipal claim the claim shall be indexed by the prothonotary upon the judgment index and upon the locality index of the court and the amount of the claim set forth therein as an undetermined amount

If final judgment is not obtained upon such appeal within five years from the filing of such municipal claim the claimant in the lien shall within such period of five years file a suggestion of non-payment in the form hereinafter set forth which shall have the effect of continuing the lien thereof for a further period of five years from the date of filing such suggestion Such municipal claim shall be revived in a similar manner during each recurring period of five years thereafter until final judgment is entered upon said appeal and the undetermined amount of such municipal claim is fixed in the manner hereinafter provided

When the final judgment is obtained upon such appeal the court in which said municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed in such claim at the amount determined by the final judgment upon said appeal which shall bear interest from the date of the verdict upon which final judgment was entered and thereafter the amount of said claim shall be the sum thus fixed Proceedings upon said municipal claim thereafter shall be as in other cases

Where on final judgment upon said appeal it appears that no amount is due upon the assessment for the recovery of which such claim is filed the court in which such municipal claim is pending shall upon the petition of any interested party make an order striking such municipal claim from the

record and charge the costs upon such claim to the plaintiff in the claim filed

Where such appeal is discontinued the court in which such municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed at the amount of the original assessment which shall bear interest from the date that such assessment was originally payable and thereafter the amount of such claim shall be the sum thus fixed

Section 10 Said claim shall set forth

1. The name of the municipality by which filed
2. The name of the owner of the property against which it is filed
3. A description of the property against which it is filed
4. The authority under or by virtue of which the tax was levied or the work was done
5. The time for which the tax was levied or the date on which the work was completed in front of the particular property against which the claim is filed or the date of completion of the improvement where the assessment is made after completion or the date of confirmation by the court where confirmation is required done
6. If filed to the use of a contractor the date of and parties to the contract for doing said work and
7. In other than tax claims the kind and character of the work done for which the claim is filed and if the work be such as to require previous notice to the owner to do it when and how such notice was given

Said claim must be signed by the solicitor or chief executive officer of the claimant and in the case of a use plaintiff must be accompanied by an affidavit that the facts therein set forth are true to the best of his knowledge information and belief

Section 11 The property described in tax claims shall include the whole property against which the tax is levied The property described in municipal claims may include the whole contiguous property or it may include only the lot in front of or upon which the work is done or to which service is supplied of such depth as is usual in properties of the same kind or character in the particular neighborhood No municipal claim or tax claim shall be invalid by reason of including therein property to a greater depth than as above provided but the court in which the same is filed may at any time prior to judgment thereon but not afterwards upon it appearing that such claim includes property to a greater depth than is hereby made subject to such claim limit the lien thereof to the proper depth Where any owner or owners of property abutting on a highway conveys a strip of land abutting on said highway which strip is too narrow to be used as a site for the smallest width dwelling allowed by law to be erected thereon such conveyance shall be deemed to be made for the purpose of evading liability for the municipal improvements made or to be made in such highway and in such cases the assessment may be made at the option of the municipality against the lot as it existed before the division and the lien may be filed against the entire lot as thus assessed joining the owners of both the rear lot and the said strip in the claim In all cases where a tax is levied on or filed against separate and distinct properties in one amount covering all the proper public authority shall if tendered with all costs if any accept payment of the portion of the whole amount of said tax chargeable upon each or any of the separate and distinct properties so charged together according to the tax rate and assessed valuation thereof and payment and satisfaction of any one portion may be made with out prejudice to the claim against the remainder

Section 12 Any person having an interest in the property whensoever acquired may after ten days' prior notice in writing by leave of court intervene as a party defendant and make defense thereto with the same effect as if he had been originally named as a defendant in the claim filed And the claimant may by writing filed at his costs strike off the name of any defendant therein and may substitute as a defendant and issue a scire facias against any person who may have any interest therein as owner or who is the personal representative of an owner who has died either before or after filing the claim but such substitution shall always be without prejudice to any intervening rights

Section 13 In all cases where a tax or municipal claim is levied on or filed against separate and distinct properties as one estate it shall and may be lawful for the proper public authority either before or after filing a claim therefor to apportion the same ratably upon the separate and distinct properties so assessed together And the court in which the claim is filed on proof that the properties were separate and distinct at the time the tax was levied or the work was done shall at any stage of the proceedings apportion the charge against such properties When apportioned they shall be treated and considered in all respects as if separate and distinct claims had been filed and payment and satisfaction of any one portion may be made without prejudice to the claim as against tne rest

Section 14 Any defendant named in the claim or any person allowed to intervene and defend thereagainst may at any stage of the proceedings present his petition under oath or affirmation setting forth that he has a defence in whole or in part thereto and of what it consists and praying that a rule be granted upon the claimant to file an affidavit of the amount claimed by him and to show cause why the petitioner should not have leave to pay money into court and in the case of a municipal claim to enter security in lieu of the claim whereupon a rule shall be granted as prayed for Upon the pleadings filed or from the claim and the affidavit of defense and without a petition where an affidavit of defense has been filed the court shall determine how much of the claim is admitted or not sufficiently denied and shall enter a decree that upon payment by such petitioner to the claimant of the amount thus found to be due with interest and costs if any thing be found to be due or upon payment into court if the claimant refuses to accept the same and upon payment into court of a sum sufficiently to cover the balance claimed with interest and costs or upon the entry of approved security in the case of a municipal claim that such claim shall be wholly discharged as a lien against the property described therein and shall be stricken from the judgment index Thereafter the material disputed facts if any shall be tried by a jury without further pleadings with the same effect as if a writ of scire facias had duly issued upon said claim to recover the balance thereof but the jury shall be sworn to try the issues between the claimant and the parties who paid the fund into court or entered security and verdict judgment and payment or execution shall follow as in other cases The same course may be pursued at the instance of any owner where the claim has not in fact been filed and if in that event the petitioner complies with the decree made the money paid into court or security entered shall stand in lieu of the claim and the latter shall not be filed and if filed shall be stricken off upon motion

Section 15 Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said properties until fully paid and satisfied Provided however That either a suggestion of non-payment and an averment of default in the form hereinafter provided be filed in cases of tax claims either before or after judgment on the scire facias and in cases of other than tax claims after judgment on the scire facias or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scire facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of non-payment and default was filed thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and avertment shall be in the following form under the caption of the claim

And now .....the claimant by.....his solicitor suggests of record that the above claim is still due and owing to the claimant and avers that the owner is still in default for non-payment thereof The prothonotary is hereby directed to enter this suggestion and avertment on the municipal lien or the proper docket of the claim and also to index it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and avertment must be signed by the solicitor or chief executive officer of the claimant The prothonotary shall docket and index the suggestion and avertments directed therein and for such services shall be entitled to a fee of one dollar to be taxed and collected as other costs in the claim The filing and indexing of such suggestion and avertment within five years of filing the claim or the issuing of any writ of scire facias thereon or of any judgment thereon or of the filing of any prior suggestion and avertment of default shall have the same force and effect for the purposes of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or

a judgment or judgment of revival had been obtained within such period Provided That no writ of levari facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levari facias Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and avertment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and avertment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid its lien on real estate shall be wholly lost

Section 16 Any party named as defendant in the claim filed or admitted to defend there against may file as of course and serve a notice upon the claimant or upon the counsel of record to issue a scire facias thereon within fifteen days after notice so to do If no scire facias be issued within fifteen days after the affidavit of service of notice is filed of record the claim shall be stricken off by the court upon motion If a scire facias be issued in accordance with such notice the claimant shall not be permitted to discontinue the same or suffer a nonsuit upon the trial thereof but a compulsory nonsuit shall be entered by the court if the claimant does not appear or withdraws or for reason fails to maintain his claim

Section 17 The claim shall be sued by writ of scire facias and the form thereof shall be substantially as follows The Commonwealth of Pennsylvania to (names of the parties defendant) Greeting

Whereas The (city borough or other municipality as the case may be) on the.....day of.....A D 1.... filed its claim in our court of common pleas of.....county at No .....Term 1..... M L D for the sum of $..... with interest from the .....day of..... 1..... for (give the improvement or that for which the claim is filed) against the following property situate in (give location and brief description of the property) owned or reputed to be owned by you

And whereas We have been given to understand that said claim is still due and unpaid and remains a lien against said property

Now you are hereby notified to file your affidavit of defence to said claim if defence you have thereto in the office of the prothonotary of our said court within fifteen days after the service of this writ upon you If no affidavit of defence be filed within said time judgment may be entered against you for the whole claim and the property described in the claim be sold to recover the amount thereof

Witness the Honorable.....President Judge of our said court this.....day of.....A.D. 1.....

.....Prothonotary

(SEAL)

The claimant when he files his praecipe for the writ of scire facias may direct the prothonotary to add and insert the names of any persons whom the claimant may know to have an interest in the premises and the scire facias shall be issued containing such additional names But the parties to the claim may agree upon an amicable scire facias upon such terms as may be agreed upon with the same effect as if a scire facias in the form aforesaid had been duly issued served and returned or the defendants or any of them may waive the issue of a scire facias and appear with like effect as if the scire facias had been issued and served

Section 18 The sheriff to whom the scire facias is given for service shall add to the writ as parties defendant all persons other than those named therein who may be found in possession of the property described or any part thereof and in case no one is found in possession by the sheriff he shall post a true copy of the writ on the most public part of said property and he shall add to the said writ the names of any persons not already named therein whom he may ascertain to have an interest in the property described or any part thereof which writ shall then be further served as follows

(a) By serving as in the case of a summons such of those named in the writ or added thereto as may be found in the county in which the writ issued and

(b) Where the sheriff has information that those named in the writ or added thereto or any of them may be found in any other county of this Commonwealth the said persons shall be served as in the case of a summons by the sheriff of the county in which the said defendants or any of them may reside he being deputized for that purpose by the sheriff of the county in which the writ issues and

(c) In case any of those named in the writ or added thereto cannot be found by the sheriff or their residences within this Commonwealth are unknown to him or in case they reside without the Commonwealth the said writ may be served by advertising a copy thereof or a brief notice of the contents of the same once a week for three successive weeks in one newspaper of general circulation in the county and in the legal periodical if any designated by the court for that purpose Provided however That any defendant may accept service of said writ in person or by counsel with the same effect as if duly served therewith by the sheriff

Where the said writ or the brief notice of the contents thereof have been advertised as aforesaid the same shall have the same effect as if the writ had been personally served and all those named therein or added thereto as to whom publication has been made shall file their affidavit of defence as required by the said writ within fifteen days after the date of the last weekly advertisement of the said writ and all those named therein or added thereto who have been served as in case of a summons shall file their affidavit of defence as required by said writ within fifteen days after such service Service of any such writ may be made at any time within three months from the date on which it was issued but it shall be served and returned at the earliest date possible and the plaintiff may require its return at any time whether or not it be actually served

Section 19 If no affidavit of defence be filed within the time designated judgment may be entered and damages assessed by the prothonotary by default for want thereof Such assessment shall include a five per cent fee for collection to plaintiff's attorney

If an affidavit of defence be filed a rule may be taken for judgment for want of sufficient affidavit of defence or for so much of the claim as is insufficiently denied with leave to proceed for the residue

The defendant may by rule require the plaintiff to reply under oath or affirmation to the statements set forth in the affidavit of defence and after the replication has been filed may move for judgment on the whole record

Section 20 Tax claims and municipal claims shall be prima facie evidence of the facts averred therein in all cases and the avertments in both tax and municipal claims shall be conclusive evidence of the facts averred therein except in the particulars in which those avertments shall be specifically denied by the affidavit of defence or amendment thereof duly allowed A compulsory nonsuit upon trial shall be equivalent to a verdict for defendant whether the plaintiff appeared or not If plaintiff recovers a verdict upon trial in excess of the amount admitted by the defendant in his affidavit of defence or pleadings he shall be entitled to an attorney's fee for collection equal to five per centum of such excess but not exceeding fifty dollars

Section 21 The judgment upon such claim may be revived by writ of scire facias in the following form The Commonwealth of Pennsylvania to C D and E F Greeting

Whereas A B claimant on the .....day of..... A D 1.....recovered judgment in the sum of.....dollars against you that the following described property be sold to satisfy the same

(Here describe property in full)

And whereas we have been given to understand that though judgment as aforesaid was rendered yet the amount thereof is still due and unpaid and remains as a lien against said property Now you are hereby notified to file your affidavit of defence to A B's claim upon said judgment if any defence you have in the office of the prothonotary of our said court within fifteen days after service of this writ upon you If no affidavit of defence be filed within that time said judgment may be revived against you for the amount set forth with interest from the time of its recovery and said property to be sold to recover the whole thereof

Witness the Hon.....President Judge of our said court this.....day of.....A. D. 1.....

.....Prothonotary

(SEAL)

But the parties to the judgment may agree upon an amicable scire facias to revive or to an amicable judgment of revival upon such terms as may be agreed upon with the

same effect as if a scire facias in the form aforesaid had been duly issued served and returned

Section 22 Said writ of scire facias shall be served and the proceedings thereon shall be conducted as to persons who are found by the sheriff in the manner herein before provided for the original scire facias sur claim but in any and all events two returns of nihil habet to the writs to revive shall be equivalent to personal service upon the defendants The practice and procedure following said scire facias to revive so far as applicable shall be the same as in the case of the original scire facias to collect the claim

Section 23 All judgments for the plaintiff whether on the original scire facias or any scire facias to revive shall be de terris only and shall be recovered out of the property bound by lien and not otherwise but the costs whether as against the plaintiff or the defendant actually defending against the claim may be recovered by execution as in personal actions

Section 24 After the expiration of twenty days from the recovery of judgment whether on the original scire or any scire facias to revive except in cases where the property named is essential to the business of a quasi-public corporation the court shall upon the petition of the plaintiff appoint a sequestrator of the rents issues and profits of the property bound by the judgment unless in the meantime an appeal be taken and approved security given to operate as a supersedeas If the owner against whom the judgment is entered be in possession of the property sequestered or the party in possession refuse to pay a fair rent the court shall upon petition filed and served grant a rule and if it be made absolute award a writ in the nature of a writ of habere facias possessionem directed to the owner commanding him to deliver such possession to the sequestrator within fifteen days thereafter unless such property be occupied by the owner and his family for a home in which case he shall be entitled to retain possession for a period of three months from the time the petition was served upon him

Section 25 Every claim filed scire facias issued verdict recovered and judgment entered in accordance with the provisions of this act shall be docketed in appropriate dockets and except as hereinafter provided shall be entered upon the judgment index of the court When a claim is stricken off or satisfied the name of a defendant stricken out a scire facias discontinued or quashed or a verdict or judgment stricken off or satisfied a note thereof shall be made on such docket or dockets Provided however That in counties in which the filing of liens for county taxes was authorized by law prior to the passing of the act of one thousand nine hundred and one aforesaid the method of filing entering docketing and indexing liens for county road poor school borough school building township and other taxes assessed in boroughs and townships in such counties shall remain and be continued thereafter in the same manner and form as in use prior to the passage of the said act approved June fourth one thousand nine hundred and one notwithstanding the passage of the same

Section 26 It shall be the duty of the prothonotaries of the courts of common pleas to keep a locality index in which shall be entered all tax or municipal claims hereafter filed and upon any written order therefor they shall give a certificate of search showing all the claims filed against any property For so doing they shall receive the sum of twenty-five cents and five cents additional for each claim certified and no more

Section 27 At any time before the property is sold approved security may be entered for a stay of proceedings until the expiration of one year after the date of filing the claim The entry of such security by the owner before the entry of judgment on the claim shall be equivalent to an admission by him that the property is liable for the claim After the stay has expired the claimant may proceed upon the claim and the bond given separately or simultaneously

Section 28 Execution upon any judgment recovered upon any such claim except where the property named is essential to the business of a quasi-public corporation shall be by writ of levari facias in the following form The Commonwealth of Pennsylvania

To the Sheriff of.....County Greeting

Whereas A. B., claimant on the.....day of.....Anno Domini 1..... recovered judgment in the sum of..... dollars with interest from the.....day of.....Anno Domini 1..... and the costs amounting to.....dollars in our court of common pleas of said county of.....Term .....No.....M. L. D. against C. D. and E F that the following described property in your bailiwick be sold to satisfy the same namely

(Here describe the property in full)

Now this is to command you that you expose the said property to sale by public vendue and outcry after due advertisement according to law and that return of said sale with the moneys realized thereby and this writ you make to our said court on the.....day of.....Anno Domini 1....

Witness the Honorable.....President Judge of our said court this.....day of.....Anno Domini 1.....

Advertisement of such sale shall be made and the deed to the purchaser shall be executed acknowledged and delivered as in other real estate sales by the sheriff

Section 29 The plaintiff in any judgment recovered on a tax or municipal claim may upon paying the sheriff's costs fix an upset price to be realized at any sale under such judgment sufficient to pay all taxes and municipal claims and all accrued but unfilled taxes and claims in full No sale shall be made on a judgment recovered on a tax or municipal claim except for a sum sufficient to pay all taxes and municipal claims in full except as hereinafter provided and the plaintiff in such judgment may purchase the property at such sale for that sum if no one bids a higher price therefor

Section 30 Where judgment is recovered upon any claim the property named in which is essential to the business of a quasi-public corporation the claimant shall have execution thereupon as in other cases of judgments against such corporations Upon the distribution of any fund realized by a sale of the franchises and the whole or any part of the assets of the corporation the court shall determine the actual value of the property bound by the lien and the claim shall be preferred with such other claims to the extent of the value thus determined

Section 31 The lien of a tax or a municipal claim shall not be divested by any judicial sale of the property liened where the amount due is indefinite or undetermined or where the same is not due and payable nor shall the lien of a tax or municipal claim be divested by any judicial sale of the property liened as respects so much thereof as the proceeds of such sale may be insufficient to discharge nor except as hereinafter provided shall a judicial sale of the property liened under a judgment obtained on a tax or municipal claim discharge the lien of any other tax or municipal claim than that upon which said sale is had except to the extent that the proceeds realized are sufficient for its payment after paying the costs and expenses of the sale and of the writ upon which it was made and any other prior tax or municipal claims to which the fund may first be applicable On any such sale being made all tax claims shall be paid out of the proceeds thereof first the oldest tax having priority and municipal claims shall be paid next the oldest in point of lien having priority Mortgages ground-rents and other charges on or estates in the property which were recorded or created where recording is not required before any tax other than for the current year accrue or before the actual doing of the work in front of or upon the particular property for which the municipal claim is filed shall not be disturbed by such sale unless a prior lien is also discharged thereby

In case the property be not sold for a sum sufficient to pay all taxes and municipal claims together with the costs thereon the plaintiff in any such claim may postpone the sale without payment of costs and file his petition setting forth that more than one year has elapsed since the filing of his claim that he has exposed the property to sheriff's sale thereunder and was unable to obtain a bid sufficient to pay the upset price in full and if a municipal claimant other than a municipality that he will bid sufficient to pay the upset price and upon the production of searches or a title insurance policy showing the State of the record and the ownership of the property and of all tax and municipal claims mortgages ground-rents or other charges on or estates in the land the court shall grant a rule upon all parties thus shown to be interested to appear and show cause why a decree should not be made that said property be sold freed and cleared of their respective claims mortgages charges and estates If upon a hearing thereafter the court is satisfied that service has been made of said rule upon the parties respondent in the manner provided in this act for the service of writs of scire facias to obtain judgments upon tax and municipal claims and that the facts stated in the petition be true it shall order and decree that said property be sold at a subsequent sheriff's sale-day to be fixed by the court without further advertisement clear of all claims liens mortgages

charges and estates to the highest bidder at such sale and the proceeds realized therefrom shall be distributed in accordance with the priority of such claims and the purchaser at such sale shall take and forever thereafter have an absolute title to the property sold free and discharged of all tax and municipal claims liens mortgages charges and estates of whatsoever kind subject only to the right of redemption as provided by law

Any person interested may at any time before the sale pay the petitioner the whole of his claim with interest and costs whereupon the proceedings on petition shall at once determine

For the purpose of enabling the petitioner in any such proceedings to give the notice required he may take the testimony of the defendant in the claim or of any other person whom he may have reason to believe has knowledge of the whereabouts of any of the parties respondent either by deposition commission or letters rogatory

Any county municipality township or school district being a claimant shall have the right and is hereby empowered to bid and become the purchaser of the property at such sale and while the said property so purchased is held and owned by either a county or a municipality township or school district it shall not be subject to tax claims unless it be redeemed by the former owner or other person having the right to redeem as provided by law If however a county municipality township or school district shall become the purchaser at said sale the former owner or other person desiring to redeem shall pay all taxes and municipal claims accrued and chargeable against the property prior to the sale thereof together with the costs and interest thereon and also all taxes and claims whether filed or not which would have accrued and become chargeable against the property had the same been purchased at the sale by some party other than the county city or other municipal division

Upon the delivery by the sheriff of a deed for any property sold under a tax or municipal claim the judgment upon which such sale was had shall thereupon and forever thereafter be final and conclusive as to all matters of defense which could have been raised in the proceeding including payment and no error or irregularity in obtaining or entering of such judgment shall effect the validity thereof

Section 32 The owner of any property sold under a tax or municipal claim or his assignees or any party whose lien or estate has been discharged thereby may redeem the same at any time within one year from the date of acknowledgment of the sheriff's deed therefor upon payment of the amount bid at such sale the cost of drawing acknowledging and recording the sheriff's deed the amount of all taxes and municipal claims whether not entered as liens if actually paid the principal and interest of estates and encumbrances not discharged by the sale and actually paid the insurance upon the property and other charges and necessary expenses of the property actually paid less rents or other income therefrom and a sum equal to interest at the rate of ten per centum per annum thereon from the time of each of such payments If both owner and creditor desire to redeem the owner shall have the right so to do only in case he pays the creditor's claim in full If more than one creditor desires to redeem the one who was lowest in lien at the time of sale shall have the prior right upon payment in full of the claim of the one higher in lien Within the year one who was lower in lien may redeem from one higher in lien who has already redeemed and the owner may redeem from him and so on throughout in each case by paying the claim of the one whose right was higher and one higher in lien may redeem from one lower in lien unless his claim is paid but in each case the right must be exercised within the year

Any person entitled to redeem may present his petition to the proper court setting forth the facts and his readiness to pay the redemption money whereupon the court shall grant a rule to show cause why the purchaser should not reconvey to him the premises sold and if upon hearing the court shall be satisfied of the facts it shall make the rule absolute and upon payment being made or tendered shall enforce it by attachment

Section 33 Any claim filed or to be filed under the provisions of this act and any judgment recovered thereon may be assigned or transferred to a third party either absolutely or as collateral security and such assignee shall have all the rights of the original holder thereof

Where the claim has been paid in full by one of several defendants therein whether originally named as such or allowed to intervene and defend it shall be satisfied of record as to him and marked to his use as against the other defendants pro rata according to their respective interests in the property bound by the claim

Section 34 Any claim petition answer replication scire facias affidavit of defense or other paper filed of record may be amended from time to time by agreement of the parties or by leave of the court upon petition for that purpose under oath or affirmation setting forth the amendment desired that the averments therein contained are true in fact and that by mistake they were omitted from or wrongfully stated in the particulars as to which amendment is desired Such amendments shall be of right saving intervening rights except that no amendment of the claim shall be allowed after the time for its filing has expired which undertakes to substitute an entirely different property from that originally described in the claim but the description of the property may be amended so as to be made more accurate as in other cases of amendment

The court may for cause shown and filed of record enlarge the time for filing the affidavit of defense answer or replication for issuing a scire facias or for entering security by rule or special or standing order and any judgment by default may be opened by the court upon cause shown by interveners or other defendants as in other cases but no enlargement of the time for issuing a scire facias shall extend the same beyond the time herein provided for preserving or retaining the lien thereof

Section 35 Any rule granted under the provisions of this act may be made returnable at such time as the court may direct either therein or by rule of court or by special or standing order All petitions answers and replications shall be under oath or affirmation Answers must be filled and served within fifteen days after service of the petition and rules and replications must be filed within fifteen days after service of the last of the answers Replications must be confined to a reply to new matter set forth in the answers

The facts averred by either party and not denied in the answer or replication of the other shall be taken as true in all subsequent proceedings in the cause without the necessity for proof thereof unless amended as herein set forth Any fact necessarily found by the court in finally determining a rule shall also be taken as true in all subsequent proceedings in the cause without the necessity for proof thereof unless either party by writing filed and served at least ten days prior to the time fixed for trial requires that it be submitted to the jury

Section 36 Unless otherwise herein provided all notices petitions and rules shall be served upon counsel for the parties interested or upon the parties themselves in the manner bills in equity are served or upon the owner by leaving a copy with the party in possession of the real estate or in default of service in any of the methods stated then in such manner as the court shall direct

Section 37 Whenever security is required to be given in accordance with the provisions of this act it may be approved by the prothonotary subject to an appeal to the court as in other cases If thereafter the security be found to be insufficient new security may be required within a given time in default of the entry of which the cause may proceed with the same effect as if none had been given the sureties however remaining liable By agreement of the parties or upon approval by the court after notice new security may be entered in lieu of that originally taken and an exonerator entered on the first bond or the security given may be limited to a particular property if clear of incumbrances and if also the security be entered as a lien upon said property

Section 38 In cases where there is a use-plaintiff if the claim shall be paid or otherwise satisfied or discharged at any time before or after filing it shall be the duty of the use-plaintiff or his legal representatives at the request of the owner or of any other person interested by a statement in writing showing how the claim was paid satisfied or discharged and on the payment of costs if any be due to enter satisfaction on the record of such claim In such cases a refusal to satisfy the claim for a period of sixty days after notice so to do served upon the use-plaintiff or his agent or attorney shall subject such use-plaintiff to a suit as for penalty at the hands of the party aggrieved in such sum as the jury shall determine to be just but not exceeding the amount of the claim

Section 39 From any definitive judgment order or decree entered by the court of common pleas under any of the

provisions of this act or from the refusal to open a judgment entered by default an appeal may be taken by the party aggrieved to the Supreme or Superior Court as in other cases

Section 40 This act shall apply only to claims wherein the right to file a lien accrues after the date of its passage and to tax claims for the years one thousand nine hundred and twenty-one one thousand nine hundred and twenty-two and one thousand nine hundred and twenty-three and to municipal claims heretofore lawfully imposed or assessed within six months before the passage of this act and not liened at the time of its passage but the rights of other claimants under existing laws shall remain unaffected by its passage and all claims properly filed thereunder are hereby validated Provided however That all tax and municipal claims filed under any prior act of assembly or directed to be filed under any such prior act or acts including the act approved the fourth day of June one thousand nine hundred and one (Pamphlet Laws three hundred and sixty-four) may hereafter be revived continued and collected under and according to the procedure and provisions of this act

Section 41 Nothing contained in this act shall be construed to repeal or affect the validity of any other acts of assembly providing other methods or remedies for the collection of taxes and municipal claims municipalities and use claimants shall have and retain the right to proceed to collect such claims by assumpsit distraint or under the acts relating to the collection of taxes upon seated and unseated land or in any other way or by any other method authorized by law as though this act had not been passed If any clause phrase section or part of this act is held to be unconstitutional it shall not affect the validity of the remaining or other portions of the act

All acts or parts of acts of assembly of this Commonwealth general special or local including those relating to the redemption of property from sheriff's sales on tax and municipal claims appertaining to the subject matter covered by this act and inconsistent herewith shall be and the same are hereby repealed it being intended that this act shall furnish a complete and exclusive system in itself so far as relates to tax and municipal claims except as hereinbefore set forth Nothing contained in this act shall be construed to repeal or to affect the validity of the act of Assembly approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty) entitled "An Act to amend an act approved the twenty-first day of May one thousand nine hundred and thirteen entitled 'An Act providing for the return of taxes on seated land in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes so as to include school taxes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas any nays were taken and were as follows, viz:

YEAS—115.

Albert,	Gibbon,	Marcus, J.,	Schoener,
Allman,	Gilchrist,	Marcus, J. C.,	Shambach,
Aston,	Glasgow,	Marshall, W. F.	Sheridan,
Baker,	Goehring,	McClure,	Smith, G. A.,
Behney,	Goss,	McDaniel,	Smith, H.,
Bell, F. A.,	Greeby,	McGowan,	Smith, J. W.,
Bentley,	Griffith,	McKim,	Soffel,
Betts,	Guerin,	Metcalf,	Sprowls,
Blair,	Haas,	Miller,	Stark,
Bluett,	Haines,	Moffat,	Stavitski,
Blumberg,	Hall,	Moore,	Steedle,
Brenneman,	Haslett,	Morrison	Sterling,
Bromley,	Heffernan,	Munley,	Stevens, A. J.,
Brownmiller,	Himes,	Myers, G. C.,	Stevens, A. F.,
Burns,	Holcombe,	Myers, P. M.,	Stoner,
Bush,	Hollis,	Nolte,	Thomas, L. D.,
Clutton,	Howell,	Ogle,	Thomas, M. G.,
Colville,	Irvin,	Parkinson,	Van Alen,
Conner,	Jones, D. J.,	Peelor,	Vickerman,
Dilsheimer,	Jones, E. P.,	Perry,	Walker,
Driggs,	Keene,	Pitts,	Weamer,
Drinkhouse,	Kelly,	Posey,	Wells,
Dunn,	Kennedy,	Post,	Wheeler,
Eaches,	Kohler,	Price,	Whitehouse,
Earley,	Korns,	Raymond,	Williams, G. W.
Edmonds,	Kunkle,	Rhodes,	Williams, J. M.,
Evans, B. P.,	Lauver,	Richards,	Wood, N.,
Evans, J.,	Little,	Rinn,	Wood, W. P.,
Flinchbaugh,	Lucas,	Rippman,	Wright,
Fowler, A. I.,	Lynch,	Sautter,	Zook,
Gallagher,	MacKinney,	Schilling,	Goodnough,
Gelder,	Malie,		

NAYS—7.

Alexander,	Craig,	Hetrick,	McCann,
Bidelspacher,	Frazier,	Johnson,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WALKER.

The House resumed the consideration on third reading of House Bill No. 232, entitled,

An Act to amend chapter eleven article two of the Act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto".

On the question,

Will the House agree to the bill on third reading?

Mr. WALKER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 9, by striking out the words "which reads" and inserting in lieu thereof: "is hereby amended to read"

Amend section 1, page 1, line 10, by striking out line 10 and eliminating it from the bill.

Amend section 1, page 2, lines 1 to 18, by striking out the lines 1 to 18, both inclusive and eliminating them from the bill.

Amend section 1, page 2, line 26, by striking out the underscoring under the word "fence."

Amend section 1, page 2, line 27, by underscoring the word "and."

Amend section 1, page 2, line 28, by inserting after the word "wire" the following: "and board, or rail, combined".

Amend section 1, page 3, line 3, by underscoring the word "and."

Amend section 1, page 3, line 3, by inserting after the word "wire" the following: "and boards, or rail, combined".

Amend section 1, page 3, line 5, by striking out the underscoring under the first word "of."

Amend section 1, page 3, line 5, by inserting before the word "constructing" the following, "the wire used in the construction of such fences. The wire used in the construction of such fences shall be without barbs. This section shall not apply to any stone wall"

Amend section 2, page 3, line 27, by striking out the words "small trees."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 72.

An Act to amend section two of an act approved May 20, 1921 (P. L. 944), entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor."

HOUSE BILL No. 302.

An Act to amend section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-six) entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An Act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine" as amended.

HOUSE BILL No. 450.

An Act to further amend clause three, section one of an act approved the eighth day of May, one thousand eight hundred and fifty-four (Pamphlet laws six hundred forty-four), entitled, "A further supplement to the act entitled, 'An Act concerning divorces'" as amended by taking away the right of support or alimony in certain cases.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE SECRETARY OF THE COMMONWEALTH.

The SPEAKER. The Chair lays before the House a communication from the Secretary of the Commonwealth which the Clerk will read.

The Clerk read the communication as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 37.

Office of the Secretary of the Commonwealth.
Harrisburg, Pennsylvania, March 27, 1923.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: In compliance with Concurrent Resolution of the Senate and House of Representatives for the purpose of amendment House Bill No. 37, entitled "A Joint Resolution proposing an Amendment to Article Nine, Section Four of the Constitution of Pennsylvania" the said Joint Resolution is herewith returned.

Yours respectfully,
CLYDE L. KING,
Secretary of the Commonwealth.

RECONSIDERATION OF VOTE.

Mr. EDMONDS. Mr. Speaker, I move that the vote by which House Bill No. 37 passed finally be reconsidered.

Mr. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. EDMONDS. Mr. Speaker, I move that the vote by which House Bill No. 37, was passed on third reading be reconsidered.

Mr. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. DUNN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend the bill, page 2, section 4, line 6, by striking out the word "insurrections" and inserting in lieu thereof "insurrection"

Amend the bill, page 2, section 4, line 18, by striking out after the word "from" the word "the" and insert in lieu theerof the word "this"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

TIME EXTENDED ON BILL.

Mr. GUERIN asked and obtained unanimous consent for an extension of five days on the third reading postponed calender of House Bill numbered and entitled as follows:

HOUSE BILL No. 61.

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred and ninety-three, (P. L. 344), entitled "An Act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will; and enabling them to sue and to testify against each other in certain cases" authorizing a married woman to mortgage her real property without the joinder of her husband,

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 701, entitled

An Act to further amend sections ten and fourteen of the act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 711) entitled "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof;" as amended; by requiring all proceedings in civil cases before magistrates that are sought to be reviewed by appeal to be taken only to the Municipal Court; transferring original jurisdiction in certain civil cases from the court of common pleas to said court; providing that costs in all cases shall follow the judgment; and that certain judgments shall be final.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the year and nays were taken and were as follows, viz:

YEAS—149.

Albert,	Eshelman,	Kunkle,	Raymond,
Alexander,	Evans, B. P.,	Labar,	Rhodes,

Allman,	Evans, J.,	Lauver,	Richards,
Asbury,	Fields,	Little,	Rippman,
Anderson,	Flinchbaugh,	Lucas,	Sample,
Arthur,	Flynn,	Ludlow,	Sautter,
Aston,	Fratt,	Lynch,	Schoener,
Baker,	Frazier,	MacKinney,	Schwartz,
Beaver,	Gallaher,	Marcus, J. C.,	Shambach,
Behney,	Gelder,	Marshall, W. F.,	Sheridan,
Bell, F. A.,	Glasgow,	Mathay,	Smith, G. A.,
Bentley,	Goehring,	McBride,	Smith, H. J.,
Berger.	Golder,	McCaig,	Smith, H.,
Betts,	Goss,	McCann,	Smith, J. W.,
Bidelspacher,	Greeby,	McClure,	Sowers,
Blair,	Griffith,	McCurdy,	Stark,
Bluett,	Grimes,	McDaniel,	Stavitski,
Blumberg,	Gundy,	McDermott,	Steedle,
Boback,	Haas,	McKim,	Sterling,
Brenneman,	Hall,	Metcalf,	Storb,
Brewster,	Harer,	Millar,	Storer,
Bromley,	Harter,	Miller,	Thomas, L. D.,
Brown,	Haslett,	Minehart,	Thomas, M. G.,
Brownmiller,	Heffran,	Moore,	Wells,
Burchinal,	Hetrick,	Morrison,	Wettach,
Bush.	Himes,	Munley,	Wheeler,
Clutton,	Holcombe,	Myers, G. C.,	Whitehouse,
Coldsmith,	Hollis,	Myers, P. M.,	Whiteman,
Colville,	Hoover,	Nolte,	Williams, G. W.
Conner,	Horne,	O'Boyle,	Williams, J. M.,
Craig,	Howell,	Ogle,	Wood, N.,
Dilsheimer,	Irvin,	Orr,	Wright,
Driggs,	Johnson,	Parkinson,	Zook,
Drinkhouse,	Jones, C. B.,	Patterson,	Goodnough,
Dunn.	Jones, D. J.,	Peelor,	Speaker.
Eaches,	Keene,	Posey,	
Earley,	Kelly,	Post,	
Edmonds,	Kohler,	Price,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 515, entitled:

An Act limiting rent as a preferred claim

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BUSH. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Cambria, Mr. Horne, permit himself to be interrogated?

Mr. HORNE. Yes, sir.

Mr. BUSH. Mr. Speaker, I would like to have the sponsor explain the purpose of this bill.

Mr. HORNE. Mr. Speaker and gentlemen of the House, this is a bill which reduced the period of preference for a landlord's claim from one year to three months. That might be for a period of rent in arrears or it might be for a period of rent on a contract in advance or a time in which the receivers claims were made. Those familiar with the renting of property are aware that in some proceedings the arrears to rent are for a period of one year, and why a man renting property should be given a year over other creditors is hard to perceive. It is a very unfair law, and I think there is nothing fair in the proposition of reducing the period to three months. I might also say that this bill has the approval of the credit agencies of the State, men collecting claims for merchants and others.

Mr. OGLE. Mr. Speaker, I desire to interrogate the gentleman from Cambria.

The SPEAKER. Will the gentleman from Cambria, Mr. Horne, permit himself to be further interrogated?

Mr. HORNE, Yes, sir.

Mr. OGLE. Does your bill specify the period of three month preceding the date of the sale, or what three months does it cover?

Mr. HORNE. In my bill, rent in arrears might be by contract over any time.

Mr. OGLE. It seems to me it would be a wise thing to refer this bill to the committee for the purpose of amendment. Labor claims that are preferred must be for labor done witin three months from the date of sale. In this bill the three months is so indefinite that no one can determine for what three months that period covers. The bill is allright, the principle of it is allright, but I think it is defective in not specifying the three months that must be covered. I hope the gentleman will consent to refer it back to the committee for amendment.

BILL POSTPONED.

Mr. HORNE. Mr. Speaksr, not wishing in any way to take advantage of any person who is not familiar with the provisions of this bill, should it become a law, I am perfectly willing to postpone action on this bill, and I therefore move that further consideration of the bill be postponed.

Mr. LUDLOW. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 582, entitled:

An Act to repeal an act approved the sixteenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred seventy-nine), entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safe-keeping, discipline and employment of prisoners and the government and management of said jails or county prisons"

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. EARLEY. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

Mr. GIBBON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 692, entitled:

An Act to repeal an act, approved the sixth day of April, one thousand eight hundred and two (Pamphlet Laws, two hundred sixty-five) entitled "An Act authorizing the sale of Provisions, Vegetables and Fruit in the markets of any city, borough, or corporate town within the Commonwealth."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finaly?

Mr. ALEXANDER. Mr. Speaker and gentlemen of the

House, a number of members have asked me what this bill is. This bill, appears from what they tell me in the Department of Agriculture, to be an obsolete bill. The bill provides that it shall be lawful to sell, produce, and soforth, cities, boroughs and towns, provided that that produce and fruit has not been purchased in the same city, borough or town. For instance, as an example, if a man was to go to the wharf in the City of Philadelphia and purchase produce he could not sell it in the markets of Philadelphia, he would have to take it outside of the City of Philadelphia to sell it, therefore, the Department of Agriculture has asked to have this bill repealed.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Albert,	Eshelman,	Kennedy,	Raymond,
Alexander,	Evans, B. P.,	Kunkle,	Rhodes,
Anderson,	Evans, J.,	Labar,	Richards,
Armstrong,	Fields,	Little,	Rinn,
Arthur,	Flynn,	Long,	Rippman,
Aston,	Fowler, A. I.,	Lucas,	Sarig,
Baker,	Frazier,	Ludlow,	Sautter,
Baldi,	Gallaher,	Mack,	Schilling,
Beaver,	Gibbon,	MacKinney,	Schleiter,
Behney,	Gilchrist,	Mangan,	Schoener,
Bell, F. A.,	Glasgow,	Marshall, J. G.,	Shambach,
Bell, W. T.,	Goehring,	Marshall, W. F.,	Sheridan,
Bentley,	Golder,	McBride,	Smith, G. A.,
Berger,	Gorham,	McCaig,	Smith, H. J.,
Bidelspacher,	Greeby,	McCann,	Smith, H.,
Blair,	Griffith,	McClure,	Sowers,
Bluett,	Grimes,	McCurdy,	Stark,
Blumberg,	Guerin,	McDermott,	Staudenmeier,
Brenneman,	Gundy,	McGowan,	Stavitski,
Brewster,	Haas,	McKim,	Sterling,
Bromley,	Hall,	McVicar,	Stevens, A. J.,
Brown,	Harer,	Metcalf,	Stofflet,
Brownmiller,	Haslett,	Millar,	Stoner,
Burchinal,	Haws,	Miller,	Storer,
Bush,	Heffran,	Minehart,	Thomas, L. D.,
Clutton,	Henderson,	Moffatt,	Van Alen,
Coldsmith,	Hetrick,	Moore,	Walker,
Colville,	Heyburn,	Morrison,	Weamer,
Conner,	Himes,	Munley,	Wettach,
Coyne,	Holcombe,	Myers, G. C.,	Whitehouse,
Craig,	Hollis,	Myers, P. M.,	Whiteman,
Diehm,	Hoover,	Nolte,	Williams, G. W.
Dietz,	Horne,	O'Boyle,	Williams, J. M.,
Dilsheimer,	Howell,	Ogle,	Woner,
Driggs,	Huber,	Patterson,	Wood, N.,
Drinkhouse,	Irvin,	Peelor,	Wood, W. P.,
Dunn,	Johnson,	Perry,	Wright,
Eaches,	Jones, D. J.,	Pitts,	Goodnough,
Earley,	Jones, E. P.,	Posey,	Speaker.
Edmonds,	Kelly,	Post,	
		Price,	

NAYS—1.

Schaeffer,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 857, entitled:

An Act providing for the lapsing of unexpended or unencumbered balances of appropriations

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. FLYNN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. RHODES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 719, as follows:

An Act to amend sections two three and thirteen and to repeal section eleven of the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and nine) entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof and prescribing penalties for violations of the provisions of this act" by clarifying certain provisions extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and nine) entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof and prescribing penalties for violations of the provisions of this act" is hereby amended to read as follows

Section 2 After investigation and public hearing and with the approval of the Secretary of Agriculture the bureau may from time to time as far as practicable establish and promulgate standards for the grade and other classification of farm products and in co-operation with the Bureau of Standards of the Department of Internal Affairs the bureau may establish and promulgate standards for receptacles for farm products by which their quality value or quantity may be determined and may make regulations governing the marks brands and labels which may be required upon receptacles for farm products for the purpose of showing the name and address of the producer or packer or distributor the quantity nature and quality of the product or any of them and for the purpose of preventing deception with reference thereto The provisions of this paragraph shall not apply to canned farm products

Any standard for any farm product or any standard for any receptacles for farm products or any requirement for marking receptacles for farm products now or hereafter made mandatory under authority of the Congress of the United States shall forthwith as far as applicable be established or prescribed and promulgated by the bureau as the official standard or requirement in this state

No standard established or requirement for marking prescribed under this section shall become effective until the expiration of not less than six months after it shall have been promulgated

Section 2 That section three of said act is hereby amended to read as follows

Section 3 Whenever any standard for the grade or other classification of any form products becomes effective under this act no person thereafter shall pack for sale offer for sale consign for sale or sell any such farm product grown manufactured or prepared within this State to which such standard is applicable unless it conform to such standard subject to such variations therefrom as may be allowed in the rules and regulations made under this act except that any such farm product may be packed offered or consigned for sale or sold without conforming to the standard for the grade or other clasification applicable thereto if the product or the package containing it is not described marked or labeled in such a way as to indicate or to appear upon ordinary observation that the product conforms to the standard

The director is authorized to make such rules and regulations under this act as may be deemed necessary to prevent deception with reference to any standards made effective

under the act except as it applies to standard receptacles for farm products

Whenever any standard for a receptacle for farm products becomes effective under this act no person thereafter shall manufacture for sale or shipment sell offer for sale consign for sale or ship any receptacle either filled or unfilled to which the standard is applicable unless the receptacle conform to the standard subject to such variations therefrom as may be allowed in the regulations made under this act The Bureau of Markets and the Bureau of Standards of The Department of Internal Affairs by their joint action are authorized to make such rules and regulation under this act as may be deemed necessary to enforce the provisions of this section relating to standard receptacles for farm products

Whenever any requirement for the marking branding or labeling of a receptacle for farm products becomes effective under this act no person thereafter shall pack for sale offer for sale consign for sale or sell and deliver farm products in a receptacle to which such requirement is applicable unless the receptacle be marked branded or labeled according to such requirement or unless such product be brought from outside the State and offered for sale consigned for sale or sold in the original package

The director is authorized at any time to cause such investigations classifications and tests to be made and such certificates to be issued and upon payment or tender of payment of the market value thereof to cause such samples to be taken as he may deem necessary to enforce the provisions of this section

Section 3 That section thirteen of said act is hereby amended to read as follows

Section 13 Any person violating or failing or refusing to comply with any of the provisions of this act or with intent to deceive answers or reports falsely in response to any of the requirements of this act or who willfully interfers with the director his employes or agents in the execution or on account of the execution of his or their duties prescribed in this act shall be prosecuted in a summary proceeding before any alderman magistrate or justice of the peace of the proper city or county and upon being convicted thereof shall be punished for the first offense by a fine of not more than twenty-five dollars and upon conviction of the second offense by a fine of not less than twenty-five dollars nor more than one hundred dollars and upon conviction of the third and each subsequent offense by a fine of not less than one hundred dollars nor more than five hundred dollars In default of the payment of any fine as aforesaid any person convicted shall be sentenced to serve one day in the jail of the proper county for each dollar of the fine and costs

Any violations of the provisions of this act relating to standard receptacles for farm products which may be established as herein provided for shall be prosecuted in a summary proceeding before any alderman magistrate or justice of the peace of the proper city or county by the inspectors of weights and measures of the respective cities and counties and the Chief of the Bureau of Standards of the Department of Internal Affairs and his deputies

Section 4 That section eleven of said act is hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Albert,	Flinchbaugh,	MacKinney,	Schilling,
Alexander,	Flynn,	Marcus, J. C.,	Schwartz,
Anderson,	Frazier,	Marshall, W. F.,	Shambach,
Arthur,	Gallaher,	McBride,	Sheridan,
Aston,	Gibbon,	McCaig,	Smith, G. A.,
Baker,	Glasgow,	McCann,	Smith, H. J.,
Beaver,	Goehring,	McClure,	Smith, H.,
Behney,	Golder,	McCurdy,	Stark,
Bell, F. A.,	Gorham,	McDaniel,	Stavitski,
Bentley,	Griffith,	McDermott,	Steedle,
Bidelspacher,	Guerin,	McKim,	Stevens, A. J.,
Blair,	Gundy,	Metcalf,	Stevens, A. F.,
Bluett,	Haas,	Millar,	Stoffiet,
Blumberg,	Haines,	Miller,	Stoner,
Boback,	Hall,	Minehart,	Storb,
Brenneman,	Harter,	Moffatt,	Storer,
Brewster,	Haslett,	Moore,	Thomas, L. D.,
Bromley,	Henderson,	Morrison,	Thomas, M. G.,
Brown,	Hetrick,	Munley,	Thompson,
Brownmiller,	Heyburn,	Myers, G. C.,	Walker,
Burchinal,	Himes,	Myers, P. M.,	Weamer,
Bush,	Hoover,	Nolte,	Wells,
Chaplin,	Horne,	O'Boyle,	Wettach,
Clutton,	Howell,	Ogle,	Wheeler,
Coldsmith,	Irvin,	Orr,	Whitehouse,
Colville,	Johnson,	Patterson,	Whiteman,
Conner,	Jones, D. J.,	Peelor,	Williams, G. W.
Craig,	Jones, E. P.,	Pitts,	Williams, J. M.,
Diehm,	Kelly,	Posey,	Woner,
Dietz,	Kohler,	Post,	Wood, N.,
Dilsheimer,	Korns,	Price,	Wood, W. P.,
Driggs,	Kunkle,	Raymond,	Wright,
Eaches,	Labar,	Richards,	Zook,
Earley,	Lauver,	Rinn,	Goodnough,
Edmonds,	Lucas,	Rippman,	Speaker.
Evans, B. P.,	Ludlow,	Sample,	
Evans, J.,	Lynch,	Sautter,	
Fields,	Mack,	Schaeffer,	

NAYS—1.

Allman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 540, entitled

An Act prohibiting persons from concealing, changing or destroying manufacturers' serial numbers, or identification marks upon machines or apparatus or from knowingly having any such machine in the possession; and prescribing penalties for violation thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Albert,	Fields,	Kunkle,	Raymond,
Alexander,	Flinchbaugh,	Labar,	Rhodes,
Allman,	Flynn,	Lauver,	Richards,
Anderson,	Fowler, A. I.,	Little,	Rinn,
Arthur,	Fowler, D.,	Long,	Rippman,
Aston,	Frazier,	Lucas,	Sample,
Baker,	Gallaher,	Ludlow,	Sautter,
Beaver,	Gibbon,	Lynch,	Schaeffer,
Behney,	Gilchrist,	Mack,	Schleiter,
Bell, F. A.,	Glasgow,	MacKinney,	Schoener,
Berger,	Goehring,	Marcus, J. C.,	Schwartz,
Betts,	Golder,	Marshall, W. F.,	Shambach,
Bidelspacher,	Goss,	McBride,	Smith, G. A.,
Bluett,	Greeby,	McCaig,	Sowers,
Blumberg,	Griffith,	McCann,	Stark,
Boback,	Grimes,	McClure,	Staudenmeier,
Brenneman,	Guerin,	McCurdy,	Stavitski,
Brewster,	Gundy,	McDaniel,	Sterling,
Bromley,	Haas,	McDermott,	Stevens, A. J.,
Brown,	Haines,	McGowan,	Stevens, A. F.,
Brownmiller,	Hall,	McKim,	Storer,
Burchinal,	Harter,	Metcalf,	Thomas, L. D.,
Burns,	Haslett,	Millar,	Thomas, M. G.,
Chaplin,	Haws,	Miller,	Thompson,
Coldsmith,	Henderson,	Minehart,	Van Alen,
Colville,	Hetrick,	Moore,	Vickerman,
Conner,	Heyburn,	Morrison,	Walker,
Coyne,	Himes,	Munley,	Weamer,
Craig,	Holcombe,	Myers, G. C.,	Wells,
Diehm,	Hollis,	Myers, P. M.,	Wheeler,
Dietz,	Hoover,	Nolte,	Whitehouse,
Dilsheimer,	Horne,	O'Boyle,	Williams, G. W.
Driggs,	Huber,	Ogle,	Williams, J. M.,
Drinkhouse,	Irvin,	Orr,	Woner,
Dunn,	Johnson,	Patterson,	Wood, N.,

Eaches,	Jones, C. B.,	Peelor,	Wood, W. P.,
Earley,	Jones, D. J.,	Perry,	Wright,
Edmonds,	Jones, E. P.,	Pitts,	Zook,
Eshelman,	Keene,	Posey,	Goodnough.
Evans, B. P.,	Kennedy,	Post,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 395, entitled:

An Act to regulate the sale of caustic acid or caustic alkali preparations intended for household use and providing penalties for the violation thereof

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. PATTERSON. Mr. Speaker, I move that House Bill No. 395 be recommitted to the Committee on Manufactures for the purpose of a hearing.

Mr. McKIM. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 416, entitled:

An Act to amend section three hundred and four of an act, approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 682), entitled "An Act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138.

Albert,	Evans, J.,	Lynch,	Schwartz,
Alexander,	Fields,	Mack,	Shambach,
Allman,	Flynn,	Mangan,	Sheridan,
Anderson,	Fowler, A. I.,	Marcus, J. C.,	Smith, G. A.,
Armstrong,	Fowler, D.,	Marshall, W. F.,	Smith, H. J.,
Arthur,	Frazier,	McBride,	Smith, H.,
Baker,	Gelder,	McCann,	Stark,
Beaver,	Gibbon,	McClure,	Staudenmeier,
Behney,	Glasgow,	McCurdy,	Stavitski,
Bell, F. A.,	Goehring,	McDaniel,	Steedle,
Bentley,	Golder,	McDermott,	Sterling,
Berger,	Goss,	McVicar,	Stevens, A. F.,
Betts,	Greeby,	Metcalf,	Stevens, A. J.,
Blair,	Griffith,	Millar,	Storb,
Bluett,	Hall,	Miller,	Storer,
Blumberg,	Harer,	Minehart,	Thomas, L. D.,
Brenneman,	Haslett,	Moffatt,	Thomas, M. G.,
Brewster,	Hetrick,	Moore,	Thompson,
Bromley,	Heyburn,	Morrison,	Van Alen,
Brown,	Himes,	Munley,	Walker,
Brownmiller,	Hoover,	Myers, G. C.,	Wells,
Bush,	Horne,	Myers, P. M.,	Wheeler,
Coldsmith,	Howell,	Nolte,	Whitehouse,
Conner,	Huber,	O'Boyle,	Whiteman,
Craig,	Irvin,	Patterson,	Williams, G. W.
Diehm,	Jones, C. B.,	Peelor,	Williams, J. M.
Dietz,	Jones, D. J.,	Perry,	Woner,
Dilsheimer,	Jones, E. P.,	Pitts,	Wood, N.,
Drinkhouse,	Kennedy,	Posey,	Wood, W. P.,
Dunn,	Kunkle,	Post,	Wright,
Eaches,	Lafferty,	Richards,	Zook,
Earley,	Little,	Rinn,	Goodnough.
Edmonds,	Long,	Rippman,	Speaker.
Eshelman,	Lucas,	Schaeffer,	
Evans, B. P.,	Ludlow,	Schilling,	

NAYS—1.

Raymond.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Miss GRIMES,

The House resumed the consideration on third reading of House Bill No. 476, entitled:

An Act creating, regulating and defining the powers of a County Planning Commission, and authorizing the creation of a county plan in counties of the second class; requiring the county commissioners to furnish to the commission, before passage, resolutions relating to county improvements to roads, lands, buildings or means of communications, authorizing the commission to report suggestions to the county commisioners concerning improvements, and to appear in court with reference thereto; authorizing the making of a county map and plan, including territory extending three miles beyond the county limits, showing proposed improvements in roads, lands, buildings and means of communication; making it unlawful to record plans of land with streets or highways intended for dedication to public use, except in boroughs or cities, without first securing approval from the commission; and making disapproval of a plan by the commission a refusal of proposed dedication.

On the quesion recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Miss GRIMES. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties and Townships for the purpose of amendment.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 461, entitled:

An act to better secure all bonds, stocks, mortgages or other securities deposited with the State Treasurer by providing for their inspection, examination and verification and the verification of the books containing a record of such **bonds, stocks, mortgages or other securities by the Auditor General or his agents.**

And said bill having been read at length the third time, considered and agreed to.

On the question,

the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Allman,	Evans, J.,	Labar,	Rinn,
Anderson,	Flynn,	Little,	Rippman,
Arthur,	Fowler, A. I.,	Lucas,	Sample,
Behney,	Fratt,	Ludlow,	Sautter,
Bell, F. A.,	Frazier,	Lynch,	Shambach,
Bentley,	Gelder,	Mack,	Sheridan,
Berger,	Gibbon,	MacKinney,	Smith, G. A.,
Betts,	Gilchrist,	Marshall, W. F.,	Stark,
Bidelspacher,	Greeby,	McBride,	Staudenmeier,
Blair,	Griffith,	McCaig,	Stavitski,
Bluett,	Grimes,	McCann,	Steedle,
Blumberg,	Guerin,	McClure,	Sterling,
Boback,	Haines,	McCurdy,	Stevens, A. J.,
Brewster,	Hall,	McDaniel,	Stevens, A. F.,
Brown,	Harer,	McDermott,	Storb,
Brownmiller,	Harter,	Metcalf,	Storer,
Burns,	Haslett,	Millar,	Thomas, L. D.,
Bush,	Heffran,	Miller,	Thomas, M. G.,
Chaplin,	Henderson,	Minehart,	Thompson,
Clutton,	Hetrick,	Moffatt,	Van Alen,
Coldsmith,	Heyburn,	Moore,	Walker,
Colville,	Himes,	Munley,	Weamer,
Conner,	Holcombe,	Myers, G. C.,	Wells,
Craig,	Hoover,	Nolte,	Wettach,
Diehm,	Horne,	O'Boyle,	Wheeler,
Dilsheimer,	Howell,	Ogle,	Whiteman,
Driggs,	Huber,	Patterson,	Williams, J. M.
Dunn,	Irvin,	Peelor,	Woner,
Eaches,	Jones, D. J.,	Perry,	Wood, N.,
Earley,	Keene,	Pitts,	Wood, W. P.,
Edmonds,	Kelly,	Price,	Wright,
Eshelman,	Kennedy,	Raymond,	Zook,
Evans, B. P.,	Kunkle,	Richards,	Goodnough,
			Speaker.

NAYS—2.

Albert, Johnson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence..

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 759, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—119.

Albert,	Fowler, A. I.,	Long,	Rippman,
Alexander,	Frazier,	Lucas,	Sample,
Allman,	Gelder,	Ludlow,	Schoener,
Arthur,	Gilchrist,	Lynch,	Schwartz,
Aston,	Gorham,	Mack,	Shambach,
Baker,	Goss,	MacKinney,	Sheridan,
Beaver,	Greeby,	Marshall, W. F.,	Smith, G. A.,
Bell, F. A.,	Griffith,	McBride,	Stark,
Bell, W. T.,	Grimes,	McCann,	Staudenmeier,
Bentley,	Guerin,	McClure,	Stavitski,
Blair,	Gundy,	McCurdy,	Stevens, A. J.,
Bluett,	Hall,	McDaniel,	Thomas, L. D.,
Blumberg,	Harer,	McGowan,	Thomas, M. G.,
Brown,	Haslett,	Metcalf,	Thompson,
Brownmiller,	Haws,	Millar,	Van Alen,
Burchinal,	Heffran,	Miller,	Vickerman,
Bush,	Henderson,	Minehart,	Walker,
Chaplin,	Hetrick,	Moffat,	Weamer,
Coldsmith,	Heyburn,	Moore,	Wettach,
Colville,	Himes,	Morrison,	Wheeler,
Conner,	Hontz,	Munley,	Whitehouse,
Craig,	Hoover,	Myers, G. C.,	Williams, G. W.,
Diehm,	Horne,	Nolte,	Williams, J. M.,
Drinkhouse,	Huber,	Ogle,	Woner,
Dunn,	Irvin,	Orr,	Wood, N.,
Eaches,	Johnson,	Patterson,	Wood, W. P.,
Earley,	Jones, E. P.,	Peelor,	Wright,
Edmonds,	Keene,	Perry,	Zook,
Eshelman,	Kennedy,	Pitts,	Goodnough,
Evans, B. P.,	Kohler,	Post,	Speaker.
Fields,	Kunkle,	Raymond,	
Flinchbaugh,	Lafferty,	Richards,	
Flynn,	Little,	Rinn,	

NAYS—1.

McDermott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence..

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 434, entitled:

An Act to amend section four of an act approved the thirteenth day of May, Anno Domini, one thousand nine hundred and fifteen, entitled, "An Act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of sucn officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," changing the maximum number of hours in the working day and working week for minors.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SCHLEITER. Mr. Speaker and members of the House, I wish to call your attention to section four of this bill which reads, "No minor under sixteen years of age shall be permitted to work in about or in connection with any establishment or in any occupation for more than forty-eight hours in any one week or more than eight hours in any one day or before six o'clock in the morning or after eight o'clock in the evening in any one day. In computing the maximum number of hours per day or per week permitted under this act the hours spent in school by said minors shall be considered part of the working day or working week."

Members of the House, the present act I believe provides for the maximum of sixty-four hours per week or nine hours per day and the school time is included within those hours. Now, I can realize the spirit which prompted the enactment of this act into law, that the youth should not be compelled to undergo laborious work at a very tender and at a very early age, the spirit was very humane. I believe that industries, those who employ the real young boys and girls

have realized by this time that this act was really in the interest of better men and better women. I recall when I was a small boy at the age of eleven, I worked in a glass house, and there were boys worked there much younger than I, and many of those boys when they grew to manhood were stunted, were really men who through the grinding, or through the oppressive methods that were then in use brought those boys to manhood, but still children in stature and in strength, but I believe, my friends, we have gone, at least for the time being, far enough. We can overdo these things. We can make it impossible for the youth to do any useful labor whatever, and especially if this bill is enacted into law. It changes the bill I believe....I was being corrected ....but I think I am correct when I say it changes the time from nine to eight hours per day. Many youngsters are usefully employed mornings before going to school in delivering papers. Under this act it would be impossible for them to do so inasmuch as the school hours are part and parcel of that eight hours. And the same applies in the evening. If they should attend school beginning with the school hour, we would say at nine o'clock, and then distribute papers or desired to in the evening, they would be barred from that very useful service. Now, we don't want to grow up a lot of youngsters who when they become of mature age will be inflicted with the hook worm, we have too many of them now, many of them grown up. We should give the children an opportunity to perform useful work, and to encourage them to do so, and not hedge restrictions about them so that it is impossible for an ambitious youth to give vent to his ambiton and to his energy, and by these restrictions be prevented from doing the things that he ought to do. Mr. Speaker, I believe that we ought to seriously consider these provisions before we finally vote upon it.

Mr. LORENZO D. THOMAS. Mr. Speaker, I would just like to say to my colleague from the western end of the State that the Child Labor Law as it now exists on the statute books has been in effect since 1915 in exempting certain classes of children, particularly the children in domestic service and farm labor. The hours of labor as we are trying to cover them here are only a reduction of three hours in a week, and I see no reason why that should not be amended, the old law, into this new plan that we have here. The superintendents of instruction of the larger school districts of the State, under the Superintendent of public instruction of the State, in conjunction with the efforts of the Commissioner of Labor and Industry, are pledged to give the children of the State the same co-operation and the same medium of welfare as they are giving under the old law. We have met with objections from two sources, and two sources only. One by the rural members, and their objection was eliminated when the law was presented to them and the other from a few large corporations who think more of the few cents it would take to employ an additional messenger to deliver their messages than they do of the interests of the young. They will tell us that we are bringing up a generation today who know nothing about work, that is a mistake on the face of it, because the records of an educational institution will reveal to you the fact that the earning capacity of the young man, every one of them, is enhanced to a greater degree because of the environment we have made it possible for them to live under. I earnestly ask that this bill be favored with the consideration of these amendments deserved.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—97.

Albert,	Fields,	Labar,	Sautter,
Alexander,	Fowler, A. I.,	Little,	Schaeffer,
Allman,	Fowler, D.,	Ludlow,	Schoener,
Anderson,	Frazier,	Mack,	Sheridan,
Arthur,	Gallaher,	MacKinney,	Smith, H.,
Aston,	Gibbon,	Malie,	Sowers,
Baker,	Greeby,	Marcus, J.,	Stark,
Baldi,	Guerin,	Marcus, J. C.,	Staudenmeier,
Behney,	Haas,	McClure,	Stavitski,
Bell, F. A.,	Hall,	McCurdy,	Stevens, A. F.,
Bentley,	Harer,	McDermott,	Stoner,
Berger,	Haslett,	McGowan,	Storer,
Boback,	Heffernan,	McKim,	Thomas, L. D.,
Brenneman,	Heffran,	Miller,	Thomas, M. G.,
Brewster,	Hetrick,	Moffatt,	Van Alen,
Brownmiller,	Holcombe,	Moore,	Vickerman,
Chaplin,	Horne,	Munley,	Whitehouse,
Clutton,	Irvin,	Nolte,	Williams, G. W.,
Coldsmith,	Johnson,	Ogle,	Wood, N.,
Dietz,	Jones, C. B.,	Parkinson,	Wood, W. P.,
Eaches,	Jones, D. J.,	Patterson,	Zook,
Earley,	Jones, E. P.,	Perry,	Goodnough,
Edmonds,	Keene,	Pitts,	Speaker.
Eshelman,	Kelly,	Posey,	
Evans, J.,	Kunkle,	Rhodes,	

NAYS—46.

Blair,	Flynn,	McDaniel,	Rippman,
Bluett,	Glasgow,	Minehart,	Schleiter,
Bromley,	Haines,	Morrison,	Smith, G. A.,
Brown,	Harter,	Myers, G. C.,	Smith, J. W.,
Burchinal,	Henderson,	Myers, P. M.,	Sterling,
Burns,	Heyburn,	Orr,	Storb,
Bush,	Himes,	Peelor,	Thompson,
Conner,	Hollis,	Post,	Wheeler,
Craig,	Kennedy,	Price,	Williams, J. M.
Dilsheimer,	Long,	Raymond,	
Evans, B. P.,	Lucas,	Richards,	
Flinchbaugh,	Marshall, W. F.,	Rinn,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 623, entitled:

An Act to amend section five of an act approved the nineteenth day of May, one thousand eight hundred and seventy-four (Pamphlet Laws, two hundred six), entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants, and to provide for the election of Judges thereof," as amended, by changing the provision for appointment of first assistant clerks so as to conform to the Constitution and giving to the Court and Register of Wills joint power to modify the salaries fixed for any assistant clerk.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—126.

Albert,	Evans, B. P.,	Keene,	Rippman,
Alexander,	Evans, J.,	Kelly,	Sample,
Allman,	Fields,	Lucas,	Sarig,
Armstrong,	Flynn,	Ludlow,	Sautter,
Baker,	Fowler, A. I.,	Lynch,	Schaeffer,
Beaver,	Fowler, D.,	Mack,	Schleiter,
Behney,	Gallaher,	Marshall, W. F.,	Sheridan,
Bell, F. A.,	Gelder,	McBride,	Smith, H.,
Bentley,	Gibbon,	McCaig,	Stark,
Berger,	Gilchrist,	McCann,	Staudenmeier,
Blair,	Goehring,	McClure,	Steedle,
Bluett,	Goss,	McCurdy,	Stoner,
Blumberg,	Greeby,	McDaniel,	Storb,
Brenneman,	Griffith,	McDermott,	Storer,
Brewster,	Grimes,	McKim,	Thompson,
Bromley,	Guerin,	Metcalf,	Van Alen,

Brown,	Gundy,	Millar,	Vickerman,
Brownmiller,	Haas,	Miller,	Weamer,
Burchinal,	Hall,	Minehart,	Wells,
Burns,	Harer,	Moffatt,	Wettach,
Bush,	Heffernan,	Munley,	Wheeler,
Chaplin,	Heffran,	Myers, G. C.,	Whitehouse,
Coldsmith,	Henderson,	Myers, P. M.,	Iteman,
Colville,	Hetrick,	Nolte,	Williams, J. M.,
Conner,	Heyburn,	Ogle,	Woner,
Diehm,	Himes,	Parkinson,	Wood, N.,
Dietz,	Holcombe,	Patterson,	Wood, W. P.,
Dilsheimer,	Horne,	Peelor,	Wright,
Eaches,	Howell,	Pitts,	Zook,
Earley,	Johnson,	Posey,	Goodnough,
Edmonds,	Jones, C. B.,	Price,	Speaker.
Eshelman,	Jones, E. P.,	Raymond,	

NAYS—4.

Hollis,	O'Boyle,	Post,	Richards,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 600, entitled:

An Act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic, the United-Spanish War Veterans and American Legion a part of the public records of the State; and providing for their publication and distribution.

On the question,

Will the House agree to the bill on third reading?

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend title by inserting the word "and" after the word Republic in the third line, and by omitting "and American Legion" in the third and fourth lines.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 690, entitled:

An Act requiring the judges of all courts of record to render their decisions within six months after the trial or argument of a case or after a petition is presented

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. STERLING. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER declared the "ayes" appeared to have it.

Whereupon, a division was called for, and 116 members or more than a majority of the House having voted in the affirmative, the question was decided in the affirmative and the motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 209, entitled:

An Act making an appropriation to O'Hara Brothers for payment for the burial of bodies of indigent persons under instructions of the State Department of Health

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one thousand six hundred and twenty-five dollars is hereby specifically appropriated to O'Hare Brothers of the borough of Shenandoah Pennsylvania for payment for the burial of bodies of thirteen indigent persons during the influenza epidemic in the year one thousand nine hundred and eighteen at the request and under the instructions of the State Department of Health Said appropriation shall be paid on warrant of the Auditor General on the State Treasurer upon the production of proof to the satisfaction of the Auditor General of the services rendered

On the question,

Will the House agree to the section?

Mr. SCHAEFFER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section one, page 1, line 5, by striking out "O'Hare" and insert "O'Hara"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act making an appropriation to O'Hara Brothers for payment for the burial of bodies of indigent persons under instructions of the State Department of Health.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 866, as follows:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the provisions of the eighteenth article thereof

That section one of article nine is hereby amended to read as follows

All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but in the case of inheritance taxes exemptions may be granted and the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 638, entitled:

An Act supplementing an act entitled "An Act amending an act entitled 'A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof' approved the twenty-first day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy)" providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities establishing the procedure upon said appeals authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties and authorizing said appeals to be advanced

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the powers heretofore granted to cities of the second class as provided for in an act entitled "An Act amending an act entitled 'A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof' approved the twenty-first day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy)" the Mayor of every city of the second class shall with the approval of the council appoint a board of appeals consisting of three members one of whom shall be a member of the planning commission one of whom shall be designated to serve until the first day of January one thousand nine hundred and twenty-four one until the first day of January one thousand nine hundred and twenty-five and one until the first day of January one thousand nine hundred and twenty-six Their successors shall be appointed on the expiration of their respective terms to serve three years

On the question,

Will the House agree to the section?

Mr. STONER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 6, by striking out the words "An act amending on act entitled"

Amend section 1, page 3, line 3, by inserting after the word "seventy" the following: as amended by an act approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 503) entitled, "An act amending an act entitled, 'A supplement to an act, entitled "An act for the government of cities of the second class," approved the seventh day of March, one thousand nine hundred and one; authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards, courts, and open spaces, and to regulate and restrict the location of trades and industries, and the location of buildings for specified uses; and to make regulations for trades and industries and for the use of buildings; and for the above purposes, to divide the cities into districts; and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein; and providing the method of adoption of said districts, regulations, and restrictions, and the method of amendment or change thereof,' approved the twenty-first day of June, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, five hundred seventy); providing for twenty days notice to the city planning commission of any proposed amendment or change, for an enforcing officer, and a board of appeal to review his actions."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 Said board of appeals shall hear determine and decide appeals from and review any order requirement decision or determination made by the administrative official charged by ordinance of any of said cities with the enforcement of any ordinance duly adopted pursuant to the provisions of the act entitled "'An Act for the government of cities of the second class' approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the areas of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof" approved June twenty-first one thousand nine hundred and nineteen and the supplements or amendments thereto they shall also hear and decide all matters referred to them and upon which they are required to pass under any ordinance adopted pursuant to the provisions of said act and its supplements or amendments such decisions may be made by the vote of the majority of said board such appeal shall be taken by any person aggrieved or by the head of any department of said city acected thereby or interested therein every decision of such board shall however be subject to review by appeal the board of appeals may reverse or affirm wholly or partly or may modify the order requirement decision or determination as in its opinion ought to be made in the premises and to that end shall have all the powers of the officer from whom the appeal is taken where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of such ordinance the board of appeals shall have the power in passing upon appeals to vary or modify any of the regulations or provisions of said ordinance in harmony with their general purpose and intent and in accordance with general or specific rules

therein contained so that the spirit of the ordinance shall be observed the public health the public safety and the general welfare secured and substantial justice done

On the question,

Will the House agree to the section?

Mr. STONER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 3, line 20, by inserting after the first quotation marks preceding the word "An" the following: "A supplement to an act entitled"

Amend section 2, page 4, line 6, by inserting after the word "nineteen" the following: (P. L. 570)

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth sections were separately read and agreed to as follows:

Section 3 Such appeal shall be taken within such time as shall be prescribed by the board of appeals by general rule by filing with the officer from whom the appeal is taken and with the board of appeals a notice of appeal specifying the grounds thereof The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken

Section 4 An appeal shall stay all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of appeals after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life and property in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of appeals or by the court of common pleas on application and notice to the officer from whom the appeal is taken and on due cause shown The board of appeals shall fix a reasonable time for the hearing of the appeal and give notice thereof to the parties and decide the same within a reasonable time Upon the hearing any person may appear in person or by agent or attorney

Section 5 Any person or persons jointly or severally aggrieved by any decision of the board of appeals or the head of any department of said city affected thereby or interested therein may present to the court of common pleas a petition duly verified setting forth that such decision is illegal in whole or in part specifying the ground of the illegality Such petition must be presented to a judge of the common pleas court within thirty days after the filing of the decision in the office of the board

Section 6 Upon presentation of such petition the judge may allow an appeal directed to the board of appeals to review such decision of the board of appeals and shall prescribe therein the time within which a return thereto must be made and served upon the petitioner or his attorney which shall not be less than ten days and may be extended by the court or a judge thereof Such writ shall be returnable to the court of common pleas of the county in which the property affected is situated The allowance of the writ shall not stay proceedings upon the decision appealed from unless the court shall on application and notice to the board and on due cause shown grant a restraining order

Section 7 The board of appeals shall not be required to return the original papers acted upon by it but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ The return must concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and must be verified and shall contain a transcript of the testimony

Section 8 If it shall appear to the court that further testimony is necessary for the proper disposition of the matter it may hear evidence or appoint a Master to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law which shall constitute a part of the proceedings upon which the determination of the court shall be made The court may reserve or affirm wholly or partly or may modify the decision brought up for review

Section 9 Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from

Section 10 All issues in the court of common pleas under this act shall have preference over all other civil actions and proceedings

Section 11 If any provision of the act to which this is a supplement or of this act shall be held by any court to be unconstitutional such judgment shall not affect any other section of either act

Section 12 So much of the act entitled "An Act amending an act entitled 'A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof' approved the twenty-first day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy) providing for twenty days' notice to the city planning commission of any proposed amendment or change for an enforcing officer and a board of appeal to review his actions" approved the eleventh day of May one thousand nine hundred and twenty-one as provides for a board of appeals and all other acts and parts of acts thereof inconsistent herewith are hereby repealed

The title was read as follows:

An Act supplementing an act, entitled "An act amending an act, entitled 'A Supplement to an act, entitled "An Act for the government of cities of the second class," approved the seventh day of March, one thousand nine hundred and one; authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards, courts and open spaces, and to regulate and restrict the location of trades and industries, and the location of buildings for specified uses; and to make regulations for trades and industries and for the use of buildings; and, for the above purposes, to divide the cities into districts; and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein; and providing the method of adoption of said districts, regulations, and restrictions, and the method of amendment or change thereof,' approved the twenty-first day of June, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, five hundred seventy)," providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities, establishing the procedure upon said appeals, authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties, and authorizing said appeals to be advanced.

On the question,

Will the House agree to the section?

Mr. STONER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title page 1, lines 1 and 2, by striking out the words "An act amending an act entitled"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 358, entitled:

An Act to amend sections one and eighteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-nine) entitled "An Act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" changing the age limit of persons required to procure licenses and providing for the purchase with surplus moneys of lands and waters and the impounding of waters

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-nine) entitled "An Act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the word "persons" as used in this act except where the context otherwise indicates means citizens of the State of Pennsylvania over (twenty-one) sixteen years of age

On the question,

Will the House agree to the section?

Mr. HORNE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 20, by removing the underscoring from under the words "of age."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section eighteen of said act is hereby amended to read as follows

Section 18 All license fees fines and penalties collected under the provisions of this act and paid into the State Treasury (not in excess of four hundred thousand dollars ($400,000) in any one year) shall be kept separate and apart in a fund known as the "Resident Fish License Fund" and an amount not in excess of four hundred thousand dollars ($400,000) in any one year shall be used solely under the direction of the Department of Fisheries for the purpose of the payment of the salaries of the Commissioner of Fisheries clerks stenographers fish wardens traveling expenses counsel fees court expenses and contingent expenses for the propagation and protection distribution of fish the stocking of the waters and the employment of necessary labor and the purchase of material motor vehicles machinery and implements therefor for necessary repairs and improvements to fish hatcheries for field work stream investigations gathering spawn transferring fish and the employment of necessary labor and the purchase of necessary motor vehicles machinery and implements therefor for the purchase of necessary land and water supplies for State fish hatcheries for the purchase and erection of buildings ponds and other extensions incidental to State fish hatcheries for the maintenance and operation of a boat on Lake Erie and the cruiser Anna at Torresdale on the Delaware River and for dredging the approach to the fish hatchery at Erie

Any moneys in said fund at any time in excess of the amount hereinbefore limited shall be used solely under the direction of the Department of Fisheries with the consent of the Governor for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing hunting and forest purposes and said lands and waters so purchased shall be under the supervision direction and control of the Department of Fisheries

All moneys in such separate fund from time to time (not in excess of four hundred thousand dollars ($400,000) in any one year) are hereby specifically appropriated to the Department of Fisheries and may be expended for the purposes hereinbeforee enumerated The Auditor General shall upon requisition from time to time of the Commissioner of Fisheries draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund at the time of making such requisition (All moneys collected under the provisions of this act and not payable into the resident fish license fund shall be paid into the general fund of the State Treasury)

On the question,

Will the House agree to the section?

Mr. HORNE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 24, by striking out the word "lect" and inserting in lieu thereof: "lected"

Amend section 2, page 2, line 25, by striking out the parenthesis before the word "not" and inserting in lieu thereof a bracket

Amend section 2, page 2, line 26, by striking out the parenthesis after the word "year" and inserting in lieu thereof a bracket.

Amend section 2, page 2, line 28, by underscoring the words "not in excess of"

Amend section 2, page 2, line 29, by underscoring all the words in said line

Amend section 2, page 4, line 2, by striking out the parenthesis before the word "not" and inserting in lieu thereof a bracket.

Amend section 2, page 4, line 3, by removing the parenthesis after the word "year" and inserting in lieu thereof a bracket

Amend section 2, page 4, line 10, by striking out the parenthesis in front of the word "All" and inserting in lieu thereof a bracket

Amend section 2, page 4, line 13, by striking out the parenthesis after the word "Treasury" and inserting in lieu thereof a bracket.

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed as follows:

An Act to amend sections one and eighteen of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws five hundred and fifty-nine), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received;" changing the age limit of persons required to procure licenses; and providing for the purchase with surplus moneys of lands and waters, and the impounding of waters.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 87, as follows:

An Act making a deficiency appropriation to carry into effect the provisions of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-five) entitled "An Act for the encouragement of agriculture and the holding of agriculture exhibitions providing State aid for certain agriculturual associations and regulating the payment thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twelve thousand eight hundred fourteen dollars and sixty-eight cents ($12,814.68) or so much thereof as may be necessary is hereby specifically appropriated to cover a deficiency in payments for State aid by the Commonwealth for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three to agricultural associations under provisions of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-five) entitled "An Act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof

Section 2 No payment shall be made under this act except for the exhibits of live stock products horticulture products cereals bees and bee products and the Secretary of Agriculture shall supervise all claims therefor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 501, as follows:

An Act authorizing cities of the third class to appropriate moneys to State park commissions to provide improvements in State parks and with the consent of any such commission to erect construct supervise and maintain in such parks bathing beaches recreation centers playgrounds playfields camp sites boat houses and boat landings

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city of the third class is hereby authorized to appropriate moneys to the commission having in charge any State park to be used by such commission for the purpose of improving such State park or any part thereof or for the purpose of making or erecting any one or more public improvements to or in any such State park

Section 2 Whenever any State park commission or State park and harbor commission shall give its consent in writing to any city of the third class such city is authorized to enter in and upon said park and to provide by contract or otherwise for the erection and construction of bathing beaches recreation centers playgrounds playfields camp sites boat houses and boat landings and may with the consent of any such commission provide for the subsequent supervision and maintenance of the same The cost of any improvement and the subsequent maintenance of the same shall be paid from the city treasury

Section 3 Any city of the third class may borrow money and issue certificates of indebtedness in the manner provided by law for the purpose of carrying into effect the provisions of this act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 774, as follows:

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs township commissioners and township supervisors of townships and requiring boroughs and townships to pay the expenses in connection therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any burial ground incorporated or unincorporated is being neglected so as to become a nuisance even though said burial ground may occasionally be used for burial purposes the court of quarter sessions of the county in which such burial ground is situated may direct that such burial ground be placed in the care of the council of the borough the township commissioners or township supervisors of the township under the direction and supervision of said court

Section 2 That upon the petition of twenty-five or more citizens residing within a radius of five miles of any such burial ground to the court of quarter sessions the said court may order and direct the council of the borough or the township commissioners or township supervisors of the township to cut down before the thirtieth day of May and before the fifteenth day of August of each year all brush grass briars and weeds growing in such burial ground and to remove the same and place such grounds in good order and condition

The cost thereof shall be paid out of the borough or township treasury but in no case shall the council of any borough or the township commissioners or township supervisors of any township expend more than thirty dollars on any one cemetery in any one year for such purposes

Section 3 Such burial grounds shall remain open to the public according to such regulations as may be made by the said court

Section 4 That the act approved the twenty-fourth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and ninety-two) entitled "An act authorizing courts of quarter sessions to commit the care of certain burial-grounds to townships supervisors of townships to pay the expenses in connection therewith" be and the same is hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 852, as follows:

An Act to amend sections four seven and section nine as amended of an act approved the twenty-second day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand ninety-three) entitled "An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penaltiy on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessor in so far as respects the assessment of property and occupations for State and county purposes" by exempting buildings and structures in the course of erection and providing for the placing of borough and township assessments in public places

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act approved the twenty-second day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand ninety-three) entitled "An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessors in so far as respects the assessment of property and occupations for the State and county purposes" is hereby amended to read as follows

Section 4 The subordinate assessors shall make the assessment and valuations of all property taxable for State or county purposes together with a list of all persons taxable upon occupations within their respective districts and in so doing shall view all property in their district taxable for such purposes and shall make a personal house to house canvass of their district in order that such lists or persons taxable upon occupations may be accurate and correct in so far as it is possible to so make them but no building or structure in the course of erection shall be assessed for taxation until the same is completed except where such completion is unduly delayed All such assessors who shall fail to make such assessments and lists in the manner as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and in default of the payment of such fine and costs to undergo an imprisonment not exceeding ninety days

Section 2 That section seven of said act is hereby amended to read as follows

Section 7 When the triennial assessments shall be fixed either for the whole county or in districts thereof notice of that fact shall be given by publication in at least two newspapers of the county of the time when appeals will be heard and a copy of the assessments made in boroughs and townships shall be placed in some public place in each such borough or township by the assessor After the hearing of appeals the board shall take such action in regard thereto as may be right and proper

Section 3 That section nine of said act which was amended by an act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seven) entitled "An Act to amend section three section five and section nine of an act approved the twenty-second day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws one thousand and ninety-three) entitled 'An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessor in so far as respects the assessments of property and occupations for State and county purposes' as amended" is hereby further amended to read as follows

Section 9 The subordinate assessors shall between the triennial assessments revise any assessment of valuation according to right and equity by correcting errors and by adding thereto any property or subjects of taxation which may have been omitted or any new property or subjects of taxation which may have come into being since the last triennial assessment but no building or structure in the course of erection shall be assessed for taxation until the same is completed except where such completion is unduly delayed

They shall also add thereto the names of any persons who may have moved into such district and stike therefrom the names of any persons who have removed from such district since the last triennial assessment

The assessors shall also revise assessments and valuations between the triennial aesessments by increasing or decreasing the same where the value of the property or subjects of taxation assessed or valued has changed by reason of any change of conditions thereon or adjacent thereto or in the vicinity thereof or for the reason that the property assessed or valued has been subdivided or laid out into a plan of lots or other subdivision or for the reason that improvements have been placed thereon or added thereto or for the reason that any public or other improvement has been made adjacent thereto or in the vicinity thereof or where for any other reason whatsoever the value of the property has changed and it seems to the board necessary and equitable to make a change in the valuation thereof The assessors shall also between the triennial assessments in all cases where it is apparent that any assessment is not in accord with the generality or uniform standard of assessments revise and correct the same by increasing or decreasing the same where the value of the property or subjects of taxation assessed do not conform to the generality or uniform standard of assessments Provided however That if such revision or correction of such assessment shall increase the amount thereof the owner of such subjects of taxation whose assessment has been so increased between the triennial assessments shall be given at least ten days written notice of such revision or correction and have the right of appeal to the court of common pleas in the same manner as provided in section ten of the act to which this act is an amendment

All assessments required to be made by the subordiate assessors in the years between the triennial assessment shall be returned to the board for the assessment and revision of taxes not later than the first Monday of November of the year preceding the one for which it is made

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 678, as follows:

An Act to amend clause three section two article two of chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause three section ten article two of chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet

Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

III To exercise the powers and jurisdiction of justices of the peace in the enforcement of all ordinances of the borough and the collection of fines and penalties imposed thereunder and to sentence any person violating any such ordinance to the lockup county jail or workhouse

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 740, as follows:

An Act to amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" is hereby amended to read as follows

Section 487 The right of appeal to the court of common pleas the right of trial by jury and the right to file exceptions are given to any party not satisfied with such report whose property has been taken injured or destroyed or where property has been assessed to pay damages for property taken injured or destroyed and also to the township or any taxpayer thereof on behalf of such township in any case where damages have been assessed against such township or where property has been assessed to pay damages for property taken injured or destroyed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 663, as follows:

An Act to amend section five and six of an act approved the sixteenth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and ninety-three) entitled "An act to provide for the licensing and regulation of public dance halls and ball rooms and for the regulation supervision of public dances and balls in cities of the first second and third classes" by making it the duty of the Mayor to investigate the character of applicants for dance hall and ball room licenses and providing that no such license shall issue to any person of immoral character or who is an unfit person to hold such license or who has been convicted of any crime

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the sixteenth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and ninety-three) entitled "An act to provide for the licensing and regulation of public halls dance and ball rooms and for the regulation supervision of public dances and balls in cities of the first second and third classes" is hereby amended to read as follows

Section 5 It shall be the duty of the Mayor to cause an investigation of all applications for public dance hall or ball room licenses to determine whether or not the dance hall ball room or academy sought to be licensed complies with the rules regulations ordinances and laws applicable thereto and whether the applicant therefor is of good moral character and a fit person to hold such license and whether such applicant has ever been convicted of any crime and in making such investigation he shall when desired have the assistance of any department of the government of the city

Section 2 That section six of the said act is hereby amended to read as follows

Section 6 No license for a public dance hall or ball room or academy shall be issued until it shall be ascertained that the place for which it is issued complies with and conforms to all laws ordinances health and fire regulations applicable thereto and is a safe and proper place for the purpose for which it shall be used properly ventilated and supplied with sufficient toilet conveniences and that the applicant for such license is of good moral character and a fit person to hold such license and that he has not been convicted of any crime

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 789, as follows:

An Act making a deficiency appropriation to the Pennsylvania Industrial Reformatory at Huntingdon Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four hundred and ninety ($490.00) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Board of Trustees of the Pennsylvania Industrial Reformatory at Huntingdon for amount of gratuities paid in excess of appropriation to inmates for the two years ending June first one thousand nine hundred twenty-one

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 855, as follows:

An Act authorizing the county commissioners and sheriff of any county of the second class to organize a uniformed and mounted county Police

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it hereby enacted by the authority of the same That the county commissioners of any county of the second class may by resolution under the seal of the county authorize the sheriff to appoint and organize a force consisting of one or more deputy sheriffs who shall be known as the county police uniformed and mounted on motor-cycles who shall patrol the State highways and county roads within the county enforce all laws rules or regulations governing the use of such highways and the roads and shall have within their respective counties all the powers and authority now vested by law in state police deputy sheriffs police or constables of the several cities boroughs and townships of this Commonwealth They shall be appointed by and remain under the control of the sheriff and shall be paid out of the general funds of the county by warrant of the county commissioners drawn upon the county treasurer

Section 2 The Board of county commissioners shall furnish each of said deputy sheriffs or county police as an evidence of their authority with a badge having impressed thereon the words "Police.....County Deputy Sheriff" with a motor-cycle and such other equipment as may

be necessary for the full performance of their duty said equipment to be paid for out of the general funds of the county

Section 3 The said county police shall have all the power and authority vested by law in deputy sheriffs State or city police or constables of the several cities boroughs and townships of this Commonwealth to keep the peace in and along the roads of such county and to make arrests serve warrants writs and other process and to enforce all laws regulating the speed of automobiles and other vehicles and to enforce all rules and regulations governing the use of the county roads of such county

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 700, as follows:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for a budget system

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following is proposed as an amendment to article three of the Constitution of the Commonwealth in accordance with the eighteenth article thereof

Section 34 The Governor shall submit to the general assembly a budget on or before March first of each year in which it shall be in regular session The budget shall contain a complete plan of proposed appropriations and complete estimates of the revenues and funds available for appropriation for the two ensuing fiscal years including appropriations for charitable educational and benevolent purposes in submitting proposals for appropriations to charitable educational or benovelent institutions not under the absolute control of the State government the Governor shall at the same time submit a plan of distribution among the classes of institutions to be benefited

When the Governor presents the budget to the House of Representatives he shall submit a general appropriation bill containing the proposed appropriations for the fiscal years covered by the budget and may also submit any bill embodying recommendations as to sources of revenue

The presiding officer of the House of Representatives shall immediately cause such bills to be introduced

The general assembly may increase decrease strike out or otherwise alter any item in the general appropriation bill or may add new items thereto

Until the general appropriation law has been enacted neither house shall consider an appropriation bill other than the general appropriation bill unless the appropriation shall be solely for the immediate needs of the general assembly or unless the Governor shall request the general assembly to act upon the bill in advance of the general appropriation bill

After the general appropriation law has been enacted no appropriation shall be made for any purpose object or item included therein or in the general appropriation bill as submitted by the Governor unless the Governor shall request the general assembly to pass a bill making such appropriation

The general assembly shall not finally adjourn for ten days after the general appropriation bill has been presented to the Governor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 379, entitled:

An Act to amend section twenty and section sixty-six and seventy-one as amended of an act approved the seventh day of June one thousand nine hundred and one (Pamphlet Laws four hundred and ninety-three) entitled "An Act providing for the examination licensure and regulation of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" providing that when any plumbing or house drainage is not done in the manner provided in said act that the owner occupier or tenant of any building or premises may be restrained by injunction from using the said plumbing in any manner unless the same is changed in accordance with the provisions of this act and providing for the abatement of nuisances and for penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty of an act approved the seventh day of June one thousand nine hundred and one (Pamphlet Laws four hundred and ninety-three) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rates regulating and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" is hereby amended to read as follows

Section 20 All buildings shall be kept provided with proper metallic leaders for conducting water from the roofs in such manner as shall protect the walls and foundations of said buildings from injury in no case shall the water from said leaders be allowed to flow upon the sidewalk but the same shall be conducted by a pipe or pipes to the sewer if there be no sewer in the street upon which such buildings front then the water from said leaders shall be conducted by proper pipe or pipes below the surface of the sidewalk to the street gutter but the provisions of this section shall not authorize or permit the conducting of rain storm or surface waters into any sewer which has been constructed and is maintained for sanitary purposes only

On the question,

Will the House agree to the section?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 26, by striking out the word "or" preceding the word "rain" and inserting in lieu thereof, "of"

Amend section 1, page 3, line 26, by striking out the word "of after the word "department" and inserting in lieu thereof the word, "or"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section sixty-six of said act which was amended by an act approved the fourteenth day of May one thousand nine hundred and nine (Pamphlet Laws eight hundred and forty) entitled "An Act amending sections one two eight twenty-one twenty-five twenty-nine thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumb-

ing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties or forfeitures for violation thereof 'approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to cities of the third class having a system of water-supply and sewerage of this Commonwealth and providing further rules regulations and requirements for the construction re-construction of plumbing house-drainage and cess-pools and providing penalties and forfeitures for violation thereof" is hereby further amended to read as follows

Section 66 Whenever it shall come to the knowledge of the department of board or bureau of health or complaint in writing shall be made by any citizen that the plumbing or drainage in any building has become a nuisance or is contrary to the provisions and requirements of this act or the ordinances of the city or is of faulty construction and liable to breed disease and endanger the health of the occupants or upon the request of any owner or occupant of any building fitted with plumbing or drainage prior to the passage of this act then the department or board or bureau of health shall direct the proper officer to examine the plumbing or drainage in any such building and the said officer shall make a drawing of the plan of said plumbing drainage and sewer and ventilating shaft connections He shall report his findings in writing to the department or board or bureau of health and suggest such changes as are necessary to make the same conform to the rules governing such matters

The department or board or bureau of health shall thereupon notify the owner or agent of any such building of the changes which are necessary to be made in said plumbing or drainage Said changes shall be made within the time fixed by the department or board or bureau of health and upon refusal or neglect to obey such orders the department or board or bureau of health shall institute legal proceedings in a court of equity to restrain by injunction the use of said plumbing by the owner occupier or tenant of the respective building or premises where said nuisance exists or where the said plumbing has not been made and done in accordance with this act as reported to the council in the manner aforesaid and where a nuisance to provide for the abatement of the same and the said court of equity shall have full power to issue injunctions for the above purpose in accordance with the practice in such cases and the said injunction shall not be dissolved unless and until the plumbing aforesaid has been changed and the work done in such a way or manner that the same substantially conforms with the provisions of this act but the owner or agent of said building may show in defence that the plumbing or drainage was not a nuisance or was not of faulty construction or out of repair and in case of a building constructed subsequent to the passage of this act said plumbing or drainage was not contrary to the provisions and requirements of this act or the ordinance of the city

On the question,

Will the House agree to the section?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 3, line 16, by striking out the quotation marks before the word "approved" and inserting a quotation mark after the word "thereof."

Amend section 2, page 3, line 21, by inserting after the word "construction" the word, "or"

Amend section 2, page 4, line 2, by striking out the word "and" following the word "disease" and inserting in lieu thereof, "or"

Amend section 2, page 4, line 24, by inserting before the word "action" the word, "said"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 That section seventy-one of said act which was amended by the said act approved the fourteenth day of May one thousand nine hundred and nine (Pamphlet Laws eihgt hundred and forty) is hereby further amended to read as follows

Section 71 Any person who shall fail to comply with any of the provisions of this act regarding the procuring of a license or certificate to engage in or work at the business of plumbing or house drainage shall be liable to a fine of not less than ten dollars ($10.00) nor exceeding fifty dollars ($50.00) for each and every day he or they shall engage in or work at said business without first having said certificate or license and any person or persons who shall violate any of the rules regulations or requirements set forth in this act regarding the construction reconstruction or testing of plumbing house drainage or cesspools shall be liable for every such offense to a fine of not less than ten dollars ($10.00) nor more than two hundred dollars ($200.00) and costs of suit

All fines and penalties imposed by this act shall be recoverable by summary proceedings before any mayor alderman police magistrate or justice of the peace in said cities and all suits or actions at law instituted for the recovery thereof shall be in the name and for the use of the city within or against which the offense is committed and upon recovery thereof all such fines and penalties shall be paid to the city treasurer thereof In default of the payment of any fine penalty and costs imposed by any mayor alderman police magistrate or justice of the peace under the provisions of this act the persons or persons so offending may be committed to the jail of the proper county or workhouse or other penal institutions for a period not exceeding ninety days

On the question,

Will the House agree to the section?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 6, line 22, by inserting after the word "institutions" the following: "of the county"

Amend section 3, page 6 line 22, by inserting after the word "said" the word, "city"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section twenty, and sections sixty-six and seventy-one as amended, of an act approved the seventh day of June, one thousand nine hundred and one (Pamphlet Laws four hundred ninety-three), entitled "An Act providing for the examination, licensure and registration and regulation of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof;" providing that when any plumbing or house drainage is not done in the manner provided in said act, that the owner, occupier or tenant of any building or premises may be restrained by injunction from using the said plumbing in any manner unless the same is changed in accordance with the provisions of this act; and providing for the abatement of nuisances and for penalties.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 822, as follows:

An Act to amend sections one hundred and forty-five and one hundred and forty-six of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" by changing the terms of office of supervisors in townships of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assmbily met and it hereby enacted by the authority of the same That section one hundred and forty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" is hereby amended to read as follows

Section 145 At the municipal election in the year one thousand nine hundred and twenty-three the qualified electors of each township of the second class shall elect one township supervisor for a term of two years At the municipal election held in the year one thousand nine hundred and twenty-five they shall elect two township supervisors for terms of two years each and at the municipal election held in the year one thousand nine hundred and twenty-seven and at the municipal election every two years thereafter they shall elect three township supervisors for terms of two years each All township supervisors elected under this section shall hold their office for a term of two years from the first Monday of December next following their election

Section 2 That section one hundred and forty-six of said act is hereby amended to read as follows

Section 146 Whenever a township of the second class is created by the division of a township of the first or second class under the provisions of chapter three article four of this act or whenever a township of the second class is created by re-establishment from a township of the first class as provided in chapter three article three of this act or when a township of the second class is erected under the provisions of chapter three article one of this act and in the latter case the court so orders the qualified electors of such township shall at the next ensuing municipal election elect three township supervisors for terms of two years each The township supervisors so elected shall hold office from the first Monday of December next following their election

Biennially thereafter at such succeeding municipal election the electors of such township of the second class shall elect three township supervisors for terms of two years to serve from the first Monday of December next following such election

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 682, as follows:

An Act to amend the forty-first clause of section two article one chapter five of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the forty-first clause of section two article one chapter five of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" which was amended by an act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and sixty-five) entitled "An act to amend the forty-first clause of section two article one chapter five of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled 'An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs' " is hereby further amended to read as follows

XLI To appropriate money not in excess of the sum of five hundred dollars ($500) annually for the expense of municipal music

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 593, as follows:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it hereby enacted by the authority of the same That this act shall be cited as the World War Veterans' Compensation Act"

Section 2 As used in this act the word "veteran" includes any individual a member of the military or naval forces of the United States at any time after the fifth day of April one thousand nine hundred and seventeen and before the twelfth day of November one thousand nine hundred and eighteen but does not include (a) any individual at any time during such period or thereafter separated from such forces under other than honorable conditions (b) any conscientious objector who performed no military duty whatever or refused to wear the uniform or (c) any alien at any time during such period or thereafter discharged from military or naval forces on account of his alienage

The term "legal resident of this Commonwealth" means any individual who gave the State of Pennsylvania or any specific place in this Commonwealth as his place of residence at the time of entering the military or naval forces of the United States during such period without regard to the place of enlistment commission or induction The proof of such residence shall be the official records on file in the War Department of the United States

Section 3 Compensation shall be payable under this act to any legal resident of this Commonwealth and shall be computed on the basis of ten dollars ($10.00) for every month and major fraction thereof of active service in the military or naval forces of the United States after the fifth day of April one thouasnd nine hundred and seventeen and before the twelfth day of November one thousand nine hundred and eighteen as shown by the service or other record of the veteran No veteran who served less than sixty days active service shall be entitled to receive any compensation under this act Any period of active service beginning before the twelfth day of November one thousand nine hundred and eighteen and continuing for sixty days or more may be used in computing the length of service of the veteran notwithstanding the fact that compensation shall not be paid for service after the eleventh day of November one thousand nine hundred and eighteen No veteran shall be entitled to receive compensation under this act in a sum to exceed two hundred dollars ($200.00)

Section 4 In computing time in the service for compensation no allowance shall be made to

(a) Any commissioned officer above the grade of captain in the Army or Marine Corps lieutenant in the Navy first lieutenant or first lieutenant of Engineers in the Coast Guard or passed assistant surgeon in the Public Health Service or having the pay and allowances if not the rank of any officer superior in rank to any such grades in each case for the period of service as such

(b) Any individual who held a permanent or provisional commission or permanent or acting warrant in any branch of the military or naval forces or (while holding such commission or warrant) serving under a temporary commission in a higher grade in each case for the period of service

under such commission or warrant or in such higher grade after the accrual of the right to pay thereunder This subdivision shall not apply to any non-commissioned officer

(c) Any civilian officer or employee of any branch of the military or naval forces contract surgeon cadet of the United States Military Academy Midshipmen cadet of the Coast Guard member of the Reserve Officers' Training Corps member of the Students' Army Training Corps (except an enlisted man detailed thereto) Phillippine Scout member of the Philippine Guard member of the Philippine Constabulary member of the Porto Rico Regiment of Infantry member of the National Guard of Hawaii member of the insular forces of the Navy member of the Samoan native guard and band of the Navy or Indian Scout in each case for the period of service as such

(d) Any individual entering the Military or Naval forces after the eleventh day of November one thousand nine hundred and eighteen for any period after such entrance

(e) Any member of the Public Health Service for any period during which he was not detailed for duty with the Army or the Navy

(f) Any individual granted a farm or industrial furlough for the period of such furlough

(g) Any individual detailed for work in the Spruce Production Division of the Air Service for the period during which his pay was equalized to conform to the pay of civilian employees in the same or like employment

Section 5 In computing the compensation of any veteran under this act effect shall be given to all subdivisions of section four which are applicable

Section 6 For the purpose of section three in the case of members of the National Guard or the National Guard Reserve called into service by proclamation of the President the time of service between the date of call into service as specified in such proclamation and the fifth day of August one thousand nine hundred and seventeen both dates inclusive shall be deemed to be active service in the Military or Naval forces of the United States Provided That in case of members of the National Guard or National Guard Reserve called into the service by proclamation of the President before the sixth day of April one thousand nine hundred and seventeen active service in the Military or Naval forces of the United States for the purpose of this act shall be deemed to commence on the sixth day of April one thousand nine hundred and seventeen

Section 7 Application for compensation shall be made to the Adjutant General on such forms and in such manner as he shall prescribe and shall be made on or before the thirtieth day of June one thousand nine hundred and twenty-five and if not made on or before such date shall be held void

All applications shall be made (1) personally by the veteran or (2) in case of physical or mental incompetency preventing the making of a personal application then by such representative of the veteran as the Adjutant General shall by regulation prescribe An application made by a representative other than one authorized by such regulation shall be held void

Section 8 All applicants shall state on their application whether or not they have applied for or received a bonus gratuity or compensation of a nature similar to that provided for by this act from any other State in the Union

Section 9 In the case of veterans who died while in the Military or Naval forces of the United States before the twelfth day of November one thousand nine hundred and eighteen the amount of compensation payable under this act shall be computed up to and including the eleventh day of November one thousand nine hundred and eighteen

Section 10 In case of the death of any veteran who would if living be entitled to compensation under this act the same shall be paid to the following persons in the order named and none other (a) surviving wife or husband (b) surviving child and if there be more than one child surviving then equally among such children (c) surviving mother (d) surviving father

Section 11 Every person making application for compensation as herein provided shall set forth in his application the names and addresses of all persons who under this act would be entitled to receive the same in the event of the death of the applicant and if such applicant shall die before the payment of such compensation then such application shall be deemed to inure to the benefit of the person or persons next entitled thereto and payment shall be made to such person or persons upon proof of identity satisfactory to the Adjutant General If all persons designated herein as entitled to compensation shall die before payment thereof the right to the compensation shall cease and determine Application for compensation made in behalf of minor children shall be made by the duly appointed guardian of such children or by any persons who stands in loco parentis to such minor children

Section 12 No sum payable under this act to a veteran or to his beneficiaries as shown in section nine shall be subjected to attachment levy or seizure under any legal or equitable process and shall be exempt from all State taxation No right to compensation under the provisions of this act shall be assignable or serve as a security for any loan nor be regarded as the assets of the estate of a deceased veteran nor be made the basis of administration thereof Any assignment or loan made in violation of the provisions of this section shall be held void The Adjutant General shall not direct the payment nor shall payment be made under this act to any persons other than the veteran or his beneficiaries as set forth in section nine or such representatives of the veteran as the Adjutant General shall by regulation prescribe

Section 13 Any person who charges or collects or attempts to charge or collect either directly or indirectly any fee or other compensation for assisting in any manner a veteran in obtaining any of the benefits to which he is entitled under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than five hundred dollars ($500.00) or imprisonment for not more than one year or both at the discretion of the court This provision shall not apply to the fees authorized by law that may be collected by a notary public or other officer having power to administer oaths for necessary affidavits required under this act

Section 14 The Adjutant General shall as soon as practicable after the approval of this act prepare and publish a pamphlet or pamphlets containing a digest and explanation of the provisions of this act accompanied by such statements as he believes may be of assistance to the veterans in filing their applications and shall from time to time prepare and publish such additional or supplementary information as may be found necessary

The said pamphlet or pamphlets shall be distributed in such manner as the Adjutant General may determine to be most effective to inform veterans of their rights under this act

Section 15 Immediately upon the passage of this act the Adjutant General shall ascertain the individuals who are veterans as defined in section two and to each veteran the number of months of service as defined in section three for which he is entitled to receive compensation and his decisions shall be final and not subject to review In all cases not within the express purview of this act the decision of the Adjutant General as to payment or non-payment of compensation or eligibility therefor shall be in all things final

Section 16 No payments under this act shall be made before the first day of January one thousand nine hundred and twenty-six but all payments shall be made as soon thereafter as practicable

Section 17 Whoever knowingly makes any false or fraudulent statement of a material fact in any application certificate or document made under the provisions of this act or of any regulation made by the Adjutant General in administering this act shall be guilty of a misdemeanor and upon conviction thereof be fined not more than one thousand dollars ($1,000.00) or undergo imprisonment of not more than five years or both at the discretion of the court

Section 18 For the purpose of carrying into effect the provisions of this act the Adjutant General of the Commonwealth is charged with the administration thereof and for that purpose he shall prepare and distribute application blanks investigate all claims and applications filed with him and if satisfied of the proof of such claim or application approve the same and direct payment thereof and shall make any regulations necessary to the efficient administration of the provisions of this act

The books papers and records together with the filing cases and equipment procured and used in the administration of this act shall become a part of the permanent records of the office of the Adjutant General

Section 19 All printing necessary to carry out the provisions of this act shall be done by the State Printer on the requisition of the Adjutant General to the Department of Public Printing and Binding

Section 20 The Adjutant General may employ the necessary clerical help and fix their salaries and pay for postage

and other expenses incurred in the administration of this act In all appointments under this act preference shall so far as practicable be given to veterans

Section 21 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not effect or impair any of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 22 For the purpose of paying for the clerical services postage and other necessary expenses incurred by the Adjutant General in the administration of this act the sum of four hundred and sixty-two thousand six hundred and twenty-five dollars ($462,625.00) or as much thereof as may be necessary is specifically appropriated from funds to be hereafter provided for the payment of the compensation provided for by this act

Section 23 The compensation payable under this act shall be paid only in the event that funds are provided by a Constitutional amendment authorizing the State to increase its bonded indebtedness for this specific purpose

Section 24 The act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-eight) entitled "An act providing a bonus for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War creating a Soldiers' Bonus Commission and prescribing its powers and duties and making an appropriation" is hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 750 Senate Bill No. 131), entitled:

An Act validating certain proceedings and elections of counties cities boroughs townships school districts and other municipalities or incorporated districts had and held pursuant to the provisions of ar act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 274, entitled:

An Act to amend section three of an act approved the seventeenth day of May one thousand nine hundred and twenty-one, (P. L. 831), entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines; prescribing their qualifications, and regulating the salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 482 (Senate Bill No. 33), entitled:

An Act to amend section seven of the act approved the tenth day of June, 1893, (P. L. 419), entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such election," as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 29, entitled:

An Act proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

TIME EXTENDED ON BILL.

Mr. EDMONDS asked and obtained unanimous consent for an extension of five days on the final passage postponed calender of House Bill numbered and entitled as follows:

HOUSE BILL No. 1.

An Act fixing the pay of election officers and clerks in cities of the first class

TIME EXTENDED ON BILL.

Mr. LUDLOW asked and obtained unanimous consent for an extension of five days on the final passage postponed calender of House Bill numbered and entitled as follows:

HOUSE BILL No. 632.

An Act to amend an act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 991), entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department," by exempting certain corporations from the provisions thereof.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GELDER,

The House resumed the consideration on third reading of House Bill No. 606, entitled:

An Act to further amend an act approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty) entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" providing for the rebuilding of decayed and unsafe bridges and certain bridges on State highways

On the question,

Will the House agree to the bill on third reading?

Mr. GELDER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 2, page 3, line 20, by inserting after the word "away" the following: "or"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

TIME EXTENDED ON BILL.

Mr. KUNKLE asked and obtained unanimous consent for an extension of five days on third reading postponed calendar of House Bill numbered and entitled as follows:

HOUSE BILL No. 563.

An Act to amend section one of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 899), entitled "An Act regulating service of process from the courts of common pleas or other courts of record, and extending the territorial jurisdiction thereof in certain cases;" by authorizing the service of writs of summons in any county of the Commonwealth, and to repeal section two of said act.

ADJOURNMENT.

Mr. EDMONDS. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to, and (at 11:00 o'clock P. M.) the House adjourned until 11:00 o'clock tomorrow morning.

COMMONWEALTH OF PENNSYLVANIA

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HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 28, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Infinite, eternal and triune God, we come into Thy presence this morning to thank Thee for every blessing we are daily receiving from Thy beneficent hand. We pray Thy blessing upon the members of this Assembly as they again take up the duties of another day. We pray that Thou wouldst bless them bodily as well as mentally for the arduous duties that they have here to discharge; and not only these who labor here, but, we pray that Thou wouldst bless all throughout our Commonwealth who labor for the welfare of mankind, whether with brain or brawn. May Thy blessing rest upon the Speaker of this House, the officers and the Governor of this Commonwealth; upon our land and nation. Guide us to Thy praise and save us.

We ask it in Jesus' name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the journal of yesterday's proceedings, when, on motion of Mr. Arthur, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED.

By Mr. EDWARD P. JONES. HOUSE BILL NO. 1102.

Making an appropriation to the Lock Haven Hospital, Lock Haven, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. JOSEPH C. MARCUS. HOUSE BILL NO. 1103.

An act to amend an Act approved June 20, 1919, (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal" as amended.

Referred to the Committee on Ways and Means.

By Mr. HASLETT. HOUSE BILL NO. 1104.

An act making an appropriation to the Grand View Institution for the Care and Treatment of Poor Consumptives, Oil City, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. EDMONDS. HOUSE BILL NO. 1105.

An act to amend section fourteen of the act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled, "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State Committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State Committee of a political party to make, and to alter, amend and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended.

Referred to the Committee on Elections.

By Mr. EDMONDS. HOUSE BILL NO. 1106.

An act making an appropriation to the Pennsylvania Institution for the Deaf and Dumb, Mount Airy, Philadelphia.

Referred to the Committee on Appropriations.

By Mr. EDMONDS. HOUSE BILL NO. 1107.

An Act making an appropriation to the Midnight Mission, of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. EDMONDS. HOUSE BILL NO. 1108.

A Joint Resolution proposing an amendment to section twelve of article five of the Constitution of Pennsylvania.

Referred to the Committee on Constitutional Reform.

By Mr. STAVITSKI. HOUSE BILL NO. 1109.

An Act authorizing cities, boroughs, towns and townships to permit the playing of baseball on Sunday, between the hours of three and five o'clock in the afternoon.

Referred to the Committee on Law and Order.

By Mr. STAVITSKI. HOUSE BILL NO. 1110.

An Act to repeal the first section of the act approved the twenty-second day of April, one thousand seven hundred and ninety-four, (3 Sm. L. 177), entitled "An act for the prevention of vice and immorality, and of unlawful gaming, and to restrain disorderly sports and dissipation."

Referred to the Committee on Law and Order.

By Mr. WHITEMAN. HOUSE BILL NO. 1111.

A Joint Resolution directing the publication of the pamphlet containing the Game, Fish and Forest Laws.

Referred to the Committee on Printing.

By Mr. GOEHRING. HOUSE BILL NO. 1112.

An act to amend section one of an act, approved the twenty-second day of July Anno Domini, One thousand nine hundred and nineteen (Pamphlet Laws, one thousand and ninety-three), entitled, "An act creating, in counties having a population of from eight hundred thousand to one million five hundred thousand, a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; fixing their salaries, payable by the county; defining the powers and duties of such board, and regulating the assessment of property and occupations for State and county purposes; authorizing the appointment of subordinate assessors and clerks, defining their duties and providing for their compensation, payable by such counties; imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act, and abolishing the office of ward, borough, and township assessor, in so far as respects the assessment of property and occupations for State and County purposes," as amended.

Referred to the Committee on Municipal Corporations.

By Mr. GOEHRING. HOUSE BILL NO. 1113.

An act to further amend section ten of an act approved the twelfth day of July, Anno Domini, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred and nineteen) entitled, "An Act Regulating certain political parties, providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation.

Referred to the Committee on Elections.

By Mr. GOEHRING. HOUSE BILL NO. 1114.

An act to amend part of section fourteen of an act as amended by section one of an act, approved the seventeenth day of May, Anno Domini, one thousand nine hundred and twenty-one (P. L. 669), entitled "An act to further amend section fourteen of an act, approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions; and of certain party officers, including State Committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein, and repealing inconsistent legislation." as amended.

Referred to the Committee on Elections.

By Mr. GOEHRING. HOUSE BILL NO. 1115.

An Act amending section one hundred and twenty-seven of an act, approved the second day of July, Anno Domini, one thousand eight hundred and thirty-nine, (Pamphlet Laws, five hundred and nineteen), entitled "An act relating to the Elections of this Commonwealth."

Referred to the Committee on Elections.

By Mr. EDWARD P. JONES. HOUSE BILL NO. 1116.

An Act making an appropriation to the Renovo Hospital.

Referred to the Committee on Appropriations.

By Mr. GOEHRING. HOUSE BILL NO. 1117.

An Act to further amend section seventy-four of an act as amended by section one of an act, approved the sixteenth day of April, Anno Domini, one thousand nine hundred and three (Pamphlet Laws, two hundred and seventeen), entitled "An Act amending section seventy-four of an act relating to the elections of this Commonwealth," approved the second day of July, Anno Domini, one thousand eight hundred and thirty-nine (Pamphlet Laws, five hundred and nineteen)".

Referred to the Committee on Elections.

By Mr. BLAIR. HOUSE BILL NO. 1118.

An Act to further amend sections three, nine and twenty-four of an act approved the thirtieth day of June, one thousand nine hundred and nineteen, (P. L. 678), entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended; changing the fees upon trucks, limiting the weight of trucks and the number of trailers.

Referred to the Committee on Public Roads.

By Mr. KOHLER. HOUSE BILL NO. 1119.

An Act to provide for the appointment of a Land Claim Commission; prescribing the membership of said Commission; the manner and term of the appointment of its members; defining their powers and duties; providing for the appointment of subordinate officers and the employment of expert and clerical employees by said Commission; fixing the salaries of the members of the said Commission and its subordinate officers; providing for the compensation of its employees; and limiting the annual expense of said Commission.

Referred to Committee on Appropriations.

By Mr. GOEHRING. HOUSE BILL NO. 1120.

An Act to amend section one of an act, approved the seventeenth day of June, Anno Domini, one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes, and in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended.

Referred to Committee on Ways and Means.

By Mr. HASLETT. HOUSE BILL NO. 1121.

An Act making an appropriation to the Oil City Hospital, Oil City, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. PRICE. HOUSE BILL NO. 1122.

An Act regulating the election of jurors for service in the several courts, civil and criminal, of the county of Allegheny; creating a Board of Judges from the Court of Common Pleas of said County for this purpose and prescribing the powers and duties of such board; imposing the entire

cost and expense of maintaining and operating such board upon said county; requiring the County Commissioners of said county to provide suitable office quarters, equipment and supplies for said board; authorizing the employment of the necessary clerks, assistants, deputies and other employees; abolishing the existing office of jury commissioners in said county and providing that the present jury commissioners shall become clerks of said board until the expiration of their term of office; requiring other county officers and boards to furnish information to said board, and prescribing punishment for violation of the provisions hereof.

Referred to the Committee on Judiciary General.

By Mr. ASBURY. HOUSE BILL No. 1123.

An Act making an appropriation to the Philadelphia Association for the Protection of Colored Women, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HOWARD SMITH. HOUSE BILL No. 1124.

An Act making an appropriation to the Providence General Hospital of Philadelphia, Philadelphia County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WELLS. HOUSE BILL No. 1125.

An Act to amend sections seven; twenty-six, twenty-nine and thirty-two of an act approved the twenty-third day of May, one thousand nine hundred and nineteen, (P. L. 242), entitled "An Act to amend, revise, and consolidate the law relating to the State Library and Museum, including the law relating to the Free Library Commission and the Division of Public Records; abolishing the Board of Trustees of the State Library, the Advisory Commission of Public Records, and the Free Library Commission; and repealing existing laws in relation thereto;" fixing fees for certain services; and making an appropriation thereof.

Referred to the Committee on Library.

By Mr. HETRICK. HOUSE BILL No. 1126.

An Act to amend section one thousand four hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled, "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to the Committee on Education.

By Mr. SCHOENER. HOUSE BILL No. 1127.

An Act to establish as a State Highway a certain section of Public road in the counties of Lebanon and Berks.

Referred to the Committee on Public Roads.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 1128.

An Act authorizing the State Highway Commissioner to empower certain other employes of his department to perform such official acts as he may designate.

Referred to the Committee on Public Roads.

By Mrs. deYOUNG. HOUSE BILL No. 1129.

An Act to amend section twenty-four of an act approved the thirteenth day of May, Anno Domini, one thousand nine hundred and fifteen, entitled, "An Act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officer of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," so far as to fix responsibility upon school authorities in school districts of the first, second and third classes for enforcing, in such districts, the provisions of the child labor law relating to street trades, and to prescribe the means of such enforcement.

Referred to the Committee on Education.

By Mr. WETTACH. HOUSE BILL No. 1130.

An Act making an appropriation to the Home of the Good Shepherd of the County of Allegheny, Lowrie St., Troy Hill, North Side, Pittsburgh, Pa.

Referred to the Committee on Appropriations.

By Mr. MATHAY. HOUSE BILL No. 1131.

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum.

Referred to the Committee on Appropriations.

By Mr. LAUVER. HOUSE BILL No. 1132.

An Act to establish as a State Highway a certain section of public road in the counties of Juniata, Snyder and Perry.

Referred to the Committee on Public Roads.

By Mr. LAUVER. HOUSE BILL No. 1133.

An Act to establish as a State Highway a certain section of public road in the county of Juniata.

Referred to the Committee on Public Roads.

By Mr. STAUDENMEIER. HOUSE BILL No. 1134.

An Act fixing the per diem compensation of assistant or registry assessors of boroughs and second class townships for attendance at elections.

Referred to the Committee on Municipal Corporations.

By Mr. STAUDENMEIER. HOUSE BILL No. 1135.

An Act regulating the sale of anthracite coal; fixing standards of size thereof, and requiring inspectors of weights and measures in certain cases to make a test thereof; and providing penalties for violation of this act.

Referred to the Committee on Mines and Mining.

By Mr. HENDERSON. HOUSE BILL No. 1136.

Making a deficiency appropriation to the Cottage State Hospital, situated in Connellsville, Fayette County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HENDERSON. HOUSE BILL No. 1137.

An Act making an appropriation to the Cottage State Hospital, Cottage Avenue, Connellsville, Fayette County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. LORENZO D. THOMAS. HOUSE BILL No. 1138.

An Act requiring the carring of mine water from mines and washeries to streams and rivers in proper sluice ways or drains.

Referred to the Committee on Mines and Mining.

By Mr. POST. HOUSE BILL No. 1153.

An Act to relieve life tenants of land from the payment of taxes on the underlying veins of coal which they have no right to operate, and providing that such coal shall be assessed to and the taxes thereon paid by the owner of said veins of coal.

Referred to Committee on Counties and Townships.

By Mr. McCALL. HOUSE BILL No. 1154.

An Act making an appropriation to the Braddock General Hospital, Braddock, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. McKIM. HOUSE BILL No. 1155.

An Act making an appropriation to the Columbia Hospital, Wilkinsburg, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. WONER. HOUSE BILL No. 1156.

An Act to amend section one of an act approved the third day of May, one thousand eight hundred and ninety-nine (Pamphlet Laws, one hundred eighty-nine), entitled, "An Act to provide for the payment of bonus on charters, and upon the authorized increase of the capital stock of certain corporations to increase their capital stock for corporate purposes," by providing for the payment of such bonus on the renewals and extensions of the charters of state banks.

Referred to Committee on Ways and Means.

By Mr. WONER. HOUSE BILL No. 1157.

An Act relating to the posting of and trespassing on private land.

Referred to Committee on Judiciary Special.

By Mr. METCALF. HOUSE BILL No. 1158.

An Act to amend sections twenty-four as amended, section twenty-six as amended, twenty-nine as amended, section thirty, thirty-one, thirty-two, thirty-three as amended, and thirty-four and thirty-five of an act approved the thirtieth day of June, one thousand nine hundred and nineteen, (P. L. 678), entitled, "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," by providing for the hearing and disposition of certain violations thereof by traffic courts, creating traffic courts and providing for the appointment and compensation of the judges thereof.

Referred to the Committee on Public Roads.

By Mr. METCALF. HOUSE BILL No. 1159.

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to faciliate the recovery of motor vehicles stolen or unlawfully taken; regulating the certification of such titles, the purchase, sale and transfer of motor vehicles, and their registration; providing for the collecting of fees for the certification of titles, and for disposition thereof; forbidding the destruction, removal, alteration, covering or defacement of any engine, manufacturer's or other distinguishing number or identification mark on motor vehicles, and providing for the assignment of special numbers in certain cases; imposing duties on the State Highway Commissioner, sheriffs, constables, police officers and other peace officers; and providing penalties.

Referred to the Committee on Public Roads.

By Mr. FLYNN. HOUSE BILL No. 1160.

An Act making an appropriation to the Elk County General Hospital, of Ridgeway, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. RHODES. HOUSE BILL No. 1161.

An Act making an appropriation to the General Hospital, East Stroudsburg, Monroe County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BROWN. HOUSE BILL No. 1162.

An Act to establish as a State Highway a certain section of public road in the counties of Dauphin and Lancaster.

Referred to Committee on Public Roads.

By Mr. ALLEN J. STEVENS. HOUSE BILL No. 1163.

An Act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same.

Referred to Committee on Military.

By Mr. STORER. HOUSE BILL No. 1164.

An Act amending an act entitled "An Act for the better and more impartial selection of persons to serve as jurors, in each of the counties of this Commonwealth," approved the 10th day of April, A. D. 1867, Pamphlet Laws, page 62.

Referred to Committee on Judiciary Local.

By Mr. FRATT. HOUSE BILL No. 1165.

An Act authorizing cities, boroughs, towns and townships to purchase burial plots for certain deceased service men.

Referred to Committee on Military.

By Mr. FRATT. HOUSE BILL No. 1166.

An Act making an appropriation to Montgomery Hospital at Norristown, in the county of Montgomery.

Referred to the Committee on Appropriations.

By Mr. BALDI. HOUSE BILL No. 1167.

An Act regulating service of process from the courts of common pleas, or other courts of record, and extending the territorial jurisdiction thereof in certain cases.

Referred to Committee on Judiciary General.

By Mr. WILLIAM T. BELL. HOUSE BILL No. 1168.

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities, and providing for the division of the assets and liabilities of said townsnips.

Referred to Committee on Municipal Corporations.

By Mr. BAKER. HOUSE BILL No. 1169.

An Act to establish as a State Highway a certain section of public road in the county of Dauphin.

Referred to Committee on Public Roads.

By Mr. O'BOYLE. HOUSE BILL No. 1170.

An Act to further amend section six of an act, approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State High-

way Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or tollroads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts in consistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. McCAIG. HOUSE BILL No. 1171.

An Act to amend section one of an act approved the eighteenth day of July, one thousand nine hundred and nineteen (Appropriation Acts, 246), entitled "An Act making an appropriation to the Water Supply Commission of Pennsylvania or the Department of Conservation for the purpose of co-operating with the Goverment of the United States in making investigations, examinations, and surveys, and in preparing plans and estimates of cost, with a view of devising andcarrying into effect plans for controlling the flood waters of rivers and their tributaries being either in whole or in part within this Commonwealth," saving said appropriation from lapsing.

Referred to Committee on Appropriations.

By Mr. STARK. HOUSE BILL No. 1172.

An Act providing that the State Highway Commissioner may construct, reconstruct, improve, or repair at the expense of the Commonwealth any portion of a township or district road which is bounded on either side or on both sides by a State Forest.

Referred to the Committee on Forestry.

By Mr. SOWERS. HOUSE BILL No. 1173.

An Act providing that the address of holders of second mortgages shall be noted in the margin of the record of first mortgages, and that notice of foreclosure proceedings shall be given to such holders of second mortgages.

Referred to the Committee on Judiciary Special.

By Mr. STONER. HOUSE BILL No. 1174.

An Act to amend an act approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof;" by providing that said court shall consist of six judges.

Referred to the Committee on Judiciary General.

By Mr. STONER. HOUSE BILL No. 1175.

A supplement to an act approved the fifth day of May, one thousand nine hundred and eleven, (P. L. 198) entitled, "An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," further regulating appeals to the Common Pleas Court; regulating hearings in desertion and non-support cases; the handling of Juvenile cases and providing for the designation of two judges for such purposes.

Referred to the Committee on Judiciary General.

By Mr. STEEDLE. HOUSE BILL No. 1176.

An Act making an appropriation to the De Paul Institute, of Mount Lebanon Township, Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STEEDLE. HOUSE BILL No. 1177.

An act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of Nurses the issuance of a license to practice nursing, and fixing a standard educational requirement for entrance into training schools for nurses.

Referred to the Committee on Public Health and Sanitation.

By Mr. STEEDLE. HOUSE BILL No. 1178.

An act to amend sections One, Two, Three, Five and Seven, as amended, of an Act, approved the first day of May, one thousand nine hundred and nine, Pamphlet Laws three hundred and twenty-one, entitled "An act to provide for State Registration of Nurses, to establish a State Board of Examiners in connection therewith, and to provide penalties for the violation of certain provisions regarding such registration; by providing for a change in membership of the Board; for a change in salary of the secretary, treasurer, the educational director and the members of the Board.

Referred to the Committee on Public Health and Sanitation.

By Mr. GEORGE W. WILLIAMS. HOUSE BILL No. 1179.

An act to amend an act approved the thirtieth day of June, one thousand nine hundred and nineteen, (Pamphlet Laws, six hundred and seventy-eight), entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles: requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle;" as amended, by further regulating the use of registration plates: prescribing fees for omnibuses and changing other existing fees; changing the date for the licensing year; limiting the weights of certain trailers; providing for the examination of operators; authorizing the State Highway Commissioner to publish and sell lists of registration; authorizing municipalities to enact certain ordinances; making an appropriation for refunding moneys; and providing penalties.

Referred to the Committee on Public Roads.

By Mr. BIDELSPACHER. HOUSE BILL No. 1180.

An act requiring cities of the third class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions.

Referred to the Committee on Pensions and Gratuities.

By Mr. HAINES. HOUSE BILL No. 1181.

An act authorizing the State Fair Commission to acquire lands by purchase or condemnation, and making an appropriate therefor, and for the improvement thereof.

Referred to the Committee on Agriculture.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 1182.

An act to amend section five hundred and twenty-four as amended of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith", by providing for the classification of real estate for the purpose of taxation into two classes; to wit, the buildings on land and the land exclusive of buildings, and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings, in cities of the second class.

Referred to the Committee on Education.

By Mr. HAINES. HOUSE BILL No. 1183.

An act reappropriating the unexpended balance of an appropriation made by the General Assembly of one thousand nine hundred and twenty-one to the State Fair Commission.

Referred to the Committee on Agriculture.

By Mr. SPROWLS. HOUSE BILL No. 1184.

An act making an appropriation to the Pennsylvania training School at Morganza, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 1185.

An act establishing and creating the office of the fire marshall in counties of the second class in the Commonwealth of Pennsylvania, providing for the appointment of fire marshals, deputies and assistant fire marshals in such counties, providing for the fixing and determining of the salaries to be paid such fire marshals, deputies and assistant fire marshals, defining their powers and duties and providing for a review by the courts of common pleas of such counties of all the orders of such fire marshals and providing for the filling of liens for the costs of removal of nuisances and regulating the adjustment of fire losses, authorizing the county commissioners of such counties to provide suitable offices for such fire marshals and the necessary equipment stationery and clerk hire therefor, authorizing the appointment and fixing the salary of a solicitor for such fire marshals, prescribing his duties, and providing fines and penalties for violation of the orders of the fire marshals.

Referred to the Committee on Counties and Townships.

By Mr. LABAR. HOUSE BILL No. 1186.

An act to establish as a State Highway a certain section of public road in the county of Pike.

Referred to the Committee on Public Roads.

By Mr. PRICE. HOUSE BILL No. 1187.

An act conferring upon cities of the second class power and authority to create and conduct as part of the legal department a Bureau of Conciliation, Small Claims, and Legal Aid.

Referred to the Committee on Judiciary General.

By Mr. EACHES. HOUSE BILL No. 1188.

An act permitting fishing on Sunday with one rod and two hooks; and fixing penalties.

Referred to the Committee on Law and Order.

By Mr. JOSEPH MARCUS. HOUSE BILL No. 1189.

An act establishing additional magistrates' courts in the City of Philadelphia.

Referred to the Committee on Judiciary General.

By Mr. HONTZ. HOUSE BILL No. 1190.

An act providing for the granting of licenses to practice dentistry to certain persons who served in the army or navy of the United States or any branch or unit thereof.

Referred to the Committee on Public Health and Sanitation.

By Mr. HAWS. HOUSE BILL No. 1191.

An act making it unlawful to secretly contaminate any of the elements which lead to a perversion of food, air, water, or any other provisions or commodity intended or utilized for the preservation, promulgation or restoration of health; and providing penalties.

Referred to the Committee on Public Health and Sanitation.

By Mr. LUCAS. HOUSE BILL No. 1192.

An act making an appropriation to the Women's Homeopathic Hospital, of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. HAWS. HOUSE BILL No. 1193.

An act providing for resettlements by the Board of Public Accounts of mercantile taxes erroneously paid into the State Treasury.

Referred to the Committee on Ways and Means.

By Mr. HAWS. HOUSE BILL No. 1194.

An act making an appropriation to the trustees of the Samaritan Hospital, Philadelphia, Pennsylvania.

Referred to the Committee an Appropriations.

By Mr. KOHLER. HOUSE BILL No. 1195.

An act providing a measure for the determination of the proportion of the cost of public improvements which may be assessed against abutting property as benefits in cities; and providing for and regulating appeals from viewers reports assessing benefits, the procedure thereon and the hearings before the Court of Common pleas and its action thereon.

Referred to the Committee on Municipal Corporations.

By Mr. KOHLER. HOUSE BILL No. 1196.

An Act providing that corporations may issue notes, mortgages and other obligations at a higher rate of interest than six per cent.

Referred to Committee on Judiciary General.

By Mr. LITTLE. HOUSE BILL No. 1197.

An Act to amend section one of an act approved the twenty-eighth day of April, one thousand eight hundred and eighty-seven (Pamphlet Laws, sixty-three), entitled "An act in relation to the imprisonment, government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon," by changing the name of said institution.

Referred to Committee on Law and Order.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 1198.

An Act making an appropriation to the Mercy Hospital, of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. PRICE. HOUSE BILL No. 1199.

An Act making an appropriation to the Passavant Hospital, of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. ZOOK. HOUSE BILL No. 1200.

An Act to establish as a State Highway a certain section of public road in the county of Blair.

Referred to Committee on Public Roads.

By Miss MacKINNEY. HOUSE BILL No. 1201.

An Act to protect the health and welfare of women and minors employed in industry by establishing a Minimum Wage Board in the Department of Labor and Industry, and providing for the determination of living wages for women and minors, and providing penalties.

Referred to Committee on Labor and Industry.

By Mr. WILLISTON P. WOOD. HOUSE BILL No. 1202.

An act to amend section one of the act approved the twelfth day of June, one thousand nine hundred and nineteen, (Appropriation Acts, page 31), entitled "An act reappropriating certain moneys to the rustees of the State Hospital for the Insane, at Warren, Pennsylvania;" preventing the lapsing of said appropriation.

Referred to the Committee on Appropriations.

By Mr. ALLEN J. STEVENS. HOUSE BILL No. 1203.

An act providing a method through which the Commonwealth may co-operate with individuals in building fences to protect farm crops and fruit orchards against damage from wild deer, and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. JOSEPH C. MARCUS. HOUSE BILL No. 1204.

An act making an appropriation to the Duquesne University of the Holy Ghost, Pittsburgh, Pa.

Referred to the Committee on Appropriations.

By Mr. BURNS. HOUSE BILL No. 1205.

An act regulating the sale of anthracite coal; fixing a standard of clean coal; requiring inspectors of weights and measures in certain cases to make a test thereof; and providing penalties.

Referred to the Committee on Mines and Mining.

By Mr. MINEHART. HOUSE BILL No. 1206.

An Act to amend Route number two hundred and sixty-four of section six of the act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight), entitled "An Act providing for the establishment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining the same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and Stateaid highways; providing method of application for State aid in the improvement, maintenance and repair of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Referred to Committee on Public Roads.

By Mr. KELLY. HOUSE BILL No. 1207.

An Act to further amend section one of an act approved the third day of May, one thousand nine hundred and nine, (P. L. 424), entitled, "An Act providing that in all counties having more than five hundred thousand inhabitants, advertisements and notices, required by law or rules of court to be published in newspapers of general circulation, unless dispensed with by special order of court shall be published in the legal newspaper, issued at least weekly, of the proper county, designated by rules of court for the publication of court or other legal notices," as amended; by exempting from the provisions of said act the advertisement of viewers' proceedings, and of the issue and sale of bonds.

Referred to the Committee on Judiciary Special.

By Mr. BEAVER. HOUSE BILL No. 1208.

An Act making an appropriation to the Pennsylvania State College to reimburse the said college for loss of interest on a bond of the Commonwealth for the benefit of said college, which bond has matured.

Referred to the Committee on Appropriations.

By Mr. BEAVER. HOUSE BILL No. 1209.

An Act making an appropriation to the Cottage State Hospital, of Philipsburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. RAYMOND. HOUSE BILL No. 1210.

An Act making an appropriation to the Corry Hospital Association, of Corry, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BIDELSPACHER. HOUSE BILL No. 1211.

An Act establishing a certain public road in the County of Lycoming and in the County of Tioga as a State Highway and providing for the construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. BIDELSPACHER. HOUSE BILL No. 1212.

An Act to amend section one of an act approved the eleventh day of July, one thousand nine hundred and seventeen, (P. L. 832) entitled, "An Act for the imposition and collection of certain inheritance taxes," providing that credit shall be allowed for the cost of erecting a suitable tombstone over the grave of decedent.

Referred to the Committee on Ways and Means.

By Mr. BIDELSPACHER. HOUSE BILL No. 1213.

An Act making an appropriation to the Williamsport Hospital, of the City of Williamsport, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BIDELSPACHER. HOUSE BILL No. 1214.

An Act to amend section 16, (a) of the Act approved the seventh day of June, one thousand nine hundred and seventeen, (Pamphlet Laws four hundred fifteen), entitled and known as the Register of Wills Act of 1917," changing the time limit within which those interested shall appeal from the decree of the Register.

Referred to the Committee on Judiciary Local.

By Mr. METCALF. HOUSE BILL No. 1215.

An Act to establish as a State Highway a certain section of Public road in the county of Delaware.

Referred to the Committee on Public Roads.

By Mr. BROMLEY. HOUSE BILL No. 1216.

An Act authorizing certain corporations to create and issue and convert their authorized and outstanding capital stock into shares of any class or kind, either with or without nominal par value; and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof.

Referred to the Committee on Judiciary Special.

By Mr. WHEELER. HOUSE BILL No. 1217.

An Act to amend Route Number Ninety-three of section six of the act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of townships or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to Committee on Public Roads.

By Mr. McBRIDE. HOUSE BILL No. 1218.

An Act to amend an act approved the sixteenth day of May, 1921, being an act to amend an act approved the 30th day of June, 1919, entitled: "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and taxing registration, or licensing thereof; imposing certain duties on the State Highway Department Commissioner and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle;" providing additional requirements with regard to applications for, and transfers of registrations, and with regard to speed and weight of, and lights upon, motor vehicles; requiring operators to carry registration certificates; providing standard tests to ascertain the vision and hearing of operators; providing for the payment of certain witness fees; authorizing officers to stop and examine motor vehicles; designating the officers before whom information may be brought; and imposing additional penalties.

Referred to the Committee on Public Roads.

By Mr. METCALF. HOUSE BILL No. 1219.

An Act making it a misdemeanor in office for any magistrate alderman or justice of the peace to refuse to admit to bail a person charged with a bailable offense.

Referred to the Committee on Judiciary Local.

By Mr. WONER. HOUSE BILL No. 1220.

An Act requiring the co-operation of certain public officers in the enforcement of the laws of the Commonwealth relating to intoxicating liquors; and providing penalties for failure to do so.

Referred to the Committee on Law and Order.

By Mr. HALL. HOUSE BILL No. 1221.

An Act to provide for the re-incorporation as a stock company of certain corporations organized under the laws of Pennsylvania for the maintenance of a society for beneficial or protective purposes to its members from funds collected therein.

Referred to the Committee on Judiciary General.

By Mr. HEYBURN. HOUSE BILL No. 1222.

An Act to establish as a State Highway a certain section of public road in the county of Delaware.

Referred to the Committee on Public Roads.

By Mr. GILCHRIST. HOUSE BILL No. 1223.

An Act to amend section eight of the act approved the eleventh day of May, one thousand nine hundred and five, (P. L. 400), entitled "An Act to provide for the selection of a site and the erection of a state hospital for the treatment and care of the criminal insane, to be called the State Hospital for the Criminal Insane, and making an appropriation therefor," as amended; changing the name of said hospital.

Referred to the Committee on Judiciary Local.

By Mr. KUNKLE. HOUSE BILL No. 1224.

An Act regulating service of process and authorizing the service of writs of summons and other process in any county of the Commonwealth.

Referred to the Committee on Judiciary Special.

By Mr. LAUVER. HOUSE BILL No. 1225.

An Act to establish as a State Highway a certain section of Public road in the county of Juniata.

Referred to the Committee on Public Roads.

By Mr. ALLEN J. STEVENS. HOUSE BILL No. 1226.

An Act to amend section three hundred and three of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Referred to the Committee on Education.

By Mr. ZOOK. HOUSE BILL No. 1227.

Requiring fire insurance companies, associations, and exchanges to attach to all policies certain certificates of examination of insured premises.

Referred to the Committee on Insurance.

By Mr. ZOOK. HOUSE BILL No. 1228.

An act to repeal the act approved the twelfth day of June, one thousand nine hundred and nineteen, (P. L. 461), entitled, "An act to provide for the removal or retirement of judges of the Supreme, Superior, common pleas, orphans' municipal, and county court, permanently disqualified by reasons of physical or mental disability to perform their regular judicial functions or duties, and providing for the payment of compensation to them during the balance of the term for which they may have been elected, and, in certain cases for the remainder of their lives after resignation or retirement, and for filling the vacancies caused thereby; providing for judges who have been retired or who may have retired or resigned under provisions or previous acts or otherwise; and repealing certain acts."

Referred to the Committee on Counties and Townships.

By Mr. HORNE. HOUSE BILL No. 1229.

To further amend section one thousand two hundred ten as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to the Committee on Education.

By Mr. DIETZ. HOUSE BILL No. 1230.

An act to amend section one of the act approved the twenty-seventh day of March, one thousand eight hundred and seventy-three, (P. L. 54), entitled "an act to organize the State Hospital for the Insane at Danville, and provide for the government and management of the same;" as amended by changing the corporate name of the said hospital.

Referred to the Committee on Judiciary Local.

REPORTS FROM COMMITTEES

Mr. JOSEPH MARCUS, from the Committee on Judiciary General, reported as committed, House Bill No. 965, entitled,

An Act to repeal an act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 991), entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subjected to supervision and examination by the Banking Department."

Mr. BUSH, from the Committee on Education, reported as committed House Bill No. 666, entitled,

An Act to amend section two thousand one hundred five of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first, second, and third classes.

Mr. HIMES, from the Committee on Counties and Townships, reported as committed House Bill No. 671, entitled,

An Act to amend sections one and three of the act approved the tenth day of June, one thousand nine hundred and nineteen, (P. L. 893) entitled "An Act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties."

Miss MacKINNEY, from the Committee on Law and Order, reported as committed House Bill No. 999, entitled,

An Act providing for the refunding of liquor license fees and additional taxes to holders of licenses to manufacture or sell vinous, spirituous, malt or brewed liquors, or any admixture thereof, intoxicating liquor or ethyl alcohol, where the Act of Assembly under the authority of which such licenses were granted has been repealed by the General Assembly of one thousand nine hundred and twenty-three prior to the expiration of the license year for which such licenses were issued; providing for the payment of such refund in certain cases by the county in which such license was granted and the repayment to such county by the city, borough, township and state of their respective shares of such refund and for the payment of such refund in certain cases by the State alone; providing the procedure in such cases and making an appropriation.

Mr. SAMPLE, from the Committee on Agriculture, reported as committed House Bill No. 959, entitled,

An Act to repeal the act approved the eleventh day of July, one thousand nine hundred and seventeen, (P. L. 818), entitled "An Act relating to dogs, and the protection of livestock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done by dogs, and payment thereof by the proper county to the owners of livestock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, and on city councils of cities of the first and second class; and providing penalties," and section thirty-nine of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 521), entitled "An act relating to dogs, and the protection of live stock and poultry from damages by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys

collected into the State Treasury; and making an appropriation thereof; and providing penalties."

Mr. PEELOR, from the Committee on Education, reported as committed, House Bill No. 757, entitled,

An Act providing for advancements from appropriations to school districts of the third and fourth class for the purpose of assisting in the rebuilding of destroyed school buildings or of consolidating or constructing school buildings; establishing a fund in the State treasury for such purposes; and providing for the withholding of a part of the annual appropriations to such districts.

Mr. POST, from the Committee on Law and Order, reported as committed House Bill No. 936 , entitled,

An Act for the repression of prostitution and assignation making it unlawful to solicit, aid or permit prostitution; or to use or permit the use of any place for the purpose of prostitution or assignation; making certain evidence admissable in proceedings under this act, authorizing the commitment of prostitutes to private institutions; providing for their parole; and prescribing penaltes.

Mr. KUNKLE, from the Committee on Law and Order, reported as committed House Bill No. 869, entitled,

An Act relating to the proof of intoxicating liquors sold, offered for sale or furnished, and providing penalties.

Mr. KUNKLE, from the Committee on Law and Order, reported as amended House Bill No. 1010, entitled,

An Act prohibiting the sale of brewed and malt liquors to minors.

Mr. PARKINSON, from the Committee on Agriculture, reported as amended House Bill No. 693, entitled,

An Act providing for the quarantine and control of the Japanese Beetle; imposing certain powers and duties on the Department of Agriculture; and providing penalties.

Mr. McCAIG, from the Committee on Appropriations, reported as amended, House Bill No. 121.

An Act making a deficiency appropriation to the State Hospital of Coaldale.

Mr. McCAIG, from the Committee on Appropriations, reported as committed House Bill No. 790, entitled,

An Act making a deficiency appropriation to the Pennsylvania Training School at Morganza, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as committed House Bill No. 641, entitled,

An Act making a deficiency appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb.

Mr. McCAIG, from the Committee on Appropriations, reported as committed House Bill No. 777, entitled,

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind.

Mr. McCAIG, from the Committee on Appropriations, reported as amended, House Bill No. 306, entitled,

An Act making a deficiency appropriation to the State Hospital for the Criminal Insane, at Fairview, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as amended House Bill No. 782, entitled,

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb, Mount Airy, Philadelphia, to cover deficiency in maintenance and education of State pupils.

Mr. GOEHRING, from the Committee on Judiciary General, reported as committed, House Bill No. 695, entitled,

An Act to amend clause (a), section two and section seven of an act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 388), entitled, "An Act relating to the jurisdiction, powers, and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground-rent, leases, extinguishment of ground rents, partition, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and, for such purpose the laying out or dedication of roads, streets and alleys, or the vacation of such as have not been accepted by the public authorities, where the court shall be of opinion that such decree will be to the interest and advantage of all those interested; and where the legal title is held by minors, lunatics, habitual drunkards, or weak-minded persons, a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years; by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial, or charitable society or association, incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law; by a corporation, or individual or individuals. and is subject to a trust of any description whatever; by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory devises, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the State, have died, refused to act, unreasonably withhold consent, or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will, and the necessary power is not given to the executor, devisee, or appointee to make sale and conveyance; where a trust has been created, and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decree," extending the provisions of said act to cases where real estate or ground rent issuing thereout is held by an epileptic, insane, feeble-minded or weak-minded person, or by a wife whose husband is an habitual drunkard, or an epileptic, insane, feeble-minded or weak-minded person, or by a wife whose husband is an habitual drunkard or an epiletic, insane feeble-minded or weak-minded person declaring the effect of decrees as to barring dower, courtesy and interest of a surviving spouse under the intestate laws.

Mr. WILLISTON P. WOOD, from the Committee on Law and Order, reported as committed, House Bill No. 1082, entitled,

An act making it unlawful to interfere or attempt to interfere with persons about to procure marriage licenses, or to influence or attempt to influence such persons to go to certain officers for such purpose.

Mr. McBRIDE, from the Committee on Counties and Townships, reported as committed, House Bill No. 911, en-

An Act to provide for the erection of new or additional buildings for the maintenance, care and treatment of the poor, indigent insane, and indigent persons afflicted with tuberculosis in poor districts in counties of the second class which now maintain or which shall hereafter maintain a poor house, or a hospital or sanitarium for such purposes; authorizing the county commissioners to borrow moneys, issue and negotiate the sale of bonds, and to levy taxes for the payment of the same.

Mr. BLUETT, from the Committee on Judiciary General, reported as committed House Bill No. 873, entitled,

An Act to amend section nine of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 427), entitled, "An Act to Consolidate, Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings".

Mr. EDMONDS, from the Committee on Judiciary General, reported as committed House Bill No. 983, entitled,

An act authorizing John J. Higgins of the City of Philadelphia, Pennsylvania, to bring suit against this Commonwealth.

Mr. EDMONDS, from the Committee on Judiciary General, reported as committed House Bill No. 460, entitled,

A supplement to the act approved the second day of June, one thousand nine hundred and fifteen, (Pamphlet laws 762), entitled, "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes or subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof;" providing for the auditing of the State Workmen's Insurance Fund and the payment of the costs thereof.

Mr. STARK, from the Committee on Education, reported as amended House Bill No. 712, entitled,

An Act to amend section six of an act approved the twenty-sixth day of June, one thousand eight hundred and ninety-five, (P. L. 327), entitled "An Act to provide for the incorporation of institutions of learning with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law, and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees; and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas, with power to confer degrees, in cases where such colleges have, at the time of the passage of this act, a specified amount of capital or resources," as amended; by prescribing additional requirements for institutions conferring degrees; making certain exceptions therefrom; and imposing certain duties on the State Council of Education.

Mr. STARK, from the Committee on Fisheries, reported as amended House Bill No. 793, entitled,

An Act to amend section seven of the act approved the twenty-second day of May, one thousand eight hundred and eighty-nine (Pamphlet Laws, two hundred sixty-one), entitled "An Act for the protection of shad and game fish in the river Delaware."

Mr. WILLIAM T. BELL, from the Committee on Counties and Townships, reported as committed House Bill No. 902, entitled,

An Act to amend section ten hundred and twenty-five of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled, "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

Mr. GEORGE W. WILLIAMS, from the Committee on Appropriations, reported as committed House Bill No. 773, entitled,

An Act making a deficiency appropriation to the Commission of the Soldiers' Orphans Industrial School at Scotland.

Mr. GEORGE W. WILLIAMS, from the Committee on Appropriations, reported as committed, House Bill No. 783, entitled,

An Act making a deficiency appropriation to the Home for Training in Speech of Deaf Children before they are of school age, at Philadelphia, Pennsylvania.

Mr. GEORGE W. WILLIAMS, from the Committee on Appropriations, reported as amended, House Bill No. 784, entitled,

An Act making a deficiency appropriation to the Eastern State Penitentiary.

Mr. GEORGE W. WILLIAMS, from the Committee on Appropriations, reported as amended House Bill No. 788, entitled,

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania, located at Blossburg, Pennsylvania, to cover a deficiency in maintenance for the two fiscal years ending May thirty-first, one thousand nine hundred twenty-three.

Mr. McBRIDE, from the Committee on Counties and Townships, reported as amended, House Bill No. 579, entitled:

An Act providing for the location construction, operation, maintenance and vacation of public roads or highways, bridges, tunnels subways and underground roads within second class counties of this Commonwealth, either wholly or partly within the territorial limits of cities, boroughs and townships thereof, and the taking over by the county of such improvements from township making such improvements county improvements; establishing procedure for undertaking or vacating of improvements by the county commissioners, and the mode of taking exceptions thereto; providing for the entry upon and appropriation of property for the purpose of planing and making improvements, the compensation to be paid therefor, and the payment of damages and the assessment of benefits resulting from such improvements, and the manner in which such damages and benefits may be determined; providing for the filing, reviving and collecting of liens arising from any assessment of benefits thereunder; providing for the payments of the costs and expenses of such construction, and improvement and the maintenance and operation thereafter; providing for the letting of contracts for such improvements or maintenance and for the making of such improvements or the maintenance thereof by the county commissioners themselves; defining the duties of the county commissioners with reference to such county improvements and authorizing them to employ the necessary persons and maintain the necessary equipment to perform their duties; providing for the contracting by counties of the second class with railway or transportation companies for the concurrent use of county improvements; authorizing the levy of a tax and the issuance of bonds by counties of the second class to provide funds for said purposes; providing for the entry upon and appropriation by said counties of highways, streets and properties of cities and boroughs necessary for such improvements, and for the maintenance and control of said highways, streets, and properties by said counties after said entry and appropriation; requiring the county commissioners of said counties to prepare a county road plan, and prohibiting the award of damages for the taking of improvements made by persons within the lines located on said plan after its adoption, and requiring the removal by the owner of improvements made within the lines of relocated highways on said plan; authorizing the county commissioners of said counties to appoint persons to inspect, repair and control county roads with power to enforce laws; and authorizing the county commissioners of said counties to establish regulations for the use of county roads, including penalties for violations.

Mr. CONNER, from the Committee on Counties and Townships, reported as committed House Bill No. 745 (Senate Bill No. 98), entitled

An Act to repeal an act approved the ninth day of April, one thousand eight hundred and sixty-eight (Pamphlet Laws seventy-three) entitled "A Supplement to an act relating to counties and townships and county and township officers, approved April fifteenth, one thousand eight hundred and thirty-four relating to public buildings."

Mr. GOSS, from the Committee on Education, reported as committed House Bill No. 752 (Senate Bill No. 129), entitled

An Act to amend sections five hundred and forty and five hundred and forty-one as amended, of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. HASLETT, from the Committee on Counties and Townships, reported as committed House Bill No. 1142 (Senate Bill No. 291), entitled

An Act to amend section one of the act approved the twenty-third day of May, one thousand nine hundred and seven, (P. L. 225), entitled "An Act providing for the payment of the premiums on bonds of county, city, borough, school-district, and township employes;" extending the provisions thereof to officers.

Mr. HEYBURN, from the Committee on Counties and Townships, reported as committed House Bill No. 1143 (Senate Bill No. 292), entitled

An Act to amend section ten of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three), entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, precribing his duties and abolishing the office of county auditor in said counties."

Mr. CHAS. B. JONES, from the Committee on Counties and Townships, re-reported as amended House Bill No. 476, entitled

An Act creating, regulating and defining the powers of a county Planning Commission and authorizing the creation of a county plan in counties of the second class requiring the county commissioners to furnish to the commission before passage; resolutions relating to county improvements to roads, lands, buildings or means of communications; authorizing the commission to report suggestions to the county commissioners concerning improvements and to appear in court with reference thereto; authorizing the making of a county map and plan, including territory extending three miles beyond the county limits, showing proposed improvements in roads, lands, buildings and means of communication, making it unlawful to record plans of land with streets or highways intended for dedication to public use except in boroughs or cities without first securing approval from the commission and making disapproval of a plan by the commission a refusal of proposed dedication.

Mr. METCALF, from the Committee on Counties and Townships, re-reported as amended House Bill No. 541, entitled

An Act to amend an act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty), entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" as amended by authorizing the court of Quarter Sessions to abolish all wards existing in any township of the first class and to re-divide such township into new wards.

Mr. SOWERS, from the Committee on Judiciary General, reported as amended House Bill No. 160, entitled

An Act concerning counties and county officers, and revising, amending, consolidating and changing the law relating thereto.

BILL RE-REFERRED.

Mr. CLUTTON, returned from the Committee on Education, with the recommendation that it be re-referred to the Committee on Judiciary General, House Bill No. 754 (Senate Bill No. 263), entitled

An Act to amend section one of an act approved the eighth day of May, one thousand nine hundred and nine, (P. L. 475), entitled "An Act to provide that admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself, without more, operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth; and to provide that disbarment or suspension of any attorney by the said Supreme Court shall of itself, without more, operate as a disbarment or suspension of such attorney as an attorney in every other court of this Commonwealth," as amended; by requiring the approval of the local board of examiners to entitle attorneys-at-law to practice before the different courts.

The SPEAKER. The bill is now re-referred to the Committee on Judiciary General.

LEAVES OF ABSENCE.

Mr. WALKER asked and obtained leave of absence for Mr. Heffran.

The SPEAKER asked and obtained leave of absence for Mr. Anderson.

RESOLUTIONS.

COMMISSION TO MAKE SURVEY OF PENSIONS.

Mr. VICKERMAN offered the following resolution, which was read and laid over under the rules:

Whereas, at each session of the Legislature, bills are introduced for the purpose of providing pensions for State county and municipal officers and employes upon their retirement from office, many of these bills imposing a mandatory obligation upon the State, counties and municipalities, and

Whereas, the Legislature cannot during the busy weeks of its session ascertain the conditions and facts surrounding these demands and deal fairly with those who would receive the benefit of legislation of this class and also with the taxpayer whose money is appropriated, and

Whereas the existing pension laws for State county and municipal officers and employes differ greatly as to conditions under which benefits can be granted and as to the methods by which the necessary revenues are obtained, and

Whereas, it is the sense of the members of this Legislature that all public pension funds should be placed on a sound uniform and equitable basis under a fixed State policy, therefore be it

Resolved (if the Senate concur) That a commission of seven members be appointed, two by the President of the Senate and three by the Speaker of the House and two by the Governor to be known as the "Public Service Pension Commission" to make a survey of all pension and retirement funds for the officers and employes of the State and the various county and municipal governments, to investigate the question of the desirability of establishing a uniform equitable system of retiring State, county and municipal employes and whether a proper standard can be established for fixing the basis of such pensions to the end that all shall be dealt with fairly, the said commission to report their findings together with any recommendations thereon at the next session of the Legislature, and

That the members of said commission shall serve without compensation and the expenses of said commission shall be limited to five thousand ($5,000) dollars or so much thereof as may be necessary and that the same be provided for in the next general appropriation bill.

COMMITTEE TO INVESTIGATE TRIAL OF PITTSBURGH ELECTION CASES.

Mr. VICKERMAN introduced the following resolution which was read and laid over under the rules.

A concurrent resolution authorizing the appointment of a joint committee of the Senate and House to investigate the trail of election cases in Allegheny County and to make a report thereon to the present General Assembly.

Whereas for many years there has been wide spread complaint of gross fraud in elections in Allegheny County, which, it is averred, subvert the will of the people of that County and of the City of Pittsburgh, which complaints have resulted in numerous prosecutions of election officials and others; and,

Whereas no such prosecutions have resulted in convictions which has led many to the belief that the course of justice has been corrupted, that political influence is stronger than the courts and that juries are tampered with, all of which is bringing the Courts of justice into disrepute and is destroying the foundations of government.

Section 1. Be it resolved (if the Senate concur) That a committee to consist of two members of the Senate to be appointed by the Lieutenant-Governor, and three members of the House to be appointed by the Speaker, shall be appointed to investigate the trial of election cases in Allegheny County and to make a report to the present General Assembly in sufficient time before adjournment to be considered by the General Assembly in reference to passage of jury bills and election bills now pending.

Section 2. The committee shall make a thorough and prompt investigation of the trial of election cases in Allegheny County and report their findings and recommendations at the earliest possible time. They shall have authority to issue subpoenas for persons and records and shall be allowed their traveling and other expenses, including, if need be, the services of an attorney and clerk.

Section 3. The sum of five hundred dollars ($500.00), or so much thereof as may be necessary is hereby specifically appropriated for the use of the committee, payment to be made on order of the committee accompanied by itemized and verified vouchers and on warrant of the Auditor General.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 170, as follows:

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of article three of the Constitution of Pennsylvania which reads as follows

"The General Assembly shall not pass any local or special law

Authorizing the creation extension or impairing of liens

Regulating the affairs of counties cities townships wards boroughs or school districts

Changing the names of persons or places

Changing the venue in civil or criminal cases

Authorizing the laying out opening altering or maintaining roads highways streets or alleys

Relating to ferries or bridges or incorporating ferry or bridge companies except for the erection of bridges crossing streams which form boundries between this and any other state

Vacating roads town plats streets or alleys

Relating to cemeteries graveyards or public grounds not of the State

Authorizing the adoption or legitimation of children

Locating or changing county seats erecting new counties or changing county lines

Incorporating cities towns or villages or changing their charters

For the opening and conducting of elections or fixing or changing the place of voting

Granting divorces

Erecting new townships or boroughs changing township lines borough limits or school districts

Creating offices or prescribing the powers and duties of officers in counties cities boroughs townships election or school districts

Changing the law of descent or succession

Regulating the practice or jurisdiction of or changing the rules of evidence in any judicial proceeding or inquiry before courts aldermen justices of the peace sheriffs commissioners arbitrators auditors masters in chancery or other tribunals or providing or changing methods for the collection of debts or the enforcing of judgments or prescribing the effect of judicial sales of real estate

Regulating the fees or extending the powers and duties of aldermen justices of the peace magistrates or constables

Regulating the management of public schools the building or repairing of school houses and the raising of money for such purposes

Fixing the rate of interest

Affecting the estates of minors or persons under disability except after due notice to all parties in interest to be recited in the special enactment

Remitting fines penalties and forfeitures or refunding moneys legally paid into the treasury

Exempting property from taxation

Regulating labor trade mining or manufacturing

Creating corporations or amending renewing or extending the charters thereof

Granting to any corporation association or individual any special or exclusive privilege or immunity or to any corporation association or individual the right to lay down a railroad track

Nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law but laws repealing local or special acts may be passed

Nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been provided for by general law nor where the courts have jurisdiction to grant the same or give the relief asked for"

is hereby amended to read as follows

The General Assembly shall not pass any local or special law

Authorizing the creation extension or impairing of liens

Regulating the affairs of counties cities townships wards boroughs or school districts

Changing the names of persons or places

Changing the venue in civil or criminal cases

Authorizing the laying ont opening altering or maintaining roads highways streets or alleys

Relating to ferries or bridges or incorporating ferry or bridge companies except for the erection of bridges crossing streams which form boundaries between this and any other State

Vacating roads town plats streets or alleys

Relating to cemeteries graveyards or public grounds not of the State

Authorizing the adoption or legitimation of children

Locating or changing county seats erecting new counties or changing county lines

Incorporating cities towns or villages or changing their charters

For the opening and conducting of elections or fixing or changing the place of voting Provided however That the General Assembly may pass legislation providing for the installation and use of voting machines at any election or primary providing for election officials and practice in relation thereto and providing for their optional installation and use as well as installation and use by classification in such manner as the General Assembly shall from time to time direct

Granting divorces

Erecting new townships or boroughs changing township lines borough limits or school districts

Creating offices or prescribing the powers and duties of offices in counties cities boroughs townships election or school districts

Changing the law of descent or succession

Regulating the practice or jurisdiction of or changing the rules of evidence in any judicial proceeding or inquiry before courts aldermen justices of the peace sheriffs commissioners arbitrators auditors masters in chancery or other tribunals or providing or changing methods for the collection of debts or the enforcing of judgments or prescribing the effect of judicial sales of real estate

Regulating the fees or extending the powers and duties of aldermen justices of the peace magistrates or constables

Regulating the management of public schools the building or repairing of school houses and the raising of money for such purposes

Fixing the rate of interest

Affecting the estates of minors or persons under disability except after due notice to all parties in interest to be recited in the special enactment

Remitting fines penalties and forfeitures or refunding moneys legally paid into the treasury

Exempting property from taxation

Regulating labor trade mining or maunfacturing

Creating corporations or amending renewing or extending the charters thereof

Granting to any corporation association or individual any special or exclusive privilege or immunity or to any corporation association or individual the right to lay down a railroad track

Nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law but laws repealing local or special acts may be passed

Nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been provided for by general law nor where the courts have jurisdiction to grant the same or give the relief asked for

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 246, as follows:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the autnority of tne same That section eleven of article eight of the Constitution of Pennsylvania which reads as follows

"Townships and wards of cities or boroughs shall form or be divided into election districts of compact and contiguous territory in such manner as the court of quarter sessions of the city or county in which tne same are located may direct but districts in cities of over one hundred thousand innabitants shall be divided by the courts of quarter sessions having jurisdicton therein whenever at the next preceding election more than two hundred and fifty votes shall have been polled therein and other election districts whenever the court of the proper county shall be of opinion that the convenience of the electors and the public interest will be promoted thereby" is hereby amended to read as follows

Township and wards of cities or boroughs shall form or be divided into election districts of compact and contiguous territory in such manner as the court of quarter sessons of the city or county in which the said are located may direct but the courts of quarter sessions having jurisdiction therein shall have power to divide or change the boundaries of election districts whenever the court of the proper county snall be of the opinion that the convenience of the electors and the public interests will be promoted thereby

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 244, entitled:

A Joint Resolution proposing an amendment to section fourteen of article eight of the Constitution of Pennsylvania

The first section was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That section fourteen of article eight of the Constitution of Pennsylvania reads as follows

"District election boards shall consist of a judge and two inspectors who shall be chosen annually by the citizens Each elector shall have the right to vote for the judge and one inspector and each inspector shall appoint one clerk The first election board for any new district shall be selected and vacancies in election boards filled as shall be provided by law Election officers shall be privileged from arrest upon days of election and while engaged in making up and transmitting returns except upon warrant of a court of record or judge thereof for an election fraud or felony or for wanton breach of the peace In cities they may claim exemption from jury duty during their term of service" is hereby amended to read as follows

Election officers shall be privileged from arrest upon days of election and while engaged in making up and transmitting returns except upon warrant of a court of record or judge thereof for an election fraud or felony or for wanton breach of the peace In cities they may claim exemption from jury duty during their term of service provided however that this amendment shall take effect only in so far as statutes shall be duly passed and approved in exercise of the power conferred upon the Legislature by this amendment

On the question,

Will the House agree to the section?

Mr. VICKERMAN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, line 9, page 2, by striking out the word "male"

On the question,

Will the House agree to the section as amended?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

A Joint Resolution proposing an amendment to section fourteen of article eight of the Contsitution of Pennsylvania

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 245, entitled:

A Joint Resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania

The first section was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That section one article eight of the Constitution of Pennsylvania which reads as follows

"Every male citizen twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections subject however to such laws requiring and regulating the registration of electors as the General Assembly may enact

First He shall have been a citizen of the United States at least one month

Second He shall have resided in the State one year (or having previously been a qualified elector or native-born citizen of the State he shall have removed therefrom and returned then six months) immediately preceding the election

Third He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election

Fourth If twenty-two years of age and upwards he shall have paid within two years a State or county tax which shall have been assessed at least two months and paid at least one month before the election"

is hereby amended to read as follows

Every male citizen twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections subject however to such laws requiring and regulating the registration of electors as the General Assembly may enact

First He shall have been a citizen of the United States at least one month

Second He shall have resided in the state one year (or having previously been a qualified elector or native-born citizen of the State he shall have removed therefrom and returned then six months) immediately preceding the election

Third He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election

On the question,

Will the House agree to the section?

Mr. VICKERMAN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 1, line 4 by inserting after the word "Pennsylvania" the word "which"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the Houes agree to the section as amended?

It was agreed to,

The title was read and agreed to as follows:

A Joint Resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 243, as follows:

A Joint Resolution proposing an amendment to section sexteen of article eight of the Constitution of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That section sixteen of article eight of the Constitution of Pennsylvania reads as follows

"The courts of common pleas of the several counties of the Commonwealth shall have power within their respective jurisdictions to appoint overseers of election to supervise the proceedings of election officers and to make report to the court as may be required such appointments to be made for any district in a city or county upon petition of five citizens lawful voters of such election district setting forth that such appointment is a reasonable precaution to secure the purity and fairness of elections overseers shall be two in number for an election district shall be residents therein and shall be persons qualified to serve upon election boards and in each case members of different political parties whenever the members of an election board shall differ in opinion the overseers if they shall be agreed thereon shall decide the question of difference in appointing overseers of election all the law judges of the proper court able to act at the time shall concur in the appointments made" is hereby amended to read as follows

The courts of common pleas of the several counties of the Commonwealth shall have power within their respective jurisdictions to appoint overseers of election to supervise the proceedings of election officers and to make report to the court as may be required such appointments to be made for any district in a city or county upon petition of five citizens lawful voters of such election district setting forth that such apointment is a reasonable precaution to secure the purity and fairness of elections overseers shall be two in number for an election district shall be residents of the county who need not be residents of such election district and shall be persons qualified to serve upon election boards and in each case members of different political parties whenever the members of an election board shall differ in opinion the overseers if they shall be agreed thereon shall decide the question of difference in appointing overseers of election all the law judges of the proper court able to act at the time shall concur in the appointments made

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 728, as follows:

An Act to amend Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" adding thereto a section to be section one thousand nine providing a penalty for interfering with notices posted by the Department

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Article 10 of said act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any part thereof that may be inconsistent with or supplied by this act" is hereby amended by adding thereto section one thousand and nine as follows

Section 1009 Penalty for Mutilating Notices—Any person who shall without authority destroy deface or remove any notice posted by the Department of Forestry or by any agent of the Department of Forestry for the better protection of woodlots forests or wild lands from fire shall upon conviction thereof in a summary proceeding before any magistrate alderman or justice of the peace be sentenced to pay a fine not exceeding ten dollars and in default of the payment of such fine and costs be imprisoned in the county jail one day for each dollar of fine and costs unpaid

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of Houe Bill No. 721, as follows:

An Act to amend section one hundred and two clause (j) Article I of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providin~ for co-operation with and receipts of contributions from persons firms corporations or associations for forest protection

Section 1 Be it enacted by the Senate and House of Repsentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority

of the same That clause (j) of section one hundred and two Article I of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" is hereby amended to read as follows

(j) He may enter into agreements with the consent of the Commissioner of Forestry with persons firms corporations or associations upon satisfactory terms for the successful accomplishment of forest fire prevention or control He is authorized to receive from any person firms corporations or associations contributions for the prevention and control of forest fires All such contributions shall be paid into the State Treasury and shall be credited by the State Treasurer to the fund of the Department of Forestry for forest protection purposes and such moneys are hereby specifically appropriated to the said Department of Forestry for the purposes for which such fund is appropriated and for the purpose of making refunds to contributors of amounts severally paid in by them in excess of their obligations respectively under such agreements

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 727, as follows:

An Act to amend Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto section one thousand and eight regulating civil actions by and on behalf of persons and the Commonwealth suffering damage from forest fires and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Article ten of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" is hereby amended by adding thereto section one thousand and eight as follows

Section 1008 Damages and Expenses Due to Forest Fires—(a) persons causing woodlot forest or wild land fires shall be liable for the full amount of all expenses incurred by the Commonwealth on account of such fires whether or not the fire is confined to the land of the person responsible therefor Where there are mitigating circumstances the Commissioner of Forestry may direct the chief forest fire warden to determine and decide what amount shall be paid by the parties responsible being either a part or all of the cost of extinguishing the fire or other expenses incurred as a consequence thereof The chief forest fire warden in all such cases shall decide the time and manner of payment When such costs and expenses have not been paid to the Commonwealth within ninety days after presentation of a bill therefor the chief forest fire warden may proceed to collect the amount due the Commonwealth by an action of debt before any justice of the peace magistrate alderman or court having jurisdiction in which case a judgment for the Commonwealth shall also carry with it all necessary and reasonable expenses incurred by the Department of Forestry on account of such legal action

(b) Whenever any person shall by his own act or that of an agent cause a woodlot forest or wild land fire which destroys the property of another such person shall be liable for the amount of the damages so caused In an action to recover damage or the cost of extinction it shall not be necessary to prove that the setting or causing of the fire was negligently done

(c) As the Commonwealth is directly interested in the perpetuation of forests and as the destruction of forests by fire is in injury to the entire Commonwealth whenever the damages and costs hereinbefore provided for in paragraph (b) of this section have not been settled and are not in process of adjudication before a judicial tribunal within six months of date of fire the Commissioner of Forestry may upon appeal from either party affected direct the chief forest fire warden to appraise the damage and to begin civil action in behalf of the injured party A judgment against the defendant shall include necessary and reasonable expenses incurred by the Department of Forestry on account of the appraisal and the suit

(d) All moneys received by the Commissioner of Forestry in accordance with this section shall be paid by him to the State Treasurer who shall credit the amounts to the Department of Forestry the forest protection and such moneys are hereby specifically appropriated to the Department of Forestry for such purposes

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 274, as follows:

An Act to amend section three of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and thirty-one) entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating the salaries and terms of office and abolishing the terms of office of the present mine inspectors of the anthracite mines"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and thirty-one) entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines" is hereby amended to read as follows

Section 3 On the fourth Tuesday of September public notice having been given for two weeks prior thereto in two newspapers published in the district where a vacancy exists the board shall meet again in the city of Wilkes-Barre to examine applicants for the office of inspector whose qualifications shall be certified to the board and be as follows They shall be citizens of this Commonwealth and residents of the anthracite region of temperate habits of good repute of personal integrity in good physical condition and not under thirty or over sixty years of age Provided however That any person who is now serving as inspector under the provisions of the act of June eighth one thousand nine hundred and one entitled "An Act amending article two of an act entitled 'An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservationu of

property connected therewith' approved the second day of June Anno Domini one thousand eight hundred and ninety-one" and its amendments shall be eligible for appointment even if beyond sixty years of age if in good physical condition they shall have a comprehensive knowledge of the different systems of working and ventilating coal mines and shall have had at least ten years' practical experience in the anthracite mines of this Commonwealth five years of which shall be as coal miners in the anthracite mines of this Commonwealth they shall have had practical experience with explosive gas dangerous and noxious gases generally found in coal mines and shall have a general knowledge of mines mining and machinery and of the chemistry of gases generally found in coal mines they shall be conversant with the work of first aid corps and with the work and requirements of the rescue corps they shall be conversant with the science and use of electricity as applied to coal mines and shall have sufficient knowledge of the science of mining engineering to enable them to understand and read the mine workings of any mine as shown on maps presented at the examination and to make a cross section of any mine from said maps when required by the examining board they shall give evidence of such theoretical as well as practical knowledge and general intelligence respecting mines and mining and the working and ventilation of mines as will satisfy the board of their capability and fitness for the important duties imposed upon the inspectors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 482 (Senate Bill No. 33), entitled:

An Act to amend section seven of the act approved the tenth day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, four hundred and nineteen), entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 29, as follows:

An Act proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the provisions of the eighteenth article thereof

be and the same is hereby amended to read as follows

"All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity"

be and the same is hereby amended to read as follows

All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but subjects of taxation may be classified for the purpose of laying graded and progressive taxes and in the case of inheritance and income taxes exemptions may be granted and the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 232, as follows:

An Act to amend chapter eleven article two of the Act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That chapter eleven article two section seven hundred and fifty of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereo" is hereby amended to read as follows

Section 750 Whenever any highways in townships of the first or second class are so located as to render them liable on account of high winds during the winter season to be so filled with snow as to make them impassable and in the judgment of the supervisors or commissioners as the case may be such drifts of snow can be avoided by the removal of any dry stone wall or fence erected along either side of such highway and replacing the same by a fence constructed of posts and wire such supervisors or commissioners may agree with the owner or owners of such walls or fences upon a plan for the erection of a fence constructed of posts and wire The township may pay the owner or owners of such walls or fences a sum not to exceed the first cost of constructing a fence of posts and wire Barbed wire shall not be used In the event of the failure to agree with the owner or owners of any such dry wall or fence as the supervisors or commissioners may deem necessary to remove in order that the accumulation of snow in a public road may be prevented the supervisors or commissioners as the case may be may remove the same and the compensation to be paid by the owner or owners of any such dry walls or fences shall be determined as authorized in sections six hundred and ninety-six and six hundred and ninety-seven of this act From any award made and entered upon the justice's docket an appeal may be taken by any party aggrieved to the court of common pleas Stone walls laid in lime or cement mortar concrete walls hedge or ornamental fence shall not be removed by the supervisors or commissioners

Section 2 That chapter eleven article two of said act is hereby amended by adding thereto the following section

Section 751 It shall be the duty of all owners of land abutting on the public roads or highways in townships of the first and second class to cut or mow or cause to be cut or mown all brush briers and weeds growing between the beaten track of the road and the side of the road within the legal width thereof at least once "between the first day of June and first day of August" of each and every year and to remove the same by burning or hauling away before the first day of October next following so as not to interfere with the flow of water or cause the accumulation of snow Upon the refusal or failure of any owner or owners of land abutting on the public roads to comply with the provisions of this section it shall be the duty of the supervisors or township commissioners of the respective townships to proceed after the first day of September of each year to cut the obstructions outlined in this act All work or expense incident to performing of such duty by the supervisors or township commissioners shall be charged against the abutting lands and may be collected from the owner or owners thereof as debts of like amount are now by law collected

This section shall not apply to any section of road passing through forest or timber lands unless such lands and timber are maintained for growing timber only

Any neglect or refusal on the part of the supervisors or township commissioners of any township to enforce or comply with the provisions of this section shall subject them to such penalty as is now provided by law for neglect of their duties

The provisions of this section shall take effect on the first day of July one thousand nine hundred and twenty-four

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. WALKER. Mr. Speaker, I move the further consideration of this bill be postponed for the present.

Mr. MOFFATT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 760, entitled:

An Act to amend section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 473) entitled, "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors, or marines, designated as 'deceased service men;' defining the term 'deceased service man'; and authorizing county commissioners to provide headstones, markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Albert,	Edmonds,	Labar,	Richards,
Alexander,	Evans, J.,	Little,	Rinn,
Allman,	Fields,	Long,	Rippman,
Anderson,	Flinchbaugh,	Lucas,	Sample,
Armstrong,	Flynn,	Ludlow,	Sarig,
Arthur,	Fratt,	Lynch,	Schaeffer,
Aston,	Frazier,	Mack,	Schilling,
Baker,	Gallaher,	MacKinney,	Schoener,
Beaver,	Gibbon,	Malie,	Schwartz,
Behney,	Glasgow,	Mangan,	Shambach,
Bell, F. A.,	Goehring,	Marcus, J.,	Sheridan,
Bell, W. T.,	Golder,	Marcus, J. C.,	Smith, G. A.,
Bentley,	Gorham,	Marshall, W. F.	Smith, H. J.,
Berger,	Goss,	Mathay,	Smith, H.,
Betts,	Greeby,	McBride,	Smith, J. W.,
Bidelspacher,	Griffith,	McCaig,	Sowers,
Blair,	Grimes,	McCann,	Stark,
Bluett,	Haas,	McClure,	Staudenmeier,
Boback,	Hall,	McCurdy,	Stavitski,
Brenneman,	Harer.	McDaniel,	Steedle,
Brewster,	Harter,	McDermott,	Sterling,
Bromley,	Haslett,	McGowan,	Stevens, A. F.,
Brown,	Haws,	Metcalf,	Stoner,
Burchinal,	Heffernan,	Millar,	Storb,
Burns,	Henderson,	Miller,	Storer,
Bush,	Hetrick,	Minehart,	Thomas, M. G.,
Chaplin,	Heyburn,	Moffat,	Thompson,
Clutton,	Holcombe,	Moore,	Van Alen,
Coldsmith,	Hollis,	Morrison,	Vickerman,
Colville,	Hoover,	Munley,	Walker,
Conner,	Horne,	Myers, G. C.,	Weamer,
Coyne,	Howell,	Myers, P. M.,	Wells,
Craig,	Irvin,	Nolte,	Whitehouse,
Diehm,	Johnson,	O'Boyle,	Williams, G. W.
Dietz,	Jones, C. B.,	Ogle,	Williams, J. M.,
Dilsheimer,	Jones, E. P.,	Parkinson,	Wood, N.,
Donahue,	Keene,	Patterson,	Wood, W. P.,
Driggs,	Kelly,	Peelor,	Wright,
Drinkhouse,	Kohler,	Perry,	Zook,
Dunn,	Korns,	Posey,	Goodnough,
Eaches,	Kunkle,	Post,	Speaker.
Earley,	Lafferty,	Raymond.	
		Rhodes,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 697, entitled:

An Act making it unlawful for any county city borough or incorporated town to prohibit the wearing of certain military insignia by its employees upon their uniforms

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Albert,	Fields,	Little,	Raymond,
Allman,	Flinchbaugh,	Lucas,	Rhodes,
Armstrong,	Flynn,	Ludlow,	Richards,
Arthur,	Fowler, A. I.,	Lynch,	Sample,
Aston,	Fowler, D.,	Mack,	Schaeffer,
Baldi,	Frazier,	Mangan,	Schilling,
Beaver,	Gallaher,	Marcus, J.,	Schwartz,
Behney,	Gelder,	Marcus, J. C.,	Shambach,
Bell, F. A.,	Gibbon,	Marshall, J. G.,	Sheridan,
Bell, W. T.,	Gilchrist,	Marshall, W. F.	Smith, G. A.,
Bentley,	Glasgow,	McBride,	Smith, H.,
Berger,	Goehring,	McCaig,	Smith, J. W.,
Betts,	Golder,	McCann,	Sprowls,
Bidelspacher,	Gorham,	McClure,	Stark,
Blair,	Goss,	McCurdy,	Staudenmeier,
Bluett,	Greeby,	McDaniel,	Stavitski,
Blumberg,	Griffith,	McDermott,	Stevens, A. J.,
Boback,	Guerin,	McGowan,	Stevens, A. F.,
Brenneman,	Haas,	McKim,	Storb,
Brewster,	Hall,	Metcalf,	Storer,
Bromley,	Harter,	Millar,	Thomas, L. D.,
Brown,	Haslett,	Miller,	Thomas, M. G.,
Brownmiller,	Haws,	Minehart,	Van Alen,
Burchinal,	Heffernan,	Moffat,	Vickerman,
Burns,	Henderson,	Moore,	Walker,
Bush,	Heyburn,	Morrison,	Weamer,
Chaplin,	Himes,	Munley,	Wells,
Coldsmith,	Hollis,	Myers, G. C.,	Wettach,
Colville,	Hoover,	Myers, P. M.,	Wheeler,
Conner,	Horne,	Nolte,	Whitehouse,
Craig,	Howell,	O'Boyle,	Whiteman,
Diehm,	Huber,	Ogle,	Williams, G. W.,
Dietz,	Irvin,	Orr,	Williams, J. M.,
Dilsheimer,	Johnson,	Parkinson,	Wood, N.,
Drinkhouse,	Jones, C. B.,	Patterson,	Wood, W. P.,
Dunn,	Jones, E. P.,	Peelor,	Wright,
Eaches,	Kelly,	Perry,	Zook,
Earley,	Kennedy,	Pitts,	Goodnough,
Edmonds,	Kunkle,	Posey,	Speaker.
Evans, B. P.,	Lafferty,	Post,	
Evans, J.,	Lauver,	Price,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. DUNN asked and obtained unanimous consent to call up out of order House Bill No. 593, file folio 1593, bills on third reading, page 13 of today's calender.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 593, entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be cited as the "World War Veterans' Compensation Act"

On the question,

Will the House agree to the bill on third reading?

Mr. DUNN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 2, page 2, line 9 by striking out the word "during" and inserting in lieu thereof the word "for"

Amend Sec. 4, page 3, line 25 by striking out the word "midshipmen" and inserting in lieu thereof the word "midshipman"

Amend Sec. 7, page 5, line 13 by striking out the words "one thousand nine hundred and twenty-five" and inserting in lieu thereof the following: "of the year following the approval of the bond issue authorizing the increase in the bonded indebtedness of the Commonwealth for this specific purpose"

Amend Sec. 12, page 7, line 4, by striking out the word "nine" and inserting in lieu thereof the word "ten"

Amen Sec. 12, page 7, line 16 by striking out the word "nine" and inserting in lieu thereof the word "ten"

Amend Sec. 16, page 8, line 26 by striking out the words "one thousand nine hundred and twenty-six" and inserting in lieu thereof the following: "of the second year following the approval of the bond issue authorizing the increase of the bonded indebtedness of the Commonwealth for this specific purpose."

Amend section 20, page 9, line 26, by striking out the word "employe" and inserting in lieu thereof; "employ"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 758, entitled:

An Act to amend section twenty-three of the act approved the thirtieth day of June, one thousand nine hundred and nineteen (P. L. 678) entitled, "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof; and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended, providing for the increase of punishment for violation of any of the provisions of said section.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albert,	Flynn,	Lucas,	Schleiter,
Armstrong,	Fowler, A. I.,	Ludlow,	Schoener,
Arthur,	Fowler, D.,	Malie,	Schwartz,
Aston,	Frazier,	Mangan,	Shambach,
Baker,	Gelder,	Marcus, J.,	Sheridan,
Baldi,	Gibbon,	Marcus, J. C.,	Smith, H.,
Behney,	Gilchrist,	Marshall, W. F.	Smith, J. W.,
Bell, F. A.,	Glasgow,	McBride,	Sowers,
Bell, W. T.,	Goehring,	McCaig,	Spangler,
Berger,	Golder,	McCann,	Sprowls,
Betts,	Gorham,	McClure,	Stark,
Bidelspacher,	Goss,	McCurdy,	Staudenmeier,
Blair,	Greeby,	McDaniel,	Stavitski,
Bluett,	Griffith,	McDermott,	Steedle,
Blumberg,	Guerin,	McGowan,	Sterling,
Boback,	Haas,	Metcalf,	Stevens, A. J.,
Brenneman,	Hall,	Millar,	Stevens, A. F.,
Brewster,	Harer,	Miller,	Stoner,
Bromley,	Haslett,	Minehart,	Storb,
Brown,	Haws,	Moffat,	Thomas, L. D.,
Brownmiller,	Heffernan,	Moore,	Thomas, M. G.,
Burns,	Henderson,	Morrison,	Thompson,
Bush,	Hetrick,	Munley,	Van Alen,
Chaplin,	Heyburn,	Myers, G. C.,	Walker,
Clutton,	Himes,	Nolte,	Weamer,
Coldsmith,	Holcombe,	O'Boyle,	Wells,
Conner,	Hollis,	Ogle,	Wettach,
Craig,	Horne,	Orr,	Wheeler,
Diehm,	Howell,	Parkinson,	Whitehouse,
Dietz,	Huber,	Patterson,	Whiteman,
Dilsheimer,	Irvin,	Peelor,	Williams, G. W.,
Driggs,	Johnson,	Perry,	Williams, J. M.,
Drinkhouse,	Jones, C. B.,	Pitts,	Wood, N.,
Dunn,	Jones, E. P.,	Posey,	Wood, W. P.,
Eaches,	Keene,	Post,	Wright,
Earley,	Kennedy,	Price,	Zook,
Edmonds,	Kohler,	Raymond,	Goodnough,
Eshelman,	Korns,	Rhodes,	Speaker.
Evans, B. P.,	Kunkle,	Rinn,	
Evans, J.,	Lafferty,	Rippman,	
Fields,	Little,	Schaeffer,	
Flinchbaugh,	Long,	Schilling,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 691, entitled:

A Supplement to the act approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (P. L. 322) entitled, "An Act creating a commission to select an historic spot as a cemetery for the burial of bodies of soldiers, sailors, marines, war nurses, and members of the National Guard; defining the powers and duties of the Commission; and making an appropriation," extending the time for the making of the report of the Commission and making an additional appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Albert,	Fields,	Lynch,	Schaeffer,
Allman,	Flynn,	Malie,	Schilling,
Armstrong,	Fowler, A. I.,	Mangan,	Schleiter,
Arthur,	Fowler, D.,	Marcus, J.,	Schoener,
Aston,	Fratt,	Marcus, J. C.,	Schwartz,
Baker,	Frazier,	Marshall, W. F.,	Shambach,
Baldi,	Gelder,	Mathay,	Sheridan,
Beaver,	Gibbon,	McBride,	Smith, H. J.,
Behney,	Gilchrist,	McCaig,	Smith, H.,
Bell, F. A.,	Goehring,	McCann,	Smith, J. W.,
Bell, W. T.,	Golder,	McClure,	Sowers,
Bentley,	Goss,	McCurdy,	Spangler,
Betts,	Greeby,	McDaniel,	Speiser,
Bidelspacher,	Grimes,	McDermott,	Sprowls,
Blair,	Haas,	McKim,	Stark,
Bluett,	Haines,	McVicar,	Stavitski,
Blumberg,	Hall,	Metcalf,	Steedle,
Boback,	Harter,	Millar,	Sterling,
Brenneman,	Haws,	Miller,	Stevens, A. F.,
Brewster,	Heffernan,	Minehart,	Stofflet,
Bromley,	Henderson,	Moffatt,	Storb,
Brown,	Hetrick,	Moore,	Storer,
Burchinal,	Heyburn,	Morrison,	Thomas, L. D.,
Burns,	Himes,	Munley,	Thomas, M. G.,
Bush,	Holcombe,	Myers, G. C.,	Thompson,
Chaplin,	Hollis,	Myers, P. M.,	Van Alen,
Clutton,	Hoover,	O'Boyle,	Vickerman,
Coldsmith,	Horne,	Ogle,	Walker,
Colville,	Howell,	Orr,	Weamer,
Conner,	Huber,	Parkinson,	Wells,
Craig,	Irvin,	Patterson,	Wettach,
Diehm,	Johnson,	Perry,	Wheeler,
Dietz,	Jones, C. B.,	Pitts,	Whitehouse,
Dilsheimer,	Jones, E. P.,	Posey,	Whiteman,
Driggs,	Kennedy,	Post,	Williams, G. W.
Drinkhouse,	Kohler,	Price,	Williams, J. M.,
Dunn,	Kunkle,	Rhodes,	Woner,
Eaches,	Lafferty,	Richards,	Wood, N.,
Earley,	Little,	Rinn,	Wood, W. P.,
Edmonds,	Long,	Rippman,	Wright,
Evans, B. P.,	Lucas,	Sample,	Zook,
Evans, J.,	Ludlow,	Sarig,	Goodnough, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreably to order,

The House proceeded to the third reading and consideration of House Bill No. 707, entitled:

An Act to amend section seventy-nine of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 382), entitled "An Act to consolidate. revise and amend the penal laws of this Commonwealth," providing for the increase of punishment in cases of involuntary manslaughter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Albert,	Flynn,	Little,	Schaeffer,
Armstrong,	Fowler, A. I.,	Long,	Schilling,
Arthur,	Fowler, D.,	Lucas,	Schleiter,
Asbury,	Frazier,	Ludlow,	Schoener,
Aston,	Gallaher,	Lynch,	Shambach,
Baker,	Gelder,	MacKinney,	Sheridan,
Beaver,	Gibbon,	Mangan,	Smith, G. A.,
Behney,	Gilchrist,	Marcus, J. C.,	Smith, H.,
Bell, F. A.,	Goehring,	Marshall, W. F.,	Smith, J. W.,
Bell, W. T.,	Golder,	McBride,	Sowers,
Bentley,	Gorham,	McCaig,	Speiser,
Betts,	Greeby,	McCann,	Sprowls,
Bluett,	Griffith,	McClure,	Stark,
Blumberg,	Guerin,	McCurdy,	Staudenmeier,
Boback,	Haas,	McDaniel,	Stavitski,
Brenneman,	Hall,	McKim,	Sterling,
Brewster,	Harer,	Metcalf,	Stevens, A. J.,
Bromley,	Haslett,	Millar,	Stofflet,
Brown,	Haws,	Miller,	Stoner,
Brownmiller,	Heffernan,	Minehart,	Storb,
Burchinal,	Henderson,	Moffat,	Storer,
Burns,	Hetrick,	Moore,	Thomas, L. D.,
Bush,	Heyburn,	Morrison,	Thomas, M. G.,
Chaplin,	Himes,	Munley,	Thompson,
Clutton,	Holcombe,	Myers, G. C.,	Van Alen,
Coldsmith,	Hollis,	Myers, P. M.,	Vickerman,
Colville,	Hoover,	Nolte,	Walker,
Conner,	Horne,	O'Boyle,	Weamer,
Craig,	Howell,	Ogle,	Wells,
Diehm,	Huber,	Orr,	Wettach,
Dilsheimer,	Irvin,	Parkinson,	Wheeler,
Donahue,	Johnson,	Patterson,	Whitehouse,
Driggs,	Jones, C. B.,	Peelor,	Whiteman,
Drinkhouse,	Jones, D. J.,	Perry,	Williams, G. W.
Dunn,	Jones, E. P.,	Pitts,	Williams, J. M.,
Eaches,	Keene,	Post,	Woner,
Earley,	Kelly,	Price,	Wood, N.,
Edmonds,	Kennedy,	Raymond,	Wood, W. P.,
Eshelman,	Kohler,	Rhodes,	Wright,
Evans, B. P.,	Korns,	Richards,	Zook,
Evans, J.,	Kunkle,	Rippman,	Goodnough, Speaker.
Fields,	Labar,	Sample,	
Flinchbaugh,	Lafferty,	Sautter,	
Haines,	McDermott,	Steedle,	

NAYS—1.

Allman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreably to order,

The House proceeded to the third reading and consideration of House Bill No. 862 (Senate Bill No. 75), as follows:

An Act to amend section seventy-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth" by providing the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventy-five of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth" is hereby amended to read as follows:

Section 75 That every person convicted of the crime of murder of the first degree his aiders abettors and counsellors shall be sentenced to suffer death in the manner provided by law or to undergo imprisonment for life at the discretion of the jury trying the case which shall fix the penalty by its verdict the court to impose the sentence so fixed as in other cases In cases of pleas of guilty the court where it determines the crime to be murder of the first degree shall at its discretion impose sentence of death or imprisonment for life and it shall be the duty of the clerk of the court wherein such conviction takes place and he is hereby required within ten days after such sentence of death to transmit a full and complete record of the trial and conviction to the Governor of this Commonwealth

On the question,

Will the House agree to the bill on third reading?

On the question,

Shall the bill pass finally?

Mr. DILSHEIMER. Mr. Speaker and members of the House here is a bill which proves a penalty for murder in the first degree. I wish to state to the members of this House that under the present law any person convicted of murder in the first degree is punishable by electrocution.

Under this bill it would give the jury or the trial judge authority to fix the penalty, which I think in my opinion is entirely wrong. We have got at the present time entirely too much murder committed in this Commonwealth, and therefore I don't think it is proper to make the penalty for the offense lighter than it is at the present time, and under those considerations I ask you in fairness to vote the bill down.

Mr. LUDLOW. Mr. Speaker, I want to concur in what my colleague from Philadelphia, Mr. Dilsheimer has said. It seems to me that is leaving entirely too much to the plea for clemency, which any able counsel representing a defendant can interpose upon a jury. It seems to me it is bad practice, and that the law in this respect should be allowed to stand as it is. I hope this bill is defeated.

MOTION TO POSTPONE.

Mr. GOEHRING. Mr. Speaker, out of respect for the sponsor of this bill may I move that the bill be placed on the postponed calender.

Mr. WILLIAM T. BELL. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—23.

Chaplin,	Haines,	Kunkle,	Whitehouse,
Conner,	Hall,	Smith, H.,	Whiteman,
Driggs,	Haslett,	Stoner,	Woner,
Edmonds,	Hetrick,	Thomas, L. D.,	Wood, N.,
Fields,	Heyburn,	Thomas, M. G.,	Goodnough,
Gelder,	Horne,	Weamer,	Speaker.

NAYS—140.

Albert,	Flinchbaugh,	Lafferty,	Raymond,
Allman,	Flynn,	Lauver,	Rhodes,
Armstrong,	Fowler, A. I.,	Little,	Richards,
Aston,	Fowler, D.,	Long,	Rippman,
Baker,	Fratt,	Lucas,	Sample,
Baldi,	Frazier,	Ludlow,	Sarig,
Bell, F. A.,	Gallaher,	Mack,	Sautter,
Bell, W. T.,	Gibbon,	MacKinney,	Schaeffer,
Bentley,	Gilchrist,	Marcus, J.,	Schilling,
Berger,	Glasgow,	Marshall, J. G.,	Schleiter,
Betts,	Goehring,	Marshall, W. F.,	Schoener,
Bidelspacher,	Goss,	McBride,	Schwartz,
Blair,	Greeby,	McClure,	Shambach,
Bluett,	Griffith,	McCurdy,	Sheridan,
Boback,	Grimes,	McGowan,	Smith, G. A.,
Brenneman,	Guerin,	McKim,	Sowers,
Brewster,	Gundy,	McVicar,	Stark,
Bromley,	Haas,	Metcalf,	Staudenmeier,
Brown,	Haws,	Miller,	Steedle,
Brownmiller,	Heffernan,	Minehart,	Stevens, A. J.,
Burchinal,	Henderson,	Moffatt,	Stevens, A. F.,
Burns,	Himes,	Moore,	Stoffiet,
Bush,	Holcombe,	Morrison,	Storb,
Clutton,	Hollis,	Munley,	Storer,
Colville,	Hontz,	Myers, G. C.,	Thompson,
Craig,	Howell,	Myers, P. M.,	Van Alen,
Diehm,	Irvin,	Nolte,	Walker,
Dietz,	Johnson,	O'Boyle,	Wells,
Dilsheimer,	Jones, C. B.,	Ogle,	Wettach,
Donahue,	Jones, D. J.,	Orr,	Wheeler,
Dunn,	Jones, E. P.,	Patterson,	Williams, G. W.,
Eaches,	Keene,	Peelor,	Williams, J. M.
Earley,	Kelly,	Pitts,	Zook,
Eshelman,	Kennedy,	Posey,	
Evans, B. P.,	Labar,	Post,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 747 (Senate Bill No. 118) entitled:

An Act providing that the county controller shall be made a party defendant in all suits against any county

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Albert,	Evans, B. P.,	Kohler,	Rhodes,
Alexander,	Fields,	Korns,	Richards,
Allman,	Flinchbaugh,	Kunkle,	Rinn,
Arthur,	Flynn,	Lafferty,	Rippman,
Aston,	Fowler, A. I.,	Lauver,	Sarig,
Baker,	Fowler, D.,	Little,	Sautter,
Beaver,	Frazier,	Long,	Schaeffer,
Behney,	Gallaher,	Lucas,	Schleiter,
Bell, F. A.,	Gelder,	Ludlow,	Schoener,
Bell, W. T.,	Gibbon,	Lynch,	Shambach,
Bentley,	Gilchrist,	Mack,	Sheridan,
Berger,	Glasgow,	Mangan,	Smith, H. J.,
Betts,	Goehring,	Marcus, J. C.,	Smith, H.,
Bidelspacher,	Gorham,	Marshall, W. F.,	Stark,
Blair,	Goss,	McBride,	Staudenmeier,
Bluett,	Greeby,	McClure,	Stavitski,
Blumberg,	Griffith,	McCurdy,	Steedle,
Boback,	Grimes,	McDaniel,	Sterling,
Brenneman,	Guerin,	McDermott,	Stevens, A. J.,
Brewster,	Haas,	McGowan,	Stevens, A. F.,
Brown,	Haines,	McKim,	Storb,
Brownmiller,	Hall,	Metcalf,	Storer,
Burchinal,	Harter,	Millar,	Thomas, L. D.,
Burns,	Haslett,	Miller,	Thomas, M. G.,
Bush,	Haws,	Minehart,	Thompson,
Chaplin,	Heffernan,	Moffat,	Van Alen,
Clutton,	Henderson,	Moore,	Walker,
Coldsmith,	Hetrick,	Morrison,	Weamer,
Colville,	Heyburn,	Munley,	Wells,
Conner,	Himes,	Myers, G. C.,	Whitehouse,
Coyne,	Holcombe,	Myers, P. M.,	Whiteman,
Craig,	Hollis,	Nolte,	Williams, G. W.
Diehm,	Hoover,	O'Boyle,	Wood, N.,
Dietz,	Horne,	Ogle,	Wood, W. P.,
Dilsheimer,	Howell,	Orr,	Wright,
Driggs,	Huber,	Peelor,	Zook,
Drinkhouse,	Irvin,	Perry,	Goodnough,
Dunn,	Johnson,	Pitts,	Speaker.
Eaches,	Jones, C. B.,	Posey,	
Earley,	Jones, E. P.,	Post,	
Edmonds,	Kelly,	Price,	
Eshelman,	Kennedy,	Raymond,	

NAYS—1.

Stoner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 811, (Senate Bill No. 235), entitled:

An Act relative to the burial of the bodies of deceased widows of soldiers sailors and marines at county expense

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Albert,	Fowler, A. I.,	Labar,	Sample,
Alexander,	Fowler, D.,	Lauver,	Sarig,

Allman,	Frazier,	Little,	Sautter,
Armstrong,	Gallaher,	Long,	Schilling,
Arthur,	Gelder,	Lucas,	Schleiter,
Baker,	Gibbon,	Ludlow,	Schoener,
Baldi,	Gilchrist,	Lynch,	Schwartz,
Beaver,	Glasgow,	Mack,	Shambach,
Behney,	Goehring,	MacKinney,	Sheridan,
Bell, F. A.,	Golder,	Mangan,	Smith, G. A.,
Bell, W. T.,	Goss,	Marcus, J. C.,	Smith, H. J.,
Bentley,	Greeby,	Marshall, W. F.	Smith, H.,
Berger,	Griffith,	McBride,	Smith, J. W.,
Betts,	Grimes,	McClure,	Sowers,
Bidelspacher,	Guerin,	McCurdy,	Sprowls,
Bluett,	Gundy,	McDaniel,	Stark,
Blumberg,	Haas,	McDermott,	Staudenmeier,
Brenneman,	Haines,	McKim,	Stavitski,
Brewster,	Hall,	Metcalf,	Steedle,
Bromley,	Harter,	Millar,	Stevens, A. J.,
Brownmiller,	Haslett,	Miller,	Stevens, A. F.,
Burchinal,	Heffernan,	Minehart,	Storer,
Burns,	Henderson,	Moffat,	Thomas, L. D.,
Bush,	Hetrick,	Moore,	Thomas, M. G.,
Clutton,	Heyburn,	Morrison,	Thompson,
Coldsmith,	Himes,	Munley,	Van Alen,
Colville,	Holcombe,	Myers, G. C.,	Walker,
Conner,	Hollis,	Myers, P. M.,	Weamer,
Craig,	Hoover,	Nolte,	Wells,
Diehm,	Horne,	Ogle,	Wettach,
Dietz,	Howell,	Orr,	Wheeler,
Dilsheimer,	Huber,	Patterson,	Whitehouse,
Donahue,	Irvin,	Peelor,	Whiteman,
Driggs,	Johnson,	Perry,	Williams, G. W.
Drinkhouse,	Jones, C. B.,	Pitts,	Williams, J. M.,
Dunn,	Jones, D. J.,	Posey,	Wood, N.,
Eaches,	Jones, E. P.,	Post,	Wood, W. P.,
Earley,	Kelly,	Price,	Wright,
Edmonds,	Kennedy,	Raymond,	Zook,
Evans, B. P.,	Kohler,	Rhodes,	Goodnough,
Fields,	Korns,	Richards,	Speaker.
Flynn,	Kunkle,	Rinn,	
		Rippman,	

NAYS—1.

Stoner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 865, (Senate Bill No. 302), entitled:

An Act authorizing and empowering the county treasurers in counties of the third class to appoint a solicitor prescribing his duties and providing for the compensation of such solicitor

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. RICHARDS. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. COLDSMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 753, (Senate Bill No. 199), entitled:

An Act to exempt certain real estate of certain organizations of war veterans from taxation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albert,	Fields,	Lafferty,	Richards,
Alexander,	Flinchbaugh,	Lauver,	Rinn,
Allman,	Flynn,	Little,	Rippman,
Armstrong,	Fowler, A. I.,	Long,	Sarig,
Arthur,	Fowler, D.,	Lucas,	Sautter,
Asbury,	Fratt,	Ludlow,	Schaeffer,
Aston,	Frazier,	Lynch,	Schleiter,
Baker,	Gallaher,	Mack,	Schoener,
Baldi,	Gelder,	MacKinney,	Schwartz,
Beaver,	Gibbon,	Marcus, J.,	Sheridan,
Behney,	Glasgow,	Marcus, J. C.,	Smith, G. A.,
Bell, F. A.,	Goehring,	Marshall, W. F.	Smith, G. A.,
Bell, W. T.,	Golder,	McBride,	Smith, H.,
Bentley,	Gorham,	McCaig,	Smith, J. W.,
Berger,	Greeby,	McCann,	Sowers,
Betts,	Griffith,	McClure,	Stark,
Bidelspacher,	Grimes,	McCurdy,	Staudenmeier,
Blair,	Guerin,	McDaniel,	Stavitski,
Bluett,	Gundy,	McDermott,	Sterling,
Blumberg,	Haines,	McGowan,	Stevens, A. J.,
Brenneman,	Hall,	McKim,	Stoner,
Brewster,	Harer,	McVicar,	Storer,
Bromley,	Haslett,	Metcalf,	Thomas, L. D.,
Brown,	Haws,	Millar,	Thomas, M. G.,
Brownmiller,	Heffernan,	Miller,	Thompson,
Burchinal,	Hetrick,	Minehart,	Van Alen,
Burns,	Heyburn,	Moffat,	Vickerman,
Bush,	Himes,	Moore,	Walker,
Chaplin,	Holcombe,	Morrison,	Weamer,
Coldsmith,	Hollis,	Munley,	Wells,
Colville,	Hontz,	Myers, G. C.,	Wheller,
Conner,	Hoover,	Myers, P. M.,	Whitehouse,
Coyne,	Horne,	Nolte,	Whiteman,
Craig,	Howell,	O'Boyle,	Williams, G. W.
Diehm,	Huber,	Ogle,	Williams, J. M.,
Dietz,	Irvin,	Orr,	Wood, N.,
Dilsheimer,	Johnson,	Peelor,	Wood, W. P.,
Driggs,	Jones, C. B.,	Perry,	Wright,
Drinkhouse,	Jones, D. J.,	Pitts,	Zook,
Dunn,	Jones, E. P.,	Posey,	Goodnough,
Eaches,	Keene,	Post,	Speaker.
Earley,	Kelly,	Price,	
Edmonds,	Kennedy,	Raymond,	
Evans, B. P.,	Kunkle,	Rhodes,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 864 (Senate Bill No. 183), as follows:

An Act requiring prothonotaries to mark the time judgments are left at the office for entering providing for the priority of such liens to be determined according to such time

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of July next each of the prothonotaries of the several courts of common pleas in this Commonwealth shall endorse upon each judgment and each revival of a judgment entered at such office and upon the judgment docket the time they are left at the office for such purpose

When two or more judgments or revivals of judgments which have lost their lien are left upon the same day or when a judgment and a mortgage affecting the same property are left at the respective offices upon the same day the priority of the respective liens shall be determined according to the time entered

On the question,

Will the House agree to the bill on third reading

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHN G. MARSHALL. Mr. Speaker and members of the House, if I understand the provisions of this bill, I would be opposed to it for two reasons. In the first place the file folio of the bill has been changed from what it was on the original calendar? If I understand the bill correctly, it provides that when a judgement is entered for recording, the prothonotary must note the minute the judgement is filed with him for record, and in the case of a mortgage it is the same thing, the recorder would be required to note the minute the mortgage was presented for record and the various judgments and mortgages would have preference on the record according to the time they were left with the recorder. I think that is a mistake. In a matter of liens of this kind I do not think we ought to consider the fractions of a day. It has not been the custom heretofore, and in addition to the additional responsibility placed upon the men who have the entering of these judgements and the recording of the mortgages, it puts a great responsibility upon the party or anyone who is examining titles, and in addition to that, it puts a very great responsibility and a lot of additional work upon those who have to do with this line of court work. I, personally, can see no reason why we should consider the fraction of a day in matters of this kind. The usual practice now in making a conveyance and entering mortgages is to enter your mortgage and bring your search down the next day, and then any judgments that are entered on the same day as the mortgage or judgment, will require them to be satisfied or postponed, but if you come to consider the fraction of an hour or down to the minute, it not only entails this additional work, but it gives the opportunity for people to juggle the hours and time that judgments and mortgages are entered, thereby giving particular preference to some special friend. For that reason, I think the bill is a bad one and I would ask you to vote against it.

Mr. OGLE. Mr. Speaker and members of the House, the adoption of this bill would reverse the practice observed in the State of Pennsylvania from the first establishment of our government until the present time. In regard to the lien on judgements, up to the present time, there has been no recognition or observance of the fractional part of a day. A judgement entered at nine o'clock in the morning, when the prothonotary's office opens, has no priority over a judgment entered at three or four o'clock in the afternoon of the same day. This is a good practice. The proceeds of any sheriff's sale of real estate, realized by an execution issued upon any judgment, the judgments entered upon a certain day prorate. This is fair to all the judgment creditors. It is impossible for lawyers to so regulate their practice as to get their judgements in at nine o'clock in the morning. A half dozen or more lawyers reaching the prothonotary's office could not be waited upon at the same time, and although they were equally diligent in endeavering to secure a prior lien for their client, the large and aggressive man who would push himself forward to the entering clerk would have his judgment, his d. s. b. admitted first, and in two minutes afterwards the second man would have his d. s. b. admitted, and he would be postponed in lien to the man who had entered two minutes before. Now, that is unjust, it is not fair, and it has not been the practice in all the history of our time. Why reverse the well established order for the regulation of liens or judgments at this present time? Where is the call for it? I cannot conceive that any lawyer framed this bill, and I hope that the good sense of the gentlemen who compose this House will rally to the defeat of this measure.

Mr. RHODES. Mr. Speaker, it seems to me from a legal standpoint this is a good bill. There is no more reason why we should not have the same system in the prothonotary's office relative to judgements than we have in the recorder's office with respect to mortgages. If a man takes a judgments from an individual at nine o'clock in the morning and puts it on record then he should have preference over a judgment that is entered at three o'clock in the afternoon by somebody else that loaned that individual some money that same day. We have to look up in the recorder's office the mortgages because they take precedence according to the time they are entered, therefore, in my opinion we should have the same regulation in the prothonotary's office, a judgment should take precedence according to the time that it is entered therein.

Mr. ALEXANDER. Mr. Speaker, I agree with my friend from Beaver, Mr. Marshall, and Mr. Ogle says there is absolutely no reason why this bill should prevail. That is, while we all like to presume that all our officials are honest and the great percentage of them are honest, there is in this bill the opportunity of munipulating between a friendly prothonotary and the man who has a large judgment and wants preference, of munipulating the hour or the minute, as it might be, and just as Mr. Ogle says, even although you are in the office, in the case of two men arriving in the office at the same time, preference would be given to a friend, rather than to an enemy. There is too much chance for manipulation. As far as the question of time is concerned on mortgages, my friend, Mr. Rhodes, must know that that is only for the purpose of designating or differentiating between a mortgage and a purchase money mortgage. That is the only reason the date and hour is given as far as a mortgage is concerned. No other mortgages are given any preference on the same day except it is a purchase money mortgage and the hour is therefore placed on it so that they may be differentiated. I think as the two gentleman who have just spoken, this is a bad bill, and there is no reason for it.

Mr. BREWSTER. Mr. Speaker and members of the House, Mr. Alexander has just covered the point on which I desired to speak. An examination of this bill reveals the fact that purchase money judgments or mortgages are not mentioned in it. Now, we as lawyers all know that a purchase money mortgage or judgment has a special preference as a lien, and to destroy that would mean the most dangerous practice that could be established in the Commonwealth of Pennsylvania, so far as a purchaser, or a seller rather, of property would be concerned. For that reason, if for no other, Mr. Speaker and ladies and gentlemen of the House, this bill should be defeated. It will wipe away the special preference given to you or to me as the seller of property by taking a purchase money mortgage, or a purchase money judgment. I also with to concur in what Mr. Ogle has said of the long established practice in this Commonwealth. I do hope that the House will vote this bill down.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas any nays were taken and were as follows, viz:

YEAS—21.

Albert,	Flynn,	Miller,	Thomas, L. D.,
Allman,	Gelder,	Minehart,	Zook,
Blair,	Gilchrist,	Moffat,	Goodnough,
Brenneman,	Holcombe,	Raymond,	Speaker.
Bush,	MacKinney,	Rhodes,	
Flinchbaugh,	McKim,	Schilling,	

NAYS—127.

Alexander,	Fields,	Kohler,
Armstrong,	Fowler, A. I.,	Kelly,

Arthur,	Fratt,	Kennedy,	Schaeffer,
Baker,	Frazier,	Korns,	Schleiter,
Baldi,	Gallaher,	Kunkle,	Schoener,
Behney,	Gibbon,	Labar,	Schwartz,
Bell, F. A.,	Glasgow,	Lafferty,	Shambach,
Bell, W. T.,	Golder,	Little,	Sheridan,
Bentley,	Goss,	Long,	Smith, G. A.,
Berger,	Greeby,	Lucas,	Smith, H.,
Betts,	Griffith,	Ludlow,	Smith, J. W.,
Bidelspacher,	Grimes,	Mack,	Sowers,
Bluett,	Guerin,	Marshall, J. G.,	Stark,
Boback,	Gundy,	Marshall, W. F.	Staudenmeier,
Brewster,	Haines,	McClure,	Stavitski,
Bromley,	Hall,	McGowan,	Stevens, A. F.,
Brown,	Harter,	McVicar,	Stofflet,
Brownmiller,	Haslett,	Metcalf,	Stoner,
Chaplin,	Haws,	Moore,	Storb,
Clutton,	Heffernan,	Myers, G. C.,	Thompson,
Coldsmith,	Henderson,	Myers, P. M.,	Vickerman,
Colville,	Hetrick,	Nolte,	Walker,
Conner,	Heyburn,	O'Boyle,	Weamer,
Craig,	Himes,	Ogle,	Wells,
Diehm,	Hollis,	Orr,	Wheeler,
Dietz,	Horne,	Patterson,	Whitehouse,
Dilsheimer,	Irvin,	Peelor,	Williams, G. W.
Donahue,	Johnson,	Pitts,	Woner,
Driggs,	Jones, C. B.,	Posey,	Wood, N.,
Dunn,	Jones, D. J.,	Post,	Wood, W. P.,
Eshelman,	Jones, E. P.,	Rippman,	Wright,
Evans, B. P.,	Keene,	Sample,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 746 (Senate Bill No. 100), entitled:

An Act to amend section ten of an act approved June 27, 1895, (P. L. 403), entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker and members of the House, I just want to call your attention to this bill so there won't be any mistake. This changes the procedure at the present time. In other words, where a contract is under $100, the county commisisoners may enter into a verbal contract with the contractors. This bill permits them to enter into a verbal contract with contractors up to $300. I, for my part, can see no reason for it. It is a bad policy, it makes no difference how small the contract is, it is a bad policy not to have that contract in writing, and therefore, I can see no reason why it should be raised to $300 and why any contract, even under $100, should not be in writing. I do not know of any lawyer who would not advise his client when he came to him, to have some writing to show what that contract is. It is sure and when it comes to proof, there can be no mistake about what it was. When the commissioners are contracting for others than themselves, as they always are, it seems to me they ought to have all their contracts in writing in order to protect the county that they are representing. I can see no reason for it. It puts no additional hardship on them, because they have a solicitor, and the solicitor writes the contracts, and it need only be in short form, and will not take up much time to do it. I see no reason why this act should be extended from $100 to $300.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. KENNEDY. Mr. Speaker, I move that this bill be postponed for the present.

Mr. THOMPSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 749, (Senate Bill No. 194), entitled:

A Supplement to an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" providing a procedure to incur or to increase indebtedness where the existing indebtedness is less than two per centum but the amount to be incurred exceeds two per centum of the assessed value of the taxable property and providing that this act shall apply to pending proceedings

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas any nays were taken and were as follows, viz:

YEAS—159.

Albert,	Fowler, A. I.,	Long,	Rippman,
Alexander,	Fowler, D.,	Lucas,	Sample,
Allman,	Fratt,	Ludlow,	Sautter,
Armstrong,	Frazier,	Lynch,	Schaeffer,
Arthur,	Gelder,	MacKinney,	Schleiter,
Aston,	Gibbon,	Mangan,	Schwartz,
Baker,	Gilchrist,	Marcus, J. C.,	Shambach,
Baldi,	Goehring,	Marshall, W. F.	Sheridan,
Beaver,	Golder,	McBride,	Smith, G. A.,
Behney,	Gorham,	McCaig,	Smith, H. J.,
Bell, F. A.,	Goss,	McCann,	Smith, H.,
Bell, W. T.,	Griffith,	McClure,	Smith, J. W.,
Bentley,	Grimes,	McCurdy,	Stark,
Berger,	Guerin,	McDaniel,	Staudenmeier,
Blair,	Gundy,	McDermott,	Stavitski,
Bluett,	Haines,	McGowan,	Sterling,
Blumberg,	Hall,	Metcalf,	Stevens, A. J.,
Brenneman,	Harer,	Millar,	Stoner,
Brewster,	Haslett,	Miller,	Storb,
Brown,	Haws,	Minehart,	Storer,
Brownmiller,	Heffernan,	Moffat,	Thomas, L. D.,
Burchinal,	Henderson,	Moore,	Thomas, M. G.,
Bush,	Hetrick,	Morrison,	Thompson,
Clutton,	Heyburn,	Munley,	Van Alen,
Coldsmith,	Himes,	Myers, G. C.,	Vickerman,
Colville,	Hoover,	Myers, P. M.,	Walker,
Conner,	Horne,	Nolte,	Weamer,
Coyne,	Huber,	O'Boyle,	Wells,
Craig,	Irvin.	Ogle,	Wheeler,
Diehm,	Johnson,	Orr,	Whitehouse,
Dilsheimer,	Jones, C. B.,	Parkinson,	Whiteman,
Donahue,	Jones, D. J.,	Patterson,	Williams, G. W.
Driggs,	Jones, E. P.,	Peelor,	Williams, J. M.,
Drinkhouse,	Kelly,	Perry,	Wood, N.,
Dunn,	Kennedy,	Pitts,	Wood, W. P.,
Eaches,	Kohler,	Posey,	Wright,
Earley,	Korns,	Post,	Zook,
Evans, B. P.,	Kunkle,	Price,	Goodnough,
Evans, J.,	Lafferty,	Rhodes,	Speaker.
Fields,	Lauver,	Richards,	
	Little,	Rinn,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Flynn,

The House resumed the consideration on third reading of House Bill No. 857, entitled:

An Act providing for the lapsing of unexpended or unencumbered balances of appropriations

On the question,

Will the House agree to the bill on third reading?

Mr. FLYNN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The amendment will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend bill, page 2, by striking out all of section 2, including lines 17 to 25.

Amend section 3, page 2, line 26, by striking out "3" and insert in lieu thereof 2

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 833, as follows:

An Act conferring the right on the Courts of Common Pleas of various counties to permit amendment of charters of corporations of the first class so as to permit any institution of learning which shall have been incorporated as a corporation of the first class to confer appropriate degrees upon any person who shall have satisfactorily passed a required course of study of such institution of learning

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for the courts of Common Pleas of any county of this Commonwealth or any Judge thereof upon petition duly presented by the directors or officers of an existing corporation of the first class incorporated for the purpose of instruction in any calling asking that their charter and rights be amended and their powers broadened so as to enable such corporation to confer appropriate degrees to persons who shall have satisfactorily passed a required course of study of such institution to grant such amendment and upon the granting of such amendment such institution of learning shall be authorized to confer appropriate degrees to any person who shall have satisfactorily passed the required course of study

Section 2 That nothing in this act shall be construed to include such institutions as are set forth particularly in the Act of General Assembly dated the twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five (Pamphlet Laws three hundred thirty) or any of the supplements thereto

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. PERRY. Mr. Speaker, I move that this bill be postponed for the present.

Mr. GREEBY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 720, entitled:

An Act to amend section seven hundred three, Article VII, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled, "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof; that may be inconsistent with or supplied by this act," by providing for compensation for forest fire fighting on private lands listed with the Department of Forestry for forest protection.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas any nays were taken and were as follows, viz:

YEAS—152.

Albert,	Fowler, A. I.,	Ludlow,	Schaeffer,
Allman,	Fratt,	Mack,	Schilling,
Armstrong,	Frazier,	MacKinney,	Schleiter,
Arthur,	Gallaher,	Mangan,	Schoener,
Baker,	Gibbon,	Marcus, J. C.,	Schwartz,
Baldi,	Gilchrist,	Marshall, W. F.	Shambach,
Beaver,	Glasgow,	McBride,	Smith, G. A.,
Behney,	Golder,	McCaig,	Smith, H.,
Bell, F. A.,	Goss,	McCann,	Smith, J. W.,
Bell, W. T.,	Greeby,	McClure,	Stark,
Betts,	Griffith,	McCurdy,	Staudenmeier,
Bidelspacher,	Grimes,	McDermott,	Stavitski,
Blair,	Haines,	McGowan,	Steedle,
Bluett,	Hall,	McKim,	Sterling,
Brenneman,	Harter,	Metcalf,	Stevens, A. F.,
Brewster,	Haslett,	Millar,	Storb,
Bromley,	Haws,	Miller,	Storer,
Brown,	Heffernan,	Minehart,	Thomas, L. D.,
Brownmiller,	Henderson,	Moffat,	Thomas, M. G.,
Burchinal,	Heyburn,	Moore,	Thompson,
Bush,	Himes,	Morrison,	Van Alen,
Clutton,	Holcombe,	Munley,	Vickerman,
Coldsmith,	Hoover,	Myers, G. C.,	Walker,
Colville,	Horne,	Myers, P. M.,	Weamer,
Conner,	Howell,	Nolte,	Wells,
Craig,	Huber,	O'Boyle,	Wettach,
Diehm,	Irvin,	Ogle,	Wheeler,
Dietz,	Johnson,	Orr,	Whitehouse,
Dilsheimer,	Jones, C. B.,	Parkinson,	Whiteman,
Donahue,	Jones, D. J.,	Patterson,	Williams, G. W.,
Driggs,	Keene,	Peelor,	Williams, J. M.,
Drinkhouse,	Kelly,	Perry,	Woner,
Dunn,	Kennedy,	Pitts,	Wood, N.,
Eaches,	Kunkle,	Post,	Wood, W. P.,
Earley,	Labar,	Price,	Wright,
Evans, B. P.,	Lafferty,	Rhodes,	Zook,
Fields,	Little,	Richards,	Goodnough,
Flinchbaugh,	Long,	Rippman,	Speaker.
Flynn,	Lucas,	Sarig,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 722, entitled:

An Act to amend clause (h) of section one hundred and two, Article I, of an act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing

penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing for the purchase, lease, building and maintenance of telephone lines, for attachments thereto by private parties, and appropriating the revenue derived therefrom.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161.

Albert,	Fowler, A. I.,	Little,	Schilling,
Alexander,	Fowler, D.,	Long,	Schleiter,
Allman,	Fratt,	Lucas,	Schwartz,
Arthur,	Frazier,	Ludlow,	Shambach,
Aston,	Gallaher,	Lynch,	Smith, G. A.,
Baker,	Gibbon,	Marcus, J. C.,	Smith, H. J.,
Beaver,	Gilchrist,	Marshall, W. F.	Smith, H.,
Behney,	Goehring,	McBride,	Smith, J. W.,
Bell, F. A.,	Golder,	McCaig,	Sowers,
Bell, W. T.,	Gorham,	McCann,	Sprowls,
Bentley,	Goss,	McClure,	Stark,
Betts,	Greeby,	McCurdy,	Staudenmeier,
Bidelspacher,	Griffith,	McDermott,	Stavitski,
Blair,	Grimes,	Metcalf,	Steedle,
Blumberg,	Guerin,	Miller,	Sterling,
Brewster,	Haas,	Minehart,	Stevens, A. F.,
Brown,	Haines,	Moffat,	Storb,
Brownmiller,	Harer,	Moore,	Storer,
Burchinal,	Haslett,	Morrison,	Thomas, L. D.,
Burns,	Haws,	Munley,	Thomas, M. G.,
Bush,	Heffernan,	Myers, G. C.,	Thompson,
Chaplin,	Henderson,	Myers, P. M.,	Van Alen,
Clutton,	Hetrick,	Nolte,	Vickerman,
Coldsmith,	Heyburn,	O'Boyle,	Walker,
Colville,	Himes,	Ogle,	Weamer,
Conner,	Holcombe,	Orr,	Wells,
Coyne,	Hollis,	Patterson,	Wettach,
Craig,	Hoover,	Peelor,	Wheeler,
Diehm,	Horne,	Perry,	Whitehouse,
Dietz,	Howell,	Pitts,	Whiteman,
Dilsheimer,	Huber,	Posey,	Williams, G. W.
Donahue,	Irvin,	Post,	Williams, J. M.,
Driggs,	Johnson,	Price,	Woner,
Drinkhouse,	Jones, C. B.,	Raymond,	Wood, N.,
Dunn,	Jones, D. J.,	Richards,	Wood, W. P.,
Eaches,	Keene,	Rinn,	Wright,
Earley,	Kelly,	Rippman,	Zook,
Evans, B. P.,	Kennedy,	Sample,	Goodnough,
Evans, J.,	Kunkle,	Sarig,	Speaker.
Fields,	Lafferty,	Sautter,	
Flinchbaugh,	Lauver,	Schaeffer,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 723, entitled:

An Act authorizing counties cities boroughs and townships to appropriate moneys for forest work

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were as follows, viz:

YEAS—162.

Albert,	Flinchbaugh,	Lauver,	Rinn,
Alexander,	Flynn,	Little,	Rippman,
Allman,	Fowler, A. I.,	Long,	Sautter,
Armstrong,	Fratt,	Lucas,	Schaeffer,
Baker,	Frazier,	Ludlow,	Schleiter,
Baldi,	Gallaher,	Lynch,	Schoener,
Beaver,	Gelder,	Mack,	Schwartz,
Behney,	Gilchrist,	MacKinney,	Shambach,
Bell, F. A.,	Goehring,	Marcus, J.,	Sheridan,
Bell, W. T.,	Golder,	Marcus, J. C.,	Smith, G. A.,
Bentley,	Gorham,	Marshall, W. F.,	Smith, H. J.,
Berger,	Goss,	McBride,	Smith, H.,
Bidelspacher,	Greeby,	McClure,	Sowers,
Blair,	Griffith,	McCurdy,	Spangler,
Bluett,	Grimes,	McDaniel,	Sprowls,
Blumberg,	Guerin,	McDermott,	Stark,
Brenneman,	Haines,	McKim,	Staudenmeier,
Brewster,	Hall,	McVicar,	Stavitski,
Bromley,	Harer,	Metcalf,	Sterling,
Brown,	Haslett,	Millar,	Stevens, A. F.,
Brownmiller,	Haws,	Miller,	Storb,
Burchinal,	Heffernan,	Minehart,	Storer,
Burns,	Henderson,	Moffatt,	Thomas, L. D.,
Bush,	Hetrick,	Moore,	Thomas, M. G.,
Clutton,	Heyburn,	Morrison,	Van Alen,
Coldsmith,	Himes,	Munley,	Vickerman,
Colville,	Holcombe,	Myers, G. C.,	Weamer,
Conner,	Hollis,	Myers, P. M.,	Wells,
Coyne,	Hoover,	O'Boyle,	Wettach,
Craig,	Horne,	Ogle,	Wheeler,
Diehm,	Howell,	Orr,	Whiteman,
Dietz,	Huber,	Parkinson,	Williams, G. W.
Dilsheimer,	Irvin,	Patterson,	Williams, J. M.,
Drinkhouse,	Johnson,	Peelor,	Woner,
Dunn,	Jones, C. B.,	Perry,	Wood, N.,
Eaches,	Jones, D. J.,	Pitts,	Wood, W. P.,
Earley,	Keene,	Posey,	Wright,
Edmonds,	Kelly,	Post,	Zook,
Evans, B. P.,	Kennedy,	Price,	Goodnough,
Evans, J.,	Kunkle,	Raymond,	Speaker.
Fields,	Lafferty,	Richards,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

USE OF THE HALL OF THE HOUSE GRANTED TO THE ELECTION COMMITTEE.

Mr. VICKERMAN. Mr. Speaker, I move that the use of the Hall of the House be given for a public hearing to the Committee on Elections, on Tuesday, April 3rd, at 2 o'clock P. M.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILLEGE.

Mr. POST. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. POST. Mr. Speaker, and ladies and gentlemen of the House, when I came here this morning my attention was called to an article in one of the papers of the city of Philadelphia, in regard to the justification of the votes of certain members of this House, as to the way the dry bill, as it was called, was passed yesterday by this House. Certain members, among whom my name appeared, were branded as being "fence jumpers" for the manner in which they voted. I wish to call the attention of the writer, or the correspondent of the Philadelphia Record, in the presence of the House, to the fact that I resent such characteristic accusations as being unfair and not right. I was a "dry" member in this House always. I started to vote "dry" in 1913, and have always been "dry" since. I came here this time as a "dry", and I voted dry and I have not in any way broken a pledge with my constituency nor with my colleagues, the Democratic members of the body, and I hope to have this matter corrected before those who may misunderstand this matter.

The SPEAKER. The remarks of the gentleman, under his question of privilege, will be spread upon the Journal.

RECESS.

The SPEAKER. If there are no objections, the Chair will declare a recess until 4:00 o'clock this afternoon.

Whereupon, (at 1:30 o'clock P. M.) the House took a recess until 4:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:00 o'clock P. M.

The SPEAKER (C. J. GOODNOUGH), in the Chair.

BILLS ON FIRST READING.

The SPEAKER. If there are no objections the Chair will take up the first reading calender. The Chair hears none.

Agreeably to order,

The House proceeded to the first reading and consideratioin of House Bill No. 961, entitled,

An Act to exempt bequests or devices in trust for the perpetual care and preservation of burial lots or graves therein from the payment of transfer inheritance tax

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 112, entitled,

An Act to amend section five of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorder in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing for the assessment of property and the collection of taxes interest and penalties in cases of the refusal or failure of taxables to make return and in the case of false or incomplete returns

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 145, entitled,

A supplement to the act approved the seventennth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" authorizing the payment of taxes for county and city purposes on certain investments through the use of adhesive stamps prepared by the Auditor General of the State for the use of the several counties and cities

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 709, entitled:

A Supplement to an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" providing additional taxes upon the transfer of certain kinds and classes of personal property upon which county and city taxes have not been paid as required by law

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 926, entitled,

An Act to amend section twenty-three of an act approved the first day of June Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 136, entitled,

An Act requiring telephone companies operating in the same territory to make connections and to provide for the interchange of messengers regulating the rates to be charged for such interchange and conferring certain powers and duties in connection therewith upon the Public Service Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 908, entitled,

An Act to amend section nine of the act approved the third day of June one thousand eight hundred and ninety-three (Pamphlet Laws two hundred eighty-nine) entitled "An act to provide for the selection of a site and the erection of a State institution for the feeble-minded to be called the Western Pennsylvania State Institution for the Feeble Minded and making an appropriation therefor" by changing the name of said institution

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 798, entitled,

An Act relating to building construction in cities of the first class by prescribing the maximum undivided floor areas permitted and the use of non-fireproof steel trusses and purlins in certain cases prescribing limitations on garages automobile service stations and buildings for similar purposes and constructions permitted for curtain and spandrel walls permitting the use of wood furring and stud-partitions in certain cases and repealing inconsistent laws

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 905, entitled,

An Act to amend section eight of the section approved the fifth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and twenty-one) entitled "An act to provide for the selection of a site and the erection of a hospital for the insane for the city and county of Philadelphia and the counties of Bucks Montgomery Delaware Chester and Northampton and Lehigh to be called the State Hospital for the Insane for the Southeastern District of Pennsylvania and for the management of the same" changing the name of said hospital

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 899, entitled,

An Act to amend section eight of the act approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws one thousand fifty-five) entitled "An act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital" as amended changing the name of said hospital

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 901, entitled,

An Act to amend section one of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred nineteen) entitled "An act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purpose aforesaid also for the expense of maintenance until June one thousand nine hundred and fifteen" as amended by changing the name of said village.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 657 entitled,

An Act to amend section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the compensation of auditors of the accounts of school districts of the fourth class

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 462, entitled,

An Act to amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" eliminating the provision of said act permitting the payment of taxes by banks at the rate of ten mills on the dollar of the par value of the shares of stock

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 756, entitled,

An Act to amend sections one and two of the act approved the eighth day of April one thousand eight hundred and sixty-one (Pamphlet Laws two hundred seventy) entitled "An act for the Suppression of Fortune Telling and similar purposes"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 654, entitled,

An Act providing that in all cases of prosecutions for any crime or misdemeanor where the defendant has been discharged by any justice of the peace alderman burgess mayor or other committing magistrate and in all cases of summary proceedings before said officers the county shall not be liable for the costs unless the same are approved by the county controller in counties having a county controller or by the county solicitor in counties not having a county controller

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 848, entitled,

An Act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and Juvenile Courts and imposing certain expenses upon counties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 639, entitled,

An Act authorizing the purchase and consolidation of water or water power companies organized prior to the first day of April one thousand nine hundred and five and providing the manner in which such merger shall be effected

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 708, entitled,

An Act to amend sections two five seven and sixteen of an act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensa-

tion of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by requiring personal property returns and tax receipts to indicate and identify each mortgage included or upon which the tax is paid requiring the production of such receipt before entering satisfaction on any such mortgage in the recorder's office and authorizing the recorder of deeds to receive such taxes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 914, entitled,

An Act to amend section one of an act approved the eighth day of June one thousand eight hundred and eighty-one (Pamphlet Laws eighty-three) entitled "An act to organize the state hospital for the insane at Warren Pennsylvania" changing the name of said hospital

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 813 entitled,

An Act to amend section one of an act approved the eighth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred twenty-seven) entitled "A supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom' fixing the amount of compensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" by imposing certain duties on the lawyer member of the commission and fixing his compensation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 925, entitled,

An Act to amend section nine of an act approved the fifteenth day of May one thousand nine hundred and three (Pamphlet Laws four hundred forty-six) entitled "An act to provide for the selection of a site and the erection of a State Institution for the Feeble-minded and Epileptic to be called the Eastern State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" as amended changing the name of said institution

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 903, entitled,

An Act to amend section seven of an act approved the eighteenth day of July one thousand nine hundred and one (Pamphlet Laws seven hundred thirty-seven) entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment of the insane under homeopathic management to be called the Homeopathic State Hospital for the Insane and making an appropriation therefor" as amended changing the corporate name of the said hospital

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 942, entitled,

An Act to amend section five hundred and two as amended section five hundred and thirty-seven as amended and section five hundred and forty-six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 943, entitled,

An Act to amend section three hundred and ninety of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 944, entitled,

An act prohibiting the collection from persons borrowing money of taxes imposed upon loans by the laws of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 940, entitled:

An Act to amend revise change and consolidate the laws relating to the assessment of persons property and subjects of taxation and the levy and collection of taxes in counties of the second third fourth fifth sixth seventh and eighth classes and in cities of the third class boroughs towns townships school districts of the second third and fourth classes independent school districts and certain poor districts permitting cities of the second class to accept the provisions of this act and become subject thereto and repealing existing laws

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS RE-REFERRED.

Mr. GEORGE W. WILLIAMS returned from the Committee on Public Roads with the recommendation that it be re-referred to the Committee on Appropriations, House Bill No. 1100 (Senate Bill No. 176), entitled

An Act making an appropriation to the State Highway Department for the improvement of certain portions of streets abutting on lands owned by the Commonwealth in Lackawanna County.

The SPEAKER. The bill is now re-referred to the Committee on Appropriations.

Mr. FLINCHBAUGH returned from the Committee on Judiciary Special with the recommendation that it be referred to the Committee on Counties and Townships, House Bill No. 1012, entitled:

An Act validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways, and validating municipal liens therefor.

The SPEAKER. The bill is now re-referred to the Committee on Counties and Townships.

REPORTS OF COMMITTEES.

Mr. DIEHM, from the Committee on Legislative Apportionment, reported as committed House Bill No. 924, entitled,

An Act to amend part of section one of an act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455), entitled, "An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

Mr. SHERIDAN, from the Committee on Printing reported as committed, House Bill No. 928, entitled,

An Act providing for and regulating the public printing and binding, the editing for publication and the distribution of all documents, reports, bulletins and other publications for the use of the Commonwealth, the several departments, boards, commissions and other agencies engaged in the legislative, judicial and administrative work of the State government, the sale of waste paper, the appointment of a Director and other employees, and repealing inconsistent and conflicting legislation.

Mr. SCHOENER, from the Committee on Judiciary Special, reported as committed, House Bill No. 874, entitled,

An Act validating certain elections of counties, cities, boroughs, townships, school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled, "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto; and validating bonds issued or authorized to be issued in pursuance of such elections.

Mr. FLINCHBAUGH, from the Committee on Judiciary Special reported as committed House Bill No. 920, entitled,

An Act to amend section one of the act approved the fourteenth day of April, one thousand nine hundred five, (P. L. 169), entitled "An Act making it unlawful to trespass upon land posted as private property, and providing the penalty therefor.

Mr. HOLLIS, from the Committee on Judiciary Special, reported as committed House Bill No. 984, entitled

An Act providing for the taxation, modification, remission and collection of all fees received by the several prothonotaries and the several clerks of the courts of this Commonwealth.

Mr. CRAIG, from the Committee on Judiciary Special, reported as committed House Bill No. 633, entitled

An Act to amend section one of the act approved the twelfth day of June, one thousand nine hundred and one (P. L. 559), entitled "An Act to provide for the election of one person to fill the office of prothonotary, one person to fill the office of clerk of the courts of general quarter sessions and over and terminer, one person to fill the office of register of wills and clerk of the orphans' court, and one person to fill the office of the recorder of deeds, in counties containing forty thousand inhabitants and hereafter created separate judicial districts, under the Constitution"; providing that said act shall be in effect only upon the acceptance thereof.

Mr. DIEHM, from the Committee on Legislative Apportionment, reported as committed House Bill No. 1151 (Senate Bill No. 411), entitled

An Act to amend part of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, four hundred and forty-nine) entitled "An act to fix the number of Senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future elected Senators."

Mr. BREWSTER, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 802, entitled

An Act to amend section twelve of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 483) entitled "An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the courts power to enforce its provisions," as amended; by providing that the municipalities so exempted from filing affidavits of defense, shall be required to file sworn answers in lieu thereof, setting forth the nature and character of the defense intended to be interposed, and providing that the defendants shall not be permitted at the trial to make any defense which is not set forth in said answer.

Mr. BREWSTER, from the Committee on Judiciary Special reported with a negative recommendation House Bill No. 800, entitled:

An Act making it a misdemeanor to invite, entice or induce with immoral intent, any female under the age of twenty-one years and of good reputation for chastity to enter or ride in any motor vehicle, and imposing penalties.

Mr. HOLLIS, from the Committee on Judiciary Special, reported with a negative recommendation House Bill No. 761, entitled

An Act regulating private detectives and detective agencies, and the licensing of the same by the Secretary of the Commonwealth; defining their powers, duties and liabilities and prescribing penalties.

Mr. SCHOENER from the Committee on Judiciary Special reported with a negative recommendation House Bill No 684 entitled

An Act to amend section sixteen, clause (a), of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 415), entitled "An Act relating to the qualification jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom."

Mr. CRAIG from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 964, entitled

An act exempting water filters or contrivances to purify water and appurtenances thereto, leased or hired, from levy or sale on execution or distress for rent.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

RESOLUTION RETURNED FROM GOVERNOR.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 28, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval, a resolution of the House and Senate recalling from the Governor House Bill No. 37, entitled, "A joint resolution proposing an amendment to Article 9, Section 4, of the Constitution of the Commonwealth of Pennsylvania", for the purpose of amendment.

The Constitution of Pennsylvania provides that resolutions amending the Constitution should not be submitted to the Governor, and House Bill No. 37 was therefore filed in the office of the Secretary of the Commonwealth and did not reach the Governor's office.

A similar resolution recalling House Bill No. 37 from the Secretary of the Commonwealth for the purpose of amendment has subsequently been passed by the House and Senate and signed by the Governor.

For this reason the resolution is not approved.

GIFFORD PINCHOT.

RESOLUTIONS LAID ON TABLE.

Mr. DUNN. Mr. Speaker, I move that the resolution be laid on the table.

Mr. HAWS. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL NO. 26.

Commonwealth of Pennsylvania,
Executive Department, Harrisburg, March 28, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following resolution:

A resolution of the Senate and House of Representatives recalling from the Governor House Bill No. 26 for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE.

Mr. STARK. Mr. Speaker, I move that the vote by which House Bill No. 26, passed finally be reconsidered.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. STARK. Mr. Speaker, I move that the vote by which House Bill No. 26 passed third reading be reconsidered.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. STARK. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend section 1, page 2, lines 16 and 17, by removing the words in brackets "shall go to and be vested in the Commonwealth by escheat" following the word "personal" and insert the same in brackets following the word "intestate" in line 17.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instruction of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

PRESERVATION OF WAR RECORDS.

Mr. STAUDENMEIER offered the following resolution which was read and laid over under the rules:

In the House of Representatives, March 28, 1923.

Whereas, The preservation and protection of the records of the various wars in which the United States has been involved and of other public records pertaining to important events in the history of the country will be of great historical benefit to future generations, and

Whereas, The loss or destruction of similar records has heretofore deprived the public of valuable material for historical research; therefore be it

Resolved, (if the Senate concur), That the General Assembly of Pennsylvania respectfully and earnestly urges upon Congress the necessity of enacting immediate legislation providing for the erection at Washington of a fire proof building adequate to serve as a repository for all national archives; and be it further

Resolved, That copies of these resolutions be forwarded by the Secretary of the Commonwealth to the President of the United States to the Vice-president, to the Speaker of the House of Representatives, and to each of the members of Congress from Pennsylvania.

PRINTING ADDITIONAL COPIES OF HOUSE BILL NO. 940.

Mr. LUDLOW. Mr. Speaker, I move that there be printed one thousand additional copies of House Bill No. 940.

Mr. JOHN G. MARSHALL. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. LUDLOW. Mr. Speaker, in explanation of this motion, this is a bill presented by the Commission to revise the methods of assessment and collection of taxes in the counties. The demands for it have been very large, and there is not a sufficient supply on hand to meet the demand.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Mr. GEORGE W. WILLIAMS IN THE CHAIR.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 724, entitled:

An Act to amend section one thousand and five, Article X, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forestry Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing further penal provisions for setting fire maliciously or otherwise to any woodlot, forest or wild land.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were as follows, viz:

YEAS—115.

Alexander,	Edmonds,	Jones, D. J.,	Sample,
Armstrong,	Evans, B. P.,	Jones, E. P.,	Smith, G. A.,
Arthur,	Fields,	Kelly,	Smith, H. J.,
Baker,	Fowler, A. I.,	Kennedy,	Smith, H.,
Baldi,	Fowler, D.,	Kunkle,	Smith, J. W.,
Beaver,	Fratt,	Little,	Spangler,
Behney,	Frazier,	Long,	Stark,
Bell, F. A.,	Gallaher,	Lucas,	Staudenmeier,

Berger,	Gelder,	Ludlow,	Storb,
Blair.	Gibbon,	Lynch,	Thomas, L. D.,
Bluett,	Gilchrist,	MacKinney,	Thomas, M. G.,
Blumberg,	Goehring,	Marcus, J.,	Van Alen,
Brenneman,	Golder,	Marcus, J. C.,	Walker,
Brewster,	Goss.	Marshall, W. F.,	Weamer,
Brown,	Greeby,	McBride,	Wells,
Brownmiller,	Griffith,	McCaig,	Wheeler,
Burns,	Grimes,	McCann,	Whitehouse,
Bush,	Hall,	McClure.	Whiteman,
Chaplin,	Harer,	McCurdy,	Williams, G. W.,
Clutton,	Haslett,	McKim,	Wood, N.,
Coldsmith,	Haws,	Metcalf,	Wood, W. P.,
Colville,	Heffernan,	Miller,	Wright,
Conner,	Henderson,	Moffatt,	Zook,
Craig.	Hetrick,	Moore,	Goodnough,
Diehm,	Heyburn,	Morrison,	Speaker.
Dilsheimer,	Holcombe,	Ogle,	
Drinkhouse,	Horne,	Orr,	
Dunn,	Huber,	Peelor,	
Eaches,	Irvin,	Posey,	
Earley,	Jones, C. B.,	Rippman,	

NAYS—4.

Dietz,	Flinchbaugh,	Minehart,	Myers, G. C.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 725, entitled:

An Act to amend Article XII of an act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were as follows, viz:

YEAS—118.

Alexander,	Evans, J.,	Kunkle,	Sample,
Arthur,	Fields,	Little.	Schoener,
Baker,	Flynn,	Long,	Shambach,
Baldi.	Fowler, D.,	Lucas,	Sheridan,
Beaver,	Frazier,	Ludlow,	Smith, G. A.,
Behney,	Gallaher,	Lynch,	Smith, H.,
Bell, F. A.,	Gelder,	MacKinney,	Spangler,
Bell, W. T.,	Gibbon,	Marcus, J. C.,	Stark,
Bentley,	Gilchrist,	Marshall, W. F.,	Staudenmeier,
Bidelspacher,	Goehring,	McBride,	Stevens, A. J.,
Blair,	Golder,	McCaig,	Stoner,
Bluett,	Goss.	McCann,	Storb,
Blumberg,	Griffith,	McCurdy,	Thomas, M. G.,
Brewster,	Grimes,	McDaniel,	Van Alen,
Bromley,	Gundy,	Metcalf,	Walker,
Brown,	Harer,	Miller,	Weamer,
Brownmiller,	Haslett,	Moffatt,	Wells,
Burns,	Haws,	Moore,	Wettach,
Bush,	Heffernan.	Morrison,	Wheeler,
Coldsmith,	Henderson,	Munley,	Whitehouse,
Conner,	Hetrick,	Myers, P. M.,	Whiteman,
Craig,	Heyburn,	Ogle,	Williams, G. W.,
Diehm,	Himes,	Orr	Williams, J. M.,
Dilsheimer,	Holcombe,	Parkinson,	Wood, N.,
Drinkhouse,	Hollis,	Patterson,	Wood, W. P.,
Dunn,	Horne,	Peelor,	Wright,
Eaches,	Huber,	Perry,	Zook,
Earley,	Irvin,	Posey,	Goodnough,
Edmonds,	Jones, D. J.,	Raymond,	Speaker.
Eshelman,	Jones, E. P.,	Richards,	
Evans, B. P.,	Kennedy,		

NAYS—2.

Betts,	Brenneman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 726, as follows:

An Act to amend an act entitled " An act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an act entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania togeather with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forest now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine nundred and fifteen (Pamphlet Laws eight hundred and twenty-five)" by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand seven hundred and one of an act entitled "An Act to amend an Act entitled 'An act to amend sections two thousand seven hudred and one and two thousand seven hundred and two of an Act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forests now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five)" is hereby amended to read as follows

Section 2701 The net receipts and proceeds derived in any way from or on account of the forest reservations now or hereafter acquired by this Commonwealth together with all water-powers and water-rights belonging to this Commonwealth in the streams rives lakes or other waters of this Commonwealth and all real estate owned by this Commonwealth which is not used for State or other public purposes all escheated estates in this Commonwealth and all other property or money which shall in any way accrue to such fund whether by Act of Assembly devise gift or otherwise shall belong to and contitute a fund to be known and designated as "The State School Fund of Pennsylvania" which is to be maintained as herein provided Provided however That the forest reservations shall continue to be wholly under the control of the State Forest Reservation Commission as now provided by law

Section 2 That section two thousand seven hundred and two of said act is hereby amended to read as follows

Section 2702 All real and personal property belonging to the State School Fund shall be wholly under the control and management of the State Board of Education The net

receipts derived in any way from or on account of the State forest reservations or from or on account of any real or personal property belonging to the State School Fund and all other moneys accruing to said fund shall always be promptly paid to the State Treasurer and kept by him in a separate account subject to the disposal of the State Board of Education as herein provided and the State Treasurer shall deposit said funds in the properly authorized depositories for State funds and shall add to such funds the interest received from the depositories for the use of the same All income derived from any investments of the State School Fund shall be paid to the State Treasurer and kept deposited as herein provided in a separate account subject to the order of the State Board of Education The State Treasurer and his bondsmen shall be responsible for the safe-keeping of and accounting for said funds in the same manner and under the same penalties as for the safe-keeping of and accounting for the other funds of this Commonwealth

Section 3 All acts or parts of acts general local or special inconsistent with this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were as follows, viz:

YEAS—117.

Armstrong,	Evans, B. P.,	Long,	Smith, G. A.,
Baker,	Evans, J.,	Lucas,	Smith, H. J.,
Baldi,	Fields,	Ludlow,	Smith, H.,
Beaver,	Flinchbaugh,	Lynch,	Spangler,
Behney,	Flynn,	MacKinney,	Stark,
Bell, F. A.,	Fowler, A. I.,	Marcus, J. C.,	Staudenmeier,
Bell, W. T.,	Fowler, D.,	Marshall, W. F.,	Storb,
Bentley,	Frazier,	McCaig,	Thomas, L. D.,
Bidelspacher,	Gallaher,	McCann,	Thomas, M. G.,
Blair,	Gelder,	McCurdy,	Thompson,
Bluett,	Glasgow,	McDaniel,	Van Alen,
Blumberg,	Goehring,	Metcalf,	Walker,
Brenneman,	Golder,	Miller,	Weamer,
Brewster,	Goss,	Moffatt,	Wells,
Bromley,	Greeby,	Moore,	Wheeler,
Brown,	Griffith,	Morrison,	Whitehouse,
Brownmiller,	Grimes,	Myers, G. C.,	Whiteman,
Burns,	Haslett,	Myers, P. M.,	Williams, G. W.,
Bush,	Heffernan,	Ogle,	Williams, J. M.,
Chaplin,	Henderson,	Orr,	Woner,
Coldsmith,	Hetrick,	Peelor,	Wood, N.,
Colville,	Heyburn,	Perry,	Wood, W. P.,
Craig,	Himes,	Pitts,	Wright,
Diehm,	Hollis,	Posey,	Zook,
Fetz,	Horne,	Raymond,	Goodnough,
Dilsheimer,	Huber,	Richards,	Speaker.
Driggs,	Irvin,	Sample,	
Dunn,	Jones, C. B.,	Sautter,	
Eaches,	Jones, D. J.,	Schoener,	
Earley,	Jones, E. P.,	Shambach,	
Edmonds,	Kelly,	Sheridan,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 729, entitled:

An Act to amend sections one thousand one one thousand two one thousand three and one thousand four Article ten of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts tehreof that may be inconsistent with or supplied by this act" by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden refusing to aid a fire warden hindering a forest protection officer in his duties or non-abatement of a nuisance caused by maintaining a special forest fire hazard

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RHODES. Mr. Speaker and members of the House, in looking over this bill, section 1001, as amended, seems to be an improper amendment. The amendment takes away the penalty of a misdemeanor and substitutes that of summary conviction, where a fire warden has failed to properly perform his duties and it likewise provides that where a fire warden has made a false or fradulent statement of service rendered, and thereby obtained money unquestionably by that false and fradulent representation, he is not prosecuted according to law but is only subject to the penalty of one thousand dollars in a summary conviction action. It seems to me, that where a man has committed a crime by falsification of record, he should not be permitted to get off with merely a summary conviction, but he should be prosecuted in the court of quarter sessions for a misdemeanor. We have just passed bill No. 724, which provides an increase of penalty, so that if a man sets a fire to a wood tract he is now subject to a fine of $5000.00 and ten years in jail. It has been made a felony, That has been increased, now why should we make flesh of one and fish of the other? It seems to me that if a fire warden goes bad and becomes a crook he should likewise be penalized and prosecuted in the Court of Quarter Sessions, and not merely before a justice of the peace for a summary conviction, carrying with it merely a fine of $100.00; and therfore, I say that this bill as it now stands should be defeated.

On the question recurring

Shall the bill pass finally?

BILL POSTPONED.

Mr. SOWERS. Mr. Speaker, I move that this bill, House Bill No. 729, be placed on the postponed calendar.

Mr. GOLDER. Mr. Speaker, I second the the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 134, entitled

A Joint Resolution Proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. STARK. Mr. Speaker, I move that House Bill No. 134 be placed on the postponed calendar.

Mr. WHEELER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 234, entitled

An Act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto.

And said bill having read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118.

Albert,	Dunn,	Horne,	Perry,
Alexander,	Eaches,	Howell,	Posey,
Armstrong,	Earley,	Huber,	Rinn,
Baker,	Edmonds,	Irvin,	Rippman,
Baldi,	Eshelman,	Jones, C. B.,	Sample,
Beaver,	Evans, B. P.,	Jones, D. J.,	Schleiter,
Behney,	Flinchbaugh,	elly,	Schwartz,
Bell, F. A.,	Flynn,	Kohler,	Smith, H. J.,
Bentley,	Fowler, A. I.,	Kunkle,	Smith, H.,
Bidelspacher,	Fowler, D.,	Little,	Spangler,
Blair,	Frazier,	Long,	Stark,
Bluett,	Gelder,	Lucas,	Staudenmeier,
Blumberg,	Gibbon,	Ludlow,	Stevens, A. F.,
Brenneman,	Goehring,	MacKinney,	Storer,
Brewster,	Golder,	Marcus, J. C.,	Thomas, M. G.,
Bromley,	Gorham,	Marshall, W. F.,	Van Alen,
Brown,	Greeby,	McBride,	Walker,
Brownmiller,	Griffith,	McCaig,	Weamer,
Burchinal,	Grimes,	McCann,	Wheeler,
Burns,	Gundy,	McCurdy,	Whitehouse,
Bush,	Hall,	McVicar,	Williams, G. W.,
Chaplin,	Harer,	Metcalf,	Wood, N.,
Coldsmith,	Harter,	Miller,	Wood, W. P.,
Conner,	Haslett,	Minehart,	Wright,
Craig,	Heffernan,	Moffatt,	Zook,
Diehm,	Heffran,	Morrison,	Goodnough,
Dietz,	Henderson,	Myers, P. M.,	Speaker.
Dilsheimer,	Hetrick,	Nolte,	
Donahue,	Heyburn,	Ogle,	
Driggs,	Holcombe,	Orr,	
Drinkhouse,	Hollis,	Peelor,	

NAYS—2.

Kennedy, Shambach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

SPEAKER C. J. GOODNOUGH IN THE CHAIR.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 866, entitled:

A Joint Resolution proposing an amendment to section nine of the Constitution of the Commonwealth of Pennsylvania

On the question,

Will the House agree to the bill on third reading,

BILL POSTPONED.

Miss MacKINNEY. Mr. Speaker, I move that House Bill No. 866 be placed on the postponed calendar.

Mr. McKIM. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED.

The SPEAKER. The Chair asks unanimous consent to refer bills at this time that were introduced today.

The Chair hears no objection.

By Mr. EDMONDS. HOUSE BILL No. 1231.

An act supplementing an act approved the seventeenth day of June, one thousand nine hundred and thirteen, (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith, and modifying existing legislation which provided for raising revenue for State purposes:" by changing the tax on mortgages for county purposes, and in counties coextensive with cities, for county and city purposes; and providing a method for the collection thereof and repealing inconsistent legislation.

Referred to the Committee on Ways and Means.

By Mr. KOHLER. HOUSE BILL No. 1232.

An act to amend section one of the act approved the twenty-fourth day of March, one thousand nine hundred and five, (P. L. 47), entitled "An act establishing in counties containing a population of from three hundred thousand to one million, a Board for the Assessment and Revision of Taxes for state and county purposes; prescribing their powers and duties; and abolishing the office of ward, borough and township assessors, in so far as respects the assessment of State and county taxes," by providing for the election of the Board for the Assessment and Revision of Taxes, and terminating the tenure of the present Board.

Referred to the Committee on Ways and Means.

By Mr. EDMONDS. HOUSE BILL No. 1233.

An Act authorizing the creation of a commission to negoafter laid out in cities of the first class and forbidding the erection of buildings in certain streets, courts, alleys, or ways, either public or private, and the placing of private alleys or driveways on the City plan or their becoming public highways in such cities, except in accordance with the provisions hereof.

Referred to the Committee on Municipal Corporations.

By Mr. GEO. W. WILLIAMS. HOUSE BILL No. 1234.

An Act authorizing the creation of a commission to negotiate with the duly constituted agents of the states of New York and New Jersey for the regularization of the flow of the Delaware River, the conservation, apportionment, and utilization of the water resources thereof; providing the method for ratification of such compact by this Commonwealth; and prescribing the conditions of its being in full force and effect.

Referred to the Committee on Forestry.

By Mr. GEO. W. WILLIAMS. HOUSE BILL No. 1235.

An Act authorizing the Department of Forestry to grant on terms, conditions and stipulations rights to occupy and use any portion of the State Forests for dams, reservoirs, canals, pipe lines and other water conduits for water supply purposes; and providing for forfeiture and other remedies for breach of such terms, conditions and stipulations.

Referred to the Committee on Forestry.

By Mr. GEO. W. WILLIAMS. HOUSE BILL No. 1236.

An Act providing for a giant power survey: creating a Giant Power Survey Board; defining the powers and duties thereof; requiring officers, Departments, Commissions, and other agencies of the Commonwealth to give information thereto; and making an appropriation.

Referred to the Committee on Forestry.

By Mr. GEO. W. WILLIAMS. HOUSE BILL No. 1237.

An Act subjecting to terms, conditions and stipulations permits by the Water Supply Commission for the construction of dams and other water obstructions for the supplying of water for certain purposes; authorizing the condemnation off lands and water; prescribing the condemnation procedure; and providing for revocation and other remedies for breach of such terms, conditions and stipulations.

Referred to the Committee on Forestry.

By Mr. GEO. W. WILLIAMS. HOUSE BILL No. 1238.

An Act authorizing the Department of Forestry to lease, for periods of not more than fifty years, on terms, conditions and stipulations expressed in each lease, any portions of the State Forests for dams, reservoirs, canals, pipe lines and other water conduits, power houses and transmission lines for the development of water power, for steam raising and condensation and for the generation and transmission of electric energy.

Referred to the Committee on Forestry.

By Mr. WONER. HOUSE BILL No. 1239.

An Act to establish as a State Highway a certain section of public road in the counties of Westmoreland, Armstrong and Butler.

Referred to the Committee on Public Roads.

By Mr. WONER. HOUSE BILL No. 1240.

An Act imposing an additional State tax on gasoline, and on all other liquids containing any derivative of petroleum or natural gas, produced, prepared, or compounded or usable for the purpose of generating power by means of internal combustion and sold in this Commonwealth; fixing a period within which such tax shall be imposed, and providing for the collection of such tax.

Referred to Committee on Ways and Means.

By Mr. EDMONDS. (By Request.) HOUSE BILL No. 1241.

An Act prohibiting traveling carnival companies from operating in this Commonwealth, providing for the forfeiture of property used, and money received in violation of the provisions of this act, and the disposition thereof; prescribing the duties of district attorneys, sheriffs and peace officers relative to the enforcement of this act, inflicting penalties for the failure to perform such duties and for the violation of this act.

Referred to Committee on Judiciary General.

By Mr. EDMONDS. (By Request.) HOUSE BILL No. 1242.

An Act to amend section two of an act approved the twenty-second day of April, one thousand nine hundred and five (Pamphlet Laws, two hundred ninety-three), entitled, "An Act providing for the presentation of libels in divorce to the several courts of common pleas, and awarding of subpoenas thereon;" by eliminating alias and pluries subpoena from the provisions of this act.

Referred to Committee on Judiciary General.

By Mr. EDMONDS. (By Request.) HOUSE BILL No. 1243.

An Act to amend section three of an act approved the thirteenth day of March, one thousand eight hundred and fifteen (Pamphlet Laws, one hundred fifty), entitled, "An Act concerning divorces;" by eliminating alias subpoenas in divorce actions.

Referred to Committee on Judiciary General.

By Mr. McCAIG. HOUSE BILL No. 1244.

An Act relating to the regulation of brick work and inspection of same in cities of the first, second, third and fourth class, and other municipalities within the Commonwealth wherein such work is performed and inspectors are employed; providing for the appointment of inspectors and penalties for the violation of this act.

Referred to Committee on Labor and Industry.

By MARTHA G. THOMAS. HOUSE BILL No. 1245.

An Act making an appropriation to the Chester County Hospital, West Chester, Pennsylvania.

Referred to the Committee on Appropriations.

By MARTHA G. THOMAS. HOUSE BILL No. 1246.

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm, Chester County, Pennsylvania.

Referred to the Committee on Appropriations,

By MARTHA G. THOMAS. HOUSE BILL No. 1247.

An Act making an appropriation to the Phoenixville Hospital, Phoenixville, Pennsylvania, Chester County.

Referred to the Committee on Appropriations.

By MARTHA G. THOMAS. HOUSE BILL No. 1248.

An Act making an appropriation to the Homeopathic Hospital, West Chester, Chester County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ASTON. HOUSE BILL No. 1249.

An Act providing that fifty percentum of the tax levied on anthracite coal be dedicated to the State and the remaining fifty per centum thereof to be dedicated or apportioned to the cities, boroughs and townships in the State where anthracite coal is mined.

Referred to the Committee on Ways and Means.

By Mr. POSEY. HOUSE BILL No. 1250.

An Act permitting licensing, regulating and controlling horse racing and betting and wagering on the result of such races; creating a racing commission with jurisdiction over the same.

Referred to the Committee on Law and Order.

By Mr. WONER. HOUSE BILL No. 1251.

An Act to prohibit the obstruction of the view of the interior of soft drink places, pool rooms and billiard parlors.

Referred to the Committee on Law and Order.

By Mr. VICKERMAN. HOUSE BILL No. 1252.

An Act providing for the licensing of certain stills and other distilling apparatus; imposing certain duties upon the Secretary of the Commonwealth; providing for the search for, and seizure and destruction of, unlicensed stills and distilling aparatus; and providing penalties.

Referred to the Committee on Law and Order.

By Mr. EDMONDS. (By Request.) HOUSE BILL No. 1253.

An Act permitting service in divorce actions, to be made by registered letter upon respondents residing outside of the Commonwealth.

Referred to the Committee on Judiciary General.

By. Mr. MORRISON. HOUSE BILL No. 1254.

An Act making an appropriation to carry out the provisions of the Act, approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, eleven hundred ninety), entitled "An Act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers' licenses, which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim; and making an appropriation for such refunds."

Referred to the Committee on Appropriations.

By Mr. HALL. HOUSE BILL No. 1255.

An Act providing for the refunding of moneys erroneously paid into the State Treasury as taxes by dealers in

goods, wares and merchandise under the merchantile license tax law, and making an appropriation for such refunding.

Referred to Committee on Judiciary Local.

By Mr. HENDERSON. HOUSE BILL No. 1256.

An Act imposing a State tax on liquid fuels as herein defined to be paid by distributors as herein defined; providing for the collection of such tax and for the distribution and use of the revenues derived therefrom; providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax; and fixing penalties.

Referred to Committee on Ways and Means.

By Mr. DAVID J. JONES. HOUSE BILL No. 1257.

An Act regulating deposits of State moneys or funds, creating a State Depository Board consisting of the State Treasurer, the Auditor General, the Secretary of the Commonwealth and the State Commissioner of Banking, defining the powers and duties of such Board, imposing certain duties upon the State Treasurer, Auditor General and the State Commissioner of Banking, and prescribing penalties.

Referred to Committee on Banks and Banking.

By Mr. HAINES. HOUSE BILL No. 1258.

An Act to amend section one hundred and six of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Referred to Committee on Education.

By Mr. SPANGLER. HOUSE BILL No. 1259.

An Act providing that certain elections to take under or against the will of decedents heretofore required to be filed by surviving husbands or wives shall be presumed to have been made to take under said will.

Referred to Committee on Judiciary General.

By Mr. MORRISON. HOUSE BILL No. 1260.

An Act making an appropriation to the Pennsylvania State Park and Harbor Commission of Erie for the purposes of carrving out the provisions of the Act approved the 27th day of May, 1921 (Pamphlet Laws, one thousand one hundred eighty), entitled, "An act dedicating certain lands of the Commonwealth of Pennsylvania, situated in the city and county of Erie, to public use as an historical memorial and public State park; aiding in the development of the harbor of Erie; and creating a commission to manage and control said lands and said harbor improvements; empowering said commission to purchase or receive by gift other lands for the purpose of this act; providing for the appointment of members of said commision, and that the Secretary of Internal Affairs and the Commissioner of Fisheries shall be exofficio members thereof; defining the duties and powers of said commission; excepting rights and privileges in said lands heretofore granted; and making an appropriation."

Referred to Committee on Appropriations.

By MARTHA G. THOMAS. HOUSE BILL No. 1261

An act to amend section three of the act approved the fourth day of June, A. D. one thousand nine hundred and nineteen, (P. L. 387), entitled, "An act authorizing the appointment of a Deputy Commissioner of Health in the Department of Health of the Commonwealth of Pennsylvania; defining the qualifications, powers and duties of said officers; and providing compensation therefor."

Referred to the Committee on Appropriations.

By Mr. WALKER. HOUSE BILL No. 1262.

An act to establish as a State Highway a certain section of public road in the county of Washington.

Referred to the Committee on Public Roads.

By Mr. MOFFATT. HOUSE BILL No. 1263.

An act to amend an act approved May third, one thousond nine hundred and nine, entitled, "An act for the safety of persons from fire or panic in certain buildings, not in cities of the first and second classes, by providing proper exits, fire-escapes, fire extinguishers, and other preventatives of fire; by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection; and by providing proper penalties for any violation of the same", as amended; providing for the safe construction of such buildings; providing for the drafting of rules and regulations to carry out the provisions of this act; by vesting jurisdiction for the enforcement of this act in the Department of Labor and Industry.

Referred to the Committee on Labor and Industry.

By Mr. MOFFATT. HOUSE BILL No. 1264.

An act providing for the depositing of money as a forfeit for the appearance of persons arrested for certain offences for hearing before a mayor or chief burgess; and providing for the forfeiture and payment of the same into the city or borough treasury in case of non-appearance of person arrested.

Referred to the Committee on Judiciary General.

By Mr. GIBBON. HOUSE BILL No. 1265.

An act imposing an additional state tax on gasoline, and on all other liquids containing any derivative of petroleum or natural gas, produced, prepared or compounded or usable for the purpose of generating power by means of internal combustion and sold in this Commonnwealth at wholesale, or at retail in certain cases, or taken for use before it is sold; providing for the collection of such tax and for the use of the revenue derived therefrom; making an appropriation and fixing penalties.

Referred to the Committee on Ways and Means.

By Mr. HOWELL. HOUSE BILL No. 1266.

An act to amend section five of an act approved the fifth day of March, one thousand nine hundred and six, (P. L. 63), entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," as amended; eliminating the provision relative to the registration before county commissioners where taxes have been paid after the registration day in odd-numbered years.

Referred to the Committee on Elections.

By Mr. MOFFATT. HOUSE BILL No. 1267.

An act concerning lunatics, habitual drunkards, feebleminded persons, paupers, and persons who are or might become dependent on the Commonwealth of Pennsylvania, or any subdivision thereof, whether county, city, poor district, or municipality by whatever name known, and the estates, property and effects of any or all such persons, providing for notice of the sale, mortgaging, or other disposition, of said estates, property and effects, whether by proceedings in court or otherwise, and saving and reserving the rights of said Commonwealth and said sub-divisions thereof to recover for such dependence.

Referred to the Committee on Judiciary General.

By Mr. GROVER C. MYERS. HOUSE BILL No. 1268.

An act prohibiting the appointment of certain persons as police officers, game proctectors, fish wardens and detectives.

Referred to the Committee on Law and Order.

By Mr. STAVITSKI. HOUSE BILL No. 1269.

An act to amend section three of an act approved the tenth day of April, one thousand eight hundred and sixty-

seven, (P. L. 62), entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth," by requiring the drawing of jury panels from the wheel to take place publicly in the court room and in the presence of one of the Judges of the court of common pleas.

Referred to the Committee on Judiciary Special.

By Mr. LUDLOW. HOUSE BILL No. 1270.

An act providing for a State Industrial Farm; authorizing the appointment of a board of managers, and defining its powers and duties, and those of the Commissioner of Public Welfare with regard to the acquisition and selection of a site, the erection and equipment of buildings, the government of such farm, the admission, employment, control, maintenance and discharge of inmates committed or transfered thereto from State and county penal institutions; imposing certain liabilities upon counties; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. McVICAR. HOUSE BILL No. 1271.

An Act making it unlawful for the Public Service Commission of the Commonwealth of Pennsylvania to make, fix, alter, change or modify rates, fares, charges or other considerations set forth in any contract heretofore or herafter made between a public service corporation and a municipality.

Referred to the Committee on Judiciary General.

By Mr. LAUVER. HOUSE BILL No. 1272.

An Act to prevent deception in and to regulate the sale of paint, putty, naval stores (turpentine and rosin), or any substitutes therefor, providing penalties for the violations thereof, providing for the enforcement of this act, and repealing an act approved the first day of June, one thousand nine hundred and fifteen, entitled "An act to prevent deception in the sale of paint, putty, turpentine or any substitutes therefor, and providing penalties for the violation thereof."

Referred to Committee on Manufactures.

By Mr. WETTACH. HOUSE BILL No. 1273.

An Act making an appropriation to the Pittsburgh and Allegheny Home for the Friendless, situated in the city of Pittsburgh, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. SPANGLER. HOUSE BILL No. 1274.

A Supplement to an act approved the tenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, four hundred seventy-one), entitled "An act providing a system of management and control of the jail or county prison in each county of the fifth class; providing for a warden; defining his powers and duties; providing for other employes and salaries; and describing the duties and powers of the county commissioners and the sheriff in connection therewith," authorizing the county commissioners of said counties to use or to contract with townships, boroughs and cities for the use by them of prison labor in the construction, maintenance and repair of roads, streets, highways bridges and culverts and to prepare, furnish and transport material for the same, and to require male prisoners to perform labor for said purposes, and providing for the compensation of prisoners performing such labor and the application thereof, limiting the liability of the counties for injuries received by prisoners employed, and providing penalties for escape or attempt to escape by prisoners.

Referred to Committee on Counties and Townships.

By Mr. GUERIN. HOUSE BILL No. 1275.

An Act abolishing the office of high constable in the boroughs of this Commonwealth and authorizing and directing the boroughs councils to designate the police or a constable of the borough to perform the duties now by law imposed on high constables.

Referred to Committee on Municipal Corporations.

By Mr. SCHAEFFER. HOUSE BILL No. 1276.

An Act to amend section five as amended of an act approved the thirtieth day of March, one thousand nine hundred and seventeen (Pamphlet Laws, twenty-one), entitled, "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained: and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith."

Referred to Committee on Public Health and Sanitation.

By Mr. STAVITSKI. HOUSE BILL No. 1277.

An Act providing for the protection of the health of painters by prohibiting the use of the spray machine for painting.

Referred to Committee on Labor and Industry.

By Mr. ZOOK. HOUSE BILL No. 1278.

An Act providing for the creation, management and maintenance of a State Fund for the insurance of liability for injuries to persons and property caused in the operation of motor vehicles by subscribers thereto, and making an appropriation therefor.

Referred to the Committee on Insurance.

By Mr. ZOOK. HOUSE BILL No. 1279.

An Act relating to motor vehicles and requiring the owner of any motor vehicle to be insured against liability for damages for injuries in person or property sustained through the negligent or illegal operation thereof in this Commonwealth and providing a penalty.

Referred to the Committee on Insurance.

By Mr. RINN. HOUSE BILL No. 1280.

An Act to establish as a State highway a certain section of public road in the counties of Lehigh and Berks.

Referred to the Committee on Public Roads.

By Mr. STAVITSKI. HOUSE BILL No. 1281.

An Act to amend chapter seven of an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," regulating the appointment, supervision and discharge of police officers.

Referred to the Committee on Counties and Townships.

By Mr. METCALF. HOUSE BILL No. 1282.

An Act to amend sections five hundred and thirty-seven five hundred and forty-two and five hundred and forty-three, of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Referred to the Committee on Education.

By Mr. SPANGLER. HOUSE BILL No. 1283.

An Act providing for acquisition by cities of waterworks, plants or systems, form persons, firms or corporations, after assent of the electors of said city shall have been obtained thereto; prescribing the method of obtaining and determining such assent and the manner of ascertaining and arriving at the value of said waterworks, plants or systems; to authorize cities to issue bonds secured upon such waterworks, plants or systems and the revenues thereof, for the payment thereof and of the costs of the acquisition proceedings, and

to provide a sinking fund to liquidate the principal and interest of said bonds out of the revenues of said plants; and to authorize the said cities to increase their indebtedness by issuing bonds for the payment of the whole or any part of said value.

Referred to the Committee on Municipal Corporations.

By Mr. McVICAR. HOUSE BILL No. 1284.

An Act to provide for the compensation of child caring societies and agencies for service rendered in the care of dependent, neglected and delinquent children on a per capita, per weekly basis, fixing the method of giving such compensation., classifying societies, and agencies coming under this Act, and prescribing minimum standards of equipment and service.

Referred to the Committee on Judiciary General.

By Mr. McVICAR. HOUSE BILL No. 1285.

An Act establishing minimum standards of plants, equipment service, administration and care and treatment for State-aided hospitals; requiring the Department of Public Welfare to investigate any hospital to which an appropriation is made and if such hospital conforms to at least the standards established by this act, to so certify to the Auditor General; and prohibiting the Auditor General from drawing a warrant upon the State Treasurer in favor of any hospital which does not conform to the standards established by this act."

Referred to the Committee on Judiciary General.

By Mr. STAVITSKI. HOUSE BILL No. 1286.

An Act to amend chapter six of the act approved the fourteenth day of May, one thousand nine hundred and seventeen, (P. L. 840), entitled, "An act concerning townships; and revising amending and consolidating the law relating thereto," regulating the appointment, suspension and discharge of police officers in boroughs.

Referred to the Committee on Counties and Townships.

By Mr. PARKINSON. HOUSE BILL No. 1287.

An Act to amend section second of the act approved the ninth day of July, one thousand nine hundred and one (Pamphlet Laws, six hundred fourteen), entitled "An act relating to the service of certain process in actions at law, and the effect thereof, and providing who shall be made parties to certain writs," as amended.

Referred to Committee on Judiciary Local.

By Mr. McVICAR. HOUSE BILL No. 1288.

An Act to provide for the compensation of institutions, maternity hospitals and homes, for service rendered in care of indigent, dependent, neglected and delinquent children and indigent persons in maternity hospitals or homes on a per capita, per weekly basis, fixing the method of giving such compensation classifying institutions coming under the provisions of this act, and prescribing minimum standards of equipment and service.

Referred to Committee on Judiciary General.

By Mr. VICKERMAN. HOUSE BILL No. 1289.

An Act empowering the Board of Commissioners of Public Grounds and Buildings to procure bonds for State officers and employes, and providing for the payment of the cost of said bonds and the custody thereof.

Referred to Committee on Judiciary Special.

By Mr. BLAIR. HOUSE BILL No. 1290.

An Act to amend the act approved the fifth day of April, one thousand nine hundred and twenty-one (Pamphlet Laws, ninety-four), entitled "An act requiring the county commissioners, in all counties of the fifth, sixth seventh and eighth class of this Commonwealth, to provide an office at the county-seat for the district attorney and his assistants, if any, and to furnish supplies, postage, telephone, fuel and light required for his and their use;" extending the provisions of the act to counties of the fourth class.

Referred to Committee on Counties and Townships.

By Mr. McVICAR. HOUSE BILL No. 1291.

An Act establishing the per diem rates of payment to hospitals to which the General Assembly may appropriate money to pay for the care and treatment of indigent sick or injured persons and for that purpose classifying such hospitals, defining "indigent;" and prescribing the manner of determining whether a person is indigent and the method of calculating the number of free days of care and treatment rendered to indigent persons.

Referred to Committee on Judiciary General.

By Mr. HALL. HOUSE BILL No. 1292.

An Act to amend clause (c) of section three, article three of the act approved the twenty-sixth day of July, one thousand nine hundred thirteen, (P. L. 1374) entitled, "The Public Service Company Law."

Referred to the Committee on Judiciary Local.

By Mr. ALFRED I. FOWLER. HOUSE BILL No. 1293.

An Act to amend part of section one of an act, approved the twentieth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand one hundred fifty-eight), entitled "An Act to fix, regulate and establish the fees to be charged and received by constables in this Commonwealth."

Referred to the Committee on Judiciary Local.

By Mr. WALKER. HOUSE BILL No. 1294.

An Act authorizing executors and administrators to bring suit and recover judgments against the Commonwealth of Pennsylvania in the counties of which the decedents whose estates they administer were resident, for the recovery of over payments of direct and collateral inheritance transfer taxes.

Referred to the Committee on Judiciary Special.

By Mr. HORNE. HOUSE BILL No. 1295.

An Act to amend section one thousand four hundred and six, as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue:and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to the Committee on Education.

By Mr. HORNE. HOUSE BILL No. 1296.

An Act requiring a permit to take coal, clay, sand, gravel and other material from the beds of streams; imposing a State tax on materials so taken; providing for the assessment and collection of such tax; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. HORNE. HOUSE BILL No. 1297.

An Act to amend section three hundred and three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Referred to the Committee on Education.

By Mr. HORNE. HOUSE BILL No. 1298.

An Act to amend section one thousand one hundred thirty-four of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws, three hundred nine), entitled, "An Act to establish a public school

system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to the Committee on Education.

By Mr. POST. HOUSE BILL No. 1299.

An Act to amend an act approved the twenty-first day of May, one thousand nine hundred and twenty-one (P. L. 1057), entitled, "A supplement to an act, entitled 'An act to amend an act, entitled, "An act to provide for the incorporation and regulation of certain corporations," approved the twenty-ninth day of April, Anno Domini, one thousand eight hundred and seventy-four, providing for the incorporation and regulation of electric light, heat, and power companies,' approved the eighth day of May, Anno Domini, one thousand eight hundred and eighty-nine, by extending the powers of every corporation heretofore or hereafter incorporated for the supply of light, heat and power, or any of them, to the public by electricity, and of every corporation which has heretofore accepted the provisions of said act as provided herein; and granting to every such corporation the power to appropriate property outside the limits of public streets, lanes, alleys, and highways, subject to the finding by the Public Service Commission of the Commonwealth of Pennsylvania that the service to be furnished through the exercise of said power is necessary or proper for the service, accommodation, convenience, or safety of the public; and providing a method for the assessment of damages arising from such appropriation," eliminating the power to condemn lands and waters for transmission and distribution purposes.

Referred to the Committee on Judiciary General.

By Mr. STOFFLET. HOUSE BILL No. 1300.

An Act prohibiting the operation of railway cars with a crew of less than two persons.

Referred to Committee on Railroads.

By Mr. BIDELSPACHER. HOUSE BILL No. 1301.

An Act establishing as a State Highway a certain proposed extension of Washington Street in the Township of Loyalsock in the County of Lycoming and providing for its construction, improvement and maintenance by the Commonwealth.

Referred to Committee on Public Roads.

By Mr. BIDELSPACHER. HOUSE BILL No. 1302.

An Act to repeal an act, entitled "An act relating to the fees of the County Treasurer of Lycoming County," approved the twelfth day of April Anno Domini, one thousand eight hundred and sixty-six (Pamphlet Laws, eight hundred thirty-nine).

Referred to Committee on Counties and Townships.

By Mr. BIDELSPACHER. HOUSE BILL No. 1303.

An Act to repeal an act, entitled "An act supplementary to an act passed thirteenth day of April, one thousand eight hundred and fifty-nine, relating to billiard saloons, et cetera, in the Counties of Chester and Delaware, extending the same to Lycoming and Clinton Counties," approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty, as far as said act relates and extends to Lycoming County.

Referred to Committee on Law and Order.

By Mr. CHAPLIN. HOUSE BILL No. 1304.

An Act making it the duty of the prothonotary of any county in this Commonwealth to furnish certified lists of liens of record in his office remaining unsatisfied against any person, firm, joint stock company or corporation, upon payment of the fees fixed by law for such services.

Referred to Committee on Judiciary Special.

By Mr. GOSS. HOUSE BILL No. 1305.

An Act to confer upon the courts of Quarter Sessions of the several counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds, which have or shall become unsightly and unsutiable places for interment.

Referred to the Committee on Judiciary General.

By Mr. BIDELSPACHER. HOUSE BILL No. 1306.

An Act to amend section seven of an act, entitled "An act to establish a Department of Mines, in Pennsylvania; defining its purposes and authority; providing for the appointment of a chief of said Department, and assistants, and fixing their salaries and expenses;" approved the fourteenth day of April, Anno Domini one thousand nine hundred and three (Pamphlet Laws one hundred and eighty); increasing fees paid by applicants for certificates of qualification as mine foremen and assistant mine foremen in the anthracite mines; providing for the disposition of fees received, and providing for copies of lost or destroyed certificates.

Referred to the Committee on Mines and Mining.

By Mr. BIDELSPACHER. HOUSE BILL No. 1307.

An Act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualification, defining the powers and duties, and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualifications to successful applicants; fixing the fees to be paid by applicants and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foremen and fire bosses; providing a penalty for forgoing or making false statements regarding certificates.

Referred to the Committee on Mines and Mining.

By Mr. BIDELSPACHER. HOUSE BILL No. 1308.

An Act to amend section two and section six of article three; section nine, section fourteen and section twenty-two of article four; section four of article five; article ten; rule thirty-eight of section three of article eleven; section two of article thirteen; rule twenty-five of article twenty-five; section two of article twenty-six; and article twenty-eight, of an act approved June nine, one thousand nine hundred and eleven (Pamphlet Laws, page seven hundred fifty-six), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith;" and to further amend section one of article five of the said act, said section one of article five having previously been amended by an act approved June one, thousand nine hundred and fifteen (Pamphlet Laws, page seven hundred sixteen); repealing all acts or parts of acts inconsistent with this act, and providing when this act shall go into effect.

Referred to Committee on Mines and Mining.

By Mr. BIDELSPACHER. HOUSE BILL No. 1309.

An Act to amend Rule Thirty-four of Article XXV of an Act, approved the ninth day of June, one thousand nine hundred and eleven (Pamphlet Laws, seven hundred and fifty-six), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith;" by requiring mine operators to pay the Department of Mines for certain report and record books.

Referred to Committee on Mines and Mining.

By Mr. BIDELSPACHER. HOUSE BILL No. 1310.

An Act to amend Article II of an Act, approved the second day of June, one thousand eight hundred and ninety-one (Pamphlet Laws, one hundred and seventy-six), entitled

"An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," as amended by an Act, approved the eighth day of June, one thousand nine hundred and one (Pamphlet Laws, five hundred and thirty-five), by making it the duty of the mine inspector to prosecute for violations of the mining law.

Referred to Committee on Mines and Mining.

By Mr. LUDLOW. HOUSE BILL No. 1311.

An Act to provide for reimbursement of expenses of the Department of Labor and Industry from and in proportion to the Compensation paid by the State Fund, Insurance, casualty or indemnity corporations, mutual associations or companies and self-insured employees.

Referred to the Committee on Insurance.

By Mr. GEO. W. WILLIAMS. HOUSE BILL No. 1312.

An Act to amend sections one, two, three, and four of an act approved the eighteenth day of June, one thousand nine hundred and nineteen, (Pamphlet law, four hundred and ninety-eight), entitled, "An Act defining consolidation of schools; providing for the establishment and regulation of consolidated schools; and providing for state aid for the transportation of pupils to and from consolidated schools.

Referred to the Committee on Education.

By Mr. BURNS. HOUSE BILL No. 1313.

An Act to amend section ten of the act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 711), entitled "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," as amended.

Referred to the Committee on Judiciary General.

By Mr. BURNS. HOUSE BILL No. 1314.

An Act to give concurrent jurisdiction to the municipal court in actions for divorce in any judicial district in which such court shall exist, and providing that all laws relating thereto are hereby made applicable to said court.

Referred to the Committee on Judiciary General.

By Mr. WHITEMAN. HOUSE BILL No. 1315.

An Act to amend chapter six, article seventeen of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Referred to the Committee on Municipal Corporations.

By Mr. THOMPSON. HOUSE BILL No. 1316.

An Act to confer upon the Courts of Quarter Sessions of the several counties of the Commonwealth, jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds, which have or shall become unsightly and unsuitable places for interment.

Referred to the Committee on Judiciary General.

By Mr. KEENE. HOUSE BILL No. 1317.

An Act making an appropriation to the Kensington Hospital for Women, of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HOWARD SMITH. HOUSE BILL No. 1318.

An Act imposing a State tax on the premiums paid into the State Workmen's Insurance Fund; and providing for collection thereof.

Referred to the Committee on Ways and Means.

By Mr. McVICAR. HOUSE BILL No. 1319.

An Act to amend section one, article four, chapter seven, of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," as amended.

Referred to the Committee oan Municipal Corporations.

By Mr. WHITEMAN. HOUSE BILL No. 1320.

An Act to amend an act approved May 2, 1899, (P. L. 184), entitled "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," as amended.

Referred to the Committee on Ways and Means.

By Mr. DAVID J. JONES. HOUSE BILL No. 1321.

A Supplement to the act approved the twenty-fourth day of July, one thousand nine hundred and thirteen, (Pamphlet Laws nine hundred and sixty-five), entitled, "An Act defining commodities regulating the sale thereof; and providing penalties for violation thereof"; regulating the sale and fixing the weight of bread; and providing penalties.

Referred to the Committee on Manufacturers.

By Mr. CONNER. HOUSE BILL No. 1322.

An Act authorizing cities of the first class to regulate Sunday observance; and repealing existing laws.

Referred to the Committee on Law and Order.

By Mr. LUDLOW. HOUSE BILL No. 1323.

An Act prescribing the manner in which certain persons, municipalities, partnerships, associations, or corporations may intervene in appeals to the Superior Court from findings, determinations or orders of The Public Service Commission of the Commonwealth of Pennsylvania.

Referred to the Committee on Judiciary General.

By Mr. KUNKLE. HOUSE BILL No. 1324.

An Act to amend an act approved the first day of May, one thousand nine hundred and nine (Pamphlet Laws three hundred and forty-six) entitled, "An act regulating, requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines; regulating, requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines; and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania; and providing that the provisions thereof shall not apply to cities of the first and second classes," as amended.

Referred to Committee on Judiciary General.

By Mr. JERRY M. WILLIAMS. HOUSE BILL No. 1325.

An Act to amend section eight, paragraph two of an Act approved July enghteenth, one thousand one hundred seventeen (Pamphlet Laws, ten forty-three), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties.

Referred to Committee on Education.

By Mr. VICKERMAN. HOUSE BILL No. 1326.

A Supplement to an act, approved the ninth day of June, one thousand eight hundred and ninety-one (Pamphlet

Laws page two hundred fifty-seven), entitled "An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof by wholesale," prohibiting the sale of all such liquors at wholesale without a license and providing penalties.

Referred to Committee on Law and Order.

By Mr. VICKERMAN. HOUSE BILL No. 1327.

An Act to restrain and regulate the manufacture, sale and furnishing of intoxicating liquor for medicinal, scientific, commercial, or other non-beverage use requring and authorizing licenses therefor and prescribing license fees and penalties, defining intoxicating liquor and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

Referred to Committee on Law and Order.

By Mr. PERRY. HOUSE BILL No. 1328.

An Act to amend section one of the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four (Pamphlet Laws, seventy-three), entitled "An act to provide for the incorporation and regulation of certain corporations;" authorizing educational institutions to confer degrees.

Referred to Committee on Education.

By Mr. HUBER. HOUSE BILL No. 1329.

An Act relating to policies of life insurance of annuities and debtors exemptions and repealing existing laws.

Referred to Committee on Insurance.

By Mr. SPANGLER. HOUSE BILL No. 1330.

An Act authorizing the establishment and maintenance of branches by banks, savings banks and trust companies, either within or outside the State; providing penalties and remedies in case of violation; and repealng existing laws.

Referred to Committee on Banks and Banking.

ADJOURNMENT IN MEMORY TO HON. WILLIAM E. CROW.

Mr. ZOOK. Mr. Speaker, I move that this House do now adjiurn until Monday evening April 2nd, at 9:00 o'clock in accordance with the resolution adopted by this House that we do so in honor of the memeory of the late Hon. William E. Crow.

The motion was agreed to, and (at 5:10 P. M.) the House adjourned until Monday evening, April 2, 1923, at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1923 — 125th of the General Assembly

Vol. 7. HARRISBURG, PA., MONDAY, APRIL 2, 1923. No. 33.

SENATE

MONDAY, APRIL 2, 1923.

The Senate met at 9:00 o'clock P. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Father in heaven: We thank Thee for the voices of Faith and Hope and Love that have spoken to us at this Eastertide. We thank Thee for the wonderful glory that gathers about this season of the year. As we continue our life journey grant that the spirit of the Sunday that is just past may go with us; and may it strengthen and ennoble our lives: May we be better men because of what Thou hast done for us, through our Lord and Savior Jesus Christ. Be with us this evening. Guide the Senate as it enters on the legislative work of a new week, and may everything that shall be said and done be well-pleasing unto Thee. We ask it in our Redeemer's name. Amen.

JOURNAL APPROVED.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

PETITION.

PROTESTING AGAINST ADOPTION OF BUILDING ASSOCIATION CODE.

Mr. MacDADE presented petition of Pennsylvania Savings Loan Building Association, protesting against passage of Building Association Code.

Which was referred to the Committee on Banks and Building and Loan Associations.

REPORTS FROM COMMITTEES.

Mr. BALDWIN, from the Committee on Finance, reported, as amended, Senate Bill No. 44, (House Bill No. 426), entitled:

An Act to amend Section thirty of an act approved June one one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A Further Supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine"

Mr. DAVIS, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 391, entitled:

An Act Creating the "Anthracite Municipalities Fund;" appropriating pro rata according to population a portion of the tax on anthracite coal to the use of the Cities, Boroughs and Townships from which the anthracite coal taxed was removed in course of mining, and imposing duties upon the State Treasurer and Auditor General.

Also from the Committee on Mines and Mining reported as committed, Senate Bill No. 390, entitled:

An Act creating the "Anthracite Mine Cave Fund;" Appropriating a portion of the State Tax on anthracite coal to the use of the Pennsylvania State Anthracite Mine Cave Commission, and Imposing Duties upon the State Treasurer and Auditor General.

Mr. DAIX, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 513, entitled:

An Act to amend section three of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 912), entitled, "An Act to regulate the drilling operating, and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act."

Mr. SCHANTZ, from the Committee on Appropriations, reported as amended, Senate Bill No. 153, entitled:

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to certain aged persons; and providing for their burial; creating an Old Age Assistance Commission of this Commonwealth and Old Age Assistance Board in each county; defining their powers and duties; providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators; making counties liable for certain expenses; providing penalties; and making an appropriation.

Also from the Committee on Appropriations reported as committed, Senate Bill No. 432, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section eighteen.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 500, entitled:

An Act to amend section one of the act approved the twenty-second day of April, one thousand nine hundred and fifteen, (P. L. 167), entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry; fixing their duties and salaries, and increasing the salaries of the chief medical inspector, chief of the bureau of statistics and information, and the chief clerk;" by providing for additional supervising inspectors.

QUESTION OF PERSONAL PRIVILEGE.

Mr. SCHANTZ. Mr. President, I rise to question a personal privilege.

The PRESIDENT. The Senator from Lehigh, Mr. Schantz, will state his question of personal privilege.

Mr. SCHANTZ. Mr. PRESIDENT. I have received a letter from the Governor, which I desire the clerk to read:

The Clerk read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1923.

Hon. Horace W. Schantz, Chairman, Committee on Appropriations,

Senate of Pennsylvania, Harrisburg, Pennsylvania.

Dear Senator Schantz: I have the honor to transmit herewith the report of the State Council of Education upon a State policy of higher learning. In form this report is that of a committee of the Council, but it has been approved by all Council members and is, therefore, in fact the report of the Council itself.

The recommendation of the Council that the work of the three great institutions of higher education-University of Pennsylvania, University of Pittsburgh, and the Pennsylvania State College should be encouraged and continued with State assistance under a proper program is, in my opinion, sound and wise. The Council, I am informed, will later submit such a program, but because of the complexity of the subject cannot do so in time for action by the present Legislature.

I call particular attention to the recommendation of the Council that "there should be a better-working and more clearly defined cooperative relationship between the State and the several institutions thus receiving the aid of the Commonwealth."

The Council has made specific recommendations as to the amount which should be appropriated at this session to the three institutions mentioned, and to Temple University. If the Legislature in its wisdom decides to provide sufficient additional funds for educational purposes by new taxation, then I am convinced that the amounts recommended by the Council of Education for the several institutions may properly be appropriated, and if they are so appropriated, and such additional funds are provided, I should be glad to approve them.

Sincerely yours,
GIFFORD PINCHOT.

REPORT OF THE COMMITTEE OF STATE COUNCIL OF EDUCATION IN RELATION TO A STATE POLICY OF HIGHER LEARNING AS REQUESTED BY THE HONORABLE GIFFORD PINCHOT GOVERNOR OF THE COMMONWEALTH.

The Committee has given consideration to the communication of the twenty-third of February from Governor Pinchot relative to the formation of a State policy toward higher education in connection with his address to the Legislature on January 19, 1923, sugesting three alternative plans.

In reference to the first suggested plan by the Governor, viz:

"To build up a single great State University at heavy expense to the taxpayers for new buildings and equipment"

We do not think it in the best interest of the Commonwealth, having regard to the solution alike of the problem of higher education and of the problem of taxation necessarily related thereto, that there should be created such a "single great State University."

The second plan suggested by the Governor is the following, viz:

"To use the equipment and buildings of the three colleges and universities with corporate relations to the State—the Pennsylvania State College, the University of Pennsylvania, and the University of Pittsburgh. If this second policy is to be adopted there should be a clear understanding on the part of these three institutions that its adoption carries with it their becoming integral parts of the higher educational system of the Commonwealth."

This alternative plan appeals to this committee as sound, both on the ground of economy and also of preserving historical tradition and valuable organization.

The first Constitution of the Commonwealth of 1776, expressly provided "that all useful learning shall be duly encouraged and promoted in one or more Universities," "conformable" to which constitutional mandate "the University of the State of Pennsylvania" (1779), later changed in name to "The University of Pennsylvania" (1791)—and "to fulfill" which "important constitutional injunction" the "Western University of Pennsylvania" (1819), now "the University of Pittsburgh," were duly chartered by the State; and have since been discharging their functions and duties, in accord with this constitutional mandate, and have received from time to time the aid of the State enabling them to do so. In the long lapse of years since their creation, these two venerable universities have attained their present porportions and preeminence, in the realm of higher education; and of state-wide usefulness to the people of the Commonwealth, in the various forms of public service which through their many departments, extension schools, and other ways and means they have been and are rendering to the State. Similarly, the Pennsylvania State College (1855 and 1862) has a specific relationship to the State and has long been performing varied and valuable public service in many fields of educational endeavor, some of which are not covered by these two ancient universities. It seems to us, therefore, that the great work of these two existing universities, as well as the Pennsylvania State College, under a proper program of the State, should be encouraged and continued.

For there is room and need, we believe, for each and all of the institutions having a relationship to the State to continue to promote the cause of higher education, each in its own sphere and territorial district and in accord with their several charters—and this, with greater and more widespread benefits and advantages to the youth of the whole State of nearly 9,000,000 inhabitants, and with a less expenditure of the revenues of the Commonwealth, present and future, than by the creation, erection, structural and educational development and maintenance of another new, single State University. Professional schools will, of course, be necessary departments of such a new University, and experience has demonstrated that these professional schools to be successful must be established in large cities—as are in fact the fully functioning professional schools of the two universities mentioned. Consequently, as stated at the outset, we do not view with favor a program which contemplates the establishment of such a new single State University. It is true that under prevailing conditions, some of the western states like Michigan, Wisconsin and Minnesota, have a single State University, but it should be remembered that the population of all three of these states combined, is less than that of Pennsylvania.

In line, therefore, with the thought before expressed, we believe that there is room and need for the State's aid, encouragement and promotion of the Liberal Arts and Sciences in each of the three present institutions having a relationship to the State (and perhaps including one or more other institutions) and that with reference to the excellent professional schools and departments now attached to and forming part of these institutions, there hereafter should be such an allocation and distribution of the Commonwealth's aid and bounty as will best promote the cause of higher profesional education in the Comonwealth, and avoid, as far as practicable, the unnecessary duplication of such professional schools and of appropriations to support and maintain the same by the State; and speaking generally and to the end in view, we think there should be a better-working and more clearly defined cooperative relationship between the State and the several institutions thus receiving the aid of the Commonwealth.

The program and policy to be adopted by the State in regard to higher education is, however, under existing conditions, a problem of such magnitude and importance, and must be viewed from so many angles, that this Committee does not feel justified in making the recommendations and report in relation thereto, requested by His Excellency, until after careful consideration and thorough study of the whole subject from these many viewpoints. Ultimately, we believe that the expression of such a program and policy in a legislative enactment will be of an epochal event in the history of the State. For reasons indicated, we regret, therefore, that we shall not be able to present such recommendation and report for submission to His Excellency at this time, but would suggest that this Council inform the Governor that a full investigation of this problem will be inaugurated at once and completed at the earliest date possible. The committee further sugests that in the interim his interlocutory report, as evidencing in a general way the trend of thought of the Council, be submitted to the Governor.

The Committee has given consideration to the appropriations which shall be made by the present legislature to the three institutions having relation to the State. In considering this question we regret that there has been neither time nor opportunity, singly or collectively, to give this subject that thorough consideration and detailed examination which it manifestly deserves and requires. We realize, moreover, that in making these recommendations the amount of the State's funds apparently available is limited and restricted, and that these recommendations accordingly must be made

in recognition of and subject to these existing financial limitations. Were there adequate funds at the disposition of the legislature for higher educational purposes, comparable with those of many of our sister states, we should have felt at liberty to make much more liberal recommendations, such indeed as we really believe are in fact necessary and proper. It is the opinion of the Committee that the appropriations to these institutions for the current biennium were inadequate. Each institution denied admission to large numbers of qualified students. The work of these institutions was not as effective and successful as it would have been had more adequate appropriations been allowed. Bearing these conditions and facts in mind, therefore, and also the likely available funds, our best judgment, aided by the best actuarial advice and service obtainable, is that to the appropriations made to these institutions for general maintenance by the legislature of 1921, including a deficit of $37,600.00 to Pennsylvania State College, viz:

University of Pennsylvania	$1,230,000
University of Pittsburgh	900,000
Pennsylvania State College	2,168,600

there should be added not less than 20% as representing the actual increase in the cost of maintenance resulting largely from the extraordinary increase in student enrollment in the several institutions. The additional amount which each of these institutions would receive under the suggested increase of 20% is as follows:

University of Pennsylvania	$246,000
University of Pittsburgh	180,000
Pennsylvania State College	433,720
	859,720

We also feel it necessary and proper that special reference should be made to the inadequate salaries paid to many of the teachers and professors of these institutions. A study of salaries now paid indicates the important need of a revision upward of the salaries of many teachers and professors now very much underpaid. The Committee is of the opinion that this situation must be immediately corrected. The tables attached hereto and made a part of this report show the basis upon which this recommendation is made.

We recommend, therefore, the following appropriations to be used exclusively in making adjustments in salary increases to those most worthy and deserving:

University of Pennsylvania	$165,312
University of Pittsburgh	120,960
Pennsylvania State College	291,594
	577,866

Pennsylvania ranks No. 36, as compared with the other States of the Union, in the amount of State funds expended for agricultural research. This is a subject of vital importance to the agricultural interests of the Commonwealth. No appropriation had been made for the development of this field of work at Pennsylvania State College. The institution has been able, however, to economize in various ways so that it was able to expend during the past year about $21,000 in this field. Attached to this report is a statement showing the amount of State funds expended by 35 other states which have made appropriations for such work. In view of this situation, the Committee recommends that an appropraition of $100,000 be made to Pennsylvania State College for agricultural research.

The Committee therefore recommends that appropriations be made to these three institutions as follows:

University of Pennsylvania	$1,641,312
University of Pittsburgh	1,200,960
Pennsylvania State College	2,993,914
Total apporpriations	5,836,186
Amount appropriated for biennium 1921-1923	$ 4,511,000
Appropriations recommended over last biennum	$ 1,325,186

Doctor Russell H. Conwell, President of Temple University, appeared before the Committee and stated that the needs of the institution which he represents are temporary. He further stated that plans were being formulated which it was expected would relieve the institution from the necessity of calling for State aid after the expiration of four or five years. It is the judgment of the Committee that, in view of the type of work which this institution is performing and the very worthy and deserving people who are being served, the same appropriation should be made to this institution which was made by the Legislature of 1921, viz: $270,000.

The total appropriations recommended for higher education for the ensuing biennium are, therefore, $5,105,186.

We believe that the appropriations above suggested are not only proper but vitally necessary to enable these institutions continue to function as heretofore, and hence suggest that through the Governor the legislature be requested to make such appropriations as an irreducible minimum to each of the institutions but also we trust with such additions thereto in all the circumstances and in the light of the several communications received by the Governor from these institutions as the State's revenue may warrant.

In making these recommendations as to appropriations we have reference, of course, and as intimated above, to the appropriations presently to be made by the General Assembly for the ensuing biennium. It is proper to add, however, that while such recommendations may be helpful, it is not intended that the same or the appropriations based thereon shall be taken as a binding precedent for subsequent appropriations upon which we shall report after further serious consideration and examination.

For the informaton of the Council, the Committee calls attention to the following enrollment of students and appropriations in other states for higher education for the current year:

State	Population	University enrollment	Appro.
California	3,426,861	Cal. } 14,359 So. Cal. }	$4,943,500
Iowa	2,404,021	6,840	2,337,657
Iowa State Agr. College		5,000	1,500,000 420,000
Michigan	3,688,412	11,513	3,000,000 2,250,000
Minnesota	2,387,125	16,422	3,575,000
Wisconsin	2,632,067	11,440	3,382,834

The annual amount of the appropriations recommended for the institutions of higher education in this State for each of the ensuing two years is $3,053,093.

In the light of the facts shown in the above table, it is manifest, to use the language of the Governor in his letter to this Council under date of February twenty-third, that the State "lags far behind most of the other States" in the promotion of higher education.

The Governor, in the preparation of his budget, made the most liberal allowances to higher education which the existing revenues of the State would afford, viz: $3,870,000 To make appropriations for the support of higher education herein recommended will require an additional amount of $2,236,186.

STATE FUNDS FOR AGRICULTURAL RESEARCH.
1920.

$279,035	Ohio
257,173	Minnesota
222,750	Iowa
213,540	Texas
195,500	Illinois
186,576	Washington
162,527	Wisconsin
149,085	California
146,196	New York State
112,150	North Carolina
110,518	Montana
109,022	New York (Cornell)
104,970	Michigan
101,703	Nebraska
93,800	Kansas
91,440	Colorado
91,000	Indiana
89,392	New Jersey State
86,500	Oregon
73,171	Arizona
69,433	North Dakota
67,500	West Virginia
55,876	Massachusetts
51,940	Tennessee
50,000	Kentucky
48,085	Utah
39,450	Virginia

35,000.....Connecticut
32,367.....Mississippi
32,167.....Maryland
27,150.....Idaho
27,000.....Alabama
26,542.....Louisiana
24,371.....South Carolina
24,175.....Missouri
21,022.....Pennsylvania (estimated)

The PRESIDENT. The communication is referred to the Committee on Appropriations for consideration.

BILLS INTRODUCED.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 601, entitled:

An Act authorizing boards of revision of taxes and boards for the assessment and revision of taxes to hear and dispose of appeals away from the county seat.

Which was committed to the Committee on Judiciary General.

Mr. ARON (By request of Mr. Salus) read in his place and presented to the Chair Senate Bill No. 602, entitled:

An Act making an appropriation to the Home for the Homeless, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BETTS read in his place and presented to the Chair Senate Bill No. 603, entitled:

An Act regulating the issuance and sale of stocks, bonds and other securities in the Commonwealth of Pennsylvania, and the business of selling and dealing in securities; requiring certain securities and all persons selling or dealing in the same to be registered with the Commissioner of Banking; providing for the enforcement of this act; and providing penalties for the violation thereof.

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. EYRE read in his place and presented to the Chair Senate Bill No. 604, entitled:

An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania; and providing penalties for the violation thereof.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 605, entitled:

An Act to amend sections two and eight of an act approved the twenty-fifth day of July, 1917 (P. L. 180), entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River and making an appropriation therefor," by substituting the Secretary of Highways in place of the Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania, as a member of the Commission created by said act.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 606, entitled:

An Act providing for the rebuilding by the Commonwealth through the Department of Highways of certain county bridges, the procedure therefor, the payment of a portion of the cost thereof in certain cases by counties, cities and railroads; and the maintenance thereof, when completed by the counties.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 607, entitled:

An Act to amend sections one and two as amended, and sections three, five, six, eight, nine and ten of the act approved May 18, 1919 (P. L. 1049), entitled "An Act authorizing the Board of Commissioners of Public Grounds and Buildings to erect a Soldiers' and Sailors' Memorial Bridge with the approaches thereto and memorial pylons, in the city of Harrisburg, to commemorate the services of the soldiers and sailors of the Commonwealth; providing for the letting of contracts therefor; providing for a portion of the cost to be paid by the city of Harrisburg, and public service corporations using or affected by the building of said bridge; providing for acquiring any property necessary by eminent domain; giving the Board of Commssioners of Public Grounds and Buildings the right to sell a portion of the land to the Pennsylvania Railroad Company to conform to the plans of the architect; providing for the maintenance of said bridge; and making appropriation to carry out the provisions of this act," by transferring to the Secretary of Highways the powers and duties granted to and imposed on the Board of Commissioners of Public Grounds and Buildings by said act.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 608, entitled:

An Act to amend section two of the act approved the eighth day of May, 1919, (P. L. 148) entitled "An Act providing for a joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll-bridges over the Delaware River," as amended, by substituting the Secretary of Highways in place of the Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania, as a member of the commission created by said act.

Which was committed to the Committee on Finance.

Mr. CULBERTSON read in his place and presented to the Chair Senate Bill No. 609, entitled:

An Act to establish as a State Highway a certain section of public road in the county of Juniata.

Which was committed to the Committee on Public Roads and Highways.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 610, entitled:

An Act providing for the creation of a commission to study the subject of consolidation of the various municipalities to wit, cities, boroughs and townships in counties of the second class into one municipality and to file with the General Assembly its report together with an act providing a method for such consolidation preserving certain powers of local government in the cities, boroughs and townships to be consolidated; prescribing its powers and duties; and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 611, entitled:

An Act to repeal an act approved the twenty-fourth day of February, one thousand eight hundred and seventy-three (P. L. 155) entitled "An Act relating to the office of surveyor and civil engineer for the County Allegheny."

Which was committed to the Committee on Judiciary Special.

Mr. KUTZ read in his place and presented to the Chair Senate Bill No. 612, entitled:

An Act to amend parts of section six of an act approved the 31st day of May, 1911, entitled "An Act providing for the establishment of a State Highway Department, by the

appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and other deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the emprovement, maintenance and repair of sadi State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Which was committed to the Committee on Public Roads and Highways.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 613, entitled:

An Act amending sections one two and eleven of an act approved the twenty-third day of April, one thousand nine hundred and three, (P. L. 274) entitled "An Act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment and control of dependent, neglected, incorrigible and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised;" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 614, entitled:

An Act to amend section one thousand two hundred and four and to repeal section 1208 of an act, approved May 18, 1911 (P. L. 309) entitled, "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws general, special, or local or any parts thereof that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 615, entitled:

An Act making an appropriation to the Julia White Priscilla Home for Aged Colored People, located at LaMott, Montgomery County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 616, entitled:

An Act making an appropriation to the Montgomery Hospital, at Norristown, Montgomery County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. NORTON read in his place and presented to the Chair Senate Bill No. 617, entitled:

An Act making an appropriation to the trustees of the State Asylum for the Chronic Insane of Pennsylvania, at South Mountain, Wernersville, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 618, entitled:

An Act making an appropriation to the Home for Widows and Single Women of Reading, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 619, entitled:

An Act making an appropriation to the Robert Wood Home, of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 620, entitled:

An Act making an appropriation to the Friends' Home for Children, situate at four thousand eleven, Aspen Street, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 621, entitled:

An Act making an appropriation to the Union Home for Old Ladies, of West Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 622, entitled:

An Act making it lawful to conduct and charge admission to musical concerts on Sunday afternoons and to pay musicians certain compensation for participating therein; requiring a permit from the Department of Public Instruction to hold such concerts; providing regulations for the conducting of such concerts, and the disposition of the proceeds thereof; making the violation of this act a midemeanor and providing penalties.

Which was committed to the Committee on Law and Order.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 623, entitled:

An Act making an appropriation to the Salvation Army Rescue Home and Hospital, Lansdowne Avenue, Philadelphia.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 624, entitled:

An Act making an appropriation to the Nazarene Home for the Aged, at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 625, entitled:

An Act making an appropiration to the American Hospital for Diseases of the Stomach, of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 626, entitled:

An Act making an appropriation to the Home for the Aged, located at one thousand eight hundred nine Mount Vernon Street, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 627, entitled:

An Act making an appropriation to the Lakenau Hospital, of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. JOYCE read in his place and presented to the Chair Senate Bill No. 628, entitled:

An Act regulating the mining of anthracite coal underneath cities, boroughs and first class townships, within the Commonwealth of Pennslyvania.

Which was committed to the Committee on Mines and Mining.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 629, entitled:

An Act to amend part of section three of the Act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations;" by authorizing certain corporations of the first class to be incorporated by the Governor.

Which was committed to the Committee on Corporations.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 630, entitled:

An Act making an appropriation to the Industrial Home for Crippled Children, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 631, entitled:

An Act authorizing the establishment and maintenance of branches by banks, savings banks and trust companies, either within or outside of the State; providing penalties and remedies in case of violation; and repealing existing laws.

Which was committed to the Committee on Banks and Building and Loan Associations.

Also (By request) read in his place and presented to the Chair Senate Bill No. 632, entitled:

An Act to establish as a State highway a certain section of public road in the County of Lancaster.

Which was committed to the Committee on Public Roads and Highways.

Mr. McCLINTOCK read in his place and presented to the Chair Senate Bill No. 633, entitled:

An Act making an appropriation to the Pittsburgh Hospital, Frankstown Avenue, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 634, entitled:

An Act to amend section one of the act approved the tenth day of July, one thousand nine hundred and nineteen, (P. L. 903), entitled "An Act regulating the fees of notaries public."

Which was committed to the Committee on Judiciary General.

Also (By request of Mr. Leslie) read in his place and presented to the Chair Senate Bill No. 635, entitled:

An Act making an appropriation to the Duquesne University, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also (By request of Mr. Leslie) read in his place and presented to the Chair Senate Bill No. 636, entitled:

An Act making an appropriation to the Mercy Hospital, of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MacDADE read in place and presented to the Chair Senate Bill No. 637, entitled:

An Act authorizing the county controller to bring suit in the name of the county on contracts, upon neglect or refusal of the board of commissioners so to do after notice.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 638, entitled:

An Act to amend section four of the act approved the tenth day of July, one thousand nine hundred and nineteen, (P. L. 890) entitled "An Act authorizing the sale of certain property owned by the State, the title to which is in the State Livestock Sanitary Board, and providing for the use of the proceeds of such sale."

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 639, entitled:

An Act to further amend the act approved the twenty-seventh of April, one thousand nine hundred and nine, (P. L. 258), entitled "An Act authorizing the employment of stenographers by the district attorneys of certain counties," as amended; extending said act to counties of the fourth, fifth, sixth, seventh and eighth classes and fixing the salaries of said stenographers.

Which was committed to the Committee on New Counties and County Seats.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 640, entitled:

An Act to amend section three of an act approved the twenty-fifth day of July, one thousand nine hundred and seventeen, (P. L. 1209), entitled "An Act to authorize the acquisition, by purchase or condemnation, of lands for a park, and the erection of a monument commemorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument; and making an appropriation for the purpose of this act."

Which was committed to the Committee on Corporations.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 641, entitled:

An Act prohibiting political activities by judges and providing that violaton shall be a misdemeanor in office.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 642, enttiled:

An Act to amend section seventy-six of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth" by increasing the maximum punishment for the first conviction of murder in the second degree to imprisonment for life at the discretion of the Court.

Which was committed to the Committee on Judiciary General.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 643, entitled:

An Act providing for the mortgaging of chattels.

Which was committed to the Committee on Judiciary General.

Mr. WEAVER read in his place and presented to the Chair Senate Bill No. 644, entitled:

An Act making an appropriation to the trustees of the Western State Hospital for the Insane.

Which was committed to the Committee on Appropriations.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 645, entitled:

A Supplement to an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one, (Appropriation Acts page 142) entitled, "An Act making an appropriation to the State Industrial Home for Women at Muncy," reappropriating certain appropriations heretofore made to the State Industrial Home for Women at Muncy.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 646, entitled:

An Act making an appropriation to the State Industrial Home for Women, at Muncy.

Which was committed to the Committee on Appropriations.

Mr. BALDWIN read in his place and presented to the Chair Senate Bill No. 647, entitled:

An Act making an appropriation to the Bonair Sanatorium, Bells Camp, McKean County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 648, entitled:

An Act making an appropriation to the Beacon Light Mission, near the City of Bradford, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 649, entitled:

An Act to repeal the act approved the sixth day of June, one thousand eight hundred and seventy-three, (1874, P. L. 410), entitled "An Act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny."

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 650, entitled:

An Act to amend section thirteen of an act approved the twenty-first day of June, one thousand eight hundred and thirty-nine, (P. L. 376), entitled "An Act providing for the election of aldermen and justices of the peace," by authorizing justices of the peace to establish an additional office in any part of the county.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 651, entitled:

An Act to amend section one thousand one hundred and thirty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts theerof, that are or may be inconsistent therewith."

Which was committed to the Committee no Education.

Also read in his place and presented to the Chair Senate Bill No. 652, entitled:

A joint resolution proposing an amendment to section six of article one of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 653, entitled:

An Act to amend section one thousand four hundred and six, as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 654, entitled:

An Act to amend sections one, two, three, and four of an act approved the eighteenth day of June, one thousand nine hundred and nineteen, (Pamphlet Laws, four hundred ninety-eight), entitled "An Act defining consolidation of schools; providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools."

Which was committed to the Committee on Education.

RESOLUTION.

AUTHORIZING GOVERNOR TO APPOINT OFFICERS OF THE SENATE AND HOUSE OF REPRESENTATIVES AS A COMMITTEE TO REPRESENT THE GENERAL ASSEMBLY AT THE CELEBRATION OF THE ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE FOUNDING OF THE CITY OF READING, DURING THE FIRST WEEK OF OCTOBER, 1923.

Mr. NORTON offered the following resolution, which was twice read as follows:

In the Senate of Pennsylvania, April 2, 1923.

Whereas, during the first week of October, one thousand nine hundred and twenty-three, the City of Reading will celebrate its one hundred and seventy-fifth anniversary, and the firemen of the City of Reading and the citizens thereof will celebrate the one hundred and fiftieth anniversary of the founding of the Volunteer Fire Department of said city, and

Whereas, it is the wish of the officials and citizens of the City of Reading that the General Assembly of the Commonwealth be represented at this celebration, therefore be it,

Resolved, (if the House of Representatives concur), That the Governor of the Commonwealth is hereby authorized to appoint the officers of the Senate and House of Representatives as a committee to represent the General Assembly at the celebration of the one hundred and seventy-fifth anniversary of the founding of the City of Reading, during the first week of October, one thousand nine hundred and twenty-three.

Mr. NORTON. Mr. President, I ask unanimous consent that Rule 39, which requires concurrent resolutions to be referred to an appropriate committee be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

JOINT SESSION OF GENERAL ASSEMBLY.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: If it meets with the approval of the General Assembly I should like to address the members in joint session on Tuesday, April third, nineteen hundred and twenty-three, at twelve o'clock noon.

If for any reason this cannot be conveniently arranged, I would be glad to address you at some other time.

GIFFORD PINCHOT.

Mr. BUCKMAN. Mr. President, In compliance with the Governor's request I move that the Senate attend the meeting of the General Assembly which will be held in the hall of the House of Representatives at 12 o'clock noon tomorrow.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Governor be informed accordingly.

REPORT OF COMMISSION ON UNIFORM STATE LAWS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor to transmit herewith the Report of the Board of Commissioners on Uniform State Laws, for your information.

GIFFORD PINCHOT.

(For report see appendix.)

APPROVAL OF SENATE BILL NO. 99.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 27, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 99, "An Act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws."

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

J. L. Allison, Jr., Pittsburgh, April 1, 1923.
Dorrell A. Beck, Pittsburgh, April 1, 1923.
Emil B. Ertzman, Pittsburgh, April 9, 1923.
Wm. G. Evans, Pittsburgh, April 1, 1923.
Miss Anna B. Heldman, Pittsburgh, April 1, 1923.
Miss Viola K. Henderson, Pittsburgh, April 13, 1923.
Frank H. Jack, Willock, March 31, 1923.
M. Kristoff, Pittsburgh, April 1, 1923.
Andrew Evasnak, Clairton, April 1, 1923.
Alexander P. Lindsay, Pittsburgh, February 20, 1923.
Mrs. Mary E. Mangham, Pittsburgh, April 9, 1923.
Geo. F. Marlier, Pittsburgh, April 1, 1923.
Samuel R. McClure, Pittsburgh, March 20, 1923.
Rista G. Prokich, Pittsburgh, March 31, 1923.
Miss Pearl Walker, Pittsburgh, April 1, 1923.
Miss A. B. Wolf, Pittsburgh, April 9, 1923.

CAMBRIA COUNTY.

A. Dix Tittle, Johnstown, April 1, 1923.
Wm. Williams, Johnstown, March 31, 1923.

CLEARFIELD COUNTY.

W. C. Fugate, Mahaffey, April 1, 1923.

CLINTON COUNTY

Lester William Veley, Jersey Shore, April 1, 1923.

COLUMBIA COUNTY.

Miss Anna R. Flynn, Centralia, April 9, 1923.

DAUPHIN COUNTY.

Miss Carrie B. Lawrence, Steelton, April 1, 1923.
Peter Vanderloo, Harrisburg, April 1, 1923.

ERIE COUNTY.

E. Lloyd Evans, Erie, March 31, 1923.
William D. Hazel, Corry, April 1, 1923.

FAYETTE COUNTY.

A. H. Heaman, Brownsville, April 1, 1923.
Sigmund Semsey, New Salem, April 1, 1923.

FRANKLIN COUNTY.

M. G. McDowell, Chambersburg, April 9, 1923.

LACKAWANNA COUNTY.

John Dano, Scranton, April 1, 1923.
Miss Stasia M. Rainey, Scranton, April 1, 1923.

LANCASTER COUNTY.

Henry B. Bruner, Columbia, April 13, 1923.

LAWRENCE COUNTY.

J. Elder Bryan, New Castle, April 1, 1923.
J. W. Cartwright, New Castle, April 9, 1923.

LUZERNE COUNTY.

Miss Ruth M. Boland, Wilkes-Barre, April 1, 1923.

MERCER COUNTY.

Ira B. McNeal, Sharon, April 1, 1923.

NORTHAMPTON COUNTY.

Const. Collins, Bethlehem, April 15, 1923.
Harvey C. Werst, Easton, April 13, 1923.

PHILADELPHIA COUNTY.

Sol Barenbaum, Philadelphia, April 10, 1923.
James F. Brown, Philadelphia, April 14, 1923.
John Moore Enburg, Philadelphia, April 11, 1923.
Jos. H. Calhoun, Norwood, April 9, 1923.
Solomon W. Dennis, Philadelphia, April 1, 1923.
Thomas Derby, Philadelphia, April 1, 1923.
Maurice M. Dessen, Philadelphia, March 31, 1923.
Alfred Fortunato, Philadelphia, March 10, 1923.
George W. Gallager, Jr., Philadelphia, April 7, 1923.
Joseph Gsell, Philadelphia, April 9, 1923.
Harry L. Hackett, Philadelphia, April 1, 1923.
Chas. M. Hoagland, Philadelphia, April 1, 1923.
George Edward Insley, Philadelphia, April 1, 1923.
Max Katzman, Philadelphia, April 1, 1923.
Clifford E. Marzelere, Philadelphia, April 1, 1923.
Alexander S. Levy, Philadelphia, April 1, 1923.
Miss A. Marguerite, Philadelphia, April 1, 1923.
Samson McDowell, Philadelphia, April 9, 1923.
Thomas McIlhenny, Philadelphia, April 13, 1923.
Joseph V. Murray, Philadelphia, April 1, 1923.
G. Ernest Pixton, Philadelphia, April 1, 1923.
Miss Sara S. Robinson, April 1, 1923.
Nelson C. Rowley, Philadelphia, April 9, 1923.
Henry Saxe, Philadelphia, April 13, 1923.

SCHUYLKILL COUNTY.

Miss Mary M. Boyle, Coaldale, April 1, 1923.
Wm. R. Middleton, Gilberton, March 11, 1923.

VENANGO COUNTY.

Mrs. Mabel Bascom, Oil City, April 1, 1923.

WASHINGTON COUNTY.

Walter Olloman, Canonsburg, April 15, 1923.

WESTMORELAND COUNTY.

Frank DiClaudio, Jeannette, April 1, 1923.
E. H. Green, Avonmore, April 1, 1923.
Jas. T. Hughes, Latrobe, April 13, 1923.

YORK COUNTY.

H. M. Raab, Dallastown, April 9, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Excutive Chamber, Harrisburg, April 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Mrs. Minnie Bishop, Pittsburgh.
Miss Miriam Brill, Pittsburgh.
Stuart M. Henderson, Wilkinsburg.
B. A. Llewellyn, Wilkinsburg.

CAMBRIA COUNTY.

J. W. McLaughlin, Johnstown.

CHESTER COUNTY.

J. Brainerd Patton, Tredyffrin.

CUMBERLAND COUNTY.

Mrs. M. J. Mohler, Mechanicsburg.

DAUPHIN COUNTY.

Miss Kathryn M. Miller, Harrisburg.
George A. Werner, Jr., Harrisburg.

DELAWARE COUNTY.

Miss Nellie A. Caballero, Media.

ERIE COUNTY.

Jeffrey M. Sobel, Erie.

FAYETTE COUNTY.

Miss Emma J. Dearth, Uniontown.

JEFFERSON COUNTY.

Ashley J. Tidswell, Reynoldsville.

LUZERNE COUNTY.

Fred A. Edwards, West Nanticoke.

MONTGOMERY COUNTY.

John N. Dimmig, East Greenville.
Milton Moyor, Hatfield.

NORTHUMBERLAND COUNTY.

Reuben E. Sands, Shamokin,

PHILADELPHIA COUNTY.

Nathan Amarnek, 1801 S. 4th St., Philadelphia.
Thomas P. Buckley, 2710 French St., Philadelphia.
William J. Donahue, 330 Walnut St., Philadelphia.
Walter M. Griffith, 6050 Loucust St., Philadelphia.
Abraham Gutowitz, 904 Spruce St., Philadelphia.
James F. J. Heaney, 303 E. Allegheny Ave., Philadelphia.
Stephen I. Mouradian, 1501 Ritner St., Philadelphia.
Joseph Rosinsky, 3806 Market St., Philadelphia.
George M. Ryan, 127 W. Tabor Road, Philadelphia.
George Ulrich, 5306 N. 15th St., Philadelphia.
Miss Sadie Wolff, 4917 York Road, Philadelphia.
Charles A. Yogel, 5734 Osage Ave., Philadelphia.

SCHUYLKILL COUNTY.

Leo J. McCullough, Pottsville.
J. A. Miller, Porter.

GIFFORD PINCHOT.

ALDERMAN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert B. Collins of Uniontown to be Alderman in and for the Second Ward, City of Uniontown, Fayette County, vice Joe L. Dickson, resigned.

GIFFORD PINCHOT.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate D. S. Drake, of Huntingdon, as Justice of the Peace, in and

for the Borough of Huntingdon, Huntingdon County, vice David S. Black, deceased, to serve until the first Monday in January, 1924.

GIFFORD PINCHOT.

COMMISSIONER OF DEEDS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Sydney Leader for appointment as Commissioner of Deeds, in and for the State of Pennsylvania, with residence in London, England.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culbertson,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

Two-thirds of all the Senate having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor, be informed accordingly.

Mr. BUCKMAN. Mr. President, Imove that the Executive Session do now rise.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF SENATE BILL No. 120.

Mr. WOODWARD. Mr. President, I move to reconsider the vote by which Senate Bill No. 120, entitled:

An Act fixing the salaries of the controller in counties of the first second third fourth and fifth classes

passed third reading.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WOODWARD. Mr. President, I ask unanimous consent to amend section 1, line 5 by striking out "nine thousand dollars ($9,000),, and inserting in lieu thereof "eight thousand dollars ($8,000)"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED.

Mr. HOMSHER. Mr. President, I move that Senate Bill No. 143, on final passage, entitled:

An Act to amend section one of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to later amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

be recommitted to the Committee on Elections.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 30, as follows:

An Act to amend an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred seventy-nine entitled "An Act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and fifty-nine) entitled An Act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole by extending said act to include houses of correction conferring similar powers on other courts of record and providing that the powers of parole shall extend for a period not to exceed the maximum sentences as provided by law" providing the procedure in cases of parole conferring power to parole upon the several courts instead of judges thereof and fixing the time when petitions for parole may be first presented

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred seventy-nine) entitled "An Act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and fifty-nine) entitled 'An Act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole by extending said act to include houses of correction conferring similar powers on other courts of record and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the courts of quarter sessions and the courts of oyer and terminer of the several judicial districts of the Commonwealth and other courts of record having jurisdiction are authorized after due hearng to release on parole any convict confined in the county jail house of correction or workhouse of their respective district No convict shall be paroled

under the provisions of this act except upon petition verified by the oath of the person convicted or by some one in his or her behalf and presented and filed in the court in which such person was convicted. No petition for parole shall be considered by any of said courts unless the person in whose behalf the same is presented has served at least one-half of the minimum time for which he or she was sentenced Upon the presentation of any such petition the court shall fix a day for hearing of which hearing public notice shall be given in at least two newspapers of general circulation once a week for two weeks A copy of said petition shall also be served upon the district attorney and upon the prosecutor in the case if he is resident within the county at least ten days before the day fixed for said hearing Proof of such publication and of service upon the district attorney and the prosecutor shall be produced at the hearing After such hearing the court shall make such order as to it may seem just and proper In case the court shall parole such convict it shall place him or her in charge of and under the supervision of a designated probation officer Any of said courts shall have power to recommit to jail workhouse or house of correction on cause shown by such probation officer that such convict has violated his or her parole and to reparole in the same manner and by the same procedure as in the case of the original parole if in the judgment of said court there is a reasonable probability that the court will be benefited by again according liberty to such convict and also to again recommit for violation of such parole This power of parole shall extend for a period not to exceed the maximum sentence provided by law for the offense of which the convict was convicted regardless of the sentence first imposed upon the prisoner Provided however That any of said courts may release on parole upon petition to any of said courts any person who has been committed to any jail workhouse or house of correction by any magistrate alderman or justice of the peace Said courts shall have the same power to recommit such persons paroled as herein set forth

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. MacDADE. Mr. President, I ask unanimous consent to amend Section 1, page 3, line 4 by striking out after the word "convicted" the following: "No petition for parole shall be considered by any of said courts unless the person in whose behalf the same is presented has served at least one-half of the minimum time for which he or she was sentenced"; also line 10 by striking out after the word "hearing" the following: "of which hearing public notice shall be given in at least two newspapers of general circulation once a week for two weeks"; also line 16 by striking out after the word "of" the following: "such publication and of".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 119, entitled:

An Act creating the office of controller in counties of the First, Second, Third, Fourth and Fifth classes; prescribing his powers and duties; imposing certain duties upon such county commissioners and county treasurers; and abolishing the office of county auditor.

And said bill having been read at leugth the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. MacDADE. Mr. President, I ask unanimous consent to amend Section 4, page 3, line 28, by inserting after the word "elected" the word "and."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. STEELE. Mr. President, I ask that Senate Bill No. 171, on third reading, entitled:

An Act relating to treasurers in counties of the fifth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 230, (House Bill No. 219), entitled:

A joint resolution proposing an amendment to article seventeen section eight of the Constitution of the Commonwealth of Pennsylvania authorizing the granting of free passes or passes at a discount to clergymen

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Patton,	Vare,
Craig,	Krause,	Phipps,	Weaver,
Culbertson,	Kutz,	Schantz,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 247, entitled:

An Act supplementing and amending an act approved May 25, 1921, (P. L. 1159), entitled "An Act authorizing certain corporations to issue preferred or common stock of one or more classes; providing for the manner of issuance, restrictions and regulations in the manner of voting

thereof, and the rights and privileges of the holder thereof; validating certain acts of corporations not participated in by the holders of non-voting stock; and repealing all acts and parts of acts inconsistent therewith," further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value, and regulating such issuing of said stock

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the title?

Mr. STEELE. Mr. President, I ask unanimous consent to amend Section 1, page 2, line 11, by striking out the words "which reads" and inserting in lieu thereof, the words "is hereby amended to read"; also lines 12 to 29, by striking out lines 12 to 29, both inclusive; also page 3, lines 1 to 20,, by striking out lines 1 to 20, both inclusive; also line 21, by striking out the words "et cetera" and inserting in lieu thereof, "&c.;" also page 4, line 16, by striking out the word "designation" and inserting in lieu thereof, the word "designations"; also line 18, by striking out the word "restriction" and inserting in lieu thereof, the word "restrictions"; also line 20, by inserting after "thereof" the words "(at not less than par,)"; also page 9, line 8, by striking out the word "or" following the word "parts," and inserting in lieu theerof the word, "of".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Mr. STEELE. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 171, (House Bill No. 38), on third reading, entitled:

An Act relating to treasurers in counties of the fifth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks

Mr. McCLINTOCK. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 171, (House Bill No. 38), entitled:

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies and the compensation of deputies and clerks.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culbertson,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. McCLINTOCK. Mr. President, I ask that Senate Bill No. 315, (House Bill No. 425), on third reading, entitled:

An Act to amend an act approved the ninth day of April one thousand nine hundred and thirteen (Pamphlet Laws forty-six) entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. PHIPPS. Mr. President, I move that Senate Bill No. 316, on third reading, entitled:

An Act to amend chapter seven of an act approved May 14, 1915, (P. L. 312), entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," by creating a Borough Planning Department, defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the borough, and for three miles beyond the borough limits; and to regulate the making and use of certain public improvements until said plans are approved by said department and authorizing the exercise of the powers herein provided by a park or other municipal commission.

be committed to the Committee on New Counties and County Seats.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. LONG. Mr. President, I ask that Senate Bill No. 328, on third reading, entitled:

An Act requiring county commissioners to rebuild or repair county bridges closed to vehicular traffic or destroyed

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 366, entitled:

An Act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BROWN. Mr. President, I ask unanimous consent to amend section 1, page 1, line 5 by striking out the word

"decendant" and inserting in lieu thereof the word "decedent"; also line 7, by striking out the word "decendent" and inserting in lieu thereof the word "decedent"; also line 8, by striking out the word "decendent" and inserting in lieu thereof the word "decedent"; also line 12, by striking out the word "decendent" and insert in lieu thereof the word "decedent:"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to third reading and consideration of Senate Bill No. 383, (House Bill No. 373), as follows:

An Act to amend an act approved June fifteenth one thousand nine hundred and eleven (Pamphlet Laws nine hundred and fifty-five) entitled "An Act making State taxes unpaid bonus interest penalties and all public accounts a first lien upon the franchise and property of corporations companies associations joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof and repealing section four of the act approved April sixteenth one thousand eight hundred and twenty-seven" by providing for the employment of counsel fixing such counsels' commissions and giving such commissions and costs the same priority and liens as such taxes bonus interest penalties and public accounts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an Act approved June fifteenth one thousand nine hundred and eleven (Pamphlet Laws nine hundred and fifty-five) entitled "An Act making State taxes unpaid bonus interest penalties and all public accounts a first lien upon the franchise and property of corporations companies associations joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof and repealing section four of the act approved April sixteenth one thousand eight hundred twenty-seven" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all State taxes imposed under the authority of any law of this Commonwealth now existing or that may hereafter be enacted and unpaid bonus interest penalties and all public accounts settled against any corporation company association joint-stock associations or limited partnership shall be a first lien upon the franchise and property both real and personal of such corporation company association joint-stock association or limited partnership from the date when they are settled by the Auditor General and approved by the State Treasurer or in the cases where the Auditor General alone makes the settlement from the date when they are so settled by him and whenever the franchise or property of a corporation company association joint-stock association or limited partnership shall be sold at a judicial sale all taxes interest bonus penalties and public accounts due the Commonwealth shall first be allowed and paid out of the proceeds of such sale before any judgment mortgage or any other claim or lien against such corporation company association stock association or limited partnership

Whenever such taxes bonus interest penalties and public accounts are not paid within sixty (60) days from the date of their settlement by the Auditor General as approved by the State Treasurer or in the cases where the Auditor General alone makes the settlement sixty (60) days from the date of such settlement by him as aforesaid and no appeal has been taken from such settlement in the method provided by law and in all cases of judicial sales assignments or bankruptcies the Auditor General may employ counsel without the approval of the Attorney General to collect the same and such counsel is authorized and directed to add to such settlements for taxes bonus interest penalties and public accounts and to collect from such corporation company association joint-stock association or limited partnership for the purpose of compensating such counsel so employed a counsels' commission based on the amount of such collection at the following rate viz ten per centum on the first Five hundred Dollars ($500) five per centum on the next Two Thousand Dollars ($2,000) and two and one-half per centum on any amount in excess of Two Thousand Five hundred Dollars ($2,500) which commissions together with costs shall be paid by such corporation company association joint-stock association or limited partnership and shall have the same priority and lien as such taxes bonus interest penalties and public accounts as herein before provided Provided That the Auditor General shall not so employ counsel as aforesaid until after he shall first have given ten (10) days notice in writing of his intention so to do to such corporation company association joint-stock association or limited partnership Provided further however that when such counsel is employed by the Auditor General as aforesaid and in the collection of such taxes bonus interest penalties and public accounts and litigation arises or it is necessary to commence any litigation in behalf of the Commonwealth such litigation shall be under the supervision direction and control of the Attorney General of the Commonwealth

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culbertson,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 417, (House Bill No. 470), entitled:

An Act to amend sections one and two of the act approved the twenty-third day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred thirty-nine) entitled "An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the distribution thereof" extending said act to cities of the second class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culbertson,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. CHRISTLEY. Mr. President, I ask that Senate Bill No. 461, on third reading, entitled:

An Act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, instruction and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof

go over in its order.

The PRESIDNET. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceded to the third reading and consideration of Senate Bill No. 502, entitled:

An Act prohibiting the location by cities of the third class of city prisons or lock-ups close to public school buildings

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culbertson,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 5, as follows:

An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-five thousand dollars ($45,000) or so much thereof as may be necessary is hereby specifically appropriated to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton Pennsylvania for the payment of any deficiency in the maintenance account of said hospital for the fiscal year ending May thirty-first one thousand nine hundred and twenty three

The said appropriation to be paid on the warrant of the Auditor General on a settlement made by him and the State Treasurer but no warrant shall be drawn until the trustees of said hospital shall have made under oath to the Auditor General a report containing a specifically itemized statement of the receipts from all sources and the expense of said institution for each month during the period for which said appropriation is made

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 21, as follows:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby specifically appropriated to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situated in the township of Coal near Shamokin Pennsylvania for deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. CULBERTSON. Mr. President, I move that Senate Bill No. 39, on second reading, entitled:

An Act fixing the salary of sheriffs and deputy sheriffs in counties of the seventh class; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail.

be recommitted to the Committee on New Counties and County Seats.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 58, as follows:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania at Ashland Schuykill County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and twelve thousand five hundred and sixty dollars ($112,560.00) or so much thereof as may be necessary is hereby specifically appropriated to the State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania at Ashland Schuylkill County Pennsylvania for the following purposes

For deficiency in maintenance for the two fiscal years beginning the first day of June one thousand nine hundred and twenty-one one hundred and six thousand six hundred and sixty-eight dollars forty-three cents ($106,668.43) or so much thereof as may be necesary

For the payment of deficiencies in salary for services of the superintendent of construction of new addition the sum of one thousand five hundred and sixty dollars ($1,560.00) or so much thereof as may be necessary

For the payment of deficiencies for installation of Engine and Dynamo the sum of one thousand two hundred and twenty-nine dollars and eighty-nine cents ($1,229.89) or so much tnereof as may be necessary

For the payment of deficiency for the installation of X-Ray Machine the sum of one thousand four hundred and forty-two dollars and sixty-eight cents ($1,442.68) or so much thereof as may be necessary

For the payment of deficiency for the purchase and installation of Panel Board on New Dynamo the sum of one thousand and fifty-nine dollars ($1,059.00) or so much thereof as may be necessary

For the payment of deficiency for the purchase and installation of steam separator piping and connections for new engine the sum of six hundred dollars ($600.00) or so much thereof as may be necessary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 58, the bill just read, be recommitted to the Committee on Appropriations.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 96, as follows:

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the deaf at Scranton Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary be and the same is nereby specifically appropriated to the trustees of the Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania for the payment of any deficiency in the maintenance account of said school for the fiscal year ending May thirty-first one thousand nine hundred and twenty-one and the fiscal year ending May thirty-first one thousand nine hundred and twenty-three

The said apropriation to be paid on the warrant of the Auditor General on a settlement maae by him and the State Treasurer but no warrant shall be drawn until the trustees of said school have made under oath to the Auditor General a report containing specifically itemized statement of the receipts from all sources and the expenses of said school for the period for which said appropriation is made

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. JONES. Mr. President, I move that Senate Bill No. 123, on second reading, entitled:

An Act to amend Route Two Hundred and Twenty-three of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turn pikes or toll roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decided the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs: providing penalt for injuring or destroying State highways; making appropriation to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of his act."

be recommitted to the committee on Public Roads and Highways.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 128, as follows:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh Pennsylvania to cover deficiency in maintenance and education of State Pupils

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-three thousand dollars ($43,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Western Pennsylvania School for the blind located at Pittsburgh Pennsylvania to cover deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred and twent-three (1923) and for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-one (1921)

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. NORTON. Mr. President, I ask that Senate Bill No. 146, on second reading, entitled:

An Act to define real estate brokers and real estate salesmen, and providing for the licensing, regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the Department of the Secretary of the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 166, (House Bill No. 57), entitled:

An Act authorizing boroughs to appropriate moneys or to levy and collect, with the assent of electors, a special tax for the purpose of purchasing fire engines and fire apparatus, and to assist existing fire companies in the purchase of fire engines and fire apparatus.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 172, (House Bill No. 186), as follows:

An Act authorizing county commissioners to purchase road machinery and to rent the same to the townships of such county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of any county may purchase such machinery for the preparation of road material and the construction and maintenance of roads as they deem necessary and pay for the same out of the general funds of the county Such machinery may be rented by the county commissioners to any of the townships within such county applying for same under such regulations and at such rentals as the county commissioners shall prescribe and fix All machinery purchased under the provisions of this act shall be operated only by persons employed for that purpose by and under the direct supervision of the county commissioners

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered n Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 224, as follows:

An Act providing for the filing of vacancies in the office of tax-collector in boroughs by the council of the borough and repealing certain acts inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any vacancy shall occur in the office of tax-collector after any borough election by reason of the erection of any new borough or if the duly qualified electors of any borough shall fail to elect a tax-collector or when a tax-collector that has been elected shall fail to qualify or shall fail or neglect to perform the duties of such office or shall neglect to give bond on or before the fourth day of the term of quarter sessions, ensuing his election or if any other vacancy shall occur by death resignation or otherwise—the borough council of the borough in which such vacancy exists shall fill office by appointing a suitable person resident of the district in which such vacancy exists Such appointment shall be for the unexpired term and upon petition of the borough council or of ten citizens of the borough in which such vacancy exists

Section 2 If no person resident within such district is willing to acept the appointment to fill such vacancy in the office of tax-collector the authorities authorized to levy and assess taxes in such district shall petition the borough council for appointment of a tax-collector Thereupon the borough council may appoint any citizen of the borough to collect the taxes in such district

Section 3 That the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and twenty-one) entitled "An Act providing for the filling of vacancies in the office of tax-collector in boroughs and townships by the county commissioners and repealing certain acts inconsistent therewith" is hereby repealed in so far as it relates to boroughs

All other acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 258, as follows:

An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" fixing the compensation of township auditors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred and twenty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" which reads as follows

"Section 325 The auditors of townships of the first and second classes shall meet annually on the day following the day which is fixed by this act for the organization of the township supervisors or the township commissioners of the several townships respectively and shall audit settle and adjust the accounts of the supervisors commissioners roadmasters treasurer and tax collector of the township Two auditors shall constitute a quorum

Any officer whose act or neglect has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss

Each auditor shall receive two dollars per diem for each day necessarily employed in the duties of his office to be

paid out of the funds of the township is hereby amended to read as follows

Section 325 The auditors of townships or the first and second class shall meet annually on the day following the day which is fixed by this act for the organization of the township supervisors or the township commissioners of the several townships respectively and shall audit settle and adjust the accounts of the supervisors commissioners road-masters treasurer and tax collector of the township Two auditors shall constitute a quorum

Any officer whose act or neglect has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss

Each auditor shall receive five dollars per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Snate Bill No. 275, (House Bill No. 365), as follows:

An Act to amend section one of the act approved the fifteenth day of March one thousand nine hundred and eleven (Pamphlet Laws twenty) entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf by prohibiting the introduction as evidence of certain testimony or records

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifteenth day of March one thousand nine hundred and eleven (Pamphlet Laws twenty) entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf" is hereby amended to read as follows

Section 1 Be it enacted et cetera That hereafter any person charged with any crime and called as a witness in his own behalf shall not be asked for any purpose whatsoever any question tending to show that he has committed or been charged with or been convicted of any offense other than the one wherewith he shall then be charged or tending to show that he has been of bad character or reputation nor shall the Commonwealth be permitted to affirmatively introduce into evidence any testimony or any record unless

One He shall have at such trial personally or by his advocate asked questions of the witness for the prosecution with a view to establish his own good reputation or character or has given evidence tending to prove his own good character or reputation or

Two He shall have testified at such trial against a co-defendent charged with the same offense

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 282, as follows:

An Act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (Definition of Terms) (1) In this act unless the context or subject-matter otherwise requires

"Bank" includes any person or association of persons whether incorporated or not carrying on the business of banking

"Fiduciary" includes a trustee under any trust expressed implied resulting or constructive executor administrator guardian conservator curator receiver trustee in bankruptcy assignee for the benefit of creditors partner agent officer of a corporation public or private public officer or any other person acting in a fiduciary capacity for any person trust or estate

"Person" includes a corporation partnership or other association or two or more persons having a joint or common interest

"Principal" includes any person to whom a fiduciary as such owes an obligation

(a) A thing is done "in good faith" within the meaning of this act when it is in fact done honestly whether it be done negligently or not

Section 2 (Application of Payments made to Fiduciaries) A person who in good faith pays or transfers to a fiduciary any money or other property which the fiduciary as such is authorized to receive is not responsible for the proper application thereof by the fiduciary and any right or title acquired from the fiduciary in consideration of such payment or transfer is not invalid in consequence of a misapplication by the fiduciary

Section 3 (Registration of Transfer of Securities held by Fiduciaries) If a fiduciary in whose name are registered any shares of stock bonds or other securities of any corporation public or private or company or other association or of any trust transfers the same such corporation or company or other association or any of the managers of the trust of its or their transfer agent is not bound to inquire whether the fiduciary is committing a breach of his obligation as fiduciary in making the transfer or to see to the performance of the fiduciary obligation and is liable for registering such transfer only where registration of the transfer is made with actual knowledge that the fiduciary is committing a breach of his obligation as fiduciary in making the transfer or with knowledge of such facts that the action in registering the transfer amounts to bad faith

Section 4 (Transfer of Negotiable Instrument by Fiduciary) If any negotiable instrument payable or indorsed to a fiduciary as such is indorsed by the fiduciary or if any negotiable instrument payable or indorsed to his principal is indorsed by a fiduciary empowered to endorse such instrument on behalf of his principal the indorsee is not bound to inquire whether the fiduciary is committing a breach of his obligation as fiduciary in indorsing or delivering the instrument and is not chargeable with notice that the fiduciary is committing a breach of his obligation as fiduciary unless he takes the instrument with actual knowledge of such breach or with knowledge of such facts that his action in taking the instrument amounts to bad faith If however such instrument is transferred by the fiduciary in payment of or as security for a personal debt of the fiduciary to the actual knowledge of the creditor or is transferred in any transaction known by the transferee to be for the personal benefit of the fiduciary the creditor or other transferee is liable to the principal if the fiduciary in fact commits a breach of his obligation as fiduciary in transferring the instrument

Section 5 (Check drawn by Fiduciard payable to third person) If a check or other bill of exchange is drawn by a fiduciary as such or in the name of his principal by a fiduciary empowered to draw such instrument in the name of his principal the payee is not bound to inquire whether the fiduciary is committing a breach of his obligation as fiduciary in drawing or delivering the instrument and is not chargeable with notice that the fiduciary is committing a breach of his obligation as fiduciary unless he takes the instrument with actual knowledge of such breach or with knowledge of such facts that his action in taking the instrument amounts to bad faith If however such instrument is payable to a personal creditor of the fiduciary and delivered to the creditor in payment of or as security for a personal debt of the fiduciary to the actual knowledge of the creditor or is drawn and delivered in any transaction known by the payee to be for the personal benefit of the fiduciary the creditor or other payee is liable to the principal if the fiduciary in fact commits a breach of his obligation as fiduciary in drawing or delivering the instrument

Section 6 (Check Drawn by and Payable to Fiduciary) If a check or other bill of exchange is drawn by a fiduciary as such or in the name of his principal by a fiduciary empowered to draw such instrument in the name of his principal

payable to the fiduciary personally or payable to a third person and by him transferred to the fiduciary and is thereafter transferred by the fiduciary whether in payment of a personal debt of the fiduciary or otherwise the transferee is not bound to inquire whether the fiduciary is committing a breach of his obligation as fiduciary in transferring the instrument and is not chargeable with notice that the fiduciary is committing a branch of his obligation as fiduciary unless he takes the instrument with actual knowledge of such breach or with knowledge of such facts that his action in taking the instrument amounts to bad faith

Section 7. (Deposit in Name of Fiduciary as Such) If a deposit is made in a bank to the credit of a fiduciary as such the bank is authorized to pay the amount of the deposit or any part thereof upon the check of the fiduciary signed with the name in which such deposit is entered without being liable to the principal unless the bank pays the check with actual knowledge that the fiduciary is committing a breach of his obligation as fiduciary in drawing the check or with knowledge of such facts that its action in paying the check amounts to bad faith If however such a check is payable to the drawee bank and is delivered to it in payment of or as security for a personal debt of the fiduciary to it the bank is liable to the principal if the fiduciary in fact commits a breach of his obligation as fiduciary in drawing or delivering the check

Section 8 (Deposit in Name of Principal) If a check is drawn upon the account of his principal in a bank by fiduciary who is empowering to draw checks upon his principal's account the bank is authorized to pay such check without being liable to the principal unless the bank pays the check with actual knowledge that the fiduciary is committing a breach of his obligation as fiduciary in drawing such check or with knowledge of such facts that its action in paying the check amounts to bad faith If however such a check is payable to the drawee bank and is delivered to it in payment of or as security for a personal debt of the fiduciary to it the bank is liable to the principal if the fiduciary in fact commits a breach of his obligation as fiduciary in drawing or delivery the check

Section 9 (Deposit in Fiduciary's Personal Account) If a fiduciary makes a deposit in a bank to his personal credit of checks drawn by him upon an account in his own name as fiduciary or of checks payable to him as fiduciary or of checks drawn to him upon an account in the name of his principal if he is empowered to draw checks thereon or of checks payable to his principal and indorsed by him if he is empowered to endorse such checks or if he otherwise makes a deposit of funds held by him as fiduciary the bank receiving such deposit is not bound to inquire whether the fiduciary is committing thereby a breach of his obligation as fiduciary and the bank is authorized to pay the amount of the deposit or any part thereof upon the personal check of the fiduciary without being liable to the principal unless the bank receives the deposit or pays the check with actual knowledge that the fiduciary is committing a breach of his obligation as fiduciary in making such deposit or in drawing such check or with knowledge of such facts that its action in receiving the deposit or paying the check amounts to bad faith

Section 10 (Deposit in Names of Two or More Trustees) When a deposit is made in a bank in the name of two or more persons as trustees and a check is drawn upon the trust account by any trustee or trustees authorized by the other trustee or trustees to draw checks upon the trust account neither the payee nor other holder nor the bank is bound to inquire whether it is a breach of trust to authorize such trustee or trustees to draw checks upon the trust account and is not liable unless the circumstances be such that the action of the payee or other holder or the bank amounts to bad faith

Section 11 (Act not Retroactive) The provisions of this act shall not apply to transactions taking place prior to the time when it takes effect

Section 12 (Cases not Provided for in Act) In any case provided for in this act the rules of law and equity including the law merchant and those rules of law and equity relating to trusts agency negotiable instruments and banking shall continue to apply

Section 13 (Uniformity of Interpretation) This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

Section 14 (Short Title) This act may be cited as the Uniform Fiduciaries Act

Section 15 (Inconsistent Laws Repealed) All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispended with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 294, as follows:

An Act to amend sections two and five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death" which reads as follows

"Section 2 The county commissioners of each county in this State are hereby authorized and directed to expend the sum of seventy-five dollars ($75.00) toward the funeral expenses of any such deceased service man Provided however That such county commissioners shall not contribute any moneys toward the funeral expenses of any such deceased service man where the total expense of any such funeral including said allowance of seventy-five dollars ($75.00) shall exceed three hundred dollars ($300.00) is hereby amended to read as follows

Section 2 The county commissioners of each county in this State are hereby authorized and directed to expend the sum of seventy-five dollars ($75.00) toward the funeral expenses of any such deceased service man Provided however That such county commissioners shall not contribute any moneys toward the funeral expenses of any such deceased service man where the total expense of any such funeral including said allowance of seventy-five dollars ($75.00) shall exceed three hundred dollars ($300.00) nor unless application for the payment of such moneys shall be made within one year after the date of the burial of such deceased service man

Section 2 That section five of said act which reads as follows

"Section 5 It shall also be the duty of the county commissioners of each county in this State upon or at any time subsequent to the death of any service man as defined herein who shall be buried within their counties under the provisions of this act or any prior act on the application of any relatives or friends of such deceased service man to cause a headstone to be placed at the head of the grave of each such deceased service man containing his name and if possible the organization to which he belonged or in which he served in letters raised or cut in at least three-sixteenths of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base and the expense for the same shall be paid out of the funds of the county in which such deceased service man died or shall have had his legal residence Provided however That the expense shall not exceed the sum of fifty dollars for each headstone and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense

in favor of the party or parties furnishing such headstones" is hereby amended to read as follows

Section 5 It shall also be the duty of the county commissioners of each county in this State upon or at any time subsequent to the death of any service man as defined herein who shall be buried within their counties under the provisions of this act or any prior act on the application of any relatives or friends of such deceased service man and upon approval of any organization of veterans of any war in which the United States was engaged to cause a headstone to be placed at the head of the grave of each such deceased service man containing his name and if possible the organization to which he belonged or in which he served in letters raised or cut in at least three-sixteenths of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base and the expense for the same shall be paid out of the funds of the county in which such deceased service man died or shall have had his legal residence Provided however That the expense shall not exceed the sum of fifty dollars for each headstone and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 296, as follows:

An Act to amend section two of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-four) entitled "An act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor" by empowering the county commissioners and county controller where such office exists to take by eminent domain proceedings land necessary for the establishment of such hospitals giving the board of trustees powers concurrent with the county commissioners and county controller in reference to the planning and construction of such hospitals

Section 1 Be in enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-four) entitled "An act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor" is hereby amended to read as follows

Section 2 If a majority of the voters voting upon such question at such election shall be in favor of the establishment of the hospital the county commissioners the county controller where such office exists and board of trustees shall have plans and specifications prepared and shall select and acquire a site for such hospital by purchase or condemnation with the same power and of the same procedure as land is now acquired under existing laws by school districts for school purposes the county commissioners and county controller exercising the authority exercised by school directors for that purpose Such plans and specifications and the location of such site shall be approved by the Commissioner of Health before the construction of any building is commenced

Upon the approval by the Commissioner of Health of the plans and specifications and the location of such hospital the hospital shall be constructed and equipped under the direction and supervision of the board of trustees county controller and the county commissioners and in the same manner as other county buildings are constructed and equipped

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispended with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 297, as follows:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has formerly been held or conveyed by to or for corporations not authorized by law to hold the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where real estate in this Commonwealth heretofore held or owned by any corporation or corporations not having the right to hold the same has been conveyed by such corporation to any corporation or corporations not having the right to so own and hold the same and said real estate has now been conveyed to any citizen of the United States or to any corporation authorized by the laws of this Commonwealth to hold the same such citizen or corporation grantee as aforesaid shall hold and may convey such title and estate indefeasibly as to any right of escheat in this Commonwealth by reason of such real estate having been held or conveyed by or for a corporation or corporations not authorized to hold the same by the laws of this Commonwealth This act shall not apply to escheat cases now in litigation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 314, (House Bill No. 423), as follows:

An Act authorizing boards of county commissioners to cooperate with the Department of Agriculture and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious disease of livestock and poultry and dangerous plant diseases and insect pests.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of county commissioners of any county is hereby authorized to appropriate money from county funds for the purpose of controlling and suppressing dangerous infectious disease of livestock and poultry and dangerous plant diseases and insect pests in cooperation with the Department of Agriculture of Pennsylvania

Section 2 For the purpose of carrying out the provisions of this act the board of county commissioners may enter into agreements with the Pennsylvania Department of Agriculture concerning terms rules regulations and practices for conducting the work

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Blll No. 321, as follows:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An act for the government of cities of the second class"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Gen-

eral Assembly met and it is hereby enacted by the authority of the same That section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An act for the government of cities of the second class" which reads as follows

ARTICLE I

"Section 1 In cities of the second class the executive power shall be vested in a city recorder and in the departments authorized by this act The office of mayor in said cities is hereby abolished

"The city recorder shall be the chief executive officer of the city and shall be at least twenty-five years of age and have been a citizen and inhabitant of the State five years and an inhabitant of the city for which he may be elected city recorder five years next before his said election unless absent on public business of the United States or of this State and shall reside in said city during his term of service The city recorder whether appointed or elected shall have all the powers and jurisdiction of justices of the peace under existing laws of this Commonwealth He shall give bond in such sum as shall be determined by councils

"The city recorder shall be chosen by plurality of the votes cast at the municipal election and shall hold his office for the term of three years from the first Monday of April next ensuing his election and serve until his successor is duly elected and qualified but he shall not be eligible to the office of city recorder for the next succeeding term or to any other office or position in the city during the period of two years next succeeding the expiration of his term of office

"If two or more candidates be equal and highest in votes one of them shall be chosen city recorder by a vote of the majority of all the members of the incoming councils in joint convention assembled immediately upon their organization

"When a vacancy shall take place in the office of the city recorder a successor shall be elected for the unexpired term at the next municipal election occurring more than thirty days after the commencement of such vacancy unless such election should occur in the last year of said term in which case a city recorder pro tempore shall be chosen by councils in join convention by the votes of the majority of members elected and the person elected city recorder shall hold office until the expiration of said term and until his successor shall be duly elected and qualified and it shall be the duty of the president of the select council to issue a proclamation for such joint convention to be held not less than ten nor more than twenty days after such vacancy shall take place

'Until the vacancy is filled the president of select council shall act as city recorder

"It shall be the duty of the city recorder

"1 To cause the ordinances of the city and the laws of the State to be executed and enforced

"2 To communicate to councils at least once a year a statement of the finances and general condition of the affairs of the city and also such information in relation to the same as either branch of council may from time to time require

"3 To recommend by message in writing to the councils of all such measures connected with the affairs of the city and the protection and improvement of its government and finances as he shall deem expedient

"4 To call special meetings of councils or either of them when required by public necessity

"5 To perform such duties as may be prescribed by law or ordinance and he shall be responsible for the good order and efficient government of the city

"The city recorder shall call together the heads of departments for consultation and advice upon the affairs of the city at least once a month and at such meetings he may call on the heads of departments for such reports as to the subject matters under their control and management as he may deem proper which it shall be their duty to prepare and submit at once to the city recorder Records shall be kept of such meetings and rules and regulations shall be adopted for the administration of the affairs of the city departments not inconsistent with any law or ordinance which regulations shall prescribe a common and systematic method of ascertaining the comparative fitness of applicants for office position and promotion and of selecting appointing and promoting those found to be the best fitted" is hereby amended to read as follows

ARTICLE I

Section 1 In cities of the second class the executive power shall be vested in the mayor and in the departments authorized by this act

The mayor shall be the chief executive officer of the city and shall be at least twenty-five years of age and have been a citizen and inhabitant of the State five years and an inhabitant of the city for which he may be elected mayor five years next before his election unless absent on the public business of the United States or of this State and shall reside in said city during his term of service The mayor whether appointed or elected shall have all the powers and jurisdiction of justices of the peace under existing laws of this Commonwealth He shall give bond in such sum as shall be determined by council

The mayor shall be chosen by a plurality of the votes cast at the municipal election and shall hold his office for the term of four years from the first Monday of January next ensuing his election and serve until his successor is duly elected and qualified Election to said office of mayor shall not subsequently render anyone ineligible to that or any other office or position in said cities any general local or special law to the contrary notwithstanding

If two or more candidates be equal and highest in votes one of them shall be chosen mayor by a vote of the majority of all the members of the incoming council in joint convention assembly immediately upon their organization

When a vacancy shall take place in the office of the mayor a successor shall be elected for the unexpired term at the next municipal election occurring more than thirty days after the commencement of such vacancy unless such election shall occur in the last year of said term in which case a mayor pro tempore shall be chosen by council in convention by votes of the majority of members elected and the person elected mayor shall hold office until the expiration of said term and until his successor shall be duly elected and qualified and it shall be the duty of the president of the council to issue a proclamation or such convention to be held not less than ten days nor more than twenty days after such vacancy shall take place

Until the vacancy is filled the president of council shall act as mayor

It shall be the duty of the mayor

I To cause the ordinances of the city and the laws of the State to be executed and enforced

II To communicate to council at least once a year a statement of the finances and general condition of the affairs of the city and also such information in relation to the same as either branch of council may from time to time require

III To recommend by message in writing to the council all such measures connected with the affairs of the city and the protection and improvement of its general government and finances as he shall deem expedient

IV To call special meetings of council when required by public necessity

V To perform such duties as may be prescribed by law or ordinance and he shall be responsible for the good order and efficient government of the city

The mayor shall call together the heads of departments for consultation and advice upon the affairs of the city at least once a month and at such meetings he may call on the heads of departments for such reports as to the subject-matters under their control and management as he may deem proper which it shall be their duty to prepare and submit at once to the mayor Records shall be kept of such meetings and rules and regulations shall be adopted thereat for the administration of the affairs of the city departments not inconsistent with any law or ordinance which regulations shall prescribe a common and systematic method of ascertaining the comparative fitness of applicants for office position and promotion and of selecting appointing and promoting those found to be the best fitted

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 332, on second reading, entitled:

An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder.

be recommitted to the committee on Judiciary General.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 382, (House Bill No. 259), entitled:

An Act relating to the drainage of wet and spouty lands by providing for the construction of surface or under drains over lands owned by others

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 386, (House Bill No. 471), as follows:

An Act to amend sections one two as amended and three of an act approved the twenty-fourth day of April one thousand eight hundred and eighty-five (Pamphlet Laws nine) entitled "An act to amend an act entitled 'An act to provide for the destruction and to prevent the spread of Canada thistles' approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty-two" extending the provisions of said act to cichorium intybus the weed commonly known as chickory or succory or blue daisy

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-fourth day of April one thousand eight hundred and eighty-five (Pamphlet Laws nine) entitled "An act to amend an act entitled 'An act to provide for the destruction and to prevent the spread of Canada thistles' approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty-two" is hereby amended to read as follows

Section 1 That from and after the passage of this act it shall be the duty of every person or persons and of every corporation holding land or lands in any county or counties of this Commonwealth either by lease or otherwise on which any Canada thistles or weeds commonly known as Canada thistles or cichorium intybus the weed commonly known as chickory or succory or blue daisy may be growing to cut the same so as to prevent such weeds from going to seed and the seed of the same from ripening and every person or persons or corporation as aforesaid who shall or may have land as aforesaid and who shall neglect or refuse to comply with the provisions of this act shall forfeit and pay a fine of fifteen dollars to the treasurer of the school district in which such land may be situated to be recovered the same as debts of like amount are now by law recoverable

Section 2 That section two of said act as amended by an act approved the twelfth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred twenty-four) entitled "An Act to amend section two of an act approved the twenty-second day of March one thousand eight hundred sixty-two (Pamphlet Laws one hundred sixty-four) entitled 'An Act to provide for the destruction and to prevent the spread of Canada thistles as amended" is hereby further amended to read as follows

Section 2 That section two of said act is hereby amended to read as follows

Section 2 That if any person or persons or corporation so holding lands as aforesaid on which any Canada thistles or the weeds commonly known as such or cichorium intybus the weed commonly known as chickory or succory or blue daisy shall be growing and likely to ripen seen thereon shall neglect or refuse to cut and destroy the same so as to prevent the seed thereof from ripening it shall and may be lawful for any person or persons who may consider themselves aggrieved or about to be injured by such neglect or refusal to inform by written notice any constable or supervisor of the township or district in which the said weeds may be growing whose duty it shall then be to give five days notice in writing to such person or persons or corporation to cut and destroy such weeds and on their neglect or refusal to cut and destroy the same at the end of five days it shall be the duty of the officer giving such notice to enter upon such premises with such other person or persons as he may employ and cut down and destroy such weeds and the said officer or other persons so employed shall be entitled to recover from such person or persons or corporation owning or holding land as aforesaid compensation for necessary man labor horse labor and machinery at the same rate as paid by the township or district for similar work on the roads and the officer serving such notice shall likewise be entitled to a fee of fifty cents together with six cents mileage for each mile circular necessarily traveled to be recovered as debts of like amount before any justice or court in said counties

Section 3 That section three of said act is hereby amended to read as follows

Section 3 It shall be the duty of the supervisor or supervisors of the public roads or highways in every township or district as aforesaid to cut and destroy in the same manner all such weeds on or along such roads and in case of unseated or mountain lands whenever it shall come to the knowledge of either the supervisor or constable of the existence of any such weeds thereon it shall be his duty to notify the owner or owners or agents of said lands in writing giving ten days' notice to cut and destroy the same as aforesaid and upon failure to comply at the end of ten days such officer or any person or persons employed by him shall proceed in the manner hereinbefore provided with like fees and compensation and if any such constable or supervisor shall neglect or refuse to perform his duties as prescribed by this act he shall be liable to a fine of ten dollars the same to be sued for and recovered as aforesaid by the party or parties aggrieved or about to be injured by such neglect or refusal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 422, as follows:

An Act fixing the compensation of jury commissioners in counties of the seventh class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the jury commissioners of each of the several of the seventh class shall each receive five dollars ($5.00) for each day necessarily employed in the discharge of their duties The said compensation shall be paid from the county treasury in the same manner as the salary or compensation of other officers and employes

Section 2 This act shall not affect the compensation of jury commissioners in office at the date of the approval of this act but such jury commissioners shall continue to receive the compensation now fixed by law until the end of their respective terms

Section 3 All acts and parts of acts general local or special inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 429, as follows:

An Act to amend section one of the act approved the thirty-first day of March one thousand nine hundred and twenty-one (Pamphlet Laws seventy-one) entitled "An act providing for the salaries of court criers and tipstaves of the several courts in counties of the fourth class"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirty-first day of March one thousand nine hundred and twenty-one (Pamphlet Laws seventy-one) entitled "An act providing for the salaries of court criers and tipstaves of the several courts in counties of the fourth class" is hereby amended to read as follows

Section 1 Be it enacted et cetera That in counties of the fourth class the salaries of the court criers shall be one thousand six hundred and fifty dollars per annum and the salaries of tipstaves shall be one thousand five hundred dollars per annum Such salaries shall be payable out of the county treasury in the manner now provided by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 433, as follows:

An Act further amending the act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventy) entitled "An act creating a Division of Township highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions and providing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four clause first of the act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventy) entitled "An act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions and providing penalties" which as amended reads as follows

"First Have general supervision of all township highways and bridges and approve or disapprove all agreements and contracts made by township supervisors for the expenditure of township money or township county and State moneys except for the construction improvement or maintenance of State highways and State-aid highways" is hereby amended to read as follows

First Have general supervision of all township highways and bridges which are constructed improved or maintained in whole or in part by the aid of State moneys excepting State and State-aid highways otherwise provided for and approve all agreements made by township supervisors for the expenditure of moneys appropriated by the State for road purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispended with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 434, as follows:

An Act to further amend section one of an act approved the twelfth day of June one thousand nine hundred and nineteen entitled "An act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys and to incur indebtedness and issue bonds and other obligations for the improvement and maintenance of State highways and State-aid highways or any public highway in any county of the Commonwealth and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twelfth day of June one thousand nine hundred and nineteen entitled "An act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys and to incur indebtedness and issue bonds and other obligations for the improvement and maintenance of State highways and State-aid highways or any public highway in any county of the Commonwealth and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases" which as amended reads as follows

"Section 1 Be it enacted et cetera That any county of this Commonwealth may appropriate and expend moneys and incur such indebtedness and issue bonds or other obligations therefor as may be necessary to pay for the improvement and maintenance of any State highway or State-aid highway or any public highway within its proper limits Provided however That no improvement can be made to any State highways or State-aid highways until the same has been submitted to and approved by the State Highway Department And provided further That no county shall appropriate and expend any of such moneys for the improvement and maintenance of any public highway other than a State highway or State-aid highway or county road where the highway is to be improved jointly by the township or borough and county until and unless the supervisors or commissioners of the township or borough council of the borough in which the highway proposed to be improved lies shall first petition the county commissioners of the county representing that any highway or section thereof lying within such township or borough on which it is proposed that said money shall be expended is in need of reconstruction or repair and particularly describing said highway and until and unless the said application has been submitted to and approved by the State Highway Department And provided further That when the improvement and maintenance of any public highway in the county is desired by the county without the intervention of the township or borough the commissioners of said county may make application for approval direct to the State Highway Department" is hereby amended to read as follows

Section 1 Be it enacted et cetera That any county of this Commonwealth may appropriate and expend moneys and incur such indebtedness and issue bonds or other obligations therefor as may be necessary to pay for the improvement and maintenance of any State highway or State-aid highway or any public highway within its proper limits Provided however That no improvement can be made to any State highways or State-aid highways until the plans and specifications and contracts have been submitted to and approved by the State Highway Department And provide further That no county shall appropriate and expend any of such moneys for the improvement and maintenance of any public highway other than a State highway or State-aid highway or county road where the highway is to be improved jointly by the township or borough and county until and unless the supervisors or commissioners of the township or borough council of the borough in which the highway proposed to be improved lies shall first petition the county commissioners of the county representing that any highway or section thereof living within such township or borough on which it is proposed that said money shall be expended is in need of reconstruction or repair and particularly describing said highway And providing further That when the improvement and maintenance of any public highway in the county is necessary and is to be paid for wholly by the county the commissioners of said county may proceed with the improvement or maintenance without the intervention of the township or borough wherein such proposed work may lie

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being this case dispended with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 435, as follows:

An Act to further amend section three hundred eighty-six clause four of the act approved the fourteenth day of July one thousand nine hundred seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred eighty-six clause four of the act approved the fourteenth day of July one thousand nine hundred seventeen (Pamphlet Laws eight hundred forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" which as amended reads as follows

"IV To purchase such timber material equipment machinery road-drags tools and implements as shall be necessary for making and repairing roads and bridges to employ sufficient number of laborers to make and repair the same and to contract for the construction reconstruction and improvement of roads

All contracts for the construction reconstruction and improvement of roads and for the purchase of materials used in such work and for the purchase of equipment and machinery shall be submitted to the Township Commissioner of the State Highway Department for approval or disapproval before such contracts are actually entered into and no such contract shall be valid unless it shall be approved and signed by the Township Commissioner

No purchase of materials and no purchase of equipment and machinery which shall involve the expenditure of more than one hundred dollars ($100) shall be made except by contract in writing An itemized report of all purchase of materials and of all purchase of and repairs to equipment or machinery made by the township supervisors involving an expenditure of less than one hundred dollars ($100) and made without a contract in writing shall be certified to the Township Commissioner

No payment for work done under a contract or the construction reconstruction and improvement of roads or bridges shall be made until an estimate of the work done has been made and submitted to the Township Commissioner of the State Highway Department for his approval or disapproval is hereby amended to read as follows

IV. To purchase such timber material equipment machinery road-drags tools and implements as shall be necessary for making and repairing roads and bridges to employ sufficient number of laborers to make and repair the same and to contract for the construction reconstruction and improvement of roads of brick concrete or other permanent paving materials

All plans specifications and contracts for the construction of highways and bridges which are constructed in whole or part by aid of State moneys excepting State and State-aid highways otherwise provided for shall be submitted to and approved by the State Highway Department

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 438, as follows:

An Act making a deficiency appropriation to the Commissioners of Fairmount Park

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred and forty-eight dollars and seventy-one cents ($248.71) is hereby appropriated to the Commissioners of Fairmount Park for the payment of interest on mortgages on property belonging to the State within the boundaries of the Fort Washington Extension of Fairmount Park to cover a deficiency in the appropriation for the two fiscal years beginning June first one thousand nine hundred and twenty-one

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 446, as follows:

An Act fixing the salaries of the county commissioners county controller county treasurer register of wills recorder of deeds and clerk of the courts in counties of the third class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salaries of the county commissioners county controller county treasurer register of wills recorder of deeds and clerk of the courts in counties of the third class shall be six thousand ($6,000) dollars per annum

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 449, as follows:

An Act to amend so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" is hereby amended to read as follows

The county of Chester shall elect three members and shall be divided into two districts as follows

The city of Coatesville the boroughs of Atglen Avondale Oxford Parkesburg and Westgrove and the townships of East Fallowfield East Nottingham Elk Franklin Highland London Britain London Grove Londonderry Lower Oxford New Garden New London Penn Upper Oxford West Fallowfield West Marlboro and West Nottingham shall constitute the first district and elect one memeber

The boroughs of Downingtown Elverson Honeybrook Kennett Square Malvern Phœnixville Spring City and West Chester and the townships of Birmingham Caln Charlestown East Bradford East Brandywine East Caln East Coventry East Goshen East Marlboro East Nantmeal East Pikeland East Vincent East Whiteland Easttown Honeybrook Kennett Newlin North Coventry Pennsbury Pocopson Sadsbury Schuylkill South Coventry Thornbv Tredyffryn Upper Uwchlan Uwchlan Valley Wallace Warwick West Bradford West Brandywine West Caln West Goshen West Nantmeal West Pikeland West Sadsbury West Whiteland Westtown and Willistown shall constitute the second district and elect two members

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 453, as follows:

An Act to amend section ten hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" is hereby amended to read as follows

Section 1025 In townships of the first class where sidewalks have been established by township ordinance or have been or may be constructed along and within any road or street which is now or shall hereafter become a public highway the owner of the abutting property shall keep the sidewalk immediately in front of his property in good order and repair and at all times free and clear of all obstruction to safe and convenient passage

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispended with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 457, as follows:

An Act to amend section twenty-two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" authorizing the Governor to confer brevet rank upon certain officers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" is hereby amended to read as follows

RETIREMENT OF OFFICERS

Section 22 Commissioned officers who shall have served forty years either as an officer or enlisted man or both in the Pennsylvania National Guard shall upon application made to the Adjutant General be retired from active service and placed upon the retired list as of the next higher grade except a major general whose grade upon the retired list shall remain the same and when any commissioned officer is sixty-four years of age he shall be retired from active service and may be placed upon the retired list as of the next higher grade except a major general whose grade on the retired list shall remain the same Provided That service in the volunteer forces of the United States or in the Army Navy or Marine Corps thereof during the war with Spain in Mexican border service or in any other Federal service may be included as of twice its actual length in computing the forty years of service required for retirement commissioned officers who shall have served as such in the Pennsylvania National Guard or the Pennsylvania Reserve Militia or both may upon application to the Adjutant General be placed upon the retired list as of the highest grade of such officers may have held in their service Provided That he shall have held a Commission as an officer of the Pennsylvania National Guard or the Pennsylvania Reserve Militia or both for a period of at least ten years in the aggregate Provided further That service in the volunteer forces in the United States Army in the war with Spain in Mexico border service in the World War or in any other Federal service may be computed as of twice its actual length the Governor as Commander-in-Chief shall have power and is hereby authorized to relieve from active service and place upon the retired list as of the next higher grade any commissioned officer who has served continuously in any one grade for fifteen years the commission of any officer so relieved from active duty and placed upon the retired list shall be considered terminated and the office held by him as vacated when an officer has become incapable from any cause of performing the duties of his office he may be ordered before an efficiency board created as herein provided and sitting as a retiring board if he is found disqualified by reason of physical disability incurred in the line of duty he may be retired as of the next higher grade but if he is found disqualified for any other reason he shall be retired without increase in grade the action of every such board shall be subject to the approval of the Governor as Commander-in-Chief all retired officers shall be entitled to wear the uniform of their grade as retired officers of the Pennsylvania National Guard on all proper military or semi-military occasions And provided further That the Governor may confer upon any citizen who has been connected with any military college located within and incorporated under the laws of the Commonwealth and who has had a commission as an officer for a period of thirty years or more granted by the Governor in accordance with the laws of this Commonwealth brevet rank of not more than one grade higher than the highest rank held by him during the term he was so commissioned

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. LONG, Mr. President, I move that Senate Bill No. 492, on second reading, entitled:

An Act regulating the operation of billiard and pocket billiard establishments and defining the persons who may be present therein

be recommitted to the committee on Judiciary General

Mr. DERRICK. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. JONES. Mr. President, I hope that the Senate will not agree to this motion to recommit this bill. I doubt if anything can be done in committee to change the bill. If the bill will be on third reading and final passage tomorrow and if it should not pass, if there are Senators who desire to vote against it, it will be perfectly proper to vote that way. I do not think there would be any good purpose served by recommitting the bill to a committee, and, therefore, I hope that this motion will not prevail, but that the bill will pass second reading now and then it will be on final passage tomorrow.

Mr. LONG. Mr. President there is a law in Pennsylvania at the present time that minors may not frequent pool rooms or billiard rooms in Pennsylvania. There are several special laws in certain counties in Pennsylvania which forbid boys under twenty one years to frequent those places. This bill is intended to repeal those laws. In my judgment it is a question of whether it can be done in that way and it ought to be considered, it seems to me, by the Judiciary General Committee. The law undertakes to say that it is lawful for boys between eighteen and twenty-one to frequent pool rooms. In my judgment it is not a good thing for the Senate of Pennsylvania and the House of Representatives and the Governor to go on record in a law stating that a pool room is the proper place for boys between eighteen and twenty-one. You will notice the distinction in this sort of legislation. It is not legislation permitting

something, but it undertakes to say if it is finally passed by the legislative body and signed by the Governor, that it is a lawful and proper place for boys to be. The moral element in the proposition, it seems to me, is wrong. They might as well talk about legislation as to what is the proper thing for people to eat, or something of that sort. It seems to me that this act ought to be considered by the Committee on Judiciary General on the Constitutional question and it ought to be very carefully considered on the moral question and not pass the bill without very careful consideration on the part of the Committee.

Mr. JONES. Mr. President, this bill has been in committee and it has been considered by that committee. We fought it out and it is now on the calendar on second reading. I do not think this is the time to enter into a discussion of the merits or demerits of this bill. It will be on third reading to-morrow. I do not think the bill can be amended so as to overcome the objection of the Senator from Franklin, Mr. Long. I think it has to stand as it is now written and it might just as well be so considered on third reading and final passage to-morrow. If it is not a proper bill, of course, those opposed to it will vote against it. I still think that this bill should not be recommitted, that it should be passed on second reading tonight and be on final passage tomorrow.

Mr. LONG. Mr. President, I have spoken with the gentleman who introduced the bill and he understands it is to go back to the Committee on Judiciary General.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 529, (House Bill No. 452), entitled:

An Act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effect of the decree thereon

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 532, (House Bill No. 523), entitled:

An Act to further amend section five of the act approved the thirty-first day of March, one thousand eight hundred and seventy-six, (P. L. 13), entitled "An Act to carry into effect section five, of article fourteenth, of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the state or county treasury, in counties containing over one hundred and fifty thousand inhabitants," as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 540, (House Bill No. 594), entitled:

An Act authorizing the county commissioners to appropriate county moneys to incorporated agricultural and horticultural societies and associations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 551, as follows:

An Act to amend section one of the act approved the first day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and ten) entitled "An act relating to fires and fire prevention imposing duties and conferring powers heretofore exercised by the State Fire Marshal upon the Department of State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said department and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the department and the enforcement of its orders and prescribing penalties" fixing the powers of the Department of State Police and cities boroughs and townships relative to the erection and installation of tanks pumps drawing-off or measuring devices used in connection with inflammable liquids

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one of the act approved the first day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and ten) entitled "An act relating to fires and fire prevention imposing duties and conferring powers heretofore exercised by the State Fire Marshal upon the Department of State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said department and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the department and the enforcement of its orders and prescribing penalties" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the term "department" as used in this act means "Department of State Police"

The Superintendent of State Police may appoint and remove the chief of the fire department of any county city borough town or township where a fire department is established or where no such fire department exists the burgess or constable of any borough or town or constable or the president or chairman of the board of supervisors of any townships as assistants to the department and when so appointed shall be subject to the obligations imposed by this act and to the authority of the department

The Superintendent of State Police may also appoint individual citizens as assistants to the department who shall be subject to the obligation aforeasid and to the directions of such department

The department may adopt and enforce rules and regulations governing the having using storage sale and keeping of gasoline naphtha kerosene or other substance of like character blasting powder gunpowder dynamite or any other inflammable combustible or explosive chemical products or substances or materials The department may also adopt and enforce rules and regulations requiring the placing of fire-extinguishers in buildings

No person co-partnership association or corporation shall erect or install any tank or pump drawing-off or measuring device for the storage of handling use dischanging distribution or dispensing of volatile inflammable liquids without first obtaining a certificate of approval from the Bureau of Fire Prevention of the Department of State Police for which the person obtaining such certificate shall pay to the said

Bureau for the use of the Commonwealth a fee of five dollars Provided That nothing in this clause shall be construed to apply to safety containers or receptacles not exceeding five gallons capacity nor to tanks for the storage of kerosene oil not exceeding one hundred and twenty gallons capacity nor to any tanks or device which are used in connection with any manufacturing plant or refinery where such volatile inflammable liquid is manufactured or refined

No city borough or township shall adopt any ordinance or resolution in any manner affecting or regulating the installation of any tanks pumps drawing-off or measuring devices jurisdiction over which has herein been conferred upon the Bureau of Fire Protection of the Department of State Police except ordinances and resolutions fixing the location of any such tanks pumps drawing-off or measuring devices or limiting the number thereof or imposing an annual license or inspection fee thereon for inspection purposes which annual license or inspection fee shall not exceed ten dollars for each pump drawing-off or measuring device and the tank thereto connected

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. EYRE. Mr. President, I move that Senate Bill No. 551, the bill just read, be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 599, as follows:

An Act to amend section fourteen of the act approved the twenty-seventh day of June Anno Domini one thousand eight hundred ninety-five (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing two hundred and fifty thousand inhabitants" prescribing the appointments of said office fixing the salaries thereof and repealing all acts or parts of acts inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 14 The controller shall appoint a deputy controller and such clerks as may be necessary whose salaries shall be fixed by the commissioners and the controller as provided by section seven of the act approved the thirty-first of March one thousand eight hundred and twenty-six The deputy controller shall during the necessary or temporary absence of the controller perform all his duties and also in case of a vacancy until a successor is qualified shall hereby be amended to read as follows

Section 14 "The controller shall appoint a deputy controller counsel and such other (clerks) employes as may be necessary for the work of his office and the proper auditing of accounts whose salaries or compensation shall be fixed by the commissioners and the controller (as provided by section seven of the act of thirty-first of March one thousand eight hundred and twenty-six) The deputy controller shall during the necessary or temporary absence of the controller perform all his duties and also in case of a vacancy until a successor is qualified

All acts or parts of acts inconsistent with this amendment be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 600, as follows:

An Act to amend section one of the act approved the eighth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and fifteen) entitled "An act to fix the salaries of the deputies in the offices of the clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand popoulation by changing the manner of fixing salaries and prescribing the minimum thereof and making the act apply to counties of the third class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eighth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and fifteen) entitled "An act to fix the salaries of the deputies in the offices of the clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population" is hereby amended to read as follows

Section 1 Be it enacted et cetera That from and after the passage of this act in counties (having over two hundred and fifty thousand population and less than four hundred thousand population) of the third class the salaries of the deputy clerk of the courts deputy county controller deputy recorder of deeds deputy county treasurer chief deputy sheriff and chief clerk to the county commissioners shall be twenty-five hundred dollars ($2,500.00) fixed by the salary board of said counties the minimum salary in no case to be less than three thousand dollars ($3,000.00) per annum each payable in monthly installments by the treasurer of such county according to existing laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES.

Mr. CULBERTSON. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CULBERTSON, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 385 (House Bill No. 411) entitled:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending and consolidating the laws relating thereto."

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 15 entitled:

An Act relating to the retirement of certain officers and employes of the State Government and their compensation including officers and employes heretofore retired.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 58 entitled:

An Act making a deficiency appropriation to the State Hospital for injured persons of the anthracite coal region of Pennsylvania at Ashland Schuylkill County, Pennsylvania.

BILL INTRODUCED.

Mr. SNYDER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 655 entitled:

An Act for the enforcement of the penal and criminal laws of the Commonwealth, expediting the administration thereof, and enlarging and defining the duties and powers of the Attorney General and of his Deputies with respect thereto.

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEES.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Corporations, reported as committed, Senate Bill No. 415, (House Bill No. 449), entitled:

An Act to amend paragraph one section five of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" as amended changing the effect of the by-laws of corporations.

Also from the Committee on Corporations, reported as committed, Senate Bill No. 640 entitled:

An Act to amend section three of an act approved July 25, 1917 (P. L. 1209), entitled "An act to authorize the acquisition, by purchase or condemnation of lands for a park, and the erection of a monument commemerative of Washington Crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument; and making an appropriation for the purpose of this act."

BILLS INTRODUCED.

Mr. JONES. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 656, entitled:

An Act requiring purchasers or receivers of milk or cream for manufacturing purposes or resale to furnish to the producer thereof certain periodical statements of daily deliveries and the average per centum butterfat test of the same providing for the enforcement thereof and fixing penalties.

Which was committed to the Committee on Public Health and Sanitation.

Mr. NORTON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. NORTON read in his place and presented to the Chair Senate Bill No. 657, entitled:

An Act empowering School Districts to employ a Police Force.

Which was committed to the Committee on Education.

Mr. McNICHOL. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 658, entitled:

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases.

Which was committed to the Committee on Appripriations.

Also read in his place and presented to the Chair Senate Bill No. 659, entitled:

An Act making an appropriation to the Gynecean Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

COMMUNICATION FROM JUDGES OF THE COURTS OF COMMON PLEAS OF PHILADELPHIA COUNTY, RELATIVE TO COUNTY INDUSTRIAL FARM WORKHOUSE.

The CHAIR laid before the Senate communication from the Judges of the Courts of Common Pleas of Philadelphia, which was read as follows and referred to the committee on Judiciary General.

March 21, 1923.
Court of Common Pleas No. 3, Philadelphia.

Hon. David J. Davis, Lieutenant Governor of Pennsylvania,
Harrisburg, Pennsylvania.

My Dear Sir: At a meeting of the Judges of the Courts of Common Pleas of Philadelphia County, held March 2, 1923, the undersigned was directed to inform the President of the Senate, that the Judges had under consideration the question of the establishment of a County Industrial Farm Workhouse under the Act of 1917, P. L. 1151; that they had reached the conclusion that under that statute the establishment of such an institution was impracticable; and that, in their opinion, it is highly important and advisable that there should be some legislation providing for an institution in which prisoners could be more regularly employed than they are under the present system.

Respectfully yours,
Wm. C. Ferguson, Secretary.

HOUSE MESSAGES.

HOUSE CONCURS IN SENATE BILL No. 118.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 118, entitled:

An act providing that the county controller shall be made a party defendant in all suits against any county

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 194.

He also returned to the Senate, Senate Bill No. 194, entitled:

A supplement to an act approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," providing a procedure to incur or to increase indebtedness where the existing indebtedness is less than two per centum but the amount to be incurred exceeds two per centum of the assessed value of the taxable property; and providing that this act shall apply to pending proceedings.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 199.

He also returned to the Senate, Senate Bill No. 199, entitled:

An act to exempt certain real estate of certain organizations of war veterans from taxation

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 235.

He also returned to the Senate, Senate Bill No. 235, entitled:

An act relative to the burial of the bodies of deceased widows of soldiers sailors and marines at county expense

with the information that the House has passed the same without amendment.

AMENDMENT TO HOUSE BILL NO. 51 RECALLED FROM THE GOVERNOR.

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 51 entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge

Said bill having been recalled from the Governor for amendment, the vote on final passage and third reading were reconsidered in the House and the bill amended in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution were twice read as follows:

Amend section 3, page 3, by striking out in lines 12, 13, 14, and 15, the following:

"The amount found by the Public Service Commission to be due and owing to the Commonwealth by any county and railroad company or companies shall be final and conclusive and if" inserting in lieu thereof the following: "The findings determination or orders of the Public Service Commission relative to the approval of plans and the allocation of costs damages and expenses made under the provisions of this act shall be subject to appeal to the Superior Court in the same manner and to the same extent as is now provided by law for other findings determinations or orders of such commission , The compensation for damages which the owners of adjacent property taken injured or destroyed may sustain in the construction of any such bridge (for which compensation the said owners are hereby invested with warrant of authority upon appeal from the determination of the commission to sue the Commonwealth) shall after due notice and hearing be ascertained and determined by the commission with the right of appeal to the proper court of common pleas as is now provided by law for other similar determinations of such commission"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culbertson,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS.

Mr. VARE. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. BUCKMAN. Mr. President, I second the motion?

The motion was agreed to.

AFTER RECESS.

THE PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 234, (Senate Bill No. 660), entitled:

An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto

Which was committed to the Committee on Game and Fisheries.

House Bill No. 276, (Senate Bill No. 661), entitled:

An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances and for water rents or rates, sewer rates and lighting rates; the procedure upon claims filed therefor, the methods of preserving such liens and enforcing payments of such claims; the effect of judicial sales of the properties liened, the distribution of the proceeds of such sales and the redemption of the property therefrom, the lien of taxes for the years one thousand nine hundred and twenty-one, one thousand nine hundred and twenty-two and one thousand nine hundred and twenty-three and of municipal claims for work done within six months of the passage of this act, and the procedure on tax and municipal claims filed under other and prior Acts of Assembly.

Which was committed to the Committee on Judiciary General.

House Bill No. 416, (Senate Bill No. 662), entitled:

An Act to amend section three hundred and four of an act, approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 682), entitled "An Act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws."

Which was committed to the Committee on Insurance.

House Bill No. 461, (Senate Bill No. 663), entitled:

An act to better secure all bonds, stocks, mortgages or other securities deposited with the State Treasurer by pro-

viding for their inspection, examination and verification and the verification of the books containing a record of such bonds, stocks, mortgages or other securities by the Auditor General or his agents.

Which was committed to the Committee on Judiciary General.

House Bill No. 540, (Senate Bill No. 664), entitled:

An Act prohibiting persons from concealing, changing or destroying manufacturers' serial numbers, or identification marks upon machines or apparatus or from knowingly having any such machine in the possession; and prescribing penalties for violation thereof.

Which was committed to the Committee on Judiciary General.

House Bill No. 623, (Senate Bill No. 665), entitled:

An Act to amend section five of an act approved the nineteenth day of May, one thousand eight hundred and seventy-four (Pamphlet Laws, two hundred six), entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants, and to provide for the election of Judges thereof," as amended, by changing the provision for appointment of first assistant clerks so as to conform to the Constitution and giving to the Court and Register of Wills joint power to modify the salaries fixed for any assistant clerk.

Which was committed to the Committee on Judiciary General.

House Bill No. 691, (Senate Bill No. 666), entitled:

A Supplement to the act approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (P. L. 322) entitled, "An Act creating a commission to select an historic spot as a cemetery for the burial of bodies of soldiers, sailors, marines, war nurses, and members of the National Guard; defining the powers and duties of the Commission; and making an appropriation," extending the time for the making of the report of the Commission and making an additional appropriation.

Which was committed to the Committee on Military Affairs.

House Bill No. 692, (Senate Bill No. 667), entitled:

An Act to repeal an act, approved the sixth day of April, one thousand eight hundred and two (Pamphlet Laws, two hundred sixty-five) entitled "An Act authorizing the sale of Provisions, Vegetables and Fruit in the markets of any city, borough, or corporate town within the Commonwealth."

Which was committed to the Committee on Judiciary General.

House Bill No. 697, (Senate Bill No. 668), entitled:

An Act making it unlawful for any county city borough or incorporated town to prohibit the wearing of certain military insigna by its employees upon their uniforms

Which was committed to the Committee on Military Affairs.

House Bill No. 701, (Senate Bill No. 669), entitled:

An Act to further amend sections ten and fourteen of the act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 711) entitled "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof;" as amended; by requiring all proceedings in civil cases before magistrates that are sought to be reviewed by appeal to be taken only to the Municipal Court; transferring original jurisdiction in certain civil cases from the court of common pleas to said court; providing that costs in all cases shall follow the judgment; and that certain judgments shall be final.

Which was committed to the Committee on Judiciary General.

House Bill No. 707, (Senate Bill No. 670), entitled:

An Act to amend section seventy-nine of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred eighty-two) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" providing for the increase of punishment in cases of involuntary manslaughter

Which was committed to the Committee on Judiciary General.

House Bill No. 719, (Senate Bill No. 671), entitled:

An Act to amend sections two, three and thirteen, and to repeal section eleven of the act approved the ninth day of July, one thousand nine hundred and nineteen, (P. L. 809), entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture; providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof; and prescribing penalties for violations of the provisions of this act" by clarifying certain provisions, extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding.

Which was committed to the Committee on Agriculture.

House Bill No. 720, (Senate Bill No. 672), entitled:

An Act to amend section seven hundred three, Article VII, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled, "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof; that may be inconsistent with or supplied by this act," by providing for compensation for forest fire fighting on private lands listed with the Department of Forestry for forest protection.

Which was committed to the Committee on Forestry.

House Bill No. 722, (Senate Bill No. 673), entitled:

An Act to amend clause (h) of section one hundred and two, Article I, of an act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing for the purchase, lease, building and maintenance of telephone lines, for attachments thereto by private parties, and appropriating the revenue derived therefrom.

Which was committed to the Committee on Forestry.

House Bill No. 723, (Senate Bill No. 674), entitled:

An Act authorizing counties cities boroughs and townships to apropriate moneys for Forest work

Which was committed to the Committee on Forestry.

House Bill No. 724, (Senate Bill No. 675), entitled:

An Act to amend section one thousand and five, Article X, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forestry Protection within the De-

partment of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing further penal provisions for setting fire maliciously or otherwise to any woodlot, forest or wild land.

Which was committed to the Committee on Forestry.

House Bill No. 725, (Senate Bill No. 676), entitled:

An Act to amend Article XII of an act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms.

Which was committed to the Committee on Forestry.

House Bill No. 726, (Senate Bill No. 677), entitled:

An Act to amend an act entitled, "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith,' approved the eighteenth day of May, Anno Domini one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), by providing that all receipts and proceeds derived in any way from, or on account of, the State forests now or hereafter acquired by this Commonwealth shall belong to, and form a part of, 'The State School Fund of Pennsylvania', approved the fourth day of June, Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws, eight hundred and twenty-five)", by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania.

Which was committed to the Committee on Education.

House Bill No. 758, (Senate Bill No. 678), entitled:

An Act to amend section twenty-three of the act approved the thirtieth day of June, one thousand nine hundred and nineteen (P. L. 678) entitled, "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner and on proprietors of public garages; providing procedure and penalties for violations thereof; and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended, providing for the increase of punishment for violation of any of the provisions of said section.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 759, (Senate Bill No. 679), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen

Which was committed to the Committee on Military Affairs.

House Bill No. 760, (Senate Bill No. 680), entitled:

An Act to amend section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 473) entitled, "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors, or marines, designated as 'deceased service men;' defining the term 'deceased service man'; and authorizing county commissioners to provide headstones, markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

Which was committed to the Committee on Military Affairs.

MOTION TO READ BILLS THE FIRST TIME.

Mr. EYRE. Mr. President, I move that all bills reported from committees at to-day's session be read the first time.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 153, entitled:

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to certain aged persons; and providing for their burial; creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county; defining their powers and duties; providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators; making counties liable for certain expenses; providing penalties; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 385, (House Bill No. 411), entitled:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (P. L. 840) entitled "An act concerning townships and revising amending and consolidating the laws relating thereto."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 390, entitled:

An Act creating the "Anthracite Mine Cave Fund" appropriating a portion of the State Tax on anthracite coal to the use of the Pennsylvania State Anthracite Mine Cave Commission, and imposing Duties upon the State Treasurer and Auditor General.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 391, entitled:

An Act creating the "Anthracite Municipalities Fund" appropriating pro rata according to population a portion of the tax on anthracite coal to the use of the Cities Boroughs and Townships from which the Anthracite coal taxed was removed in course of mining and imposing duties upon the State Treasurer and Auditor General.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 415, (House Bill No. 449), entitled:

An Act to amend paragraph one section five of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" as amended changing the effect of the by-laws of corporations

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 432, entitled:

A joint resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section eighteen.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consider-of Senate Bill No. 500, entitled:

An Act to amend section one of the act approved the 22nd day of April, 1915, (P. L. 167), entitled "An act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry; fixing their duties and salaries, and increasing the salaries of the chief medical inspector, chief of the bureau of statistics and information, and the chief clerk;" by providing for additional supervising inspectors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 513, entitled:

An Act to amend section three of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 912) entitled, "An act to regulate the drilling, operating and abandoning of oil and gas wells, and providing a penalty for violation of the provisions of this act."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 640, entitled:

An Act to amend section three of an act approved July 25, 1917 (P. L. 1209), entitled "An act to authorize the acquisition, by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington Crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument; and making an appropriation for the purpose of this act."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. VARE. Mr. President, I move that the Senate do now adjourn until tomorrow morning, at eleven o'clock.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:00 P. M. until 11:00 o'clock, Tuesday morning, April 3, 1923.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 2, 1923.

The House met at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

Rev. H. Franklin Schlegel, Ph. D., executive Secretary-Treasurer of the Board of Church Extension of the Evangelical Church offered the following prayer:

Almighty God, eternal Jehovah, humble and reverently we come into Thy presence to worship Thee. We thank Thee that Thou art the rewarder of them that diligently seek Thee. We thank Thee, O God, for the blessings that have been ours as a nation. We thank Thee for the blessings that we have enjoyed as individuals.

We come into Thy presence now, to pray that Thy blessing may attend us in all the labors of our hands. We thank Thee for our nation's place among the nations of the earth. We pray Thy blessing upon the President of the United States and those associated with him. We pray Thy blessing upon our State and all its people; upon the Governor of the Commonwealth; upon this House, these men and women called to serve Thee as they serve the people. In all their labors, wilt Thou direct them.

Grant that the words of our mouth and the meditation of our hearts may be acceptable in Thy sight, O Lord, our strength and our Redeemer. Attend us by Thy spirit, enlighten us by Thy truth, and in all Things, our God, may we so discharge the tasks of our hands that Thine approval may be upon us and that blessing may come to those whom we are called to serve. Pardon all our sins, keep us in fellowship with Thee, and direct us by Thy counsel.

We ask it in the name of Thy Son, Jesus Christ, to whom, together with Thee and the Holy Spirit, will we give praise now and eternally. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Wednesday, March 28, 1923.

The Clerk proceeded to read the proceedings of Wednesday, March 28, 1923, when, on motion of Mr. Dilsheimer, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED.

By Mr. O'BOYLE. HOUSE BILL No. 1331.

An Act establishing a State Highway in the County of Lackawanna providing for its location, construction, improvement and maintenance by the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. O'BOYLE. HOUSE BILL No. 1332.

An Act establishing a State Highway in the County of Lackawanna providing for its location, construction, improvement, and maintenance by the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. O'BOYLE. HOUSE BILL NO. 1333.

An Act establishing a State Highway in the County of Lackawanna providing for its location, construction, improvement and maintenance by the Commonwealth.

Referred to the Committee on Public Roads.

By Mr. ALLEN J. STEVENS. HOUSE BILL No. 1334.

An act to amend section 1 of the act approved the seventeenth day of March, 1921 (P. L. 32) entitled "An act

authorizing the erection and construction in counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same, by a board of control at the expense of the county."

Referred to the Committee on Counties and Townships.

By Mr. McCURDY. (By request) HOUSE BILL No.1335.

An act relating to certain county officers in counties of the fifth class; providing for their salaries, and the compensation of deputies and clerks in the respective county offices; establishing a salary board, and defining its powers and duties; placing certain duties on the county commissioners, county controllers, and county auditors; requiring the payment into the respective county treasury of the fees of such county officers; and providing penalties for violation of this act.

Referred to the Committee on Counties and Townships.

By Miss MARTHA G. THOMAS. HOUSE BILL No. 1336.

An Act to validate the obligations of school districts issued prior to January first, one thousand nine hundred and twenty-three, pursuant to section five hundred and eight of the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," and its amendments, notwithstanding that said obligations were not signed by the president and secretary of said board, and the incurring of said indebtedness and the issuing of obligations therefor were not first authorized by two-thirds of the members of the board of school directors.

Referred to Committee on Education.

By Mr. DAVID J. JONES. HOUSE BILL NO. 1337.

An Act providing a method for deciding a tie vote in borough councils.

Referred to Committee on Municipal Corporations.

By Mr. GROVER C. MYERS. HOUSE BILL No. 1338.

An Act providing a means whereby the individual Justice of the Peace may better inform himself as to the law, changes in the law and decisions of the courts on the law, of this Commonwealth.

Referred to Committee on Counties and Townships.

By Mr. KELLY. HOUSE BILL NO. 1339.

An Act prescribing the fees for the office of secretary of the Commonwealth.

Referred to Committee on Ways and Means.

By Mr. McVICAR. HOUSE BILL No. 1340.

An Act to provide for the compensation of institutions and homes for service rendered in the care of indigent adult persons on a per capita, per weekly basis, fixing the method of giving such compensation, classifying institutions and homes coming under this act, and prescribing minimum standards of equipment and service.

Referred to the Committee on Appropriations.

By Mr. LAUVER. HOUSE BILL No. 1341.

An Act to amend section one thousand six hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Referred to the Committee on Education.

By Mr. LUDLOW. HOUSE BILL No. 1342.

An Act to restrain and regulate the manufacture, furnishing and traffic in alcoholic beverages made from malt or grain or any grain products by the usual methods of brewing, fermentation or fortification by which malt and brewed liquors or beverages are or can be made; requiring and authorizing licenses therefor and prescribing license fees and penalties; providing for inspectors, inspection, and making an appropriation.

Referred to the Committee on Law and Order.

By Mr. HARER. HOUSE BILL No. 1343.

An Act making an appropriation to the Pennsylvania Association for the Blind, at Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL NO. 1344.

An Act making an appropriation to the Pennsylvania Home Teaching Society and Free Circulating Library for the Blind, at Philadelphia.

Referred to the Committee on Appropriations.

By Mr. HENDERSON. HOUSE BILL No. 1345.

An act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital, specially devoted to the reception, care and treatment of injured persons, or of any State owned general medical and surgical hospital, and to provide for the regulation and management thereof.

Referred to the Committee on Judiciary Local.

By Mr. HARER. HOUSE BILL No. 1346.

An act making an appropriation to the Pennsylvania Working Home for Blind Men, Philadelphia.

Referred to the Committee on Appropriations.

By Mr. HARER. HOUSE BILL No. 1347.

An act making a deficiency appropriation to the Department of the Attorney General.

Referred to the Committee on Appropriations.

By Mr. GELDER. HOUSE BILL No. 1348.

An act providing for the purchase of the copyright and property interest therein of Smull's Legislative Hand Book and Manual; providing for the future editing, compilation and distribution thereof, and making an appropriation for such purchase.

Referred to the Committee on Appropriations.

By Mr. MOFFATT. HOUSE BILL No. 1349.

An act prescribing certain fees to be charged and collected by The Public Service Commission of the Commonwealth of Pennsylvania for the testing and proving by said Commission the accuracy of gas, water or electric meters and certain other apparatus; appropriating the moneys received from such fees to such Commission for the expenses of conducting, operating and maintaining its standardization laboratory and the other meter or apparatus testing or proving activities of said Commission.

Referred to the Committee on Judiciary Local.

By Mr. BUSH. HOUSE BILL No. 1350.

An act providing for the erection of a statue of the Honorable Philander C. Knox in the rotunda of the State Capitol Building.

Referred to the Committee on Appropriations.

By Mr. STEEDLE. HOUSE BILL No. 1351.

An act to amend section one of the act approved the fifth day of May, one thousand nine hundred and eleven, (P. L. 170) entitled "An Act providing for notification of taxables by tax collectors, in boroughs and townships prescribing the contents of such notices, and providing for the payment of the expenses thereof," by eliminating from the said notices the reference to the abatement of taxes.

Referred to the Committee on Municipal Corporations.

By Mr. STEEDLE. HOUSE BILL No. 1352.

An act to amend section seven of the act approved the twenty-fifth day of June, one thousand eight hundred and eighty-five (P. L. 187), entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth," as amended by eliminating the five percentum abatement allowed on taxes paid within ninety days.

Referred to the Committee on Municipal Corporations.

By Mr. SPROWLS. HOUSE BILL No. 1353.

An act providing for the erection of a statue of the Honorable William E. Crow in the rotunda of the State Capitol Building.

Referred to the Committee on Appropriations.

By Mr. LUDLOW. HOUSE BILL No. 1354.

An act to prohibit the taking of lands and property by the Commisioners of Valley Forge Park until the damages accuring to owners thereof have been ascertained and paid.

Referred to the Committee on Judiciary General.

By Mr. LUDLOW. HOUSE BILL No. 1355.

An Act to exempt from payment of inheritance taxes, bequests and devises to institutions of purely public charity.

Referred to Committee on Ways and Means.

By Miss GALLAHER. HOUSE BILL No. 1356.

An Act to amend section four, clause first and second five of the act approved the eighth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred seventy), entitled "An act creating a Division of Township Highways in the State Highway Department; conferring powers and imposing duties upon officers of the State Highway Department; requiring certain duties of clerks of the courts of quarter sessions; and providing penalties," as amended.

Referred to Committee on Public Roads.

By Mr. BEAVER. HOUSE BILL No. 1357.

An Act providing for the redemption and cancellation of the Bond issued under the Act approved April 3, 1872, (P. L. 39), entitled "An act directing the sale of the bonds composing the Agricultural College land script fund, and authorizing the issue of a new bond in lieu thereof, and abolishing the board commissioners created by act of April first, one thousand eight hundred and sixty-three" and for the investment of the moneys in the fund resulting from such redemption, and the payment of the interest therefrom by the Sinking Fund Commission to Pennsylvania State College.

Referred to Committee on Ways and Means.

By Mr. LUDLOW. HOUSE BILL No. 1358.

An Act to amend the twelfth clause of section three hundred and eighty-one, chapter seven, of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred and forty), entitled "An act concerning townships; and revising, amending and consolidating the law relating thereto."

Referred to Committee on Counties and Townships.

By Mr. LUDLOW. HOUSE BILL No. 1359.

An Act making an appropriation to the State Personnel Commission.

Referred to Committee on Appropriations.

By Mr. LUDLOW. HOUSE BILL No. 1360.

An Act to amend section six of the act approved the nineteenth day of June, one thousand nine hundred and eleven (Pamphlet Laws ,one thousand fifty five), entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the maner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries."

Referred to Committee on Judiciary General.

By Mr. LUDLOW. HOUSE BILL No. 1361.

An Act to prohibit the bribery of agents, employees or servants, and the giving or use of false documents with intent to deceive a principal, employer or master; to regulate evidence in such proceedings, to provide for the attendance and testimony of witnesses, production of documents and prosecution for perjury committed in so testifying, to provide immunity for certain witnesses, penalties for violation of this Act, and for other purposes.

Referred to Committee on Judiciary General.

By Mr. BIDELSPACHER. HOUSE BILL No. 1362.

An Act making an appropriation to the Aged Colored Women's Home, at Williamsport, Lycoming County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BIDELSPACHER. HOUSE BILL No. 1363.

An Act making an appropriation to the Williamsport Training Home for Girls, at Williamsport, Lycoming County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BIDELSPACHER. HOUSE BILL No. 1364.

An Act making an appropriation to the Florence Crittendon Mission, of the City of Williamsport, Lycoming County, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. BIDELSPACHER. HOUSE BILL No. 1365.

An Act making an appropriation to the Home for the Friendless, of the City of Williamsport, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BIDELSPACHER. HOUSE BILL No. 1366.

An Act making an appropriation to the Boys' Industrial Home, at Williamsport, Lycoming County, Pennsylvania.

Referred to Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. BLUETT from the Committee on Judiciary Special reported as committed, House Bill No. 440, entitled:

An Act to provide for the licensing of transit retail merchants in cities, boroughs and townships, and providing a penalty for the failure to obtain such license.

Mr. McCLURE from the Committee on Judiciary Special, reported as committed, House Bill No. 912, entitled:

An Act validating the incurring of certain debts or increase of indebtedness of poor districts in counties of the second class by the county commissioners thereof, for im-

provements or alterations of the property of such poor districts, and all bonds, and other securities issued therefor, and also the assessment of annual taxes for the payment of such indebtedness since the twentieth day of April, one thousand eight hundred and seventy-four.

LEAVE OF ABSENCE.

Philadelphia, Penn. 155P. Apr. 2, 1923.

Hon. Jay Goodnough:,

Speaker of House of Representatives, Harrisburg, Penn., James A. Dunn requests leave of absence for week of April second on account of illness. He regrets to ask this request, as it breaks a continuous daily attendance since his election in 1912. At the present time, his condition is improved.

Lawrence N. Dunn.

The SPEAKER. If there are no objections, the telegram will be spread upon the Journal in view of the unusual attendance upon the sessions of this House. The Chair hears none. Leave of absence is extended.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, Pa., March 23, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania,

Gentlemen: I have the honor to inform you that I have this day approved and signed the following resolution:

A resolution of the Senate and House of Representatives recalling from the Governor House Bill No. 332 for the purpose of amendment.

Accordingly, the original bills are herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE.

Mr. HALL. Mr. Speaker, I move that the vote by which House Bill No. 332 passed finally be reconsidered.

Mr. EARLY. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. HALL. Mr. Speaker, I move that the vote by which House Bill No. 332 passed on third reading be reconsidered.

Mr. EARLY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. HALL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend the bill, section 1, page 2, line 5, by striking out the words "heretofore judicially decided" and inserting in lieu thereof "now in litigation"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered. That the bill as amended lie over for printing.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REQUEST TO ADDRESS JOINT SESSIONS.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 2, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: If it meets with the approval of the General Assembly I should like to address the members in joint session on Tuesday, April third, nineteen hundred and twenty-three, at twelve o'clock noon.

If for any reason this cannot be conveniently arranged, I would be glad to address you at some other time.

GIFFORD PINCHOT.

RESOLUTION EXTENDING PRIVILIGES TO ADDRESS JOINT SESSION.

Mr. CLUTTON offered the following resolution, which was twice read, considered and adopted:

In the House of Representatives, April 2, 1923.

Resolved, That the Senate of Pennsylvania be and are hereby invited to attend a joint session of the House and Senate, to be held in the House of Representatives at twelve o'clock noon on April third, for the purpose of hearing the address of the Governor, and that the Speaker of the House appoint a committee of two to wait upon the Senate and conduct them to the Hall of the House of Representatives for said joint session.

Resolved, further, That a committee of three Members of the House, to be appointed by the Speaker, and two Members of the Senate, to be appointed by the President of the Senate, be appointed to wait upon the Governor and escort him to the Hall of the House for said joint meeting.

APPOINTMENT OF COMMITTEE TO WAIT UPON THE SENATE.

The SPEAKER. The Chair appoints as a committee to wait upon the Senate and invite them to the Hall of the House, Messrs. Clutton and Wheeler.

APPOINTMENT COMMITTEE TO ESCORT GOVERNOR TO HOUSE OF REPRESENTATIVES.

The SPEAKER. The Chair appoints as a committee to escort the Governor to the Hall of the House of Representatives, Messrs. Bidelspacher, Edward P. Jones and Moore.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 280 AND 371.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 29, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following House Bills:

House Bill No. 280, entitled, "An Act providing for the assessment and collection as benefits from the abutting property owners of the borough's share of the cost of the improvement of a street which forms part of a State Highway where such improvement has been heretofore made by the State Highway Department".

House Bill No. 371, entitled, "An Act to amend clause (c) of section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled, 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder' as amended".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 25 AND 267.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, Pa., March 28, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following House Bills:

House Bill No. 25, entitled, "An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of January one thousand nine hundred and twenty-three."

House Bill No. 267, entitled, "An Act validating certain proceedings and elections of counties cities boroughs townships school districts and other incorporated districts or municipalities had and held or pending pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled, 'An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalities for the illegal increase thereof' and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 281.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 29, 1923.

To the Honorable, the Members of the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval, House Bill No. 281, entitled "An Act to amend Section two of Article sixteen of an act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one) entitled 'An Act for the better government of cities of the Commonwealth of Pennsylvania' ".

This Bill provides for one Councilman in the City of Philadelphia for every 70,000 of population, as against one Councilman for every 40,000 assessed voters as provided in the charter. Census population is ascertained once in ten years. This Bill provides that the number of Councilmen shall depend upon a decennial census. Assessments are made far more frequently. Therefore a Council based on assessed voters will more accurately represent the voting strength of the city than that which this Bill provides.

It is objected that the assessments are incorrect. This is a reason for correcting the assessments, but not, in my opinion, for changing the basis of Councilmanic representation.

Parts of the City of Philadelphia which, when the census of 1920 was taken, were sparsely settled, are rapidly increasing in population. Under the Bill they would be derived of their proper representation in the Council until returns from the census of 1930 could be compiled and published.

The charter adopted by Philadelphia in 1919 had for one of its prinpipal purposes to secure a small Council instead of the previous large one. This Bill would increase the present Council of 21 to 26 would to that extent defeat the purpose of the charter, and would unquestionably open the way to further increases by legislation hereafter.

In addition to the greater expense and greater unwieldiness of the larger Council provided in this Bill, no demand for this legislation is apparent from the great body of those whose lives are controlled and conditioned by the Philadelphia charter. It has not been made clear to me that any advantage would accrue to the people of Philadelphia from the operation of this law. If that is true, it is a sufficient reason for withholding my approval.

For these reasons the Bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall the bill become a law, the objections of the Governor to the contrary, notwithstanding?

Mr. HARER. Mr. Speaker, in the absence of the Sponsor of this bill, I would move that the action on the bill, together with the veto, be postponed for the present.

Mr. DILSHEIMER. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 159.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 29, 1923.

To the Honorable, the Members of the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval, House Bill No. 159, entitled "An Act regulating the location of certain stables in cities of the first class and providing penalties."

This Bill provides that no stable large enough to accommodate more than fifty horses at one time shall be erected in cities of the first class within 800 feet of any public playground, school, church or other place of public worship having a seating capacity for more than 100 persons.

There is no apparant reason for the arbitrary standard whereby under the Bill it would be permitted to erect a stable large enough for fifty horses but not permitted to erect one large enough for fifty-one horses. The same is true of the arbitrary fixing of 800 feet as the distance from certain grounds and buildings.

The courts have held in analogous cases that an arbitrary distance cannot be used as a test of reasonableness or necessity in determining a question of a nuisance, but that the condition of the place and the surrounding circumstances alone can furnish a suitable test. What is true of distance is evidently true of the number of horses involved. Moreover, why not protect schools and churches having a seating capacity of less than 100 persons, and why ignore places where people live and select as the test places where people are found less frequntly and, therefore, would be less affected by an alleged nuisance?

The provisions of the Bill apply only to cities of the first class. The Constitution of the State in Article III, Section 7, provides:

"The General Assembly shall not pass any local or special laws regulating the affairs of cities."

The Supreme Court has held that

"The underlying principle of all the cases is that classification, with the view of legislating for either class separately, is essentially unconstitutional, unless a necessity therefor exists, a necessity springing from manifest peculiarities, clearly distinguishing those of one class from each of the other classes, and imperatively demanding legislation for each class separately, that would be useless and detrimental to the others." (Ashworth vs. Pittsburgh Rys. Co., 231 Penna. 539.)

"Tested by these principles, it does not appear that the subject of the statute under consideration falls within the purpose for which cities may properly be classified." (Chalmers vs. City of Phila. 250 Penna. 251; referring to the above cited Ashworth case.)

If the erection of certain stables within the limits of a city of the first class requires legislative control, such control is equally needed in cities of the second or third class. It is apparant that no substantial difference exists between cities of various classes which can afford a genuine basis for classification along such lines; and in the absence of such difference "imperatively demanding legislation" for cities of the first class this Bill would undoubtedly be held unconstitutional.

This Bill violates the principles of home rule. Philadelphia is abundantly able to protect its citizens against nuisances through its own ordinances. And furthermore the courts afford adequate protection against them.

This Bill is clearly intended to hamper the City of Philadelphia in erecting the stables necessary for cleaning its own streets itself. That alone would be reason enough for returning it without approval.

For these reasons the Bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall the bill become a law, the veto of the Governor notwithstanding?

Mr. GOLDER. Mr. Speaker, I move that the bill together with the veto be laid upon the table.

Mr. DRINKHOUSE. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced presented a communication in writing from His Excellency the Governor, which was read as follows:

REPORT OF THE COMMISSIONERS ON UNIFORM STATE LAWS

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, April 2, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor to transmit herewith the report of the Board of Commissioners on Uniform State Laws, for your information.

GIFFORD PINCHOT.

(For Report see Appendix)

RESOLUTION.

REQUEST TO APPOINT COMMITTEE TO ATTEND CELEBRATION AT READING, PA.

Mr. POSEY offered the following resolution, which was read and laid over under the rules:

In the House of Representatives, April 2, 1923.

Whereas, The City of Reading has set aside the first week of October, 1923 as a week of Jubilee in honor of its 175th Anniversary. Therefore,

Resolved, That the Speaker of the House of Representatives be requested to appoint a committee to attend said celebration as representatives of this body.

BILL RECOMMITTED.

Mr. BURD P. EVANS. Mr. Speaker, I move that House Bill No. 822, file folio 1497, entitled:

An Act to amend sections one hundred and forty-five and one hundred and forty-six of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," by changing the terms of office of supervisors in townships of the second class.

on page 16 of today's calendar, bills on third reading, be recommitted to the Committee on Counties and Townships for the purpose of a hearing.

Mr. ORR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McKim.

The House resumed the consideration on final passage of House Bill No. 746 (Senate Bill No. 100), entitled:

An Act to amend section ten of an act approved June 27, 1895, (P. L. 403) entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. McKIM. Mr. Speaker, I move that the vote by which House Bill No. 746 (Senate Bill No. 100) passed on third reading be reconsidered.

Mr. LITTLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. McKIM. Mr. Speaker, I move that House Bill No. 746 (Senate Bill No. 100) be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. LITTLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 37, as follows:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section four of article nine which reads as follows

"Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasions suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth"

be amended so as to read as follows

Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasions suppress insurrections defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth Provided further however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of thirty-five millions of dollars for the payment of compensation to certain persons from this State who served in the Army Navy or Marine Corps of the United States during the World War between the sixth day of April one thousand nine hundred and seventeen and the eleventh day of November one thousand nine hundred and eighteen

Section 2 Said proposed amendment shall be submitted to the qualified electors of the State at the general election to be held on the Tuesday next following the first Monday of November in the year nineteen hundred and twenty-four for the purpose of deciding upon the approval and ratification or the rejection of said amendment Said election

shall be opened held and closed upon said election day at the places and within the hours at and within which said election is directed to be opened held and closed and in accordance with the provisions of the laws of Pennsylvania governing elections Such amendments shall be printed upon the ballots in the form and manner prescribed by the election laws of Pennsylvania and shall in all respects conform to the requirement of such laws

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albert,	Evans, B. P.,	Kohler,	Raymond,
Alexander,	Evans, J.,	Korns,	Rhodes,
Allman,	Fields,	Kunkle,	Richards,
Anderson,	Flinchbaugh,	Labar,	Rinn,
Armstrong,	Flynn,	Lafferty,	Rippman,
Arthur,	Fowler, A. I.,	Little,	Sample,
Aston,	Fowler, D.,	Long,	Sarig,
Baker,	Fratt,	Lucas,	Sautter,
Baldi,	Gallaher,	Lynch,	Schaeffer,
Beaver,	Gelder,	Mack,	Schleiter,
Bell, F. A.,	Gibbon,	MacKinney,	Schwartz,
Bell, W. T.,	Gilchrist,	Malie,	Shambach,
Bentley,	Glasgow,	Mangan,	Sheridan,
Berger,	Goehring,	Marcus, J.,	Smith, G. A.,
Betts,	Golder,	Marcus, J. C.,	Smith, H. J.,
Bidelspacher,	Gorham,	Marshall, J. G.,	Smith, H.,
Blair,	Goss,	Marshall, W. F.,	Smith, J. W.,
Bluett,	Greeby,	Mathay,	Sowers,
Blumberg,	Griffith,	McBride,	Spangler,
Boback,	Grimes,	McCaig,	Speiser,
Brenneman,	Guerin,	McCann,	Sprowls,
Brewster,	Gundy,	McClure,	Stark,
Bromley,	Haas,	McDaniel,	Staudenmeier,
Brown,	Haines,	McDermott,	Stavitski,
Brownmiller,	Hall,	McGowan,	Steedle,
Burchinal,	Harer,	McVicar,	Sterling,
Burns,	Haslett,	Metcalf,	Stevens, A. J.,
Bush,	Haws,	Miller,	Stevens, A. F.,
Chaplin,	Heffernan,	Minehart,	Stofflet,
Clutton,	Heffran,	Moore,	Storb,
Coldsmith,	Henderson,	Morrison,	Storer,
Colville,	Hetrick,	Munley,	Thomas, L. D.,
Conner,	Heyburn,	Myers, G. C.,	Thomas, M. G.,
Coyne,	Himes,	Myers, P. M.,	Van Alen,
Craig,	Holcombe,	Nolte,	Vickerman,
de Young,	Hontz,	O'Boyle,	Walker,
Diehm,	Hoover,	Ogle,	Wells,
Dietz,	Horne,	Orr,	Wheeler,
Dilsheimer,	Howell,	Parkinson,	Whitehouse,
Donahue,	Huber,	Patterson,	Williams, G. W.
Driggs,	Johnson,	Peelor,	Wood, N.,
Drinkhouse,	Jones, C. B.,	Perry,	Wood, W. P.,
Eaches,	Jones, D. J.,	Pitts,	Wright,
Earley,	Keene,	Posey,	Zook,
Edmonds,	Kelly,	Post,	Goodnough,
Eshelman,	Kennedy,	Price,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 26, as follows:

An Act to amend section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" providing for the sale of the real and personal property of a decedent without known heirs kindred or surviving spouse and the payment of the net proceeds of such sale into the State Treasury

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" is hereby amended to read as follows

Section 24 In default of all such known heirs or kindred or surviving spouse competent to take as aforesaid the real and personal estate of such intestate remaining after the payment of all just debts and legal charges shall be sold by the executor or administrator of the estate and the net proceeds of such sale shall be by him paid into the State Treasury for the use of the Commonwealth Such sale shall be made only under the supervision of the court having jurisdiction of the estate and in accordance with the laws of the Commonwealth providing for the payment into the State Treasury of unclaimed funds in the hands of fiduciaries

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190.

Albert,	Fowler, A. I.,	Lucas,	Sarig,
Alexander,	Fowler, D.,	Ludlow,	Sautter,
Allman,	Fratt,	Lynch,	Schaeffer,
Anderson,	Gallaher,	Mack,	Schilling,
Armstrong,	Gelder,	MacKinney,	Schoener,
Arthur,	Gibbon,	Mangan,	Schwartz,
Baker,	Gilchrist,	Marcus, J.,	Shambach,
Baldi,	Goehring,	Marcus, J. C.,	Smith, G. A.,
Beaver,	Golder,	Marshall, J. G.,	Smith, H. J.,
Behney,	Goss,	Marshall, W. F.,	Smith, H.,
Bell, F. A.,	Greeby,	Mathay,	Smith, J. W.,
Bell, W. T.,	Griffith,	McBride,	Soffel,
Bentley,	Grimes,	McCaig,	Sowers,
Berger,	Guerin,	McCann,	Speiser,
Bidelspacher,	Gundy,	McClure,	Sprowls,
Blair,	Haas,	McCurdy,	Stark,
Bluett,	Haines,	McDaniel,	Staudenmeier,
Blumberg,	Hall,	McDermott,	Stavitski,
Boback,	Harer,	McGowan,	Sterling,
Brenneman,	Haslett,	McKim,	Stevens, A. J.,
Brewster,	Haws,	McVicar,	Stevens, A. F.,
Bromley,	Heffernan,	Metcalf,	Stofflet,
Brown,	Heffran,	Millar,	Stoner,
Brownmiller,	Henderson,	Miller,	Storb,
Burchinal,	Hetrick,	Minehart,	Storer,
Burns,	Heyburn,	Moffatt,	Thomas, L. D.,
Bush,	Himes,	Moore,	Thomas, M. G.,
Chaplin,	Holcombe,	Morrison,	Thompson,
Clutton,	Hollis,	Munley,	Van Alen,
Colville,	Hontz,	Myers, G. C.,	Vickerman,
Conner,	Hoover,	Myers, P. M.,	Walker,
Coyne,	Horne,	Nolte,	Weamer,
Craig,	Howell,	O'Boyle,	Wells,
de Young,	Huber,	Ogle,	Wettach,
Diehm,	Irvin,	Orr,	Wheeler,
Dietz,	Johnson,	Parkinson,	Whitehouse,
Dilsheimer,	Jones, C. B.,	Patterson,	Whiteman,
Donahue,	Jones, D. J.,	Peelor,	Williams, J. M.,
Driggs,	Keene,	Perry,	Woner,
Drinkhouse,	Kelly,	Pitts,	Wood, N.,
Eaches,	Kennedy,	Posey,	Wood, W. P.,
Earley,	Kohler,	Post,	Wright,
Edmonds,	Korns,	Price,	Zook,
Eshelman,	Kunkle,	Raymond,	Goodnough,
Evans, B. P.,	Labar,	Rhodes,	Speaker.
Evans, J.,	Lafferty,	Richards,	
Fields,	Lauver,	Rinn,	
Flinchbaugh,	Little,	Rippman,	
Flynn,	Long,	Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 965, entitled:

An Act to repeal an act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 991), entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 666, entitled:

An Act to amend section two thousand one hundred five of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first, second, and third classes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 671, entitled:

An Act to amend sections one and three of the act approved the tenth day of July, one thousand nine hundred and nineteen, (P. L. 893) entitled "An Act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 999, entitled:

An Act providing for the refunding of liquor license fees and additional taxes to holders of licenses to manufacture or sell vinous, spirituous, malt or brewed liquors, or any admixture thereof, intoxicating liquor or ethyl alcohol, where the Act of Assembly under the authority of which such licenses were granted has been repealed by the General Assembly of one thousand nine hundred and twenty-three prior to the expiration of the license year for which such licenses were issued; providing for the payment of such refund in certain cases by the county in which such license was granted and the repayment to such county by the city, borough, township and State of their respective shares of such refund and for the payment of such refund in certain cases by the State alone; providing the procedure in such cases and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 959, entitled:

An Act to repeal the act approved the eleventh day of July, one thousand nine hundred and seventeen, (P. L. 818), entitled "An Act relating to dogs, and the protection of livestock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done by dogs, and payment thereof by the proper county to the owners of livestock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, and on city councils of cities of the first and second class; and providing penalties," and section thirty-nine of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damages by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 757, entitled:

An Act providing for advancements from appropriations to school districts of the third and fourth class for the purpose of assisting in the rebuilding of destroyed school buildings or of consolidating or constructing school buildings; establishing a fund in the State treasury for such purposes; and providing for the withholding of a part of the annual appropriations to such districts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 936, entitled:

An Act for the repression of prostitution and assignation making it unlawful to solicit, aid or permit prostitution; or to use or permit the use of any place for the purpose of prostitution or assignation; making certain evidence admissable in proceedings under this act, authorizing the commitment of prostitutes to private institutions; providing for their parole; and prescribing penaltes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 869, entitled:

An Act relating to the proof of intoxicating liquors sold offered for sale or furnished and providing penalties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1010, entitled:

An Act prohibiting the sale of brewed and malt liquors to minors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 693, entitled:

An Act providing for the quarantine and control of the Japanese Beetle imposing certain powers and duties on the Department of Agriculture and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 121, entitled:

An Act making a deficiency appropriation to the State Hospital of Coaldale

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 790, entitled:

An Act making a deficiency appropriation to the Pennsylvania Training School at Morganza Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 641, entitled:

An Act making a deficiency appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 777, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 306, entitled:

An Act making a deficiency appropriation to the State Hospital for the Criminal Insane at Fairview Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 782, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia to cover deficiency in maintenance and education of State pupils

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 695, entitled:

An Act to amend clause (a), section two and section seven of an act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 388), entitled, "An Act relating to the jurisdiction, powers, and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground-rent, leases, extinguishment of ground rents, partition, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and, for such purpose the laying out or dedication of roads, streets and alleys, or the vacation of such as have not been accepted by the public authorities, where the court shall be of opinion that such decree will be to the interest and advantage of all those interested; and where the legal title is held by minors, lunatics, habitual drunkards, or weak-minded persons, a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years; by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial, or charitable society or association, incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law; by a corporation, or individual or individuals. and is subject to a trust of any description whatever; by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory devises, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the State, have died, refused to act, unreasonably withhold consent, or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will, and the necessary power is not given to the executor, devisee, or appointee to make sale and conveyance; where a trust has been created, and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decree," extending the provisions of said act to cases where real estate or ground rent issuing thereout is held by an epileptic, insane, feeble-minded or weak-minded person, or by a wife whose husband is an habitual drunkard, or an epileptic, insane, feeble-minded or weak-minded person, or by a wife whose husband is an habitual drunkard or an epiletic, insane feeble-minded or weak-minded person declaring the effect of decrees as to barring dower, courtesy and interest of a surviving spouse under the intestate laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1082, entitled:

An Act making it unlawful to interfere or attempt to interfere with persons about to procure marriage licenses or to influence or attempt to influence such persons to go to certain officers for such purposes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 911, entitled:

An Act to provide for the erection of new or additional buildings for the maintenance, care and treatment of the

poor, indigent insane, and indigent persons afflicted with tuberculosis in poor districts in counties of the second class which now maintain or which shall hereafter maintain a poor house, or a hospital or sanitarium for such purposes; authorizing the county commissioners to borrow moneys, issue and negotiate the sale of bonds, and to levy taxes for the payment of same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 873, entitled:

An Act to amend section nine of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 427), entitled, "An Act to Consolidate, Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings".

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 983, entitled:

An Act authorizing John J. Higgins of the City of Philadelphia Pennsylvania to bring suit against this Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 460, entitled:

A supplement to the act approved the second day of June, one thousand nine hundred and fifteen, (Pamphlet Laws 762), entitled, "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes or subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof;" providing for the auditing of the State Workmen's Insurance Fund and the payment of the costs thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 712, entitled:

An Act to amend section six of an act approved the twenty-sixth day of June, one thousand eight hundred and ninety-five, (P. L. 327), entitled "An Act to provide for the incorporation of institutions of learning with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law, and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees; and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas, with power to confer degrees, in cases where such colleges have, at the time of the passage of this act, a specified amount of capital or resources," as amended; by prescribing additional requirements for institutions conferring degrees; making certain exceptions therefrom; and imposing certain duties on the State Council of Education.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 793, entitled:

An Act to amend section seven of the act approved the twenty-second day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred sixty-one) entitled "An act for the protection of shad and game fish in the river Delaware"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 902, entitled:

An Act to amend section ten hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 773, entitled:

An Act making a deficiency appropriation to the Commission of the Soldiers' Orphans Industrial School at Scotland

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 783, entitled:

An Act making a deficiency appropriation to the Home for Training in Speech of Deaf Children before they are of school age at Philadelphia, Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 784, entitled:

An Act making a deficiency appropriation to the Eastern State Penitentiary

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 788, entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania located at Blossburg Pennsylvania to cover a deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 579, entitled,

An Act providing for the location construction, operation, maintenance and vacation of public roads or highways, bridges, tunnels subways and underground roads within second class counties of this Commonwealth, either wholly or partly within the territorial limits of cities, boroughs and townships thereof, and the taking over by the county of such improvements from townships making such improvements county improvements; establishing procedure for undertaking or vacating of improvements by the county commissioners, and the mode of taking exceptions thereto; providing for the entry upon and appropriation of property for the purpose of planning and making improvements, the compensation to be paid therefor, and the pay-

ment of damages and the assessment of benefits resulting from such improvements, and the manner in which such damages and benefits may be determined; providing for the filing, reviving and collecting of liens arising from any assessment of benefits thereunder; providing for the payments of the costs and expenses of such construction, and improvement and the maintenance and operation thereafter; providing for the letting of contracts for each improvements or maintenance and for the making of such improvements or the maintenance thereof by the county commissioners themselves; defining the duties of the county commissioners with reference to such county improvements and authorizing them to employ the necessary persons and maintain the necessary equipment to perform their duties; providing for the contracting by counties of the second class with railway or transportation companies for the concurrent use of county improvements; authorizing the levy of a tax and the issuance of bonds by counties of the second class to provide funds for said purposes; providing for the entry upon and appropriation by said counties of highways, streets and properties of cities and boroughs necessary for such improvements, and for the maintenance and control of said highways, streets, and properties by said counties after said entry and appropriation; requiring the county commissioners of said counties to prepare a county road plan, and prohibiting the award of damages for the taking of improvements made by persons within the lines located on said plan after its adoption, and requiring the removal by the owner of improvements made within the lines of relocated highways on said plan; authorizing the county commissioners of said counties to appoint persons to inspect, repair and control county roads with power to enforce laws; and authorizing the county commissioners of said counties to establish regulations for the use of county roads, including penalties for violations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 160, entitled:

An Act concerning counties and county officers and revising amending consolidating and changing the law relating thereto

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 924, entitled:

An Act to amend part of section one of an act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455), entitled, "An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 928, entitled:

An Act providing for and regulating the public printing and binding, the editing for publication and the distribution of all documents, reports, bulletins and other publications for the use of the Commonwealth, the several departments, boards, commissions and other agencies engaged in the legislative, judicial and administrative work of the State government, the sale of waste paper, the appointment of a Director and other employees, and repealing inconsistent and conflicting legislation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 874, entitled:

An Act validating certain elections of counties, cities, boroughs, townships, school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled, "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto; and validating bonds issued or authorized to be issued in pursuance of such elections.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 920, entitled:

An Act to amend section one of the act approved the fourteenth day of April, one thousand nine hundred five, (P. L. 169), entitled "An Act making it unlawful to trespass upon land posted as private property, and providing the penalty therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 984, entitled:

An Act providing for the taxation modification remission and collection of all fees received by the several prothonotaries and the several clerks of the courts of this Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 633, entitled:

An Act to amend section one of the act approved the twelfth day of June, one thousand nine hundred and one, (P. L. 559), entitled "An Act to provide for the election of one person to fill the office of prothonotary, one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer, one person to fill the office of register of wills and clerk of the orphans' court, and one person to fill the office of the recorder of deeds, in counties containing forty thousand inhabitants and hereafter created separate judicial districts, under the Constitution"; providing that said act shall be in effect only upon the acceptance thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 745, (Senate Bill No. 98), entitled:

An Act to repeal an act approved the ninth day of April, one thousand eight hundred and sixty-eight (Pamphlet Laws seventy-three) entitled "A Supplement to an act relating to counties and townships and county and township officers, approved April fifteenth, one thousand eight hundred and thirty-four relating to public buildings."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 752 (Senate Bill No. 129), entitled:

An Act to amend sections five hundred and forty and five hundred and forty-one as amended, of an act, approved the

eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1142, (Senate Bill No. 291), entitled:

An Act to amend section one of the act approved the twenty-third day of May, one thousand nine hundred and seven, (P. L. 225), entitled "An Act providing for the payment of the premiums on bonds of county, city, borough, school-district, and township employes;" extending the provisions thereof to officers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1143, (Senate Bill No. 292), entitled:

An Act to amend section ten of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three), entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, precribing his duties and abolishing the office of county auditor in such counties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1151, (Senate Bill No. 411), entitled:

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and forty-nine) entitled "An act to fix the number of Senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future elected Senators"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

MOTION TO DISCHARGE COMMITTEE.

Mr. LAUVER. Mr. Speaker, I move that the Committee on Health and Sanitation be discharged from further consideration of House Bill No. 62, pink file folio 539, entitled:

An Act to amend section twelve of the act approved the eighteenth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and three) entitled "An act to provide for the more effectual protection of the public health in the several municipalities of this Commonwealth" as amended exempting children of certain parents from vaccination

and that the same be placed upon the calendar.

Mr. ALLEN J. STEVENS. Mr. Speaker I second the motion.

On the question,

Will the House agree to the motion?

Mr. STEEDLE. Mr. Speaker, I should like to interrogate the gentleman from Juniata.

The SPEAKER. Will the gentleman from Juniata, Mr. Lauver, permit himself to be interrogated?

Mr. LAUVER. Yes, sir, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. STEEDLE. I should like to ask the gentleman from Juniata if he is not a member of the Public Health and Sanitation Committee.

Mr. LAUVER. I am, yes sir.

Mr. STEEDLE. Then, Mr. Speaker, I should further like to interrogate the gentleman, whether he has attended all the meetings of the Health and Sanitation Committee.

Mr. LAUVER. I did, yes sir.

Mr. STEEDLE. What disposition, to your knowledge, was made of this bill?

Mr. LAUVER. I didn't understand that there was any disposition made.

Mr. STEEDLE. Then, as a member of that committee, I think you are doing an absolute injustice not only to the chairman of the committee but to the personnel of its membership.

Mr. LAUVER. In what way?

Mr. STEEDLE. Why, by not coming to the committee meetings and there stating your argument before the committee.

Mr. LAUVER. This bill was introduced into the House on January 23rd, and it was followed, the meetings were followed by a public hearing which was announced for four weeks later, that was the 20th of March. Now, we have waited two weeks since and have had no further meetings, and we feel that we did not get very fair treatment at that public hearing.

Mr. STEEDLE. Mr. Speaker, I should like to say a word to the gentleman. In my twelve years in this House, or six sessions, any time that I had a bill in the committee, or the committee of which I was a member, I was always gentlemanly enough and honorable enough to make my argument before that committee, and not come upon the floor of the House and insult the dignity and the honesty of any member of that committee.

MOTION LAID UPON THE TABLE.

Mr. STEEDLE. Mr. Speaker, I move that this motion be laid upon the table.

Mr. McCAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 600, as follows:

An Act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic the United-Spanish War Veterans a part of the public records of the State and providing for their publication and distribution

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the department commanders of the Grand Army of the Republic The United-Spanish War Veterans shall report to the Secretary of Internal Affairs the proceedings of the annual encampment or conventions of their respective departments with such general and special orders and circulars and other data which may form a part of said proceedings then the said proceedings so reported shall be considered State records and under the direction of the Secretary of Internal Affairs shall be printed and bound and a printed and bound copy thereof shall be

sent to each post in the State of Pennsylvania of the organization of whose proceedings the same is a report

Section 2 Not more than one thousand copies of each of such annual reports shall be printed and bound and the balance remaining after the distribution provided for in section one of this act may be requisitioned as follows The State Librarian three hundred copies the Legislative Reference Bureau and the Senate Library ten copies and the executive head of the organization of whose proceedings it is a report the remaining copies

Section 3 The act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and ninety-eight) entitled "An act entitled an act to make the proceedings of the Department of Pennsylvania Grand Army of the Republic a part of the public records of the State" is hereby repealed

All other acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—195.

Albert,	Evans, J.,	Kunkle,	Rhodes,
Alexander,	Fields,	Labar,	Richards,
Allman,	Flinchbaugh,	Lafferty,	Rinn,
Anderson,	Flynn,	Lauver,	Rippman,
Armstrong,	Fowler, A. I.,	Little,	Sample,
Arthur,	Fowler, D.,	Long,	Sarig,
Asbury,	Frazier,	Lucas,	Sautter,
Aston,	Gallaher,	Ludlow,	Schaeffer,
Baker,	Gelder,	Lynch,	Schilling,
Baldi,	Gibbon,	Mack,	Schleiter,
Beaver,	Gilchrist,	MacKinney,	Schoener,
Behney,	Glasgow,	Malie,	Schwartz,
Bell, F. A.,	Goehring,	Mangan,	Shambach,
Bell, W. T.,	Golder,	Marcus, J.,	Sheridan,
Bentley,	Gorham,	Marcus, J. C.,	Smith, G. A.,
Berger,	Goss,	Marshall, W. F.,	Smith, H. J.,
Betts,	Greeby,	Mathay,	Smith, H.,
Bidelspacher,	Griffith,	McBride,	Smith, J. W.,
Blair,	Grimes,	McCaig,	Soffel,
Bluett,	Guerin,	McCann,	Sowers,
Blumberg,	Gundy,	McClure,	Spangler,
Boback,	Haas,	McCurdy,	Speiser,
Brenneman,	Haines,	McDaniel,	Sprowls,
Brewster,	Hall,	McDermott,	Stark,
Bromley,	Harer,	McGowan,	Staudenmeier,
Brown,	Harter,	McKim,	Stavitski,
Brownmiller,	Haslett,	McVicar,	Steedle,
Burchinal,	Haws,	Metcalf,	Sterling,
Burns,	Heffernan,	Millar,	Stevens, A. F.,
Bush,	Heffran,	Miller,	Stoner,
Chaplin,	Henderson,	Minehart,	Storb,
Clutton,	Hetrick,	Moffatt,	Thomas, L. D.,
Coldsmith,	Heyburn,	Moore,	Thomas, M. G.,
Colville,	Himes,	Morrison,	Thompson,
Conner,	Holcombe,	Munley,	Van Alen,
Coyne,	Hontz,	Myers, G. C.,	Vickerman,
Craig,	Hoover,	Myers, P. M.,	Weamer,
de Young,	Horne,	Nolte,	Wells,
Diehm,	Howell,	O'Boyle,	Wettach,
Dietz,	Huber,	Ogle,	Whitehouse,
Dilsheimer,	Irvin,	Orr,	Whiteman,
Donahue	Johnson,	Parkinson,	Williams, G. W.
Driggs,	Jones, C. B.,	Patterson,	Woner,
Drinkhouse,	Jones, D. J.,	Peelor,	Wood, W. P.,
Eaches,	Jones, E. P.,	Perry,	Wright,
Earley,	Keene,	Pitts,	Zook,
Edmonds,	Kennedy,	Posey,	Goodnough,
Eshelman,	Kohler,	Post,	Speaker.
Evans, B. P.,	Korns,	Price,	
		Raymond,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 606, as follows:

An Act to further amend an act approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty) entitled "An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" providing for the rebuilding of decayed and unsafe bridges and certain bridges on State highways

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty) entitled "An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" which was amended by an act approved the twenty-first day of April one thousand nine hundred and three (Pamphlet Laws two hundred and thirty) entitled "An act to amend the first second third fourth and seventh sections of an act approved June third one thousand eight hundred and ninety-five entitled 'An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges'" is hereby further amended to read as follows

Section 1 That from and after the passage of this act the Commonwealth of Pennsylvania shall from time to time rebuild all bridges maintained owned and controlled by the several counties and known as county bridges and also bridges not exceeding five hundred feet in length on or connecting portions of any State highway which bridges are now or may hereafter be erected over and across the navigable rivers and such other streams as have been declared public highways by act of assembly which may hereafter be carried away or destroyed by flood or wind storm or become so decayed or unsafe as to require rebuilding

Section 2 That section two of said act is hereby further amended to read as follows

Section 2 Whenever any such county bridge shall be so carried away or destroyed by flood or wind storm or any such county or other bridge has become so decayed or unsafe as to require rebuilding the county commissioners of the county in which such bridge may be located or when such bridge crosses the boundary line between two counties then the commissioners of both counties may apply by petition to the court of common pleas of Dauphin county setting forth fully in said petition the location of such bridge the time when a bridge was first erected in the same location the time when the bridge was carried away by flood or destroyed by wind storm or became so decayed or unsafe the character of the bridge so carried away destroyed decayed or unsafe and the probable cost of replacing the same Whereupon it shall be the duty of the court to appoint five viewers one of whom shall be a civil engineer and not more than two of whom shall be residents of the county wherein such bridge is proposed to be built The viewers so appointed after having been duly qualified to faithfully perform their duties shall proceed to view the location of the proposed bridge and make report at such time as the court may direct which report shall contain an accurate statement of the kind and character of the bridge carried away or destroyed or decayed or unsafe which it is proposed to replace the length of time since the first bridge was built on the proposed location the length of the bridge together with a recommendation of viewers as to the kind of bridge needed and the probable cost thereof and it shall be the duty of the said viewers to inquire whether the accommodations of the traveling public in the locality demands the rebuilding of said bridge Provided That the Attorney General shall have due notice of the time of filing the petition and the application for viewers and it shall

be his duty to appear for and defend the interests of the Commonwealth in all such proceedings

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189.

Albert,	Flynn,	Long,	Sarig,
Alexander,	Fowler, A. I.,	Lucas,	Sautter,
Allman,	Fowler, D.,	Ludlow,	Schaeffer,
Anderson,	Fratt,	Lynch,	Schilling,
Armstrong,	Frazier,	MacKinney,	Schleiter,
Arthur,	Gallaher,	Malie,	Schoener,
Aston,	Gibbon,	Mangan,	Schwartz,
Baker,	Gilchrist,	Marcus, J.,	Shambach,
Baldi,	Glasgow,	Marcus, J. C.,	Sheridan,
Beaver,	Goehring,	Marshall, J. G.,	Smith, H. J.,
Behney,	Golder,	Marshall, W. F.,	Smith, H.,
Bell, F. A.,	Gorham,	McBride,	Smith, J. W.,
Bell, W. T.,	Goss,	McCaig,	Soffel,
Bentley,	Greeby,	McCann,	Spangler,
Berger,	Griffith,	McClure,	Speiser,
Betts,	Grimes,	McCurdy,	Sprowls,
Bidelspacher,	Guerin,	McDaniel,	Stark,
Blair,	Haas,	McDermott,	Staudenmeier,
Bluett,	Haines,	McGowan,	Steedle,
Blumberg,	Hall,	McVicar,	Sterling,
Brenneman,	Harter,	Metcalf,	Stevens, A. J.,
Brewster,	Haslett,	Millar,	Stevens, A. F.,
Bromley,	Heffernan,	Miller,	Stoffiet,
Brown,	Heffran,	Minehart,	Stoner,
Brownmiller,	Henderson,	Moffatt,	Storb,
Burns,	Hetrick,	Moore,	Storer,
Bush,	Heyburn,	Morrison,	Thomas, L. D.,
Chaplin,	Himes,	Munley,	Thomas, M. G.,
Clutton,	Holcombe,	Myers, G. C.,	Thompson,
Coldsmith,	Hontz,	Myers, P. M.,	Van Alen,
Colville,	Hoover,	Nolte,	Vickerman,
Conner,	Horne,	O'Boyle,	Weamer,
Coyne,	Huber,	Ogle,	Wells,
Craig,	Irvin,	Orr,	Wettach,
de Young,	Johnson,	Parkinson,	Wheeler,
Diehm,	Jones, C. B.,	Patterson,	Whitehouse,
Dietz,	Jones, D. J.,	Peelor,	Whiteman,
Dilsheimer,	Jones, E. P.,	Perry,	Williams, G. W.,
Donahue,	Keene,	Pitts,	Williams, J. M.,
Driggs,	Kelly,	Posey,	Woner,
Drinkhouse,	Kennedy,	Post,	Wood, N.,
Eaches,	Kohler,	Price,	Wood, W. P.,
Earley,	Korns,	Raymond,	Wright,
Edmonds,	Kunkle,	Rhodes,	Zook,
Evans, B. P.,	Labar,	Richards,	Goodnough,
Evans, J.,	Lafferty,	Rinn,	Speaker.
Fields,	Lauver,	Rippman,	
Flinchbaugh,	Little,	Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 593, as follows:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it hereby enacted by the authority of the same That this act shall be cited as the "World War Veterans' Compensation Act"

Section 2 As used in this act the word "veteran" includes any individual a member of the military or naval forces of the United States at any time after the fifth day of April one thousand nine hundred and seventeen and before the twelfth day of November one thousand nine hundred and eighteen but does not include (a) any individual at any time during such period or thereafter separated from such forces under other than honorable conditions (b) any conscientious objector who performed no military duty whatever or refused to wear the uniform or (c) any alien at any time during such period or thereafter discharged from military or naval forces on account of his alienage

The term "legal resident of this Commonwealth" means any individual who gave the State of Pennsylvania or any specific place in this Commonwealth as his place of residence at the time of entering the military or naval forces of the United States for such period without regard to the place of enlistment commission or induction The proof of such residence shall be the official records on file in the War Department of the United States

Section 3 Compensation shall be payable under this act to any legal resident of this Commonwealth and shall be computed on the basis of ten dollars ($10.00) for every month and major fraction thereof of active service in the military or naval forces of the United States after the fifth day of April one thousasnd nine hundred and seventeen and before the twelfth day of November one thousand nine hundred and eighteen as shown by the service or other record of the veteran No veteran who served less than sixty days active service shall be entitled to receive any compensation under this act Any period of active service beginning before the twelfth day of November one thousand nine hundred and eighteen and continuing for sixty days or more may be used in computing the length of service of the veteran notwithstanding the fact that compensation shall not be paid for service after the eleventh day of November one thousand nine hundred and eighteen No veteran shall be entitled to receive compensation under this act in a sum to exceed two hundred dollars ($200.00)

Section 4 In computing time in the service for compensation no allowance shall be made to

(a) Any commissioned officer above the grade of captain in the Army or Marine Corps lieutenant in the Navy first lieutenant or first lieutenant of Engineers in the Coast Guard or passed assistant surgeon in the Public Health Service or having the pay and allowances if not the rank of any officer superior in rank to any such grades in each case for the period of service as such

(b) Any individual who held a permanent or provisional commission or permanent or acting warrant in any branch of the military or naval forces or (while holding such commission or warrant) serving under a temporary commission in a higher grade in each case for the period of service under such commission or warrant or in such higher grade after the accrual of the right to pay thereunder This subdivision shall not apply to any non-commissioned officer

(c) Any civilian officer or employee of any branch of the military or naval forces contract surgeon cadet of the United States Military Academy Midshipman cadet of the Coast Guard member of the Reserve Officers' Training Corps member of the Students' Army Training Corps (except an enlisted man detailed thereto) Phillippine Scout member of the Philippine Guard member of the Philippine Constabulary member of the Porto Rico Regiment of Infantry member of the National Guard of Hawaii member of the insular forces of the Navy member of the Samoan native guard and band of the Navy or Indian Scout in each case for the period of service as such

(d) Any individual entering the Military or Naval forces after the eleventh day of November one thousand nine hundred and eighteen for any period after such entrance

(e) Any member of the Public Health Service for any period during which he was not detailed for duty with the Army or the Navy

(f) Any individual granted a farm or industrial furlough for the period of such furlough

(g) Any individual detailed for work in the Spruce Production Division of the Air Service for the period during which his pay was equalized to conform to the pay of civilian employees in the same or like employment

Section 5 In computing the compensation of any veteran under this act effect shall be given to all subdivisions of section four which are applicable

Section 6 For the purpose of section three in the case of members of the National Guard or the National Guard Reserve called into service by proclamation of the President the time of service between the date of call into service as specified in such proclamation and the fifth day of August one thousand nine hundred and seventeen both dates inclusive shall be deemed to be active service in the Military or Naval forces of the United States Provided That in case of members of the National Guard or National Guard Re-

serve called into the service by proclamation of the President before the sixth day of April one thousand nine hundred and seventeen active service in the Military or Naval forces of the United States for the purpose of this act shall be deemed to commence on the sixth day of April one thousand nine hundred and seventeen

Section 7 Application for compensation shall be made to the Adjutant General on such forms and in such manner as he shall prescribe and shall be made on or before the thirtieth day of June of the year following the approval of the bond issue authorizing the increase in the bonded indebtedness of the Commonwealth for this specific purpose and if not made on or before such date shall be held void

All applications shall be made (1) personally by the veteran or (2) in case of physical or mental incompetency preventing the making of a personal application then by such representative of the veteran as the Adjutant General shall by regulation prescribe An application made by a representative other than one authorized by such regulation shall be held void

Section 8 All applicants shall state on their application whether or not they have applied for or received a bonus gratuity or compensation of a nature similar to that provided for by this act from any other State in the Union

Section 9 In the case of veterans who died while in the Military or Naval forces of the United States before the twelfth day of November one thousand nine hundred and eighteen the amount of compensation payable under this act shall be computed up to and including the eleventh day of November one thousand nine hundred and eighteen

Section 10 In case of the death of any veteran who would if living be entitled to compensation under this act the same shall be paid to the following persons in the order named and none other (a) surviving wife or husband (b) surviving child and if there be more than one child surviving then equally among such children (c) surviving mother (d) surviving father

Section 11 Every person making application for compensation as herein provided shall set forth in his application the names and addresses of all persons who under this act would be entitled to receive the same in the event of the death of the applicant and if such applicant shall die before the payment of such compensation then such application shall be deemed to inure to the benefit of the person or persons next entitled thereto and payment shall be made to such person or persons upon proof of identity satisfactory to the Adjutant General If all persons designated herein as entitled to compensation shall die before payment thereof the right to the compensation shall cease and determine Application for compensation made in behalf of minor children shall be made by the duly appointed guardian of such children or by any persons who stands in loco parentis to such minor children

Section 12 No sum payable under this act to a veteran or to his beneficiaries as shown in section ten shall be subjected to attachment levy or seizure under any legal or equitable process and shall be exempt from all State taxation No right to compensation under the provisions of this act shall be assignable or serve as a security for any loan nor be regarded as the assets of the estate of a deceased veteran nor be made the basis of administration thereof Any assignment or loan made in violation of the provisions of this section shall be held void The Adjutant General shall not direct the payment nor shall payment be made under this act to any persons other than the veteran or his beneficiaries as set forth in section ten or such representatives of the veteran as the Adjutant General shall by regulation prescribe

Section 13 Any person who charges or collects or attempts to charge or collect either directly or indirectly any fee or other compensation for assisting in any manner a veteran in obtaining any of the benefits to which he is entitled under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than five hundred dollars ($500.00) or imprisonment for not more than one year or both at the discretion of the court This provision shall not apply to the fees authorized by law that may be collected by a notary public or other officer having power to administer oaths for necessary affidavits required under this act

Section 14 The Adjutant General shall as soon as practicable after the approval of this act prepare and publish a pamphlet or pamphlets containing a digest and explanation of the provisions of this act accompanied by such statements as he believes may be of assistance to the veterans in filing their applications and shall from time to time prepare and publish such additional or supplementary information as may be found necessary

The said pamphlet or pamphlets shall be distributed in such manner as the Adjutant General may determine to be most effective to inform veterans of their rights under this act

Section 15 Immediately upon the passage of this act the Adjutant General shall ascertain the individuals who are veterans as defined in section two and as to each veteran the number of months of service as defined in section three for which he is entitled to receive compensation and his decisions shall be final and not subject to review In all cases not within the express purview of this act the decision of the Adjutant General as to payment or non-payment of compensation or eligibility therefor shall be in all things final

Section 16 No payments under this act shall be made before the first day of January of the second year following the approval of the bond issue authorizing the increase of the bonded indebtedness of the Commonwealth for this specific purpose but all payments shall be made as soon thereafter as practicable

Section 17 Whoever knowingly makes any false or fraudulent statement of a material fact in any application certificate or document made under the provisions of this act or of any regulation made by the Adjutant General in administering this act shall be guilty of a misdemeanor and upon conviction thereof be fined not more than one thousand dollars ($1,000.00) or undergo imprisonment of not more than five years or both at the discretion of the court

Section 18 For the purpose of carrying into effect the provisions of this act the Adjutant General of the Commonwealth is charged with the administration thereof and for that purpose he shall prepare and distribute application blanks investigate all claims and applications filed with him and if satisfied of the proof of such claim or application approve the same and direct payment thereof and shall make any regulations necessary to the efficient administration of the provisions of this act

The books papers and records together with the filing cases and equipment procured and used in the administration of this act shall become a part of the permanent records of the office of the Adjutant General

Section 19 All printing necessary to carry out the provisions of this act shall be done by the State Printer on the requisition of the Adjutant General to the Department of Public Printing and Binding

Section 20 The Adjutant General may employ the necessary clerical help and fix their salaries and pay for postage and other expenses incurred in the administration of this act In all appointments under this act preference shall so far as practicable be given to veterans

Section 21 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not effect or impair any of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 22 For the purpose of paying for the clerical services postage and other necessary expenses incurred by the Adjutant General in the administration of this act the sum of four hundred and sixty-two thousand six hundred and twenty-five dollars ($462,625.00) or as much thereof as may be necessary is specifically appropriated from funds to be hereafter provided for the payment of the compensation provided for by this act

Section 23 The compensation payable under this act shall be paid only in the event that funds are provided by a Constitutional amendment authorizing the State to increase its bonded indebtedness for this specific purpose

Section 24 The act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-eight) entitled "An act providing a bonus for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War creating a Soldiers' Bonus Commission and prescribing its powers and duties and making an appropriation" is hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184.

Alexander,	Flynn,	Long,	Sarig,
Allman,	Fowler, A. I.,	Lucas,	Sautter,
Armstrong,	Fowler, D.,	Ludlow,	Schaeffer,
Arthur,	Fratt,	Lynch,	Schleiter,
Aston,	Frazier,	Mack,	Schoener,
Baker,	Gallaher,	MacKinney,	Schwartz,
Baldi,	Gibbon,	Malie,	Shambach,
Beaver,	Gilchrist,	Mangan,	Sheridan,
Behney,	Glasgow,	Marcus, J.,	Smith, G. A.,
Bell, F. A.,	Goehring,	Marcus, J. C.,	Smith, H. J.,
Bell, W. T.,	Gorham,	Marshall, J. G.,	Smith, H.,
Bentley,	Goss,	Marshall, W. F.	Smith, J. W.,
Berger,	Greeby,	McBride,	Sowers,
Betts,	Griffith,	McCaig,	Spangler,
Bidelspacher,	Grimes,	McCann,	Speiser,
Blair,	Guerin,	McClure,	Sprowls,
Bluett,	Haas,	McCurdy,	Stark,
Blumberg,	Haines,	McDaniel,	Staudenmeier,
Boback,	Hall,	McDermott,	Stavitski,
Brenneman,	Haslett,	McGowan,	Steedle,
Brewster,	Haws,	McKim,	Sterling,
Bromley,	Heffernan,	McVicar,	Stevens, A. F.,
Brown,	Heffran,	Metcalf,	Stevens, A. J.,
Brownmiller,	Henderson,	Millar,	Stofflet,
Burchinal,	Hetrick,	Miller,	Stoner,
Burns,	Heyburn,	Minehart,	Storb,
Bush,	Himes,	Moffat,	Storer,
Chaplin,	Holcombe,	Moore,	Thomas, L. D.,
Clutton,	Hollis,	Morrison,	Thomas, M. G.,
Coldsmith,	Hontz,	Munley,	Thompson,
Colville,	Hoover,	Myers, G. C.,	Van Alen,
Conner,	Horne,	Myers, P. M.,	Vickerman,
Coyne,	Howell,	Nolte,	Weamer,
Craig,	Huber,	O'Boyle,	Wells,
de Young,	Irvin,	Ogle,	Wettach,
Diehm,	Johnson,	Orr,	Wheeler,
Dietz,	Jones, C. B.,	Parkinson,	Whitehouse,
Dilsheimer,	Jones, D. J.,	Patterson,	Whiteman,
Donahue	Jones, E. P.,	Peelor,	Williams, G. W.,
Driggs,	Keene,	Perry,	Williams, J. M.,
Drinkhouse,	Kelly,	Pitts,	Woner,
Eaches,	Kennedy,	Posey,	Wood, N.,
Earley	Kohler,	Post,	Wood, W. P.,
Edmonds,	Korns,	Price,	Wright,
Esherman,	Kunkle,	Raymond,	Zook,
Evans, B. P.,	Labar,	Rhodes,	Goodnough,
Evans, J.,	Lafferty,	Richards,	Speaker.
Fields,	Lauver,	Rinn,	
Flinchbaugh,	Little,	Rippman,	
		Sample,	

NAYS 0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 857, as follows:

An Act providing for the lapsing of unexpended or unencumbered balances of appropriations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter unless otherwise specifically stated in the act making the appropriation the unexpended or unencumbered balances of all appropriations made for any purposes whatsoever shall lapse at the end of the day of May thirty-first of the second year following that in which the appropriations are made by the legislature and for this purpose the Auditor General and the State Treasurer shall consider as lapsed or as having reverted to the State Treasury under the terms hereof all such balances in appropriations as are not covered by requisitions filed in the Auditor General's Office on or before August first of the second year after that in which the appropriations are made by the legislature or which are not otherwise encumbered Such balances remaining in appropriations shall be regarded as unencumbered unless notices of encumbrances thereon together with satisfactory details thereof shall be filed with the Auditor General and State Treasurer by the proper official or officials on or before August first of the second year following that in which the appropriations are made

Any contracts or agreements encumbering appropriations notices of which encumbrances have been previously given to the Auditor General and State Treasurer according to the terms hereof must be completed and requisitions in the usual form filed in the Auditor General's office on or before May thirty-first of the fourth year following that in which the appropriations are made Otherwise the amounts represented by such notices of encumbrances shall likewise lapse and shall be no longer available for the purposes for which appropriated

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Mr. FLYNN. Mr. Speaker and members of the House as there seems to be some misunderstanding about the provisions of this bill, I feel that it is only fair to make a brief explanation. This bill as originally introduced provided, for the lapse of all appropriations, with a view of cleaning up a very much mixed situation in regard to the appropriations that have been hanging fire for a number of years, but which have not been drawn upon. A great deal of opposition arose to that proposition, particularly, with reference to the appropriations to the Highway Department. Therefore it was deemed expedient to amend the bill so that it does not apply to the appropriations made heretofore, and the provisions of this bill will now not become effective until at the end of the next succeeding biennium. In other words, it will be two years before the provisions of this bill become effective, and there after all appropriations not used or contracted for will lapse at the end of each session. I wish, particularly, to make it clear that this bill does not affect the appropriations to the Highway Department, or for other purposes heretofore made.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194.

Albert,	Fields,	Lafferty,	Sample,
Alexander,	Flinchbaugh,	Little,	Sarig,
Allman,	Flynn,	Long,	Sautter,
Anderson,	Fowler, A. I.,	Lucas,	Schaeffer,
Armstrong,	Fowler, D.,	Ludlow,	Schilling,
Arthur,	Frazier,	Lynch,	Schleiter,
Asbury,	Gallaher,	Mack,	Schoener,
Aston,	Gelder,	MacKinney,	Schwartz,
Baker,	Gibbon,	Mangan,	Shambach,
Baldi,	Gilchrist,	Marcus, J.,	Sheridan,
Beaver,	Glasgow,	Marcus, J. C.,	Smith, G. A.,
Behney,	Goehring,	Marshall, J. G.,	Smith, H. J.,
Bell, F. A.,	Golder,	Marshall, W. F.	Smith, H.,
Bell, W. T.,	Gorham,	McBride,	Smith, J. W.,
Bentley,	Goss,	McCaig,	Soffel,
Berger,	Greeby,	McCann,	Sowers,
Betts,	Griffith,	McClure,	Spangler,
Bidelspacher,	Grimes,	McCurdy,	Speiser,
Blair,	Guerin,	McDaniel,	Sprowls,
Bluett,	Gundy,	McDermott,	Stark,
Blumberg,	Haas,	McGowan,	Staudenmeier,
Boback,	Haines,	McKim,	Stavitski,
Brenneman,	Hall,	McVicar,	Steedle,
Brewster,	Harer,	Metcalf,	Sterling,
Bromley,	Haslett,	Millar,	Stevens, A. F.,
Brown,	Haws,	Miller,	Stevens, A. J.,
Brownmiller,	Heffernan,	Minehart,	Stoner,
Burchinal,	Heffran,	Moffat,	Storb,
Burns,	Henderson,	Moore,	Storer,
Bush,	Hetrick,	Morrison,	Thomas, L. D.,
Chaplin,	Heyburn,	Munley,	Thomas, M. G.,
Clutton,	Himes,	Myers, G. C.,	Thompson,

Coldsmith,	Holcombe,	Myers, P. M.,	Van Alen,
Colvill e,	Hollis,	Nolte,	Vickerman,
Conner,	Hontz,	O'Boyle,	Weamer,
Craig,	Hoover,	Ogle,	Wells,
de Young,	Horne,	Orr,	Wettach,
Diehm,	Howell,	Parkinson,	Wheeler,
Dietz,	Huber,	Patterson,	Whitehouse,
Dilsheimer,	Irvin,	Peelor,	Whiteman,
Donahue	Johnson,	Perry,	Williams, G. W.,
Driggs,	Jones, C. B.,	Pitts,	Williams, J. M.,
Drinkhouse,	Jones, D. J.,	Posey,	Woner,
Eaches,	Jones, E. P.,	Post,	Wood, N.,
Earley,	Keene,	Price,	Wood, W. P.,
Edmonds,	Kelly,	Raymond,	Wright,
Eshelman,	Kennedy,	Rhodes,	Zook,
Evans, B. P.,	Kunkle,	Richards,	Goodnough,
Evans, J.,	Labar,	Rinn,	Speaker.
		Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Horne.

The House resumed the consideration on third reading of House Bill No. 515, entitled:

An Act liminating rent as a preferred claim

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HORNE. Mr. Speaker and members of the House, this bill was called up on the twenty-seventh and there was some objection to it. That objection has been satisfied, and I believe those who asked this question are favorable to the bill now.

Mr. EDMONDS. Mr. Speaker and members of the House, I have been giving considerable thought to this bill since it was before the House some weeks ago, and it seems to me that there is a danger that the gentleman from Cambria has not considered. This means that the landlord's preference is limited to three months. Now, in the last two or three years I have personally known of a number of cases of small business where, if landlord's preference had been limited to three months, the landlord would have been obliged to put the concern out of business in order to save his rent, but if he were to be given a longer preference, he would be giving the business a chance to establish itself, and I would like to ask the gentleman whether he has considered that feature in this bill. Might it not be the means of forcing small business, with a small capital, out of business if it gives the landlord but three months preference and of obliging the landlord to be more stringent than he otherwise would be under the present law.

Mr. HORNE. In answer to my friend, Mr. Edmonds, that question has been considered, but any other claim either for merchandise, for rent, for lawyers' fee, or any other claim has a preference of three months in advance by contract, except the landlord's claim. Those who approve this bill are really the credit associations of this State, and they feel that the preference there is quite great enough for the landlord. If it is purely a matter of leniency, there is no more reason for the landlord to have preference beyond three months than the lawyer or the doctor or the merchant or the butcher. I believe this bill is absolutely fair to the landlord. As one who rents houses, not very many of them, I feel that it is perfectly fair to me, and I think every other man who wishes only what he ought to have, his fair share of the amount of assets for any claim, should consider this bill as it is.

Mr. EDMONDS. Mr. Speaker, I am not interested at all from the point of view of the landlord, but I am very much interested from the point of view of the tenant; I am particularly interested from the point of view of the man who has established a business with a small capital. It seems to me that the man under this act would be placed in such a position that the landlord could not extend indulgence to him, and therefore it seems to me that it would be a hard thing for the man who has started in business with a small capital. In answering the argument of the credit association, I read with a great deal of attention the latter coming from the credit men's association commenting this bill, but it seems to me we must look at it on a broader basis. It is not a question of what is good for the credit man, or a landlord, it is a question of what is good for general business conditions throughout the State, and my feeling is that it is a good thing, particularly for the small trader, to have a law that enables the landlord to give the indulgence that he deserves.

Mr. HORNE. Mr. Speaker, may I be indulged the floor again? I see that Mr. Edmonds is basing his argument on the humanitarian side, which is very fine of Mr. Edmonds. However, he is citing a specific case, and not a general case. The man would be the exception who would desire to ask a landlord to indulge him over a period of more than three months, fearing that to do so would mean an absolute loss to the landlord. I think it would be entirely unfair either to a small or large businessman to expect any landlord to carry him over a period of more than three months, and this will not give lee-way to the landlord to take all his assets instead of allowing some of his other creditors to have some of it in case of failure. I think this allows plenty of lee-way to the landlord and is giving him preference, not only for rent in arrears, but by contract for three months, which is not offered to any other claim. I should like to have the men of this House vote for this act. I believe it is fair and right.

Mr. ALEXANDER. Mr. Speaker, it seems to me there is another point of view in this bill and that is this: A man is a tenant, and there is nobody in the world who will know the condition of that tenant's financial affairs better than the landlord. Now, there is no reason why that land lord should leave that tenant go along for four or five months, or six months, and thereby holding out to the people at large, who are selling him merchandise, that he is in good standing, because if a man goes along without the landlord's collecting his rent, you or I or someone else who is selling merchandise to that man has a right to believe that his financial standing is in good shape. Now, as I say, there is nobody in a better position to know that man's financial standing than the landlord, and it is not right for that landlord, he is not doing justice to his tenant, nor justice to the man who is extending credit, to permit him to go for a longer term than three months. If a man cannot pay his first two months, or at least three months rent, then he had better quit right there before he beats somebody else. I think this is a good bill. I believe three months is plenty of time to extend to the man, and if the man is renting and cannot pay three months rent, he is only getting deeper in the mud every day after the thre months.

Mr. SCHWARTZ. Mr. Speaker and members of the House, I am opposed to this bill because I think it is a bad

bill, a vicious bill in many respects. There is another point of view which the gentleman from Delaware, Mr. Alexander, has not touched. I have been a landlord and I have had cases where I had in my experience of some twenty-five years people who rented houses from me, who were sick and unable to pay their rent. I have had cases where I have had men who owed me nine and ten months rent, and surely it would be a hardship, and no landlord with a heart would want to put that man out. I waited for the man to get well and then took my chance of the man's paying me. In nearly every case the men paid me their arrearages. Now, in my section very frequently I have heard of other landlords who have been kind-hearted enough to allow their tenants to pass along a rent arrearage six months to a year. I understand that in case of renting farms, a gentleman back of me just suggested, that in renting a farm by the year, that they can only collect rent on an arrearage of three months. I think it is absolutely unfair. I think the bill is vicious, and I hope it is defeated.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—108.

Albert,	Flinchbaugh,	Labar,	Rhodes,
Alexander,	Fowler, A. I.,	Lafferty,	Richards,
Anderson,	Frazier,	Lauver,	Rippman,
Armstrong,	Gallaher,	Little,	Sample,
Arthur,	Gelder,	Ludlow,	Sarig,
Aston,	Gilchrist,	MacKinney,	Schleiter,
Baker,	Golder,	Marcus, J. C.,	Schoener,
Baldi,	Goss.	Marshall, J. G.,	Speiser,
Bell, F. A.,	Griffith,	Marshall, W. F.	Sprowls,
Bell, W. T.,	Haas,	Mathay,	Stark,
Bentley,	Hall.	McBride,	Steedle,
Betts,	Harter,	McClure,	Stevens, A. J.,
Bidelspacher,	Haslett,	McDermott,	Stofflet,
Blair,	Heffran,	McKim,	Stoner,
Blumberg,	Henderson,	McVicar,	Storb,
Boback,	Heyburn,	Metcalf,	Storer,
Brenneman,	Himes,	Millar,	Thomas, M. G.,
Brown,	Hontz,	Minehart,	Vickerman,
Burchinal,	Hoover,	Moffat,	Weamer,
Bush,	Horne,	Morrison,	Wells,
Chaplin,	Howell,	Ogle,	Whiteman,
Clutton,	Jones, C. B.,	Parkinson,	Williams, G. W.,
Coldsmith,	Jones, D. J.,	Patterson,	Williams, J. M.,
de Young,	Jones, E. P.,	Perry,	Woner,
Diehm,	Keene,	Pitts,	Wood, N.,
Donahue	Kelly,	Posey,	Wood, W. P.,
Eaches,	Korns,	Post,	Wright,
Eshelman,			

NAYS—79.

Allman,	Fratt,	Lucas,	Schilling,
Asbury,	Gibbon,	Lynch,	Schwartz,
Beaver,	Glasgow,	Mack,	Shambach,
Behney,	Gorham,	Mangan,	Sheridan,
Berger,	Greeby,	Marcus, J.,	Smith, G. A.,
Bluett,	Grimes,	McCurdy,	Smith, H.,
Brewster,	Guerin,	McDaniel,	Smith, J. W.,
Bromley,	Gundy,	McGowan,	Sowers,
Brownmiller,	Harer,	Miller,	Spangler,
Burns,	Haws,	Moore,	Stavitski,
Colville,	Heffernan,	Munley,	Stevens, A. F.,
Craig.	Hetrick,	Myers, G. C.,	Thompson,
Dietz,	Holcombe,	Myers, P. M.,	Wheeler,
Dilsheimer,	Hollis,	Nolte,	Whitehouse,
Driggs,	Huber,	O'Boyle,	Zook,
Drinkhouse,	Irvin,	Orr,	Goodnough,
Edmonds,	Johnson,	Peelor,	Speaker.
Evans, B. P.,	Kennedy,	Raymond,	
Evans, J.,	Kohler,	Rinn,	
Fields,	Kunkle,	Sautter,	
Fowler, D.,	Long,	Schaeffer,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Miss MacKINNEY.

The House resumed the consideration on third reading of House Bill No. 866, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186.

Albert,	Evans, J.,	Labar,	Rinn,
Alexander,	Fields,	Lafferty,	Rippman,
Allman,	Flinchbaugh,	Lauver,	Sample,
Anderson,	Flynn,	Little,	Sarig,
Armstrong,	Fowler, A. I.,	Long,	Sautter,
Arthur,	Fratt,	Lucas,	Schilling,
Asbury,	Frazier,	Ludlow,	Schleiter,
Aston,	Gallaher,	Lynch,	Schoener,
Baker,	Gibbon,	Mack,	Schwartz,
Baldi,	Gilchrist,	MacKinney,	Shambach,
Beaver,	Glasgow,	Malie,	Sheridan,
Behney,	Goehring,	Mangan,	Smith, G. A.,
Bell, F. A.,	Golder,	Marcus, J.,	Smith, H. J.,
Bell, W. T.,	Gorham,	Marshall, J. G.,	Smith, H.,
Bentley,	Goss.	Marshall, W. F.,	Smith, J. W.,
Berger,	Greeby,	Mathay,	Soffel,
Betts,	Griffith,	McBride,	Sowers,
Bidelspacher,	Grimes,	McCaig,	Spangler,
Blair,	Guerin,	McCann,	Speiser,
Bluett,	Gundy,	McClure,	Sprowls,
Blumberg,	Haas,	McCurdy,	Stark,
Brenneman,	Haines,	McDaniel,	Staudenmeier,
Brewster,	Hall,	McDermott,	Stavitski,
Bromley,	Harer,	McGowan,	Steedle,
Brown,	Haslett,	McKim,	Stevens, A. F.,
Brownmiller,	Haws,	Metcalf,	Stevens, A. J.,
Burchinal,	Heffernan,	Millar,	Stofflet,
Burns,	Heffran,	Miller,	Storb,
Bush,	Henderson,	Minehart,	Storer,
Chaplin,	Hetrick,	Moffatt,	Thomas, L. D.,
Clutton,	Heyburn,	Morrison,	Thomas, M. G.,
Coldsmith,	Holcombe,	Munley,	Van Alen,
Colville,	Hollis,	Myers, G. C.,	Vickerman,
Coyne,	Hontz,	Myers, P. M.,	Weamer,
Craig,	Horne,	Nolte,	Wells.
de Young,	Howell,	O'Boyle,	Wheeler,
Diehm,	Huber,	Ogle,	Whitehouse,
Dietz,	Irvin,	Orr,	Whiteman,
Dilsheimer,	Johnson,	Parkinson,	Williams, G. W.,
Donahue,	Jones, C. B.,	Peelor,	Williams, J. M.,
Driggs,	Jones, D. J.,	Perry,	Woner.
Drinkhouse,	Jones, E. P.,	Pitts,	Wood, N.,
Eaches,	Keene,	Posey,	Wood, W. P.,
Earley,	Kelly,	Post,	Wright,
Edmonds,	Kennedy,	Raymond,	Zook,
Eshelman,	Korns,	Rhodes,	Goodnough,
Evans, B. P.,	Kunkle,	Richards,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Perry,

The House resumed the consideration on third reading of House Bill No. 833, entitled:

An Act conferring the right on the Courts of Common Pleas of various counties to permit amendment of charters of corporations of the first class, so as to permit any institution of learning, which shall have been incorporated as a corporation of the first class, to confer appropriate de-

grees upon any person who shall have satisfactorily passed a required course of study of such institution of learnings.

And said bill having been read at length the third time, considered and agreed to.

On the question?

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187.

Albert,	Flynn,	Lauver,	Sample,
Alexander,	Fowler, A. I.,	Long,	Sarig,
Allman,	Fowler, D.,	Lucas,	Sautter,
Anderson,	Frazier,	Ludlow,	Schaeffer,
Armstrong,	Gallaher,	Mack,	Schilling,
Arthur,	Gelder,	MacKinney,	Schleiter,
Asbury,	Gibbon.	Marcus, J. C.,	Schoener,
Aston,	Glasgow,	Marshall, J. G.,	Schwartz,
Baker,	Goehring,	Marshall, W. F.,	Shambach,
Baldi,	Golder,	Mathay,	Sheridan,
Beaver,	Gorham,	McBride,	Smith, G. A.,
Behney,	Goss,	McCaig,	Smith, H. J.,
Bell, F. A.,	Greeby,	McCann,	Smith, H.,
Bell, W. T.,	Griffith,	McClure,	Smith, J. W.,
Bentley,	Grimes,	McCurdy,	Spangler,
Berger,	Gundy,	McDaniel,	Speiser,
Betts,	Haas.	McDermott,	Sprowls,
Bidelspacher,	Haines,	McGowan,	Stark,
Blair,	Hall,	McKim,	Staudenmeier,
Bluett,	Harer,	McVicar,	Stavitski,
Blumberg,	Harter,	Metcalf,	Steedle,
Boback,	Haslett,	Millar,	Sterling,
Brenneman,	Haws,	Miller,	Stevens, A. F.,
Brewster,	Heffernan,	Minehart,	Stevens, A. J.,
Bromley,	Heffran,	Moffatt,	Stoner,
Brown,	Henderson,	Moore,	Storb,
Brownmiller,	Hetrick,	Morrison,	Storer,
Burchinal,	Heyburn,	Munley,	Thomas, L. D.,
Bush,	Himes,	Myers, G. C.,	Thomas, M. G.,
Chaplin,	Holcombe,	Myers, P. M.,	Thompson,
Clutton,	Hollis,	Nolte,	Van Alen,
Coldsmith,	Hontz,	O'Boyle,	Vickerman,
Colville,	Hoover,	Ogle,	Weamer,
Craig,	Horne,	Orr,	Wells,
de Young,	Howell,	Parkinson,	Wettach,
Diehm,	Huber,	Patterson,	Wheeler,
Dietz,	Irvin,	Peelor,	Whitehouse,
Dilsheimer,	Johnson,	Perry,	Whiteman,
Donahue	Jones, C. B.,	Pitts,	Williams, G. W.,
Driggs,	Jones, D. J.,	Posey,	Williams, J. M.,
Drinkhouse,	Keene,	Post,	Woner,
Eaches,	Kelly,	Price,	Wood, N.,
Earley,	Kennedy,	Raymond,	Wood, W. P.,
Evans, B. P.,	Kohler,	Rhodes,	Wright,
Evans, J.,	Kunkle,	Richards,	Zook,
Fields,	Labar,	Rinn,	Goodnough,
Flinchbaugh,	Lafferty,	Rippman,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Millar,

The House resumed the consideration on third reading of House Bill No. 690, entitled:

An Act requiring the judges of all courts of record to render their decisions within six months after the trial or argument of a case or after a petition is presented

On the question,

Will the House agree to the bill on third reading?

Mr. RHODES. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Millar permit himself to be interrogated?

Mr. MILLAR. Yes, sir, Mr. Speaker.

Mr. RHODES. Mr. Speaker, I desire the sponsor of the bill to explain its purpose.

Mr. MILLAR. Mr. Speaker, as stated in the bill the purpose is to require the judges to give their decision on petitions, rules, motions and other causes within six months of the date of trial or hearing.

Mr. RHODES. Supposing it is physically impossible for the court to do that?

Mr. MILLAR. I cannot imagine any case in which they would be physically unable to do that.

Mr. RHODES. Does it apply to all courts, common pleas superior and supreme courts?

Mr. MILLAR. All courts of record.

Mr. RHODES. Mr. Speaker, it seems to me a bill of this sort is very arbitrary and imposes unnecessary legislation upon the judges of all of our courts. Conditions may arise when the judges of the higher courts as well as the judges of the courts of common pleas and orphan's court are not able for many reasons to render their decisions within a period of six months. It seems to me that we should allow the judges to use their own discretion in these matters. Every one of these judges attempts to render his decision as quickly as possible and they all like to get them up and get their calendar cleared. It seems to me this is imposing an unnecessary limitation upon their decisions.

Mr. ALEXANDER. Mr. Speaker, I agree with the gentleman who has just addressed you, and it does not seem to me that the legislature should put any restriction upon our courts. My experience has been and I have been in other courts besides our own county, and the judges of other counties have been in our county recently trying cases, that the judges try to get their decisions out as quickly as they possibly can. There may have been times when we have had to wait longer for our decisions than we thought we ought to, but we must not forget that those judges are sworn to do their duty just the same as you and I, and I do not think it is proper for the legislature, without knowing the reason or without knowing anything that is moving our court, that we should make a hard and fast rule that those courts have to file their opinions within a limited time. I feel that our judges in the Commonwealth of Pennsylvania, and I know a great many of them,—I have enough confidence in all of them to believe they will do what is just and proper, and that justice will be properly meted out without any restrictions being put on them by the legislature.

Mr. MILLAR. Mr. Speaker, I have the utmost confidence in the integrity and determination on the part of most of the judges to expeditiously render decisions, but the fact remains that in some instances decisions are so long held up that litigants are deprived of valuable property rights because of delay. Now it would seem from the remarks of the previous speakers that the rights of a couple of hundred of judges in Pennsylvania are to be made paramount to the rights of eight millions of people who may or may not be litigants in the courts of Pennsylvania, nor the rights of the citizens of the State to a proper administration of justice. It seems to me there is no logical reason why a judge within that time should not hand down his decision. There are cases in the Courts of the county from which I come pending for years and undecided, and still that might not be general throughout the Commonwealth, but as I said before the fact still remains that there are many undecided cases where property rights are involved and citizens suffer because the decisions have not been rendered or cannot be rendered. I think the bill is entitled to the consideration of the House and should be passed.

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Millar.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Millar, permit himself to be interrogated?

Mr. MILLAR. Yes sir, Mr. Speaker.

Mr. ALEXANDER. Mr. Speaker, I would like to ask the gentleman what would happen if a judge did not hand down his decision, notwithstanding this Act of Assembly, within six months?

Mr. MILLAR. There is no penalty in the act. You know that as well as I do. If you want to put a penalty in it, I will be glad to amend the bill to make it a penal offense.

Mr. ALEXANDER. Would the gentleman amend the bill then so that in criminal cases the attorney for the defendant could file his opinion for him, and in civil cases the attorney for the complainant could file it?

Mr. MILLAR. I would prefer not to be ridiculous.

Mr. ALEXANDER. Don't you think the bill is ridiculous in the first place?

Mr. MILLAR. No, but I think some of your remarks are.

Mr. OGLE. Mr. Speaker, the sponsor of this bill seems to have forgotten the form of government under which we live. We have the executive, the judicial, and legislative. Neither has the right to trespass upon the perogatives of the other branches of the government. This is an attempt on the part of the legislature to inform the judiciary how it shall perform its duties. Decisions, according to the legislature, must be handed down by a judge inside of six months. We might as well, with as much propriety, have the judges of the supreme court step into the legislative halls and say, "Gentlemen, you must perform the duties of your office within sixty days". It is ridiculous and an absurdity. The judges are an independent body, acting upon their own initiative in the conduct of their office. This bill, as it is drawn, is a very harmless document in that it has no teeth, no means of enforcing it; it could not be taken in any other way than advisory, and it is advice not asked for and which would not be needed when given. Gentlemen, I think that as legislators we will be standing within our own rights and preserving the dignity and respect of the judiciary of this Commonwealth by defeating this measure.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—84.

Allman,	Glasgow,	Mangan,	Schleiter,
Arthur,	Golder,	Marcus, J.,	Sheridan,
Asbury,	Greeby,	Marcus, J. C.,	Smith, G. A.,
Baldi,	Grimes,	Mathay,	Smith, H.,
Blair,	Haws,	McBride,	Smith, J. W.,
Burns,	Heffernan,	McCann,	Sowers,
Chaplin,	Himes,	McDermott,	Spangler,
Coldsmith,	Hollis,	McGowan,	Speiser,
Conner,	Hontz,	Millar,	Steedle,
de Young,	Irvin,	Miller,	Stevens, A. J.,
Dietz,	Johnson,	Minehart,	Stoner,
Dilsheimer,	Jones, C. B.,	Myers, G. C.,	Storer,
Donahue	Keene,	Myers, P. M.,	Thomas, L. D.,
Drinkhouse,	Kennedy,	Nolte,	Thompson,
Eaches,	Kohler,	O'Boyle,	Van Alen,
Edmonds,	Kunkle,	Peelor,	Vickerman,
Fields,	Labar,	Perry,	Wells,
Fowler, A. I.,	Little,	Pitts,	Wettach,
Fowler, D.,	Long,	Price,	Whitehouse,
Gelder,	Lucas,	Richards,	Woner,
Gibbon,	Mack,	Sautter,	Zook,

NAYS—95.

Albert,	Driggs,	Howell,	Raymond,
Alexander,	Eshelman,	Jones, D. J.,	Rhodes,
Anderson,	Evans, B. P.,	Jones, E. P.,	Rinn,
Aston,	Evans, J.,	Kelly,	Sample,
Baker,	Flinchbaugh,	Korns,	Sarig,
Behney,	Flynn,	Lauver,	Schilling,
Bell, F. A.,	Frazier,	Ludlow,	Schoener,
Bell, W. T.,	Gallaher,	Lynch,	Schwartz,
Bentley,	Gilchrist,	MacKinney,	Shambach,
Betts,	Gorham,	Marshall, J. G.,	Stark,
Bidelspacher,	Griffith,	Marshall, W. F.,	Staudenmeier,
Bluett,	Gundy,	McClure,	Stevens, A. F.,
Blumberg,	Haas,	McCurdy,	Storb,
Boback,	Haines,	McDaniel,	Thomas, M. G.,
Brenneman,	Hall,	McKim,	Weamer,
Brewster,	Harter,	McVicar,	Wheeler,
Bromley,	Haslett,	Metcalf,	Whiteman,
Brown,	Henderson,	Moffatt,	Williams, G. W.,
Brownmiller,	Heffran,	Moore,	Williams, J. M.,
Bush,	Hetrick,	Morrison,	Wood, W. P.,
Clutton,	Heyburn,	Munley,	Wood, N.,
Colville,	Holcombe,	Ogle,	Wright,
Craig,	Hoover,	Parkinson,	Goodnough,
Diehm,	Horne,	Patterson,	Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Guerin.

The House resumed the consideration on third reading of House Bill No. 61, entitled:

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred and ninety-three, (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases;" authorizing a married women to mortgage her real property without the joinder of her husband.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHN G. MARSHALL. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Guerin, permit himself to be interrogated?

Mr. GUERIN. Yes sir, Mr. Speaker.

Mr. JOHN G. MARSHALL. Mr. Speaker, I would like to ask the gentleman to explain the difference between the provisions of this bill and the provisions in the bill introduced by his colleague, Mrs. Pitts, which was recently passed by this House.

Mr. GUERIN. Mr. Speaker, this bill permits a woman having property in her own right to mortgage it, and the bill introduced by Mrs. Pitts takes away from the man the right which he now has to mortgage his own property.

Mr. JOHN G. MARSHALL. Mr. Speaker, I would like the gentleman to explain what position we would be in if you pass this act, in view of the passage of the prior act.

Mr. GUERIN. I would like to answer the gentleman in the course of my remarks on the bill.

Mr. JOHN G. MARSHALL. Mr. Speaker, I yield to the sponsor of the bill, if he desires to answer the question.

Mr. GUERIN. Mr. Speaker, and members of the House, I desire to give you a short history, in the explanation of this bill, of why it was put on the postponed calendar several times. There came into my office one day a woman whom I know to be a hard worker, and she desired to purchase a

home. She paid a deposit on the home and wanted to raise a mortgage. She was asked the name of her husband and she gave it, and after the title was passed and the papers were drawn she was asked by the attorney to bring her husband to the office to sign the papers. She said, "I do not think I can do that because he deserted me several years ago." He said, "I am very sorry but you cannot have a mortgage because the law of this state prevents a married woman from creating a mortgage unless signed by the husband." I was induced by that very circumstance, and one of a similar nature, to introduce this bill. After the bill was introduced it passed first and second reading without any opposition whatever.

Upon the request of one of the members of the House I voluntarily requested that this bill be referred back to the Committee on Judiciary General. This was done. I came before that committee and a request was made that a postponement be had for two weeks, and a statement was made at that time that the judges of the common pleas courts of Philadelphia and the trust companies of Philadelphia were opposed to this bill. When the two weeks arrived, nobody appeared against the bill at all, but in the meantime I desired to find out if they were opposed to it, and if that were so, I would not push the bill any further. So I wrote to a well known woman in the city of Philadelphia, Mrs. J. Willis Martin, and with your permission I will read her answer: "Thank you very much for your letter. Mr. Martin and I are both in favor of married women having the right to mortgage their real estate. Mr. Martin gives his reason for favoring this bill in his letter which I enclose." And this is the letter from Judge Martin, of the court of common pleas No. 5: "In view of the political privileges that have now been extended the women, there seems to be no reasonable cause for restraining them in the disposition of their property." I wrote to several of the trust companies, and I have here the answers of the title officers of several of these companies. The first is the Land Title and Trust Company, which reads as follows: "Replying to your favor of the 15th inst., I beg to say that the bill in question, which proposes to establish equality betwen husband and wife in the matter of mortgages of real estate, appears to me to be a very excellent bill. While the old argument of the ease with which a woman can be imposed upon is still available, as against the bill, this is a theory which has long been exploded. There might be many excellent arguments advanced in favor of equalizing the sexes by requiring the signature of both husband and wife in mortgages of real estate owned by either party, but the bill in question seems to me to follow more nearly the trend of modern opinion, and should be passed." This is signed by the title officer of the company. I have here a similar letter, with a similar statement, which I will not impose on the House, signed by the president of the People Trust Company, Henry R. Robins. I also have one from the Real Estate Title Insurance and Trust Company, signed by Mr. Cowdrick, who has been for over twenty years the title officer of that company. Also a letter from the Mutual Trust Company.

I was told that this law would come in conflict with the laws of other states. To make sure that I was not doing anything contrary to them, I wrote to the Attorney General of New York, and I have his answer here: "I am in receipt of your favor of the 14th inst., advising me that you have presented to the House of Representatives of your State a bill allowing the wife to mortgage her own property without the joinder of her husband. You further state that a man has that right now but a woman has not and you ask me to advise you what the law on this subject is in the state of New York. Replying will say that a wife has a right to sell and convey any or all of her property, both real and personal, at any time without the joinder of her husband." I have a similar letter from the state of Ohio, office of the Attorney General, signed by the Attorney General, with practically the same answer. It is not quite the same in Ohio, where the law says, "A married person may take, hold and dispose of property, real or personal, the same as if unmarried." I further have here the endorsement of the Department of Charities, which among other bills, have endorsed House Bill No. 61, which is now under consideration. I also have from a former attorney general, Francis Shunk Brown, his letter of endorsement, and Barclay H. Warburton, the Director of Public Welfare of Philadelphia, also endorses it. I have another letter for which I ask your indulgence to read. I read it to a member of this House the other day and he said to me that, if for no other reason, because of this letter he would vote for the bill. The letter is as follows: "We noted with interest the introduction in the House of your bill allowing a woman to mortgage her property without consent of her husband. We are very anxious to have this bill become a law. I don't wish to take up your valuable time but would like to cite as an example a neighbor, a fine old lady who inherited a farm from her father and has supported a lazy, disagreeable husband for years. She had made a good sale of her farm, but her husband would not sign the deed, nor could she mortgage it to get the money she much needed for hospital and other expenses so necessary in her old age. There are thousands of similar cases in the State, so we are sincerely hoping that the House and Senate pass this bill which will give a woman the same rights that her husband now has."

In answer to the gentleman who asked the question as to how this bill relates to the other bill introduced by Mrs. Pitts, I would say that after this bill had passed second reading it was reported out of the judiciary committee at a time when I was not present, and a motion was made to place it on the postponed calendar. I went to the sponsor of the other bill and asked if there was not some common ground upon which we could meet or if she had an alternative to propose it. However, that bill was passed by the House, went over to the Senate and went into the Judiciary General Committee. Upon inquiry there, I have found that the bill has been indefinitely postponed and I have been told that it cannot become a law, so that if you do not pass this bill giving the married women this right, the old law shall continue that inequality, that is to say that men shall have the right to mortgage their property and the women will not have that right. In conclusion, I would ask you members to vote in support of this bill and give to every free American-born woman that right which is now given to foreign-born, unnaturalized aliens now living in this state.

Mr. JOHN G. MARSHALL. Mr. Speaker, in the beginning, I want it distinctly and clearly understood that I am just as much in favor of the women having their full consideration under the Constitution as any other man. I interrogated the sponsor of the bill not in a spirit of opposition to the provisions of the bill but because of the confusion which I am afraid is going to exist if we pass this bill after the passage of the other bill. For the benefit of the members of the House who are not members of the legal profession, I think a word of explanation as to what we are trying to do in this bill should be made. Under our laws at the present time we have a provision that a married woman cannot become an accommodation endorser, maker guarantor or surety for another without the joinder of her husband. On the other hand, under the present law a man can mortgage his property, even though married, without

the joinder of his wife, and that mortgage is absolutely valid. After the passage of the amendment, at the beginning of this session, the members realized the unfairness of this situation, and two bills have been introduced to meet that situation. One of them, that introduced by Mrs. Pitts, of Philadelphia, provides that in order for a mortgage to be valid the husband and wife must join, regardless of which one owns the property. We passed that bill a few days ago. This bill provides that the wife can mortgage the property without the joinder of her husband. Supposing we pass this and supposing the Senate passes both of them and both are signed by the Governor—which I am very well satisfied he would not do—but supposing they were both passed and signed by him, and we must pass them on the assumption that he will sign them, what position are we going to be in? This is what we have: We have one bill passed saying that no mortgage is valid unless the husband and wife join; then we have another statute on the books which says that the wife can mortgage her property alone without the joinder of her husband, and we would be put in the position of repealing an act that we passed a few days ago. That is my only purpose in interrogating the sponsor of this bill. Of the two bills introduced, in principle and fairness to the parties concerned, I think the bill introduced by Mrs Pitts expresses the fundamental principle which should be covered in the passing of such legislation. Let them both join in the mortgage so that neither one gets this mortgage because of family trouble.

Another matter which we are discussing is this in the second paragraph it retains the old provisions of the law which is now the law that she may not become accommodation endorser, maker, guarantor or surety for another and may not execute or acknowledge a deed or other written instrument conveying her real property unless her husband join in such conveyance. If we pass this bill as it is drafted, giving her the power to mortgage the property without the joinder of the husband, it simply gives her the power indirectly to do the things which the second paragraph of the bill says she shall not do, namely, become an endorser, maker and so forth. I have no opposition in principle to the bill, but the things we are aiming to accomplish should be done in such a way that we will not come to a point where we cannot and do not know what we have.

Mr. EDMONDS. Mr. Speaker, I have spent a great deal of time in trying to work out a situation that would equalize the difference between a husband and wife with reference to dealing in real estate, and I feel a great deal like the gentleman who has just spoken, for two reasons. The first is that two weeks ago we passed a bill that settled this matter in one way. How can we pass a bill that settles it in a different way in two weeks time, thereby sending over to the Senate two contradictory pieces of legislation, both of which will have the sanction of the majority of the members of the House? First we pass by a large majority a bill which provides that the husband and wife both must sign in order to legalize a mortgage. Now we are asked to pass another bill whereby the signature of one is sufficient. It seems to me that this whole circumstance is premature while the other bill is pending in the Senate, and having voted for one bill it seems to me it would be contradictory to settle it in another way while the first bill is still pending. In the second place, the question of remedy, which my friend from Philadelphia suggests in this bill is bound to have a harmful effect upon some others, and that is one of the things we are all interested in. The husband and wife, according to this bill, may mortgage property by their separate signatures. The husband may mortgage without the consent of the wife, and the wife may mortgage without the consent of the husband. The mortgage may be obtained merely for the purpose of getting the title out of the family.

There is another question which also should be considered. It is not merely the husband dealing with his property or the wife dealing with hers but there are children who enter into it, and to allow the home of these children to be taken away by the signature of one without the signature of the other seems to be most harmful in its effect on family life. Not only for this reason but for the first reason which I gave, we should not pass something which is directly contrary to what we passed two weeks ago. Personally I shall vote against this bill.

Mr. GUERIN. Mr. Speaker, I desire to point out this fact to the members of the House: It is this, that if the bill that has been passed and referred to by Mr. Edmonds,—if that bill fails in the Senate, we have no means of equalizing this condition, which appears to be the sentiment of all the House, But, on the suggestion of a fellow member, I would move that this bill be placed again on the postponed calendar until the Senate acts on the other bill.

Mr. ARTHUR. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker announced the "ayes" appeared to have it.

Whereupon, a division was called for, and one hundred and twenty-nine members, or more than a majority of the House having voted in the affirmative the question was determined in the affirmative and the motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Woner,

The House resumed the consideration on final passage of House Bill No. 413, entitled:

An Act relating to treasurers in counties of the sixth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. WONER. Mr. Speaker, I move that the vote by which this bill passed third reading, be reconsidered.

Miss MacKINNEY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. WONER. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties and Townships for the purpose of amendment.

Miss MacKINNEY. Mr. Speaker, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GOLDER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GOLDER. Mr. Speaker, and members of the House, I hesitated for some moments to rise to a question of per-

sonal privilege, because I know that there is now a great amount of work which we have to do, but the matter which I am about to present to the House is of such great importance, and it might mean such great consequences that I feel I am duty bound to impose upon your patience for a moment.

I have always had the greatest respect for newspaper men. I have had the greatest esteem for the men who represented the newspapers on the floor of this House, but never, in all my time, have I had greater cause to admire their great knowledge and their forsight and their general knowledge, not only of the affairs of this Commonwealth, but of the affairs of the nation and of the international matters with which we are concerned. I was approached this evening by a delegation of the newspapermen, headed by "Cap" Cummings of the Philadelphia Record, and despite the fact that for personal reasons—I should have no particular reason to favor any legislation which might be requested by these men, and which they have presented to me a resolution which I have been asked to introduce. I shudder members of this House, when I think what might have happened to the good name of Pennsylvania if this act of courtesy had been omitted. By presenting this resolution, I feel that Pennsylvania is maintaining its position in the forefront of those who follow not only national but international customs and courtesy, and so with the indulgence of the House, I desire to present this resolution, and ask that is be read by the Clerk, and move its adoption.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read as follows:

RESOLUTION

Whereas, his Royal Highness, King Boohoo, of Siam, will on April 6, 1923, observe with regal splendor the sixty-first anniversary of his birth and the thirty-second anniversary of his ascension to the throne, and

Whereas, his Majesty at all times and under all circumstances has been eminently fair and friendly to the people of this Commonwealth, and

Whereas, travelers from Pennsylvania, visiting the far-flung domains of his Majesty have always been treated with the utmost respect and courtesy, now, therefore,

Be it resolved, that this House extend to his Majesty, King Boohoo, of Siam, congratulations on having attained the ripe age of sixty-one, and that we further extend our wishes for a continuation of his happy reign, and

Be it further resolved that the clerk be instructed to forward a copy of these resolutions to Siam to be submitted to his Majesty through his Privy Counsellor.

Mr. GOLDER. Mr. Speaker, I don't wish to trespass any further upon the time of the members, but if this motion is not going to be put, may I suggest that, for the time being, at least, the resolution be referred to my stable?

The SPEAKER. The resolution lies over for printing.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McDermott.

The House resumed the consideration on third reading of House Bill No. 382, entitled:

An Act relating to the leasing of real property, making it unlawful to dispossess tenants or recover leased property except after thirty days' notice; prohibiting the execution of leases containing waivers of the provisions of this act and voiding certain leases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—116.

Albert,	Fowler, D.,	Labar,	Rhodes,
Alexander,	Gallaher,	Lauver,	Rinn,
Allman,	Gibbon,	Little,	Rippman,
Anderson,	Goehring,	Long,	Sample,
Arthur,	Golder,	Ludlow,	Sarig,
Aston,	Gorham,	Mack,	Sautter,
Baker,	Goss,	MacKinney,	Schaeffer,
Baldi,	Greeby,	Mangan,	Schilling,
Behney,	Griffith,	Marcus, J.,	Schoener,
Bentley,	Guerin,	Marshall, W. F.	Sheridan,
Berger,	Gundy,	McBride,	Smith, H. J.,
Betts,	Harer,	McCaig,	Smith, H.,
Blair,	Harter,	McCann,	Smith, J. W.,
Blumberg,	Haslett,	McClure,	Sowers,
Boback,	Heffernan,	McDermott,	Staudenmeier,
Brenneman,	Heffran,	McGowan,	Stavitski,
Brownmiller,	Heyburn,	Metcalf,	Stevens, A. F.,
Burns,	Himes,	Miller,	Stevens, A. J.,
Chaplin,	Holcombe,	Minehart,	Stofflet,
Conner,	Hontz,	Moore,	Van Alen,
Dietz,	Hoover,	Morrison,	Wettach,
Dilsheimer,	Horne,	Munley,	Wheeler,
Driggs,	Howell,	Myers, G. C.,	Williams, G. W.,
Drinkhouse,	Huber,	Myers, P. M.,	Wood, N.,
Edmonds,	Johnson,	Nolte,	Wright,
Eshelman,	Jones, E. P.,	O'Boyle,	Goodnough,
Evans, J.,	Keene,	Patterson,	Speaker.
Fields,	Kelly,	Perry,	
Flinchbaugh,	Kohler,	Post,	
Fowler, A. I.,	Korns,	Raymond,	

NAYS—58.

Armstrong,	Gelder,	McKim,	Stoner,
Asbury,	Glasgow,	McVicar,	Storb,
Beaver,	Grimes,	Millar,	Storer,
Bluett,	Haines,	Moffat,	Thomas, L. D.,
Brewster,	Hall,	Ogle,	Thomas, M. G.,
Brown,	Henderson,	Orr,	Thompson,
Burchinal,	Hetrick,	Parkinson,	Weamer,
Bush,	Hollis,	Peelor,	Wells,
Clutton,	Irvin,	Pitts,	Whiteman,
Craig,	Jones, C. B.,	Price,	Williams, J. M.,
de Young,	Jones, D. J.,	Richards,	Woner,
Diehm,	Kennedy,	Smith, G. A.,	Wood, W. P.,
Eaches,	Mathay,	Spangler,	Zook,
Evans, B. P.,	McCurdy,	Speiser,	
Frazier,	McDaniel,	Stark,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Rhodes.

The House resumed the consideration on final passage of House Bill No. 729, entitled:

An Act to amend sections one thousand one one thousand two one thousand three and one thousand four Article ten of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden refusing to aid a fire warden hindering a forest protection officer in his duties or non-abatement of a nuisance caused by maintaining a special forest fire hazard

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. RHODES. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. HOLCOMBE. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. RHODES. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend Section 1001 by omitting bracket before "be", line 19, page 2 and after "court," line 23, page 2.

Amend Section 1001 by striking out the word "one" in line 21, page 2, and inserting the word "five" in lieu thereof.

Amend Section 1001 by striking out the word "three" in line 22, page 2, and inserting the word "six" in lieu thereof.

Amend Section 1001 by striking out that portion of line 23, page 2, following the word "court" and all of lines 24, 25, 26, 27, page 2, and lines 1 and 2, page 3.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instruction of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 209, as follows:

An Act making an appropriation to O'Hara Brothers for payment for the burial of bodies of indigent persons under instructions of the State Department of Health

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one thousand six hundred and twenty-five dollars is hereby specifically appropriated to O'Hara Brothers of the borough of Shenandoah Pennsylvania for payment for the burial of bodies of thirteen indigent persons during the influenza epidemic in the year one thousand nine hundred and eighteen at the request and under the instructions of the State Department of Health Said appropriation shall be paid on warrant of the Auditor General on the State Treasurer upon the production of proof to the satisfaction of the Auditor General of the services rendered

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182

Albert,	Evans, B. P.,	Labar,	Rhodes,
Alexander,	Fields,	Lafferty,	Richards,
Allman,	Flinchbaugh,	Lauver,	Rippman,
Anderson,	Fowler, A. I.,	Little,	Sample,
Armstrong,	Fowler, D.,	Long,	Sarig,
Arthur,	Frazier,	Lucas,	Sautter,
Asbury,	Gallaher,	Ludlow,	Schaeffer,
Aston,	Gelder,	Lynch,	Schoener,
Baker,	Gibbon,	Mack,	Schwartz,
Baldi,	Gilchrist,	MacKinney,	Shambach,
Beaver,	Glasgow,	Malie,	Smith, G. A.,
Behney,	Goehring,	Mangan,	Smith, H. J.,
Bell, F. A.,	Golder,	Marcus, J. C.,	Smith, H.,
Bell, W. T.,	Gorham,	Marshall, W. F.	Smith, J. W.,
Bentley,	Goss,	Mathay,	Soffel,
Berger,	Greeby,	McBride,	Sowers,
Betts,	Griffith,	McCaig,	Speiser,
Bidelspacher,	Grimes,	McCann,	Sprowls,
Blair,	Guerin,	McClure,	Stark,
Bluett,	Haas,	McCurdy,	Staudenmeier,
Blumberg,	Haines,	McDaniel,	Stavitski,
Brenneman,	Hall,	McDermott,	Sterling,
Brewster,	Harer,	McGowan,	Stevens, A. F.,
Bromley,	Harter,	McKim,	Stevens, A. J.,
Brown,	Haslett,	Metcalf,	Stofflet,
Brownmiller,	Haws,	Millar,	Storb,
Burchinal,	Heffernan,	Miller,	Storer,
Burns,	Heffran,	Minehart,	Thomas, L. D.,
Bush,	Henderson,	Moffat,	Thomas, M. G.,
Chaplin,	Hetrick,	Moore,	Thompson,
Clutton,	Heyburn,	Morrison,	Van Alen,
Coldsmith,	Holcombe,	Munley,	Weamer,
Colville,	Hollis,	Myers, G. C.,	Wells,
Conner,	Hontz,	Myers, P. M.,	Wettach,
Coyne,	Hoover,	Nolte,	Wheeler,
Craig,	Horne,	O'Boyle,	Whiteman,
de Young,	Howell,	Ogle,	Williams, G. W.,
Diehm,	Huber,	Orr,	Williams, J. M.,
Dilsheimer,	Irvin,	Parkinson,	Woner,
Donahue,	Johnson,	Patterson,	Wood, N.,
Driggs,	Jones, D. J.,	Peelor,	Wood, W. P.,
Drinkhouse,	Jones, E. P.,	Perry,	Wright,
Eaches,	Keene,	Pitts,	Zook,
Earley,	Kennedy,	Post,	Goodnough,
Edmonds,	Kohler,	Price,	Speaker.
Eshelman,	Kunkle,	Raymond,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

HOUSE BILL No. 373.

An Act to amend an act approved June fifteenth, one thousand nine hundred and eleven (P. L. 955) entitled "An Act making state taxes unpaid bonus, interest, penalties and all public accounts a first lien upon the franchise and property of corporations, companies, associations, joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof, and repealing section four of the act approved April sixteen one thousand eight hundred and twenty-seven" by providing for the employment of counsel fixing such counsels' commissions and giving such commissions and costs the same priority and liens as such taxes bonus interest penalties and public accounts

With information that the Senate has passed the same amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 13, by striking out after the word "twenty-seven" the following; "by extending its provisions to include individuals and providing for attorneys' commissions making such commissions part of said claim and giving such commissions and costs the same priority as said taxes bonus interest and penalties and inserting in lieu thereof the following "by providing for the employment of counsel fixing such counsels' commissions and giving such commissions and costs the same priority and liens as such taxes bonus interest penalties and public accounts"

Amend Section 1, page 2, line 23 by striking out the following "individual corporation company association joint-stock association or limited partnership shall be a first lien upon the franchise and property both real and personal of such individual corporation company association joint-stock association or limited partnership from the date when they are settled by the Auditor General or by the Auditor General and State Treasurer" and inserting in lieu thereof the following "corporation company association joint-stock association or limited partnership shall be a first lien upon the franchise and property both real and personal of such corporation company association joint-stock association or limited partnership from the date when they are settled by the Auditor General and approved by the State Treasurer or in the cases where the Auditor General alone makes the settlement from the date when they are so settled by him and whenever the franchise or property of a corporation company association joint-stock association or limited partnership shall be sold at a judicial sale all taxes interest bonus penalties and public accounts due the Commonwealth shall first be allowed and paid out of the proceeds of such sale before any judgment mortgage or any other claim or lien against such corporation company association stock association or limited partnership"

On the question,

Will the House concur in the mendments made by the Senate?

Mr. WHITEMAN. Mr. Speaker, may I say that these amendments have been made in answer to objections that were made to the bill, and that they are entirely satisfactory to the sponsor.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165

Albert,	Gelder,	Mack,	Sautter,
Alexander,	Gibbon,	MacKinney,	Schaeffer,
Allman,	Gilchrist,	Malie,	Schleiter,
Anderson,	Goehring,	Mangan,	Schoener,
Baker,	Golder,	Marcus, J. C.,	Schwartz,
Baldi,	Goss,	Marshall, W. F.	Shambach,
Beaver,	Greeby,	McBride,	Smith, G. A.,
Behney,	Griffith,	McCaig,	Smith, H. J.,
Bell, F. A.,	Grimes,	McCann,	Smith, H.,
Bentley,	Guerin,	McClure,	Smith, J. W.,
Berger,	Gundy,	McCurdy,	Sowers,
Bidelspacher,	Hall,	McDermott,	Spangler,
Blair,	Harer,	McGowan,	Sprowls,
Bluett,	Harter,	McKim,	Stark,
Blumberg,	Haslett,	McVicar,	Staudenmeier,
Boback,	Haws,	Metcalf,	Stavitski,
Brenneman,	Heffernan,	Millar,	Sterling,
Brewster,	Heffran,	Miller,	Stevens, A. F.,
Bromley,	Henderson,	Minehart,	Stevens, A. J.,
Brown,	Hetrick,	Moffatt,	Storb,
Brownmiller,	Heyburn,	Moore,	Storer,
Burns,	Himes,	Morrison,	Thomas, L. D.,
Coldsmith,	Holcombe,	Munley,	Thomas, M. G.,
Conner,	Hollis,	Myers, G. C.,	Van Alen,
Coyne,	Horne,	Myers, P. M.,	Vickerman,
Craig,	Howell,	Nolte,	Weamer,
de Young,	Huber,	O'Boyle,	Wells,
Diehm,	Irvin,	Ogle,	Wheeler,
Dietz,	Jones, D. J.,	Orr,	Whitehouse,
Dilsheimer,	Jones, E. P.,	Parkinson,	Whiteman,
Driggs,	Keene,	Patterson,	Williams, G. W.,
Drinkhouse,	Kelly,	Peelor,	Williams, J. M.,
Eaches,	Kennedy,	Perry,	Woner,
Earley,	Kohler,	Pitts,	Wood, N.,
Edmonds,	Korns,	Posey,	Wood, W. P.,
Evans, B. P.,	Kunkle,	Post,	Wright,
Evans, J.,	Lafferty,	Raymond,	Zook.
Fields,	Lauver,	Rhodes,	Goodnough,
Fowler, A. I.,	Long,	Richards,	Speaker.
Fowler, D.,	Lucas,	Rinn,	
Fratt,	Ludlow,	Sample,	
Gallaher,	Lynch,	Sarig,	

NAYS—0.

NOT VOTING—Johnson.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL NO. 38.

An Act relating to treasurers in counties of the fifth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 4, by inserting after the word "be" the following: "five thousand dollars ($5,000)" and striking out in line 5, the following: "four thousand dollars ($4,000)".

Amend Section 6, page 2, line 29, by inserting after the syllable "urer" the following: "except commissions due or payable to the county treasurer for acting as agent of the Commonwealth which commissions shall be payable to the county treasurers as now authorized by law"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. VAN ALEN. Mr. Speaker, as sponsor of this bill, I wish to say that I am agreeable to these amendments.

Mr. EDMONDS. Mr. Speaker, may I interrogate the sponsor for a moment?

The SPEAKER. Will the gentleman from Northumberland, Mr. Van Alen, permit himself to be interrogated?

Mr. VAN ALEN. Yes, sir, Mr. Speaker.

The SPEAKER, The gentleman will proceed.

Mr. EDMONDS. As I understood the purpose of this bill, when it was before us, before there was a fixed salary in place of fees, but does not the amendment have the effect of restoring the fees in addition to the salary?

Mr. VAN ALEN. In answer to the question, I would state where the treasurer is acting as agent for the Commonwealth he is paid the treasurer's fee from money collected for the Commonwealth.

Mr. EDMONDS. As it was originally provided there was no fee paid to the treasury?

Mr. VAN ALEN. That could not be helped in this instance, because it would necessitate a change in every county in the Commonwealth, while this only applies to counties of the fifth class.

Mr. EDMONDS. Does it have the effect now of giving the county treasurer in the fifth class counties a salary of five thousand dollars and in addition to that, a commission on all he collects for the State?

Mr. VAN ALEN. It does, sir.

Mr. EDMONDS. That would make his salary what?

Mr. VAN ALEN. About two-thirds of the salary that he is now drawing.

Mr. EDMONDS. Two-thirds as a total?

Mr. VAN ALEN. Just about, sir.

Mr. EDMONDS. What is his present salary?

Mr. VAN ALEN. Anywhere from twelve to fifteen thousand dollars a year.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albert,	Glasgow,	Mangan,	Schleiter,
Alexander,	Goehring,	Marcus, J. C.,	Schoener,
Anderson,	Gorham,	Marshall, W. F.	Schwartz,
Armstrong,	Goss,	McBride,	Shambach,
Arthur,	Greeby,	McCaig,	Sheridan,
Asbury,	Griffith,	McCann,	Smith, G. A.,
Baldi,	Grimes,	McClure,	Smith, H. J.,
Beaver,	Guerin,	McCurdy,	Smith, H.,
Behney,	Haas,	McDaniel,	Smith, J. W.,
Bell, F. A.,	Haines,	McGowan,	Sowers,
Bell, W. T.,	Hall,	McKim,	Speiser,
Bentley,	Harter,	McVicar,	Sprowls,
Berger,	Haslett,	Metcalf,	Stark,
Betts,	Haws,	Millar,	Staudenmeier,
Bidelspacher,	Heffernan,	Miller,	Steedle,
Bluett,	Heffran,	Minehart,	Sterling,
Blumberg,	Henderson,	Moffatt,	Stevens, A. F.,
Bromley,	Hetrick,	Moore,	Stevens, A. J.,
Brownmiller,	Heyburn,	Morrison,	Stoner,
Burchinal,	Himes,	Munley,	Storb,
Chaplin,	Horne,	Myers, G. C.,	Storer,
Coldsmith,	Howell,	Myers, P. M.,	Thomas, L. D.,
Conner,	Huber,	Nolte,	Thomas, M. G.,
Craig,	Irvin,	O'Boyle,	Thompson,
de Young,	Jones, C. B.,	Ogle,	Van Alen,
Diehm,	Jones, D. J.,	Orr,	Weamer,
Dietz,	Jones, E. P.,	Parkinson,	Wells,
Dilsheimer,	Keene,	Patterson,	Wettach,
Driggs,	Kelly,	Peelor,	Wheeler,
Drinkhouse,	Kennedy,	Perry,	Whitehouse,
Earley,	Kohler,	Pitts,	Whiteman,
Edmonds,	Korns,	Posey,	Williams, G. W.,
Eshelman,	Kunkle,	Post,	Williams, J. M.,
Evans, B. P.,	Lafferty,	Raymond,	Woner,
Evans, J.,	Lauver,	Rhodes,	Wood, N.,
Fowler, A. I.,	Little,	Richards,	Wood, W. P.,
Fowler, D.,	Long,	Rinn,	Wright,
Fratt,	Lucas,	Rippman,	Zook,
Frazier,	Ludlow,	Sample,	Goodnough,
Gallaher,	Lynch,	Sarig,	Speaker.
Gibbon,	Mack,	Sautter,	
Gilchrist,	MacKinney,	Schaeffer,	

NAYS—2.

Brenneman,	Flinchbaugh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in,

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 51.

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost damages and expenses of construction of such bridges and the maintenance thereof between the State the county and any railroad company or companies whose tracks are crossed by such bridges

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended in which amendments the Senate has concurred.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

HOUSE BILL No. 219.

A Joint Resolution proposing an amendment to article seventeen, section eight of the Constitution of the Commonwealth of Pennsylvania, authorizing the granting of free passes or passes at a discount to clergymen.

HOUSE BILL No. 470.

An Act to amend sections one and two of the act approved the twenty-third day of June, one thousand nine hundred and seventeen (P. L. 639), entitled "An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the distribution thereof" extending said act to cities of the second class.

With information that the Senate has passed the same without amendment.

ADJOURNMENT.

Mr. HAWS. Mr. Speaker, I move that this House do now adjourn until 11.00 o'clock to-morrow morning.

The motion was agreed to, and (at 11:59 P. M.) the House adjourned until 11:00 o'clock to-morrow morning.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

TUESDAY, APRIL 3, 1923.

The Senate met at 11:00 o'clock A. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Almighty God: We are very glad and thankful that all things are in Thy hands; that Thou dost rule and overrule; that it is forever true that while "Man proposes, God disposes." All about us we see the forces of evil in the world, the forces of pride and hatred and selfishness. And sometimes we tremble lest the evil may prevail, and truth and justice and righteousness be overthrown. We are thankful that Thou art mightier than all Thy foes; that the reins of government are in Thy hands, and that those who would set themselves against Thee are but as the small dust of the balance in Thy sight. Bare Thy right arm and get unto Thyself the victory, and in the day of moral and spiritual battle may we always be found on Thy side. For Jesus Christ's sake. Amen.

JOURNAL APPROVED.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. VARE, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. ARON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 537, (House Bill No. 560), entitled:

An Act to repeal the act approved the twenty-third day of February, one thousand eight hundred and seventy, (P. L. 223), entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy, in said county," and the act approved the nineteenth day of May, one thousand eight hundred and seventy-one, (P. L. 983), entitled "A supplement to an act, entitled 'An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy, in said county,' passed the twenty-third day of February, Anno Domini one thousand eight hundred and seventy."

Mr. BETTS, from the Committee on Education, reported as committed, Senate Bill No. 507, entitled:

An Act to amend section one of an act, approved the ninth day of July, one thousand nine hundred and nineteen, (P. L. 794) entitled "An act providing that estates in buildings, ground, books, curios, pictures, statuary and other works of art, passing by will to any municipality corporation, or unincorporated body, for free exibition within Pennsylvania, shall not be subject to collateral inheritance tax, and, in certain instances, the date when such tax shall become due," extending the act to property passing to colleges, universities and educational institutions.

Mr. HARRIS, from the Committee on Education, reported as committed, Senate Bill No. 509, entitled:

An Act to require the teaching of the constitution of the United States in the public and private schools.

Mr. CLARK, from the Committee on Education, reported as committed, Senate Bill No. 396, (House Bill No. 362), entitled:

An Act to empower and authorize any school or college or institution of optometry incorporated under the laws of Pennsylvania organized operated and conducted not for profit which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study

Mr. PHIPPS, from the Committee on Military Affairs, reported as committed, Senate Bill No. 666, (House Bill No. 691), entitled:

A Supplement to the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (P. L. 322) entitled "An Act creating a Commission to select an historic spot as a cemetery for the burial of bodies of soldiers, sailors, marines, war nurses and members of the National Guard defining the powers and duties of the Commission and making an appropriation" extending the time for the making of the report of the Commission and making an additional appropriation.

Mr. PHIPPS, from the Committee on Judiciary General, reported as amended, Senate Bill No. 464, entitled:

An ---- providing a means whereby real estate, devised upon a trust to divide it among other persons, and the trustee has died without performing the trust, may be divided amicably by the interested persons, with the approval of the Orphans' Court and the legal title be vested in them by judicial decree.

QUESTION OF PERSONAL PRIVILEGE.

Mr. EYRE. Mr. President, I rise to question of personal privilege.

The PRESIDENT. The Senator from Chester, Mr. Eyre, will state his question of personal privilege.

Mr. EYRE. Mr. President, the rule providing for the keeping of the floor of the Senate clear of those not entitled to the floor is being grossly violated, and I suggest that the Presiding Officer call this to the attention of the Sergeant-at-Arms, and ask those not entitled to the privileges of the floor to retire.

The PRESIDENT. The Sergeant-at-Arms will see that all who are not entitled to those privileges will retire from the floor of the Senate.

REPORTS FROM COMMITTEES.

Mr. CHRISTLEY, from the Committee on Education, reported as amended, Senate Bill No. 188, entitled:

An Act authorizing the transfer of the property and franchises of certain schools and academies to State Normal Schools.

Mr. KUTZ, from the Committee on Judiciary General reported as committed, Senate Bill No. 589, entitled:

An Act authorizing sheriffs, in counties of the fourth class to appoint a solicitor; prescribing the dutes of said solicitor, and fixing his salary.

Mr. CRAIG, from the Committee on Judiciary General, reported as committed, Senate Bill No. 472, entitled:

An Act to amend section one of an act approved the eighteenth day of July, one thousand nine hundred and seventeen, (P. L. 1072), entitled "An Act providing a method of establishing title to land acquired at a sale for unpaid taxes," extending the provisions of said act to all such sales.

Mr. NORTON, from the Committee on Apportionment, reported as committed, Senate Bill No. 533, (House Bill No. 524), entitled:

An Act to amend part of section one of an act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455), entitled, "An Act to fix the number of representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

Mr. DAIX, from the Committee on Judiciary General, reported as committed, Senate Bill No. 601, entitled:

An Act authorizing boards of revision of taxes and boards for the assessment and revision of taxes to hear and dispose of appeals away from the county seat.

Mr. CULBERTSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 203, entitled:

A Joint Resolution proposing an amendment to Article 3, Section 6, of the Constitution of the Commonwealth of Pennsylvania, so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title.

Mr. JOYCE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 511, entitled:

An Act making it a misdemeanor to forge or to make or manufacture any object with intent of representing or of permitting the same to be represented as an archeological specimen; or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully forged, made or manufactured; and providing penalties.

Mr. SISSON, from the Committee on Education, reported as committed, Senate Bill No. 439, entitled:

An Act to amend section one thousand one hundred five, and one thousand one hundred thirty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 56, entitled:

A Joint Resolution creating a commission to investigate the transportation facilities of the Pennsylvania Railroad Company and its compliance with its corporate charter; providing the powers of said commission; and making an appropriation.

Mr. BALDWIN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 634, entitled:

An Act to amend section one of the act approved the tenth day of July, one thousand nine hundred and nineteen, (P. L. 903) entitled "An Act regulating the fees of notaries public."

Mr. WOODWARD, from the Committee on Judiciary General, reported as committed, Senate Bill No. 489, entitled:

An Act to amend section two of the act of April 19, 1901, P. L. 88, entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued.

BILLS INTRODUCED.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 681, entitled:

An Act providing for the refunding of moneys erroneously paid into the State Treasury as taxes by dealers in goods, wares and merchandise under the mercantile license tax law, and making an appropriation for such refunding.

Which was committed to the Committee on Appropriations.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 682, entitled:

An Act making an appropriation to the Saint Christopher's Hospital for Children, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. HOFFMAN read in his place and presented to the Chair Senate Bill No. 683, entitled:

An Act making an appropriation to the General Hospital, of East Stroudsburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BALDWIN read in his place and presented to the Chair Senate Bill No. 684, entitled:

An Act to establish as a State highway a certain section of public road in the County of Potter.

Which was committed to the Committee on Public Roads and Highways.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 685, entitled:

An Act to further amend sections one, two, three, five and seven, as amended of the act approved May 1, 1909 (P. L. 321) entitled "An Act to provide for State registration of nurses, to establih a State Board of Examiners in connection therewith, and to provide penalties for the violation of certain provisions regarding such registration;" by providing for a change in membership of the Board, for a change in salary of the secretary, treasurer, educational director and of the members of the Board

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair Senate Bill No. 686, entitled:

An Act relating to the registration and re-registration of nurses and attendants by the State Board of Examiners for Registration of Nurses; the issuance of a license to practice nursing, and care for the sick; fixing a standard educational requirement for entrance into training schools for nurses, making the violation of this act a misdemeanor and providing penalties.

Which was committed to the Committee on Public Health and Sanitation.

Mr. BERNTHEIZEL read in his place and presented to the Chair Senate Bill No. 687, entitled:

An Act making an appropriation to the Columbia Hospital, at Columbia, Lancaster County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 688, entitled:

An Act relating to county bridges; authorizing county commissioners to issue and sell bonds for the erection of bridges over boundary lines and to hold elections for the purpose of increasing indebtedness; providing for the division of the cost of constructing joint bridges; providing for the collection of tolls thereon and the application of the same and the appointment of employees.

Which was committed to the Committee on Public Roads and Highways.

Mr. DAVIS read in his place and presented to the Chair Senate Bill No. 689, entitled:

An Act to establish as a State Highway a certain section of public road in the county of Lackawanna.

Which was committed to the Committee on Public Roads and Highways.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 690, entitled:

An Act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the procedure in case of condemnation and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields where such city is authorized to establish and maintain the same.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 691, entitled:

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within or without the limits of said cities for the purpose of establishing and maintaining municipal airdromes or aviation landing fields; providing for the procedure in cases of condemnation and the extent of title acquired; authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental; and empowering said cities to operate and maintain said fields jointly with any county within which said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field.

Which was committed to the Committee on Municipal Affairs.

RESOLUTIONS.

AUTHORIZING CHIEF CLERK TO HAVE PRINTED FOR THE USE OF THE SENATE 2500 COPIES OF SENATE BILL No. 586.

Mr. EYRE offered the folowing resolution, which was twice read, considered and agreed to.

Resolved That the Chief Clerk of the Senate be and he is hereby authorized to have printed for the use of the Senate Twenty-five Hundred (2500) copies of Senate Bill No. 586, entitled:

An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and certain existing and certain new Administrative Departments, Boards, Commission and Officers; abolishing, combining, changing the names of, reorganizing or authorizing the reorganization of, certain administrative Departments, Boards, Commissions, Bureaus, Divisions, offices and Agencies; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative Departments, Board of Commissions; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain Departments, Boards, and Commissions; and prescribing the manner in which the number and compensation of the Deputies and all other assistants and employees of certain Departments, Boards and Commissions shall be determined.

RESOLUTION AUTHORIZING THE APPOINTMENT OF COMMITTEE TO DRAFT RESOLUTIONS ON THE DEATH OF THE HONORABLE EDWIN H. VARE, AND FIXING TIME FOR MEMORIAL SESSION.

Mr. DAIX offered the following resolution, which was twice read, considered and agreed to.

Resolved, That a committee of five Senators be appointed to draft suitable resolutions and prepare a program for memorial exercises on the death of the late Senator Edwin H. Vare, of Philadelphia, who died on October sixteenth, one thousand nine hundred and twenty-two, and that a special meeting of the Senate be held on Tuesday, April tenth, one thousand nine hundred and twenty-three, at one o'clock P. M., to receive the report of the committee.

MOTION TO READ BILL THE FIRST TIME

Mr. EYRE. Mr. President, I move that Senate Bill No. 56, entitled:

A Joint Resolution creating a commission to investigate the transportation facilities of the Pennsylvania Railroad Company and its compliance with its corporate charter; providing the powers of said commission; and making an appropriation.

which was reported from the Committee on Appropriations at today's session, be read the first time.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 56, entitled:

A Joint Resolution creating a commission to investigate the transportation facilities of the Pennsylvania Railroad Company and its compliance with its corporate charter; providing the powers of said commission; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. EYRE. Mr. President, I move that Senate Bill No. 56, the bill just read, be recommitted to the Committee on Railroads.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

TIME OF NEXT MEETING.

Mr. DAVIS offered the following resolution, which was twice read, considered and agreed to.

Resolved (if the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening, April ninth, at nine o'clock, and when the House of Representatives adjourns this week it reconvene on Monday evening, April ninth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE OF REPRESENTATIVES FOR JOINT SESSION.

The PRESIDENT. On behalf of the President Pro Tempore the Chair desires to announce the following committee on the part of the Senate to escort the Governor to the Hall of the House of Representatives for the joint session today at twelve o'clock noon: the Senator from Dauphin, Mr. Smith, the Senator from Bucks, Mr. Buckman, and the Senator from Montgomery, Mr. Stites.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 30, as follows:

An Act to amend an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred seventy-nine entitled "An Act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and fifty-nine) entitled 'An Act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole' by extending said act to include houses of correction conferring similar powers on other courts of record and providing that the powers of parole shall extend for a period not to exceed the maximum sentences as provided by law" providing the procedure in cases of parole conferring power to parole upon the several courts instead of judges thereof and fixing the time when petitions for parole may be first presented

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred seventy-nine) entitled "An Act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and fifty-nine) entitled 'An Act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole' by extending said act to include houses of correction conferring similar powers on other courts of record and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the (the judges of the) courts of quarter sessions and the courts of oyer and terminer of the several judicial districts of the Commonwealth and other courts of record having jurisdiction are authorized after due hearing (inquire) to release on parole any convict confined in the county jail house of correction or workhouse of their respective district (and) No convict shall be paroled under the provisions of this act except upon petition verified by the oath of the person convicted or by some one in his or her behalf and presented and filed in the court in which such person was convicted Upon the presentation of any such petition the court shall fix a day for hearing A copy of said petition shall also be served upon the district attorney and upon the prosecutor in the case if he is resident within the county at least ten days before the day fixed for said hearing Proof of service upon the district attorney and the prosecutor shall be produced at the hearing After such hearing the court shall make such order as to it may seem just and proper In case the court shall parole such convict it shall place him or her in charge of and under the supervision of a designated probation officer Any of said courts (and) shall have (the) power to recommit to jail (or) workhouse or house of correction on cause shown by such probation officer that such convict has violated his or her parole and to reparole in the same manner and by the same procedure as in the case of the original parole if in the judgment of said court (judge) there is a reasonable probability that the convict will be benefited by again according liberty to such convict and also to again recommit for violation of such parole This power of parole shall extend for a period not to exceed the maximum sentence provided by law for the offense of which the convict was convicted regardless of the sentence first imposed upon the prisoner Provided however That any of said courts may release on parole upon petition to any of said courts any person who has been committed to any jail workhouse or house of correction by any magistrate alderman or justice of the peace Said courts shall have the same power to recommit such persons paroled as herein set forth

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culberston,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 119, as follows:

An Act creating the office of controller in counties of the first second third fourth and fifth classes prescribing his powers and duties imposing certain duties upon such county commissioners and county treasurers and abolishing the office of county auditor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the office of county controller is hereby established in each county of the Commonwealth of the first second third fourth and fifth classes At the municipal election in the year one thousand nine hundred and twenty-three and every four years thereafter there shall be elected in each of said counties not having a controller and in each of the counties where the term of the county controller then in office expires on the first Monday of January next succeeding a controller who shall hold office for a term of four years from the first Monday of January next succeeding such election At the municipal election in the year one thousand nine hundred and twenty-five and every four years thereafter there shall be elected in each of said counties where the term of county controller then in office expires on the first Monday of January next succeeding a controller for a term of four years from the first Monday of January next succeeding such election Whenever any county shall hereafter come within any of the classes of counties to which this act applies there shall be elected in such county at the first municipal election thereafter and every four years thereafter a controller who shall hold his office for a term of four years from the first Monday of January next succeeding his election The controller of each county shall hold his respective term of office until his successor shall be duly elected and qualified if he shall so long behave himself well In any of said counties not having a controller at the date of the passage of this act and in any of said counties hereinafter coming within the provisions of this act the office of county auditor shall be abolished from and after the date when the controller herein provided for shall commence his term of office

Section 2 No person holding any office under the United States shall be eligible to the office of controller during his continuance in office nor until one year thereafter No county commissioner county treasurer prothonotary register of wills clerk of the courts recorder of deeds sheriff or district at-

torney or their chief clerks or deputies shall be eligible to the office of county controller until two years after the expiration of their respective terms of office but a controller shall always be eligible to re-election or appointment

Section 3 Before entering upon the duties of his office the controller shall give bond to the county in which he may be elected with at least two sufficient sureties or with corporate surety in the sum of twenty thousand dollars to be approved by the court of common pleas of said county conditioned for the faithful performance of his duties and those of his deputies. The cost and expense of procuring any bond shall be paid by the county from the county treasury The controller and his deputies and clerks shall also each take and subscribe the oath or affirmation as prescribed by article seven of the Constitution and a wilful violation of said oath shall constitute perjury. The oaths and the bond herein provided for shall be recorded in the recorder's office of the proper county and shall then be filed and kept in the county commissioners' office Records thereof or certified copies of the same may be used in evidence in all judicial proceedings with the same force and effect as the original.

Section 4 The Governor shall appoint a person in each county wherein this act is or becomes operative to act as controller for such county until his successor in office is duly elected and qualified and shall also appoint a suitable person to fill any vacancy that may occur by death resignation or removal from office of the controller in any county wherein this act is or becomes operative

Section 5 The controller shall appoint a deputy controller and such other clerks and persons as may be necessary The salary of such deputy and clerks shall be fixed by the county commissioners and the county controller in the manner now provided by law The deputy controller shall during the necessary or temporary absence of the controller or in the case of a vacancy in said office have the same powers and perform the same duties as are herein provided for the office of controller

Section 6 The controller shall have general supervision and control of the financial affairs of the county and of the accounts and official acts of all officers or other persons who shall collect receive or distribute the public moneys of the county or who shall be charged with the management or custody thereof. He may at any time require from any of them in writing an acount of all moneys or property which may have came into their control He shall immediately upon the discovery of any default or discrepancy report the same to the county commissioners and to the court of common pleas of the county and shall take immediate measures to secure the public moneys or property and to secure the removal of the delinquent party if in office and not removed by the county commissioners

Section 7 The controller shall cause to be kept a full and regular set of books in detail by double entry of all the financial operations of the county embracing as many accounts under separate titles as may be necessary to show distinctly and separately all the property of the county its receipts and expenditures and all debts and accounts due the county officers or others the amount raised from each source of revenue and the expenditures in detail and classified with reference to the objects thereof He shall prescribe the form and manner of keeping the books and papers used by each of the officers of said county in connection with the financial affairs of their offices He shall on or before the first day of February annually deliver to the county commissioners in writing a detailed estimate of the expenditures for the legitimate purposes of the county for the current year including interests due and to fall due on the lawful debts of the county bearing interest The commissioners shall on or before the fifteenth day of February thereafter fix such rate of taxation upon the valuation of the property of the county as will raise sufficient sums to meet the said expenditures The commissioners shall not by contract or otherwise increase the expenditures of the county in any year to an amount beyond the taxes assessed for the said year

Section 8 The controller shall in the month of January in each year make a report verified by oath or affirmation to the court of common pleas of the county of all receipts and expenditures of the county for the preceding year in detail and classified as required by the seventh section of this act Such report shall also contain a full statement of the financial condition of the county The report shall be published one time in such newspapers published in the county as the controller may direct The aggregate cost of such publication shall not in any one year exceed fifteen hundred dollars and shall be paid out of the county treasury

Section 9 The controller shall keep his office in a room or rooms of the court house or city hall of the county and such room or rooms shall be furnished at the expense of the county The controller shall furnish to the county commissioners whenever required by them a detailed account of any officer or other person having in his possession or under his control funds belonging to the county He shall at all times between the hours of ten o'clock ante meridian and two o'clock post meridian give information respecting any of said accounts to any taxpayer of the county demanding the same

Section 10 The controller shall scrutinize audit and decide on all bills claims and demands whatsoever against the county All persons having such claims shall first present the same to the controller and if required make oath or affirmation before him to the correctness thereof He may if he deems it necessary require evidence by oath or affirmation of the claimant or other persons that the claim is legally due and that the supplies work or services for which payment is claimed have been furnished or performed under legal authority He shall inquire and ascertain whether any officer or agent of the county is interested in the contract under which any claim may arise or has received or is to receive any commission consideration or gratuity relating thereto or whether there has been any evasion of the twelfth section of this act by making two or more contracts for small amounts which should have been in one contract If he shall find that there has been any evasion or that any such officer or agent is so interested he shall refuse to approve the claim All claims which he shall find legally due he shall approve and certify to the county commissioners All claims which he shall find or believe to be not legally due he shall disapprove He shall countersign all receipts given by the county treasurer to persons paying money into the treasury and keep an accurate record of the same

Section 11 After the controller shall have assumed the duties of his office it shall be unlawful for the county commissioners of such county to draw any warrant on the county treasury for the payment of any debt claim or demand whatsoever unless the same has been audited and approved by the controller as provided in this act Except that separate warrants for the payment of fees of jurors witnesses criers and tipstaves of the several courts of the county which amounts shall be ascertained by the several courts of the county and entered upon the records thereof shall be duly certified by the respective clerks of the courts to the county commissioners after having first been sworn to before the controller for preservation as soon as the warrants are issued

Section 12 All contracts made by the county commissioners of any county involving an expenditure exceeding three hundred dollars shall be in writing and shall immediately after their execution be filed with the controller No contract shall be made or payment thereof be certified by the controller involving more than three hundred dollars unless such contract is made with the lowest or best bidder after due notice published by the controller when directed by the county commissioners if the controller approved the purposes for which bids are invited All bids on contracts shall be received by the controller and such bids shall be opened and contracts awarded by the county commissioners in the presence of the controller He shall keep a record of all such awards and shall not certify any warrants or approve any bills founded upon any contracts not made in accordance with the provisions hereof

Section 13 All warrants drawn on the county treasurer by the county commissioners on certificates as provided in the tenth eleventh and twelfth sections of this act shall be countersigned by the controller and he shall keep a correct register thereof noting (a) the number (b) the date and amount of each (c) date of payment and (d) to whom and for what issued and shall report to the commissioners monthly or oftener if required by them the amount of outstanding warrants registered and the amount of money in the treasury

Section 14 The controller shall have the custody (a) of all official bonds (except his own) given to the county (b) of all title deeds to real estate owned by the county (c) of all contracts entered into by or on behalf of the county (d) of all books documents and papers relating to its financial affairs and (e) of all bonds and other obligations issued by said county when paid All such bonds and other obligations when so paid

shall be distinctly cancelled by him and be carefully and regularly filed A register of such cancellation shall be kept in a book to be provided for that purpose

Section 15 No county treasurer shall pay any moneys out of the county treasury except on warrant drawn by a majority of the county commissioners and countersigned by the controller The books of the county treasurer shall at all times during office hours be open to the inspection of the controller and the county treasurer shall report daily to the controller all moneys received by him for the county the person by whom and on what account they were paid The county treasurer shall cancel all warrants when paid by distinctly spearing or cutting them He shall also report daily all moneys paid out by him giving the number of the warrant and the party to whom paid and shall deliver the warrants to the controller who shall cancel the same All outstanding warrants issued before any controller enters upon the duties of his office shall be presented to him as other claims against the county Provided That in counties to which this act applies wherein the poor tax is paid into the county treasury the county treasurer shall keep a separate account of such poor tax received by him and pay out the same upon warrants drawn by a majority of the directors of the poor of the county

Section 16 All duties devolved and powers conferred on the county auditors by the act of April fifteenth one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An act relating to counties and townships and county and township officers" shall be performed and exercised by the controller so far as regards county accounts and State taxes for which the county is or may be liable All other accounts with the Commonwealth shall be audited by the auditor of accounts of prothonotaries clerks et cetera appointed by the court of common pleas under the act of April twenty-first one thousand eight hundred and forty-six and its amendments and supplements The report required by the eighth section of this act shall have the same effect as the report of auditors under the said act of April fifteenth one thousand eight hundred and thirty-four with like rights of appeal therefrom

Section 17 The act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" and the several amendments thereto are hereby repealed but such repeal shall not affect the term of any county controller in office at the time of the passage of this act and all such officers in office shall hold their respective offices until the expiration of their respective terms and shall have the powers perform the duties and be subject to the limitations and restrictions provided for by this act

All other acts and parts of acts inconsistent with this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culberston,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 120, as follows:

An act fixing the salaries of the controller in counties of the first second third fourth and fifth classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salaries of the controller in counties of the first class shall be eight thousand dollars ($8,000) per annum in counties of the second class eight thousand dollars ($8,000) per annum in counties of the third class six thousand dollars ($6,000) per annum in counties of the fourth class four thousand eight hundred dollars ($4,800) per annum and in counties of the fifth class four thousand two hundred dollars ($4,200)

This act shall not apply to any county controller in office at the date of approval of this act

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Aron,	Davis,	Krause,	Patton,
Baldwin,	Derrick,	Kutz,	Phipps,
Barr,	DeWitt,	Long,	Schantz,
Berntheizel,	Eyre,	MacDade,	Snyder,
Betts,	Harris,	Mansfield,	Sones,
Christley,	Heaton,	McClintock,	Steele,
Clark,	Homsher,	McNichol,	Stites,
Craig,	Huffman,	Miller,	Vare,
Culberston,	Jones,	Norton,	Woodward,
Daix,	Joyce,		

NAYS—6.

Brown,	Sisson,	Stineman,	Weaver,
Lanius,	Sprowls,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 247, as follows:

An Act supplementing and amending an act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and fifty-nine) entitled "An act authorizing certain corporations to issue preferred or common stock of one or more classes providing for the manner of issuance restrictions and regulations in the manner of voting thereof and the rights and privileges of the holders thereof validating certain acts of corporations not participated in by the holders of non-voting stock and repealing all acts and parts of acts inconsistent therewith" further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value and regulating such issuing of said stock

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and fifty-nine) entitled "An act authorizing certain corporations to issue preferred or common stock of one or more classes providing for the manner of issuance restrictions and regulations in the manner of voting thereof and the rights and privileges of the holders thereof validating certain acts of corporations not participated in by the holders of non-voting stock and repealing all acts or parts of acts inconsistent therewith" is hereby amended to read as follows:

Section 1 Be it enacted &c. That every corporation heretofore or hereafter incorporated under the laws of this Commonwealth excepting those referred to in section two of this act may create two or more kinds of common stock and two or more kinds of preferred stock either with nominal or par value or without nominal or par value at the time of its incorporation by provisions inserted in the certificate of incorporation or at any later time and in case of corporations heretofore incorporated by amendment in the manner now provided by law of its certificate of incorporation with the consent of a majority in interest of its stockholders having voting power obtained at a meeting to be called for that purpose Notice of the time place and purpose of such meeting shall be published once a week for sixty (60) days prior to said meeting in a newspaper of general circulation and in the legal journal if any of the county in which the principal office of the corporation in this Commonwealth is located Such classes of stock may from time to time be authorized and issued out of the unissued stock of the corporation Such stock may be issued in one or more classes in such amounts for each class without regard to the amount of any other class or the amount of unqualified common stock and with such designations rights privileges limitations preferences and voting powers or prohibitions restrictions or qualifications of the voting and other rights and powers and upon such terms as to redemption in any class thereof (at not less than par) and convertible or not into any other class of stock common or preferred as may be set forth in the original certificate of incorporation or in any amendment thereof or as may be approved and adopted by the stockholders at the time of the authorization or at any time prior to the issuance there of The rate of preferred dividend for any class of stock shall not exceed ten per centum (10%) per annum Such stock may be issued for cash or property or in exchange for other stock of the corporation or through all or more than one of said methods and the stock so exchanged for such preferred stock and returned to the corporation may be issued again by the corporation

The certificate of incorporation and in the case of corporations heretofore incorporated the amendment of the certificate of incorporation in lieu of the statements now prescribed by law as to the amount of the corporations capital stock and the number and par value of the shares into which it is divided shall set forth and show

(a) The number of shares with nominal or par value and the number of shares without nominal or par value that may be issued by the corporation and the classes if any into which such shares are divided

(b) The nominal or par value of shares of stock other than shares which it is stated are to have no nominal or par value

(c) In the case of corporations hereinafter to be incorporated the amount of the capital with which the corporation wil begin business

(d) In the case of corporations heretofore incorporated the amount of the capital stock that the corporation is authorized to issue at the time of such amendment of its certificate of incorporation

Section 2 That said act be and the same is hereby further amended by adding thereto the following sections

Section 7 Every certificate for shares of stock without any nominal or par value shall have plainly stated upon its face the number of shares which it represents and no certificate shall express any par value for such shares or any rate of dividend to which it shall be entitled in terms of percentage of any par or other value

Section 8 Any corporation having shares without any nominal or par value in pursuance of this act may increase or reduce the number of shares which it may issue in the manner and subject to the terms and conditions now provided by law for the increase or reduction of the capital stock of a similar corporation having shares with a par value

Section 9 For the purpose of this act the "stated capital" of any corporation hereafter to be incorporated issuing shares without nominal or par value shall be the capital with which the corporation will begin business as stated in the certificate of incorporation or upon amendment of its certificate of incorporation by any corporation hereto fore incorporated as in this act provided the then authorized capital of the corporation so amending or as may thereafter be increased or decreased as provided by law In the case of corporations having outstanding shares with a nominal or par value as well as shares without nominal or par value the portion of "stated capital" applicable to the shares without nominal or par value shall be the excess of the "stated capital" over and above shares having a par value

Section 10 For the purpose of computing the bonus required to be paid under the laws of this Commonwealth and such tax or taxes if any the determination of which is based on the par value of the shares of stock and not on the number of shares or the actual or ascertained value thereof and for the purpose of determining the amount of the liability of stockholders in their individual capacity for work and labor done to carry on the operation of the corporation or for the debts due laborers mechanics and clerks but for no other purpose each share of stock without any nominal or par value under the provisions of this act shall be considered the equivalent of a share having a nominal or par value of one hundred dollars

Section 11 For the purpose of any certificate of notification report return or similar instrument wherein the amount or par value of stock or capital or capital stock paid in outstanding called or retired is required to be stated in the case of shares without a nominal or par value and with respect to such shares for the purpose of ascertaining and fixing the "stated capital" the amount of such shares without a nominal or par value shall be taken and deemed to be the amount in the aggregate of the par value of the shares called or retired Provided That in case of such shares without a nominal or par value authorized but unused and not presently to be issued it shall not be necessary in such certificate report return or similar instrument to show the amount or par value thereof and only the number of shares thereof need be stated

Section 12 For the purpose of any statutory provision limiting the amount of capital stock which a corporation may have or for the purpose of determining the relation between indebtedness and capital stock or prescribing the portion or amount or par value of stock or capital which must be paid in cash or otherwise whether at the time of formation before commencing business or from time to time subsequent thereto the stated capital of a corporation having shares without nominal or par value shall be held and deemed to be its capital stock or the amount thereof

Section 13 Nothing in this act contained shall be construed as excepting or relieving a corporation from any requirement of the law as to the amount in dollars of paid in capital in cash or otherwise which it must have at any time

Section 14 In any investigation or proceeding by the Commonwealth of Pennsylvania or any agency thereof to determine the value of the property assets or capital stock of a corporation having shares without nominal or par value under the provisions of this act neither the stated capital of such corporation or the number of shares of its outstanding stock without a nominal or par value shall be controlling but the same may be disregarded or considered only to such extent as the Commonwealth or its agency shall deem necessary or proper for the purpose of such investigation or proceeding

Section 15 Except as otherwise provided by this act corporations issuing shares without any nominal or par value under the provisions hereof shall be and remain subject to the laws of this Commonwealth now or hereafter in force relating to the formation or regulation rights powers and privileges of such corporations

Section 16 All acts or parts of acts inconsistent herewith are repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,

Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culberston,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 366, as follows:

An Act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any writ of scire facias to substitute the personal represenative or representatives of a decendant as defendant or defendants in a pending action or judgment in place of said decendent or to show cause why execution should not issue against the real estate of any decendent against which such judgment was a lien at the time of his death or to revive and continue the lien of any such judgment against any such lands in the hands of the widow heirs devisees or alienees of said decendent may be served upon said personal representatives widow heirs devisees or alieness in any county of this Commonwealth within which they may be found and the sheriff of the county where such writ issues may deputize the sheriff of the county where such parties defendant may be found to make such service

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culberston,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 5, entitled:

An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culberston,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. LONG. Mr. President, I ask that Senate Bill No. 15, on third reading, entitled:

An Act relating to the retirement of certain officers and employes of the State Government and their compensation, including officers and employes heretofore retired.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 21, entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culberston,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 58, as follows:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania at Ashland Schuylkill County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and sixteen thousand five hundred and sixty dollars ($116,560.00) or so much thereof as may be necessary is hereby specifically appropriated to the State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania at Ashland Schuylkill County Pennsylvania for the following purposes

For deficiency in maintenance for the two fiscal years beginning the first day of June one thousand nine hundred and twenty-one one hundred and ten thousand six hundred and sixty-eight dollars forty-three cents ($110,668.43) or so much thereof as may be necessary

For the payment of deficiencies in salary for services of the superintendent of construction of new addition the sum of one thousand five hundred and sixty dollars ($1,560.00) or so much thereof as may be necessary

For the payment of deficiencies for installation of Engine and Dynamo the sum of one thousand two hundred and twenty-nine dollars and eighty-nine cents ($1,229.89) or so much thereof as may be necessary

For the payment of deficiency for the installation of X-Ray Machine the sum of one thousand four hundred and forty-two dollars and sixty-eight cents ($1,442.68) or so much thereof as may be necessary

For the payment of deficiency for the purchase and installation of Panel Board on New Dynamo the sum of one thousand and fifty-nine dollars ($1,059.00) or so much thereof as may be necessary

For the payment of deficiency for the purchase and installation of steam separator piping and connections for new engine the sum of six hundred dollars ($600.00) or so much thereof as may be necessary

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culberston,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 96, entitled:

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culberston,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 128, entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh, Pennsylvania, to cover deficiency in maintenance and education of State pupils.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culberston,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE PROCEEDS TO HOUSE TO HEAR GOVERNOR'S ADDRESS ON FINANCE AND REORGANIZATION.

The hour of twelve o'clock noon having arrived, Mr. Clutton and Mr. Wheeler, a Committee from the House of Representatives being introduced, informed the Senate that the House of Representatives was ready for the reception of the President and Members of the Senate to listen to the address of His Excellency, the Governor of the Commonwealth, on the subject of Finance and Reorganization.

Whereupon,

The President and Members of the Senate proceeded to the hall of the House of Representatives.

SENATE RETURNS FROM HOUSE.

After some time, the President and Senators returned to the Senate Chamber.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 166, entitled:

An Act authorizing boroughs to appropriate moneys or to levy and collect with the assent of electors a special tax for the purpose of purchasing fire engines and fire apparatus and to assist existing fire companies in the purchase of fire engines and fire apparatus

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	**Long,**	**Smith,**
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culberston,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 172, (House Bill No. 186), entitled:

An Act authorizing county commissioners to purchase road machinery and to rent the same to the townships of such county.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Aron,	Daix,	Jones,	McClintock,
Baldwin,	Davis,	Joyce,	McNichol,
Betts,	DeWitt,	Krause,	Miller,
Brown,	Eyre,	Kutz,	Phipps,
Buckman,	Harris,	Lanius,	Sones,
Christley,	Heaton,	Long,	Steele,
Craig,	Homsher,	Mansfield,	Vare,
Culberston,	Huffman,	MacDade,	

NAYS—9.

Barr,	Schantz,	Sprowls,	Stites,
Berntheizel,	Snyder,	Stineman,	Weaver,
Derrick,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 224, entitled:

An Act providing for the filling of vacancies in the office of tax-collector in boroughs by council of the borough and repealing certain acts inconsistent therewith

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Daix,	Joyce,	Norton,
Baldwin,	Davis,	Krause,	Phipps,
Barr,	Derrick,	**Kutz,**	**Snyder,**
Berntheizel,	DeWitt,	Lanius,	Sones,
Betts,	Eyre,	Long,	Sprowls,
Brown,	Harris,	MacDade,	Steele,
Buckman,	Heaton,	Mansfield,	Stineman,
Christley,	Homsher,	McClintock,	Stites,
Clark,	Huffman,	**McNichol,**	**Vare,**
Craig,	Jones,	Miller,	Woodward,
Culberston,			

NAYS—1.

Schantz,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 258, entitled:

An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships and revising, amending, and consolidating the law relating thereto" fixing the compensation of township auditors.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BUCKMAN. Mr. President, it seems to have become the custom recently for the Legislative Reference Bureau not to send their amendments to the Senate Chamber until the bill is ready for third reading, thus in many cases delaying the bill at least one week. I have received amendments to this bill from the Legislative Reference Bureau and I now ask unanimous consent to amend Section 1 page 1 lines 8 and 9 by striking out the words "which reads" and inserting in lieu thereof: "is hereby amended to read;" also lines 10 and 11 by striking out lines 10 and 11 and eliminating them from the bill: also page 2 lines 1 to 13 by striking out lines 1 to 13 both inclusive and eliminating them from the bill; also line 21 by striking out the word "To" and inserting in lieu thereof the word "Two"; also line 25 by inserting before "five" the word "two"

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended.

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 275, (House Bill No. 365), entitled:

An Act to amend section one of the act approved the fifteenth day of March, one thousand nine hundred and eleven, (Pamphlet Laws twenty), entitled "An Act regulating in criminal trials the cross-examination of a defendant, when testifying in his own behalf," by prohibiting the introduction as evidence of certain testimony or records.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Aron,	Culberston,	Jones,	Norton,
Baldwin,	Daix,	Joyce,	Phipps,
Barr,	Davis,	Krause,	Schantz,
Berntheizel,	Derrick,	Kutz,	Smith,
Betts,	DeWitt,	Lanius,	Sones,
Brown,	Eyre,	MacDade,	Sprowls,
Buckman,	Harris,	Mansfield,	Steele,
Christley,	Heaton,	McClintock,	Stites,
Clark,	Homsher,	McNichol,	Vare,
Craig,	Huffman,	Miller,	Weaver,

NAYS—2

Long, Stineman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 282, entitled:

An Act concerning liability for participation in breaches of fiducary obligations and to make uniform the law with reference thereto

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culberston,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 294, entitled:

An Act to amend sections two and five of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 473), entitled "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors or marines, designated as 'deceased service men'; defining the term 'deceased service man'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows. viz:

YEAS—45.

Aron,	Davis,	Kutz,	Schantz,
Baldwin,	Derrick,	Lanius,	Sisson,
Barr,	DeWitt,	Long,	Smith,
Berntheizel,	Eyre,	MacDade,	Sones,
Betts,	Harris,	Mansfield,	Sprowls,
Brown,	Heaton,	McClintock,	Steele,
Buckman,	Homsher,	McNichol,	Stineman,
Christley,	Huffman,	Miller,	Stites,
Clark,	Jones,	Norton,	Vare,
Craig,	Joyce,	Patton,	Weaver,
Culberston,	Krause,	Phipps,	Woodward,
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 296, entitled:

An Act to amend section two of the act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 944), entitled "An Act authorizing the establishment by counties of hospitals, for the treatment of persons afflicted with tuberculosis: providing for the management and maintenance thereof; and authorizing the incurring of indebtedness and the levy of taxes therefor," by empowering the county commissioners and county controller, where such office exists, to take by eminent domain proceedings land necessary for the establishment of such hospitals; giving the board of trustees powers concurrent with the county commissioners and county controller in reference to the planning and construction of such hospitals.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Weaver,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 297, entitled:

An Act to quiet the title to real estate; and to enable citizens of the United States and corporations authorized to

hold real estate within this Commonwealth to hold and convey title to real estate which has formerly been held or conveyed by, to, or for corporations not authorized by law to hold the same.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Weaver,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 314, (House Bill No. 423), entitled:

An Act authorizing boards of County Commissioners to cooperate with the Bureau of Animal Industry of the Department of agriculture and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious disease of livestock and poultry .

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Weaver,
Craig,	Joyce,	Phipps,	Vare,
Culberston,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 315, (House Bill No. 425), entitled:

An Act to amend an act, approved the ninth day of April, one thousand nine hundred and thirteen (Pamphlet Laws forty-six), entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Eyre,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Sprowls,
Brown,	Heaton,	McNichol,	Steele,
Buckman,	Homsher,	Miller,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culbertson,	Krause,	Schantz,	Woodward,
Daix,	Kutz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER.

Mr. HARRIS. Mr. President, I ask that Senate Bill No. 321, on third reading, entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

go over in its order.

The President. Is there objection? The Chair hears none.

Mr. JOYCE. Mr. President, I ask that Senate Bill No. 328, on third reading, entitled:

An Act requiring county commissioners to rebuild or repair county bridges closed to vehicular traffic or destroyed

go over in its order.

The President. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 382, (House Bill No. 259), entitled:

An Act relating to the drainage of wet and spouty lands by providing for the construction of surface or under drains over lands owned by others

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Aron,	Daix,	Joyce,	Phipps,
Baldwin,	Davis,	Krause,	Schantz,
Barr,	Derrick,	Kutz,	Sisson,
Berntheizel,	DeWitt,	Long,	Snyder,
Betts,	Eyre,	MacDade,	Sones,
Brown,	Harris,	McClintock,	Sprowls,
Buckman,	Heaton,	McNichol,	Steele,
Christley,	Homsher,	Miller,	Stineman,
Clark,	Huffman,	Norton,	Stites,
Craig,	Jones,		

NAYS—2.

Culbertson, Lanius.

A majority of all the Senator having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 386, (House Bill No. 471), entitled:

An Act to amend sections one, two as amended and three of an act approved April 24, 1885, (P. L. 9), entitled "An Act to amend an act entitled 'An Act to provide for the destruction and to prevent the spread of Canada thistles' approved the twenty-second day of March, A. D., one thousand eight hundred and sixty-two" extending the provisions of said act to cichorium intybus the weed commonly known as chickory or succory, or blue daisy.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 414, (House Bill No. 426), as follows:

An Act to amend section thirty of an act approved June first one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section thirty of an Act approved June first one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" is hereby amended to read as follows

Section 30 That in the settlement by the Auditor General and State Treasurer of all accounts for taxes due the Commonwealth they shall charge interest upon the amount of tax or balance or balances found due the Commonwealth at the rate of twelve per centum per annum from thirty days after the time said taxes or balances become due and payable to the time of the settlement of the same and all balances due the Commonwealth on accounts settled by the Auditor General and State Treasurer shall bear interest from sixty days after date of settlement at the rate of twelve per centum per annum until the same are paid except where appeals have been taken from settlements made by the Auditor General or by the Auditor General and State Treasurer and any judgment recovered thereon except where appeals have been taken as aforesaid shall bear interest at the rate of twelve per centum per annum until paid and where one or more resettlements have been made the balances finally found to be due the Commonwealth on such accounts shall bear interest at the rate of twelve per centum per annum from sixty days after the date of the first or original settlement and the payment of interest as aforesaid shall not relieve any corporation from any of the penalties or commissions prescribed by law for neglect or refusal to furnish reports to the Auditor General or to pay any claim due to the Commonwealth for such corporation Provided That the Auditor General shall first have sent to such corporation a statement of the amount due and provided further that the amendments herein made shall only apply to those cases where the first or original settlements are made after the passage of this Act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 422, entitled:

An Act fixing the compensation of jury commissioners in counties of the seventh class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 429, entitled:

An Act to amend section one of the act approved the thirty-first day of March one thousand nine hundred and twenty-one (Pamphlet Laws seventy-one) entitled "An Act providing for the salaries of court criers and tipstaves of the several courts in counties of the fourth class"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 433, entitled:

An Act further amending the act, approved the eighth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred seventy), entitled "An Act creating a Division of Township Highways in the State Highway Department; conferring powers and imposing duties upon officers of the State Highway Department; requiring certain duties of clerks of the courts of quarter sessions; and providing penalties."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows,, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 434, entitled:

An Act to further amend section one of an act, approved the twelfth day of June, one thousand nine hundred and nineteen, entitled "An Act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys and to incur indebtedness and issue bonds and other obligations, for the improvement and maintenance of State highways and State-aid highways or any public highway in any county of the Commonwealtn. and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases."

And said bill haviug been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culberston,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 435, entitled:

An Act to further amend section three hundred eighty-six, clause four, of the act, approved the fourteenth day of July, one thousand nine hundred seventeen (Pamphlet Laws, eight hundred forty), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto."

And said bill having been read at leugth the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 438, entitled:

An Act making a deficiency appropriation to the Commissioners of Fairmount Park

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 446, entitled:

An Act fixing the salaries of the county commissioners county controller county treasurer register of wills recorder of deeds and clerk of the courts in counties of the third class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 449, entitled:

An Act to amend so much of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455) entitled, "An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 453, entitled:

An Act to amend section ten hundred and twenty-five of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840) entitled, "An Act concerning townships; and revising, amending, and consolidating the law relating thereto."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 457, entitled:

An Act to amend section twenty-two of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 869), entitled "An Act providing for the organization, government, discipline, maintenance, and regulation of the armed land forces of this Commonwealth" authorizing the Governor to confer brevet rank upon certain officers.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culberston,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 461, entitled:

An Act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culberston,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,		

NAYS—1.

Snyder,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 529, (House Bill No. 452), entitled:

An Act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effect of the decree thereon

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Sisson,	Snyder,
Baldwin,	Derrick,	Long,	Sones,
Barr,	DeWitt,	MacDade,	Sprowls,
Berntheizel,	Harris,	Mansfield,	Steele,
Betts,	Heaton,	McClintock,	Stineman,
Brown,	Homsher,	McNichol,	Stites,
Buckman,	Huffman,	Miller,	Vare,
Christley,	Jones,	Norton,	Weaver,
Clark,	Joyce,	Patton,	Woodward,
Craig,	Krause,	Phipps,	Eyre,
Culberston,	Kutz,	Schantz,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 532, (House Bill No. 523), entitled:

An Act to further amend section 5 of the act approved the 31st day of March, 1876, (P. L. 13), entitled an act to carry into effect section 5 article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants as amended.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Curbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 540, (House Bill No. 594), entitled:

An Act authorizing the county commissioners to appropriate county moneys to incorporated agricultural and horticultural societies and associations

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,

Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 599, entitled:

An Act to amend section fourteen of the act approved the twenty-seventh day of June, A. D. 1895 (P. L. 403) entitled "An Act creating the office of county controller in counties of this Commonwealth containing two hundred and fifty thousand inhabitants", prescribing the appointments of said office, fixing the salaries thereof, and repealing all acts or parts of acts inconsistent therewith.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 600, entitled:

An Act to amend section one of the act approved the eighth day of June, one thousand nine hundred and fifteen (P. L. 915) entitled "An act to fix the salaries of the deputies in the offices of the clerk of the courts, county controller, recorder of deeds, county treasurer, chief deputy sheriff, and chief clerk to the county commissioners, in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population by changing the manner of fixing salaries and prescribing the minimum thereof; and making the act apply to counties of the third class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. NORTON. Mr. President, I ask that Senate Bill No. 146, on second reading, entitled:

An Act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the Department of the Secretary of the Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dspensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 153, as follows:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to certain aged persons and providing for their burial creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county defining their powers and duties providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators making counties liable for certain expenses providing penalties and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created an Old Age Assistance Commission hereinafter termed "the Commission" which shall be composed of three citizens of the Commonwealth who shall within ninety days of the approval of this act be appointed by the Governor for a term of four years except that of the members first appointed one shall be appointed for a term of two years and one for a term of three years Each member of the commission shall receive as compensation in addition to the necessary expenses incurred in the performance of his duties ten dollars per diem while actually engaged in the business of the commission Vacancies shall be filled for the unexpired term of the vacant position in the same way as the original appointment

Section 2 The commission shall appoint an old age assistance superintendent hereinafter termed the "superintendent" who shall be qualified by character training and experience The commission shall fix the salary of the superintendent which shall not exceed eighteen hundred dollars per annum The superintendent with the approval of the Commission shall appoint the necessary number of assistants and fix their duties and salaries within the appropriation made by the legislature

Section 3 The commission shall have authority to make such rules and regulations as are necessary to carry out the provisions of this act

Section 4 There shall be established in each county a county old age assistance board hereinafter known as "the board" to consist of three persons domiciled in the county who shall be appointed by the Governor for a term of four years except that of the members first appointed one shall be appointed for a term of two years and one for a term of three years Vacancies shall be filled in the same way in which the original appointment was made The members of the board shall serve without pay except that the necessary expenses incurred while in the performance of their duties shall be paid to them upon proper vouchers therefor

Section 5 The board may appoint one or more local investigators at a salary for each of not to exceed nine hundred dollars per annum

Section 6 The commission and the board shall meet regularly every three months and at such other times as may be necessary at such places as may be fixed by the rules of the commission

Section 7 Subject to the provisions and under the restrictions contained in this act every person while residing in the Commonwealth shall be entitled to assistance in old age

Section 8 The amount of assistance shall be fixed with due regard to the condition in each case but in no case shall it be an amount which when added to the income of the applicant including income from property as computed under the terms of this act shall exceed a total of one dollar a day

Section 9 Old age assistance may be granted only to an applicant who

(a) Has attained the age of seventy years or wards

(b) Has been a citizen of the United States for at least fifteen years before making application for assistance

(c) Resides in the Commonwealth and (1) has so resided continuously for at least fifteen years immediately preceding the date of application but continuous residence in the State shall not be deemed to have been interrupted by periods of absence therefrom if the total of such periods does not exceed three years or (2) has so resided forty years at least five of which have immediately preceded the application Provided That absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the State if a domicile be not acquired outside the State

(d) Is not at the date of making application an inmate of any prison jail workhouse insane asylum or any other public reform or correctional institution

(e) For six months or more during the fifteen years preceding the date of application for relief if a husband has not deserted his wife or without just cause failed to support her and his children under the age of fifteen years if a wife has not deserted her husband or without just cause failed to support such of her children as were under age and she was bound to support

(f) Has not within one year preceding such application for assistance been a professional tramp or beggar

(g) Has no child or other person responsible under the law of this State and found by the board or by the commission able to support him

Section 10 Old age assistance shall not be granted to a person if the value of his property exceeds three thousand dollars or if married and not separated from husband or wife if the value of his property together with that of such husband or wife exceeds three thousand dollars

The claimant must not have deprived himself directly or indirectly of any property for the purpose of qualifying for old age relief

Section 11 The annual income of any property which does not produce a reasonable income shall be computed at five per centum of its value as determined by the board

The income of the applicant shall be his income for twelve months preceding the date on which his application was made

The property owned at the date of application for relief shall be taken as property of the applicant for the purposes of this act

Section 12 On the death of a person receiving assistance under this act or of the survivor of a married couple both of whom were so assisted the total amount paid as assistance together with simple interest at three per centum annually shall be allowed and deducted from the estate by the court having jurisdiction to settle the estate and paid into the treasury of the Commonwealth

Section 13 If the commission deems it necessary to protect the interest of the Commonwealth it may require as a condition to the grant of assistance a certificate that all or any part of the property of an applicant for assistance be transferred to the Commission Such property shall be managed by the commission which shall pay the net income to the person or persons entitled thereto The commission shall have power to sell lease or transfer such property or defend and prosecute all suits concerning it and to pay all just claims against it and to do all other things necessary for the protection preservation and management of the property

The Attorney General at the request of the commission shall take the necessary proceedings and represent and advise the commission in respect to any matters arising under this section

Section 14 An applicant for assistance shall deliver his claim in writing to the board of the county in which he resides in the manner and form prescribed by the commission

All statements in the application shall be sworn to or affirmed by the applicant setting forth that all facts are true in every material point

Section 15 Whenever an application is made for old age assistance the board directly or through an investigator shall promptly make investigations and after hearing the applicant if he so request if it approve the applications shall make a recommendation of the amount of the assistance to be allowed or if it disapprove make a recommendation that no assistance be allowed. The board shall send a copy of the application its recommendation and the reasons for its decision to the commission with such supporting papers as the commission may require The commission may thereupon make investigation as it sees fit through the superintendent or through the board making the recommendation and may direct a rehearing before the board of which the applicant shall have at least ten days notice and at which he may appear and offer evidence. The commission shall decide upon the application and fix the amount of the pension if any and its decision shall be final. An applicant whose application for assistance has been rejected may not re-apply for assistance until the expiration of twelve months from the date of the previous application

Section 16 For the purpose of any investigation the commission and the board shall have the power to compel by subpoena the attendance and testimony of witnesses and the production of books and papers All witnesses shall be examined on oath and any member of the commission or of the board may administer said oath If any person fails or refuses to obey such subpoena the commission or board may petition the court of common pleas of the county where the hearing is held whereupon the court shall issue its subpoena and enforce compliance with same as in other cases

Section 17 The commission shall issue to each applicant to whom assistance is allowed a certificate for one year stating the amount of each instalment which may be monthly or quarterly as the commission may decide

Section 18 An assistance certificate shall be required for each subsequent year to be issued by the commission after such investigation as it may deem necessary and the amount of the assistance may be changed if the commission finds that the applicant's circumstances have changed

Section 19 The assistance if allowed shall commence on the date named in the certificate which shall be the first day of the calendar month following that on which the petition was received by the board

Section 20 If at any time during the currency or continuance of an old age assistance certificate the recipient or the wife or husband of the recipient becomes possessed of any property or income in excess of the amount allowed by this act in respect to the amount of assistance granted it shall be the duty of the recipient immediately to notify the board of the receipt and possession of any such property or income and the board may on inquiry and with the approval of the commission either cancel the assistance or vary the amount thereof during the period of the certificate Any excess assistance paid shall be returned to the Commonwealth and recoverable as a debt due the State

Section 21 If on the death of any person receiving assistance it is found that he was possessed of property or income in excess of the amount allowed by this act in respect to the amount of the assistance double the total amount of the assistance in excess of that to which the recipient was entitled may be recovered by the commission as a preferred claim from his estate and paid into the treasury of the Commonwealth

Section 22 On the death of any person receiving old age assistance such reasonable funeral expenses for burial shall be paid to such persons as the board directs Provided such expenses do not exceed one hundred dollars and the estate of the deceased is insufficient to defray the same

Section 23. While any person receiving assistance is an inmate of any charitable benevolent or fraternal institution the amount of assistance shall be paid to the governing authorities of that institution and shall be applied toward defraying the actual expenses of such person in such institution Provided That the commission has approved and that it and its agents are permitted freely to visit and inspect said institution Any moneys remaining after defraying such costs shall be paid to the recipient It shall not be lawful for the authorities of any charitable institution receiving public moneys to refuse admission as an inmate of such institution or to refuse relief on the ground that the person is receiving assistance under this act

Section 24 No person receiving assistance under this act shall at the same time receive any other relief from the Commonwealth or from any political sub-division thereof except for medical and surgical assistance

Section 25 If the person receiving assistance is on the testimony of reputable witnesses found incapable of taking care of himself or his money the board may direct the payment of the instalments of the assistance to any responsible person or corporation for his benefit It shall be within the power of the commission to suspend payment for such period as the board shall recommend

Section 26 All rights to old age assistance shall be absolutely inalienable by any assignment sale execution or otherwise and in case of bankruptcy the assistance shall not pass to or through any trustees or other persons acting on behalf of creditors

Section 27 If at any time the commission has reason to believe that an assistance certificate has been improperly obtained it shall cause special inquiry to be made by the board and may suspend payment of any instalment pending the inquiry It shall also notify the board of such suspension If on inquiry it appears that the certificate was improperly obtained it shall be cancelled by the commission but if it appears that the certificate was properly obtained the suspended instalments shall be payable in due course

Section 28 Any person who by means of a wilfully false statement or representation or by impersonation or other fraudulent device obtains or attempts to obtain or aids or abets any person to obtain (a) an assistance certificate to which he is not entitled (b) a larger amount of assistance than that to which he is justly entitled (c) Payment of any forfeited instalment grant and any person who buys or aids or abets in buying or in any way disposing of the property of a person receiving assistance without the consent of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment not exceed- one year or both

Section 29 Any person who violates any provisions of this act for which no penalty is specifically provided shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dolars or to undergo imprisonment not exceeding one year or both Where a person receiving assistance is convicted of an offense under this section the commission shall cancel the certificate

Section 30 If any person receiving assistance is convicted of any crime or offense and punished by imprisonment for one month or longer the board shall direct the payments shall not be made during the period of imprisonment

Section 31 All payments for assistance allowed under the provisions of this act and all expenses incurred by the commission and the salaries of the superintendent and his assistants shall be paid by the State Treasurer out of moneys specifically appropriated for that purpose upon orders of the superintendent and warrant of the Auditor General

Section 32 All expenses incurred by the county boards in administration investigation and salaries shall be paid by the county treasurer from the moneys of the county in the same way as other expenses of the county

Section 33 Within ninety days after the close of each calendar year the commission shall make a report for the preceding year stating

(a) The total number of recipients
(b) The amount paid in cash
(c) The total number of applications
(d) The number granted
(e) The number denied
(f) The number cancelled during that year and
(g) Such other information as the commission may deem advisable

Section 34 All methods of procedure in hearings investigations recording registration and accounting pertaining to the old age assistance under this act shall be in accordance with the rules and regulations as laid down from time to time by the commission

Section 35 Every assistance granted under the provisions of this act shall be deemed to be granted and shall be held subject to the provisions of any amending or repealing act that may hereafter be passed and no recipient under this act shall have any claim for compensation or otherwise by reason of his assistance being affected in any way by such amending or repealing act

Section 36 The sum of two million dollars ($2,000,000) or so much thereof as may be necessary is hereby specifically appropirated to the Old Age Assistance Commission hereby created for the two fiscal years commencing June first one thousand nine hundred and twenty-three for the purpose of carrying out the provisions of this act

Section 37 Whenever used in this act the singular shall include the plural and the masculine shall include

Section 38 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 153 the bill just read, be recommitted to the Committee on Appropriations.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 385, (House Bill No. 411), entitled:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending and consolidating the laws relating thereto."

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 390, as follows:

An Act creating the "Anthracite Mine Cave Fund" Appropriating a Portion of the State Tax on anthracite coal to the use of the Pennsylvania State Anthracite Mine Cave Commission and Imposing Duties upon the State Treasurer and Auditor General

Whereas subsidences of the surface commonly called mine caves resulting from the mining and removal of anthracite coal have created in the anthracite region a menace to community life and to the continued existence of Municipalities forming an integral part of the Commonwealth of such proportions as to clothe with a public interest the destruction of private as well as of public property tending to jeopardize the health safety and welfare of the citizens of the Commonwealth residing in that region and

Whereas the conditions aforesaid may be greatly ameliorated and the public health safety and welfare promoted by the proper functioning of the Pennsylvania State Anthracite Mine Cave Commission which has heretofore been without funds for the performance of its duties Now Therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That twenty-five per centum of the moneys to be hereafter derived from the tax on anthracite coal under and by virtue of the Act approved the eleventh day of May one thousand nine hundred and twenty-one entitled "An Act Imposing a State Tax on Anthracite Coal Providing for the Assessment and collection thereof and providing penalties for the violation of this Act" is hereby permanently dedicated and apportioned to the use of the Pennsylvania State Anthracite Mine Cave Commission

Section 2 Said moneys so dedicated and apportioned shall by the State Treasurer be placed in a special fund to be known as the "Anthracite Mine Cave Fund" separate and apart from the general revenues of the Commonwealth and shall be available for the use of the Pennsylvania State Anthracite Mine Cave Commission upon the requisitions of said commission from time to time and all such moneys hereafter paid into the State Treasury and placed in such special fund are hereby specifically appropriated to the Pennsylvania State Anthracite Mine Cave Commission in lieu of funds derived from other sources for the purposes described in the act creating said Commission approved May twenty-seven one thousand nine hundred and twenty-one entitled "An Act affecting anthracite coal mines and operations establishing the Pennsylvania State Anthracite Mine Cave Commission defining its jurisdiction and powers imposing duties upon owners and operators of anthracite coal mines and imposing penalties"

Section 3 Nothing in this Act contained shall be construed to affect the aforesaid Act of May eleven one thousand nine hundred and twenty-one Pamphlet Laws page four hundred and seventy-nine or change the amount of tax levied thereunder and in case this Act shall be Judicially determined to be unconstitutional and ineffective the moneys hereby appropriated shall revert to such other fund as may by law be established for that purpose and in default of such fund to the general revenues of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. DAVIS. Mr. President, I move that Senate Bill No. 390 the bill just read, be recommitted to the Committee on Mines and Mining.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 391, as follows:

An Act creating the "Anthracite Municipalities Fund" Appropriating pro rata according to population a portion of the tax on anthracite coal to the use of the Cities Boroughs and Townships from which the anthracite coal taxed was removed in course of mining and imposing duties upon the State Treasurer and Auditor General

Whereas the mining and removal of large quantities of anthracite coal has a tendency to permanently impoverish the municipalities from which it is removed and to impair the sources of municipal revenue by depreciating the value of real estate subject to taxation and at the same time imposing heavy financial burdens upon such municipalities in the protection of public highways and public buildings against dangers resulting from the removal of subjacent and adjacent support and from the damaged condition of abutting properties caused by surface subsidences commonly called mine caves Now Therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created a fund to be known as the "Anthracite Municipalities Fund" to be kept by the State Treasurer separate and apart from the general revenues of the Commonwealth Said fund shall consist of fifty per centum of the moneys to be hereafter derived from the State tax on anthracite coal less whatever moneys shall be paid into another special fund to be known as the "Anthracite Mine Cave Fund" provided said last mentioned fund shall be established Said State tax on anthracite coal herein referred to is the tax levied by virtue of the act approved May eleventh one thousand nine hundred and twenty-one entitled "An Act imposing a State tax on anthracite coal providing for the assessment and collection thereof and providing penalties for the violation of this act"

Section 2 All moneys remaining unexpended at the end of the calendar year in the said "Anthracite Mine Cave Fund" if the same shall be established shall be transferred by the State Treasurer to the said "Anthracite Municipalities Fund"

Section 3 The State Treasurer shall from time to time make such transfers and deposits of funds as may be necessary to carry this act into effect

Section 4 All moneys paid into the said "Anthracite Municipalities Fund" shall be paid yearly by the State Treasurer upon warrant of the Auditor General to the cities boroughs and townships from which any anthracite coal taxed under the aforesaid act of May eleven one thousand nine hundred and twenty-one was removed in course of mining said fund to be distributed pro rata according to population by the last preceding United States Census All moneys hereafter transferred or paid into said "Anthracite Municipalities Fund" are hereby specifically appropriated for the purposes hereinbefore mentioned

Section 5 Nothing in this act contained shall be construed to effect the aforesaid act of May eleventh one thousand nine hundred and twenty-one Pamphlet Laws page four hundred and seventy-nine or change the amount of tax levied thereunder and in case this act shall be judicially determined to be unconstitutional the moneys hereby appropriated shall revert to the general revenues of the Commonwealth

Section 6 All acts or parts of acts in conflict herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. DAVIS. Mr. President, I move that Senate Bill No. 391, the bill just read, be recommitted to the Committee on Mines and Mining.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 415, (House Bill No. 449), on second reading, entitled:

An Act to amend paragraph one section five of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An Act to provide for the incorporation and regulation of certain incorporations" as amended changing the effect of the by-laws of corporations

be committed to the Committee on Corporations.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 432, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen

Section 1 Be it resolved by the Senate and House of Representatives in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine of the Constitution of the Commonwealth of Pennsylvania is hereby amended by adding thereto the following section

Section 18 Provided that the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of eight million dollars ($8,000,000) for the erection and equipment at the Pennsylvania State College of buildings necessary for the uses and purposes of the institution as defined in its charter

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 500, as follows:

An Act to amend section one of the act approved the twenty-second day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixty-seven) entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry fixing their duties and salaries and increasing the salaries of the chief medical inspector chief of the bureau of statistics and information and the chief clerk" by providing for additional supervising inspectors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-second day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixty-seven) entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry fixing their duties and salaries and increasing the salaries of the chief medical inspector chief of the bureau of statistics and information and the chief clerk" is hereby amended to read as follows

Section 1 Be it enacted et cetera That on and after the passage of this act the Commissioner of Labor and Industry is authorized to appoint the following additional officers and employes at salaries as follows:

An auditor for the Department of Labor and Industry at a salary of two thousand dollars ($2,000) per annum

A filing clerk at a salary of one thousand five hundred dollars ($1,500) per annum

Three stenographers and typewriters at a salary of nine hundred dollars ($900) each per annum

One skilled stenographer and typewriter at a salary of one thousand two hundred ($1,200) per annum

In the Bureau of Inspection.

One skilled stenographer at a salary of two thousand dollars ($2,000) per annum

One stenographer at a salary of one thousand two hundred dollars ($1,200) per annum

Fifty additional inspectors of the first grade each at a salary of one thousand five hundred dollars ($1,500) per annum

Four supervising inspectors who shall receive the same salary as is now fixed by law for supervising inspectors

Four inspectors who shall be skilled stenographers and typewriters to act as assistant supervisors and clerks in the several branch offices at a salary of one thousand five hundred dollars ($1,500) each per annum

In the Division of Hygiene and Engineering

Two draftsmen and assistant engineers at a salary of one thousand five hundred dollars ($1,500) each per annum

One clerk who shall be a stenographer and typewriter at a salary of one thousand five hundred dollars ($1,500) per annum

One stenographer at a salary of nine hundred dollars ($900) per annum

In the Bureau of Statistics and Information

Four additional clerks at a salary of one thousand four hundred dollars ($1,400) each per annum

An editor of publication at a salary of one thousand six hundred dollars ($1,600) per annum

One expert tabulating-machine operator at a salary of one thousand four hundred dollars ($1,400) per annum

Two machine operators at a salary of one thousand two hundred dollars ($1,200) each per annum

One stenographer at a salary of one thousand five hundred dollars ($1,500) per annum

In the Bureau of Mediation and Arbitration

One secretary who shall be an expert stenographer and typewriter at a salary of two thousand dollars ($2,000) per annum

In the Industrial Board

One secretary at a salary of four thousand dollars ($4,000) per annum

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 513, as follows:

An Act to amend section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and twelve) entitled "An Act to regulate the drilling operating and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and twelve) entitled "An Act to regulate the drilling operating and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act" is hereby amended to read as follows

Section 3 The owner or operator of any well or wells which produce oil or gas from the strata known as the "Bradford Sand" "Ball Town Sand" "Clarendon Sand" "Cherry Grove Sand" "Kane Sand" and "Haskell Sand" shall be permitted to allow such wells to remain open for the purpose of introducing air gas water or other liquid pressure upon said "Bradford Sand" "Ball Town Sand" "Clarendon Sand" "Cherry Grove Sand" "Kane Sand" and "Haskell Sand" for the purpose of recovering the oil and gas contained therein provided that the introduction of such pressure of air gas water or other liquid into said "Bradford Sand" shall be through casing or tubing which shall be so anchored and packed that no other oil or gas bearing sand above or below said "Bradford Sand" "Ball Town Sand" "Clarendon Sand" "Cherry Grove Sand" "Kane Sand" and "Haskell Sand" shall be affected by the introduction of such pressure

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 640, as follows:

An Act to amend section three of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled "An Act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled "An Act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" is hereby amended to read as follows

Section 3 The owners of the ground appropriated by the first section of this act for public purposes shall be paid for the same by the State of Pennsylvania according to the value which shall be ascertained by a jury of three disinterested freeholders to be appointed by the court of quarter sessions of the county in which said grounds lie upon the petition of the said commissioners and if the said commissioners shall delay petitioning as aforesaid for the period of sixty days after notice is given of their taking possession of said ground then said jury shall be appointed upon the petition of any person whose property shall be so taken Provided however That in any case the said commissioners may negotiate and agree with the owners of any part of said grounds as to the price thereof and said price shall be reported to the court of quarter sessions and if approved and confirmed by said court shall be binding on the State and shall be paid for upon proper conveyances being made And provided further That whenever it shall be necessary to have recourse to a jury to assess the damages for any property to be taken as aforesaid the said jury shall proceed and their award shall be reviewed and enforced in the same manner as now provided by law in the takiug of land for the opening of roads in said county The commission on behalf of the Commonwealth or any person whose lands have been taken injured or destroyed may within thirty davs after any report of a jury of view has been filed file exceptions thereto or appeal from such report and demand a jury trial in the manner now provided by law in road cases

And said bill having been at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (T. L. Eyre) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 118, entitled:

An Act providing that the county controller shall be made a party defendant in all suits against any county

Senate Bill No. 194, entitled:

A Supplement to an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" providing a procedure to incur or to increase indebtedness where the existing indebtedness is less than two per centum but the amount to be incurred exceeds two per centum of the assessed value of the taxable property and providing that this act shall apply to pending proceedings

Senate Bill No. 199, entitled:

An Act to exempt certain real estate of certain organizations of war veterans from taxation

Senate Bill No. 239, entitled:

An Act making an appropriation to the Nason Hospital Association, of Roaring Spring, Blair County, Pennsylvania.

House Bill No. 38, entitled:

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies and the compensation of deputies and clerks.

House Bill No. 51, entitled:

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost, damages and expenses of construction of such bridges and the maintenance thereof between the State the County and any railroad company or companies whose tracks are crossed by such bridge.

House Bill No. 219, entitled:

A joint resolution proposing an amendment to article seventeen section eight of the Constitution of the Commonwealth of Pennsylvania authorizing the granting of free passes or passes at a discount to clergymen

House Bill No. 373, entitled:

An Act to amend an act approved June fifteenth one thousand nine hundred and eleven (Pamphlet Laws nine hundred fifty-five) entitled "An Act making State taxes unpaid bonus interest penalties and all public accounts a first lien upon the franchise and property of corporations companies associations joint stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof and repealing section four of the act approved April sixteenth one thousand eight hundred and twenty-seven" by extending its provisions to include individuals and providing for attorney's commissions making such commissions part of said claims and giving such commissions and costs the same priority as said taxes bonus interest and penalties

House Bill No. 470, entitled:

An Act to amend sections one and two of the act approved the twenty-third day of June, one thousand nine hundred and seventeen (P. L. 639), entitled "An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the dstribution thereof" extending said act to cities of the second class.

Whereupon,

The PRESIDENT PRO TEMPORE (T. L. Eyre) in the presence of the Senate signed the same.

HOUSE MESSAGES.

AMENDMENT TO HOUSE BILL NO. 332 RECALLED FROM THE GOVERNOR.

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 2, line 8, by striking out the words "heretofore judicially decided" and inserting in lieu thereof the words "now in litigation".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Derrick,	Long,	Smith,
Barr,	DeWitt,	MacDade,	Snyder,
Berntheizel,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Sprowls,
Brown,	Homsher,	McNichol,	Steele,
Buckman,	Huffman,	Miller,	Stineman,
Christley,	Jones,	Norton,	Stites,
Clark,	Joyce,	Patton,	Vare,
Craig,	Krause,	Phipps,	Weaver,
Culberston,	Kutz,	Schantz,	Woodward,
Daix,			Eyre,
			Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL NO. 26, RECALLED FROM THE GOVERNOR.

He also presented for concurrence bill of the House of Representatives as follows:

House Bill No. 26, entitled:

An Act to amend section twenty-four of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 429), entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," providing for the sale of the real and personal property of a decedent without known heirs, kindred or surviving spouse, and the payment of the net proceeds of such sale into the State Treasury.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 2, line 8, by striking out the words "which reads" and inserting in lieu thereof the words "is hereby amended to read"; also by striking out lines 9 to 13, both inclusive; also line 16 by striking out the following: "shall go to and be vested in the Commonwealth by escheat".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culberston,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL NO. 37, RECALLED FROM THE GOVERNOR.

He also presented for concurrence bill of the House of Representatives as follows:

House Bill No. 37, entitled:

A Joint Resolution proposing an amendment to article nine, section four, of the Constitution of the Commonwealth of Pennsylvania.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 2, line 8 by striking out the word "insurrections" and inserting in lieu thereof the word "insurrection"; also line 20 by striking out the word "the" and inserting in lieu thereof the word "this".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 373.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 373, entitled:

An Act to amend an act approved June 15, 1911 (Pamphlet Laws nine hundred fifty-five), entitled "An Act making state taxes, unpaid bonus, interest, penalties and all public accounts a first lien upon the franchise and property of corporations, companies, associations, joint-stock associations and limited partnerships against which the same may be settled; providing for enforcing the payment thereof, and for the furnishing of certificates as to the existence of such liens upon application thereof; and repealing section four of the act approved April sixteenth, one thousand eight hundred and twenty-seven," by extending its provisions to include in-

dividuals and providing for attorney's commissions, making such commissions part of said claim and giving such commissions and costs the same priority as said taxes, bonus, interest and penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 38.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 38, entitled:

An Act relating to treasurers in counties of the fifth class; providing for their salaries, bonds, offices and supplies, and the compensation of deputies and clerks.

TIME OF NEXT MEETING.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate April 3, 1923.

Resolved (if the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening, April ninth, at nine o'clock, and when the House of Representatives adjourns this week it reconvene on Monday evening, April ninth, at nine o'clock.

RESOLUTION AUTHORIZING GOVERNOR TO APPOINT OFFICERS OF THE SENATE AND HOUSE OF REPRESENTATIVES AS A COMMITTEE TO REPRESENT THE GENERAL ASSEMBLY AT THE CELEBRATIONS OF THE 175 ANNIVERSARY OF THE FOUNDING OF THE CITY OF READING.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate of Pennsylvania, April 2, 1923.

Whereas, during the first week of October, one thousand nine hundred and twenty-three, the City of Reading will celebrate its one hundred and seventy-fifth anniversary, and the firemen of the City of Reading and the citizens thereof will celebrate the one hundred and fiftieth anniversary of the founding of the Volunteer Fire Department of said city, and

Whereas, it is the wish of the officials and citizens of the City of Reading that the General Assembly of the Commonwealth be represented at this celebration, therefore be it,

Resolved, (if the House of Representatives concur), That the Governor of the Commonwealth is hereby authorized to appoint the officers of the Senate and House of Representatives as a committee to represent the General Assembly at the celebration of the one hundred and seventy-fifth anniversary of the founding of the City of Reading, during the first week of October, one thousand nine hundred and twenty-three.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 269, (Senate Bill No. 692), entitled:

An Act making an appropriation to O'Hara Brothers for payment for the burial of bodies of indigent persons under instructions of the State Department of Health

Which was committed to Committee on Appropriations.

House Bill No. 382, (Senate Bill No. 693), entitled:

An Act relating to the leasing of real property making it unlawful to dispossess tenants or recover leased property except after thirty days' notice prohibiting the execution of leases containing waivers of the provisions of this act and voiding certain leases

Which was committed to the Committee on Judiciary Special.

House Bill No. 515, (Senate Bill No. 694), entitled:

An Act limiting rent as a preferred claim

Which was committed to the Committee on Judiciary Special.

House Bill No. 593, (Senate Bill No. 695), entitled:

An Act providing compensation for the residents of this Commonwealth who served in military or naval forces of the United States during the World War; imposing certain duties on the Adjutant General; making an appropriation and repealing inconsistent legislation.

Which was committed to the Committee on Appropriations.

House Bill No. 600, (Senate Bill No. 696), entitled:

An Act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic, the United-Spanish War Veterans and American Legion a part of the public records of the State; and providing for their publication and distribution.

Which was committed to the Committee on Military Affairs.

House Bill No. 606, (Senate Bill No. 697), entitled:

An Act to further amend an act approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty) entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" providing for the rebuilding of decayed and unsafe bridges and certain bridges on State highways

Which was committed to the Committee on Public Roads Highways.

House Bill No. 833, (Senate Bill No. 698), entitled:

An Act conferring the right on the courts of Common Pleas of various counties to permit amendment of charters of corporations of the first class, so as to permit any institution of learning, which shall have been incorporated as a corporation of the first class, to confer appropriate degrees to any person who shall have satisfactorily passed a required course of study of such institution of learning.

Which was committed to the Committee on Education.

House Bill No. 857, (Senate Bill No. 699), entitled:

An Act providing for the lapsing of unexpended or unencumbered balances of appropriations.

Which was committed to the Committee on Appropriations.

House Bill No. 866, (Senate Bill No. 700), entitled:

A Joint Resolution proposing an amendment to section one of article nine of the Constitution of the Commonwealth of Pennsylvania

Which was committed to the Committee on Finance.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 3, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate,

the following named person to be a Notary Public, for the term of four years, to compute from the date of expiration of his present commission:

LANCASTER COUNTY.

Walter S. Mellinger, Lancaster, April 1, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 3, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmations:

ALLEGHENY COUNTY.

Hiram R. Davis, Pittsburgh.
J. C. Myers, Pittsburgh.

BERKS COUNTY.

David H. Kauffman, Reading.
Carl E. Kunsman, Reading.
Edward C. Smith, Hamburg.

MERCER COUNTY.

M. C. Franck, Farrell.

MONTGOMERY COUNTY.

Norman Lewis Silk, Norristown.

NORTHAMPTON COUNTY.

Augustus J. Bayeur, Bethlehem.

PHILADELPHIA COUNTY.

Isaac Goldstein, Philadelphia, 2316 N. 49th St.
Miss Mae Goodneck, Philadelphia, 3859 Pennsgrove St.

YORK COUNTY.

Albert H. Shattel, North York.
John M. Young, York.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 3, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Miss Agnes B. Cochrane, Pittsburgh, April 1, 1923.

BERKS COUNTY.

Mrs. Caroline P. Muntz, Reading, April 1, 1923.
Harrison Rick, Reading, April 1, 1923.

BUCKS COUNTY.

William A. Rossiter, Langhorne, April 1, 1923.

BUTLER COUNTY.

Miss E. Maude Christley, Butler, Mar. 9, 1923.

ERIE COUNTY.

F. L. Camp, Erie, April 1. 1923.

MONTGOMERY COUNTY.

Frank E. McCormick, Cheltenham, April 1, 1923.

NORTHAMPTON COUNTY.

Oliver C. Werst, Bethlehem, April 1, 1923.

WESTMORELAND COUNTY.

J. J. Mahady, Latrobe, April 1, 1923.

GIFFORD PINCHOT.

By unanimous consent,

A motion was made by Mr. WOODWARD,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. WOODWARD,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Snyder,
Baldwin,	Derrick,	MacDade,	Sones,
Barr,	DeWitt,	Mansfield,	Sprowls,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	McNichol,	Stineman,
Brown,	Homsher,	Miller,	Stites,
Buckman,	Huffman,	Norton,	Vare,
Christley,	Jones,	Patton,	Weaver,
Clark,	Joyce,	Phipps,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culbertson,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,	Lanius,	Smith,	

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. WOODWARD. Mr. President, I move that the executive session do now rise.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. PHIPPS. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PHIPPS from the Committee on Military Affairs reported as committed, Senate Bill No. 545, (House Bill No. 635), entitled:

An Act to amend section six of the act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 473), entitled, "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors, or marines, designated "as deceased service men"; defining the term 'deceased service man'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

Also from the Committee on Military Affairs reported as committed, Senate Bill No. 312, (House Bill No. 325), entitled:

An Act to require counties to cause the graves of honorably discharged soldiers and sailors to be decorated with flags on Memorial Day

Also from the Committee on Military Affairs reported as committed, Senate Bill No. 679, (House Bill No. 759), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen

Also from the Committee on Military Affairs reported as committed, Senate Bill No. 397, (House Bill No.. 477), entitled:

An Act to amend section five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service man' defining the term 'deceased service men' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

Also from the Committee on Military Affairs reported as committed, Senate Bill No. 680, (House Bill No. 760), entitled:

An Act to amend section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

Also from the Committee on Military Affairs reported as committed, Senate Bill No. 668, (House Bill No. 697), entitled:

An Act making it unlawful for any county city borough or incorporated town to prohibit the wearing of certain military insigna by its employees upon their uniforms

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr SCHANTZ, from the Committee on Appropriations reported as committed, Senate Bill No. 692, (House Bill No. 209), entitled:

Mr. BARR. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR, from the Committee on Education reported as amended, Senate Bill No. 581, entitled:

An Act to further amend section one thousand two hundred ten as amended, of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties by the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 439, entitled:

An Act to amend sections one thousand one hundred five, and one thousand one hundred thirty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws, three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 464, entitled:

An Act providing a means whereby real estate, devised upon a trust to divide it among other persons, and the trustee has died without performing the trust, may be divided amicably by the interested persons with the approval of the Orphans' Court and the legal title be vested in them by judicial decree.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 472, entitled:

An Act to amend section one of an act approved July 18, 1917 (P. L. 1072) entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes," extending the provisions of said act to all such sales.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 489, entitled:

An Act to amend section two of the act of April 19, 1901 P. L. 88, entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 507, entitled:

An Act to amend section one of an act, approved the ninth day of July, one thousand nine hundred and nineteen, (P. L. 794) entitled, "An Act providing that estates in buildings, ground, books, curios, pictures, statuary and other works of art, passing by will to any municipality, corporation, or unincorporated body, for free exihibition within Pennsylvania, shall not be subject to collateral inheritance and, in certain instances, the date when such tax shall become due," extending the act to property passing to colleges universities and educational institutions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 509, entitled:

An Act to require the teaching of the constitution of the United States in the public and private schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 511, entitled:

An Act making it a misdemeanor to forge or to make or manufacture any object with intent of representing or of permitting the same to be represented as an archeological specimen; or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully forged, made or manufactured; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 533, (House Bill No. 524), entitled:

An Act to amend part of section one of an act approved the tenth day of May, 1921, (P. L. 455) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 537, (House Bill No. 560), entitled:

An Act to repeal the act approved February 23, 1870 (P. L. 223) entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county" and the act approved May 19, 1871 (P. L. 983) entitled "A Supplement to an act entitled 'An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county' passed the twenty-third day of February, Anno Domini, one thousand eight hundred and seventy"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 545, (House Bill No. 635), entitled:

An Act to amend section six of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated "as deceased service men" defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 581, entitled:

An Act to further amend section one thousand two hundred ten as amended of an act approved the eighteenth day of May, 1911 (P. L. 309) entitled "An act to establish a public school system in the Comomnwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent therewith."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS INTRODUCED.

Mr. JOYCE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JOYCE read in his place and presented to the Chair Senate Bill No. 701, entitled:

An Act to amend section one thousand one hundred and three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Which was committed to the Committee on Education.

Also read in his place and presented to the Chair Senate Bill No. 702, entitled:

An Act to amend section twelve of the act approved the eighteenth day of July, one thousand nine hundred and seventeen, (P. L. 1043), entitled "An Act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended.

Which was committed to the Comittee on Education.

COMMITTEE TO DRAFT RESOLUTIONS ON DEATH OF THE LATE SENATOR EDWIN H. VARE.

The PRESIDENT. The President Pro Tempore announces the appointment of the following Committee to draft resolutions on the death of the late Senator, Edwin H. Vare: The Senator from Philadelphia, Mr. Daix, the Senator from Philadelphia, Mr. Salus, the Senator from Philadelphia, Mr. Woodward, the Senator from Beaver, Mr. Craig, and the Senator from Lycoming, Mr. Sones.

MOTION TO READ BILLS THE FIRST TIME

Mr. SCHANTZ. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. JONES. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 188, entitled:

An Act authorizing the transfer of the property and franchises of certain schools and academies to State Normal Schools.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 203, entitled:

A joint resolution proposing an amendment to Article 3, Section 6, of the Constitution of the Commonwealth of Pennsylvania, so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 312, (House Bill No. 325), entitled:

An Act to require counties to cause the graves of honorably discharged soldiers sailors and marines to be decorated with flags on Memorial Day.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 396, (House Bill No. 362), entitled:

An Act to empower and authorize any school or college or institution of optometry incorporated under the laws of Pennsylvania organized operated and conducted not for profit which has a prescribed course of study to confer degree certifying to the completion of such prescribed course of study.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 397, (House Bill No. 447), entitled:

An Act to amend section five of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 473), entitled "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors or marines, designated as 'deceased service men'; defining the term 'deceased service man'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 589, entitled:

An Act authorizing sheriffs, in counties of the fourth class to appoint a solicitor; prescribing the duties of said solicitor, and fixing his salary.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 601, entitled:

An Act authorizing boards of revision of taxes and boards for the assessment and revision of taxes to hear and dispose of appeals away from the county seat.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 634, entitled:

An Act to amend section one of the act approved the tenth day of July, one thousand nine hundred and nineteen, (P. L. 903) entitled "An Act regulating fees of notaries public."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 666, (House Bill No. 691), entitled:

A Supplement to the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (P. L. 322) entitled "An Act creating a Commission to select an historic spot as a cemetery for the burial of bodies of soldiers, sailors, marines, war nurses and members of the National Guard defining the powers and duties of the Commission and making an appropriation" extending the time for the making of the report of the Commission and making an additional appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 668 (House Bill No. 697), entitled:

An Act making it unlawful for any county city borough or incorporated town to prohibit the wearing of certain military insignia by its employees upon their uniforms.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 679, (House Bill No. 759), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 680, (House Bill No. 760), entitled:

An Act to amend section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 692, (House Bill No. 209), entitled:

An Act making an appropriation to O'Hara Brothers for payment for the burial of bodies of indigent persons under instructions of the State Department of Health.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. SHANTZ. Mr. President, I move that the Senate do now adjourn.

Mr. JONES. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:07 P. M., until Monday evening, April 9, 1923, at 9:00 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 3, 1923

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty God, Thou who didst call Thy servant, Moses, away from the stress and struggle, contention and strife

and cavil of the camp, and Thou who didst command him to be ready and come up in the morning to the top of the mountain, and forbade man and beast to come nigh, that he might be still in Thy presence, that Thou couldst give unto him commandments and law, we pray this morning that Thou wouldst help us to draw in the wanderings of our minds and be silent before Thee, that we may hear Thee speak, that we too may hear the revelations of Thy will, to the end that we may give nobly, act wisely, and serve faithfully.

We ask it in Jesus' name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings when, on motion of Miss Gallaher, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE.

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 502. (HOUSE BILL No. 1367).

An Act prohibiting the location by cities of the third class of city prisons or lock-ups close to public school buildings.

Referred to the Committee on Municipal Corporations.

BILL RE-REFERRED.

Mr. HEFFERNAN returned from the Committee on Railroads with the recommendation that it be re-referred to the Committee on Electric Railways, House Bill No. 1300, entitled

An Act prohibiting the operation of railway cars with a crew of less than two persons.

The SPEAKER. The bill is now re-referred to the Committee on Electric Railways

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate of Pennsylvania, April 2, 1923.

Whereas, during the first week of October, one thousand nine hundred and twenty-three, the City of Reading will celebrate its one hundred and seventy-fifth anniversary, and the firemen of the City of Reading and the citizens thereof will celebrate the one hundred and fiftieth anniversay of the founding of the Volunteer Fire Department of said city, and

Whereas, it is the wish of the officials and citizens of the City of Reading that the General Assembly of the Commonwealth be represented at this celebration, therefore, be it

Resolved, (if the House of Representatives concur), That the Governor of the Commonwealth is hereby authorized to appoint the officers of the Senate and House of Representatives as a committee to represent the General Assembly at the celebration of the one hundred and seventy-fifth anniversary of the founding of the City of Reading, during the first week of October, one thousand nine hundred and twenty-three.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in,

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES.

Mr. EDMONDS, from the Committee on Judiciary General reported as committed House Bill No. 932, entitled:

An Act requiring the insurance of motor vehicles against liability for damages to persons or property due to the negligent operation thereof.

Mr. BLUETT, from the Committee on Judiciary General, reported as committed House Bill No. 962, entitled:

An Act to amend Sections 20, 40 and 47 of an Act entitled "An act relating to warehouse receipts approved the eleventh day of March, Anno Domini one thousand nine hundred and nine."

Mr. STONER, from the Committee on Judiciary General, reported as committed House Bill No. 785, entitled:

An Act prohibiting the binding out by indenture of minors as apprentices; and repealing inconsistent legislation.

Mr. GOEHRING, from the Committee on Judiciary General, reported as committed House Bill No. 1001, entitled:

An Act to quiet the title to real estate; and to enable citizens of the United States, and corporations authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Mr. MATHAY, from the Committee on Ways and Means, reported as committed House Bill No. 1318, entitled:

An Act imposing a State tax on the premiums paid into the State Workmen's Insurance Fund; and providing for collection thereof.

Mr. McCAIG, from the Committee on Ways and Means, reported as committed House Bill No. 1320, entitled:

An Act to amend an act approved May 2, 1899, (P. L. 184), entitled "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," as amended.

Mr. ASTON, from the Committee on Judiciary Local, reported as committed House Bill No. 918, entitled

An Act providing for the taking over, operation, control and management of certain county, city, and poor district insane hospitals by the State under the supervision of the Department of Public Welfare; providing for their transfer; providing for the use of such hospitals not taken over as institutions for the care and treatment of persons mentally defective; providing for the management and maintenance thereof; regulating the commitment of persons thereto; providing for assistance from the State and imposing certain duties upon said department of Public Welfare.

Mr. ASTON, from the Committee on Judiciary Local, reported as amended House Bill No. 148, entitled:

An Act authorizing cities, boroughs, incorporated towns, and townships of the first class to require and permit the laying and construction of gas mains or pipes, water mains or pipes, and all other mains and pipes, and sanitary sewers and sewer pipes, outside the cartway and the curblines thereof, in all streets and highways, and prescribing the uses thereof; and providing for the assessment of the costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid.

Mr. HASLETT, from the Committee on Judiciary Local, reported as committed House Bill No. 1255, entitled:

An act providing for the refunding of moneys erroneously paid into the State Treasury as taxes by dealers in goods, wares and merchandise under the mercantile license tax law, and making an appropriation for such refunding.

Mr. HASLETT, from the Committee on Judiciary Local, reported as committed House Bill No. 1035, entitled:

An Act to amend section one of the act approved the first day of June, one thousand nine hundred and seven (Pamphlet Laws, three hundred sixty-four), entitled "An act to increase the pay of jurors and witnesses in this Commonwealth," as amended.

Mr. HENDERSON, from the Committee on Judiciary Local, reported as committed House Bill No. 1015, entitled:

An Act to validate certain municipal claims and municipal liens in the several cities and boroughs of the Commonwealth; providing for the filing of claims therefor, and the proceedings for the collection of such claims.

Mr. CHAPLIN, from the Committee on Ways and Means, reported as committed House Bill No. 1193, entitled:

An Act providing for resettlements by the Board of Public Accounts of mercantile license taxes erroneously paid into the State Treasury.

Mrs. PITTS, from the Committee on Judiciary Local, reported as committed House Bill No. 1214, entitled:

An Act to amend section 16, (a) of the act approved the seventh day of June, one thousand nine hundred seventeen, (Pamphlet Laws, four hundred fifteen), entitled and known as the "Register of Wills Act of 1917," changing the time limit within which those interested shall appeal from the decree of the register.

Mr. POSEY, from the Committee on Judiciary Local, reported as committed House Bill No. 808, entitled:

An Act to prohibit corporations from interposing the defense of usury in any action.

Mr. STAUDENMEIER, from the Committee on Judiciary Local, reported as committed, House Bill No. 832, entitled:

An Act amending an act entitled "An Act giving to dependent, neglected, incorrigible, delinquent, and other children committed to the care, custody, or control of any institution or citizen, or training school or industrial school, or any association willing to receive them, or to any other person or persons by any court of this Commonwealth sitting as a juvenile court, or any judge sitting as such, the right to reviews and rehearings, on petition of their parent or parents or next friend, requiring the testimony to be made a part of the record, and providing for appeals to the superior court," approved the first day of June, one thousand nine hundred and fifteen, by extending the right to reviews, rehearings, revocations and modifications and appeals thereafter, to the persons who initiated the proceedings to commit.

Mr. JOSEPH MARCUS, from the Committee on Judiciary General, reported as committed, House Bill No. 1095, entitled:

An Act relating to debts of municipalities.

Mr. BROWN, from the Committee on Judiciary Local, reported as committed, House Bill No. 987, entitled:

An Act to amend sections one, two, three and four, of an act approved the eleventh day of July, Anno Domini, one thousand nine hundred and seventeen, entitled, "An Act to regulate the importation into this Commonwealth of dependent, delinquent or defective children, and providing a penalty for the violation thereof.

Mr. WHITEHOUSE, from the Committee on Judiciary General, reported as amended, House Bill No. 906, entitled:

An Act to amend section twenty-one of an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 483), entitled, "An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the Courts power to enforce its provisions," by requiring objections to the form of any pleading to be filed and served upon the opposite party within ten days after the service of such objectionable pleading.

Mr. RINN, from the Committee on Iron and Coal, reported as committed House Bill No. 1086, entitled:

An Act providing for the public health, safety and welfare, requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of hospitals, poor houses or other charitable institutions, schools, churches and buildings of municipal or quasi municipal character; and providing penalties for the violation of this act.

Mr. HORNE, from the Committee on Education, reported as amended House Bill No. 1229, entitled:

An Act to further amend section one thousand two hundred ten as amended, of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. WHITEMAN, from the Committee on Education, reported as committed House Bill No. 880, entitled:

An Act to amend section two hundred and seven of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Mr. PRICE, from the Committee on Judiciary Special, reported as committed House Bill No. 532, entitled:

An Act to provide for the registration and protection of artificial, assumed, trade or association names, titles or designations.

Mr. ALEXANDER, from the Committee on Judiciary General, reported as committed House Bill No. 830, entitled:

An Act amending section one of an Act entitled, "A further supplement to an Act, entitled 'An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expense thereof,' approved the fifth day of May, one thousand nine hundred and eleven; constituting the said court the juvenile court of said county and prescribing its organization, jurisdiction and powers therein and otherwise," approved the nineteenth day of March, one thousand nine hundred and fifteen, by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent, neglected, incorrigible and delinquent children.

Mr. MILLAR, from the Committee on Judiciary General, reported as committed House Bill No. 891 (Senate Bill No. 337), entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining

their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenanace and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commisioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages.

Mr. LUDLOW, from the Committee on Banks and Banking, reported as committed House Bill No. 892 (Senate Bill No. 303), entitled:

An Act to amend Section 3 and Section 4 of an Act approved the fifth day of May one thousand nine hundred and twenty-one (P. L. 374), entitled "An Act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith a contract based upon payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties."

Mr. BLUMBERG, from the Committee on Judiciary General, re-reported as committed House Bill No. 617, entitled

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents;" so as to permit the orphans' court in its discretion to permit a corporation appointed as trustee in the place of an executor or executors, trustee or trustees, dying, renouncing, dismissed or refusing to act, to give its own bond without surety.

Mr. JOSEPH MARCUS, from the Committee an Judiciary General re-reported as committed, House Bill No. 566, entitled

An Act to amend article one, section one, of the act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determination by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains', by amending section nine thereof; repealing the act approved the thirty-first day of May one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals,' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven and sec-

tion thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" extending the provisions of said act to corporations, joint-stock companies or associations, domestic or foreign, their lessees, assignees, trustees and receivers, and to individuals, partnerships and associations engaged in the production, sale or distribution of coal, and defining and declaring the same to be public service companies.

Mr. METCALF, from the Committee on Counties and Townships, re-reported as amended House Bill No. 612, entitled,

An Act authorizing the election of a solicitor of townships by supervisors of second class townships in county convention assembled, defining the duties of said solicitor of townships, regulating the salary and the manner of payment thereof to the solicitor of townships.

Mr. HENDERSON, from the Committee on Judiciary Local, reported with a negative recommendation House Bill No. 1293, entitled

An Act to amend part of section one of an act, approved the twentieth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand one hundred fifty-eight), entitled "An Act to fix, regulate and establish the fees to be charged and received by constables in this Commonwealth."

Mr. JEFFERSON W. SMITH, from the Committee on Railroads, reported with a negative recommendation House Bill No. 171, entitled

An Act to promote the safety of travelers and employes upon railroads by compelling common carriers by railroad to properly man their trains.

BILLS REPORTED TO BE READ FIRST TIME.

Mr. ALEXANDER. Mr. Speaker and members of the House, by reason of the great amount of work that the Printing Department has at the present time they have been unable to get the calendar out, as well as the history and other bills on the calendar. I, therefore, in order to relieve this congestion ask that the House give its unanimous consent at this time that all bills now presented shall be read for the first time upon presentation, and so make it unnecessary to print these bills for second reading.

The SPEAKER. The gentleman from Delaware, Mr. Alexander, asks for unanimous consent that all bills reported from committee today be read for the first time. Are there objections? The Chair hears none and the bills reported from committees today will be read for the first time.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 932, entitled:

An Act requiring the insurance of motor vehicles against liability for damages to persons or property due to the negligent operation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 962, entitled:

An Act to amend Sections 20, 40 and 47 of an Act entitled "An act relating to warehouse receipts approved the eleventh day of March, Anno Domini one thousand nine hundred and nine."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 785, entitled:

An Act prohibiting the binding out by indenture of minors as apprentices; and repealing inconsistent legislation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1001, entitled:

An Act to quiet the title to real estate; and to enable citizens of the United States, and corporations auhorized to hold real estate within this Commonwealth, to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideratin of House Bill No. 1318, entitled:

An Act imposing a State tax on the premiums paid into the State Workmen's Insurance Fund; and providing for collection thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1320, entitled:

An Act to amend an act approved May 2, 1899, (P. L. 184), entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares, and merchandise, and providing for the collection of said tax," as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 918, entitled:

An Act providing for the taking over, operation, control and management of certain county, city, and poor district insane hospitals by the State under supervision of the Department of Public Welfare; providing for their transfer; providing for the use of such hospitals not taken over as institutions for the care and treatment of persons mentally defective; providing for the management and maintenance thereof; regulating the commitment of persons thereto; providing for assistance from the State and imposing certain duties upon said department of Public Welfare.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 148, entitled:

An Act authorizing cities, boroughs, incorporated towns, and townships of the first class to require and permit the laying and constructing of gas mains or pipes, water mains or pipes, and all other mains and pipes, and sanitary sewers and sewer pipes, outside the cartway and the curblines thereof, in all streets and highways, and prescribing the uses thereof; and providing for the assessment of the

costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1255, entitled:

An Act providing for the refunding of moneys erroneously paid into the State Treasury as taxes by dealers in goods, wares and merchandise under the mercantile license tax law, and making an appropriation for such refunding.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1035, entitled:

An Act to amend section one of the act approved the first day of June, one thousand nine hundred and seven (Pamphlet Laws, three hundred sixty-four), entitled "An act to increase the pay of jurors and witnesses in this Commonwealth," as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1015, entitled:

An Act to validate certain municipal claims and municipal liens in the several cities and boroughs of the Commonwealth; providing for the filing of claims therefor, and the proceedings for the collection of such claims.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1193, entitled:

An Act providing for resettlements by the Board of Public Accounts of mercantile license taxes erroneously paid into the State Treasury.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1214, entitled:

An Act to amend section 16, (a) of the act approved the seventh day of June, one thousand nine hundred seventeen, (Pamphlet Laws, four hundred fifteen), entitled and known as the "Register of Wills Act of 1917," changing the time limit within which those interested shall appeal from the decree of the register.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 808, entitled:

An Act to prohibit corporations from interposing the defense of usury in any action.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 832, entitled:

An Act amending an act entitled "An Act giving to dependent, neglected, incorrigible, delinquent, and other children committed to the care, custody, or control of any institution or citizen, or training school or industrial school, or any association willing to receive them, or to any other person or persons by any court of this Commonwealth sitting as a juvenile court, or any judge sitting as such the right to reviews and rehearings, on petition of their parent or parents or next friend, requiring the testimony to be made a part of the record, and providing for appeals to the superior court", approved the first day of June, one thousand nine hundred and fifteen, by extending the right to reviews, rehearings, revocations and modifications and appeals thereafter, to the persons who initiated the proceedings to commit.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1095, entitled:

An Act relating to debts of municipalities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 987, entitled

An Act to amend section one, two, three and four, of an act approved the eleventh day of July, Anno Domini, one thousand nine hundred seventeen, entitled "An act to regulate the importation into this Commonwealth of dependent, delinquent or defective children, and providing a penalty for the violation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 906, entitled

An Act to amend section twenty-one of an act approved the fourteenth day of May one thousand nine hundred and fifteen, (P. L. 483), entitled "An act relating to practice in the courts of commonpleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the courts power to enforce its provisions," by requiring objections to the form of any pleading to be filed and served upon the opposite party within ten days after the serice of such objectionable pleading.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1086, entitled

An Act providing for the public health, safety and welfare; requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of hospitals, poor houses or other charitable institutions, schools, churches and buildings of municipal or quasi municipal character, and providing penalties for the violation of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1229, entitled

An Act to further amend section one thousand two hundred ten as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An act to establish

a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 880, entitled

An Act to amend section two hundred and seven of an act approved the eighteenth day of May, one thousand nine-hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 532, entitled

An Act to provide for the registration and protection of artificial, assumed, trade or association names, titles or designations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 830, entitled:

An Act amending section one of an act entitled "A further supplement to an act, entitled 'An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expense thereof,' approved the fifth day of May, one thousand nine hundred and eleven; constituting the said court the juvenile court of said county and prescribing its organization, jurisdiction and powers therein and otherwise," approved the nineteenth day of March, one thousand nine hundred and fifteen. by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent, neglected, incorrigible and delinquent children.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 891, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred and sixty-eight), entitled, "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner; to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads; forming all or part of any State highway and procedure therein; providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships; desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town and requiring contracts by counties, townships boroughs and incorporated towns with Commonwealth governing same: providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 892 (Senate Bill No. 303), entitled:

An Act to amend section three and section four of an act approved the fifth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seventy-four) entitled "An act providing for the licensing and regulation of corporations, copartnerships, associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating, offering for sale or selling any certificates, securities, contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid in some future time with or without profit, and imposing penalties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

LEAVES OF ABSENCE.

Mr. FRAZIER asked and obtained leave of absence for Mr. Schleiter on account of illness.

Mr. DRINKHOUSE asked and obtained leave of absence for Mr. Dilsheimer.

Mr. SPROWLS asked and obtained leave of absence for Mr. Walker.

RESOLUTION RELATIVE TO ALLEGHENY RIVER IMPROVEMENT.

Mr. McVICAR offered the following resolution which was read and laid over under the rules.

In the House of Representatives, April 2, 1923.

Whereas, the improvement of Allegheny River to a point north of the mouth of the French Creek in the County of Venango has already been determined upon; and

Whereas, at the last session of the Congress of the United States, the Hon. M. Clyde Kelly introduced a bill known as HR-14458, providing for the construction of a canal from the mouth of French Creek and by way of said French Creek to Lake Erie at a point at or near the City of Erie, which bill was not acted upon by reason of the lack of time; and

Whereas, it is believed that the construction of said canal would furnish a short and convenient water way between the Great Lakes and the Gulf of Mexico, and thereby be of great value commercially, industrially and economically; therefore, be it

Resolved (if the Senate concur), That the Congress of the United States be, and it is hereby, petitioned to cause such an examination, investigation and survey to be made as are necessary in order to determine whether the construction of the aforesaid canal is reasonable and practicable, and also to determine whether it is to the best interest of the United States that such improvement be made;

Resolved, That the Secretary of the Commonwealth be requested to forward this resolution to the Speaker of the House of Representatives and the President of the Senate of the United States.

REPORT OF RULES COMMITTEE.

Mr. McVICAR offered the following report from the Committee on Rules, which was twice read and adopted.

House of Representatives, April 3rd, 1923.

The Committee on Rules is unable to make a report at this time fixing the date of the final adjournment of the General Assembly because there are a large number of bills now pending in the House committees and a considerable number of bills will be received hereafter which originate in the Senate and the committee is without information as to the number of such bills and the time that will be required of the committees to make reports to the House thereon. Also of the time that will be required by the House in acting upon the bills which are reported to it by the committees.

That the Committee on Rules may have such information as is in the possession of the House and its various Committees so that a resolution fixing a date of final adjournment may be reported hereafter, it recommends adoption of the following resolution:

Resolved, that the Chairmen of the various committees of the House be and they are hereby instructed to report to the Committee on Rules not later than April 16th, 1923, the number of bills pending in their respective committees and the amount of time as nearly as can be ascertained that will be required to report thereon.

Nelson McVicar,
Geo. W. Williams,
Chas. F. Bidelspacher,
John M. Flynn,
Chester H. Rhodes.

RESOLUTION No. 7.

Mr. VICKERMAN. Mr. Speaker, I desire to call up at this time Resolution No. 7, file folio 2037.

The resolution was read by the clerk as follows:

Whereas, at each session of the Legislature, bills are introduced for the purpose of providing pensions for State county and municipal officers and employes upon their retirement from office, many of these bills imposing a mandatory obligation upon the State, counties and municipalities. and

Whereas, the Legislature cannot during the busy weeks of its session ascertain the conditions and facts surrounding these demands and deal fairly with those who would receive the benefit of legislation of this class and also with the taxpayer whose money is appropriated, and

Whereas the existing pension laws for State county and municipal officers and employes differ greatly as to conditions under which benefits can be granted and as to the methods by which the necessary revenues are obtained, and

Whereas, it is the sense of the members of this Legislature that all public pension funds should be placed on a sound uniform and equitable basis under a fixed State policy, therefore be it

Resolved (if the Senate concur) That a commission of seven members be appointed, two by the President of the Senate and three by the Speaker of the House and two by the Governor to be known as the "Public Service Pension Commission" to make a survey of all pension and retirement funds for the officers and employes of the State and the various county and municipal governments, to investigate the question of the desirability of establishing a uniform equitable system of retiring State, county and municipal employes and whether a proper standard can be established for fixing the basis of such pensions to the end that all shall be dealt with fairly, the said commission to report their findings together with any recommendations thereon at the next session of the Legislature, and

That the members of said commission shall serve without compensation and the expenses of said commission shall be limited to five thousand ($5,000) dollars or so much thereof as may be necessary and that the same be provided for in the next general appropriation bill.

On the question,

Will the House adopt the resolution?

Mr. VICKERMAN. Mr. Speaker and gentlemen of the House, Resolution No. 7, which came before this House last session, and passed without a dissenting vote in this assembly, I bring up to you today in the name of the Pittsburgh Chamber of Commerce, an organization of more than six thousand business men of Allegheny County. This Resolution provides for a survey of the pension system in Pennsylvania. Every session we are here we have dumped upon us all kinds of pension bills, many of which we have not time to study and sometimes we vote for things and wish afterwards we had not done so. This resolution simply provides for a commission of five, two from the Senate and three from the House; that commission to make a study of the pension systems in Pennsylvania and bring back to this body two years hence a comprehensive report of these systems.

Now, I want to say to you in the giving of this message that I am for pensions, I believe in pensions; I believe in pensions to take care of employees of the State, and I believe our County should take care of their employees; I am for the mothers' pension fund, and I am for old age pensions, but the things I am concerned about today, men and women of this House, I want to be assured, as you do, that when promising these people pensions we shall have the pension money for them when old age comes upon them. I am simply here to lay before you the facts in this resolution and what I want to ask you today is to appoint a commission from this House and from the Senate to draw up a comprehensive report to be presented two years from now, stating whether our pension systems in Pennsylvania are sound and economic, and whether they will pan out when the time comes when a man wants to retire on old age, whether they will have money enough to take care of him the rest of his days. I have no fault to find whatever, but when we made requests of some systems in Pennsylvania and asked for an investigation, or rather a chance to look at some of their books, they have refused to permit us to look at them. Anybody who will vote against this resolution today has something that they don't want uncovered. The situation is simply this: we simply want to find out how these systems are run, whether ecomomically or not, and whether or not when the time comes these men will have the money they are promised. I ask you to vote for this resolution so we will have an inspection so far as the pensions in Pennsylvania are concerned.

Mr. HARER. Mr. Speaker, May I interrogate the gentleman from Allegheny, Mr. Vickerman?

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. VICKERMAN. Yes sir.

Mr. HARER. I would like to ask if it is your intention that this bill carry an appropriation with it.

Mr. VICKERMAN. The bill carries $5,000.00 for the expenses of the commission.

Mr. HARER. Does it make the appropriation or recommend it?

Mr. VICKERMAN. It recommends it.

Mr. HARER. Have you made provisions for such amount in the appropriation bill?

Mr. VICKERMAN. I have not.

Mr. HARER. Do you think this resolution will amount to much without an appropriation to carry it into effect?

Mr. VICKERMAN. I believe the money can be found.

Mr. HARER. Mr. Speaker, and members of the House, I simply want to say that it seems to me that a bill carrying an appropriation like this should be considered by the Appropriation Committee, and not passed in this manner.

RESOLUTION REFERRED TO COMMITTEE.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I move that this resolution be referred to the Committee on Appropriations.

Mr. HARER. Mr. Speaker, I second the motion.

It was agreed to.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

TIME OF NEXT MEETING.

In the Senate, April 3, 1923.

Resolved (if the House of Representatives concur), That when the Senate adjourns today it reconvene on Monday evening, April ninth, at nine o'clock, and when the House of Representatives adjourns this week it reconvene on Monday evening, April ninth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE RECEIVED BY HOUSE TO MEET IN JOINT SESSION.

The Sergeant at-Arms announced the return to the Hall of the House of the Committee appointed on the part of the House, escorting the members of the Senate to the Hall of the House.

Mr. CLUTTON. Mr. Speaker, your committee appointed to escort the memebrs of the Senate to the Hall of the House has performed this duty, and the Senate is present for the Joint Session.

The SPEAKER. The committee is discharged with thanks. The Senators will be seated. The President of the Senate is invited to preside over the Joint Session, and the President Pro tempore is invited to a seat at the desk.

JOINT SESSION.

LIEUTENANT-GOVERNOR DAVID J. DAVIS, PRESIDING.

LIEUTENANT GOVERNOR DAVIS. The Joint Session will be in order.

The SERGEANT AT-ARMS announced the return to the Hall of the House of the Committee appointed on the part of the House, escorting His Excellency, the Governor of the Commonwealth, the Honorable Gifford Pinchot.

Mr. BIDELSPACHER. Mr. President, the Committee appointed by the Speaker of the House to inform the Senate of the Join Session of the Senate and House of Representatives have performed that duty and take pleasure in announcing the presence of his Excellency, the Governor of the Commonwealth, the Honorable Gifford Pinchot.

LIEUTENANT-GOVERNOR DAVIS, Members of the General Assembly, I take great pleasure in introducing to you the Governor of the Commonwealth, who will address you on questions of finance and reorganization.

ADDRESS.

GOVERNOR GIFFORD PINCHOT. Mr. President, members of the General Assembly and friends, I regret that the nature of the subjects upon which I am to have the honor of speaking to you, is such as to require a somewhat lengthy presentation, but I wish to ask your indulgence in the matter, believing that the purposes which we have in common will be best served by this statement.

With the passage of the Enforcement Act the first article of the Administration program was enacted into law, and the most keenly disputed question before the General Assembly was settled and removed from the field of legislative contention. Additional bills regulating the manufacture of near beer and dealing with non-beverage uses of alcohol have been introduced, and will, I hope and believe, in due time receive your approval.

Two other questions of primary importance are before your honorable body. One of them relates to the financial affairs of the Commonwealth, and its return to a pay-as-you go basis. The other deals with the reorganization of the State Government, which is indispensable if we are to secure reasonable economy and efficiency in the business of the State Government.

On January 23rd I submitted to the General Assembly the first Budget ever prepared for the State of Pennsylvania. This Budget was drawn up by men without official authority, with no legal power to secure complete reports, and with no Pennsylvania precedents to guide them. Nevertheless, the cooperation they received from officials was in most cases so hearty, the methods they employed were so thorough, and the principles upon which they proceeded were so sound, that the Budget stands today absolutely unscathed in all essentials by the searching examination and criticism to which it has been subjected.

Although the Budget was submitted to the Legislature during the first week of the present Administration for the special purpose of giving ample time for examination and discussion, nothing has been developed to vitiate or change in any material respect the picture the Budgets presents of the financial condition of the Commonwealth to modify seriously the plan of appropriation it suggests, or to indicate a practicable remedy for the situation beyond those which it sets forth. In other words, the Budget has proved its entire soundness and is fulfilling completely the purpose for which it was prepared.

Far from magnifying the financial embarrassment of the Commonwealth, the Budget made every effort to minimize it while keeping wholly within the truth. It not only assumed a revenue for the coming two years three million dollars greater than the official estimate of the Auditor General, but it assumed also that a million dollars of appropriations could be lapsed (more than can be lapsed in fact), and that three and a half million dollars could be saved by the Departments during the present biennium (a greater saving than can be foreseen at this time). These items, together with the excess of one million dollars beyond the Budget estimate in the Deficiency Bill recently passed, mean postponements of expenditures and an additional burden of economies in the next biennium. The fact is that the Budget has

been stretched to the utmost limit in the effort to avoid new taxation.

Including, as it does, an average cut of 26½ per centum in the appropriations for the Executive Departments below those of the present biennium, I repeat that the Budget statement of our financial situation was the very best showing that could in reason be made. Additional information received since it was presented makes the situation worse rather than better.

For example, the sinking fund established for the protection of highway bonds does not yet contain the full amounts appropriated by the Legislature for investment. The State still owes the sinking fund $1,026,590. The loss in interest alone, due to the postponement of this investment, amounting to about $85,000, can be made up now only by direct contributions from our taxes.

It has been suggested that the appropriation liability we face should not be met in two years, but should be distributed over a longer period. There are three ways in which this could be done.

One is to continue appropriating beyond our income, and let unpaid bills keep piling up in the Treasury. There is no defense for such a practice and we are all against it.

The second way is to appropriate the money but not to spend it, or not to spend all of it. A few obligations, such as the Delaware River Bridge, can fairly be met by this method. The Budget has applied it to as large an extent as was practicable.

The third method, which also the budget has used to the limit of wisdom and practicability, is to postpone making appropriations for needs that are already known. Thus needed new construction to the extent of at least $3,000,000 has been postponed. Monuments and markers to commemorate the lives and deeds of great men to the extent of at least $500,000 have been postponed. The payment of half a million dollars for lands already purchased for public parks has been postponed. The full requirement for the Teachers' Retirement Fund has not been met in the Budget by some $600,000 should present salaries be maintained. The $7,000,000 allotted to the Sinking Fund in the Budget should be increased by $1,000,000 if that fund is to be put on the most favorable actuarial basis. Finally, the Budget assumed a total of $4,500,000 that could be saved by lapsing appropriations by departmental economies, and by additional postponements.

The items thus postponed will approach $10,000,000 in total amount. The Budget has balanced the burden of increased taxes against the burden of these postponements. It is believed that everything has been done which within the bounds of business common sense could properly be done to distribute the present appropriation liability beyond the next biennium.

There is a common impression that the appropriation of specific sums for specific purposes in great detail leads to economy and efficiency in the operation of the Government, and that lump sums lead to waste. That impression is not always correct, as the actual workings of the two systems—lump sum and statutory roll—in the Government of Pennsylvania amply demonstrates.

In accordance with the impression just referred to, it has frequently been suggested that the items of appropriation for the various Departments, particularly as to salaries, should be stated in greater detail in the general appropriation bill. As to this there are several things to be said.

In the first place, a comparison of these items with the methods of appropriation hitherto used by the General Assembly discloses the fact, which has not been generally understood, that with comparatively few exceptions the Budget follows the principles heretofore applied for many, if not all, of the Departments. Far from being unknown or unusual, the lump sum method of appropriation has been commonly employed by Pennsylvania Legislatures for many years past in appropriating for all parts of the State service. Thus at the last session lump sums totaling $12,121,000 were given to the Department of Highways, $5,300,742 to the Department of Health, $4,416,427.64 to the Department of Grounds and Buildings, $833,000 to the Public Service Commission, and these are only a few. Indeed it is safe to say that more than three-fourths of the appropriations under which the Executive Departments are now operating are lump sum appropriations. There is, therefore, nothing new and nothing wrong in lump sum appropriations. Of all the positions now under all the executive departments 74% are not on statutory rolls and 69% of all the salaries of executive departments are now paid from lump sums.

The designation by law of a specific amount as pay for one individual to perform a specific duty has offered in the past, and in actual practice offers today, no effective guarantee either that the individual will actually do the work for which the money was set aside, or that his pay will actually be limited to the salary designated. There are instances in the Departments, as any committee of the House or Senate can easily ascertain for itself, in which persons drawing salaries specifically appropriated by law for the performance of certain duties are in fact performing duties wholly unconnected with those which the law specified, and other instances in which persons performing duties to which certain fixed salaries have been assigned by law are in fact paid higher salaries by increases taken out of contingent funds, or otherwise provided. There were and are some such cases of the latter in my own office. In still other instances full time statutory salaries have been paid for part time work, or full salaries have been paid and accepted for substantially no work at all.

Doubtless in some cases (although certainly not in all) the result has been to promote the public interest. I cite them merely as illustrating the well known fact that detailed appropriations are commonly disregarded and do not of themselves make for economy and efficiency in the Government's business.

Moreover, a comparison of the Departments which employ clerical and stenographic assistants under lump sums with those operating under statutory rolls discloses that under lump sums the work is, first, decidedly better done, and, second, the cost to the State is decidedly less. Thus the average salary for stenographers in the Highway Department under lump sum is $1080, in the Health Department under lump sum is $1200, while under statutory roll in Public Grounds and Buildings it is $1300, in the Department of Internal Affairs $1300, and in Labor and Industry $1350. The difference in clerical positions is still more striking.

The interests of the State suffer by too much detail in the law not only in the case of salaried officials, but also where fees are prescribed. I have in my possession the affidavit of a State inspector in one of our cities showing that he secured his position upon the basis of an agreement to divide his fees with a well known politician, and that he did so divide them. As soon as I learned of this practice it was stopped.

I am far from objecting to reasonable detail in an appropriation bill under ordinary circumstances, but I call your special attention to three facts. The first is that the substantial reduction of more than one quarter in appropriations for the Executive Departments would of itself make detailed appropriations impossible, since no one can tell un-

til the problem has been worked out just how the necessary changes should most wisely be made.

The second fact is that the same statement holds true with regard to the effect of the proposed reorganization. That also must be worked out slowly and with great care.

The third fact is that the adjustments and economies which are practicable under lump sums, but not under statutory rolls, will make it possible to appropriate less money by a number of millioms than would be needed under detailed appropriations. Under the latter an average cut of 26½% would be entirely impossible. For all three reasons the general appropriation bill should this year trend somewhat more toward lump sum appropriations than it has in the past.

I accept the responsibility for managing the Executive Departments responsible to me with the reductions and upon the conditions set forth in the Budget without additional funds from new taxation, and I desire now to repeat to the General Assembly what I set forth in the speech submitting the Budget and what I have since continually repeated to individual members—that if the Legislature shall decide to raise additional taxes, then in my opinion there is only one purpose to which the funds so raised need to be applied; namely, to education.

In considering the matter of appropriations for common schools it should be remembered that unless the salaries now paid to school teachers are reduced the question is not whether more money shall be paid for schools, but solely who shall pay it. Unless the Legislature decided to lower teachers' salaries the question is not whether the total load of taxation for school purposes shall be lightened, but what proportion of it shall be paid by local taxation and what by the State. The total burden upon the taxpayers of the Commonwealth as a whole will be the same in either case. It is simply a question of how it shall be distributed among the different classes of taxpayers.

The report of the Council of Education as to a policy on higher education for the Commonwealth, and on appropriations at this session for the Commonwealth, and on appropriations at this session for the four Universities to which the State has been in the habit of contributing, has been transmitted to the Chairman of the Committees on Appropriaions and the Chairmen of the Committees on Education of both Houses. It is, in my opinion, a document of historic importance in the educational progress of Pennsylvania. I am informed that it has the complete approval of the Universities concerned, and I commend it to the consideration of the members of the General Assembly.

I have no recommendation to make at this time as to how additional funds shall be raised for education, believing that is wholly a matter for the General Assembly to decide, or as to what specific additional taxes shall be imposed. I am, however, strongly of opinion, and in this I believe I express the judgment both of the General Assembly and of the people of Pennsylvania, that vigorous steps should be taken at once to determine these questions in order that the work of the General Assembly may be brought to an early and successful conclusion.

The Administrative Code and the Budget have, of course, been prepared with reference to each other. Nevertheless, the arrangement of appropriations suggested in the Budget and the drafting of the Code are such as to make it possible to consider either independently of the other. While both are essential to the economical and efficient conduct of Government, each can be considered by the Legislature independently of the other. The Code provides for the necessary transfer of Budget items, with one or two minor exceptions which will be called to the attention of the Committee on Appropriations.

The reorganization of the State Government proposed in the Administrative Code is necessary because the present organization of Departments, Boards, and Commissions of which this Government is composed is such as to make real economy and efficiency impossible. For such economy and efficiency there is a crying need, as a few illustrations will show.

More than one hundred separate organizations are responsible to the Governor alone. Many of them are wholly without administrative fiscal control, even to the extent of dividing up among the members of a board the fees received in return for its services.

The purchase of supplies has frequently been conducted under specifications designed to shut out any but certain favored bidders, while the laxness of property control has been such that on June 1, 1922, the storeroom of the Department of Grounds and Buildings was unable to account for the supplies which had been entrusted to its charge by some $23,000. In another organization four men at a total salary of $3,780 a year were employed to take charge of a property room, the whole contents of which on February 1, 1923, were valued at $4,450.

The bill of the State for rented quarters has been far too high. Savings made by the present Administration in Harrisburg alone, without reference to the new office building (which cannot be occupied for another year), already amount to $42,000 for the next two years. It is worth noting also that requisitions for supplies from the different Departments are running at the rate of less than half of those for the corresponding months last year.

These are examples given to illustrate a situation which requires a remedy. The statements as to waste and extravagance made during the campaign are confirmed and justified by investigations since conducted. The mess is here and the Administrative Code is absolutely indispensable to clean it up.

In war inefficiency is paid for in human lives. The inefficient general gets his men killed without necessity. In government inefficiency is paid for in taxpayers dollars. The inefficient executive spends the people's money without due return.

For every sort of sloppiness, carelessness, and inefficiency in government the taxpayer pays the bill. For every employee whose work is worth less than his salary the taxpayer pays—pays first for the employee who should but does not do the work, and again for the one who does it. For every dollar of unnecessary interest caused by delayed or postponed payment of sums due by the State the taxpayer pays. The Highway Bond Sinking Fund contains but one dollar out of the two the Legislature has expressly appropriated for it because, appropriations having exceeded income, payment to the Sinking Fund had to be postponed. The taxpayer must in the future pay in cash every cent of interest the State has forever lost because these funds were not invested. The amount will run into hundreds of thousands of dollars, to say nothing of higher rates of interest on other bonds, because of this postponement, which the taxpayer again must pay.

The Teachers' Retirement Fund has lost about $250,000 in interest because moneys appropriated by the Legislature to that fund have not been paid in as due. More bills for the taxpayer.

Because our State Institutions have not been able to pay cash for necessary purchases they have naturally been charged higher prices to the extent of more than $100,000 a year—another extra for the taxpayer to pay.

Our schools and colleges have been forced to borrow and pay interest on money they had to have because the State contributions were not promptly paid. This interest in the end the taxpayers must pay.

These are but a few of the many illustrations which prove that the burdens of the taxpayer have been needlessly and heavily increased because the State has not run its finances on a business basis. The taxpayer, in my opinion, does not object to necessary taxes so used that a dollars worth of service is secured for every dollar spent. But he does and he should object to the needless increase of his burden by waste and inefficiency. This objection was registered in no uncertain language in the last election.

Confidence in the integrity and efficiency of Government is essential to the well-being of State and Nation alike. Public service has been and can be placed and kept on as high a plane as private service. That is one of the principal purposes the present Administration has in mind.

It should be pointed out that in comparison with the actual defects in the present State Government, its haphazard growth, and the serious embarrassment into which the present form of organization has brought us, the changes proposed in the Code are surprisingly few and small. Every effort has been exerted to suggest no change without good reason, and to avoid change for the sake of change.

I am glad to be able to report that, with few exceptions, the provisions of the Administrative Code have received the approval of the members of the Reorganization Commission authorized by the last Legislature, many of whose recommendations have been incorporated in full in the present Code, and whose thorough and painstaking work has been freely used and has been of great advantage in its preparation.

The guiding principle in preparing the Administrative Code has been to provide such a form of fiscal responsibility and control as would make impossible hereafter any repetition of the situation in which the Commonwealth finds itself today. A second principle of high importance is to bring together the hundred and more Departments, Boards, and Commissions, now responsible only to the Governor, into a number small enough to permit effective supervision by him.

Under our form of Government there are three fiscal officers of primary consequence: The Treasurer, who holds and pays out the moneys of the State; the Auditor General, who collects taxes and sees to it that payments are made only for purposes authorized by law; and the Governor, who, through the Departments which report to him, is responsible for policies of expenditure, for seeing to it that the taxpayers get their money's worth, and for keeping expenses, except in case of emergency—when the public welfare obviously so requires, strictly within the limits set by the General Assembly.

The Code leaves the authority of the Departments of the Auditor General and of the State Treasurer unchanged, and lodges the fiscal responsibility, described above as a proper function of the Governor, with the executice and with the budget officer under his supervision and control. Members of the Cabinent are given full responsibility under the same executive control for the work of their Departments. Uniform accounting is provided in order to ensure accuracy and permit comparisons between the work of the different Departments. Periodical fiscal reports are required in order to prevent deficits, secure publicity, enforce economy, and give the Governor the authority and the opportunity to exercise a proper and necessary degree of fiscal control—a control the absence of which is mainly responsible for our present unfortunate financial situation.

On the basis of the best practice in other states, and of long experience in State and National Government, a plan of reorganization is provided in the Code which, in addition to the three constitutional departments, provides for fifteen units responsible directly to the Governor, in place of the present 102.

The Code changes the name of the Department of the Secretary of the Commonwealth to the Department of State and Finance, makes the Secretary of the Commonwealth the Budget Officer under the Governor, and authorizes him to act as the agent of the Governor in the preparation of the Budget and in the exercise of fiscal control. This is in conformity with the long established practices of making the Office of the Secretary of the Commonwealth the office of public record for the official acts of the Governor. This plan obviates the needless overhead expense of a new budget bureau under the immediate direction of the Governor, and avoids imposing additional and unnecessary duties on the Governor himself.

The Code provides for the creation of an Executive Board to consist of the Governor and four Department heads designated by him. This Board will have the power to standardize salaries of State employes. The salaries of only about one-fourth of the State's employes are now fixed by statute. Until the Executive Board standardizes salaries the Administration will ask the Department heads not to modify the salaries now fixed by statute without the express approval of the Executive Board.

Even assuming that under ordinary conditions, and the present conditions are not ordinary, salaries and positions should both be detailed by statute as a proper means of public control, the salaries and wages now prevailing in the Departments have never been put on a comparable basis by the Legislature. Some of the statutory salaries have remained constant for decades; others were fixed at times of high prices; and still others at periods of low prices. There is need for equity in compensation as between different branches in the State's service. Standardization of salaries and positions cannot be done on paper. It must grow out of actual work.

The Pennsylvania State Police is placed under the fiscal control of the Attorney General, the law enforcing officer of the State, who is, however, given no other power over it. The Superintendent of State Police will be the head of the force as before, and will, as at present, appoint and direct the members of the State Police force without interference on the part of any other official.

The Commission on Uniform State Laws is placed under the Department of Justice, but without change in the powers and duties of the Commissioners or in the organization of the Commission except that the Attorney General becomes ex-officio a member of it.

The Code assigns to the Department of Justice the preparation for submission to the Legislature of all such codifications of the laws as may be advisable, with the purpose of centering all work of this character in the Department of Justice rather than placing it upon the temporary commissions appointed to deal with particular subjects. By systematic effort thus made possible it is hoped and believed that with in a reasonably short time the entire statutory law of the Commonwealth can be codified and simplified.

If the Department of Justice is to have charge of the codification of the laws it is highly desirable that the Legislative Reference Bureau should be a working unit within that Department. Accordingly, the Code transfers the Legislative Reference Bureau to the Department of Justice.

The plan of the Reorganization Commission has been followed in uniting the Sinking Fund Commission, the Rev-

enue Board, and the Board of Public Accounts into a single board of Public Accounts into a single board for the better and more economical administration of the work of all three. The only important change made refers to interest on public deposits. The statutes now provide that active deposits shall draw interest at the rate of 2% and inactive deposits at the rate of 3% interest. This is changed to read that active deposits shall draw interest at the rate of not less than 2% and inactive deposits at the rate of not less than 3% thus opening the door to larger interest on State deposits than was possible before without weaking, in any way, the safeguards placed around the State moneys.

At the time it fas created there was doubtless real need for a Department of Internal Affairs. But since that time Department after Department has been established by the General Assembly in which the internal work of the Commonwealth, which the Department of Internal Affairs was originally given to do, can be or is being done more efficiently, in closer cooperation with other similar work, at less cost to the taxpayers, and with better results. There is no longer a need or a place for a single Department of Internal Affairs. The overhead cost of it is wholly unnecessary, and the State would be better served if it were abolished.

The present functions of the Department are confined mainly to statistics, standards, and surveys. Nearly all Republican forms of State Government everywhere have abandoned the idea that functions such as these should be separated from other similar work necessarily conducted under the supervision of the Governor. No one would for a moment consider creating such a separate organization if it were not now in existence. It represents a needless waste.

The Code transfers the education of deaf, dumb, and blind children to the Department of Public Instruction, in the belief that such work is educational rather than charitable, and should be connected with the educational work of the Commonwealth.

The name of the Department of Foresty is changed, in the Code, to the Department of Forests and Waters, and certain duties of the Water Supply Commission are transferred to it, as is the Geological Survey now in the Department of Internal Affairs. The purpose is to create a Department capable of dealing with the inseparable questions of forests, stream flow, and topography, particularly in relation to the proposed Giant Power Survey and development,

The Water Supply Commission, part of whose duties are transferred to the Department of Forests and Waters, is entirely reorganized under the name of Water and Power Rescources Board, with the Secretary of Forests and Waters, the Secretary of Health, the Commissioner of Fisheries, the Chairman of the Public Service Commission, and a competent engineer as members. The most important duties of the present Water Supply Commission are retained in the Water and Power Rescources Board.

A Geographic Board is created, to consist of the Secretary of Forests and Waters, the Secretary of Highways, the Chairman of the Pennsylvania Historical Commission, and the Chief of the Land Office Bureau, now in the Department of Internal Affairs. The board is given jurisdiction over the determination, changing, and fixing of the names of mountains, rovers, creeks, and other topographic features within the Commonwealth. The need of a board with such authority is already greatly felt.

To the Department of Labor and Industry there is added, as an individual branch, the Department of Mines, with its present powers and the prescribed qualifications of its membership unchanged. The duties of the Department of Labor and Industry and the present Department of Mines are too much alike to justify separation. Each will be stronger because of close cooperation with work of the same kind in related fields. The fear that the work of the Department of Mines will suffer is wholly unjustified. On the contrary, it will be materially strengthened by the new connection, and I am glad to report that the head of the Department of Mines is in hearty sympathy with this arrangement.

The Anthracite Mine Inspectors Examining Board and the Bituminous Mine Inspectors Examining Board are, in accordance with the recommmendation of the Reorganization Commission, consolidated into one board to be known as the State Mine Inspectors Examining Board, and the compensation for its members is fixed at the uniform rate of $15.00 per day and expenses.

The present Industrial Board is retained, but with advisory instead of administrative powers. The work of the Department of Labor and Industry has heretofore been seriously hampered by clashes between the Commission and the Board. Under the Code such clashes will be impossible.

A sanitary Water Board consisting of the Secretaries of Health, Forests and Waters, and Commerce, the Commissioner of Fisheries, and the Chairman of the Public Service Commission is organized under the Department of Health. Its function is to exercise all the powers and perform all the duties heretofore vested in any of the Departments, Boards, and Commissions with regard to water pollution, and to study, investigate, and report methods of eliminating from the waters of the Commonwealth, so far as practicable, all substances or materials which would pollute them.

The Code transfers from the Board of Commissioners of Public Grounds and Buildings to the Department of Highways the duty of rebuilding county bridges destroyed by flood, fire, or other casualty, in view of the fact that the Highway Department is specially equipped for such work, that the Board of Grounds and Buildings is not equipped, and that in consequence traffic suffers from long delays. The proposed transfer cannot but promote the public interest.

The Code authorizes the appointment of a highway patrol to consist of not more than one hundred men, who shall be paid out of motor license fees, and whose special duty shall be to patrol the highways for the purpose of making them safe. No argument is required to show that such a patrol is urgently needed.

The powers and the duties of the Department of Public Welfare have been extended so as to bring within its Supervision State and County jails, maternity homes and hospitals, and children's institutions. It is also permitted to employ convicts in State forests for planting seeds and trees, or doing other necessary State work.

New Boards of Trustees consisting of nine members each are authorized to be appointed by the Governor for State institutions, the Secretary of Welfare to be ex-officio a member of each board. The purpose of this change is uniformity and the maintenance of higher standards. These boards will perform their duties as at present, except that superintendents or wardens appointed must have the approval of the Department. The various boards within the Department are independent of the Department in managing their own affairs, except that the Department is given supervision over the making of contracts for capital improvements.

The Code changes the name of the Department of Grounds and Buildings, which does not properly describe even its present functions, to that of the Department of Property and Supplies, and charges it with responsibility for the care and maintenance of buildings and structures as at present. It places in this Department, with the purchase and storage

of supplies, the printing and binding of the Commonwealth where it naturally belongs, and adds the duty of standardizing supplies, not at present lodged in any Government organization, but absolutely essential for anything approaching economical administration.

Important changes which will save the State many thousands of dollars are made in the matter of printing and binding. A new method of awarding contracts for printing and binding is set forth in the Code, and the number of copies of each document to be published, instead of being fixed by statute as at present (with the resulting enormous waste) is to be fixed in accordance with the actual need in each case.

A central purchasing agent is provided for in this Department, but under conditions which leave State institutions free to do their own purchasing under sound standards and at proper prices,whenever their best interests so require, thus avoiding any danger of over-centralization and still securing to the central office the information necessary to economical purchasing, even by the institutions themselves.

The Department of Property and Supplies is required to procure surety bonds for State officials. It is proper that the executive authority responsible for the work and conduct of officials should be authorized to select their bondsmen.

Under the Code the Board of Public Grounds and Buildings retains unchanged its constitutional power to approve all contracts. It also retains its powers to allot quarters to all Government organizations. The actual making of specifications and securing of bids are transferred to the Department of Property and Supplies, where in actual practice this work has long been and is now carried on, since only by so doing can the proper responsibility be secured.

The proposed Department of Commerce is new. It is to consist of the Department of Banking, with its Commissioner and powers retained unchanged, and the Department of Insurance, with its Commissioner and powers retained unchanged, and is to exercise the powers heretofore exercised by the Board to License Private Bankers. The Department will also administer laws relating to the sale of securities and is directed to compile and publish statistics useful to the commercial and industrial interests of Pennsylvania.

It is remarkable that this Commonwealth, in which commerce represents so considerable a part of our total activities, has heretofore had no organization in the State Government specifically entrusted with the duty of promoting commercial interests. We have a Department to advance the interests of agriculture, and another to deal with the interests of labor and industry. It is wholly proper and altogether necessary that the commercial interests of the State should be represented and promoted by such an organization as the Code proposes.

The various licensing and other administrative boards, except the Public Service Commission, the Game Commission, and the Fish Commission, are subordinated, for fiscal reports only, to the Department of Public Instruction and other Departments, but the powers of the individual boards, for all other purposes, are left with them as at present.

A reduction of the Public Service Commission from seven members to five is made on the ground of economy and in the belief not only that five men, giving their full time to the work of the Commission, are abundantly sufficient to perform its duties, but that the business of the Commission will be expedited rather than retarded by such a reduction.

A pamphlet giving in detail the changes made in the Code as they affect each Department, Board, and Commission has been prepared, and will be placed in the hands of the General Assembly without delay.

Although remarkably compact for the ground it has to cover, the Code is necessarily a long document. It has been suggested that it should be referred for examination to a Commission which would report to the next General Assembly. I am vigorously opposed to such a plan. The test of a reorganization such as this is not what a commission thinks about it, but how it works in actual practice.

To refer the Code to a Commission would be merely to postpone for two years certain action which is absolutely necessary in cleaning us the mess. At the end of the two years we would be little, if any, ahead of where we are now, and far behind where we shall be if we put the reorganization into practice, see how it works, and thus discover what are its merits and defects. The next Legislature can then, on the basis of accurate knowledge founded on experience, make whatever changes it deems wise. The only effect of referring the Code to a Commission would be to cost the State two years of time in securing an economical and efficient government, and to increase the burden of the taxpayers by hundreds of thousands of dollars in needless expenses.

There is before the House a bond issue of $25,000,000 to purchase land for forest purposes. In my judgment this issue is of supreme importance to Pennsylvania as a great industrial Commonwealth. The day is clearly in sight when the forests outside our boundaries, which now supply more than four-fifths of the lumber we use, will be exhausted, and Pennsylvania industries will be forced to depend on what lumber is produced within the State or to go without.

Already we are paying for lumber imported into Pennsylvania, most of which could just as well be raised at home, not less than $100,000,000 yearly, or four times the amount of the proposed bond issue. Furthermore, we are so close to the verge of famine, should outside supplies fail, that if we were to strip our land of every sawlog in the State the whole of what we have would not keep our industries going for five years.

There is not a single business of any kind in Pennsylvania, no matter how far it may seem from dependence on wood, that could continue for a single day without the help of supplies from the forest. The more you think over that statement the more you will see its truth. An amount of wood equal to twice the whole product of the State goes into our anthracite mines alone each year, and the Pittsburgh district itself consumes more lumber than the State produces.

Lumber is more necesary for the cities than for the country, and when the pinch comes the cities and their industries will suffer first. The proposed bond issue is insurance for them. Indeed it is absolutely necessary insurance for the whole industrial and agricultural future of Pennsylvania. And it is insurance at no cost to the taxpayers. The land it is proposed to buy will not only produce lumber for our use when we need it most, but will repay its cost, principal and interest, and produce a very handsome profit to the State beside. Instead of an expense it will be a paying investment.

Pennsylvania has already bought something more than a million acres of land for forest purposes. The first cost was about $2,500,000; administration, protection, and development to December 31, 1921, cost about $5,200,000; or a total of about $7,700,000. These lands were worth on that date about $12,250,000. The net profit over and above all costs of every kind was therefore $4,500,000 to say nothing of about a quarter of a million turned in to the School Fund.

The General Assembly will have before it no more meritorous and necessary measure than this.

I commend to the favorable consideration of the Legislature also the passage of the road bond issue. Permanent

roads are investments that pay their way with goodly returns.

I ask for $250,000 to be used under the direction of the Governor for the purpose of enforcing the law. While the amount asked for is extremely moderate, the purpose for which this sum is to be used gives it special importance. To refuse it would be to hamper the executive in carrying out his sworn duty and to play directly into the hands of law breakers throughout the State.

This administration looks forward to what needs to be done as well as backward to what needs to be corrected. The Budget, for example is not a mere compromise between contending demands for money, but represents the best judgment of the Administration, in view of the financial condition of the Commonwealth, as to what services the State should and can render to its people in the next two years. In dealing with this problem our present difficulties were not allowed to prevent consideration of the future interests of Pennsylvania.

The prosperity of our State hereafter depends directly on the vision and wisdom with which we now plan for the development of our resources in wealth and in citizenship. Among the questions to which this Administration has applied forward looking points of view are the followng.

The maintenance and improvement of our common schools, which is the basis of our citizenship and the guarantee of our welfare.

The promotion of higher learning for the advantage of every social and industrial purpose within our Commonwealth.

The conservation of our productive power through the lessening of disease and the increase of the public health.

The conservation of the lives and well-being of our workers through the efficient administration and wise improvement of our labor laws.

The foresting of agriculture, with particular emphasis on better methods of distribution both for the producer and the consumer of food.

The foresting and expansion of the commercial interests of the State through a Department specifically devoted to that purpose.

The maintenance and extension of our system of good roads for the benefit of every element in the community.

The protection and development of our forests so that the agricultural and industrial interests of the State may be guaranteed against the complete failure of a supply of the most indispensable of all materials, which is wood.

A Giant Power survey leading to the planned and orderly development of all available sources of power in Pennsylvania, and the protection of Pennsylvania's right to a due share of the power produced in adjacent territory.

Finally, the enforcement of the law itself in order that the reproach of law breaking may pass from our Commonwealth and that Pennsylvania may become again what she was in the beginning—the leader among the States in respect for law and in defense of the national constitution, which is the bond of our common union.

ADJOURNMENT OF JOINT SESSION.

LIEUTENANT GOVERNOR DAVIS. The business for which the Joint Session was convened having been completed the Joint Session is now adjourned. The members of the Senate are requested to return to the Senate Chamber at once, in order that they may continue the consideration of their calendar.

SPEAKER GOODNOUGH IN THE CHAIR.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 332, as follows:

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any deed of conveyance or mortgage heretofore executed purporting to be the act and deed of a corporation or specifically therein naming the corporation as the grantor or party of the first part shall have been erroneously executed by failure to affix the coporate seal or otherwise and erroneously acknowledged by any officers of such corporation or shall have been executed and acknowledged by the officers of such corporation in the manner prescribed by law for the execution and acknowledgment of deeds and mortgages by individuals but in such manner as to show that they were signing or acknowledging the said deed or mortgage in their official capacity such deed or mortgage is hereby ratified confirmed and made valid as the act and deed of the corporation and shall be taken to be of the same validity and effect as if properly executed and acknowledged in the manner prescribed by law for the execution and acknowledgment of deeds and mortgages by corporations Provided That no case now in litigation shall be affected by this act.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—195.

Albert,	Fowler, D.,	Long,	Rippman,
Alexander,	Frazier,	Lucas,	Sample,
Allman,	Gallaher,	Ludlow,	Sarig,
Anderson,	Gelder,	Lynch,	Sautter,
Armstrong,	Gibbon,	Mack,	Schaeffer,
Arthur,	Gilchrist,	MacKinney,	Schilling,
Asbury,	Glasgow,	Malje,	Schoener,
Aston,	Goehring,	Mangan,	Schwartz,
Baker	Golder,	Marcus, J.,	Shambach,
Baldi,	Goss,	Marcus, J. C.,	Sheridan,
Behney,	Greeby,	Marshall, J. G.,	Smith, G. A.,
Bell, F. A.,	Griffith,	Marshall, W. F.,	Smith, H. J.,
Bell, W. T.,	Grimes,	Mathay,	Smith, H.,
Bentley,	Guerin,	McBride,	Smith, J. W.,
Berger,	Gundy,	McCaig,	Soffel,
Betts,	Haas,	McCann,	Sowers,
Blair,	Haines,	McClure,	Spangler,
Bluett,	Hall,	McCurdy,	Speiser,
Blumberg,	Harer,	McDaniel,	Sprowls,
Brenneman,	Harter,	McDermott,	Stark,
Brewster,	Haslett,	McGowan,	Staudenmeier,
Bromley,	Haws,	McKim,	Steedle,
Brown,	Heffernan,	McVicar,	Sterling,
Brownmiller,	Heffran,	Metcalf,	Stevens, A. J.,
Burns,	Henderson,	Millar,	Stevens, A. F.,
Bush,	Hetrick,	Miller,	Stofflet,
Chaplin,	Heyburn,	Minehart,	Stoner,
Clutton,	Himes,	Moffat,	Storb,
Coldsmith,	Holcombe,	Moore,	Storer,
Colville,	Hollis,	Morrison,	Thomas, L. D.,
Conner,	Hontz,	Munley,	Thomas, M. G.,
Coyne,	Hoover,	Myers, G. C.,	Thompson,
Craig,	Horne,	Myers, P. M.,	Vickerman,
de Young,	Howell,	Nolte,	Weamer,
Diehm,	Huber,	O'Boyle,	Wells,
Dietz,	Irvin,	Ogle,	Wettach,
Donahue,	Jones, C. B.,	Orr,	Wheeler,
Driggs,	Jones, D. J.,	Parkinson,	Whitehouse,
Drinkhouse,	Jones, E. P.,	Patterson,	Whiteman,
Eaches,	Keene,	Peelor,	Williams, G. W.
Earley,	Kelly,	Perry,	Williams, J. M.,
Edmonds,	Kennedy,	Pitts,	Woner,
Eshelman,	Kohler,	Posey,	Wood, N.,
Evans, B. P.,	Korns,	Post,	Wood, W. P.,
Evans, J.,	Kunkle,	Price,	Wright,
Fields,	Labar,	Raymond,	Zook,

Flinchbaugh,	Lafferty,	Rhodes,	Goodnough,
Flynn,	Lauver,	Richards,	Speaker.
Fowler, A. I.,	Little,	Rinn,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MOTION TO RECONSIDER VOTE.

Mr. SOWERS. Mr. Speaker, I move that the vote by which Senate Bill No. 75 House Bill No. 865, file folio 685, entitled:

An Act to amend section seventy-five of an act approved March 31, 1860 (P. L. 382,) entitled "An act to consolidate, Revise and Amend the Penal Laws of this Commonwealth"; by providing that the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be.

on page 6 of the calendar of Tuesday, March 27, was defeated, be reconsidered.

On the question,

Will the House agree to the motion?

Mr. SOWERS. Mr. Speaker and members of the House, this is the Senate bill leaving it to the jury to determine whether it should be death or life imprisonment sentence in first degree murder. The bill was defeated in the House. The District Attorneys' Convention has forwarded a request to a number of members that the bill be put back on the calendar and sent to a committee for a hearing. This is the reason the motion to reconsider is made, and I ask the members of the House to reconsider the vote, so that the bill can be returned to the Judiciary General Committee and a hearing be had.

Mr. ALEXANDER. Mr. Speaker, ladies and gentlemen of the House, in order that we may understand this bill, and so that there will be no misunderstanding, the other night when this bill was called up I happened to be out of the room, and when I came back the vote was being taken. I feel that the members of the House do not understand this bill, or did not understand it at that time. I have been given to understand by the District Attorneys of the Commonwealth, that at a meeting of a convention of theirs, held here in Harrisburg not long ago, that they all agreed that this bill was a meritorious bill. You will remember the bill passed the House and Senate last session, and for some reason or other the Governor vetoed it. I have no doubt, but if this bill passes the jurors than can be called to hear murder cases will be of a higher quality than those that at the present time hear murder cases, by reason of their conscientious scruples. I believe also that justice will be meted out much better by this bill than if it was not passed. In other words, I know, and many of you also, who have tried cases in criminal court, know that there are many times certain circumstances surrounding cases, where the ingredients of murder in the first degree exist, and where it is almost impossible for the jury to do anything else but convict, and yet that jury taking into consideration the fact that while the ingredients of murder in the first degree exist, they are met face to face with the awful consequences of their verdict, and therefore, rather than convict that person, and recommending them, as they have a right to do in this case, to life imprisonment, they find that defendant not guilty. And another reason, I think from a humane stand point that this bill should be passed: The old law of an eye for an eye and a tooth for a tooth is long past, and there are many instances, just as I have quoted, where the man or woman does not have the hardness of heart to inflict capital punishment, and there is a chance for that man or woman, if an opportunity is left open to her or him, to reform, and perhaps live over and live down, although it may be murder, live down that act. Therefore, I think that in the proper administration of justice, I believe justice can be better administered, and that the humane side will be properly carried out by the passage of this act. Therefor, I am heartily in favor that this bill be reconsidered and referred to the committee, as has been suggested, for a hearing.

On the question recurring,

Will the House agree to the motion?

The Speaker declared the "Noes" appear to have it.

Whereupon, a division was called for, seventy one members voting in the affirmative, and seventy eight in the negative, the question was determined in the negative and the motion was not agreed to.

BILLS ON SECOND READING.

The SPEAKER. If there are no objections, the chair will take up at this time bills on second reading. Are there bjections? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 961, as follows:

An Act to exempt bequests or devises in trust for the perpetual care and preservation of burial lots or graves therein from the payment of transfer inheritance tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all bequests or devices in trust for the purpose of applying the entire interest or income thereof to the care and preservation of any burial lot or lots or graves therein in good order and repair perpetually shall be exempt from liability for transfer inheritance tax

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 112, entitled:

An Act to amend section five of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing for the assessment of property and the collection of taxes interest and penalties in cases of the refusal or failure of taxables to make return and in the case of false or incomplete returns

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the seven-

teenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" reads as follows

"Secton 5 That upon the refusal or failure of any taxable person copartnership unincorporated association limited partnership joint-stock association or coporation to make a return properly verfied by oath or affirmation as required by this act within ten days after being notified so to do it shall be the duty of the assessor to make a return for such taxable person copartnership unincorporated association joint-stock association limited partnership or corporation from the best information he can obtain he shall examine the records and lists of judgments and mortgages returned by the prothonotary and the recorder of deeds and mortgages under the seventh and eighth sections of this act in the commissioners' office or office of the board of revision of taxes or remaining in their respective offices and assess such defaulting person copartnership unincorporated association joint-stock association limited partnership corporation with the amounts of all such liens with interest thereon and add thereto the amount of all taxable property obtained from all other sources of information which return the property county commissioners or board of revision of taxes shall have power and it shall be their duty to revise and correct accordingly to the best information they can command from the records in their office or other sources and it shall be their duty to send for a person persons and papers and to administer an oath or affirmation to him or them in such form as shall be prescribed to which revised and corrected estimated return the proper county commissioners or board of revision of taxes shall add fifty per centum and the aggregate amount so obtained shall be the basis for taxation Provided That if such taxable person or copartnership or unincorporated association or company limited partnership joint-stock association or corporation on or before the day fixed for apeals from assessments shall present reasons supported by oath or affirmation satisfactory to the proper county commissioners or board of revision of taxes excusing a failure to make a return such as should be made to the assessors and shall then make such return the proper county commissioners or board of revision of taxes may substitute such return for that returned by the assessor and corrected as aforesaid to have like effect as if no failure to return had occurred" is hereby amended to read as follows

Section 5 That upon the refusal or failure of any taxable person copartnership unincorporated association limited partnership joint-stock association or corporation to make a return properly verified by oath or affirmation as required by this act within ten days after being notified so to do it shall be the duty of the assessor to make a return for such taxable person copartnership unincorporated association joint-stock association limited partnership or corporation from the best information he can obtain he shall examine the records and lists of judgments and mortgages returned by the prothonotary and the reobtain he shall examine the records and lists of judgments eighth sections of this act in the commissioner's office or office of the board of revision of taxes or remaining in their respective offices and assess such defaulting person copartnership unincorporated association joint-stock association limited partnership or corporation with the amounts of all such liens with interest thereon and add thereto the amount of all taxable property obtained from all other sources of information which return the proper county commissioners or board of revision of taxes shall have power and it shall be their duty to revise and correct accordingly to the best information they can command from the records in their office or other sources and it shall be their duty to send for a person persons and papers and to administer an oath or affirmation to him or them in such form as shall be prescribed to which revised and corrected estimated return the proper county commissioners or board of revision of taxes shall add fifty per centum and the aggregate amount so obtained shall be the basis for taxation Provided That if such taxable person or copartnership or unincorporated association or company limited partnership joint-stock association or corporation on or before the day fixed for appeals from assessments shall present reasons supported by oath or affirmation satisfactory to the proper county commissioners or board of revision of taxes excusing a failure to make a return such as should be made to the assessors and shall then make such return the proper county commissioners or board of revision of taxes may substitute such return for that return by the assessor and corrected as aforesaid to have like effect as if no failure to return had occurred Provided further That in cases where by the refusal or failure of any taxable person copartnership unincorporated association limited partnership joint-stock association to make return has been made by the assessor and a penalty has been added by the county commissioners or board of revision of taxes or a return so made and no penalty added such action shall not estop the county or city from the collection of any additional tax due whenever the facts may become known and it shall be the duty of the officers charged with the assessment and collection of such taxes to assess or reassess any such personal property for any former year or years and collect the balances of the tax which should have been paid together with a penalty of fifty per centum thereon and interest thereon at the rate of six per centum In ascertaining the balance found to be due no credit shall be given for any penalty formerly assessed and paid And provided further That in every case of a false or incomplete return it shall be the duty of the officers charged with the assessment and collection of said tax whenever the facts may become known to reassess the personal property of any such taxable for any former year or years and to collect the balances of the tax found to be due together with a penalty of fifty per centum and interest at the rate of six per centum

On the question,

Will the House agree to the section?

Mr. EDMONDS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 11, by striking out the word "reads" and inserting in lieu thereof "is hereby amended to read".

Amend Sec. 1, page 2, lines 12, to 29, by striking out lines 12 to 29, both inclusive, and eliminating them from the bill.

Amend Sec. 1, page 3, lines 1 to 26, by striking out lines 1 to 26, both inclusive, and eliminating them from the bill.

Amend Sec. 1, page 4, line 9, by striking out the entire line and inserting in lieu thereof the following: "corder of deeds and mortgages, under the seventh and,"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section five of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorder in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing for the assessment of property and the collection of taxes interest and penalties in cases of the refusal or failure of taxables to make return and in the case of false or incomplete returns

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 145, entitled:

A Supplement to the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" authorizing the payment of taxes for county and city purposes on certain investments through the use of adhesive stamps prepared by the Auditor General of the State for the use of the several counties and cities

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "investments" as used in this act shall include all of the kinds and classes of personal property hereinafter enumerated evidenced by written or printed instrument which are made taxable for county or city purposes by the act approved the seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" to which this is a supplement that is to say

(a) All moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment

(b) All articles of agreement and accounts bearing interest

(c) All public loans except those issued by this Commonwealth or by the United States and those made taxable for State purposes by the laws of this Commonwealth

(d) All loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any State Government including car trust securities and loans secured by bonds of any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by the laws of this Commonwealth

(e) All shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares of capital stock for State purposes or relieved from the payment of the tax on its shares of capital stock for State purposes by the laws of this Commonwealth

(f) All moneys loaned or invested in any other state territory the District of Columbia or any foreign country

(g) All annuities yielding annually over two hundred dollars

The word "investments" as used in this section shall be construed to include any such kind or class of personal property evidence of which is filed of record in the office of the prothonotary or recorder of deeds of any county of the Commonwealth

Section 2 Any person copartnership unincorporated association corporation joint-stock company limited partnership or company liable to the payment of a tax for county or city purposes on any investment may pay such tax at the rate of four mills on each dollar of the value of the investment as fixed by law for any one or more years not exceeding five by the purchase of stamps hereinafter provided for from the county commissioners of the county or board of revision of taxes of the city equal in face value to the amount of the tax due and when said stamps are properly cancelled and affixed to said investment they shall be evidence of the payment of the tax upon such investment Upon the purchase of any stamps the county commissioners or board of revision of taxes or any authorized clerk shall cancel or perforate such stamps in such manner as to evidence the year or years for which the tax is so paid

After the payment of such tax the investment shall thereafter be exempt from all assessments and taxation for county or city purposes as provided by the act to which this is a supplement for the period of years for which the tax has been so paid and such stamps affixed unless at any time thereafter it shall appear that the stamps so affixed to any investment at the date of payment were not sufficient in face value to pay the amount of taxes due on such investment for such period in which case the taxes due together with a penalty of ten per centum may be assessed and collected in the same manner as such taxes are now assessed and collected by law Provided however That no additional taxes and penalties shall be collected due to an increase in the value of an investment subsequent to the date of the payment of the tax as aforesaid

The third section was read as follows:

Section 3 In lieu of the method above provided any person copartnership unincorporated association corporation joint-stock company limited partnership or company liable for the payment of tax for county or city purposes on any investment may take or send to the office of the county commissioners of the proper county or the board of revision of taxes of the city any such investment and pay to the county or city a tax at the rate of four mills on each dollar of value thereof for any one or more years not exceeding five under such regulations as the said commissioners or board may prescribe The county commissioners or board of revision or taxes or any authorized clerk shall thereupon affix stamps hereinafter provided for to such investment which stamps shall be duly signed by a commissioner a member of the board or an authorized clerk and dated as of the date of the payment of such tax and the stamps shall also bear a notation of the year or years for which the taxes are paid The county commissioners shall keep a record of such investment together with the name and address of the person presenting the same and the date of the payment of the tax

After the payment of any such tax the investment shall thereafter be exempt from all assessment and taxation for county or city purposes as provided by the act to which this is a supplement for the period of years for which such tax shall have been paid and such stamps affixed

The taxing value placed upon any such investment by the county commissioners or board of revision of taxes shall be the taxing value thereof for the year or years for which the tax is paid and no additional tax shall be assessed or collected and no abatement or deduction shall be allowed or returned for any increase or decrease in the value of such investment for the year or years for which such taxes are paid

On the question,

Will the House agree to the Section?

Mr. EDMONDS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 3, page 5, line 10 by striking out the word "or" before the word "taxes" and inserting in lieu thereof: "of"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to section as amended?

It was agreed to.

The fourth, fifth, sixth and seventh sections and titles were separately read and agreed to as follows:

Section 4 Adhesive stamps for the purpose of indicating the payment of the tax provided for by this act shall be prepared by the Auditor General of the Commonwealth in such form and of such denominations and in such quantities as he may from time to time prescribe Such stamps when so prepared shall be sold by the Auditor General to the county commissioners and boards of revision of taxes at actual cost and shall be used only for the purpose of paying the tax on investments as hereinbefore provided

Section 5 Any person who shall wilfully remove or cause to be removed alter or cause to be altered the cancelling or defacing marks of any such adhesive stamp with intent to use the same or cause the use of the same after it shall have been used or shall knowingly or wilfully sell or buy any washed or restored stamp or offer the same for sale or give or expose the same to any person for use or knowingly use the same or prepare the same with intent for further use thereof or shall wilfully use any counterfeit stamp or forged stamp with intent to defraud shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars nor more than one thousand dollars or be imprisoned for not more than six months or both

Section 6 All taxes collected under the provisions of this act shall be paid into the county or city treasury for the use of the county or city

Section 7 All acts and parts of acts inconsistent with this act are hereby repealed

A Supplement to the act approved the seventeenth day of June, one thousand nine hundred and thirteen, (P. L. 507), entitled, "An act to provide revenue for State and county purposes, and, in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes;" authorizing the payment of taxes for county and city purposes on certain investment through the use of adhesive stamps prepared by the Auditor General of the State for the use of the several counties and cities.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 709, entitled:

A Supplement to an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the same of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" providing additional taxes upon the transfer of certain kinds and classes of personal property upon which county and city taxes have not been paid as required by law

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Auditor General or his agent shall in every case where there is a transfer of personal property or interest therein as provided by the act to which this is a supplement ascertain whether there has been any transfer of personal property of the kind or classes made taxable for county or city purposes by the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" and if there be any such personal property the Auditor General or his agent shall further ascertain whether all county and city taxes have been paid as required by law and for such purposes shall examine the tax records of the proper county or city or view the personal property in question to see whether said tax has been paid through stamps affixed to said personal property as permitted by law

The second section was read as follows:

Section 2 In all cases where the Auditor General shall ascertain that any county or city taxes upon any such personal property have not been paid he shall assess upon the clear value of such property a tax of five per centum in addition to the taxes imposed by the act to which this is a supplement and the register of wills as agent for the Commonwealth shall collect said taxes in the same manner with like powers and compensation as transfer inheritance taxes are collected Any personal representative who shall fail to pay any of the taxes imposed by this act after the amount due has been ascertained by the Auditor General or his agent shall become personally liable therefor

All taxes collected under the provisions of this act by the register of wills shall be paid by him into the general fund of the State Treasury and he shall furnish to the Auditor General a monthly statement of all such taxes collected

On the question,

Will the House agree to the section?

Mr. EDMONDS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 2 page 2, line 29, by inserting after the word "paid" the following: "to the date of the decedent's death"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 This act shall not apply to any personal property held by a decedent actually engaged in the bona fide purchase and sale of investments as a business and who at the time of his death maintained an office or place of business in this State for the carrying on of the actual bona fide business of purchasing and selling investments as distinguished from the purchase thereof for investment purposes and who held such property for sale or transfer for the purpose of his business and not as an investment

On the question,

Will the House agree to the section?

Mr. EDMONDS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 3, page 3, line 23 by inserting after the word "property" the following: "for not more than one year."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section and title were separately read and agreed to as follows:

Section 4 All acts and parts of acts inconsistent with this act are hereby repealed

A Supplement to an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" providing additional taxes upon the transfer of certain kinds and classes of personal property upon which county and city taxes have not been paid as required by law

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 926, as follows:

An Act to amend section twenty-three of an act approved the first day of June Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-three of an act approved the first day of June Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" is hereby amended to read as follows

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company street passenger railway company taxi-cab company auto bus line company truck transportation company and every other company joint-stock association or limited partnership now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United State or any foreign government and doing business in this Commonwealth and owning operating or leasing to or from another corporation company association joint-stock association or limited partnership any railroad pipe line slack water navigation street passenger railway canal or other device for the transportation of freight or passenger or oil and every individual partnership firm or unincorporated association engaged in or hereafter engaged in the transportation of freight or passengers or oil within the State and every telephone or telegraph company incorporated under the laws of this or any other State or of the United States and doing business in this Commonwealth and every express company incorporated or unincoporated doing business in this Commonwealth and every person individual firm co-partnership or joint-stock company or association or corporation doing express business in this Commonwealth and every electric light company water-power company hydro-electric company steam heating company natural or artifical gas company incorporated or unincorporated without regard as to how such companies were originally formed or incorporated and every palace car and sleeping car company incorporated or unincorporated doing business in this Commonwealth shall pay to the State Treasurer a tax of eight mills upon the dollar upon the gross receipts of said person or persons individuals corporation company or association limited partnership firm or co-partnership received from passengers and freight traffic transported wholly within this State and from telegraph telephone or express business done wholly within this State or from business of electric light companies water companies hydro-electric companies steam heating companies natural or artifical gas companies and from the transportation of oil done wholly within the State the said tax shall be paid semi-annually upon the last days of January and July in each year and for the purpose of ascertaining the amount of the same it shall be duty of each individual doing such business in an individual capacity and the duty of the treasurer of other proper officer of the said company firm co-partnership limited partnership joint-stock association or corporation to transmit to the Auditor General a statement under oath or affirmation of the amount of gross receipts of the said person individuals companies co-partnerships corporations joint-stock associations or limited partnerships derived from all sources and of gross receipts from business done wholly within the State during the preceding six months ending on the first day of January and July in each year and if any such person individual company firm co-partnership joint-stock association association or limited partnership or corporation shall neglect or refuse for a period of thirty days after such tax becomes due to make said returns or to pay the same the amount thereof with an addition of ten per centum thereto shall be collected for the use of the Commonwealth as other taxes are recoverable by law Provided That in any case where the works or any person individual corporation company joint-stock association or limited partnership are operated by another person individual corporation company association or limited partnership the taxes imposed by this Section shall be apportioned between the said persons individuals corporations companies associations or limited partnerships in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the person individual corporation company association or limited partnership operating the works and upon payment by the said person individual company corporation association or limited partnership of a tax upon the receipts as herein provided derived from the operation thereof no other person individual corporation company joint-stock association or limited partnership shall be held liable under this Section for any tax upon the proportion of said receipts received by it for the use of said works

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 908, as follows:

An Act to amend section nine of the act approved the third day of June one thousand nine hundred and ninety-three (Pamphlet Laws two hundred and eighty-nine) entitled "An act to provide for the selection of a site and the erection of a State institution for the feeble-minded to be called the Western Pennsylvania State Institution for the Feeble-Minded and making an appropriation therefor" by changing the name of said institution

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of the act approved the third day of June one thousand eight hundred and ninety-three (Pamphlet Laws two hundred and eighty-nine) entitled "An act to provide for the selection of a site and the erection of a State institution for the feeble-minded to be called the Western Pennsylvania State Institution for the Feeble-Minded and making an appropriation therefor" is hereby amended to read as follows

Section 9 The said commissioners upon the completion of the said institution shall surrender their trust to a board of trustees to consist of nine members who shall serve without compensation and be appointed by the Governor by and with the advice and consent of the Senate Said trustees shall be a body politic or corporate of the name and style of the Polk State School They shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Commonwealth Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustees such vacancy shall be filled by appointment as aforesaid for the unexpired term of such manager

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 798, as follows:

An Act relating to building construction in cities of the first class by prescribing the maximum undivided floor areas permitted and permitting the use of non-fire-proof steel roof trusses and purlins in certain cases prescribing limitations on garages automobile service stations and buildings for similar purposes and constructions permitted for curtain and spandrel walls permitting the use of wood furring and stud-partitions in certain cases and repealing inconsistent laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no building hereafter erected or altered in cities of the first class shall have an undivided floor area greater than hereafter indicated

ONE STREET FRONTAGE—With Sprinkler system
First class—unlimited
Second class—twenty thousand square feet
Third class—Ten thousand square feet
Without Sprinkler System
First class—Twenty-five thousand square feet
Second class—Ten thousand square feet
Third class—Five thousand square feet

TWO STREET FRONTAGE—With Sprinkler System
First class—unlimited
Second class—Twenty-five thousand square feet
Third class—Fifteen thousand square feet
Without Sprinkler System
First class—Twenty-five thousand square feet
Second class—Fifteen thousand square feet
Third class—Seven thousand five hundred square feet

THREE STREET FRONTAGE—With Sprinkler System
First class—unlimited
Second class—Thirty thousand square feet
Third class—Fifteen thousand square feet
Without Sprinkler System
First class—unlimited
Second class—Fifteen thousand square feet
Third class—Ten thousand square feet provided however that buildings of the third class in which the floors and roof are made of planks not less than one and three-fourths of an inch thick when dressed may have a maximum undivided floor area of seven thousand five hundred square feet and further provided that one story buildings of the second class equipped with sprinkler system may have an undivided floor area not in excess of fifty thousand square feet

Section II Sprinkler systems as mentioned in this act except as may be otherwise prescribed by the Bureau of Building Inspection must be systems of automatic sprinklers which conforms to the standard regulations of the Philadelphia Fire Underwriters' Associations and Associated Factory Mutual Fire Insurance Companies If such system shall not be maintained and kept in complete working order it shall be the duty of the Bureau of Building Inspection to give written notice to the tenants or owners served upon the premises of said fact and within sixty (60) days thereafter the floor area shall be divided by fireproof walls or partitions so that no undivided floor area shall exceed the area prescribed for a building of the same class and with the same street frontage which is not equipped with a sprinkler system

Section III In determining for buildings used for manufacturing or similar purposes and which stand in large factory sites the undivided floor area permissible under Section one of this Act a paved drive way not less than twenty-five feet wide may be considered as a street provided however that the site have adequate water supply and fire hydrants and that the buildings be properly separated with ready access to all sections of the manufacturing plant

Section IV Fireproofing of steel roof trusses and steel purlins shall not be required in buildings of first class construction nor in buildings of second class construction equipped with sprinkler system provided that the trusses and purlins support only the roof and that the distance from the floor to the under side of the trusses is not less than fourteen feet

Section V No building used as a garage or automobile service station or for any similar purpose which is not of first class fireproof construction shall be erected to a greater height than two stories nor have an undivided floor area exceeding five thousand square feet provided that one story buildings of second class construction used for purposes set forth in this Section may have an undivided floor area of ten thousand square feet

Section VI Curtains walls in steel or concrete skeleton construction in buildings of the first class shall have walls of fire resistive construction of adequate strength subject to the approval of the Bureau of Building Inspection and no such curtain wall of masonry construction shall have a less thickness than nine inches

Section VII Spandrel walls of masonry under window openings in any building shall have a thickness of not less than nine inches and shall be of adequate strength subject to the approval of the Bureau of Building Inspection

Section VIII In all buildings of the second or third class hereafter erected or altered the use of wood furring and stud-partitions supporting wire lathe and plaster is permitted Such furring and partitions shall have incombustible fire stops at each story subject to the approval of the Bureau of Building Inspection provided that such partitions shall not be supporting partitions

Section IX All Acts or parts of Acts inconsistent herewith be and the same hereby are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 905, as follows:

An Act to amend section eight of the act approved the fifth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and twenty-one) entitled "An act to provide for the selection of a site and the erection of a state hospital for the insane for the city and county of Philadelphia and the counties of Bucks Montgomery Delaware Chester Northampton and Lehigh to be called the State Hospital for the Insane for the South-eastern District of Pennsylvania and for the management of the same" changing the name of said hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of the act approved the fifth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and twenty-one) entitled "An act to provide for the selection of a site and the erection of a state hospital for the insane for the city and county of Philadelphia and the counties of Bucks Montgomery Delaware Chester Northampton and Lehigh to be called the State Hospital for the Insane for the South-eastern District of Pennsylvania and for the management of the same" is hereby amended to read as follows

Section 8 The said Commissioners upon the completion of said hospital shall surrender their trust to a board of managers to consist of thirteen members five of whom shall be appointed by the Governor from the State at large two by the councils of the city of Philadelphia and one by the county commissioners of each of the other counties embraced in the South-eastern District herein described Said managers or trustees shall be a body politic or corporate by the name and style of the trustees of the Norristown State Hospital they shall serve without compensation and shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading of House Bill No. 899, entitled:

An Act to amend section eight of the act approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws one thousand fifty-five) entitled "An Act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital" as amended changing the name of said hospital

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of the act approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws one thousand fifty-five) entitled "An Act to provide for the selection of a site and the erection of buiudings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital" which as amended by the act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and seventy-four) entitled "An Act to amend section eight of an act entitled 'An Act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital' approved the eighteenth day of June Anno Domini one thousand nine hundred fifteen (Pamphlet Laws one thousand and fifty-five)" is hereby further amended to read as follows

Section 8 Immediately upon the passage of this act the Governor by and with theadvice and consent of the Senate shall appoint a board of nine (9) trustees who in addition to the powers hereinafter conferred shall have power to purchase any additional lands that may be necessary for the proper administration of said hospital and shall have and possess all the powers hereinbefore conferred upon the building commission of said hospital which commission is hereby abolished The said board of trustees shall be a body corporate and shall be known by the name and style of the Torrance State Hospital The members of the said board shall serve without compensation but shall be reimbursed for expenses incurred by them in the performance of their duties

On the question,

Will the House agree to the section?

Mr. COLDSMITH. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1 page 2 line 8 by striking out the word "which"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section eight of the act approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws one thousand fifty-five) entitled "An act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital" as amended changing the name of said hospital

And said bill having been read at length the second time and agreed to as amended.

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 901, entitled:

An Act to amend section one of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and nineteen) entitled "An act to establish a State Village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen" as amended by changing the name of said village

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and nineteen) entitled "An act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purpose aforesaid also for the expense of maintenance until June one one thousand nine hundred and fifteen" which as amended by the act approved the sixteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and eighty-two) entitled "An act to amend section one three six and ten of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and nineteen) entitled 'An act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and

furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purpose aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen' as amended by an act approved the fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws six hundred and ninety-eight) by relieving the Governor of the obligation to approve building plans providing for personal inspection of work by a majority of the building committee jurisdiction in the court of quarter sessions payment of costs of proceedings by the county and maintenance by the State" is hereby further amended to read as follows

Section 1 Be it enacted et cetera That a State village for the care of feeble-minded women is hereby constituted and established the grounds and buildings for which are hereby directed to be selected and constructed which village shall be governed and maintained in the manner hereinafter provided and shall be known as the Laurelton State Village. That this institution shall be entirely and specifically devoted to the reception segregation detention care and training of feeble-minded women and shall be so planned in the beginning and construction as shall provide separate classification of the numerous groups embraced under the terms "idiotic" "imbecile" or "feeble-minded" it is specially determined that the processes of an agricultural training shall be primarily considered in the educational department and that the employment of the inmates in the care and raising of stock and the cultivation of fruits vegetables roots et cetera shall be made tributary to the maintenance of the institution

On the question,

Will the House agree to the section?

Mr. GUNDY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1 page 2 line 14 by striking out the word "which"

Amend Sec. 1 page 4, line 2 by striking out the words "et cetera" and inserting in lieu thereof, "&c.,"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred nineteen) entitled "An act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purpose aforesaid also for the expense of maintenance until June one one thousand nine hundred and fifteen" as amended by changing the name of said village.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 657, as follows:

An Act to amend section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the compensation of auditors of the accounts of school districts of the fourth class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 2628 The auditors herein required to audit the accounts of the school districts of the fourth class shall be allowed for their services five dollars ($5.00) per day for each day necessarily spent by each of them in the performance of his duty which together with the cost of advertising their report shall be paid by the school district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 462, entitled:

An Act to amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and ninety-two) entitled "An Act to provide revenue by taxation" eliminating the provision of said act permitting the payment of taxes by banks at the rate of ten mills on the dollar of the par value of the shares of stock

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and ninety-two) entitled "An Act to provide revenue by taxation" is hereby amended to read as follows

Section 1 Be it enacted et cetera That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the twentieth day of June in each and every year make to the Auditor General a report in writing verified by the oath or affirmation of the president cashier or treasurer setting forth the full number of shares of the capital stock subscribed for or issued by such bank or savings institution and the actual value thereof which shall be ascertained as hereinbefore provided whereupon it shall be the duty of the Auditor General to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares The Auditor General shall have the power and it shall by his duty in case he shall

not be satisfied with the correctness of the reports as made by the officers of any bank or savings institution to summon the officers of said bank or savings institution to appear before him upon notice to do so on a day to be fixed by him and to bring with them the books of said bank or savings institution for his examination and he shall have the right to have further evidence to satisfy himself as to the correctness of the report made to him on the question of the value of the shares of stock of such bank or savings institution according to the rule hereinbefore stated, After the Auditor General shall have fixed the value of the shares of stock in any bank or savings institution by the method hereinbefore provided and settled an account according to law he shall thereupon transmit to the president cashier or treasurer of such bank or savings institution a copy of such settlement showing the valuation and assessment so made by him and the amount of tax due the Commonwealth on all such shares And it shall be the duty of the president cashier or treasurer of any such bank or savings institution immediately upon the receipt of said settlement to post the same in a conspicuous place in such bank or savings institution so as to give notice to the shareholders of such valuation and it shall be the duty of the Auditor General to hear any shareholder upon the subject of the valuation of such shares of stock at the Auditor General's office within a period of thirty days from the date of said settlement It shall be the duty of every bank or savings institution within a period of forty days after the date of such settlement by the Auditor General at its option to pay the amount of said tax to the State Treasurer from its general fund or collect the same from its shareholders and pay over to the State Treasurer Provided That if any such bank or savings institution shall fail or refuse to make such report or to pay such tax at the time herein specified or shall make any false statement in such report or shall fail or refuse by its officers to appear before the Auditor General upon notice as aforesaid or shall fail or refuse to produce its books for examination when required to do so by the Auditor General he shall after having ascertained the actual value of each share of the capital stock of such bank or savings institution from the best information he can obtain add thereto fifty per centum as a penalty assessed the tax as aforesaid and proceed according to law to collect the same from such bank or savings institution Provided further That if the president cashier or treasurer of any such bank or savings institution shall neglect or refuse to post the copy of the settlement in a conspicuous place in such bank or savings institution immediately upon the receipt of the same so as to give notice to the shareholders such president cashier or treasurer shall be adjudged to be in default and as a penalty for such default such bank or savings institution shall be responsible to the Commonwealth for the amount of the tax assessed against the shareholders of such bank or savings institution And provided further That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of four mills on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the rule hereinbefore stated that have been subscribed for or issued and pay the same into the State Treasurer on or before the first day of March in each year the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon and the shares of such bank or savings institution and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempted from local taxation under the laws of this Commonwealth

On the question,

Will the House agree to the section?

Mr. DAVID J. JONES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1 page 1 line 9 by striking out the words "et cetera" and inserting in lieu thereof "&c.,"

Amend Sec. 1 page 4 line 27 by striking out the word "Treasurer" and inserting in lieu thereof "Treasury"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" eliminating the provision of said act permitting the payment of taxes by banks at the rate of ten mills on the dollar of the par value of the shares of stock

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 756, as follows:

An Act to amend sections one and two of the act approved the eighth day of April one thousand eight hundred and sixty-one (Pamphlet Laws two hundred and seventy) entitled "An Act for the Suppression of Fortune Telling and similar purposes"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eighth day of April one thousand eight hundred and sixty-one (Pamphlet Laws two hundred and seventy) entitled "An Act for the Suppression of Fortune Telling and similar purposes" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pensylvania in General Assembly met and it is hereby enacted by the authority of the same That any person who shall pretend for gain or lucre to predict future events by cards tokens the inspection of the head or hands of any person or by any one's age or by consulting the movements of the heavenly bodies or who shall for gain or lucre pretend to effect any purpose by spells charms necromancy or incantation shall be guilty of a misdemeanor punishable by any court of quarter sessions in this Commonwealth with fine and imprisonment or both or either at the discretion of the court the first offense shall be punished with not more than two years imprisonment nor less than fifteen days and a fine of not more than one hundred nor less than ten dolars the second offense with any term of imprisonment and fine not exceeding five years or five hundred dollars as the court may deem proper The provisions of this section shall not apply to certfied or licensed ministers missionaries or mediums of any denomination or association which is incorporated in the Commonwealth of Pennsylvania for promoting mutual aid and cooperation in benevolent charitable educational literary musical scientific religious and missionary purposes and enterprises and who fully conform to the rights and practices prescribed by the supreme convention convocation conference association assembly or synod of the society with which they are affiliated

Section 2 That section two of said act is hereby amended to read as follows

Section 2 That whosoever shall pretend for lucre or gain to tell fortunes or fortell future events by other means than those aforesaid shall be guilty of a misdemeanor to be prosecuted as offenses against public law are now prosecuted in this Commonwealth and to be punished as is provided in the first section of this act The provisions of this section shall not apply to certified or licensed ministers missionaries or mediums of any denomination or association which is incorporated in the Commonwealth of Pennsylvania for promoting mutual aid and co-operation in benevolent charitable educational literary musical scientific religious and missionary

purposes and enterprises and who fully conform to the rights and practices prescribed by the supreme convention convocation conference association assembly or synod of the society with which they are affiliated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 654, entitled:

An Act providing that in all cases of prosecutions for any crime or misdemeanor where the defendant has been discharged by any justice of the peace alderman burgess mayor or other committing magistrate and in all cases of summary proceedings before said officers the county shall not be liable for the costs unless the same are approved by the county controller in counties having a county controller or by the county solicitor in counties not having a county controller

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where prosecutions for any crime or misdemeanor are started before any justice of the peace alderman burgess mayor or other committing magistrate and the defendant is discharged by said justice of the peace alderman burgess mayor or other committing magistrate and in all cases of summary proceedings before said officers the county shall not be liable for costs to any justice of the peace alderman burgess mayor or other committing magistrate or constable or police officer unless said costs are approved by the county controller in all counties where there is a county controller or by the county solicitor in all counties where there is not a county controller

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act providing that in all cases of prosecutions for any crime or misdemeanor where the defendant has been discharged by any justice of the peace alderman burgess mayor or other committing magistrate and in all cases of summary proceedings before said officers the county shall not be liable for the costs unless the same are approved by the county controller in counties having a county controller or by the county solicitor in counties not having a county controller

On the question,

Will the House agree to the title?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 8 by inserting after the word "controller" the following: "or by the county solicitor in counties having no county controller."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to,

And said bill having been read at length the second time and agreed to as amended.

Ordered. To the transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 848, entitled:

An Act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and Juvenile Courts and imposing certain expenses upon counties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That crippled children whose parents or guardians fail or are financially unable to provide suitable medical and surgical aid treatment and education when necessary may be committed to a crippled children's home or orthopaedic hospital or other institution which has been certified to the court by the Department of Public Welfare Application for such care treatment and education shall first be made to the juvenile court by a parent guardian or some interested person If such court is of the opinion that such child is in need of treatment and education and finds that the parent or guardian fails to provide it he may make an order committing the child to an institution as above specified and shall at once forward a copy of the decree and a statement of the facts to the Department of Public Welfare and shall provide for the child's conveyance in charge of a suitable person to the place designated for treatment The expenses for maintenance treatment conveyance and education of such crippled child shall be first paid by the county of its residence and then may be charged to the parent or guardian if able to pay in whole or in part as the court may direct Such committance shall be temporary and shall be only for the period necesary for the treatment of such child

On the question,

Will the House agree to the section?

Mr. WONER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 1, line 6, by inserting after the word "may" the following: "with the consent of the parents or guardian of such child"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 Whenever it appears that a crippled child has been successfully treated or that it cannot be further benefitted by such treatment the Department of Public Welfare and the committing court shall be notified and the child shall be returned to its own people

An Act to provide for the care, treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and Juvenile Courts; and imposing certain expenses upon counties.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 639, entitled:

An Act authorizing the purchase and consolidation of water or water power companies organized prior to the first day of April one thousand nine hundred and five and providing the manner in which such merger shall be effected

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any water or water power company organized prior to the first day of April one thousand nine hundred and five under the provisions of any general or special act of Assembly authorizing the formation of any corporation or corporations to sell its corporate rights franchises powers and privileges to any other water or water power company or companies transacting the same or a similar line of business organized prior to the first day of April one thousand nine hundred and five so that all the property rights powers franchises and privileges then by law vested in the selling corporation shall be transferred to and vested in the corporation making such purchase

On the question,
Will the House agree to the section?
Mr. McKIM. Mr. Speaker, I desire to offer to following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 1, page 1, lines 8 and 9, by striking out the word "corporate" and inserting in lieu thereof the word "property"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The second section was read as follows:

Section 2 That the said merger shall be effected in the manner provided by an act entitled "A Supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporation and for the incorporation and regulation of certain additional corporations" approved the seventeenth day of April one thousand eight hundred and seventy-six (Pamphlet Laws thirty) provided that the said corporation parties thereto or the stockholders thereof shall not be required to accept the provisions of the act approved April thirteenth one thousand nine hundred and five (Pamphlet Laws one hundred and fifty-two) entitled "An Act providing that the right of eminent domain as respects the appropriation of streams rivers or waters or the land covered thereby shall not be exercised by water companies incorporated under the law"

On the question,
Will the House agree to the section?
Mr. McKIM. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 3, by striking out the word "merger" and inserting in lieu thereof the words "sale and purchase."

Amend section 2, page 2, line 8, by striking out the word "corporation" and inserting in lieu thereof the word "corporations."

Amend section 2, page 2, line 12 by striking out the word "corporation" and inserting in lieu thereof the word "corporations."

On the question,
Will the House agree to the amendments?
They were agreed to,
On the question,
Will the House agree to the section as amended?
It was agreed to.

The third section was read and agreed to as follows:

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act authorizing the purchase and consolidation of water or water power companies organized prior to the first day of April, one thousand nine hundred and five, and providing the manner in which such merger shall be affected.

On the question,
Will the House agree to the title?
Mr. McKIM. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend title line 1, by striking out the words "purchase and consolidation of" and inserting in lieu thereof the following: "sale, assignment, disposition, transfer and conveyance of the franchises and of the property real, personal and mixed of any."
Amend title, line 3, by inserting at the end thereof after the word "five" the following: "to another water or water power company also organized prior to the first day of April, one thousand nine hundred and five."
Amend title, line 4, by striking out "such merger" and inserting in lieu thereof the words "said sale and purchase."

On the question,
Will the House agree to the amendments?
They were agreed to,
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed wth,
The House proceeded to the second reading and consideration of House Bill No. 914, as follows:

An Act to amend section one of an act approved the eighth day of June one thousand eight hundred and eighty-one (Pamphlet Laws eighty-three) entitled "An Act to organize the state hospital for the insane at Warren Pennsylvania" changing the name of said hospital
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighth day of June one thousand eight hundred and eighty-one (Pamphlet Laws eighty-three) entitled "An Act to organize the state hospital for the insane at Warren Pennsylvania" is hereby amended to read as follows
Section 1 Be it enacted et cetera That the Governor shall nominate and by and with the advice and consent of the Senate appoint nine persons to be trustees of said hospital who under the name and title of the Trustees of the Warren State Hospital" shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the constitution and laws

of the Commonwealth and shall have power to receive hold dispose of and convey all real and personal property purchased by or conveyed to them by gift devise or otherwise in trust for the use of said institution and shall serve without compensation of those first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by appointment for three years as hereinbefore provided and should any vacancy occur by death resignation or otherwise of any trustee such vacancy shall be fi by appointment as aforesaid for the unexpired term of such trustee

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 813, entitled:

An Act to amend section one of an act approved the eighth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and twenty-seven) entitled "A supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom fixing the amount of compensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" by imposing certain duties on the lawyer member of the commission and fixing his compensation therefor

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and twenty-seven) entitled "A supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom' fixing the amount of compensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" is hereby amended to read as follows

Section 1 Be it enacted et cetera That each member of the commission provided for by section six of the act to which this is a supplement shall be entitled to receive the sum of five dollars for each day necessarily employed in the duty of his appointment

The lawyer member of the commission shall be chairman of the commission and shall prepare and file all necessary notices reports and other papers he shall be entitled to receive an additional sum of five dollars for such services

On the question,

Will the House agree to the section?

Mr. HALL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 1 page 2 line 5 by striking out the words "and their"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of an act approved the eighth day of May, one thousand eight hundred and eighty-nine, (P. L. 127), entitled "A supplement to the Act of April twentieth, one thousand eight hundred and sixty-nine, entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth, and their discharge therefrom,' fixing the amount of compensation to be paid to the commissioners appointed under section six of said Act, and declaring who shall be liable therefor, and for the costs of proceedings under said section;" by imposing certain duties on the lawyer member of the commission, and fixing his compensation therefor.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 925, entitled:

An Act to amend section nine of an act approved the fifteenth day of May one thousand nine hundred and three (Pamphlet Laws four hundred and forty-six) entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" as amended changing the name of said institution

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of an act approved the fifteenth day of May one thousand nine hundred and three (Pamphlet Laws four hundred and forty-six) entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" which as amended by an act approved the twelfth day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred and ninety-four) entitled "An Act supplementing and amending an act entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth section of said act and repealing section two of an act entitled 'An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof' approved the twentieth day of June Anno Domini one thousand nine hundred and eleven"

Is hereby further amended to read as follows

Section 9 The said commissioners upon the completion of the said institution shall surrender their trust to a board of trustees to consist of nine members who shall serve without compensation and be appointed by the Governor by and with the advice and consent of the Senate Said trustees shall be a body politic or corporate of the name and style of the Pennhurst State School They sahll manage control and direct all the affairs of the institution make all necessary regulations not herein otherwise specifically provided and not contrary to the Constitution and laws of this Commonwealth for the detention care treatment maintenance employment subsistence training and education of the inmates of the institution assign such duties as they may deem proper to the several officers and employes and exercise such other powers as are elsewhere conferred upon them by this act Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of said trustee

On the question,

Will the House agree to the section?

Miss THOMAS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1 page 2 line 1 by striking out the word "which"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section nine of an act approved the fifteenth day of May one thousand nine hundred and three (Pamphlet Laws four hundred forty-six) entitled "An act to provide for the selection of a site and the erection of a State Institution for the Feeble-minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" as amended changing the name of said institution

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 903, as follows:

An Act to amend section seven of an act approved the eighteenth day of July one thousand nine hundred and one (Pamphlet Laws seven hundred and thirty-seven) entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment of the insane under homeopathic management to be called Homeopathic State Hospital for the Insane and making an appropriation therefor" as amended changing the corporate name of the said Hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of an act approved the eighteenth day of July one thousand nine hundred and one (Pamphlet Laws seven hundred and thirty-seven) entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment of the insane under homeopathic management to be called the Homeopathic State Hospital for the Insane and making appropriation therefor" which as amended by section four of an act approved the tenth day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and five) entitled "An act to amend sections one four five and seven of an act entitled 'An act to provide for a selection of a site and the erection of a State Hospital for the treatment of the insane under the Homeopathic management to be called the Homeopathic State Hospital for the Insane and making an appropriation therefor' approved the eighteenth day of July Anno Domini one thousand nine hundred and one by vesting the appointment of the entire commission in the Governor and by requiring the approval of the Superintendent of Public Grounds and Buildings to plans and specifications and to expenditures incurred by the Commission and by authorizing the Commission to turn over to a board of trustees buildings when completed" is hereby amended to read as follows:

Section 7 The commissioners shall have authority to turn over each building when completed and available for the reception of patients to a board of trustees to consist of nine persons who shall serve without compensation to be appointed by the Governor by and with the advice and consent of the Senate The said commissioners upon the completion of the said hospital shall surrender their trust to the said board of trustees Said board of trustees shall be a body politic or corporate by the name and style of the Allentown State Homeopathic Hospital They shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Commonwealth Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustees such vacancy shall be filled by appointment as aforesaid for the unexpired term of such manager

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 541, as follows:

An Act to amend an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" as amended by authorizing the court of Quarter Sessions to abolish all wards existing in any township of the first class and to re-divide such township into new wards

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first and second paragraphs of section thirty-three of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" which was added to said act by section one of an act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and eighty-six) entitled "An Act to amend an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled 'An Act concerning townships and revising amending and consolidating the law relating thereto'" is hereby amended to read as follows

Section 33 The court of quarter sessions upon petition may divide any township of the first class heretofore or hereafter created into wards erect any wards out of two or more adjoining wards or parts thereof divide any wards already erected into two or more wards or alter the lines or boundaries of any two or more adjoining wards and may cause lines or boundaries of wards to be fixed and established The said court upon petition may at any time abolish all

wards existing in any township of the first class and may re-divide such township of the first class into new wards The number of such wards shall be not less than five nor more than nine

Any such petition other than a petition to abolish existing wards and to re-divide a township shall be signed by at least twenty free holders residents of the township of the first class or of the ward or wards the limits of which it is proposed to change The petition required by this section for the pupose of abolishing all existing wards and re-dividing the township into new wards shall be signed by at least one hundred freeholders residents of such township of the first class Upon the presentation of either of the above petitions the court shall appoint three impartial men as commissioners to inquire into the propriety of granting the prayer of the petitioners The commissioners or any two of them shall make a report to the next term of the court and shall accompany it with a plot showing the boundaries of the township of the first class and the wards before and after the proposed change whenever the same cannot be fully designated by natural lines

Section 2 That section one hundred and ten of said act which was amended by section two of an act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and eighty-six) entitled "An act to amend an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled 'An act concerning townships and revising amending and consolidating the law relating thereto'" is hereby further amended to read as follows

Section 110 At the municipal election in the year one thousand nine hundred and twenty-one and every four years thereafter there shall be elected by the qualified voters of each even-numberd ward of townships of the first class one township commissioner who need not reside in the ward for which he is elected in townships of the first class having five or less wards the number of commissioners of such township shall be five The remaining number of commissioners to which the said township is entitled as aforesaid including the commissioners now holding office for the odd-numbered wards of the said township shall hold over and continue in said office until the first Monday in January in the year one thousand nine hundred and twenty-four At the township election to be held on the first Tuesday following the first Monday in November in the year one thousand nine hundred and twenty-three and every four years thereafter the qualified voters of each odd-numbered ward of every township of the first class shall elect one commissioner who need not reside in the ward for which he is elected and the remaining number of commissioners to which the said township is entitled as aforesaid shall at the same time be elected by the qualified voters of the whole township All commissioners hereafter elected shall hold office for the term of four years

When any township of the first class is organized there shall be elected at the municipal election following one township commissioner from each ward who need not reside in the ward for which he is elected In any such townships having less than five wards the number of township commissioners shall be five and the number of commissioners equal to the difference between five and the number of wards shall be elected at large At such election the township commissioners elected in even-numbered wards shall be elected for a term of two years and the township commissioners elected at large and in odd-numbered wards shall be elected for a term of four years or vice versa as the case may be in order that the terms may harmonize with the elections in townships organized prior to the passage of this act

When any township of the first class is re-divided into wards there shall be elected at the municipal election occuring at least ninety days after the completion of such proceedings a number of township commissioners equal to the number of wards into which the township has been re-divided The township commissioners shall be elected by wards and those elected in even-numbered wards shall be elected for two year terms and those in odd-numbered wards for four year terms The township commissioners so elected shall hold office from the first Monday of January next succeeding their election and the terms of office of all township commissioners then in office shall cease and determine on said date At each municipal election after said first election a sufficient number of township commissioners shall be elected in the several wards for four year terms to take the place of those whose terms expire on the first Monday of January succeeding that election.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in thise case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 965, as follows:

An Act to repeal an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subjct to supervision and examination by the Banking Department"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 666, as follows:

An Act to amend section two thousand one hundred five of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first second and third classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand one hundred and five of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties of the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 2105 It shall be lawful for the board of school directors of any school district which has elected a superintendent and employs not less than forty teachers by resolution at any regular meeting duly recorded to authorize the holding of an annual teachers' institute for said district and in such case in all matters pertaining to the holding of institutes it shall be in no wise subject to the authority and jurisdiction of the superintendent of schools of the county in which said district is located and when the holding of the said separate annual institute shall have been authorized as aforesaid the superintendent of schools of said district shall have power to call and conduct a teachers' institute and to draw from the county treasury moneys for the support of the same in like manner and to the same extent as the county superintendents of this Commonwealth

are empowered to do and the board of school directors of such district may by a majority vote appropriate such additional funds as it may deem necessary to maintain said institute

The board of directors of any school district of the first second or third class may substitute other equivalent forms of teacher training or teacher improvement for the teachers of such district in lieu of the teachers' institute hereby provided for and may expend for such purposes the funds available for teachers' institutes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 999, as follows:

An Act providing for the refunding of liquor license fees and additional taxes to holders of licenses to manufacture or sell vinous spirituous malt or brewed liquors or any admixture thereof intoxicating liquor or ethyl alchol where the Act of Assembly under the authority of which such licenses were granted has been repealed by the General Assembly of one thousand nine hundred and twenty-three prior to the expiration of the license year for which such licenses were issued providing for the payment of such refund in certain cases by the county in which such license was granted and the repayment to such county by the city borough township and State of their respective shares of such refund and for the payment of such refund in certain cases by the State alone providing the procedure in such cases and making an appropriation

Whereas the Legislature of 1923 has repealed certain Acts of Assembly which provided for the granting of licenses to manufacture or sell intoxicating liquor ethyl alchol and vinous spirituous malt or brewed liquors or any admixture thereof and which provided for the payment of certain license fees and additional taxes annually in advance of the issuance of said license

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the holder of any license granted under and by virtue of any of said repealed acts who has paid to the proper authorities all such licenses and additional taxes in full for and in advance of the then current license year as fixed by the rules of the Court from which said license issued and which current year had not expired at the date of the repeal of the act under authority of which his said license was granted shall be reimbursed for a proportionate amount of the license fee and additional tax paid or the privilege of engaging in such business during said year

Section 2 Any such licensee whose license has been so affected may file his her or its petition in the Court of Quarter Sessions of the proper county setting forth the facts and specifying the time remaining during said license year and for which the full license fee and additional tax has been paid after the repeal of the act under which said license was granted which petition shall be verified by affidavit Reasonable notice of the presentation of such petition shall be given by mail to the State Treasurer and personally to the County Treasurer and to the treasurer of all municipalities to be affected by said order After a full investigation of the matter if the Court finds that such licensee had paid his license fee and additional tax in full for the whole license year and that there was an unexpired portion of said license year at the time of the repeal of the act under authority of which said license was granted it shall make an order upon the proper county treasurer directing him to pay from the county treasury as a refund of the said license fee and additional tax therefore paid an amount sufficient to reimburse such licensee for the period of such license year remaining after the repeal of said act and shall also in such order determine the proportion of such refund which has been paid into the treasuries of the several municipalities and the proportion of such amount which has been paid into the treasury of the Commonwealth and shall make an order upon the respective municipalities and upon the State Treasurer to return to the County treasury such amount Provided that the proportionate amount of the collection fees allowed by law thereon to the respective treasurers and all costs and expenses paid out of such license fee shall be first deducted

Section 3 The respective townships boroughs cities counties and the State Treasurer shall within sixty days of the receipt of notice of the final order of said Court in the premises make payment as therein directed and for the purpose of refunding from the State Treasury the amounts necessary to reimburse the county treasuries here-under the sum of fifty thousand dollars or so much thereof as may be necessary is hereby specifically appropriated Payments from said appropriation shall be made by warrant of the Auditor General on the State Treasurer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 959, as follows:

An Act to repeal the act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and eighteen) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employes and on city councils of cities of the first and second class and providing penalties" and section thirty-nine of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and eighteen) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employes and on city councils of cities of the first and second class and providing penalties" and section thirty-nine of the act ap-

proved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the liecnsing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" are hereby repealed

The repeal of such act shall not revive any acts or parts of acts repealed by it

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 757, as follows:

An Act providing for advancements from appropriations to school districts of the third and fourth class for the purpose of assisting in the rebuilding of destroyed school buildings or of consolidating or constructing school buildings establishing a fund in the State treasury for such purposes and providing for the withholding of a part of the annual appropriations to such districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any school building in a district of the third or fourth class has been destroyed by fire flood wind storm mine cave or other casualty and the school district is not able to rebuild such destroyed building from current revenues or to borrow sufficient money for such purpose or whenever any school district of the third or fourth class desires to construct a new school building or to consolidate any number of one-room school buildings and is not able to do so from the current revenues or to borrow sufficient money for such purpose such district may apply to the State Council of Education for an advance on the appropriations to be made to such district from the State

Section 2 The State Council of Education shall thoroughly examine the circumstances of such school district and the necessity of rebuilding consolidation or construction of any school building or buildings and if satisfied that the case is a proper one for assistance shall certify such fact to the Superintendent of Public Instruction who shall draw a warrant for the amount recommended by the State Council of Education such amount shall in no case exceed fifty per centum of the total cost of the reconstructed or new building and shall be paid out of the "School Building Aid Fund" hereinafter created

Section 3 Whenever any advancement has been made to any school district the Superintendent of Public Instruction shall withhold fifty per centum of the amount of the appropriation available for such school district in each year until such time as the amounts withheld shall equal the amount of the advancement originally made the State Council of Education may for cause shown reduce the amount withheld from the appropriation for any one year to not less than twenty-five per centum of the amount of the appropriation available for such school district in such year

Section 4 The amounts so withheld from the annual appropriations shall not revert into the general fund of the State Treasury but shall be paid into a separate fund to be known as the "School Building Aid Fund" which shall at all times be available to carry out the purposes of this act and which is hereby permanently appropriated for such purposes

Section 5 The sum of one million dollars ($1,000,000) is hereby specifically appropriated to the Department of Public Instruction to be paid into the "School Building Aid Fund"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. ALFRED I. FOWLER. Mr. Speaker, I move that House Bill No. 757, file folio 2061, be recommitted to the Committee an Appropriations.

Mr. KOHLER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 869, entitled:

An Act relating to the proof of intoxicating liquors sold offered for sale or furnished and providing penalities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any apothecary druggist or other person authorized by law to prescribe or furnish intoxicating liquors to sell offer for sale or furnish any intoxicating liquors representing the same to be bonded liquors unless such liquors are of the proof required for liquors bottled in bond by the laws of the United States or to sell offer for sale or furnish intoxicating liquors not bottled in bond unless the proof of such liquors is plainly and conspicuously stamped or marked upon the contained thereof Any person violating the provisions of this act or selling or offering for sale or furnishing intoxicating liquors of a proof less than that stamped or marked upon the container thereof shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars or to undergo imprisonment for a term not exceeding ninety days or both at the discretion of the court

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1010, entitled:

An Act prohibiting the sale of brewed and malt liquors to minors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person to sell offer for sale or furnish any brewed or malt liquors containing less than one-half of one per centum of alcohol by volume to any minor

Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars or be imprisoned for not more than ninety days or both in the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SCHILLING. Mr. Speaker, I move that House Bill No. 1010 file folio 2071, be recommitted to the Committee on Judiciary General for a hearing.

Mr. FLYNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 693, entitled:

An Act providing for the quarantine and control of the Japanese Beetle imposing certain powers and duties on the Department of Agriculture and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to protect the agricultural and horticultural crops of the Commonwealth from the ravages of the Japanese Beetle (Popillia japonica) accidentally imported with horticultural products from Japan and now seriously and destructively infesting a limited area in the State

The Secretary of Agriculture may make investigations of the prevalence of this beetle and means whereby it may be controlled and its dissemination limited and for these purposes may adopt and carry out such control measures as are deemed advisable and may cooperate with the United States Department of Agriculture in the control of this pest

Section 2 The Secretary of Agriculture may also establish quarantines and quarantine restrictions in affected areas and areas adjacent thereto and adopt issue and enforce rules and regulations relative to such quarantine and for the control and limitation of this pest Under such quarantines the Secretary of Agriculture or his authorized agents may prohibit and prevent the movement without inspection or the shipment or transportation of any agricultural horticultural or any other material of any character whatsoever capable of carrying this pest in any state of its development and further he may under such quarantine intercept stop and detain for official inspection any person car vessel truck automobile wagon or other vehicle suspected or known to carry any material in violation of any quarantine or any rules or regulations thereunder establish by authority of this act

Section 3 Any person copartnership association or corporation violating any provision of this act or any rule or regulation adopted by the Secretary of Agriculture under the authority of this act shall be subject to a fine or penalty of not more than one hundred dollars for each offense to be collected by summary conviction before any mayor burgess magistrate alderman or justice of the peace as like fines and penalties are now by law collected and in case of non-payment of said fine to undergo an imprisonment in the county jail for a period not exceeding five days Provided That any person so convicted shall have the right of appeal as in other cases of summary conviction The fines collected under this act shall be paid to the Secretary of Agriculture or his agent and by him shall be paid into the State Treasury

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 121, entitled:

An Act making a deficiency appropriation to the State Hospital of Coaldale

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two thousand five hundred twenty-seven dollars and eighty-five cents ($22,527.85) or so much thereof as may be necessary is hereby specifically appropriated to cover deficiencies of the State Hospital of Coaldale Coaldale Schuylkill County Pennsylvania for the following purposes viz

For deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred twenty-one four thousand nine hundred twelve dollars and four cents ($4,912.04) or so much thereof as may be necessary

For deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred twenty-three seventeen thousand six hundred fifteen dollars and eighty-one cents ($17,615.81) or so much thereof as may be necessary

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 790, entitled:

An Act making a deficiency appropriation to the Pennsylvania Training School at Morganza Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand ($20,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the board of Trustees of the Pennsylvania Training School at Morganza Pennsylvania to cover a deficiency in salaries for the two fiscal years ending May thirty-first one thousand nine hundred twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 641, entitled:

An Act making a deficiency appropriation to the Western Pennsylvania Institution for the Institution of the Deaf and Dumb

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand nine hundred and thirty-three dollars and eighty-five cents ($5,933.85) or so much thereof as may be necessary is hereby specifically appropriated to the Western Pennsylvania Institution for the instruction of the Deaf and Dumb for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three on account of a debt incurred in the education and maintenance of State pupils

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 782, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia to cover deficiency in maintenance and education of State pupils

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred five thousand dollars ($105,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Institution for the Deaf and Dumb at Mount Airy Philadelphia to cover a deficiency in maintenance and education of State pupils for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 695, entitled:

An Act to amend clause (a) section two and section seven of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws three hundred and eighty-eight) entitled "An act relating to the jurisdiction and procedure of the orphans' court and the court of common pleas as to sales mortgages conveyances on ground-rent leases extinguishment of ground rents partition exchange squaring and adjusting of liens between adjoining owners consolidation and combination of mining lands and the leasing thereof the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and for such purpose the laying out or dedication of roads streets and alleys or the vacation of such as have not been accepted by the public authorities where the court shall be of opinion that such decree will be to the interest and advantage of all those interested and where the legal title is held by minors lunatics habitual drunkards or weak-minded persons a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association by any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law by a corporation or individual or individuals and is subject to a trust of any description whatever by any person as to whom a presumption of death may have arisen or any interest wherein is held by any person under legal disability to dispose thereof where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders executory devises or remainders to a class some or all of whom may not be in being or ascertained where estates shall have been devised or granted for special or limited purposes where there is a power of sale but the time may not have arrived for its exercise any preliminary act may not have been done to bring it into exercise the time limited for its exercise may have expired or any one or more persons required to consent or join in its exercise may be non compos mentis have removed out of the State have died refused to act unreasonably withhold consent or be absent and unheard of where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm and to the effects of such decree" extending the provisions of said act to cases where real estate or ground rent issuing thereout is held by an epileptic insane feeble-minded or weak-minded person or by a wife whose husband is an habitual drunkard or an epileptic insane feeble-minded or weak-minded person declaring the effect of decrees as to barring dower courtesy and interest of a surviving spouse under the intestate laws

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (a) section two of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws three hundred and eighty-eight) entitled "An act relating to the jurisdiction powers and procedure of the orphans' court and the court of common pleas as to sales mortgages conveyances on ground-rents leases extinguishment of ground rents partition exchange squaring and adjusting of lines between adjoining owners consolidation and combination of mining lands and the leasing thereof the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and for such purpose the laying out or dedication of roads streets and alleys or the vacation of such as have not been accepted by the public authorities where the court shall be of opinion that such decree will be to the interest and advantage of all those interested and where the legal title is held by minors lunatics habitual drunkards or weak-minded persons a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association by religious beneficial or charitable society or association incorporated or, unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law by a corporation or individual or individuals and is subject to a trust of any description whatever by any person as to whom a presumption of death may have arisen or any interest wherein is held by any person under legal disability to dispose thereof where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders executory devices or remainders to a class some or all of whom may not be in being or ascertained where estates shall have been devised or granted for special or limited purposes where there is a power of sale but the time may not have arrived for its exercise any preliminary act may not have been done to bring it into exercise the time limited for its exercise may have expired or any one or more persons required to consent or join in its exercise may be non compos mentis have removed out of the State have died refuse to act unreasonably withhold consent or be absent and unheard of where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm and to the effects of such decree" which was amended by the act approved the second day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and eleven) is hereby further amended to read as follows

(a) Where the legal title is held (1) By minors lunatics or habitual drunkards so duly found by inquisition or by epileptics insane feeble-minded or by weak-minded persons for whom guardians or other fiduciaries have been appointed (2) By a wife whose husband is a minor or by a married minor who spouse is a minor or by a married woman or married man whose spouse is a lunatic or an habitual drunkard so duly found by inquisition or an epileptic insane feeble-minded or weak-minded person for whom a guardian has been appointed or has abandoned him or her for one year or has been absent and unheard of for seven years (3) By corporations of any kind having no capacity to convey or by any unincorporated association (4) By any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or now or hereafter prescribed by law (5) By a corporation of any kind or individual or individuals and is subject to a trust of any description whatever (6) By any person who may have been absent and unheard from for seven years under those circumstances from which the law would presume his or her decease (7) Or any interest therein is held by any person under legal disability to dispose thereof

On the question,

Will the House agree to the section?

Mr. Wm T. BELL. Mr. Speaker, I desire to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 5, line 20, by inserting hereafter the following: entitled, "An act to amend clause (a) section two of an act approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, three hundred and eighty-eight), entitled 'An act relating to the the court of common pleas as to sales, mortgages, conveyances on ground-rent, leases, extinguishment of ground-rents,

jurisdiction, powers, and procedure of the orphans' court and partition, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands, and the sub-division of premises so as to command the highest price or greatest rents, and, for such purpose, the laying out or dedication of roads, streets, and alleys, or the vacation of such as have not been accepted by the public authorities, where the court shall be of opinion that such decree will be to the interest and advantage of all those interested; and where the legal title is held by minors, lunatics habitual drunkards, or weak-minded persons, a married person whose spouse is a lunatic, or has abandoned him or her for one year or has been absent and unheard of for seven years; by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial, or charitable society or association, incorporated, or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law; by a corporation, or individual or individuals, and is subject to a trust of any description whatever; by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders, executory devices, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired or any or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the State, have died, refuse to act, unreasonably withhold consent, or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will, and the necessary power is not given to the executor, devisee, or appointee to make sale and conveyance; where a trust has been created, and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decrees,' extending the provisions of said act to cases where real estate or ground-rent issuing thereout is held by a wife whose husband is a minor, or by a married minor whose spouse is a minor,"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 That section seven of said act is hereby amended to read as follows

Section 7 Every such decree made by the court shall have the effect as to the title authorized to be transferred (a) Of a common recovery to bar an estate tail or a remainder whether contingent or to class (b) Of barring executory devises (c) Of defeating the right of the Commonwealth to forfeit real estate that may have been held by or for any corporation in excess of the amount now or hereafter duly authorized by law only however in the case where no proceedings to procure a forfeiture shall have been commenced before the filing of the petition (d) Of discharging the lien of decedents' debt not of record (e) Of barring any estate or claim of dower or right of dower tenancy by the courtesy or interest of a surviving spouse under the intestate laws

In all cases where the proceedings shall be for the purpose of freeing the title of any of the limitiations or defeasibility described in this section that purpose shall be set forth in the petition in addition to the explanation of the title

An Act to amend clause (a), section two and section seven of an act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 388), entitled, "An Act relating to the jurisdiction, powers, and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground-rent, leases, extinguishment of ground rents, partition, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and, for such purpose the laying out or dedication of roads, streets and alleys, or the vacation of such as have not been accepted by the public authorities, where the court shall be of opinion that such decree will be to the interest and advantage of all those interested; and where the legal title is held by minors, lunatics, habitual drunkards, or weak-minded persons, a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years; by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial, or charitable society or association, incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law; by a corporation, or individual or individuals, and is subject to a trust of any description whatever; by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory devises, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the State, have died, refused to act, unreasonably withhold consent, or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will, and the necessary power is not given to the executor, devisee, or appointee to make sale and conveyance; where a trust has been created, and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decree," extending the provisions of said act to cases where real estate or ground rent issuing thereout is held by an epileptic, insane, feeble-minded or weak-minded person, or by a wife whose husband is an habitual drunkard, or an epileptic, insane, feeble-minded or weak-minded person, declaring the effect of decrees as to barring dower, courtesy and interest of a surviving spouse under the intestate laws.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1082, as follows:

An Act Making it unlawful to interfere or attempt to interfere with persons about to procure marriage licenses or to influence or attempt to influence such persons to go to certain officers for such purpose

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to interfere with or attempt to interfere with any person or persons who may be in or near or going to the office of any clerk of the Orphan's Court of any county for the purpose of securing a marriage license or to influence or attempt to influence any such person to go to any other officer for the purpose of taking an affidavit to secure a marriage license or for the purpose of procuring a marriage license

Section 2 Any person violating the provisions of this Act shall upon conviction thereof be guilty of a misdemeanor

and shall for the first offense be sentenced to pay a fine not to exceed twenty-five ($25.00) dollars and costs and in default of payment thereof to undergo imprisonment in the county jail for a period not to exceed ten days and for any second or subsequent offense shall be sentenced to pay a fine of not more than one hundred ($100.00) dollars and costs and in default of such payment to undergo imprisonment in the county jail for a period not to exceed thirty days

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 911, as follows:

An Act To provide for the erection of new or additional buildings for the maintenance care and treatment of the poor indigent insane and indigent persons afflicted with tuberculosis in poor districts in counties of the second class which now maintain or which shall hereafter maintain a poor house or a hospital or sanitarium for such purposes authorizing the county commissioners to borrow moneys issue and negotiate the sale of bonds and to levy taxes for the payment of the same

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where under any law of this Commonwealth a poor house or houses or hospital for indigent insane or hospital or sanitarium for indigent persons afflicted with tuberculosis have been or hereafter shall be erected or maintained by the Directors of the Poor in any poor district in any county or counties of the second class said class being ascertained and fixed according to population by reference from time to time to the last preceding decennial census of the United States and the said building or buildings are found insufficient by said Directors of the Poor for the purpose of the proper maintenance care and treatment of the said poor indigent insane or indigent persons afflicted with tuberculosis it shall be lawful for the Directors of the Poor in said county or counties to erect construct and maintain new or additional buildings as in their judgment is necessary for such purposes and to make contracts therefor

Section 2 That at the request of said Directors of the Poor the county commissioners of such county or counties are hereby directed to borrow money and to incur indebtedness to an amount not to exceed two per centum of the assessed valuation of the taxable property in said poor district or districts as fixed by the last preceding assessed valuation thereof to carry out the provisions of this act and to issue as evidence thereof registered or coupon bonds payable by said poor district within thirty years from the date of their issue and bearing interest at a rate not exceeding six per centum per annum payable annually or semi-annually and to negotiate the same for the purpose of raising the money necessary to carry out the provisions of this act and further to levy and collect taxes on all the taxable property in said poor district or districts for the purpose of paying any bonded indebtedness which may be incurred as herein provided

Section 3 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 873, entitled:

An Act to amend section nine of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled "An Act to Consolidate Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled "An Act to Consolidate Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings" is hereby amended to read as follows

Section 9 In all cases where a person shall on the complaint of another be bound by recognizance to appear or shall for want of security be committee or shall be indicted for an assault and battery or other misdemeanor to the injury and damage of the party complaining and not charged to have been done with intent to commit a felony or not being an infamous crime and for which there shall also be a remedy by action if the party complaining shall appear before the magistrate who may have taken recognizance or made the commitment or before the court in which the indictment shall be and acknowledged to have received satisfaction for such injury and damage it shall be lawful for the magistrate in his discretion to discharge the recognizance which may have been taken for the appearance of the defendant or in case of committal to discharge the prisoner or for the court also where such proceeding has been returned to the court in their discretion to order a nolle prosequi to be entered on the indictment as the case may require upon payment of costs and it shall be lawful also for the court in case where any person shall be charged with any crime except murder common law rape robbery burglery arson and kidnapping and the proceeding has been returned to court either before or after indictment found to order a nolle prosequi to be entered therein upon payment of costs whenever in the opinion of the court on account of the age of the defendant or the nature of the offense the entry of said nolle prosequi would not be against public policy and the court in case of conviction or the entering of a plea of guilty or nolle contendre would have suspended sentence

On the question,

Will the House agree to the section?

Mr. WHITEHOUSE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 8, by striking out the word "acknowledged" and inserting in lieu thereof: "acknowledge."

Amend section 1, page 2, line 28, by inserting after the word "sentence" the following: "Provided, That this act shall not extend to any assault and battery, or other misdemeanor committed by any or on any officer or minister of justice."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An act to amend section nine of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled "An act to Consolidate Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings."

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 983, as follows:

An Act authorizing John J. Higgins of the City of Philadelphia Pennsylvania to bring suit against the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That John J. Higgins of the city of Philadelphia Pennsylvania is hereby authorized to bring suit in the Court of Common Pleas of Montgomery County against this Commonwealtn for any sum or sums of money that may be legally due the said John J. Higgins from this Commonwealth as damages for injuries to his property sustained by the said John J. Higgins upon a State Highway through the negligence of certain officers and employes of this Commonwealth This suit shall be subject to the same rules of pleadings and evidence as in other cases between individuals The right to bring suit hereby given shall not preclude the Commonwealth from raising any defense available to it in the suit hereby authorized

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 460, as follows:

A Supplement to the Act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and sixty-two) entitled "An Act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by subscribers to be misdemeanors and providing penalties for the violation thereof" providing for the auditing of the State Workmen's Insurance Fund and the payment of the costs thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Auditor General through such agents as he may select shall during each calendar year make a complete examination and audit of the State Workmen's Insurance Fund including all receipts and expenditures cash on hand and securities investments or property held representing cash or cash disbursements and for these purposes the Auditor General is hereby authorized to employ such consultants experts accountants or investigators as he may deem advisable

The expense incurred in making said examination and audit shall be certified to the State Workmen's Insurance Board by the Auditor General which Board shall then draw its warrant for the amount thereof payable out of the State Workmen's Insurance Fund in the manner provided for payment of other expenses of administering said Fund

The first audit of such Fund may in the discretion of the Auditor General extend back to the creation of such Fund or to any other period in its life

Section 2 That hereafter disbursements for salaries and expenses incurred in the administration of the State Workmen's Insurance Fund shall only be made after they shall first be submitted to the Auditor General for approval and audit in the manner provided by law for the examination audit and approval of public accounts originating in or through any department bureau board or commission of the State Government

Section 3 The State Workmen's Insurance Board its officers and employes shall whenever a demand is made upon them by the Auditor General or his agents submit for the inspection and examination of the Auditor General or his agent all reports vouchers checks receipts books and records as well as any cash or securities or property representing cash or cash disbursements in their possession and the failure of the members of such State Workmen's Insurance Board so to do shall make each member that so refuses liable to a penalty of five thousand dollars ($5,000) and the failure of the officers and employes of such Board so to do shall disqualify them from holding their respective offices or employment

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 712, entitled:

An Act to amend section six of an act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and twenty-seven) entitled "An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources" as amended by prescribing additional requirements for institutions conferring degrees making certain exceptions therefrom and imposing certain duties on the State Council of Education

The first section was read as follows:

Section 1 Be it enacted by the Senate and the House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the twenty-sixth day of June one thousand eight hundred and ninety -five (Pamphlet Laws three hundred and twenty-seven) entitled "An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources" which was amended by the act approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and six) entitled "An act to amend section six of an act entitled 'An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources' so as to empower colleges devoted to a specific subject in art archaeology literature or science (medicine and law schools excepted) to work with a faculty of but three regular professors and two instructors or fellows without prejudice to their right to confer degrees" is further amended to read as follows

Section 6 No institution shall be chartered with the power to confer degrees unless it has a minimum productive endowment of at least five hundred thousand dollars ($500,000) beyond all indebtedness and assets invested in buildings and apparatus for the exclusive purpose of promoting instruction and unless the faculty consists of at least eight regular professors who devote all their time to the instruction of its college or university classes nor shall any baccalaureate degree in art science philosophy or litera-

ture be conferred upon any student who has not completed a college or university course covering four years The standard of admission to these four years courses or to advanced classes in these courses shall be not less than four years of academic or high school preparation or its equivalent and shall be subject to the approval of the said State Council of Education In administering entrance requirements exceptions shall be few and made only for reasons of great weight A college year shall include for each student not less than thirty-four weeks of academic work or the equivalent Members of the teaching staff in regular charge of classes shall have had not less than one year of graduate study and a majority of them shall have had training equivalent to that presupposed by the degree of Doctor of Philosophy In all cases efficiency in teaching as well as the amount of research shall be taken into account A preponderance of the teachers who have independent charge of classes should be of professional rank The number of periods per week of teaching for each instructor should not exceed sixteen Salaries paid the members of the teaching staff shall be adequate The minimum shall depend upon the local cost of living as well as upon other factors The curriculum shall provide both for breadth of study and for concentration The curriculum shall have justifiable relation to the resources of the institution There shall be library and laboratory facilities adequate to the work which the institution announces and shall be kept up to their full efficiency by means of adequate annual expenditures The records of the graduates of the college in graduate and professional schools shall be satisfactory The State Council of Education shall determine the qualifications of the individual institution with due regard to the fact that an institution falling below any of the standards hereinbefore specified in certain particulars may more than make good such lack by excellence in others Provided however That in colleges incorporated under this act and devoted to a specific subject in art archaeology literature or science (medical and law schools excepted) the faculty need not consist of more than three regular professors who devote all their time to the instruction in the special branch for which the college is established and that two or more instructors or fellows in the particular branch shall be provided to assist in the instruction to be given to students to the promotion of original investigation and in the development and growth of the special branch of science to which such college may be devoted Provided further That in the case of tax supported institutions or those maintained by religious or other organizations financial support or contributed services equivalent in value to the endowment herein specified may be substituted therefor And provided further That the State Council of Education may confer upon educational institutions owned by the State the power to confer degrees even though they do not have the property required by this section and even though they are not chartered by the court or by act of Assembly provided that such institutions shall have educational standards equivalent to accredited institutions conferring similar degrees

On the question,

Will the House agree to the Section?

Mr. HORNE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 3, line 4, by striking out the word "medicine" and inserting in lieu thereof "medical."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Wil the House agree to the section as amended?

It was agreed to,

The title was read and agreed to as follows:

An Act to amend section six of an act approved the twenty-sixth day of June, one thousand eight hundred and ninety-five, (P. L. 327), entitled "An Act to provide for the incorporation of institutions of learning with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law, and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees; and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas, with power to confer degrees, in cases where such colleges have, at the time of the passage of this act, a specified amount of capital or resources," as amended; by prescribing additional requirements for institutions conferring degrees; making certain exceptions therefrom; and imposing certain duties on the State Council of Education.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 793, entitled:

An Act to amend section seven of the act approved the twenty-second day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred and sixty-one) entitled "An act for the protection of shad and game fish in the river Delaware"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of the act approved the twenty-second day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred and sixty-one) entitled "An act for the protection of shad and game fish in the river Delaware" is hereby amended to read as follows

Section 7 No person shall catch or kill in the Delaware river any black bass less than ten inches in size or wall-eyed pike less than twelve inches in length or any rock bass under six inches in length but should any such fish be taken of a less size than the above it shall be the duty of any one taking or capturing the same to return the fish immediately to the water from whence taken Any violation of the law shall subject the offender to a penalty of ten dollars and costs for each and every fish so caught

On the question,

Will the House agree to the section?

Mr. LABAR. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 6, by striking out the word "the" before "law" and inserting in lieu thereof "this"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to,

The title was read and agreed to as follows:

An Act to amend section seven of the act approved the twenty-second day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred and sixty-one) entitled "An act for the protection of shad and game fish in the river Delaware"

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 902, as follows:

An Act to amend section ten hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" is amended to read as follows

Section 1025 In townships of the first class where sidewalks have been established by township ordinance or have been or may be constructed along and within any road or street which is now or shall hereafter become a public highway the owner of the abutting property shall keep the sidewalk immediately in front of his property in good order and repair and at all times free and clear of all obstruction to safe and convenient passage

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 773, as follows:

An Act making a deficiency appropriation to the Commission of the Soldiers' Orphans Industrial School at Scotland

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty thousand five hundred dollars ($30,500) or so much thereof as may be necessary is hereby specifically appropriated to the Commission of the Soldiers' Orphans Industrial School at Scotland for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three to cover deficiencies as follows

For the installation of a water system seventeen thousand dollars ($17,000) or so much thereof as may be necessary

For the installation of a refrigerating plant six thousand five hundred dollars ($6,500) or so much thereof as may be necessary

For electrical wiring and equipment four thousand dollars ($4,000) or so much thereof as may be necessary

For plumbing three thousand dollars ($3,000) or so much thereof as may be necessary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 783, as follows:

An Act making a deficiency appropriation to the Home for Training in Speech of Deaf Children before They are of School age at Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand ($10,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Board of Trustees of the Home for Training in Speech of Deaf Children Before They are of School Age at Philadelphia Pennsylvania to cover a deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 784, as follows:

An Act making a deficiency appropriation to the Eastern State Penitentiary

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixty thousand ($60,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Board of Inspectors of the Eastern Penitentiary at Philadelphia to cover deficiency in salaries and general repairs of the institution for the two fiscal years ending May thirty-first one thousand nine hundred twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 788, as follows:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania located at Blossburg Pennsylvania to cover a deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred twenty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two thousand eight hundred and eleven dollars ($22,811) or so much thereof as may be necesary is hereby specifically appropriated to the Board of Trustees of the Cottage State Hospital located at Blossburg Pennsylvania for the following purposes

To cover deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred twenty-one four thousand seven hundred twenty-two dollars ($4,722)

To cover deficiency in the cost of the laundry and power plant for the two fiscal years ending May thirty-first one thousand nine hundred twenty-one four thousand eight hundred seventy-two dollars ($4,872)

To cover deficiency in the cost of the construction of an elevator for the two fiscal years ending May thirty-first one thousand nine hundred twenty-one one thousand two hundred seventeen dollars ($1,271)

To cover deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred twenty-three twelve thousand dollars ($12,000)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 579, as follows:

An Act providing for the location construction operation maintenance and vacation of public roads or highways bridges tunnels subways and underground roads within second class counties of this Commonwealth either wholly or partly within the territorial limits of cities boroughs and townships thereof and the taking over by the county of such improvements from townships making such improvements county improvements establishing procedure

for undertaking or vacating of improvements by the county commissioners and the mode of taking exceptions thereto providing for the entry upon and appropriation of property for the purpose of planning and making improvements the compensation to be paid therefor and the payment of damages and the assessment of benefits resulting from such improvements and the manner in which such damages and benefits may be determined providing for the filing reviving and collecting of liens arising from any assessment of benefits thereunder providing for the payments of the costs and expenses of such construction and improvement and the maintenance and operation thereafter providing for the letting of contracts for such improvements or maintenance and for the making of such improvements or the maintenance thereof by the county commissioners themselves defining the duties of the county commissioners with reference to such county improvements and authorizing them to employ the necessary persons and maintain the necessary equipment to perform their duties providing for the contracting by counties of the second class with railway or transportation companies for the concurrent use of county improvements authorizing the levy of a tax and the issuance of bonds by counties of the second class to provide funds for said purposes providing for the entry upon and appropriation by said counties of highways streets and properties of cities and boroughs necessary for such improvement and for the maintenance and control of said highways streets and properties by said counties after said entry and appropriation requiring the county commissioners of said counties to prepare a county road plan and prohibiting the award of damages for the taking of improvements made by persons within the lines located on said plan after its adoption and requiring the removal by the owner of improvements made within the lines of relocated highways on said plan authorizing the county commissioners of said counties to appoint persons to inspect repair and control county roads with power to enforce laws and authorizing the county commissioners of said counties to establish regulations for the use of county roads including penalties for violations

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That counties of the second class of this Commonwealth shall have power and they are hereby authorized whenever the county commissioners or a majority of them shall resolve so to do and after advertisement and the preparation and filing of plans and a description of the proposed improvement and the estimated cost thereof in the manner hereinafter provided for the purpose of providing public roads bridges tunnels subways and underground roads specially constructed improved and maintained to make construct and maintain public roads or highways bridges tunnels subways and underground roads as county roads bridges tunnels subways and underground roads within their respective limits either wholly or partly within the territorial limits of cities boroughs and townships and to that end to originally lay out and open any public road or highway bridge tunnel subway or underground road and to take possession of and exercise control over any existing township road or highway bridge tunnel subway or underground road or part thereof and either at the time of and in connection with the original improvement or at any time thereafter to straighten widen extend and alter any such road bridge tunnel subway or underground road or part thereof and to vacate so much of any such road bridge tunnel subway or underground road or part thereof as may become unnecessary and useless and any road or highway or part thereof bridge tunnel subway or underground road so taken over or improved under the provisions of this act shall thereupon become a county road bridge tunnel subway or underground road and it shall be the duty of such county to keep and maintain such road bridge tunnel subway or underground road in repair the expense thereof to be paid by such county in the manner hereinafter provided

Section 2 Whenever the county commissioners of any county of the second class shall resolve to exercise any of the powers conferred upon them under the provisions of this act they shall cause to be prepared surveys and plans of such road or highway bridge tunnel subway or underground road proposed to be improved together with any proposed changes in existing roads or highways bridges tunnels subways or underground roads and a full description thereof with an estimate of the cost and expense of the same and shall file the same with an index thereof in the office of the county commissioners and in the office of the secretary of the council of the municipality or municipalities affected and keep the same open and accessible to the public and shall give notice of the same substantially describing the location and termini of said public highway bridge tunnel subway or underground road by publication at least once a week for three consecutive weeks in at least two newspapers of general circulation and the legal periodical if any designated by the rules of court for the publication of legal notices published in the county wherein said proposed public highway bridge tunnel subway or underground road is to be constructed or improved and shall have such notices posted along on or near such proposed improvement and after thirty days from the date of the last advertisement the right to construct the said improvement shall be absolute Provided however That any person interested in and affected by the said improvement may within the said thirty days file a petition in the court of quarter sessions of the said county excepting to the proceeding with the said improvement whereupon the court shall fix a time for hearing the said exception to the said proceedings and upon hearing thereof may for a cause shown order that the said improvement shall not be proceeded with but if no sufficient cause be shown at the said hearing the court shall over-rule the exceptions and thereupon the right to proceed with any original location opening widening straightening extension or alteration of any road bridge tunnel subway or underground road set forth in said proceedings shall become absolute

Section 3 Whenever the county commissioners of any county of the second class shall resolve that any county road or highway bridge tunnel subway or underground road or part thereof has become useless inconvenient or burdensome and that the vacation thereof will be for the public benefit they shall file said resolution in their office and shall give notice of the same substantially describing the location and termini of the said road or highway bridge tunnel subway or underground road or part thereof the vacation of which they believe desirable by publication at least once a week for three consecutive weeks in at least two newspapers of general circulation and the legal periodical if any designated by the rules of court for the publication of legal notices published in the said county and after thirty days from the date of the last advertisement the said road or highway bridge tunnel subway or underground road or part thereof specified for vacation shall be deemed to be vacated and shall become and be township roads or improvements provided however that any person interested in or affected by the said vacation may within the said thirty days file a petition in the court of quarter sessions of said county excepting to the proceeding with the said vacation whereupon the court shall fix a time for hearing the said exceptions and upon hearing thereof may for a cause shown order that the said vacation shall not be proceeded with but if no sufficient cause be shown at the said hearing the court shall over-rule the exceptions and thereupon the right to proceed with the said vacation proposed in said resolution shall become absolute

Section 4 For the purpose of making all necessary preliminary surveys in order to prepare plans and estimates the commissioners of the several counties of the second class of this Commonwealth and the persons by them employed for such purposes shall and are hereby given the right to enter upon private or public property and designate by proper marks upon the ground the line and location of any public highway bridge tunnel subway and underground road proposed to be constructed straightened widened extended or altered under and for the purposes authorized in section one of this act

Section 5 In the location construction maintenance straightening widening extension altering and operation of said public highway bridge tunnel subway and underground road it shall be lawful for the several counties of the second class to enter upon take appropriate and use whatever land ground and property may be necessary for the proper construction thereof and of the proper approaches slopes fills embankments and damages therefor if any shall be taken into consideration and determined and reported by the board of viewers in the manner herein provided

Section 6 If after the procedure above outlined no exceptions have been filed in the court of quarter sessions or if the exceptions filed have been over-ruled by the

court the county commissioners pursuant to a resolution duly adopted by a majority of the board may agree as to the amount of damages occasioned to any person for property taken injured or destroyed for the purposes aforesaid which agreement the county commissioners shall report to the court of quarter sessions of said county and upon the approval thereof by such court such damages shall be payable by the county out of the general county funds or other funds provided for that purpose

Section 7 In case the said commissioners or a majority of them and the parties interested in the land upon or under which said public highway bridge tunnel subway and underground road shall be or is to be constructed straightened widened extended or altered as aforesaid fail to agree upon the compensation to be made for the property so taken injured or destroyed by reason of such construction then upon petition of such commisioners or a majority of them or any person or parties interested in said proposed construction and whose property or land is affected thereby to a court of common pleas or said county the said court of common pleas shall appoint three viewers in the manner provided by law and appoint a time not less than twenty nor more than thirty days thereafter when said viewers shall meet upon the line of the proposed construction and view the same and the properties affected thereby The said viewers shall give at least ten days notice by publication in the newspapers aforesaid of the time and place of their first meeting and shall also give notice thereof by handbills posted in conspicuous places in the vicinity of the said proposed highway bridge tunnel subway and underground road

Section 8 The said viewers having been sworn or affirmed faithfully justly and impartially to decide and true report make concerning all matters and things to be submitted to them and in relation to which they are submitted to them and in relation to which they are and having viewed the properties connected with and affected by said proposed improvement shall hear all parties interested and their witnesses and having due regard to the advantages and disadvantages shall estimate and determine the damages if any for the property taken used of appropriated and to whom the same are payable and also the benefits resulting to properties abutting on said improvement

Section 9 The said viewers after having determined the amount of damages sustained apart from the benefits shall assess the whole or such part of such damages as may be represented by benefits upon the properties abutting on and benefitted by such improvement and the remaining part of such damages if any not so assessed against the abutting properties shall be paid by the county The total assessments for benefits shall in no case exceed the total damages awarded and agreed upon

Section 10 The said viewers shall give at least ten days' notice thereof in the manner herein provided to all parties interested of the time and place when said viewers will meet and exhibit their report and hear any exceptions thereto After making whatever changes are deemed necessary and proper said viewers shall make report to said court showing the damages awarded and benefits assessed in each case and the balance struck between the damages awarded and the benefits assessed and file therewith a plan showing the properties acquired taken used and appropriated for the purpose aforesaid and the names of the parties or persons to whom such damages are payable The said viewers shall have the right to adjourn from day to day as may be found necessary and to administer oaths to all parties and witnesses appearing before them and desiring to be heard upon a change or extension of the public highway bridge tunnel subway and underground road as aforesaid

Section 11 All assessments for benefits shall bear interest at the expiration of thirty days after they shall have been finally determined and fixed and shall be payable to the treasurer or other proper officer of the county

Section 12 Upon the report of said viewers or a majority of them being filed in said court any party in interest may within thirty days thereafter file exceptions to the same and the court shall have the power to confirm said report or to modify change or otherwise correct and amend the same or refer the same back to the same or new viewers with like powers as to their report or within thirty days after the filing of any report in court the county commissioners on behalf of the county any party whose property is taken injured or destroyed may appeal therefrom and demand a trial by jury and any party so interested may within thirty days after final decree and confirmation of said report by said court have an appeal either to the Superior or Supreme Court according to law The said court of common pleas shall have the power to order and direct what notices shall be given in connection with any part of said proceedings and make such orders as it may deem requisite in the premises For the purpose of this act it shall be lawful for a majority of said board of viewers to hear determine pass upon and report all matters in this act relating to said viewers but all said viewers shall act unless prevented by sickness or other unavoidable cause

Section 13 No appeal taken shall prevent the filing of liens by any county for any assessment made by virtue of the viewers' report but upon the final determination of the issue the court may make such orders as to any lien filed that shall appear right and proper

Section 14 All liens for the assessment of benefits pursuant to the provisions of this act shall be filed revived and collected the same as municipal liens or claims are now collected by virture of the acts of Assembly authorizing the filing reviving and collecting of municipal claims or liens now in force by the proper officers of the county appointed and authorized so to do by the county commissioner thereof

Section 15 Whatever damages shall be paid by the said county for or on account of the construction straightening widening extension or altering of any public highway bridge tunnel subway or underground road under the provisions of this act shall be paid from the funds raised by taxation or by bonds as hereinafter provided and authorized and all costs and expenses thereafter incurred in repairing maintaining and operating such public highway bridge tunnel subway or underground road shall be paid from funds raised by taxation or other current revenue

Section 16 The viewers provided for in the preceding sections may be appointed before or at any time after the entry taking appropriation or injury of any property used and acquired in said construction

Section 17 If after the procedure outlined in section two no exceptions have been filed in the court of quarter sessions or if the exceptions filed have been overruled by the court the county commissioners of such county are authorized and empowered to invite proposals in the manner provided by law for the letting of county contracts and to let a contract or contracts therefor to the lowest responsible bidder No contract shall be awarded for any of such public work unless proper bonds shall be given for the faithful performance thereof by the person or persons to whom the contract shall be awarded with proper security to be approved by the county commissioners Any incorporated company doing business within such county authorized by law to become security for persons or corporations may be taken and accepted as surety upon such bonds Provided however that if and after the bids are received the county commissioners or a majority of them are satisfied that none of the bids are reasonable in amount and that the county itself can do the work as well as and for a sum substantially less than the bid of the lowest responsible bidder the calculation of the cost of the work by the county itself to include such sum for overhead as is clearly and directly attributable to the said work the county commissioners or a majority of them may reject all bids made and after the passage of a resolution stating that they believe the county can do the work as well as and for a sum substantially less than the bid of the lowest responsible bidder including overhead as above and setting forth in detail the estimated cost of doing the work may proceed with and perform the work themselves keeping accurate and detailed accounts of the amount of work done and the actual cost of material labor supervision and overhead as above and at the conclusion of the work it shall be the duty of the county commissioners to file in their office for public inspection the said resolution and the said accounts of the cost of material labor supervision and overhead and it shall further be the duty of the said county commissioners to duly certify that the said accounts were kept under their directions and that they have examined them and believe them to be correct

Section 18 Said commissioners shall have prepared plans and estimates as often as required for the repair and maintenance of all public roads or highways bridges tunnels subways or underground roads which may be originally located or improved under the provisions of this act or of former acts and have become county improvements and for the repair and maintenance of any abandoned or condemned

turnpike roads which have become county roads and they may invite proposals for the maintaining and repairing of such highways bridges tunnels subways underground roads or turnpikes or parts thereof in accordance with such plans and estimates and award the contracts therefor to the lowest responsible bidder or may make the necessary repairs or improvements themselves

Section 19 All highways bridges tunnels subways and underground roads which under the provisions of this or other acts shall become roads or improvements of counties of the second class shall be subject to the control and supervision of the county commissioners thereof and it shall be their duty to keep maintain and repair the same whenever and as often as it shall be found necessary and all road supervisors authorities persons or townships theretofore required to maintain and keep in repair such roads or improvement or part thereof shall thereupon and thereafter cease to have any management of or control over such roads or improvements or any part thereof or any responsibility therefor

Section 20 For the purpose of performing all necessary duties relating to the construction straightening widening extension altering vacation improvement maintenance and repair of public highways bridges tunnels subways and underground roads authorized herein or which have become county improvements the said county commissioners or a majority of them of the several counties of the second class of this Commonwealth are hereby authorized to employ or appoint proper persons to do all necessary and proper work connected therewith and to fix the compensation of all persons so employed And for the same purposes the said commissioners or a majority of them may buy the necessary machinery material and equipment and may purchase or lease grounds or buildings for storage depots and may erect thereon the necessary sidings tipples storage bins equipment and buildings

Section 21 The said county commissioners or a majority of them of the several counties of the second class of this Commonwealth are hereby authorized and empowered to make and enter into a contract or lease with any street railway or transportation company its successor and assigns for the concurrent use of such a portion of said public highway bridge tunnel subway and underground road as shall not substantially impair or restrict the public use and enjoyment thereof upon such terms and conditions as shall be agreed upon Provided however That no contract or lease for the concurrent use of a portion of such improvement shall be for a longer term or period than twenty years and Provided further That no such contract or lease shall be made or entered into by the said county commissioners or a majority thereof affecting the public use and enjoyment of said improvement or any part thereof except upon and after any such contract or lease has been duly approved by the court of quarter sessions of the proper county

Section 22 The said commissioners or majority of them of the several counties of the second class of this Commonwealth are hereby authorized to levy assess and collect an annual tax of not more than two mills on the dollar on all real and personal property within said county now or hereafter taxable for county purposes and which annual road tax insofar as personal property is concerned shall be in addition to any other tax levied on said personal property for any other state county or local purposes for the purpose of acquiring and securing a fund from which to pay all costs damages and expenses required in locating opening straightening widening extension altering vacating construction maintaining and repairing public highways bridges tunnels subways and underground roads constructed under the provisions of this or other acts and the taking using and enjoying of such land as may be made necessary in constructing the same and in maintaining proper slopes embankments approaches and termini for said public highways bridges tunnels subways and underground roads and the money so raised shall not be used or expended for any other purpose than that named in this section All warrants for the payment of any portion of the money raised for the purpose aforesaid shall be issued by said commissioners or a majority of them in the manner now provided by law in the several counties upon estimates which shall be made from time to time by the person charged with such duty and the amount and time within which the same shall be paid shall be fixed and determined in the contract made for the public work herein authorized

Section 23 The several counties of the second class are hereby authorized when the county commissioners of the respective county shall by a majority vote resolve so to do to borrow money and to incur indebtedness to an amount in the aggregate not exceeding two per centum of the assessed valuation of the taxable property in said county as fixed the last preceding assessed valuation thereof for the construction straightening widening extension or altering of such public highways bridges tunnels subways and underground roads or for the purpose of funding any indebtedness incurred therefor and to issue as evidence thereof registered or coupon bonds payable within thirty years from the date of their issue and bearing interest at a rate not exceeding six per centum per annum payable annually or semi-annually Said bonds shall not be sold for less than their par value and accrued interest

Section 24 Said commissioners or a majority of them are hereby authorized to make provisions for a sinking fund to pay at maturity any bonded indebtedness which may be incurred as hereinbefore provided and to levy and collect taxes on all the taxable property in the several counties of the second class in addition to all other taxes for the purpose of paying the same

Section 25 The several counties of the second class of this Commonwealth shall have the power and are hereby authorized whenever the county commissioners or a majority of them shall by resolution duly adopted deem it expedient so to do after the following of the procedure hereinbefore provided to enter upon or appropriate the necessary highway street or property of any township city or borough for the purpose of constructing or maintaining a highway bridge tunnel subway or underground road or otherwise with full authority to straighten widen extend or alter any such existing highway bridge tunnel subway or underground road and to vacate so much of any of such improvement or parts thereof as may become unnecessary and useless Provided however That the consent to the taking of any highway bridge tunnel subway or underground road or property of any city or borough shall be obtained before the actual entering into or upon or the appropriation of the same and after such entry and appropriation by any county as aforesaid said county shall be liable and charged with the supervision control and maintenance of such highway bridge tunnel subway or underground road and properties or so much thereof as is taken and used for the said purpose

Section 26 The county commissioners of counties of the second class shall prepare and adopt a general plan of the highways for said county including those which have been or may be laid out but not opened which plan shall be filed in the office of the county commissioners and all subdivisions of property thereafter made shall conform thereto The location of the said highways or parts thereof which have been laid out and adopted by the said county commissioners shall not afterwards be altered without a resolution of the said commissioners

Section 27 No person shall hereafter be entitled to recover any damages for the taking for public use of any buildings or improvements of any kind which may be placed or constructed upon or within the lines of any located highways in said county after the same shall have been located and adopted by the said county commissioners and incorporated in the said plan Provided however That none of the provisions of this section shall apply to cities or boroughs of said county or to property therein

Section 28 The county commissioners shall have power by resolution to locate public highways and to include therein highways or parts thereof theretofore opened or used for highway purposes and to locate highways theretofore opened or used for highways purposes of greater width and to include therein such highways theretofore opened and used or parts thereof and to revise the lines of such highways in accordance therewith and to place the same on the general plan of the highways of said county of such greater width No such location shall be construed to authorize the entry upon taking or appropriation of any property within such located highways not theretofore opened or used for highway purposes nor shall the same interfere in any way with the rights of the owners to the full use and enjoyment of such property except that whenever thereafter such located highways shall be ordered to be opened widened extended or straightened according to such location buildings erected upon property within the lines of such located highways after such location is made shall be removed at the expense of the owner and without any liability therefor to the said county Provided however That none of the provisions of this section shall apply to cities or borough of said county or to property therein

Section 29 The said county commissioners or a majority of them are hereby authorized to appoint and employ persons to inspect repair and patrol the public roads and highways improved and maintained as county roads within the said counties who shall have all the power and authority now vested by law in the constables of the several cities boroughs and townships of the said counties to keep the peace in and along the county roads of the said counties and to enforce all laws regulating the use of motor vehicles and other vehicles in said counties and to enforce all rules and regulations governing the use of the public highways and roads of said counties as made by the county commissioners under the authority of law and to make arrests for any violations thereof

Section 30 No such county road inspector repairman or patrolman shall be entitled to any portion of any fine or penalty imposed upon any person or persons for any violation of any act of assembly or of any rule or regulation made by the county commissioners but all such fines and penalties and recoveries when the proceeding is initiated by such inspector repairman or patrolman shall belong to and be paid into the county treasury for the benefit of the respective county and shall be credited to the road fund for the maintenance and repair of county roads of the said county

Section 31 The said commissioners are hereby authorized and directed to furnish to each of said inspectors repairmen or patrolman as an evidence of their authority a badge having impressed thereon a suitable inscription to designate their authority Any judge of the quarter sessions court in any county of the second class is authorized to administer an oath swearing in the said inspectors repairmen or patrolmen as constables with the authority provided for above upon certificate of appointment by the said county commissioners or a majority of them

Section 32 For the purpose of preventing unreasonable wear and destruction of public roads improved and maintained by counties of the second class of the Commonwealth the commissioners of counties of the second class are empowered to adopt and prescribe reasonable rules regulating and restricting the use of said roads within such county by any means of locomotion and to prescribe pecuniary penalties for the enforcement thereof Any resident of any county within which the violation of any rule so adopted shall occur may institute and prosecute to judgment and execution an action of assumpsit in any court having jurisdiction of such actions and the amounts involved for the recovery of any penalty for the violation of any rule prescribed by the commissioners of which penalty the plaintiff shall be entitled to one-half and the county shall be entitled to the other half payable to the county treasurer who shall add the same to the fund for the improvement of the said county roads Any person found guilty of violating any rule so adopted upon summary hearing by any justice of the peace or other magistrate having the jurisdiction and powers of a justice of the peace in such matters of the proper county shall be adjudged by said magistrate to pay a fine of not less than five dollars or more than one hundred dollars payable to the county treasurer who shall add the same to the fund for the improvement of said county roads From any judgment obtained for said penalty and from said summary conviction an appeal shall lie as provided by law But all rules adopted by the county commissioners under this act shall before becoming operative be published once a week for three weeks in two newspapers of general circulation and the legal periodical if any designated by the rules of court for the publication of legal notices in the county to which the rules apply and be recorded in the office of the recorder of deeds of said county

Section 33 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 160, as follows:

An Act concerning counties and county officers and revising amending consolidating and changing the law relating thereto

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ARTICLE I
PRELIMINARY PROVISIONS

Section 1 Short title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be sited as "The General County Act"

Section 2 Act not to apply to certain subjects This act does not include any provisions and shall not be construed to repeal any acts relating to

(a) The procedure for the collection of county municipal claims by liens

(b) The amount and method of incurring and increasing indebtedness

(c) The assessment of property for taxation and the collection of taxes

(d) Conduct of elections

(e) Poor districts except the compensation of county commissioners acting as directors of the poor and the duties of county officers with respect to funds of poor districts in the county treasury

(f) The giving of county consent to public service corporations

(g) State roads State-aid roads township and private roads

(h) Validation of elections bonds resolutions and accounts of corporate officers

(i) Collections by county officers of moneys for the Commonwealth and the issuance of State licenses

(j) The government and regulation of jails prisons and other correctional institutions and the commitment thereto and the maintenance and care of prisoners or inmates therein

(k) Civil and criminal procedure except special provisions covering actions by or against counties or county officers

(l) Joint county and municipal buildings and works

(m) County libraries except law libraries

(n) The recording of deeds mortgages or other instruments in writing

(o) Court criers and tipstaves official court stenographers and interpreters and court room employes

Section 3 Effect of act on existing laws The provisions of this act as far as they are the same as those of existing laws shall be construed as a continuation of such law and not as new enactments The repeal by this act of any provision of law shall not revive any law heretofore repealed or superseded nor affect the existence or class of any county heretofore created The provisions of this act shall not affect any act done liability incurred or right accrued or vested nor affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

All resolutions regulations and rules made pursuant to any act of assembly repealed by this act shall continue with the same force and effect as if such act had not been repeaed All local acts of assembly applying to particular counties not specificially repealed shall continue in force and any provision of this act inconsistent therewith shall not apply to the counties affected by such local laws

All acts and parts of acts of assembly relating to counties or particuar classes of counties in force at the time of the adoption of this act and not repealed hereby shall remain in force in the same manner and with the same effect as prior to the adoption of this act

Section 4 Holding of office Any persons holding office under any act of assembly repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

Section 5 Reference to other acts Whenever in this act reference is made to any act by title such reference shall also apply to and include any modifications wherein the provisions of the act referred to are sustantially reenacted

Section 6 Constitutionality The provisions of this act shall be severable and if any of its provisions are held to be unconstitutional the decision of the court shall not effect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the general assembly had such unconstitutional provisions not been included therein

Section 7 Legislation according to class The affairs of counties are herein and shall hereafter be legislated for and regulated by general laws applicable to all counties or to particular classes as herein fixed and appointed All laws adopted by the general assembly for one or more of the classes herein fixed and appointed shall be deemed to be general laws

Section 8 Proceedings for recovery of penalties Unless herein otherwise specially provided in every case in which any pecuniary penalty or forfeiture is imposed by this act the proceeding for the recovery of the same shall be by indictment in the court of quarter sessions or by civil action as debts of equivalent amount are by law recoverable Alderman or justices of the peace shall not have jurisdiction of any suit or action for the recovery of any penalty imposed by this act for official misconduct Such suit or action when brought in the court of common pleas shall have a preference for trial over all other actions

ARTICLE II
ENUMERATION CORPORATE POWERS CLASSIFICATION AND TERRITORIAL LIMITS OF COUNTIES

(a) Division of the State into Counties Corporate Powers

Section 21 Enumeration of counties The State shall be divided into the following named counties as now by law established to wit Philadelphia Bucks Chester Lancaster York Cumberland Berks Northampton Bedford Northumberland Westmoreland Washington Fayette Franklin Montgomery Dauphin Luzerne Huntingdon Allegheny Mifflin Delaware Lycoming Somerest Greene Wayne Adams Centre Beaver Butler Mercer Crawford Erie Warren Venango Armstrong Indiana Jefferson McKean Clearfield Potter Tioga Cambria Bradford Susquehanna Schuylkill Lehigh Lebanon Columbia Union Pike Perry Juniata Monroe Clarion Clinton Wyoming Carbon Elk Blair Sullivan Forest Lawrence Fulton Montour Snyder Cameron and Lackawanna

Section 22 General powers Each county shall have capacity as a body corporate to

(a) Sue and be sued by the name of the county of .....

(b) Take and hold real estate within its limits and also personal property Such real and personal estate shall be taken and held only for the benefit of the inhabitants of the county and for such objects and purposes as county rates and levies are authorized by law to be laid for

(c) Make such contracts as may be necessary or carrying into execution the laws relating to counties

Section 23 Vesting of Corporate power The corporate power of each county shall be vested in a board of county commissioners Provided however That whenever under the provisions of existing law any such powers are now vested in and exercised by any other board or body such powers shall continue to be exercised by such board or body and not by the county commissioners

Section 24 County Seal Each county shall have a seal which shall be in the custody of the commissioners thereof and the official acts of the commissioners shall be authenticated therewith There shall be engraved upon such seal the same device as is engraved on the great seal of the State together with the name of the county

(b) Classification

Section 26 Counties divided into eight classes For the purpose of legislation and the regulation of their affairs

counties of this Commonwealth now in existence and those hereafter erected shall be divided into eight classes as follows

Those having a population of one million five hundred thousand inhabitants and over shall constitute the first clas

Those having a population of eight hundred thousand and more but less than one million five hundred thousand inhabitants shall constitute the second class

Those having a population of two hundred and fifty thousand and more but less than eight hundred thousand inhabitants shall constitute the third class

Those having a population of one hundred fifty thousand and more but less than two hundred and fifty thousand inhabitants shall constitute the fourth class

Those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants shall constitute the fifth class

Those having a population of fifty thousand and more but less than one hundred thousand inhabitants shall constitute the sixth class

Those having a population of twenty thousand and more but less than fifty thousand inhabitants shall constitute the seventh class

Those having a population of less than twenty thousand inhabitants shall constitute the eighth class

Section 27 Ascertainment of Class Change of Class The classification of counties shall be ascertained and fixed according to their population by reference from time to time to the last preceding decennial United States census Whenever it shall appear by any such census that any county has attained a population entitling it to an advance in classification as herein prescribed it shall be the duty of the Governor under the great seal of this Commonwealth to certify that fact accordingly which certificate shall be forwarded to the recorder of deeds of the proper county and be recorded in his office

(c) Fixing and Relocating Lines and Boundaries

Section 31 Commission to Survey and Mark Line Between Two Adjoining Counties If upon petition of a taxpayer or of the commissioners of any county presented to the court of quarter sessions of any two adjoining counties it shall appear to such courts that the county line between such counties or any part thereof should be surveyed and marked a commission of three surveyors to designate survey and mark the same shall be appointed

The respective courts of quarter sessions of such counties shall each appoint one surveyor and the two surveyors so appointed shall appoint one surveyor If any of the said surveyors so appointed shall refuse to serve remove from the State die resign or shall be incapacitated and unable from any cause to perform the duties required the appointment of substitutes shall be made in conformity with the provisions of this section for the original appointment of such surveyor

Section 32 Compensation and Expenses of Surveyors Employment of Assistants Their Compensation and Expenses The surveyors composing such commission shall each receive a compensation of ten dollars per day for all time necessarily spent in the discharge of their duties and in addition thereto shall be reimbursed the necessary expenses paid by them respectively while engaged upon the work of such commission The commission may employ as assistants an axeman and two chain-carriers at a compensation of two dollars a day each who shall likewise be reimbursed the actual necessary expenses paid by them respectively while employed by such commission The necessary expenses of advertising the meeting of the commissioners pursuant to the direction of this act and in procuring and setting the monuments needful to mark in a permanent manner such county line and the expenses of the commission shall be paid by such counties jointly in equal parts upon presentation of properly itemized bills duly verified by affidavit of the person claiming payment or some one on his behalf

Section 33 Oath organization and preliminary duties of commission Location survey and marking of old line The members of such commission shall take and subscribe an oath to perform their duties impartially and with fidelity Such commission shall meet and organize within two months of its appointment It shall select from its membership a chairman and also a secretary who shall keep a full record of the proceedings and work of the commission Before entering upon its duties it shall appoint by advertisement in not more than two newspapers published in each of said counties a time and place of meeting when and where parties interested shall be heard After such hearing it shall without unreasonable delay ascertain the location and survey and mark with suitable monuments of a permanent character the existing county line between such counties if it shall consider such old county line a proper one

Section 34 Establishment of New County Line Notice to Owners of Land affected When the commission have ascertained located and determined said line if it appears to them that the existing county line from any cause whatever has become inconvenient for any purpose or improper difficult to ascertain or not related to the natural or other land marks the commission shall report these facts or any of them to the courts of quarter sessions of the counties interested with a recommendation that a new county line be established in whole or in part Thereupon if the said courts of quarter sessions shall be of opinion that it is to the interest and advantage of the respective counties that a new county line be established they may direct said commission to fix and determine such new county line and mark the same with suitable monuments Notice shall be given to the owners of all lands which will be affected by the proposed change of the time when the recommendation of the commission for a new county line will be considered by each of said courts

Section 35 Report of Commission Map or Draft of County line Line to be Boundary between Counties Recording The commission or a majority thereof shall make a report in writing and attach thereto a map or draft showing the course and distances of the line ascertained and designated by them as the existing county line or where they have been directed to fix and determine a new county line such map or draft in lieu thereof shall show the courses and distances of such new county line In either case said map or draft shall also show the lands through which said line passes and the buildings in close proximity thereto together with the roads and streams crossed by or near to such line Duplicate copies of such report and map signed by the members of the commission or a majority of them shall be filed in the court of quarter sessions of each of such counties and if approved by such courts shall be ordered recorded in the records thereof The line so ascertained surveyed and fixed and so marked shall thenceforth be the boundary line between such counties

The clerk of the court of quarter sessions shall certify the approved of the court on one of the copies of the report and map filed in his office and immediately transmit the same by mail to the Secretary of Internal Affairs to be by him deposited in his department

ARTICLE III

OFFICERS

(a) General Provisions

Section 41 Designation of elected officers In each county there shall be the following officers elected by the qualified electors of the county (a) three county commissioners (b) three auditors or (c) in all counties where the office of auditors has heretofore or shall hereafter be abolished one controller (d) one treasurer (e) one county surveyor (f) one coroner (g) one recorder of deeds (h) one prothonotary (i) one clerk of the court of quarter sessions and of the court of oyer and terminer (j) one clerk of the orphans' court (k) one register of wills (l) one sheriff (m) one district attorney and (n) two jury commissioners All such offices shall remain as now constituted in each county

All such officers shall be elected at the municipal election next preceding the expiration of the terms of the officers now in office and quadrennially thereafter This section does not create any office in any county where such office does not exist

Section 42 Incompatible Offices No county officer shall at the same time serve as a member of council of any city borough or town nor as school director of any school district

No member of Congress from this State nor any person holding or exercising any office or appointment of trust or profit under the United States shall at the same time hold or exercise any county office in this State to which a salary fee or perquisites are attached

Section 43 Oath of Office how administered Penalties All county officers their deputies assistants and clerks shall before entering on the duties of their respective offices or employments take and subscribe the following oath or affirmation "I do solemnly swear (or affirm) that I will support obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will dis-

charge the duties of my office (or employment) with fidelity that I have not paid or contributed or promised to pay or contribute either directly or indirectly any money or other valuable thing to procure my nomination or election (or appointment) except for necessary and proper expenses expressly authorized by law that I have not knowingly violated any election law of this Commonwealth or procured it to be done by others in my behalf that I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office (or employment) other than the compensation allowed by law"

The foregoing oath shall be administered by some person authorized to administer oaths and shall be filed in the office of the prothonotary of the county in which the same is taken Any person refusing to take said oath or affirmation shall forfeit his office and any person who shall be convicted of having sworn or affirmed falsely or having violated said oath or affirmation shall be guilty of perjury and be forever disqualified from holding any office of trust or profit within this Commonwealth

Section 14 Official bonds The sureties to be furnished on the bonds of all county officers and of all deputies and assistants required to give bond shall be one or more surety companies authorized to do business in the Commonwealth of Pennsylvania and approved by the Insurance Commissioner The premiums for such bonds shall be paid out of the county treasury Such bonds shall be approved by the Court of common pleas Each of said bonds shall be conditioned for the faithful discharge by such officer of all trusts confided in him and of all duties required of him by law for the faithful accounting and payment according to law of all money received by him and shall be taken in the name of the proper county and shall be for the use of the county and of the Commonwealth and for the use of such other party or parties for whom he shall collect or receive money as the interest of each shall appear in case of a breach of the conditions thereof The custody of each of said bonds shall belong to the county controller except the bond of the county controller the custody of which shall belong to the county commissioners In counties where the office of controller has not been established the custody of all bonds shall belong to the county commissioners except the bond of the commissioners and their chief clerk the custody of which shall belong to the prothonotary A copy of any of said bonds certified by the county controller or the chief clerk to the county commissioners or by the prothonotary as the case may be shall be competent evidence thereof in any judicial proceeding Nothing herein contained shall affect the bonds required by law to be given by any county officer to the Commonwealth

Section 45 Officers to have commissions recorded It shall be the duty of every county officer receiving a commission from the Governor immediately after receiving such commission to deliver the same to the recorder of deeds by whom the same shall be recorded at the expense of such officer No such officer shall execute any of the duties of the office to which he has been elected or appointed until after said commission has been so left for recording

Section 46 Offices records and papers to be kept at county seat Penalty Disposition of penalty The commissioners auditors controller treasurer sheriff recorder of deeds prothonotary clerk of the courts of quarter sessions and oyer and terminer clerk of the orphans' court register of wills recorder of deeds and district attorney shall keep their respective offices and all public records and papers belonging thereto at the county seat and in such building as may be erected or appropriated for such purpose under a penalty in each case of five hundred dollars to be recovered by action of debt one-half thereof to be paid to the treasurer of the county to be applied by him to the payment of the erection or repairs of such buildings and the other half thereof to be for the use of him who shall first sue for the penalty The county commissioners shall furnish each of such officers with an office in the county building or other building at the county seat

Section 47 Office furniture stationery et cetera The county Commissioners shall at the cost of the county furnish the office furniture equipment and supplies blank books blanks dockets books for records stationery postage fuel light and janitor and telephone service required for each of the county officers whose offices are located in the county buildings or at such other places at the county seat as may be designated by the court and all supplies used by the public in connection with such offices

Section 48 Rebinding re-indexing and transcribing of dilapidated records Whenever any county officer in whose office books or papers of record are kept is of the opinion that any of said books or records need rebinding that new indexes thereto are necessary or that any of said books or papers have become dilapidated faded or injured and need to be copied or transcribed he shall with the approval of the county commissioners cause such books of record to be rebound such new indexes made or such copying and transcribing done as may be necessary The cost of said work shall be paid out of the county funds

Section 49 Copy to be certified Effect of copy Original books not to be destroyed Certificates to be attached Any work of copying and transcribing shall be done in the office in which the original books or papers belong and when said copy has been completed it shall be the duty of the county officer in whose office the said books or papers belong to certify at the end of the same that it is a true and correct copy of the original and affix the seal of his office thereto Thereupon the said books papers and indexes shall have the same force and effect in law and equity as the original books and papers would have had The original books or papers so transcribed or copied shall not be destroyed but shall be preserved by the officer with a certificate attached thereto by him certifying that said books and papers have been replaced with copy as provided by the preceding section of this act

Section 50 Officers to secure records books et cetera from predecessors Penalty for detaining same All persons elected or appointed to any county office shall demand and receive all records books drafts plans papers seals or other official documents belonging to such office from the person or persons who held the office immediately before his election or appointment or from the heirs executors or administrators of such person

Every person detaining from any person duly commissioned to any office any records books drafts plans papers seals or other documents belonging to such office after reasonable demand therefor is made shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment until such records books drafts plans papers seals or other documents so found to be in his her or their possession shall be delivered to the proper officer or until sooner discharged by order of the court and to pay a fine not exceeding one hundred dollars one-half to be paid to the officer from whom the documents were detained and the other half to the use of the county

Section 51 Additional clerks and employes All county officers now or hereafter paid by salary may employ such clerks and employes in addition to those specifically authorized by this act as may be authorized by the salary board in all counties having a salary board or by the county commissioners in all other counties Provided however That whenever under the provisions of existing law such power is now vested in and exercised by any other board or body such power shall continue to be exercised by such board or body and not by the salary board or county commissioners

Section 52 Deputies to act in certain cases Whenever any county officer is authorized or required to appoint a deputy or deputies such deputies or principal deputy shall during the necessary or temporary absence of his principal perform all the duties of such principal and also in case of a vacancy until a successor is qualified

No person temporarily succeeding to any county office by reason of the death or removal of the duly elected or appointed officer shall execute any of the duties of such office until he has first taken oath and filed the bond required of the principal officer

Section 53 Vacancies not otherwise provided for to be filled by the Governor and Senate if in session In case of a vacancy happening by death resignation or otherwise in any county office created by the constitution or laws of this Commonwealth and where no other provisions is made by said constitution or by the provisions of this act to fill said vacancy it shall be the duty of the Governor to appoint a suitable person to fill such office during the balance of the term of the officer whose vacancy is filled Such appointee shall be confirmed by the Senate if in session

Section 54 County officials to furnish information etc to heads of the governmental department of the Commonwealth compensation It shall be the duty of all county officers to

furnish on application therefor to the head of any department of the government of the Commonwealth such information and copies of such records or documents contained in their respective offices as in the opinion of such head of department may be necessary or pertinent to the work of his respective department The offices so furnishing information shall receive for his services in copying and forwarding the same reasonable compensation as the Auditor General may determine Such compensation shall be paid by the State Treasurer out of moneys not otherwise appropriated upon warrant from the Auditor General

All county officers shall also furnish such information as may be requested by the Chief of the Bureau of Municipalities of the department of Internal Affairs or his duly authorized deputy

Section 55 Penalty for neglect or refusal to perform duties It any county officer neglects or refuses to perform any duty imposed on him by the provisions of this act or by the provisions of any other act of assembly or by any rule of courts or other provision of law he shall for each such neglect or refusal be guilty of a misdemeanor and on conviction thereof be sentenced to pay a fine not exceeding five hundred dollars

Section 56 Absconding office to be vacant The office of any county officer absconding from the county shall be vacant to all intents and purposes

(b) State Associations

Section 61 Organization of a State association of commissioners solicitors and chief clerks annual meetings purpose The county commissioners together with the county solicitor and chief clerk of the county commissioners of each county are hereby authorized to organize themselves into a State Association with the authority to hold annual meetings at such time and place within the Commonwealth as they may designate for the purpose of discussing the various questions arising in the discharge of their duties and for the purpose of providing for a uniform and economical method of administering the affairs of the respective counties

Section 62 Expenses to be paid by the county Time limit on meetings The actual expenses of the county commissioners county solicitor and chief clerk attending such meetings of said State Association including traveling expenses and hotel bills actully paid by them expenses of committees together with the necessary expenses of the convention including printing and the employment of stenographers shall be paid by the various counties by orders drawn on the county treasurer The time spent in attending said meetings shall not be more than four days exclusive of the time in traveling thereto and therefrom The expenses herein mentioned as the necessary expenses of the convention shall not be more than fifty dollars to any county per annum

Section 63 Formation of state association of county controllers authorized Purpose County controllers may form a State Association of county controllers and may hold meeting thereof for the purpose of discussing the various questions which arise in the discharge of their duties and for such other purposes as will conduce to greater efficiency in their respective offices

Section 64 Meetings The association of county controllers may meet at the same time and place as the State association of county commissioners solicitors and chief clerks and may meet in joint session with them if mutually agreed upon It shall however have a separate session on at least two days of the annual meeting

Section 65 Expenses of members attending Length of meetings Expenses of meetings Each controller or deputy controller and the solicitor to the controller shall be allowed his expenses actually and necessarily incurred in going to attending and returning from the annual meeting of the association The time spent in attending the meeting exclusive of the time employed in traveling shall not exceed four days These expenses shall be paid by the respective counties The expenses of the annual meeting of the association including printing committee expenses and stenographers shall be paid by the counties having controllers but shall not exceed twenty-five dollars per annum for each county in addition to the traveling expenses hereinbefore provided for

Section 66 FORMATION OF STATE ASSOCIATION OF SHERIFFS AUTHORIZED The sheriffs of the several counties of this Commonwealth are hereby authorized to organize themselves into a State Association with power to hold annual meetings at such time and place within the State as they may designate for the purpose of securing more uniformity and co-operating in the conduct of their offices and improving their service to the public

Section 67 EXPENSES OF MEMBERS ATTENDING LENGTH OF MEETINGS EXPENSES OF MEETINGS Except in counties of the sixth seventh and eighth classes each sheriff or deputy sheriff or solicitor representing any sheriff shall be allowed all reasonable expenses including hotel bills and traveling expenses actually incurred in going to attending and returning from any annual meeting of the Association which shall be paid by the county of which he is an officer by orders drawn on the Treasurer thereof The time spent in attending such meetings shall not be more than four days exclusive of the time employed in traveling thereto and therefrom The expense of the annual meetings of the Association including any necessary amount for printing committee meetings and stenographic service shall except in counties of the sixth seventh and eighth classes be paid by the proper counties but shall not exceed twenty-five dollars for each county the sheriff of which is a member of said Association

(c) Commissioners

Section 71 Election and vacancies Three county commissioners shall be elected in each county in the year one thousand nine hundred and twenty-three and every fourth year thereafter In the election of commissioners each qualified elector shall vote for no more than two persons The three persons having the highest number of votes shall be elected Any casual vacancy in the office of county commissioners shall be filled for the balance of the unexpired term by the court of common pleas of the county in which such vacancy shall occur by the appointment of an elector of the county who voted for the commissioner whose place is to be filled

Section 72 Bond of commissioners The county commissioners shall before entering upon their official duties each give bond for the faithful discharge of all duties enjoined upon them by law and for the faithful and legal appropriation of all county and other moneys which said commissioners have any authority to draw out of the county treasury upon checks or orders given by them or over which they have control Such bonds shall be acknowledged before the recorder of deeds of the county and the surities thereon shall be approved by the court of common pleas Except in counties of the second class the amount of such bonds shall be fixed by the court of quarter sessions at such sum as the court shall deem sufficient not less than two thousand dollars each In counties of the second class the amount of such bonds shall be ten thousand dollars each

Section 73 Eligibility No county commissioner shall be eligible to serve as member of the board of health during his continuance in office

Section 74 Organization The county commissioners shall meet on the first Monday of January in the year one thousand nine hundred and twenty-four and on the first Monday of January every four years thereafter at twelve o'clock noon in the office provided for them at the county seat for the purpose of organization

Section 75 Quorum Two of the commissioners shall form a board for the transaction of business and when convened in pursuance of notice or according to adjournment shall be competent to perform all the duties appertaining to the office of county commissioners

Section 76 Certified Copies of Proceedings to be Evidence Copies of the proceedings of the commissioners and of all records in their possession certified by their chief clerk under the county seal shall be admitted in evidence in any of the courts within this Commonwealth

Section 77 Power to Administer Oaths The commissioners shall respectively have power to administer oaths and affirmations in all cases arising in the performance of the duties of their office

Section 78 Expenses The county commissioners shall be allowed their expenses necessarily incurred and actually paid in the discharge of their official duties or in the performance of any service office or duty imposed upon county commissioners

Section 79 Chief clerk The county commissioners shall appoint a chief clerk who shall hold his office for a term of four years In case of a vacancy by death resignation or removal for cause his successor shall serve for the unexpired time for which he was appointed He shall receive such

salary as the salary board or by the county commissioners in counties where there is no salary board shall determine The clerk so appointed shall enter into a bond to the county with sufficient sureties for the faithful performance of his duties in such sum as may be designated by the Commissioners

Section 80 Duties and powers of chief clerk The Chief clerk shall keep the books and accounts of the board record and file their proceedings and papers attest all orders and warrants issued by them and perform all other duties pertaining to his office as chief clerk He shall have general power to administer oaths and affirmations pertaining to the business of the commissioner's office

(d) Auditors

Section 91 Election and vacancies In each county where the office of controller has not been established three county auditors shall be elected in the year one thousand nine hundred and twenty-three and every fourth year thereafter In the election of auditors each qualified elector shall vote for no more than two persons The three persons having the highest number of votes shall be elected Any casual vacancy in the office of county auditors shall be filled for the balance of the unexpired term by the court of common pleas of the county by the appointment of an elector who voted for the auditor whose place is to be filled

Section 92 Eligibility No person shall be eligible to the office of county auditor who within two years shall have been treasurer of the county No person holding the office or county auditor shall at the same time be county treasurer

Section 93 Meeting quorum The auditors shall assemble at the county seat on the first Monday of Januarv in each year and at such other times as they may find necessary for the performance of the duties required of them by law Any two auditors when duly convened shall be a quorum for the purpose of transacting any business

Section 94 May employ counsel compensation The auditors may employ a competent attorney-at-law to act as their counsel and attorney Such attorney shall be paid out of the funds of the county such reasonable compensation for his services as the board of auditors and the president judge of the court of common pleas may approve of

(e) CONTROLLER

Section 101 Election and term At the municipal election immediately preceding the expiration of the term of the controller now in office and quadrennially thereafter the qualified electors of each county of the second third fourth and fifth classes and of every other county where the office of controller has been or may hereafter be established shall elect one citizen of the county who shall serve as controller for the term of four years from the first Monday on January following his election or until his successor shall be qualified if he so long shall behave himself well

Section 102 Eligibility No person holding office under the United States shall be eligible to the office of county controller during his continuance in such office nor until one year thereafter The county commissioners county treasurer prothonotary register of wills clerk of the courts recorder of deeds sheriff and district attorney and their chief clerks or deputies shall be ineligible during their continuance in such office and for two years thereafter to the office of county controller The controller shall always be eligible to re-election or appointment

Section 103 Bond of controller Before entering on the duties of his office the controller shall give bond to the county for which he is appointed or elected in the sum of fifty thousand dollars in counties of the second class and twenty thousand dollars in all other counties conditioned for the faithful performance of his duties and those of his deputy

Section 104 Deputy Controller and Clerks The controller shall appoint a deputy controller and may appoint one or more of the clerks employed in his office to administer oaths and affirmations to all persons pertaining to the business of the office with the same force and effect as if administered by the controller or deputy controller

Section 105 Solicitor to the controller The county controller may designate and appoint one person learned in the law to act as his solicitor Said solicitor shall advise upon all such legal matters as may be submitted to him and shal conduct any litigation desired by the county controller He shall hold office at the pleasure of the controller

Section 106 Establishment of office of controller by decree of court in counties of the sixth seventh and eighth classes The office of controller may be established in any county of the sixth seventh or eighth class by petition to the court of common pleas of such county of twenty-five per centum of the number of electors who voted at the general or municipal election as the case may be next preceding the date of such petition The petition shall include the signatures of a majority of the board of county commissioners the clerk of the courts coroner county treasurer prothonotary recorder of deeds and register of wills of the county Upon presentation of such petition the court shall direct that at the next municipal election and quadrennially thereafter the electors of such counties shall choose a citizen of the county for the office of controller in place of the county auditors Such person shall serve for a term of four years or until his successor is qualified if he shall so long behave himself well Upon the filing of such decree the prothonotary shall transmit certified copies thereof to the county commissioners the sheriff and to the Governor Upon receipt thereof the sheriff shall give at least thirty days public notice by proclamation in addition to any other notice required by law Such proclamation shall be printed three times in every newspaper of general circulation in the county and shall contain a notice that a citizer of said county is to be elected at the next ensuing municipal election for the office of county controller. Such controller shall be nominated and elected in compliance with the provisions of the general election laws

Section 107 Appointment by Governor Duties of Auditors Abolition of office of auditor Whenever the office of controller is established in any county under the provisions of the preceding section of this act or by a change in class of such county the Governor shall appoint a suitable person to act as controller of said county until his successor in office is duly elected and installed Upon the appointment of a controller as provided in this section the county auditors then in office shall proceed to audit all accounts as is now or may hereafter be required by law and shall file a report of such audit with the controller so appointed not later than three months after the controller assumes his office whereupon the said office of county auditor shall be abolished and cease to exist in said county

(f) Treasurer

Section 111 Eligibility No judge clerk or prothonotary of any court register of wills recorder of deeds county commissioner county controller or county auditor shall be eligible to serve as county treasurer during their continuance in office No county treasurer shall be eligible for the term next succeeding the one for which he may be elected

Section 112 Bond to the county Each county treasurer shall before entering upon the duties of his office give bond conditioned for the faithful performance of the duties of his office for a just account of all moneys that may come into his hands on behalf of the county for the delivery to his successor in office of all books papers documents and other things held in right of his office and for the payment to him of any balance of money belonging to the county remaining in his hands The amount of such bond in counties of the second class shall be two hundred thousand dollars In all other counties the amount thereof shall be fixed by the county commissioners In the event that the treasurer and commissioners take office at the same time the amount of the treasurer's bond shall be fixed by the new board of commissioners

Section 113 Removal from office If the county commissioners believe the county treasurer is embezzling wasting using or improperly managing the public moneys committed to his charge they may petition the court of quarter sessions setting forth the facts complained of If the court believes said complaint well founded it shall make an order for the removal of such treasurer from office

Section 114 Bond in favor of Commonwealth Each county treasurer shall also before entering upon the duties of his office give a bond with sufficient security to be approved of by at least two of the judges if more than one of the court of quarter sessions of the same county and in such penalty as the said judges shall deem sufficient conditioned for the faithful discharge of all duties enjoined upon him by law in behalf of the Commonwealth and for the payment according to law of all moneys received by him for the use of the Commonwealth which bond shall be taken by and acknowledged before the Recorder of Deeds of the same county and recorder in his office at the cost of the county

treasurer and the original bond shall be forthwith transmitted to the Auditor General

Copies of the record of such bond duly certified by the Recorder of Deeds for the time being shall be good evidence in any action brought against such treasurer or his sureties on such bond according to its form and effect in the same manner as the original would be if produced and offered in evidence

Section 115 Removal from office for failure to transmit bond to Auditor General Appointment to fill vacancy If any county treasurer shall fail to transmit to the Auditor General within one month after his appointment the bond required by this act to be given by him for the use of the Commonwealth the Auditor General shall give notice thereof to the county commissioners who shall forthwith proceed to remove such treasurer from office and appoint some suitable person in his place

Section 116 When Auditor General to deliver up bond of treasurer It shall be the duty of the Auditor General at the request of any person who may be authorized for that purpose to deliver up the bonds and obligations entered into by the county treasurers of the several counties of the State for the faithful performance of their duties after the Auditor General and State Treasurer shall be fully satisfied that the said county treasurer has settled his accounts and paid all demands due the Commonwealth Provided Such bond shall be held by the Auditor General one year after the settlement of said accounts

Section 117 Penalty for Misapplication of funds collected for specific purposes Whenever any moneys are collected by law in any county for any special purpose and paid into the hands of the treasurer of such county it shall be unlawful for such treasurer to apply such moneys or any part thereof to any other purpose than that for which such moneys were collected Every such misapplication shall be a misdemeanor upon conviction whereof such treasurer shall be punished by a fine of not less than the amount so misapplied and by imprisonment for not less than three months nor more than one year

(g) Solicitor

Section 121 Appointment Qualifications Term compensation The county commissioners may appoint a county solicitor who shall be an attorney at law admitted and qualified to practice in the courts of this Commonwealth He shall hold his office during the term of the commissioners appointing him and shall receive such compensation as the commissioners may determine He shall before entering upon the duties of his office file with the county commissioners an agreement to pay all fees attorney's fees and commissions received from every source as county solicitor into the county treasurer In counties of the second class the commissioners may appoint assistant county solicitors in such number and at such salary as the salary board shall fix

Section 122 Duties He shall commence and prosecute all suits brought or to be brought by the county wherein or whereby any rights privileges properties claims or demands of the county are involved as well as defend all actions or suits brought against the county and shall perform all duties now enjoined by law upon county solicitors and shall do all and every professional act incident to the office which may be required of him by the commissioners

Section 123 Stenographer In counties of the third fourth fifth sixth seventh and eighth classes The county solicitor may with the consent of the county commissioners employ a stenographer as an assistant in his office who shall receive such compensation as the commissioners may determine not to exceed four hundred and eighty dollars a year

(h) Surveyor

Section 131 Qualifications duties and compensation Vacancies The county surveyor shall be a practical surveyor and shall do and perform all the duties and have and receive all the emoluments formerly pertaining to the respective deputies of the surveyor-general

Any vacancy occasioned by death resignation removal or otherwise shall be filled by the court of quarter sessions by the appointment of a competent person being a practical surveyor to fill such vacancy during the balance of the unexpired term

Section 132 Removal by court of quarter sessions The courts of quarter sessions of the respective counties shall have power on cause shown to remove the county surveyor for neglect refusal incompetency or inability to perform the duties of his office and shall also remove him upon his conviction of any infamous crime or misdemeanor

(i) Engineer

Section 136 Apportionment Term Compensation The county commissioners of any county may appoint a registered professional engineer who shall be styled the county engineer Such engineer shall serve for a term of four years and shall receive such compensation as the county commissioners shall fix

Section 137 Duties The county engineer shall prepare plans specifications and estimates of all engineering work undertaken by the county and shall whenever required furnish the commissioners with reports information or estimates on any such work and in general shall perform all such duties with reference to any county engineering work as the county commissioners may from time to time prescribe

(j) Board of Viewers

Section 141 Number of members Qualification The board of viewers in counties of the first and second classes shall consist of not less than six nor more than nine members one-third of whom may be learned in the law and members of the bar of the county In each county of the third fourth fifth sixth seventh and eighth classes said board shall consist of not less than three nor more than nine members one-third of whom may be surveyors or members of the bar of the county The judges of the court of common pleas shall in each case determine within the aforesaid limits the total number of members of which the board shall be composed fixing and determining such number as shall be deemed necessary for the proper performance of the duties imposed upon the board The court may also from time to time change the total number of members within the above limits

Section 142 Qualifications Each member of the board of viewers must be at least twenty-five years of age must be a freeholder must be a qualified elector of the county must have resided therein for five years immediately prior to his appointment and must not be engaged in any public employment of profit The office of any member of the board shall be vacant immediately upon his ceasing to be a resident of the county in which he was appointed or upon his ceasing to possess any of the qualifications above required The court of common pleas shall from time to time determine summarily any facts thus bringing about a vacancy in the office

Section 143 Appointment of members Vacancies The members of the board of viewers shall be appointed by the judges of the court of common pleas All vacancies happening from any cause shall be filled by appointment by the judges of the court of common pleas In counties having more than one court of common pleas the judges of all courts of common pleas shall meet as a body and shall make such appointment In judicial districts which comprise more than one county such appointment for each county shall be made by the judge or judges of the judicial district in which said county is situate

Section 144 Term of office removal Each of the members of the board of viewers shall be appointed for a term of four years from the date of his appointment whether such appointment be to fill an original or partly expired term Members may be reappointed from time to time when vacancies occur All appointments shall be subject to the power of the court of common pleas at any time for causes to them satisfactory to remove members of said board before the expiration of their respective terms of office and to appoint successors

Section 145 Power to administer oaths Any member of any board of viewers shall have general power to administer oaths and affirmations to other viewers of the same county to witnesses before them and to other persons pertaining to the business and duties of the board of viewers

Section 146 Clerks and stenographers The board of viewers may employ such stenographers and clerical assistants and at such salaries as shall be authorized by the salary board or by the county commissioners in counties where there is no salary board

(k) SHERIFF AND CORONER

1 SHERIFF

Section 151 Not eligible to succeed himself No Sheriff shall be eligible for the term next succeeding the one for which he was elected

Section 152 Bond Every sheriff whether elected or appointed to fill a vacancy before he is commissioned or executes any of the duties of his office shall give a bond in the sums and manner hereinafter mentioned Such bond shall be acknowledged before the recorder of deeds and shall continue to be a lien on the real estate owned by the sheriff at the date of said bond for the term of ten years from said dates The expiration of the lien of any sheriff's bond upon the real estate owned by him shall not release such sheriff his administrators or executors from liability to answer any claims which may be established for damages occasioned by official delinquency or misconduct of said sheriff

Section 153 Form of sheriff's bond The form of the bond to be given by the sheriff and his sureties shall be as follows to wit "Know all men by these presents that we (A B C D and E F) are held and firmly bound into the Commonwealth of Pennsylvania in the sum of..... dollars to be paid to the said Commonwealth for the uses intents and purposes declared and appointed by law to which payment well and truly to be made we bind ourselves our heirs executors and administrators jointly and severally firmly by these presents sealed with our seals dated..... day of .....Anno Domini .....The conditions of the above obligation is such that if the said (A B) shall and do without delay according to law well and truly serve and execute all writs and process of the said Commonwealth to him directed and shall and do from time to time upon request to him for that purpose made well and truly pay or cause to be paid to the several suitors and parties interested in the execution of such writs or process their lawful attorney factors agents or assigns all and every sum and sums of money to them respectively belonging which shall come to his hands and shall and do from time to time and at all times during his continuance in the said office well and faithfully execute and perform all and every of the trusts and duties to the said office appertaining then this obligation to be void or else to be and remain in full force and virtue"

Section 154 Amount of sheriff's bond The bond of the sheriff of the several counties shall be taken in the following sums

Counties of the first class eighty thousand dollars
Counties of the second class sixty thousand dollars
Counties of the third class sixty thousand dollars
Counties of the fourth class sixty thousand dollars
Counties of the fifth class twenty-five thousand dollars
Counties of the sixth class twenty-five thousand dollars
Counties of the seventh class fifteen thousand dollars
Counties of the eighth class ten thousand dollars

Section 155 Unfinished buisness where sheriff is paid by county It shall be the duty of every outgoing sheriff in any county where he is paid by salary for his services as such sheriff to hand over to his successor in office all unfinished and unexecuted writs and process whatsoever whose duty it shall be to receive and execute the same as if said writs and process had been originally issued and directed to him

Section 156 When required to act in person sheriff may do so by Deputy Whenever the sheriff is or shall be required by law to act in person under any writ of inquisition condemnation inquiry of damages unacy or habitual drunkard proceedings partition proceedings or by virtue of any other writ or process issued by the courts of this Commonwealth the said sheriff may act either in person or by a regularly appointed deputy sheriff

Section 157 Chief deputy The sheriff of each county shall appoint by deed duly recorded in the office for recording deeds a chief deputy whose appointment shall be revocable at pleasure on recording in said office a written revocation thereof The chief deputy during his continuance in the office shall have full power and authority to perform any duty incumbent upon such sheriff with like effect in law as if such official act had been done by the sheriff in person regardless of the ability or temporary disability of such sheriff to act while such sheriff continues in office Nothing in this section shall operate to relieve such sheriff or his sureties from liability upon their official bond

Section 158 Special deputies The sheriff of any county may at any time when occasion therefore arises appoint special deputies to preserve the public peace and prevent or quell disturbances Every such special deputy shall be entitled to such compensation not exceeding five dollars per eight hour day in addition to actual traveling expenses and subsistence while engaged in such duty as may be fixed by the Salary Board or by the County Commissioners in counties where there is no Salary Board to be paid by the proper county This section does not apply to the appointment or compensation of special deputies that are not paid by the county

Section 159 Qualifications of special deputies Penalty No person shall be appointed as such special deputy who is not a citizen of this Commonwealth Any person violating the provisions of this section shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five hundred dollars or undergo an imprisonment not exceeding one year or both

2 Coroner

Section 161 Bond and recognizance required by coroner Amount Condition The coroner of each county whether elected or appointed to fill a vacancy before he is commissioned or executes any of the duties of his office shall give bond in one-fourth of the sum required from the sheriff of the county Such bond shall be acknowledged before the recorder of deeds The condition of such bond shall be that the coroner will "well and truly perform all and singular the duties to the office of coroner appertaining" Such bond shall be a security to the Commonwealth and to all persons whomsoever for the faithful discharge and due performance of all the duties required by law from such coroner

Section 162 Appointment of deputies Powers The coroner may appoint one or more deputies to act in his place and stead as he may deem proper and necessary Such deputy or deputies shall have the same powers as the coroner In counties of the fifth sixth seventh and eighth classes such deputies shall receive the same fees as the coroner

Section 163 Duties with respect to county morgues The coroner of each county in which a county morgue has been or may hereafter be established shall make general rules and regulations for its government and control and shall appoint suitable persons not exceeding three in number for each morgue so established to have charge of the same and who shall be removable at the pleasure of the coroner The number of such persons and the salary of each shall be fixed by the salary board or in counties where there is no salary board by the county commissioners

Section 164 To act as sheriff in case of vacancy If any sheriff shall be legally removed from his office or shall die before the expiration of the term for which he was commissioned the coroner of the county shall execute the office of sheriff and perform all things thereunto appertaining until another sheriff is commissioned and notice thereof given to such coroner

Section 165 Vacancy in certain cases Abolition of fees on commissions If any person elected to the office of coroner shall neglect or refuse for the space of three months next after such election to assume the duties of said office and to comply with the requirements of the acts of assembly in such cases the office shall be vacant and it shall be the duty of the Governor to appoint and commission some suitable person to fill such vacancy during the remainder of the term No fees shall hereafter be charged on commissions issued to the coroner

3 General Provisions

Section 171 Not to exercise office until commission granted and recorded Penalty No person elected or appointed to the office of sheriff or coroner shall presume to execute any of the duties of such office before a commission shall have been duly granted to him and left for record as provided in section forty-five of this act under a penalty of imprisonment for a term not exceeding six months at the discretion of the court of quarter sessions Such person shall nevertheless be liable to any person injured by any acts done by him under color of such office

Section 172 Real estate of sheriff and coroner and their sureties to be bound All the real estate within the county of a sheriff and coroner shall be bound by their bond as effectually as by a judgment for the same amount in any court of record of such county It shall be the duty of the controller or chief clerk of the county commissioners as the case may be as soon as the bond of the sheriff or coroner is filed to certify the same to the prothonotary who shall enter the names of the parties thereto upon his docket in like manner as judgments are by law directed to be entered

Section 173 Sale of real estate bound by lien If the sheriff or coroner shall sell any real estate bound by the lien of any bond such sheriff or coroner may present a petition to the

court of common pleas accompanied by notice to his sureties setting forth the fact of such sale and praying for a release of said bond upon the real estate described in the petition The court being satisfied of the sufficiency of the sureties may release said lien upon such land

(l) Prothonotary Clerk of Courts Clerk of Orphans' Court Register of Wills and Recorder of Deeds

Section 181 How offices to be held In counties of the first second third and fourth classes one person shall hold the office of prothonotary one person the office of clerk of the court of oyer and terminer and quarter sessions one person the offices of register of wills and clerk of the orphans' court and one person the office of recorder of deeds

In counties of fifth class one person shall hold the offices of prothonotary and clerk of the court of oyer and terminer and quarter sessions one person the offices of register of wills and clerk of the orphans' court and one person the office of recorder of deeds

In counties of the sixth and seventh class one person shall hold the offices of prothonotary and clerk of the court of oyer and terminer and quarter sessions and one person the offices of register of wills recorder of deeds and clerk of the orphans' court

In counties of the eighth class one person shall hold the offices of prothonotary clerk of the court of oyer and terminer and general quarter sessions clerk of the orphans' court register of wills and recorder of deeds

Section 182 Incompatible offices No person shall be capable of holding and exercising at the same time the office of justice of the peace and that of prothonotary or clerk of any court Nor shall any prothonotary or clerk of any court practice as attorney or counsellor in the court of which he is prothonotary or clerk Nor shall the register of wills of any county practice as aforesaid in the orphans' court of the same county

Section 183 Appointment of first deputies The prothonotary clerk of the courts of quarter sessions and oyer and terminer and clerk of the orphans' court register of wills and recorder of deeds shall appoint one first deputy to act in the case of the death or resignation of his principal or when the office shall become vacant from other causes

Section 184 Bonds of prothonotary and clerks of courts The prothonotary the clerk of the courts of quarter sessions and oyer and terminer and the clerk of the orphans' court shall before they enter upon the duties of their offices give a bond the condition of which shall be to faithfully execute the duties of their respective offices and well and truly to account for and pay according to law all monies which are received by them in their official capacity and to deliver the books seals records writings and papers belonging to their respective offices whole safe and undefaced to their successors therein In counties of the second class the prothonotary's bond shall be in the sum of forty thousand dollars and that of the clerk of the courts of quarter sessions and oyer and terminer in the sum of ten thousand dollars The amount of all other bonds required by this section shall be fixed by the Governor

Section 185 Power of prothonotaries and clerks to administer oaths and affirmations The prothonotaries clerks of the courts of quarter sessions and oyer and terminer and clerks of the orphans courts shall have a general power to administer oaths and affirmations Provided That no prothonotary or clerk shall be compelled to administer the same in any matter not pertaining to the proper business of his office

Section 186 In counties of the second class Appointment of minute clerks by prothonotary and clerk of courts The prothonotary and the clerk of the courts of quarter sessions and oyer and terminer in counties of the second class may with the approval of the court of common pleas or the courts of quarter sessions and oyer and terminer as the case may be appoint minute clerks of said courts Such clerks shall receive such salaries as the court authorizing their appointment may fix and shall give bond in such sum as the respective courts may direct

Section 187 Second deputy prothonotary The prothonotary may appoint a second deputy prothonotary who shall possess and discharge all the rights powers and duties of the principal deputy prothonotary during his necessary or temporary absence

Section 188 In counties of the second and third classes deputy prothonotary and clerks to administer oaths and affirmations In counties of the second and third classes the prothonotary shall designate from the force of clerks in his office a person learned in the law who shall be the first deputy prothonotary The first deputy prothonotary shall give bond in the penal sum of ten thousand dollars conditioned for the proper and faithful performance of all his duties

Any clerk in the office of such prothonotary designated by the prothonotary shall have the power of deputy prothonotary so far as relates to the administration of oaths and affirmations in the performance of the work of the office

Section 189 Prothonotary to file and keep advance copies of laws The prothonotary shall file and keep in his office advance copies of the laws enacted at each session of the General Assembly as they are furnished to him by the Secretary of the Commonwealth for a period of one year from the date of the reception of the first of said laws enacted at each session of the General Assembly in such manner that they shall be accessible to the public during the office hours of the prothonotary

Section 190 Assistant clerks of orphans' court In counties where there is separate orphans' court The clerk of the orphans' court of each county in which a separate orphans' court is now or hereafter shall be established may appoint an assistant clerk or clerks but only with the consent and approval of said court

Section 191 Bond of register of wills The register of wills shall give a bond in the sum equal to half the sum prescribed by this act for the official bond of the sheriff with condition faithfully to execute the duties of his said office and well and truly to account for and pay according to law all moneys received by him in his official capacity and to deliver up the books seals records and other writing belonging to said office whole safe and undefaced to his successor in office Such bond shall be for the use of all persons concerned and for the relief of all who may be aggrieved by the acts or neglect of such register Such bond shall be acknowledged by the register before a judge of the orphans' court

Section 192 Deputy register of wills The register shall appoint a deputy to officiate in his absence for whose conduct he and his sureties shall be accountable Such deputy shall be capable in law to do whatever by law appertains to the office of register

Section 193 Bond of recorder of deeds The recorder of deeds before he enters on the duties of his office shall give bond in the following sums

In counties of the first class twenty-five thousand dollars

In counties of the second class twenty thousand dollars

In counties of the third class fifteen thousand dollars

In counties of the fourth and fifth classes ten thousand dollars

In counties of the sixth seventh and eighth classes five thousand dollars

Such bonds shall be conditioned for the true and faithful execution of his office and for delivering up the records and other writings belonging to the office whole safe and undefaced to his successor in office

Section 194 Deputy recorder The recorder of deeds may appoint a deputy for whose conduct he and his sureties shall be accountable Such deputy shall be capable in law to do whatever by law appertains to the office of recorder of deeds

Section 195 Clerks of recorder to administer oaths except in counties of the first class The recorder of deeds in counties of the second third fourth fifth sixth seventh and eighth classes may appoint one or more clerks employed in his office to administer oaths and affirmations to all persons pertaining to the business of the recorder's office with the same force and effect as if administered by the recorder or deputy recorder

(m) District attorney assistants and detectives

1 District Attorney

Section 201 Qualifications Eligibility The district attorney shall be a person learned in the law who has been admitted to practice as an attorney in the courts of some county of this Commonwealth for at least two years preceding his election and who shall have resided in the county for which he is elected for one year next preceding his election

No district attorney shall be eligible to a seat in the legislature or to any other office under the laws and constitution of the state excepting an office or commission in the militia of the state during his continuance in office

Section 202 Filling of vacancy by judges of the court of common pleas If any vacancy shall occur either by death resignation removal from office or from the county or otherwise the judges of the court of common pleas shall supply such vacancy by the appointment of a competent person to fill the office during the balance of the unexpired term

Section 203 Misconduct of district attorney Penalty Vacancy in office Procedure If any district attorney shall wilfully and corruptly demand take or receive any other fee or reward than such as is prescribed by law for any official duties required by law to be executed by him in any criminal proceeding or if such district attorney shall be guilty of wilful and gross negligence in the execution of the duties of his office he shall be guilty of a misdemeanor in office and on conviction thereof be sentenced to pay a fine not exceeding one thousand dollars and to undergo an imprisonment not exceeding one year and his office shall be declared vacant

Upon complaint in writing verified by the oath or affirmation of the party aggrieved made to the court in which any district attorney shall prosecute the pleas of the Commonwealth charging such district attorney with wilful and gross negligence in the execution of the duties of his office the court shall cause notice of such complaint to be given to the district attorney and of the time fixed by the court for the hearing of the same If upon such hearing the court shall be of opinion that there is probable cause for the complaint they shall hand over or commit the district attorney to answer the same in due course of law If the court shall be of opinion that there is no probable cause for such complaint they shall dismiss the same with reasonable costs to be assessed by the court

Section 204 District attorney charged with crime court to appoint prosecuting attorney Compensation Vacancy in case of conviction If any district attorney is charged according to law with any crime or misdemeanor before or bound over or committed by any court to answer for wilful and gross negligence in the execution of the duties of his office it shall be the duty of the court to appoint some competent attorney thereof to prepare an indictment against such district attorney and to prosecute the same on behalf of the Commonwealth until final judgment Such attorney shall be paid for his services a reasonable compensation to be fixed by the court If such district attorney shall be convicted of any crime for which he may be sentenced to imprisonment by separate or solitary confinement at labor in addition thereto his office shall be declared vacant by the court passing such sentence

2 Assistant District Attorneys

Section 211 Assistant district attorneys In counties of the first second third fourth fifth and sixth classes the district attorney may appoint assistants learned in the law to assist him in the discharge of his duties as follows

In counties of the first class not more than fourteen

In counties of the second class not more than ten

In counties of the third class and in counties of the fourth class having a population of two hundred thousand and more Not more than three and a fourth with the approval of the president judge of the court of quarter sessions

In counties of the fourth class having a population of less than two hundred thousand not more than two

In counties of the fifth class not more than two with the approval of the president judge of the court of quarter sessions

In counties of the sixth class one assistant with the approval of the president judge of the court of quarter sessions

Section 212 Designation of first assistant Powers and duties In all cases where more than one assistant district attorneys are appointed the district attorney shall designate one of such assistants as his first assistant Such first assistant or the assistant district attorney where only one is appointed in the absence of the district attorney from the jurisdiction or during his disability to perform the duties of his office through sickness or other cause be vested with all the duties powers and privileges given by law to the district attorney and generally at such time be empowered to do and perform all things in connection with his office which the district attorney may by law be entitled to do or perform

Section 213 Indictment and cost clerk in counties of the fourth class The district attorney of any county of the fourth class in addition to the assistants hereinbefore authorized may appoint an assistant learned in the law who shall be designated as indictment and cost clerk to assist the district attorney in the discharge of his duties Such appointee shall hold office during the term of office of the district attorney appointing him but the district attorney may remove such appointee for any cause he deems sufficient and appoint another person duly qualified to fill the vacancy

Section 214 Appointment of special assistants The district attorney of any county of the seventh and eighth classes may with the approval of the president judge of the court of quarter sesesions appoint an assistant attorney learned in the law to aid in the preparation and trial of any indictment for homicide or murder on behalf of the Commonwealth Such assistant shall receive such compensation not exceeding four hundred dollars as may be approved and recommended by the judge presiding at the trial

Section 215 Appointment of a deputy for one term of court In any case where there is no regularly appointed assistant district attorney if in case of sickness or from any other cause the district attorney shall be unable to attend to the duties and business of the term of a court he may appoint some competent attorney of the county with the approbation of the court to act as his deputy for one term but for no longer period

Section 216 Court may appoint a district attorney for the time being it shall be the duty of the court of quarter sessions of any county to appoint a district attorney for the time being in all cases where the district attorney and his assistants shall be absent from the court Such person so appointed shall perform all the duties of the office until the regular district attorney or one of his assistants shall appear in person to perform the same

Section 217 Stenographers in fourth and fifth class counties In counties of the fourth and fifth classes the district attorney may employ a stenographer as an assistant in his office

Section 221 Appointment in counties of first and second classes Duties In counties of the first class the district attorney may appoint one chief county detective an assistant chief county detective and special county detectives not exceeding fourteen in number

In counties of the second class the district attorney may appoint one chief county detective an assistant chief county detective and special county detectives not exceeding twenty-four in number

Such county detectives shall at all times be subject to the orders of the district attorney and shall investigate and make report to the district attorney as to the conduct in office of justices of the peace constables deputy constables and other officers connected with the administration of criminal justice to make investigations and endeavor to obtain such evidence as may be required by the district attorney in any criminal case and perform such other duties as the district attorney may direct Said detectives shall be general police officers and shall have all powers now offered on constables by existing laws of this Commonwealth so far as they relate to crime or criminal procedure and in counties of the second class they shall serve subpoenas in cases in which the Commonwealth is a party in a court of record

Section 222 In counties of the third and fourth classes In counties of the third class the district attorney may appoint one chief county detective and three assistant county detectives

In counties of the fourth class the district attorney may appoint one county detective and one assistant county detective

Such county detectives shall hold their positions during the term of the district attorney appointing them and shall be removable at his discretion They shall have possess and exercise all of the rights and powers conferred by existing law upon constables so far as such laws relate to crimes and criminal procedures and shall when requested by the district attorney make an investigation and endeaver to obtain such evidence as may be required in any criminal case They shall also perform such other duties as the district attorney may direct Such county detectives shall be allowed their expenses actually and necessarily incurred in the performance of their duties

Section 223 In counties of the fifth sixth seventh and eighth classes The district attorney of counties of the fifth sixth seventh and eighth classes may with the approval of the president judge of the courts employ one detective for the investigation of any crimes committed within such

county The compensation of such detective or detectives shall be fixed by the district attorney with the approval of the president judge of the court and shall be paid from the county treasury in the usual manner

Section 224 Appointment of special detective with approval of court The district attorney of any county may with the approval of the court of quarter sessions whenever said court and district attorney may deem it necessary appoint an officer as a special detective whose duty it shall be to assist in obtaining such evidence as shall be directed by the district attorney for the Commonwealth in all criminal cases and perform such other duties as the court may direct The compensation of such special detective shall be fixed by the president judge of the court of quarter sessions

Such special detective officer shall be a general police officer and shall have all the powers that are conferred on constables by the existing laws of this Commonwealth so far as they relate to crimes or criminal procedure

(n) Jury Commissioners

Section 231 Election Eligibility In the election of jury commissioners each qualified elector shall vote for no more than one person and the two persons having the highest number of votes shall be elected The same person or persons shall not be eligible for reelection more than once in any period of six years

Section 232 Filling of vacancy In case of the inability of either or both of the jury commissioners by sickness death or other unavoidable cause of discharge the duties of said office or in case of neglect or refusal to serve thereon it shall be the duty of the president judge to appoint a suitable person or persons as the case may be to perform the duties of said office during such vacancy

Section 233 Clerk The jury commissioners may with the approval of the salary board or of the county commissioners in counties having no salary board appoint a clerk or clerks who if so required may act as investigators and fix their compensation

(o) Compensation Salaries

1 Specific Salaries

Section 241 Counties of the first class In all counties of the first class the annual salaries of the county officers deputies and clerks shall be as follows

Of the county commissioners eight thousand dollars each

Of the controller eight thousand dollars

Of the treasurer ten thousand dollars

Of the members of the board of viewers five thousand dollars each

Of the sheriff fifteen thousand dollars

Of the chief deputy sheriff six thousand dollars

Of the coroner eight thousand dollars

Of the deputy coroner four thousand eight hundred dollars

Of the recorder of deeds ten thousand dollars

Of the deputy recorded of deeds four thousand five hundred dollars

Of the employes in the recorded of deeds' office as follows

One solicitor four thousand five hundred dollars

One chief clerk two thousand five hundred dollars

One bookkeeper and assistant cashier two thousand dollars

One cashier and assistant bookkeeper one thousand five hundred dollars

One chief search clerk two thousand five hundred dollars

Three mortgage search clerks one thousand eight hundred dollars

Two conveyance search clerks one thousand eight hundred dollars

One chief deed index clerk two thousand one hundred dollars

One chief mortgage index clerk two thousand one hundred dollars

Two assistant index clerks one thousand eight hundred dollars

One miscellaneous clerk one thousand five hundred dollars

Six miscellaneous clerks one thousand five hundred dollars

One chief compare clerk deeds two thousand one hundred dollars

One chief compare clerk mortgages one thousand six hundred dollars

One clerk in charge of deeds one thousand five hundred dollars

One clerk in charge of mortgages one thousand five hundred dollars

Three compare clerks one thousand six hundred dollars

Ten compare clerks one thousand five hundred dollars

One auditor one thousand five hundred dollars

One stenographer and typewriter one thousand five hundred dollars

One receipt clerk one thousand eight hundred dollars

One assistant receipt clerk one thousand three hundred dollars

One delivery clerk one thousand five hundred dollars

One satisfaction entry clerk one thousand two hundred fifty dollars

One notation clerk one thousand eight hundred dollars

One typist in charge of records one thousand six hundred dollars

One assistant typist in charge of records one thousand five hundred dollars

One typist in charge of charters one thousand six hundred dollars

Two certificate clerks one thousand five hundred dollars

Four proof typists one thousand five hundred dollars

One superintendent of typists one thousand eight hundred dollars

One assistant superintendent of typists one thousand six hundred dollars

One messenger in charge of instruments one thousand five hundred dollars

One recorders' messenger one thousand one hundred dollars

Fifty-five typists one thousand five hundred dollars

One chief clerk copyists one thousand eight hundred dollars

One assistant chief clerk copyist one thousand six hundred and fifty dollars

Twenty-nine recopyists one thousand five hundred dollars

Thirty special typists one thousand five hundred dollars

Three registration typists one thousand five hundred dollars

One state clerk one thousand five hundred dollars

One chief custodian one thousand three hundred dollars

One custodian of records one thousand three hundred dollars.

Six custodians of records one thousand four hundred dollars

Two assistant custodians of records one thousand two hundred dollars

Three assistant custodians of records one thousand two hundred dollars

One mechanician one thousand five hundred dollars

Two assistant watchman one thousand fifty dollars

One janitor nine hundred sixty dollars

Two assitant janitors nine hundred sixty dollars

One bookbinder one thousand two hundred dollars and

Two assistant bookbinders eight hundred dollars

Of the prothonotary ten thousand dollars

Of the clerk of the courts of oyer and terminer and quarter sessions eight thousand dollars

Of the deputy clerk of courts thirty-five hundred dollars

Of the employes in the office of the clerk of courts as follows

One court clerk number one four thousand five hundred dollars

Eight court clerks four thousand dollars each

Nine assistant court clerks two thousand four hundred dollars each

One stenographer two thousand five hundred dollars

One chief account clerk two thousand five hundred dollars

One assistant chief account clerk one thousand eight hundred dollars

One cashier and clerk one thousand seven hundred dollars

One assistant cashier and clerk one thousand five hundred dollars

One naturalization clerk two thousand dollars

One assistant naturalization clerk one thousand five hundred dollars

One chief record appearance and appeal clerk one thousand eight hundred dollars

One record clerk one thousand six hundred fifty dollars

Three assistant record clerks one thousand three hundred fifty dollars each

One license clerk one thousand six hundred dollars

One assistant license clerk one thousand three hundred fifty dollars

One road clerk one thousand six hundred dollars

Two fee clerks one thousand six hundred dollars each

Four clerks one thousand eight hundred dollars each

Two stenographers one thousand three hundred fifty dollars each
Four subpoena clerks one thousand three hundred fifty dollars each
One warrant clerk one thousand three hundred fifty dollars
One custodian of records one thousand three hundred and fifty dollars
One assistant custodian of records one thousand two hundred dollars
One custodian and clerk one thousand three hundred and fifty dollars
One assistant custodian and clerk one thousand two hundred dollars
One clerk to court officers one thousand three hundred fifty dollars
Eleven miscellaneous clerks one thousand three hundred fifty dollars each
Two miscellaneous clerks one thousand two hundred dollars each
One clerk one thousand five hundred dollars
Four clerks one thousand three hundred and fifty dollars each
Five clerks one thousand two hundred dollars each
One assistant road clerk one thousand three hundred fifty dollars each
Two messengers one thousand dollars each
Of the register of wills five thousand dollars
Of the deputy register of wills twenty-five hundred dollars
Of the employes in the register of wills' office as follows
One chief clerk seventeen hundred dollars
One assistant chief clerk sixteen hundred dollars
One bookkeeper and cashier fifteen hundred dollars
Three transcribing clerks fifteen hundred dollars each
Four recording clerks fifteen hundred dollars each
One inventory clerk fifteen hundred dollars
Four index clerks fifteen hundred dollars
Three compare clerks fifteen hundred dolars
Six miscellaneous clerks one thousand five hundred dollars each
Four account clerks fifteen hundred dollars each
Two clerks fifteen hundred dollars each
One search clerk fifteen hundred dollars
Two stenographers fifteen hundred dollars each
One messenger twelve hundred dollars
One messenger and custodian twelve hundred dollars
One chief compare clerk two thousand dollars
One chief account clerk one thousaid five hundred dollars
Two custodians twelve hundred dollars each
One janitor one thousand dollars
Two janitors nine hundred dollars each
One telephone operator one thousand dollars
One interpreter two thousand dollars
Of the assistant clerks of the orphans' court as follows
First assistant clerk four thousand dollars
Second assistant clerk three thousand dollars
Third assistant clerk twenty-three hundred dollars
All other assistants' salaries shall be fixed by the judge or judges of the orphans' court not to exceed two thousand dollars
Of the district attorney twelve thousand dollars
Of the first assistant district attorney seven thousand five hundred dolars
Of two assistant district attorneys six thousand dollars each
Of four assistant district attorneys five thousand dollars each
Of four assistant district attorneys four thousand dollars each
Of three assistant district attorneys three thousand dollars each
In the event of the appointment of a less number of assistants than herein provided for the district attorney shall determine in which class as to salaries the appointees shall be placed
Of the chief county detective four thousand dollars and necessary traveling expenses
Of the assistant chief county detective three thousand dollars and necessary traveling expenses
Of the fourteen special county detectives one hundred and seventy-five dollars per month and necessary traveling expenses

Section 242 Counties of the second class In all counties of the second class the annual salaries of the county officers deputies and clerks shall be as follows
Of the county commissioners eight thousand dollars each
Of the controller eight thousand dollars
Of the solicitor to the controller three thousand dollars
Of the treasurer eight thousand dollars
Of the county engineer six thousand dollars
Of the deputy county engineer four thousand dollars
Of the members of the board of viewers five thousand dollars each
Of the sheriff eight thousand dollars
Of the coroner eight thousand dollars
Of the recorder of deeds eight thousand dollars
Of the prothonotary eight thousand dollars
Of the clerk of the courts of quarter sessions and oyer and terminer eight thousand dollars
Of the register of wills and ex-officio clerk of the orphans' court five thousand dollars
Of the assistant clerk of the orphans' court salaries shall be fixed by the register of wills with the approval of the judges of the orphans' court
Of the district attorney ten thousand dollars
Of the first assistant district attorney six thousand dollars
Of the second assistant district attorney five thousand dollars
Of the third assistant district attorney forty-five hundred dollars
Of the fourth assistant district attorney thirty-nine hundred dollars
Of four assistant district attorneys thirty-two hundred dollars each
Of two assistant district attorneys twenty-seven hundred dollars each
Of the chief county detective four thousand dollars and necessary traveling expenses
Of the assistant chief county detective three thousand dollars and necessary traveling expenses
Of the special county detectives one hundred and seventy-five dollars per month and necessary traveling expenses
Of the jury commissioners twelve hundred dollars each

Section 243 Counties of the third class In counties of the third class the annual salaries of county officers deputies and clerks shall be as follows
Of the county commissioners four thousand dollars each
Of the controller four thousand dollars
Of the deputy controller twenty-five hundred dollars
Of the solicitor to the controller two thousand dollars
Of the treasurer five thousand dollars
Of the deputy treasurer twenty-five hundred dollars
Of the county surveyor, (where such officer exists) one hundred dollars
Of the members of the board of viewers seven dollars and fifty cents per day each for each day actually and necesarily spent in the performance of the duties of their office and five cents per mile for each mile actually and necessarily traveled in the performance of the duties of their office
Of the sheriff six thousand dollars
Of the chief deputy sheriff twenty-five hundred dollars
Of the coroner two thousand dollars
Of the recorder of deeds four thousand dollars
Of the deputy recorder of deeds twenty-five hundred dollars
Of the prothonotary six thousand dollars
Of the deputy prothonotary twenty-five hundred dollars
Of the clerk of the courts of quarter sessions and oyer and terminer four thousand dollars
Of the deputy clerk of courts twenty-five hundred dollars
Of the register of wills and ex officio clerk of the orphans' court four thousand dollars
Of the assistant clerks of the orphans' court
First assistant thirty-five hundred dollars
Second assistant twenty-five hundred dollars
Third assistant eighteen hundred dollars
All other assistants' salaries shall be fixed by the judge or judges of the orphans' court not to exceed fifteen hundred dollars
Of the district attorney six thousand dollars
Of the first assistant district attorney three thousand six hundred dollars
Of the second assistant district attorney three thousand dollars
Of the third assistant district attorney twenty-five hundred dollars

Of the fourth assistant district attorney not to exceed two thousand dollars

Of the chief county detective two thousand five hundred dollars and necessary traveling expenses

Of the assistant county detectives two thousand two hundred dollars each and necessary traveling expenses

Of the jury commissioners nine hundred dollars each

Section 244 Counties of the fourth class In all counties of the fourth class the annual salaries of the county officers deputies and clerks shall be as follows

Of the county commissioners four thousand dollars

Of the county controller four thousand dollars

Of the treasurer five thousand dollars

Of the county surveyor three hundred dollars

Of the members of the board of viewers seven dollars and fifty cents per day each for each day actually and necessarily spent in the performance of the duties of their office and five cents per mile for each mile actually and necessarily traveled in the performance of the duties of their office

Of the sheriff six thousand dollars

Of the coroner two thousand dollars

Of the recorder of deeds four thousand dollars

Of the prothonotary six thousand dollars

Of the clerk of courts of quarter sessions and oyer and terminer four thousand dollars

Of the register of wills and ex officio clerk of the orphans' court four thousand dollars

Of the assistant clerks of the orphans' court where a separate orphans' court is or may be established

First assistant twenty-five hundred dollars

Second assistant two thousand dollars

Third assistant fourteen hundred dollars

All other assistants' salaries shall be fixed by the judge of the orphans' court not to exceed twelve hundred dollars

Of the district attorney five thousand dollars

Of the indictment and cost clerk twelve hundred dollars

Of the first assistant district attorney in counties of the fourth class having a population of two hundred thousand and more three thousand six hundred dollars

Of the second assistant district attorney in counties of the fourth class having a population of two hundred thousand and more three thousand dollars

Of the third assistant district attorney in counties of the fourth class having a population of two hundred thousand and more twenty-five hundred dollars

Of the fourth assistant district attorney in counties of the fourth class having a population of two hundred thousand and more not to exceed two thousand dollars

Of the first assistant district attorneys in counties of the fourth class having a population of less than two hundred thousand inhabitants three thousand dollars

Of the second assistant district attorney in counties of the fourth class having a population of less than two hundred thousand inhabitants two thousand dollars

Of the stenographer to the district attorney not to exceed sixteen hundred dollars

Of the county detective three thousand dollars or one county detective at two thousand five hundred dollars and one assistant county detective at one thousand eight hundred dollars

Of the jury commissioners five hundred dollars each

Section 245 Counties of the fifth class In all counties of the fifth class the annual salaries of the county officers deputies and clerks shall be as follows

Of the county commissioners three thousand dollars each and where such county commissioners are also directors of the poor then thirty-five hundred dollars each

Of the controller three thousand five hundred dollars and all necessary traveling expenses

Of the treasurer commissions fixed under the provisions of section two hundred and forty-nine of this act

Of the county surveyor fees

Of the members of the board of viewers seven dollars and fifty cents for each day actually and necessarily spent in the performance of the duties of their office and five cents per mile for each mile actually and necessarily traveled in the performance of the duties of their office

Of the sheriff four thousand dollars and necessary traveling expenses

Of the coroner fees

Of the recorder of deeds fees

Of the prothonotary fees

Of the clerk of the courts of quarter sessions and oyer and terminer fees

Of the register of wills fees

Of the clerk of the orphans' court fees

Of the district attorney five thousand dollars

Of two assistant district attorneys not to exceed two thousand dollars each to be fixed by the president judge of the court of quarter sessions

Of the stenographer to the district attorney not to exceed sixteen hundred dollars

Of the jury commissioners four dollars per day and four cents per mile circular from residence to court house

Section 246 Counties of the sixth class In all counties of the sixth class the annual salaries of the county officers deputies and clerks shall be as follows

Of the commissioners in counties of the sixth class having a population of less than seventy-five thousand inhabitants eighteen hundred dollars each and where such county commissioners are also directors of the poor then twenty-five hundred dollars each

Of the commissioners of counties of the sixth class having a population of seventy-five thousand or more twenty-two hundred dollars each and where such county commissioners are also directors of the poor then twenty-eight hundred dollars each

Of the auditors five dollars each for each day necessarily employed in the discharge of their duties and six cents per mile circular from and to their homes once for each week so employed

Of the controller (where such office exists) in counties of the sixth class having a population of less than sixty thousand inhabitants one thousand dollars

Of the controller (Where such office exists) in counties of the sixth class having a population of sixty thousand and more but less than seventy thousand inhabitants one thousand two hundred dollars

Of the controller (where such office exists) in counties of the sixth class having a population of seventy thousand or more but less than eighty thousand inhabitants one thousand five hundred dollars

Of the controller (where such office exists) having a population of eighty thousand and more but less than ninety thousand inhabitants two thousand dollars

Of the controller (where such office exists) in counties of the sixth class having a population of ninety thousand and more two thousand five hundred dollars

Of the treasurer commissions fixed under provisions of section two hundred and forty-nine of this act

Of the county surveyor fees

Of the members of the board of viewers seven dollars and fifty cents for each day actually and necessarily spent in the performance of the duties of their office and five cents per mile for each mile actually and necessarily traveled in the performance of the duties of their office

Of the sheriff fees

Of the coroner fees

Of the recorder of deeds fees

Of the prothonotary fees

Of the clerk of the courts of quarter sessions oyer and terminer fees

Of the register of wills fees

Of the clerk of orphans' court fees

Of the district attorney in counties of the sixth class having a population of less than sixty thousand inhabitants fifteen hundred and sixty-two dollars and fifty cents

Of the district attorney in counties of the sixth class having a population of sixty thousand and more but less than seventy thousand inhabitants eighteen hundred and seventy-five dollars

Of the district attorney in counties of the sixth class having a population of seventy thousand and more but less than eighty thousand inhabitants twenty-five hundred dollars

Of the district attorney in counties of the sixth class having a population of eighty thousand and more but less than ninety thousand inhabitants thirty-one hundred and twenty-five dollars

Of the district attorney in counties of the sixth class having a population of ninety thousand and more inhabitants five thousand dollars

Of one assistant district attorney not to exceed fifteen hundred dollars to be fixed by the president judge of the court of quarter sessions

Of the jury commissioners four dollars per day and four cents a mile circular from residence to court house

Section 247 Counties of the seventh class In all counties of the seventh class the annual salaries of the county officers deputies and clerks shall be as follows

Of the commissioners one thousand dollars each and where such county commissioners are also directors of the poor then eighteen hundred dollars each

Of the auditors five dollars each for each day necessarily employed in the discharge of their duties and six cents a mile circular from and to their homes once for each week so employed

Of the controller (where such office exists) in counties of the seventh class having a population of less than thirty thousand inhabitants five hundred dollars

Of the controller (where such office exists) in counties of the seventh class having a population of thirty thousand inhabitants and more but less than forty thousand inhabitants six hundred dollars

Of the controller (where such office exists) in counties of the seventh class having a population of forty thousand and more eight hundred dollars

Of the treasurer commissions fixed under provisions of section two hundred and forty-nine of this act

Of the county surveyor fees

Of the members of the board of viewers seven dollars and fifty cents for each day actually and necessarily spent in the performance of the duties of their office and five cents per mile for each mile actually and necessarily traveled in the performance of the duties of their office

Of the sheriff fees

Of the coroner fees

Of the recorder of deeds fees

Of the prothonotary fees

Of the clerk of the courts of quarter sessions and oyer and terminer fees

Of the register of wills fees

Of the clerk of the orphans' court fees

Of the district attorney in counties of the seventh class having a population of less than thirty thousand inhabitants six hundred and twenty-five dollars

Of the district attorney in counties of the seventh class having a population of thirty thousand and more but less than forty thousand inhabitants one thousand dollars

Of the district attorney in counties of the seventh class having a population of forty thousand and more twelve hundred and fifty dollars

Of the jury commissioners four dollars per day and four cents per mile circular from residence to the court house

Section 248 Counties of the eighth class In all counties of the eighth class the annual salaries of the county officers deputies and clerks shall be as follows

Of the commissioners five hundred dollars each and where such county commissioners are also directors of the poor the eight dollars each

Of the auditors five dollars each for each day necessarily employed in the discharge of their duties together with six cents per mile circular from and to their home once for each week so employed

Of the controller (where such office exists) in counties of the eighth class having a population of less than ten thousand inhabitants three hundred dollars

Of the controller (where such office exits) in counties of the eighth class having a population of ten thousand and more four hundred dollars

Of the treasurer commissions fixed under provisions of section two hundred and forty-nine of this act

Of the county surveyor fees

Of the members of the board of viewers seven dollars and fifty cents for each day actually and necessarily spent in the performance of the duties of their office and five cents per mile for each mile actually and necessarily traveled in the performance of the duties of their office

Of the sheriff fees

Of the coroner fees

Of the recorder of deeds fees

Of the prothonotary fees

Of the clerk of the courts of quarter sessions and oyer and terminer fees

Of the register of wills fees

Of the clerk of the orphans' court fees

Of the district attorney five hundred dollars

Of the jury commissioners four dollars per day and four cents per mile circular from residence to the court house

Section 249 Compensation of treasurer in counties of the fifth sixth seventh and eighth classes The county treasurer of counties of the fifth sixth seventh and eighth classes shall receive in full compensation for his services a certain amount per centum of all moneys received and paid by him Such rate shall be settled from time to time by the county commissioner with the aproval of the county auditors or county controller where the office of auditors has been abolished

In every case where the county commissioners and the county auditors have fixed the compensation of the county treasurer or where they have failed to fix the compensation of the county treasurer an appeal may be taken to the court of common pleas by the commissioners or treasurer in the same manner that appeals may be taken from the reports of county auditors or settlement of the accounts of county treasurers On every such appeal the court shall have the power in its discretion to fix such compensation finally

Section 250 Salaries not otherwise provided for The salary or compensation of all solicitors deputies assistants clerks and employes that are not fixed or otherwise provided for by the provisions of this act shall be fixed by the salary board in all counties having a salary board and by the county commissioners in all other counties Provided however That whenever under the provisions of existing law such power is now vested in and exercised by any other body such power shall continue to be exercised by such board or body and not by the salary board or county commissioners

2 Salary Board

Section 261 Salary board in counties of the second third fourth and fifth classes The county controller and the county commissioners in counties of the second third fourth and fifth classes are hereby constituted a board whose duty it shall be to fix and determine the number and compensation of employes of all county officers boards bureaus departments and divisions of the county whether elected by the people or appointed according to law Provided however The number of said employes and the salaries to be paid them have not otherwise been specifically determined or some other method of determining the same provided by an Act of Assembly

Section 262 MEETINGS OF THE SALARY BOARD The board shall organize on the first Monday in January in each year by the election of one of its members as chairman and by the election of one of its members as Secretary It shall meet on the call of the chair or when at least three members thereof have presented to the secretary a written request duly signed by them in which case the secretary shall call a meeting giving each member at least forty-eight (48) hours notice in writing Each elective county officer other than those constituting the salary board and the president judge of the several courts shall be entitled to sit as a member of said board and be entitled to vote so long as the matter affecting his office is under consideration and no longer These officers shall be given special notice when any meetings of the board is to be held at which matters affecting their offices are to be considered and the decision of a majority of the board shall govern in all cases A full minute of all meetings of said board shall be entered in a book kept by the secretary for that purpose which shall be a public record

Section 263 Appeals from salary board If after such decision is made any officer or tax payer shall think that the number of clerks or deputies is too few or too great or the compensation fixed for either is too small or too large as the same may have been determined by the board he may appeal from the action thereof to the court of common pleas which shall hear and determine such appeal as promptly as possible The decision of the court thereon shall be final Each of said boards shall keep a correct minute-book of its proceedings in all cases heard and determined by it which shall be a public record

3 General Provisions

Section 271 How salaries to be paid Except in counties of the first class all salaries provided for by this act or that may hereafter be provided for by law shall be paid out of the general funds in the county treasury on warrants drawn by the county commissioners on orders of each officer for himself and for all persons appointed by him and countersigned by the controller if such office exists The warrant for salaries of deputies assistants and other persons whose appointment must be authorized by any court shall also be countersigned by a judge of the court authorizing such appointment

Section 272 When salaries to be paid All salaries fixed by this act shall be paid semi-monthly on the first and fifteenth day of each month

Section 273 Payment of members of boards and viewers In counties of the first and second classes the salaries of the members of the board of viewers shall be paid quarterly In all other counties the compensation of such members shall be paid monthly under such conditions as to verification of time of employment as may be prescribed by the rules and regulations which shall be made in that behalf by the courts of the respective counties

Section 274 Salaries in lieu of fees et cetera Disposition of fees et cetera In such cases All salaries fixed by this act or that may hereafter be fixed by law shall be in full compensation for all services and shall be in lieu of all moneys fees commissions and perquisites which are now or may hereafter be provided for any officer whose salaries are so fixed All such moneys fees commissions and perquisites (except taxes and fees collected for the Commonwealth) shall belong to the county It shall be the duty of all such officers to collect all such fees and commissions for the use of the county and to pay the same into the county treasury

All rights of action and all other remedies granted or extended to said officers for the collection of their respective fees are hereby extended and shall inure to the benefit of the several counties

Section 275 Officers paid by salary to keep account of fees Payment to county Each officer who is or hereafter may be paid a fixed salary and whose duty it is to collect any fees or commissions for the use of the county shall keep a special account-book the forms of which shall be prescribed by the controller or where such office does not exist then by the county auditors in which an entry shall be made of all the moneys received for fees and for all moneys earned and chargeable upon the county specifying the day and date the title of the case if any for what service and from whom received On the first Monday of each month such officer shall pay to the county treasurer all fees so received during the preceding month taking duplicate receipts therefor One of such receipts he shall deposit with the county controller or the county auditors together with a transcript in detail of his fee account-book or books for the preceding month to which he shall make oath or affirmation before the county controller or the county auditors that the said transcript contains a true and correct list of all the fees receiverd earned or chargeable upon the county for services rendered in his office either by himself deputies or clerks during the preceding month that said fees were severally charged and collected at regular rates and that he has not received and is not to receive from any person or persons whatsoever for any official services or duty any other fees than those so entered on said transcript No warrant shall be drawn for the payment of any of said officers his deputies or clerks who has not filed such receipt and transcript It shall be the duty of the county controller or the county auditors to file said receipts and transcripts in his or their office and to charge the county treasurer with the money for fees so paid in Where fees are paid to one office which are for services rendered or to be rendered by another the officer receiving such fees shall specify the same on his account-book and on his transcript as of the office to which they properly belong

The sheriff of counties of the fifth class shall also enter in such special account-book all moneys earned but not collected and chargeable upon any person and shall verify the correctness of such entries and pay the amount thereof into the county treasury

Section 276 False swearing Penalty Any county officer or any other person who shall wilfully swear or affirm falsely as to the accuracy of any account transcript or bill required by the preceding section of this act or in making any affidavit in reference thereto shall be guilty of perjury and upon conviction thereof shall be liable to the punishment prescribed by the laws of this Commonwealth for perjury Any person who shall procure any other person to swear or affirm falsely in verifying any such account transcript or bill or in making any affidavit in reference thereto shall be guilty of subornation of perjury and upon conviction thereof shall be liable to the punishment prescribed by law for that offense

Section 277 officers paid by salary Penalty In any officer who is paid by salary shall receive or stipulate to receive from any deputies or clerks appointed by him or from any person or persons awarded any contract any sum or sums of money as compensation for making any of the said appointments or contracts or shall neglect to render the accounts required by this act or to pay over the moneys received for fees or shall wilfully neglect to make any proper entry in the book or books required to be kept or shall wilfully neglect to charge for any official services the fees allowed by law or shall appropriate to his own use any such fees or fail to comply with any of the provisions of this act or neglect to discharge any of the duties herein imposed he shall be guilty of a misdemeanor in office and shall upon conviction thereof be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for a term not exceeding one year and in addition thereto he shall refund the said sum or sums of money thus unlawfully received or appropriated to his own use or which he wilfully neglected to charge and shall be incapable of holding longer the said office

Section 278 Deputies and clerks in counties of the first second third fourth and fifth classes In counties of the first second third fourth and fifth classes all deputies and clerks receiving a salary from the county shall make oath or affirmation before the county controller or president of the board of county commissioners that they have duly rendered services for which they claim a salary and that at no time since their appointment have they paid directly or indirectly nor at any time promised to pay any money or other thing of value because of such appointment to the county officers appointing or retaining them Said salary shall be paid direct to the person entitled to receive the same

Section 279 Books records etc to be kept open for inspection All books records papers and accounts kept by all county officers shall be open to the inspection of the county controller county auditors county commissioners or any taxpayer who shall have power to examine the same at any time he or they may wish to do so for the purpose of verifying therefrom the monthly abstracts provided for by section two hundred and seventy-five of this act

Section 280 Counties of the first second third and fourth classes Certain officers to be paid in full Limitations on other officers In counties of the first second third and fourth classes the county commissioners controller treasurer solicitor surveyor engineer detectives the district attorney and his assistants the jury commissioners and the members of the board of viewers and all deputies clerks and employes of such officers shall be paid the full amount of salary provided for by this act or that may hereafter be provided for by law

All other county officers in such counties whether elected or appointed shall be paid the full amount of such salaries only when the fees collected and paid in by or for the respective officers or earned where the fees are chargeable upon the county treasury (except fees and taxes for the Commonwealth) are equal to or greater than the combined salaries of the officer and his deputies and clerks If the fees so collected and paid in or earned by any officer (other than those enumerated above) during any month are not sufficient to pay the salaries of such officer and his deputies and clerks the deputies and clerks shall first be paid in full Provided That the register of wills and ex officio clerk of the orphans' court shall first be paid his salary in full before paying the salaries of the assistant clerk or clerks of the orphans' court If there are more than one such assistant clerks the balance of fees remaining to the credit of the office of register of wills and clerk of the orphans' court shall be divided among such assistants in the same proportions as the salaries of each bears to the total salaries of all the assistants

Any defict in the salary of any officer or of any assistant clerks of the orphans' court may be paid out of any surplus of fees credited to such office from any preceding months or that may be so credited during any subsequent months during the term of office of the individual incumbent

Section 281 Certain officers paid by fees Account of fees and payment over of surplus In counties of the fifth sixth seventh and eighth classes the prothonotary clerk of the courts of quarter sessions and oyer and terminer clerk of the orphans' court register of wills and the recorder of deeds shall keep or cause to be kept a fair and accurate account of all fees received for services performed by them or any person employed by them in their respective offices They shall also on the first Monday of January of each year furnish a copy of said account upon oath or affirmation to the county controller or county auditors as the case may be They shall also pay to the county treasurer for the use of the county after deducting all necessary clerk hire and

office expenses fifty per centum on the amount of any excess over and above the sum of three thousand dollars which shall be found by the controller or auditors to have been received by any officer in any one year If two or more of said officers are held by one person the controller or auditors shall add together the fees received in the offices so held and shall charge the same percentage on the aggregate amount of fees received by such person holding more than one of said offices

Section 282 Penalty Any county officer or any deputy assistant clerk or employee of such officer who shall wilfully and fraudulently receive or take any reward or fee to execute and do his duty and office but such as is or shall be allowed by some act of assembly of this Commonwealth or who shall receive or take by color of his office any fee or reward whatever not or more than is allowed as aforesaid shall be guilty of a misdeameanor in office and on conviction shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo an imprisonment not exceeding one year

Section 283 Certain cities co-extensive with counties In all cases where a city containing over three hundred thousand inhabitants is co-extensive in boundaries with the county all of the officers known therein as city treasurer city controller city commissioners shall severally be regarded as county officers and as such shall severally be subject to all the provisions of sections two hundred and seventy-one to two hundred and eighty-two both inclusive of this act and shall have all the powers and perform all the duties thereby enjoined and be subject to the same penalties as if they had each been elected or appointed as county officers and had been designated as such

(p) Fees

1 Counties of the first class

Section 291 Surveyor's fee bill The fees to be paid to collected received and charged by the surveyors in counties of the first class shall be as follows

For receiving warrant and giving receipt for the same if required twenty-five cents

For executing warrants not exceeding one hundred acres four dollars and fifty cents

For each additional one hundred acres on same warrant seventy-five cents

For return of survey to surveyor-general's office one dollar

For draft thereof to the warrantee twenty-five cents

For executing order of re-survey and making return thereof same fees as for like service on original survey

For certifying survey made by deputy fifty cents

For each mile necessarily traveled in going to and returning from land ten cents

Section 292 Sheriff's fee bill The fees to be paid to collected received and charged by sheriffs of counties of the first class shall be as follows

For receiving making endorsements thereon docketing and making return thereof to each writ rule process decree order bill in equity subpoena citation statement or notice issued out of any court one dollar

For serving personally or by copy each writ of scire facias replevin foreign attachment attachment attachment execution injunction mandamus quo warranto partition inquisition or other writ each bill in equity summons rule process decree order citation subpoena subpoena in divorce statement of claim series of interrogatories proclamation or notice of any kind issued out of any court one dollar for the first service and fifty cents for every other defendants or other party served and forty cents for each copy served or posted in addition to mileage or for serving the same by publication in one or more newspapers when required by law or order of court two dollars and seventy-five cents in each case in addition to printer's bill

For executing landlord's warrants writs of levari facias fieri facias venditioni exponas venire facias habeas corpus retorno habendo and replevin one dollar and mileage on each writ in addition to the following For each levy on personal property one dollar and mileage for levying on each piece or parcel of land one dollar and mileage for advertising personal property to public sale two dollars and seventy-five cents and mileage for advertising real estate to public sale by publication in newspaper two dollars and seventy-five cents for each tract in addition to printer's bill for advertising real estate to public sale by hand-bills two dollars and seventy-five cents for each tract or set of bills and mileage for summoning and swearing jury and making return to inquisitions held on said writs four dollars in addition to jury fees and fee for serving notices and mileage where the inquisition is held on the premises for crying any sale or personal property one dollar and when the same continues longer than three hours three dollars per day for crying the sale of each tract of land and each adjourned sale one dollar for clerk hire at said sale when necessary two dollars per day for watchman taking charge of property levied on when necessary two dollars per day also reasonable expenses of insurance arranging goods for sale heat light storage rent transportation feeding live stock and similar expenses incurred in caring and keeping goods and chattels levied upon when the same is necessary and advantageous or when requested by the plaintiff or defendant to incur such expense for delivering lands to plaintiff in inquisition or similar proceedings two dollars and seventy-five cents and no commission in such case to be taken

For executing writs of habere facias liberari facias dower possession or any possessory process requiring the delivery of possession of real estate or the ejecting or dispossessing of any person or persons or their effects five dollars and mileage and reasonable costs for help when absolutely necessary in addition to costs of sale when made

For executing writs of partition inquisition appraisement of real estate or similar writs issued out of any court the following costs for receiving docketing and making return thereto one dollar for each service fifty cents and mileage for each copy served forty cents for summoning jury four dollars for advertising notice two dollars and seventy-five cents in addition to printer's bill for holding inquisitions four dollars per day and mileage in addition to jury fees and expenses for executing writ three dollars in addition to artist's or surveyor's fee

For executing any process warrant capias attachment decree sentence or order of court where the defendant's body is to be taken in custody as follows For receiving docketing and making return one dollar for each arrest one dollar and mileage for transportation of each prisoner the actual amount paid to the common carrier for such transportation or the actual cost of such transportation by motor vehicle in addition to necessary help and expenses

For paying out money made or received on any writ process decree order or sentence of court two cents on every dollar awarded and applied or paid on any judgment mortgage encumbrance or other claim provided that the amount of same does not exceed five hundred dollars in which case one-half cent on every dollar in excess of this amount awarded and applied or paid as aforesaid said commission to be allowed whether the money is paid with or without sale and also in all cases where after levy the debt has been paid direct to plaintiff or a compromise made without the money going through the sheriff's hands

For levying or paying out fines three cents per dollar to be paid by party receiving fine

For advertising general or special elections two dollars and seventy-five cents in addition to printer's bill to be paid by the county

For advertising general or special elections by hand bills two dollars and seventy-five cents for each polling place and mileage to be paid by county

For each commitment in any criminal matter fifty cents to be paid by the county

For discharging prisoners in any criminal or civil case fifty cents to be paid by the county

For executing bail-piece or taking bond in any matter whether civil or criminal one dollar

For executing death warrant twenty-five dollars in addition to all necessary expenses the same to be paid by the county

For drawing juries for each general and special term or session of court three dollars in addition to one dollar for executing each venire and thirty cents for summoning each juror to attend court all of these fees to be paid by the county

For fee on indictment on every capital case three dollars in every other criminal case one dollar and twenty-five cents to be paid by the county

For appraisement of personal property by virtue of any act of assembly four dollars for each appraisement this to include fees of appraiser if they are not employed over one day

For making and acknowledging deeds three dollars to be paid by the purchaser and to include fee of prothonotary for acknowledging deed but not to include fee for recording

For attending court bringing into and removing therefrom prisoners for arraignment trial and sentence and for

the execution of any other order of court the sum of three dollars per day for the sheriff and each deputy for each and every day of court where the sheriff or deputy is actually present to be paid by the county

For traveling expenses or mileage in serving or executing any of the writs rules orders decrees processes or performing any of the duties or services herein specified and intended so to be or authorized by law the sheriff shall be entitled to receive and have taxed as costs six cents a mile for each mile actually traveled and necessary the same to be allowed on each separate writ rule order decree process or service performed He shall not receive more than one mileage where the plaintiff and defendant or plaintiffs and defendants in two or more contemporaneous writs are the same nor shall he receive more than one mileage when conducting two or more prisoners at one time to or from a place of detention or correction whether he is authorized by one or more writs

For traveling expenses on an execution returned nulla bona and non est inventus where the sheriff has been at the defendant's last residence each mile traveled ten cents

For services performed in his capacity as a conservator of the peace or police officer in suppressing riots mobs and insurrections and where discharging a duty requiring the summoning of a posse comitatus or special duty sheriffs the said sheriff shall receive a per diem compensation of not less than three dollars and as much more as is commensurate with the services performed together with mileage and necessary expenses including subsistence of himself and of those under him the same to be paid by the county

For all services performed by the sheriff but more properly belonging to the jurisdiction of a constable he shall receive the same fees as constables unless otherwise provided by law

For serving any rule process decree or order of court not hereinbefore specially provided for one dollar in addition to mileage

For summoning and returning a struck and special jury to be paid by the party putting off or losing the cause three dollars and four cents mileage each mile circular

For receiving process order of court or notice from the juvenile court making endorsements thereon docketing and making return of each such process order or notice seventy-five cents For executing any such process order or notice where a child is to be taken into custody seventy-five cents In addition thereto for mileage in serving or executing any such processes orders or notices the sheriff shall be entitled to receive and have taxed as costs three cents a mile for each mile actually traveled and necessary the same to be allowed on each separate process order or notice Provided he shall not receive more than one mileage where the defendants in two or more contemporaneous orders processes or notices are the same and for transportation of each child three cents per mile in addition to necessary help and expense The probation officer shall certify to the judge presiding in the juvenile court the demand upon the sheriff for his services together with a statement of the fees and expenses and the court shall approve the same or so much thereof as may be found correct and direct by whom they shall be paid

For the execution of any matter directed to the sheriff or authorized by law or rule of court or for services not herein provided for the sheriff shall receive the same fees as for similar services herein provided for

Section 293 Coroner's fee bill The fees to be paid to collected received and charged by coroners in counties of the first class shall be as follows

For viewing a dead body two dollars seventy-five cents summoning and qualifying inquest drawing and returning inquisition one dollar thirty seven and a half cents summoning and qualifying each witness twenty-five cents to be paid out of the goods chattels lands or tenements of the slayer (in case of murder or manslaughter) if any he hath otherwise by the county with mileage from the court house to the place of viewing the body executing any process or writs of any kind the same fees as are allowed to the sheriff and the same mileage

Section 294 Prothonotary's fee bill The fees to be paid to collected received and charged by prothonotaries in counties of the first class shall be as follows

Issuing every writ of summons capias certiorari or other original writ except those which are herein specifically provided for together with the services at the first court entering pleadings and appearance one dollar and fifty cents

Issuing every writ of fieri facias scire facias venditioni exponas levari facias habere facias mandamus execution or other writ of execution not herein specifically provided for seventy-five cents

Stationery fifty cents

Services of every subsequent court previous to trial twenty-five cents

All services during the trial of a cause including swearing of jury and witnesses one dollar

Taking a recognizance twenty-five cents

Entering motion and fining reasons in arrest of judgment for new trial or for judgment non obstante vere dicto twenty-five cents

Entering satisfaction of judgment or discontinuance of suit or making suit or judgment to use fifty cents

Issuing subpoena under seal twenty-five cents

Issuing attachment in contempt and motion thereof each name one dollar

Copy of record or paper filed for every ten words two cents

Certificate and seal fifty cents

Certified copy of rule including seal and certificate seventy-five cents

Drawing special jury striking same and copies for parties seventy-five cents

Every search where no other service is performed to which any fee is attached fifteen cents

Certificate and seal to search twenty-five cents

Locality search including certificate and seal forty cents

Each lien or judgment certified and each additional name on general or locality search ten cents

Entering judgment on bond and warrant of attorney upon confession of defendant for want of appearance plea or want of an affidavit of defense or sufficient affidavit of defense on verdict demurrer including judgment index entry and statement of plaintiff one dollar and twenty-five cents

Entering judgment on single bill seventy-five cents

Entering amicable action filing papers stationery and services at first court one dollar and twenty-five cents

Entering transcript of judgment from justice of the peace or magistrate including docket entry fifty cents

Taxing bill of costs other than prothonotary's twenty-five cents

Retaxing bill of costs and report thereon fifty cents

Taking testimony thereon for every ten words two cents

Making return to writ of error one dollar

Entering proceedings of Supreme or Superior court fifty cents

Citation and seal and motion therefor one dollar and fifty cents

Suggesting death of party or diminution of record or substituting a party each party fifteen cents

Administering oath other than on trial of cause twenty-five cents

Amending record on motion twenty-five cents

Entering appointment of guardian ad litem twenty cents

Subpoena or alias subpoena in divorce one dollar

Filing and docketing libel in divorce one dollar

Application for maintenance or alimony one dollar

Filing and docketing motions and rules and other pleadings in divorce each fifty cents

Proclamation one dollar and fifty cents

Certificate of divorce under seal three dollars and fifty cents

Order of publication one dollar

Entering decree in minute book and docket each fifty cents

Indexing in divorce index twenty-five cents

Docketing and filing bill to perpetuate testimony order of court thereon and recording same one dollar and thirty-five cents

Commission to take testimony and entering return one dollar

Notifying each party of return of commission when required twenty-five cents

Entering acknowledgment of sheriff's or treasurer's deed including certificate of the same one dollar

Filing election return of general or municipal elections to be paid by the county one dollar

Service at computation of returns of general or municipal elections for each election division to be paid by the county fifty cents

Filing and docketing petitions for appointment of assessors election officers or other petitions in relation to elections to be paid by the county seventy-five cents

Transmitting to Secretary of the Commonwealth copies of election returns for each person returned to be paid by the county twenty-five cents

Filing and docketing balances due from collectors including judgment docket entry each case twenty-five cents

Filing and entering county auditors' reports each case to be paid by the county fifty cents

Notifying county commissioners auditor or directors of the poor of their election and time of meetings to be paid by the county each fifteen cents

Filing any paper not relating to any suit pending and not herein provided for including docket entry one dollar

Entering rule of reference and copy under seal sixty cents

Appointment of arbitrators and docketing same and proof of service of rule fifty cents

Each copy of rule or notice to arbitrators thirty-five cents

Filing and entering report of arbitrators including judgment docket entry fifty cents

Receiving and entering appeal from an award of arbitrators taking recognizance and affidavit seventy-five cents

Filing and docketing petition for the appointment of a commission de lunatico and for inquisition in re habitual drunkard for the appointment of a committee in insolvency for the sale of unclaimed goods or other petitions in connection with any proceedings including order of courts thereon each two dollars and fifty cents

Filing any original petition not herein provided for two dollars and fifty cents

Issuing commission in lunacy and entering return one dollar

Writ to sheriff in lunacy one dollar

Entering confirmation or inquisition and appointment of committee in lunacy one dollar

All services on sale of lunatic's or habitual drunkard's estate including filing of committee's account two dollars and fifty cents

Filing each subsequent account one dollar

Filing and docketing other documents in said proceedings each twenty-five cents

Writs of habeas corpus and all proceedings thereon one dollar

Filing and entering mechanic's lien or municipal lien each property seventy-five cents

Entering ejectment suit on ejectment index twenty-five cents

Entering testatum fi fa ca sa or venditioni exponas one dollar

Receiving and distributing money paid into court for each dollar under five hundred two cents

For each dollar exceeding five hundred one cent

Issuing venire each case upon the jury trial list seventy-five cents

Entry of such case upon the jury trial list twenty-five cents

Recording any document requiring by law to be recorded for every ten words two cents

Drawing filing and docketing bond and justification thereon including seal and oath one dollar and seventy-five cents

Drawing and filing justification including seal and oath fifty cents

Filing and docketing account or report of assignee auditor trustee committee sequestrator master or examiner two dollars and fifty cents

Filing and docketing petition for jury to assess land damages for feme sole traders (under acts of eighteen hundred and fifty-five and eighteen hundred and seventy-two) for the satisfaction of lost or ancient mortgage for the extinguishment of ground-rent for adoption including order of court thereon five dollars

Filing corporate charter petition for change of corporate name or alteration or amendment of charter for merger and all proceedings thereon five dollars

Filing and docketing and all proceedings in assignment for the benefit of creditors up to and including bond and justification of assignee and surety five dollars

Filing and docketing appeal from the award of road jury and railroad jury one dollar and twenty-five cents

Filing and docketing affidavit of ownership in ejectment fifty cents

Filing and docketing affidavit of real owner in mortgage groundrent mechanic's lien and municipal lien fifty cents

Issuing and docketing order of sale in partition one dollar and fifty cents

Filing and docketing bill in equity and rule to appear and answer three dollars and fifty cents

Issuing alternative mandamus quo warranto and return thereon including entry of appearance pleadings and all services at first court three dollars and fifty cents

Issuing and docketing injunction and order of court thereon two dollars and fifty cents

Jury fee in each case tried by jury four dollars

Issuing writ of scire facias or alias scire facias on lien claim judgment to revive judgment sur bail in error sur recognizance sur certificate of the orphans' court to executors and administrators of deceased party to garnishee in foreign attachment or on bill of discovery seventy-five cents

Issuing attachment sur judgment sur libel domestic attachment foreign attachment and under the act of one thousand eight hundred and sixty-nine one dollar and twenty-five cents

Entering certiorari to Supreme or Superior Court and bond thereon with justification three dollars

Filing exemplification of judgment from another county one dollar and twenty-five cents

Bail-piece one dollar and fifty cents

Indexing suit against a decedent's estate twenty-five cents

Indexing judgment assignment of judgment or lis pendens in judgment index twenty-five cents

Filing and indexing sheriff's certificate of attachment upon real estate one dollar

Entering satisfaction upon judgment and locality indexes each entry twenty-five cents

Entry restriction of lien of judgment each property fifty cents

Certified copy under seal or registration of physician student-at-law veterinarian or dentist one dollar

Entry of motion and order of court for admission of attorney-at-law and certificate thereof two dollars

Certificate of official capacity under seal one dollar

Certificate to exemplification of record under act of Congress one dollar

Entering revival of judgment by agreement one dollar and twenty-five cents

Entering transcript from the orphans' court of amount due by executor administrator or guardian each entry fifty cents

Entry of precept from orphans' court two dollars and fifty cents

Each entry upon locality indexes twenty-five cents

Every suit ended before issued joined or before jury trial two dollars

For indexing judgments or assignments in the adsectum judgement index twenty-five cents in addition to any fees authorizing by existing laws

The fee for services not herein specially provided for shall be the same as for similar service Provided however That the provisions of this act shall not apply to counties having a population of less than one million four hundred thousand as compared by the preceding United States census

Section 295 Clerk of courts fee bill The fees to be paid to collected received and charged by the clerk of courts of quarter sessions and oyer and terminer for counties of the first class shall be as follows

For the Court of Oyer and Terminer

All services performed in any one prosecution where a bill is found by the grand jury except subpoena four dollars

Ignoramus where a bill is returned two dollars

Subpoenas the same fees as are allowed the clerks of quarter sessions

Certificate and seal certificate the same fees as are allowed the clerk of quarter sessions

For the Court of Quarter Sessions

Appeals from alderman twenty-five cents
Affidavits twenty-five cents
Attachments one dollar
Bail-piece one dollar
Bail bond one dollar
Bail bond justification of one dollar
Bail notice for new court each five cents
Bail notice for old court each five cents
Bench warrants one dollar

Bonds for liquor license filing frame and glass two dollars and fifty cents
Bonds for constables one dollar
Commitment at labor to county prison fifty cents
Commitment to eastern penitentiary fifty cents
Commitment to house of refuge fifty cents
Commitment to house of correction fifty cents
Certificate and seal each twenty-five cents
Certificate for constables fifty cents
Certificate of acknowledgment fifty cents
Certificate for writ of habeas corpus one dollar
Certificate for Fairmont park commissioners in duplicate two dollars
Certificate on city treasurer one dollar and twenty-five cents
Certificate for nolle prosequi one dollar
Certificate for payment of jurors fifty cents
Certificate for payment of road jurors fifty cents
Certificate for the sheriff to draw jurors one dollar
Certificate for the sheriff to draw grand jurors one dollar
Certificate when judge acts as a magistrate affidavit warrant and service one dollar and fifty cents
Certificate for ignored bill fifty cents
Certificate in breach of peace case fifty cents
Certificate in apprentice case fifty cents
Certificate of reconsideration of sentence fifty cents
Commission on lunacy swearing commission filing and recording et cetera two dollars and fifty cents
Commisison on lunacy pauper's papers two dollars and fifty cents
Certified copy of record bill of indictment two dollars
Certified copy of record docket entries one dollar
Certified copy of record entries in road cases one dollar
Citations fifty cents
Constables return on liquor license one dollar
Dog register one dollar
Declaration of intention to become a citizen one dollar
Discharge on ignored bill fifty cents
Discharge on bail entered fifty cents
Discharge prisoner from dock twenty-five cents
Desertion cases in lieu of all fees chargeable two dollars
Exemplification of the record homicide four dollars
Exemplification of the record general cases two dollars
Fi fa debt seventy-five cents
Filing and entering reasons for new trial fifty cents
Filing and entering motions in arrest of judgment fifty cents
Filing and entering bail bond or recognize from magistrate fifty cents
Filing and issuing summons for recognizance seventy-five cents
Filing and entering docket entries each fifty cents
Indictment process on docket entry and sheriff's return thereon seventy-five cents
Ignoramus where bill is returned two dollars
Joinder in issue and entering pleas twenty-five cents
Joinder retraction of twenty-five cents
Jurors defaulting issuing notices to fifty cents
Jurors fieri facias against seventy-five cents
Madamus and proceedings thereon two dollars
Motion and rule other than elsewhere provided for twenty-five cents
Naturalization adults two dollars
Naturalization minors two dollars
Naturalization soldiers two dollars
Petition and order for a view or a review of a road or bridge under seal orders to open filing report recording et cetera five dollars
Recognizance calling and entering forfeiture twenty-five cents
Recognizance forfeited respited or discharging and motion therefor twenty-five cents
Recognizance taking each one dollar
Return to writ of error one dollar
Receiving and entering constables return twenty-five cents
Record or paper filed for every ten words one cent
Search from judgment to docket single name forty cents
Search from judgment to docket extra single name ten cents
Search from judgment to docket two names extra and so on twenty-five cents
Subpoena and seal twenty-five cents
Subpoena each name after first two cents
Services of clerk where true bill is found in lieu of all items chargeable in fee bill three dollars
Services in all other cases fifty cents
Seizure warrant of proceedings thereon one dollar
Seal in every case twenty-five cents
Summons on recognizance seventy-five cents
Supreme court entering proceedings of one dollar
Supreme court on warrant of seizure one dollar
Supreme court one return to writ of error seventy-five cents
Taxing a bill of costs other than the clerk's of the sessions fifty cents
Swearing grand jury two dollars
Swearing petit jury in each case one dollar
Venire for grand jury one dollar
Venire for petit jury one dollar
Venire for special jury one dollar
Venditioni exponas issuing writ seventy-five cents

Section 296 Fees of clerk of orphans' court and of the register of wills The fees to be paid to collected received and charged by the register of wills and clerk of the orphans' court in counties of the first class shall be fixed by the judges of the orphans' court under the provisions of existing laws

Section 297 District attorney's fee bill The fees to be collected received and charged for district attorneys of counties of the first class shall be as follows

For drawing bill of indictment and prosecuting the same for every homicide one hundred dollars and twenty dollars additional for every day of trial exceeding one day
For every such bill returned ignoramus twenty dollars
For drawing bill of in indictment and prosecuting same for every offense triable only in the court of oyer and terminer and general jail delivery except homicide eighteen dollars and ten dollars additional for every day of trial exceeding one day
For every such bill returned ignoramus ten dollars
For drawing bill of indictment and prosecuting the same for every offense triable in the court of quarter sessions of the peace fifteen dollars and five dollars additional for every day of trial exceeding one day
For every such bill returned ignoramus five dollars
For every such case settled with leave of court five dollars
For every case where a nolle prosequi is entered ten dollars
For every surety of the peace case ten dollars
For every desertion and non-support case ten dollars
For every juvenile case ten dollars
For every appeal from a summary conviction and trial in the court of quarter sessions ten dollars
For every habeas corpus from summary conviction and trial in the court of quarter sessions ten dollars
For entering suit and obtaining judgment on forfeited recognizance fifteen dollars
For every homicide case where insanity is pleaded at arraignment and a special jury called to try said issue fifty dollars
For arguing case before Supreme Court ten dollars

Section 298 Recorder's fee bill The fees to be paid to collected received and charged by recorder of deeds in counties of the first class shall be as follows

For recording all instruments of writing for each and every five hundred (500) words or fractional part thereof one dollar

For exemplification of records for each and every five hundred (500) words or fractional part thereof one dollar
For certificate and seal fifty cents

For recording or exemplifying of commissions for notary public with bond and oath five dollars city and county officers five dollars magistrates five dollars special railroad police officers two dollars and fifty cents
For noting an instrument on margin of record as follows
Noting assignments of mortgages twenty-five cents
Noting extension of mortgages twenty-five cents
Noting releases of mortgages twenty-five cents
Noting revocation of powers of attorney twenty-five cents
Noting any other instrument required by law twenty-five cents
Noting satisfaction of mortgages on certificates of search twenty-five cents

For entering satisfaction of mortgages of every description on the margin of the record with certificates one dollar
For making searches as follows

Mortgages on first ten years previous to date of certificate each name one dollar

Each additional ten years on fractional part thereof each name fifty cents

Each reference examined ten cents

Conveyance and assignment of mortgages

For each and every ten years or fractional part thereof each name one dollar

Each reference examined ten cents

Certificate and seal fifty cents

For recording certificate or certificates of bankruptcy proceedings the same fees as charged for recording deeds

2 Counties of the Second Class

Section 302 Sheriff's fee bill The fees to be paid to collected received and charged by sheriffs of counties of the second class shall be as follows

For receiving docketing and making return thereof for each writ scire facias replevin retorno habendo summons foreign attachment attachment execution subpoena in divorce alias subpoena in divorce satisfaction of mortgage injunction mandamus quo warranto bill in equity rule decree order citation subpoena series of interrogatories proclamation or notice of any kind in any civil action issued out of any court or required by law or rule of court one dollar

For serving such process or any statement of claim personally or by copy one dollar and fifty cents and mileage

For each additional defendant or party served or copy posted fifty cents and mileage

For making each copy served or posted forty cents

For return of tarde venit fifty cents

For return of non est inventus fifty cents and mileage

Provided however That no charges for service shall be made upon an alias or pluries writ if the same has been charged upon the original

For serving the same by publication in one or more newspapers as required by law or order of court two dollars and seventy-five cents in each case in addition to printer's bill

For serving any rule decree process or order of court not hereinbeore specifically provided for he shall charge and receive the same official fees and legal costs as for a writ served in a similar way as hereinbefore provided

For executing writs of levari facias fieri facias venditioni exponas and any writ or order issued out of any court requiring the levy and seizure of lands and tenements and selling the same acording to law for receiving docketing and making return thereof two dollars

For levying on each separate piece or parcel of land one dollar and mileage

For advertising to public sale in newspapers each piece or parcel of land two dollars and seventy-five cents in addition to printer's bill

For advertising to public sale by hand-bills each piece or parcel of land separately described by metes and bounds two dollars and seventy-five cents and mileage in addition to printer's bill

For crying the sale of each separate piece or parcel of land separately sold and each adjourned sale one dollar

For clerk hire when necesary per day two dollars

In addition the sheriff shall charge and receive as an official fee a commission charge of two cents on every dollar based upon the total amount bid for the property whether paid to the sheriff or credited to the purchaser Provided that the amount of same does not exceed one thousand dollars in which case one-half cent (½c.) on every dollar in excess of this amount shall be charged in addition

For the settlement or staying of any writ embraced in this section of this act the execution of same not being concluded he shall receive the same fee for receiving docketing and making return for levying advertising milage and commission upon such sums as would be charged and received if sale had been made upon said writ whether paid to him or to the plaintiff or a compromise be made between plaintiff and defendant

For making and acknowledging any deed for lands and tenements three dollars

For registering the same in third-class cities one dollar and twenty-five cents

For registering the same in townships one dollar and fifteen cents

For mileage actually traveled and necessary

For the fee of the prothonotary for the acknowledgment

For the fee of the recorder for recording

All of which fees shall be paid by the purchaser

For executing any writ of inquiry partition appraisement venire facies or any similar writ issued by any court alderman justice of the peace or commissioner under any act of Assembly for receiving docketing and making return thereof one dollar

For summoning personally or by copy for first service one dollar and fifty cents and mileage

For each additional service personally or by copy or posting fifty cents and mileage

For making each copy served or posted forty cents

For summoning and swearing jurors four dollars

For execution of writ four dollars

For holding inquisition four dollars per day and mileage if same be held upon the premises in addition to jurors' artists' or surveyors' fees and necessary expenses

For serving the same by publication in one or more newspapers as required by law or order of court two dollars and seventy-five cents in addition to printer's bill

For delivering lands to plaintiff in inquisition of similar proceedings two dollars and seventy-five cents and no commission in such case shall be charged

For executing fieri facias attachment foreign attachment retorno habendo and replevin or any writ or order issued out of any court requiring the levy and seizure of property and selling the same according to law for receiving docketing and making return thereof two dollars

For each levy on personal property one dollar and mileage

For clerk hire at said sale per day two dollars

For advertising personal property to public sale two dollars and seventy-five cents and mileage

In addition the sheriff shall charge and receive as an official fee a commission charge of two cents on every dollar based upon the total amount realized from said sale whether paid to the sheriff or credited to the purchaser on account of any writ provided that the amount of same does not exceed one thousand dollars in which case one-half cent (½c) on every dollar in excess of that amount shall be charged in addition

For watchmen taking charge of property levied upon when necessary for each legal day of eight hours two dollars

For insurance arranging goods for sale heat light storage rent transportation feeding livestock and similar expenses incurred in caring for and keeping the goods and chattels levied upon when the same is necessary and advantageous or when requested by the defendant or plaintiff to incur any such expenses the actual cost thereof

For the settlement or staying of any writ embraced in this section of this act the execution of the same not being concluded he shall receive the same fees for receiving docketing and returning levying advertising mileage and commission upon such sums as would be charged and received if sale had been made upon said writ whether paid to him or to the plaintiff or a compromise be made between plaintiff and defendant

For the appraisement of personal property by virtue of any act of Assembly four dollars Each appraiser to receive the sum of one dollar and the sheriff one dollar for each appraisement Provided That in any case where the appraisement of a large quantity of goods shall be required the sheriff may apply by petition to the court or a judge thereof having jurisdiction over said matter setting forth the facts and said court or judge may make an order fixing the sum to be allowed and paid to the sheriff as the proper cost of making such appraisement which sum so fixed and allowed shall be taxed as the sheriff's proper legal costs in addition to the official fee of one dollar to be charged and collected by him

For notifying the Auditor General of the proposed sale of the property or the franchise of any corporation or joint-stock association three dollars

For executing venire facias or venire facias jurotores issued out of any court for receiving docketing and making return thereof an each venire two dollars

For drawing from jury-wheel and summoning each juror drawn one dollar and mileage and necessary expenses

All of which fees shall be paid by the county

For executing writs of habare facare liberari facias dower possessionem or possessory process requiring the delivery of possession of real estate or ejecting or dispossessing any person or persons of their effects five dollars and mileage and reasonable costs for help when absolutely necessary in addition to the cost of sale when made

For executing any process warrant capias attachment decree sentence or order of court issued out of any court where the defendent's body is taken into custody as follows

For receiving docketing and making return thereof one dollar

For each arrest one dollar and mileage in addition to necessary help and expenses

For transportation to each prisoner ten cents per mile

For each commitment to jail or place of detention of any juvenile court in any criminal or civil matter fifty cents

All of which fees shall be paid by the county

For discharging a prisoner from jail or place of detention of any juvenile court in any criminal or civil case fifty cents

For executing bail-piece or taking bond in any matter whether civil or criminal one dollar

He shall receive for the indictment in each oyer and terminer case the sum of three dollars and in each quarter sessions court case the sum of one dollar and fifty cents

For each bill ignored by the grand jury one dollar and fifty cents

For each case acted upon by any juvenile court one dollar and fifty cents

For each non-support or desertion case acted upon by any court the sum of one dollar and fifty cents

All of which fees shall be paid by the county

For removing an insane to any institution for the confinement of the insane or any person to the penitentiary workhouse Huntingdon Reformatory or to any charitable institution or any institution where persons are confined or detained under any commitment sentence or order of court two dollars and fifty cents on each commitment or order in addition to mileage and necessary expenses Provided however That the mileage for the person in charge under commitment or order shall be based upon the miles actually traveled by him

All of which fees shall be paid by the county

For attending court bringing into and removing therefrom prisoners for arraignment trial and sentence the sum of four dollars per day for the sheriff or each deputy for each and every day of oyer and terminer court quarter sessions court juvenile court or county court where the sheriff or deputy is actually present to be paid by the county

For levying or paying out fines three cents per dollar to be paid by the party receiving the fine

For advertising general or special elections two dollars and seventy-five cents to be paid by the county

For advertising general or special elections by hand-bills for each polling place two dollars and seventy-five cents and mileage to be paid by the county

For serving notice on the judge of each election district in special elections seventy-five cents to be paid by the county

For services performed in his capacity as a conservator of the peace or police officer in suppressing riots mobs or insurrections and when discharging the duty requiring the summoning of a posse comitatus or special deputy sheriff shall receive a per diem compensation of not less than ten dollars and as much more as is commensurate with the services performed together with the mileage and necessary expenses including subsistence for himself and those under him to be paid by the county unless otherwise provided by law

For mileage in serving or executing any of the writs rules decrees orders or processes or performing any of the duties for service herein specified and intended to be authorized by law the sheriff shall be entitled to charge and receive and may tax as official fees ten cents a mile for each mile actually traveled and necessary and the same shall be allowed upon each separate writ rule order decree process or service performed Provided That he shall not receive more than one mileage where the plaintiff and defendant in two or more contemporaneous writs are the same

For the executing of any matter directed to the sheriff or authorized by law or rule of court the service of which is not herein provided for the sheriff shall receive the same official fees and legal costs for similar services herein provided for

Section 303 Coroner The fees to be paid to collected received and charged by coroners for counties of the second class shall be the same as are provided by this act for similar services rendered by coroners of counties of the first class

Section 304 Prothonotary's fee bill The fees to be paid to collected received and charged by prothonotaries in counties of the second class shall be as follows

Action in Assumpsit

Entering issuing writ or alias writ and entering sheriff's return one dollar and twenty-five cents

All other docket entries before filing of pleas or entering judgment two dollars

Filing of plea or entering judgment one dollar

Action in Trespass

Entering issuing writ or alias writ of summons or capias ad respondendum and entering sheriff's return one dollar and twenty-five cents

All other docket entries before filing of pleas or entering judgment two dollars

Filing of plea or entering judgment one dollar

Adoption

Entering petition docketing and certificate seventy-five cents

Appeals

To Supreme and Superior Courts and bond thereon with justification three dollars

From aldermen justice of the peace and county court one dollar and fifty cents

Receiving and entering appeals from an award of arbitrators taking recognizance and affidavit one dollar

Receiving and entering appeal from board of viewers or assessors one dollar and twenty-five cents

Receiving and entering appeal from recount of election returns two dollars

Arbitrators

Entering of rule to choose fifty cents

Entering of rule to refer fifty cents

Assignments

Noting docketing and indexing sixty cents

Attachment

Attachment execution domestic attachment foreign attachment and under the act of one thousand eight hundred and sixty-nine filing docketing and issuing writ one dollar and twenty-five cents

Subsequent docket entries prior to judgment two dollars

Issuing attachment in contempt and motion thereof each name one dollar and twenty-five cents

Issuing attachment for defaulting witness fifty cents

Issuing attachment defaulting juror fifty cents

Bail

Bail-piece one dollar

Bail for stay entry and certificate one dollar

Receiving and care of cash deposit in lieu of surety two per cent on the first five hundred dollars and one per cent on any additional amount

Certificate

Certifying record and seal fifty cents

Issuing certificate of appointment of commissioner fifty cents

Issuing certificate of appointment of master fifty cents

Issuing certificate of appointment of auditor fifty cents

Issuing certificate of no appeal one dollar

Issuing certificate of no liens for each five years or fraction thereof one dollar

Issuing certificate of liens for each five years or fraction thereof one dollar and twenty cents for each lien unsatisfied

Issuing certificate of no suits for each five years or fraction thereof one dollar

Certificate of commission to notary alderman and justice of the peace fifty cents

Certified copy of order of court for each page or fraction thereof thirty cents

Certificate and seal fifty cents

Issuing certified copy of docket entry one dollar and fifty cents

Issuing certificate authorizing the collection of birds' nests or eggs for scientific purposes one dollar

Entering certificates of judgment against boroughs townships and school districts rendered by a justice or alderman fifty cents

Certiorari

Issuing writ and all proceedings thereon three dollars and seventy-five cents

Case Stated

Filing and docketing one dollar and twenty-five cents
All subsequent entries three dollars

Change of name

Filing and docketing petition two dollars

Charter

Filing corporate charter petition for change of corporate name or alteration or amendment of charter for merger and all proceedings thereon five dollars and seventy-five cents

Citation

Filing and docketing petition issuing writ and return thereon one dollar and twenty-five cents
Docketing all further proceedings two dollars

Commission

Commission to take testimony docketing and entering thereon one dollar and twenty-five cents
Commission de lunatico inquirendo filing and docketing petition one dollar and twenty-five cents
Commission in partition and entering return one dollar and twenty-five cents

Condemnation of Property

Filing and docketing petition bond order of court and all subsequent docket entries four dollars and seventy-five cents

Contract

Filing and docketing building contract one dollar and twenty-five cents

Depositions

Entry of rule fifty cents

Dissolution

Of charter or partnership filing and docketing all proceeding thereon five dollars and twenty-five cents

Divorce

Filing and docketing libel issuing subpoena and entering sheriff's return one dollar and twenty-five cents
Issuing alias subpoena and entering sheriff's return one dollar and twenty-five cents
All subsequent docket entries including certified copy of decree three dollars and fifty cents

Election

Filing election returns custody of and delivery of same to returning board entering official returns in election docket each district one dollar
To be paid by the county
Reporting and certifying election of justice of the peace and all county State and other officers whose election is required to be reported and certified to the Secretary of the Commonwealth each officer certified fifty cents
To be paid by the county
Certificate of appointment of election officers one dollar and seventy-five cents
Petition to open ballot-box filing and docketing and certified copy of order one dollar and seventy-five cents

Ejectment

Issuing writ and entering sheriff's return one dollar and twenty-five cents
Indexing and all subsequent docket entries prior to plea two dollars and twenty-five cents
Filing plea or entering judgment thereon one dollar

Equity

Filing of bill one dollar and twenty-five cents

Escheat

Entry and docketing proceedings five dollars

Estrepment

Issuing of writ one dollar and twenty-five cents

Exemplification

Record from other county filing and entering the same one dollar and twenty-five cents

Feme Sole Trader

Petition docketing and all services thereunder four dollars and seventy-five cents

Fieri Facias

Issuing and docketing writ entering sheriff's return seventy-five cents
Issuing and docketing testatum fieri facias and entering sheriff's return seventy-five cents
Docketing and indexing testatum fieri facias from other county one dollar and twenty-five cents

Financial Statement

Filing and docketing one dollar and tweny-five cents

Guardian

Filing and docketing petition and all subsequent proceeding including certificate of appointment four dollars and seventy-five cents

Habeas Corpus

Issuing writ one dollar and twenty-five cents

Habere Facias

Issuing writ docketing and entering sheriff's return seventy-five cents

Habitual Drunkards

Filing and docketing petition and all subsequent proceedings four dollars and seventy-five cents

Injunction

Writ for preliminary injunction one dollar and twenty-five cents

Inquiry

Issuing of writ one dollar and twenty-five cents

Insolvency

Filing petition docketing and all subsequent proceedings four dollars and seventy-five cents

Judgments

Docketing and indexing confessed judgments one dollar and twenty-five cents
Entering satisfaction thereon fifty cents
Indexing judgments or assignments in the adsectum judgment index twenty-five cents in addition to any other fee authorized by law

Judges Detailment of

Entry of order and certificate two dollars
To be paid by the county

Levari facias

Issuing writ docketing and entering sheriff's return seventy-five cents

Lien

Release postponement restriction satisfaction or discontinuance fifty cents

Lists

Preparing files and records for cases on trial list each case twenty-five cents
To be paid by the county
Preparing trial or argument list each case twenty-five cents to be paid by the county

Lunacy

Filing and docketing petition and all subsequent entries therein four dollars and seventy-five cents

Mandamus

Filing docketing petition issuing writ and entering return and all other services four dollars and seventy-five cents

Mechanic's lien

Entering docketing and indexing one dollar and twenty-five cents

Mortgages satisfaction thereof

Filing docketing petition and all subsequent proceedings including certificate four dollars and seventy-five cents

Municipal Lien

Entering docketing and indexing one dollar and twenty-five cents

Naturalization

Duplicate copy of naturalization papers one dollar

Oath of Office

Filing and docketing one dollar and seventy-five cents

Overseers of Election

Filing petition for appointment one dollar and twenty-five cents
Each certificate fifty cents

Party Name

Filing docketing and certificate for pre-emption of party name three dollars and seventy-five cents

Prepetuating Testimony

Filing and docketing petition one dollar and twenty-five cents
Entering order of court thereon and recording the same three dollars

Partition

Filing docketing and issuing writ of summons and entering sheriff's returns one dollar and twenty-five cents
Subsequent docket entries prior to judgment two dollars
Entry to judgment therein one dollar
Writ de partitione faciendo one dollar and twenty-five cents

Petition

Filing petition for oral examination as to title of property one dollar
Filing and docketing any petition not herein specifically provided for two dollars and fifty cents

Possession

Entry, issuing writ and return thereon one dollar and twenty-five cents

Quo Warranto

Filing and docketing petition issuing writ and all further proceedings thereon two dollars and fifty cents

RECEIPT

Entering or issuing fifty cents

Registration and Certificate

Partnerships physicians veterinarians dentist and stallions one dollar

Remittur

Entering the same from Supreme or Superior courts one dollar

Replevin

Entry issuing writ and all services prior to judgment three dollars and twenty-five cents
Issuing writ of retorno habendo seventy-five cents

Reports

Report to county commissioners of every judgment or lien assignment or satisfaction thereof each ten cents
Not to exceed six hundred dollars per annum
Entering report of treasurer and acknowledging treasurer's deed one dollar and fifty cents

School Auditor

Docketing order of appointment one dollar and twenty-five cents
Each certificate issued fifty cents
Entry of auditors official oath fifty cents
Entry of report of school auditors' docket for each page of report thirty cents

School Directors

Docketing order of appointment and certificates thereof in districts of the first class two dollars

Scire Facias

Sur mortgage filing docketing issuing writ certificate to recorder entering on scire facias and entering sheriff's return one dollar and seventy-five cents
Alias writ one dollar and twenty-five cents
All other writs of scire facias and alias writs filing docketing issuing indexing and entering sheriff's return ne dollar and twenty-five cents

Suggestion of Freehold

Entry and certificate one dollar

Subpoena

Issuing of twenty-five cents

Tax Lien

Filing and entering each fifty cents
Satisfaction of each fifty cents
Filing and entering where special dockets are required and indexing on judgment index each one dollar and twenty-five cents
Filing and entering suggestion and averment of unpaid tax or municipal claim and indexing judgment docket one dollar

Transcribing

Any paper or record per page or fraction thereof thirty cents

Transcript

Docketing and indexing transcript from alderman justice of the peace and county court one dollar and twenty-five cents

Venditioni Exponas

Issuing writ and entering sheriff's return seventy-five cents

Verdict

Verdict fee and indexing in judgment docket four dollars

Viewers

Docketing petition one dollar and twenty-five cents
Issuing precept one dollar and twenty-five cents
All subsequent docket entries three dollars
Certified copy of report three dollars

Workhouse Release

Making out petition and certificate one dollar
The fees hereinbefore enumerated shall be exclusive of any State tax now levied or that may hereafter be levied

Services not otherwise provided for

Docketing entering filing or performing any other service authorized by law or rule of court not otherwise provided for the same fees as for similar services herein provided for
Section 305 Clerk of court's fee bill The fees to be paid to collected received and charged by clerks of the courts of quarter sessions and oyer and terminer in counties of the second class shall be as follows
Appeals from alderman twenty-five cents
Affidavit fifty cents

Attachments or process on any cause one dollar
Bail-piece two dollars
Ballots preparing for jury per panel two dollars and fifty cents
Bail-bond one dollar
Bail-bond justification filing of twenty-five cents
Bench warrants one dollar
Bonds for liquor license-filing frame and glass two dollars and fifty cents
Bonds for pedler's license one dollar and twenty-five cents
Bonds for constables one dollar
Bonds for tax collectors (original) two dollars and seventy-five cents
Bond for tax collectors (renewal each year) one dollar
Certificate of election of municipal officers each fifty cents
Commitment to county prisons fifty cents
Commitment to eastern or western penitentiary fifty cents
Commitment to house of refuge fifty cents
Commitment to house of correction fifty cents
Commitment to detention-room (juvenile) fifty cents
Certificate of incorporation of new municipalities to Superinendent of Public Instruction five dollars
Certificate for constables for election or appointment one dollar
Certificate of acknowledgment fifty cents
Certificate for writ of habeas corpus one dollar
Certificate to county treasurer (each name paid by county) one dolar
Certificate for nolle prosequi one dollar
Certificate for payment of juriors (each name) one dollar
Certificate for payment of road jurors fifty cents
Certificate for the sheriff to draw jurors one dollar and fifty cents
Certificate for the sheriff to draw grand jurors one dollar and fifty cents
Certificate for the sheriff to draw special venire one dollar and fifty cents
Certificate when judge acts as a magistrate affidavit warrant and service one dollar and fifty cents
Certificate for ignored bill one dollar
Certificate in breach of peace case fifty cents
Certificate in apprentice case fifty cents
Certificate of reconsideration of sentence fifty cents
Commission on lunacy swearing commission filing and recording et cetera two dollars and fifty cents
Commission on lunacy paupers' papers two dollars and fifty cents
Certified copy or record bill of indictment two dollars
Certified copy of report of laying out or vacating public road five dollars
Certified copy of record docket-entries (quarter sessions) one dollar
Certified copy of record docket-entries (oyer and terminer) two dollars
Certified copy of record docket-entries in road cases five dollars
Citation fifty cents
Constables' quarterly returns one dollar
Detective license filing application for and advertisement twenty-five dollars
Dog register one dollar
Declaration of intention to become a citizen one dollar
Discharge on ignored bill fifty cents
Discharge on bail entered fifty cents
Discharge prisoner from dock twenty-five cents
Desertion cases in lieu of all fees chargeable two dollars
Exemplification of the record homicide five dollars
Fi fa debt one dollar
Filing and entering reasons for new trial fifty cents
Filing and entering motions in arrest of judgment fifty cents
Filing and entering bail-bond or recognizance from magistrate fifty cents
Filing and issuing summons for recognizance seventy-five cents
Filing and entering coroner's return (each inquisition) fifty cents
Filing and entering petition for appointment of auditors tax collectors constables and all other municipal officers two dollars
Filing and entering auditor's reports one dollar
Filing and recording proceedings for redistricting or change of polling-place proceedings each district three dollars
Filing and entering opinions of court of common pleas Superior or Supreme Court two dollars
Filing and docket-entries true bill three dollars
Filing and entering certiorari or appeals to common pleas Superior or Supreme Court three dollars and fifty cents
Filing and entering remittitur from Superior or Supreme Court three dollars
Filing and entering exceptions (road cases) two dollars and fifty cents
Filing and entering petitions (juvenile) three dollars
Filing and recording of increase of bonded indebtedness proceedings (per page or part thereof) three dollars and fifty cents
Ignoramus where bill is returned two dollars
Jurors defaulting issuing notices to one dollar
Jurors fieri facias against one dollar
Liquor license filing application for five dollars
Liquor license filing and recording petition for revocation thereof three dollars
License to loan money filing application for one hundred dollars
Mandamus and proceedings thereon four dollars
Motion and rule other than elsewhere provided for twenty-five cents
Naturalization adults two dollars
Naturalization minors two dollars
Naturalization soldiers two dollars
Naturalization certificate or duplicate thereof each two dollars
Petition and order for a view or a review of a road or bridge under seal orders to open filing report recording et cetera ten dollars
Petition filing of and entering proceedings in inebriate cases three dollars
Petition filing and proceeding for the removal of feebleminded insane or criminal insane persons from any penal institution three dollars
Petition for writ of habeas corpus three dollars
Release from any institution by order of court fifty cents
Recording election returns each election district two dollars and fifty cents
Recognizance calling and entering forfeitures fifty cents
Recognizance forfeited respited or discharged and motion therefor fifty cents
Recognizance taking each one dollar
Return to writ of error one dollar
Services of clerk where true bill is found in case of felony five dollars
Search from judgment to docket single name forty cents
Search for judgment to docket extra single name ten cents
Search from judgment to docket two names extra and so on twenty-five cents
Subpoenas and seal twenty-five cents
Seal in every case twenty-five cents
Summons on recognizance seventy-five cents
Swearing grand jury four dollars
Swearing petit jury in each case four dollars
Taxing the bill of costs other than the clerk's of the sessions fifty cents
Venire for grand jury one dollar and fifty cents
Venire for petit jury one dollar and fifty cents
Venire for special jury one dollar and fifty cents
Venditioni exponas issuing writ seventy-five cents
The fee for services not herein specially provided for shall be the same as for similar services

Section 306 Fees of clerk of orphans' court and of the register of wills The fees to be paid to collected received and charged by the register of wills and clerk of the orphans' court in counties of the second class shall be fixed by the judges of the orphans' court under the provision of existing laws

Section 307 District attorney's fee bill The fees to be collected received and charged for district attorneys of counties of the second class shall be as follows

For drawing bill of indictment and prosecuting the same for every homicide one hundred dollars and twenty dollars additional for every day of trial exceeding one day
For every such bill returned ignoramus twenty dollars
For drawing bill of indictment and prosecuting the same for every offense triable only in the court of over and terminer and general jail delivery except homicide fifteen dollars and ten dollars additional for every day exceeding one day
For every such bill returned ignoramus eight dollars
For drawing bill of indictment and prosecuting the same for every offense triable in teh court of quarter sessions of the peace eight dollars and five dollars additional for every

day of trial exceeding one day For every such bill returned ignoramus five dollars For every such case settled with leave of court five dollars

For every surety of the peace case five dollars

For every homicide case where insanity is pleaded at arraignment and a special jury called to try said issue one hundred dollars

For arguing case before Supreme Court ten dollars

Section 308 Recorder's fee bill The fees to be paid to collected received and charged by the recorders of deeds in counties of the second class shall be as follows

For recording deeds the minimum fee for not more than one description or more than four legal cap typewritten pages shall be three dollars and for each additional description twenty-five cents extra

For recording sheriff's deeds three dollars

For indexing deeds mortgages and all other writings with more than four names ten cents extra for each additional name

For recording agreements leases oil and gas leases rights of way municipal ordinance vacating streets lanes or alleys or parts thereof of not more than four legal cap typewritten pages the minimum fee shall be three dollars and fifty cents for each additional legal cap typewritten page or fractional part thereof

For recording assignments of agreements leases oil and gas leases rights of way or other instrument of writing by separate paper except such as are herein specially provided of not more than two legal cap typewritten pages the minimum fee shall be two dollars and fifty cents for each additional page or fractional part thereof

For recording adjudication in bankruptcy two dollars

For recording widow's election one dollar and seventy-five cents

For recording widow's appraisement two dollars and seventy-five cents

For recording release of legacies one dollar and seventy-five cents

For recording soldier's discharge one dollar Fee to be paid by the county

For recording decree of feme sole trader two dollars

For recording declaration of trust of not more than one description of property or more than four legal cap typewritten pages the minimum fee shall be three dollars and fifty cents for each additional page or fractional part thereof

For recording decree or order of court of not more than two legal cap typewritten pages two dollars and fifty cents for each additional page or fractional part thereof

For recording mortgages of not more than one description or more than four legal cap typewritten pages the minimum fee shall be three dollars and each additional description twenty-five cents extra

For recording assignment of mortgage when attached to mortgage at time of recording one dollar

For recording assignment of mortgage by separate paper of not more than one assignment one dollar and seventy-five cents for noting each additional assignment twenty-five cents

For recording satisfaction partial payment postponement on release by separate paper one dollar and seventy-five cents

For exerting satisfactions assignments partial payments releases extensions and postponements on margin of mortgage record fifty cents

For entering partial payment release extension and assignment under one marginal entry fifty cents for first item and twenty-five cents for each additional item

For mortgage searches on not more than one piece of property each name one dollar and for each unsatisfied mortgage shown fifty cents

For reporting mortgage lien assignment or satisfaction thereof to the county commissioners or board of assessors ten cents each to be paid by the county

For recording or exemplifying of commission for notary public with bond and oath five dollars city or county officer with bond and oath five dollars justice of the peace or alderman with bond and oath five dollars and fifty cents special police officer three dollars

For exemplification of special police officer's oath one dollar

For furnishing Auditor General with information concerning limited partnerships twenty-five cents

For affidavit and acknowledgement of bondsmen for notary public justice of the peace alderman one person fifty cents two persons seventy-five cents

For recording powers of attorney of not more than two names or more than two legal cap typewritten pages the minimum fee shall be two dollars and fifty cents for each addtional page or fractional part thereof

For noting any instrument on margin of record twenty cents

For recording charters or limited partnerships of not more than four legal cap typewritten pages the minimum fee shall be three dollars and fifty cents for each additional page or fractional part thereof

For recording bank bonds two dollars

For recording certificate or certificates of bankruptcy proceedings the same fees as are now charged for recording deeds

All fees provided for by this section shall include any State tax now provided for by law and shall be payable in advance

3 Counties of the Third and Fourth Classes

Section 311 SURVEYORS The fees to be paid to received and collected by surveyors of counties of the third and fourth classes shall be the same as are provided by this act for similar services rendered by surveyors of counties of the first class

Section 312 SHERIFFS The fees to be paid to received and collected by sheriffs of counties of the third and fourth classes shall be the same as are provided by this act for similar services rendered by the sheriffs of counties of the second class

Section 313 CORONERS The fees to be paid to received collected and charged by coroners of counties of the third and fourth classes shall be the same as are provided by this act for similar services rendered by coroners of counties of the first class

Section 314 PROTHONOTARY'S FEE BILL The fees to be paid to received collected and charged by the prothonotaries of counties of the third and fourth classes shall be as follows

Issuing every writ of summons or capias docketing same and entering return of service but not more than three names one dollar and fifty cents

Issuing writ of summons in ejectment docketing same and entering return of service and indexing in ejectment index not more than three parties or more than one description three dollars

Entering and docketing amicable ejectment including entering judgment thereon and indexing docket not more than three names or more than one description four dollars

Issuing writ of scire facias sur mortgage or mechanic's lien not more than three names or more than one description three dollars

Issuing and docketing writ of foreign attachment and entering return of service not more than three names two dollars and fifty cents

Issuing and docketing mandamus quo warranto and entering return of service not more than three names three dollars

Alias summons or capias one dollar and fifty cents

Alias summons in ejectment two dollars

Issuing and docketing attachment execution or mandamus execution or alias attachment execution or alias mandamus execution not more than three names two dollars

Entering amicable action filing papers and docket entries not more than three names three dollars

Issuing every writ of certiorari docketing same services of court and entering judgment thereon not more than three names three dollars

Issuing writ of replevin docketing entering return of service filing bond and declaration three dollars

Filing and docketing counter-bond in replevin and certificate to sheriff one dollar and twenty-five cents

Each additional name twenty-five cents

Each additional description fifty cents

Stationery fifty cents

Filing and docketing appearance statement declaration affidavit of defense demurrer pleas or any other paper in an action pending twenty-five cents

Placing case upon issue list to be paid by the county each twenty-five cents

Issuing and docketing license to peddle to be paid by the county one dollar and fifty cents

Suggesting death of a party diminution of record or amending record fifty cents

Framing an issue in any action one dollar

Entering motions twenty-five cents

Entering order of court in any action pending twenty-five cents

Filing praecipe for jury trial list twenty-five cents

Placing case upon the argument list twenty-five cents

All services during the trial of a cause including swearing of jury and witnesses two dollars

Issuing venire each case upon the jury trial list to be paid by the county seventy-five cents

Filing and entering agreement to refer to referee including entering judgment not more than three names one dollar and twenty-five cents

Each additional name twenty-five cents

Entering rule of reference appointment of arbitrators and service incident thereto two dollars

Filing and entering report of arbitrators including judgment docket entry not more than three names one dollar

Each additional name twenty-five cents

Filing and docketing appeal from award of arbitrators one dollar

Entering discontinuance of suit one dollar

Every suit ended before issue joined or before jury trial two dollars

Entering judgment on bond and warrant of attorney upon confession of defendant for want of an appearance plea or want of an affidavit of defense or sufficient affidavit of defense on verdict demurrer including judgment index entry not more than three names one dollar

Each additional name twenty-five cents

Entering satisfaction of judgment thirty cents

Entry of assignment or release of lien or judgment each property fifty cents

Attestation twenty-five cents

Reporting list of judgments assignments and satisfaction entered to be paid by the county each twenty-five cents

Filing and entering appeal from report of auditors two dollars and fifty cents

Certificates of appointment to be paid by the county each fifty cents

Entry of motion and order of court for admission of attorney-at-law and certificate thereof two dollars and fifty cents

Adoption including decree certificate thereof and all docket entries two dollars and fifty cents

Filing and entering appeal from report of auditors two dollars and fifty cents

Filing and entering county controller's report to be paid by the county two dollars and fifty cents

Bail-piece one dollar and fifty cents

Filing corporate charter petition for change of corporate name or alteration or amendment of charter for merger copartnership or dissolution of partnership two dollars and fifty cents

Certificate under seal fifty cents

Entering docket and making return or certiorari to Supreme or Superior Court filing bond and filing and docketing remittitur therefrom five dollars

Commission to make testimony entering return and notifying each party of return of commission one dollar and fifty cents

Citation and seal and motion therefore one dollar and fifty cents

Writ of habeas corpus and all proceedings to be paid by the county two dollars

Filing and docketing orders of the court to be paid by the county each two dollars and fifty cents

Petition for divorce order thereon and subpoena in divorce including docketing same four dollars

Receiving disbursing and accounting for deposit in divorce one dollar

Alias subpoena in divorce one dollar

Application for maintenance or alimony one dollar

Filing and docketing rule for final decree one dollar

Filing and docketing motions and rules and other pleadings in divorce each fifty cents

Entering decree in minute book docket and indexing in index docket one dollar

Certificate of divorce under seal two dollars

Filing and docketing municipal or tax liens each two dollars

Filing election returns and all proceedings thereon to be paid by the county each district three dollars

Entering indexing and docketing judgments against tax collectors to be paid by the county each one dollar and fifty cents

Entering and docketing exemplification of record not more than three names one dollar and fifty cents

Each additional name twenty-five cents

Exemplified record per hundred words twenty-five cents minimum fee two dollars

Entering and filing mechanics' lien one description and not more than three names two dollars and fifty cents

Entering and filing stipulation against liens two dollars

Entering and filing building agreement one description not more than three names two dollars and fifty cents

Each additional name twenty-five cents

Each additional description fifty cents

Transcribing same in full per one hundred words twenty-five cents

Drawing special jury striking same and copies for parties seventy-five cents

Certificate for pay for jurors each juror to be paid by the county fifty cents

Rule for interrogatories and entering return of service each garnishee one dollar

Reporting election of justices of the peace of the Secretary of the Commonwealth to be paid by the county each fifty cents

Notifying county officers auditors directors of the poor and election officers of their election to be paid by the county each fifty cents

Filing and docketing petition for the appointment of a commission de lunatico and for inquisition in re habitual drunkard for the appointment of a committee in insolvency for the sale of unclaimed goods or other petitions in connection with any proceedings including order of court thereon each two dollars and fifty cents

Issuing commission in lunacy and entering return one dollar

Writ to sheriff in lunacy one dollar

Entering confirmation of inquisition and appointment of committee in lunacy one dollar

All services on sale of lunatic's or habitual drunkard's estate including filing account of committee two dollars and fifty cents

Filing each subsequent account one dollar

Filing and docketing other documents in said proceedings each twenty-five cents

Preparing files and records for cases on trial or argument list to be paid by the county each case fifty cents

Issuing attachment for contempt and motion therefor to be paid by the county each one dollar

Certificate of notary public twenty-five cents

Administering oath other than on the trial of a case twenty-five cents

Filing and docketing petition to sell or mortgage real estate for the satisfaction of lost or ancient mortgage including order of court thereon one description and not more than three names five dollars

Each additional description fifty cents

Each additional name twenty-five cents

Filing power of attorney twenty-five cents

Reporting to Secretary of Commonwealth copies of election returns for each person or party returned to be paid by the county fifty cents

Issuing every writ alias or pluries writ of fieri facias one dollar

Issuing every writ alias or pluries writ of venditioni exponas levari facias habere facias capias ad satisfaciendum one description one dollar

Each additional description fifty cents

Issuing writ of scire facias or alias scire facias on lien claim judgment to revive judgment sur bail in error sur recognizance sur certificate of the orphans' court to executors and administrators of deceased party to garnishee in foreign attachment or on bill of discovery two dollars

Entering revival of judgment by agreement two dollars

Entering testatum fi fa ca sa or vend ex one dollar

Issuing testatum fi fa ca sa or vend ex one dollar

Filing and docketing petition for a sheriff's interpleader including orders of court thereon two dollars and fifty cents

Entering transcripts or judgment or appeal from justice of the peace or magistrate including docket enteries one dollar and twenty-five cents

Entering satisfaction upon judgment and locality indexes each entry twenty-five cents

Entering appointments of guardian ad litem fifty cents
Docketing and filing bill to perpetuate testimony order of court thereon and recording same two dollars and fifty cents
Filing and docketing petition for the appointment of viewers filing report and confirmation five dollars
Proclamation one dollar and fifty cents
Registration of student-at-law physician veterinarian or dentist one dollar
Taxing bill of costs twenty-five cents
Filing exceptions and rule to re-tax bill of costs and filing report thereon fifty cents
Retaxing bill of costs each one dollar
Taking testimony thereon per one hundred words twenty-five cents
Taking a recognizance twenty-five cents
Entering a rule to take deposition fifty cents
Issuing a subpoena under seal thirty cents
Registration of stallion one dollar
Statement twenty-five cents
Making search for liens in judgment docket index for five years last past one dollar
Making search in any other docket for five years last past each twenty-five cents
Each reference fund ten cents
Each reference cited twenty cents
Acknowledgment of sheriff's of treasurer's deed including all docket entries incident thereto two dollars and fifty cents
Filing and docketing suggestions sur municipal lien one dollar
Services of each minute or court clerk during sessions of court to be paid by the county each day four dollars
Receiving and distributing money paid into court for each dollar under five hundred dollars two cents
For each dollar exceeding five hundred dollars one cent
Recording any document required by law to be recorded per one hundred words twenty-five cents
Drawing filing and docketing bond and justification thereon including seal and oath one dollar and twenty-five cents
Filing and docketing account or report of assignee auditors trustee committee sequestrator master or examiner two dollars and fifty cents
Transcribing report per one hundred words twenty-five cents
Filing docketing and all proceedings in assignment for the benefit of creditors up to and including bond and justification of assignee and surety five dollars
Filing and docketing appeal from award of road jury or railroad jury one dollar and twenty-five cents
Issuing and docketing order of sale in partition one dollar and fifty cents
Filing and docketing exemplification of judgment from another county one dollar and fifty cents
Indexing suit against a decedant's estate twenty-five cents
Filing and indexing sheriff's certificate of attachment upon real estate one dollar
Certificate to exemplification of record under act of Congress one dollar
Entering transcript from the orphan's court of amount due by executors administrators or guardians each entry two dollars
Entry of precept from the orphan's court two dollars and fifty cents
Each entry upon locality index twenty-five cents
Filing and docketing any petition not herein provided for two dollars and fifty cents
Filing and docketing bill in equity and rule to appear and answer not over four names two dollars and fifty cents each additional name twenty-five cents
Filing docketing bill in eqnity for injunction issuing injuncton and order of court thereon not over three plaintiffs three dollars and fifty cents (See following section)
Each additional defendant fifty cents
Entering appearance filing answer demurrer replication twenty-five cents
Entering any order of court minimum fifty cents
Entering judgment one dollar
Entering serving and returning decree nisi three dollars
Filing any paper not above specified twenty-five cents
The fee for services not herein specially provided for shall be the same as for similar services And provided That the fees hereinbefore enumerated shall be exclusive of any State tax now levied or that may hereafter be levied
Filing docketing bill in equity for injunction issuing injunction and order of court thereon not over three defendants three dollars and fifty cents
Indexing said judgments or assignments in the adsectum judgment index twenty-five cents in addition to any fees now authorized by existing laws
Section 315 Clerk OF COURTS of QUARTER SESSIONS' FEE BILL The fees to be paid to received collected and charged by the clerks of the courts of quarter sessions of counties of the third and fourth classes shall be as follows
Venire for and swearing grand jury to be paid by the county ninety cents
Filing and entering if necessary all paper relating to one prosecution where true bills are found including arraignment of defendant entering pleas and stationery one dollar and fifty cents
The same service where bill is returned ignoramus including discharge by proclamation seventy-five cents
Calling recognizance and entry of forfeiture twenty cents
Taking recognizance in court each person twenty-five cents
Respiting or discharging forfeited recognizance and motion therefor fifteen cents
Every motion and rule twenty-five cents
Continuance ten cents
Entering retraction of pleas or nolle prosequi twenty cents
Entering submission and judgment sixty cents
Swearing jury witness constable and entering verdict and judgment sixty cents
All services in cases of surety of the peace except subpoenas or attachments or for taking recognizance sixty cents
Process or indictment docket entry and return seventy-five cents
Copy of rule or order of court with certificate and seal forty cents
Filing petition and order thereon twenty cents
Filing petition for a view or review of a road or bridge and order under seal ninety cents
Recording return of viewers and confirmation for every eight words one cent
Orders to open road under seal one dollar and twenty-five cents
Certificate for pay of road or bridge viewers to be paid by the county each case thirty cents
Constable's bond twenty-five cents
Receiving and entering constable's return to be paid by the county fifteen cents
Filing and recording returns of borough and township elections each person elected to be paid by the county ten cents
Issuing subpoena under seal thirty cents
Each name after the first two cents
Issuing attachment entering motion therefor and return forty cents
Copy of record or of any paper filed for every eight words one cent
Certificate and seal thirty cents
Every search where no other service is performed to which any fee is attached fifteen cents
Taxing costs other than the clerk of the sessions twenty-five cents
Re-taxing parties' bill of costs and making report fifty cents
Making return to writ of error one dollar
Entering proceedings of Supreme Court forty-cents
Entering appeals from justice forty-cents
Certificate for pay of jurors crier and constables paid by the county seventy-five cents
Issuing notice to defaulting jurors each twenty-five cents
Issuing fi fa against defaulting jurors fifty cents
Filing any paper not relating to any suit pending and not hereinbefore provided for fifteen cents
All proceedings in tavern or eating house licenses except certificate one dollar
All proceedings on peddler's license one dollar
Every warrant of seizure and proceedings thereon one dollar
The fees for services not herein specifically provided shall be the same as for similar services
Section 316 Clerk of Court of Oyer and Terminer's Fee Bill The fees to be paid to received collected and charged by clerks of courts of oyer and terminer of counties of the third and fourth classes shall be as follows

All services performed in any one prosecution where a bill is found except for subpoenas for witnesses or processes on indictment four dollars

When bill is returned ignoramus one dollar and twenty-five cents

For subpoenas attachments seal and certificate and capias and other services not herein provided for same fees as are allowed to clerk of quarter sessions

Section 317 Clerk of the orphans' courts' fee bill The fees to be paid to received collected and charged by clerks of the orphans' courts of counties of the third and fourth classes shall be as follows

For filing and entering petition for appointment of guardian and issuing appointment one dollar

Filing and entering list of property selected and retained by widow under act of Assembly fifty cents

Entering judgment order or rule of court twenty-five cents

Confirmation of accounts executors administrators or guardians one dollar and twenty-five cents

Filing petition for pension order copy and seal forty-five cents

All proceedings on inquisition on real estate including petition order return confirmation rule and recording two dollars and seventy-five cents

Taking and docketing recognizances forty cents

All proceedings for sale of real estate three dollars and fifty cents

Filing and entering bond thirty cents

Entering motion and rule of court thereon twenty-five cents

Issuing subpoena and seal thirty cents

Each name after the first on subpoena two cents

Issuing citation with seal and recording or filing petition therefor fifty cents

Issuing attachments with seal and recording or entering petition thereof fifty cents

Copy of record or any paper filed or any part thereof for every eight words one cent

Every search where no other service is performed fifteen cents

Filing any paper not specially provided for fifteen cents

Recording a draft twenty-five cents

Making out order under seal to auditors appointed to apportion intestate's property among creditors and to auditors appointed to settle and adjust accounts of administrators executors or guardians seventy-five cents

Filing auditor's report and entering approval of court thereon twenty cents

Copy of said report for either party each item one cent

Accounts of administrators executors or guardians and auditor's reports for every eight words or every sixteen figures one cent

Certificate and seal thirty cents

Receiving and distributing money paid into court for every dollar under five hundred two cents

For each dollar exceeding five hundred one cent

Same fee for services not herein specially provided for as for similar services

This section shall not apply to counties where there is a separate orphans' court and the judge thereof has provided for fees to be charged pursuant to Clause C Section eight Act of June seven one thousand nine hundred and seventeen (Pamphlet Laws three hundred and sixty-three) entitled "An Act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom

Section 318 FEES OF REGISTER OF WILLS The fees to be paid to collected received and charged by the register of wills of counties of the third and fourth classes shall be fixed by the judges of the orphans' court under the provisions of existing laws

Section 319 DISTRICT ATTORNEY'S FEE BILL The fees to be paid to received collected and charged by district attorneys of counties of the third and fourth classes shall be as follows

For drawing bill of indictment and prosecuting the same for every homicide one hundred dollars and twenty dollars additional for every day of trial exceeding one day

For every such bill returned ignoramus twenty dollars

For drawing bill of indictment and prosecuting the same for every offense triable in the court of oyer and terminer and general jail delivery except homicide eighteen dollars and ten dollars additional for every day of trial exceeding one day

For every such bill returned ignorámus ten dollars

For drawing bill of indictment and prosecuting the same for every offense trials in the court of quarter sessions of the peace fifteen dollars and five dollars additional for every day of trial exceeding one day

For every such bill returned ignoramus five dollars

For every such case settled with leave of court five dollars

For every case where a nolle prosequi is entered ten dollars

For every surety of the peace case ten dollars

For every desertion and non-support case ten dollars

For every juvenile case ten dollars

For every appeal from a summary conviction and a trial in the court of quarter sessions ten dollars

For every habeas corpus from summary conviction and trial in the court of quarter sessions ten dollars

For entering suit and obtaining judgment on forfeited recognizance fifteen dollars

For every homicide case where insanity is pleaded at arraignment and a special jury called to try said issue fifty dollars

For every hearing on application for parole ten dollars

For every hearing on return of an attachment for non-compliance with an order of court ten dollars

For every hearing on return of a capias five dollars

For every hearing on a motion for a new trial ten dollars

For arguing case before Supreme Court ten dollars

Section 320 RECORDER OF DEEDS FEE BILL The fees to be paid to received collected and charged by recorder of deeds of counties of the third and fourth classes shall be as follows

For recording and exemplifying deeds mortgages and other writings for every seven words one cent The minimum rate for recording same shall be two dollars

For indexing deeds mortgages and other writing with more than four names ten cents extra for each additional name

For abstracting first description of parcel of land fifteen cents for each additional description or parcel ten cents extra

For entering satisfaction thirty cents

For taking acknowledgments for each person twenty-five cents

For certifying mortgages assignments satisfaction of record or any other writings to the county commissioners or board of assessors twenty-five cents

For recording certificate or certificates of bankruptcy proceedings the same fees as now charged for recording deeds

All fees provided for by this section shall include any State tax now provided for by law and shall be payable in advance

4 Counties of the Fifth Class

Section 321 SURVEYORS The fees to be paid to received collected and charged by surveyors of counties of the fifth class shall be the same as are provided for similar services rendered by surveyors of counties of the first class

Section 322 SHERIFFS The fees to be paid to received collected and charged by sheriffs of counties of the fifth class shall be the same as are provided for similar services rendered by sheriffs of counties of the first class

Section 323 CORONERS The fees to be paid to received and charged by coroners of counties of the fifth class shall be the same as are provided for similar services rendered by coroners of counties of the first class

Section 324 PROTHONOTARIES' FEE BILL The fees to be paid to received collected and charged by prothonotaries of the counties of the fifth class shall be as follows

Every writ of summons capias or certiorari and docketing the same including stationery filing papers entering return and services at first court one dollar and fifty cents

Every alias summons or capias sixty cents

Every other writ and filing papers stationery and services at first court one dollar and seventy-five cents

Every alias scire facias ninety cents

Every subsequent court where cause is put down for trial including issue list twenty-five cents

All services during trial of cause including swearing jury witnesses and constable one dollar

Taking a recognizance twenty-five cents

Entering motions and filing reasons in arrest of judgment or for a new trial twenty-five cents

Entering satisfaction of judgment or discontinuance of suit twenty-cents

Issuing subpoena under seal with two names thirty cents

Every name after the first three cents

Issuing attachment and motion therefor fifty cents
Copy of record or paper filed for every ten words two cents
Certificate and seal thirty cents
Drawing special jury striking same and copies for parties seventy-five cents
Every search where no other service is performed to which there is any fee attached fifteen cents
Fi fa or ca sa and entering return sixty cents
Venditioni exponas levari facias or other writ in the nature of an execution and entering return ninety cents
Entering judgment on bond or on warrant of attorney or upon confession by defendant or on motion in open court or for want of appearance plea or affidavit of defense and on verdict of jury including judgment docket entry and statement to plaintiff seventy-five cents
Entering amicable action filing papers stationery and services at first court one dollar and twenty-five cents
Taxing bill of cost other than prothonotary's twenty-five cents
Re-taxing bill of costs and report thereon fifty cents
Taking testimony in same for every ten words two cents
Making return to writ of error one dollar
Entering proceedings of supreme court fifty cents
Entering transcript of judgment from justice of the peace including docket entry fifty cents
Entering appeal from justice including stationery filing papers and services at first court one dollar and twenty-five cents
Citation and seal and motion therefor fifty cents
Suggesting death of party or liminution of record or substituting a party each fifteen cents
Administering oath other than on trial of a cause ten cents
Amending record on motion et cetera twenty cents
Entering appointment of guardian ad litem twenty cents
General certificate for juror's and constables' pay to be paid by the county seventy-five cents
Filing petition and all papers relating to application of insolvent debtors recording order et cetera one dollar
Subpoena in divorce or alias subpoena one dollar
All other proceedings in divorce except subpoenas for witnesses or commission to take testimony two dollars and fifty cents
Reading and filing bill to perpetuate testimony order of court thereon and recording same one dollar and thirty-five cents
Commission to take testimony and entering return one
Certified copy of rule to take deposition thirty cents
Certified copy of any other rule thirty cents
All proceedings on petition of administrator to make deed one dollar
All proceedings on application to enforce contract one dollar
All proceedings on petition for sheriff to make deed for land sold by former sheriff one dollar
Entering acknowledgment of sheriff's or treasurer's deed including certificate of same one dollar
All proceedings in acknowledging a deed barring estate tail one dollar
Filing all election returns at each general election to be paid by the county one dollar
Filing and docketing balances due from collectors including judgment docket entry each case twenty-five cents
Filing and entering county auditor's reports each case to be paid by the county fifty cents
Notifying county commissioners auditors or directors of the poor of their elections and time of meeting to be paid by the county each fifteen cents
Filing any paper not relating to any suit pending and not hereinbefore provided for twenty-five cents
Every docket entry not relating to any suit pending or judgment entered and for which no provision is made in this fee bill filing papers in same seventy-five cents
Entering rule of reference and copy under seal sixty cents
Appointment of arbitrators and docketing the same including proof of service of rule fifty cents
Each copy of rule or notice to arbitrators twenty-five cents
Filing and entering report of arbitrators including judgment docket entry fifty cents
Receiving and entering appeal from award of arbitrators taking recognizance and affidavit receiving and paying costs seventy-five cents
Filing petitions in lunacy or habitual drunkard and entering order of court thereon one dollar
Issuing commission and entering return one dollar
Writ to sheriff seventy-five cents
Entering confirmation or inquisition and appointment of committee one dollar
Taking and filing bond of committee fifty cents
All services on sale of lunatic's estate or habitual drunkard including the filing of committee's account two dollars
Filing each subsequent annual account thereafter fifty cents
Transmitting to Secretary of the Commonwealth copies of election returns for each person returned to be paid by the county twenty-five cents
Writ of habeas corpus and proceedings thereon one dollar
Application for maintenance or alimony one dollar
Filing and entering mechanic's lien one dollar
Entering scire facias to continue lien on judgment docket twenty-five cents
Entering ejectment suit on ejectment index twenty-five cents
Entering testatum fi fa ca sa or venditioni exponas one dollar
Furnishing list of liens except certificate and seal each judgment ten cents
Receiving and distributing money paid into court for each dollar under five hundred two cents
For each dollar exceeding five hundred one cent
Filing assignments ten cents for every assignment so indexed to be paid by the assignee
Filing petitions for the adoption of minors and entering the order of court thereon twenty-five cents for each petition so filed and an additional fee of fifty cents for each copy furnished
Indexing judgments or assignments in the adsectum judgment index twenty-five cents in addition to any fees authorized by existing laws
The fee for services not herein specifically provided shall be the same as for similar services

Sectio 325 CLERK OF QUARTER SESSIONS OYER AND TERMINER The fees to be paid to received collected and charged by clerk of courts of quarter sessions and oyer and terminer in counties of the fifth class shall be the same as are provided for in similar services rendered by clerks of the courts of quarter sessions and oyer and terminer of counties of the third and fourth classes

Section 326 CLERKS OF ORPHANS' COURT The fees to be paid to received collected and charged by clerks of orphans' courts of counties of the fifth class shall be the same as are provided for similar services rendered by clerks of orphans' courts of counties of the third and fourth classes.

Section 327 REGISTER OF WILLS' FEE BILL The fees to be paid to received collected and charged by registers of wills of counties of the fifth classes shall be as follows
For probate of will and granting letters testamentary thereon one dollar and twenty-five cents
For recording same for every eight words one cent
For letters of administration one dollar
For bond of administrators one dollar and seventy-five cents
For filing of renunciation of widow executor guardian or administrator fifty cents
For annexing a copy of will for every eight words one cent
For issuing citation or attachment with seal sixty cents
For entering caveat twenty-five cents
For issuing commission to take testimony of witnesses seventy-five cents
For issuing precept for an issue fifty cents
For issuing subpoena forty cents
For administering oath or affirmation ten cents
For filing lists of articles appraised and lists of articles sold each twenty-five cents
For examining passing and filing accounts of guardians executors and administrators three dollars
For advertising executor's administrator's or guardian's account two dollars and fifty cents
For every copy of said accounts if demanded not exceeding seventy-five items one dollar and twenty-five cents
For every additional item one cent

For entering exceptions to administrator's or executor's bonds and hearing the same seventy-five cents

For holding registrar's court per day two dollars and fifty cents

For every search when no other service is performed fifteen cents

For certificate and seal forty-five cents

For copy of any bond filed fifty cents

For commission on taxes received for the use of the Commonwealth in proceedings in office on every dollar three cents

Provided That in all cases where the value of the estate of the decedent shall not exceed two hundred and fifty dollars the register shall receive in lieu of all the fees for official services hereinbefore specified to be performed after the granting letters the sum of two dollars and fifty cents

Register to demand and to receive for the use of the Commonwealth on every probate of a will and letters testamentary thereon fifty cents

On every letter of administration granted fifty cents

Same fee for similar services not herein specially provided for the same as for similar services

Section 328 DISTRICT ATTORNEY'S FEE BILL The fees to be received collected and charged for the district attorney of the counties of the fifth class shall be as follows

Drawing indictment and prosecuting every offense indictable only in the oyer and terminer ten dollars

A bill for an offense indictable only in the oyer and terminer and returned ignoramus five dollars

Drawing indictment and prosecuting every offense indictable only in the quarter sessions five dollars

A bill for an offense indictable only in the quarter sessions and returned ignoramus three dollars

Case settled with leave of court three dollars

Every case of surety of the peace three dollars

Arguing case before supreme court ten dollars

Section 329 RECORDERS OF DEED'S FEE BILL The fees to be paid to received collected and charged by recorders of deeds of the counties of the fifth class shall be as follows

For recording and exemplifying deeds and other writings for every eight words one cent

Certificate and seal fifty cents

Every search when no other service is performed for which fees are allowed twenty cents

Entering satisfaction thirty cents certificates thirty cents

Taking acknowledgement of a deed or other writing each person twenty-five cents

For recording certificate or certification of bankruptcy proceedings the same fee as charged for recording deeds

All fees for services to be performed under this act shall be considered due and payable to the officer in advance by the party requiring the service

5 Counties of the sixth seventh and eighth classes

Section 331 SURVEYORS The fees to be paid to received collected and charged by surveyors of counties of the sixth seventh and eighth classes shall be the same as are provided by this act for similar services rendered by surveyors of counties of the first class

Section 332 SHERIFFS The fees to be paid to received collected and charged by sheriffs of counties of the sixth seventh and eighth classes shall be the same as are provided by this act for similar services rendered by sheriffs of counties of the first class

Section 333 CORONERS The fees to be paid to received collected and charged by coroners of counties of the sixth seventh and eighth classes shall be the same as are provided by this act for similar services rendered by counties of the first class

Section 334 PROTHONOTARIES The fees to be paid to received collected and charged by prothonotaries of counties of the sixth seventh and eighth classes shall be the same as are provided by this act for similar services rendered by prothonotaries of counties of the fifth class and in addition thereto shall receive a fee of five dollars for each day of their attendance in court which fee shall be paid by the county

Section 335 CLERKS OF THE COURTS The fees to be paid to received collected an dcharged by clerks of the courts of quarter sessions and oyer and terminer of counties of the sixth seventh and eighth classes shall be the same as are provided by this act for similar services rendered by clerks of the courts of quarter sessions oyer and terminer and general jail delivery of counties of the third and fourth classes

Section 336 CLERKS OF ORPHANS' COURTS The fees to be paid to received collected and charged by clerks of orphans' courts of counties of the sixth seventh and eighth classes shall be the same as are provided by this act for similar services rendered by clerks of orphans' courts of counties of the third and fourth classes

Section 337 REGISTERS OF WILLS The fees to be paid to received collected and charged by registers of wills of counties of the sixth seventh and eighth classes shall be the same as are provided by this act for similar services rendered by registers of wills in counties of the fifth class

Section 338 DISTRICT ATTORNEYS The fees to be paid to received collected and charged by district attorneys of counties of the sixth seventh and eighth classes shall be the same as are provided by this act for similar services rendered by district attorneys of counties of the fifth class

Section 339 RECORDERS OF DEEDS The fees to be paid to received collected and charged by recorders of deeds of counties of the sixth seventh and eighth classes shall be the same as are provided by this act for similar services rendered by recorders of deeds of counties of the fifth class

6 General Provisions

Section 341 OFFICERS TO CREDIT MONEYS TO PARTIES ENTITLED AND TO POST NOTICE OF SAME. QUARTERLY All county officers to whom any money shall be paid as fees costs or for other purposes shall forthwith credit such amount to the party or parties entitled to receive the same and shall at the beginning of each quarter post in his office a notice showing the amount due each person from such source

Section 342 WHEN FEES OF SHERIFF ARE PAYABLE ITEMIZED LIST COLLECTION All official fees and legal costs which are or shall be chargeable or receivable by the sheriff shall be payable upon demand In case he does not demand such costs in advance he shall file with each return he makes an itemized list of said fees and costs and if no exceptions be filed to the same within thirty days from the time of filing the same said fees and costs shall be considered taxed and confirmed absolutely and become a judgment in law and the said sheriff may issue an execution and collect the same without further suit

Section 343 FEES OF SHERIFF It shall be the duty of every sheriff his deputy or agent and of every coroner acting as sheriff if a demand for that purpose is made immediately after receiving any of their fees or any written security therefor to deliver a bill of particulars specifying the several items contained therein and the amount thereof and to give the party paying such fees a receipt in full therefor or to endorse on such written security when taken that the same was given for fees and to sign the endorsements so made

If any sheriff his deputy or agent or any coroner acting as sheriff refuses or neglects to give such bill of particulars or receipt or to make such endorsement he shall be liable to a penalty not to exceed fifty dollars to be collected for the use of the county as debts of like amount are now by law recoverable

Every sheriff shall post a printed copy of this section in some conspicuous place in his office Any sheriff neglecting so to do shall be liable to a penalty of ten dollars for each day this section is not so posted to be recovered by the party suing therefor as debts of like amount are now recoverable Provided That no more than five days' penalty shall be so recovered

Section 344 SHERIFF MAY REFUSE SERVICE OR RETURNS UNTIL CHARGES ARE PAID No sheriff shall be required to render any services in any civil proceedings until of his official fees mileage expenses and legal costs or pre-payment of same from the party at whose instance or for whose benefit such service is to be performed but any money advanced for his charges and not earned or expended shall be refunded to the payor thereof Any sheriff without obtaining any extension of time for the return of any writ notice decree order or process may refuse to make return thereof until he shall receive all unpaid fees mileage expenses and legal costs relating thereto from the party for whose benefit the same was granted or issued unless his charges are to be paid by the Commonwealth or any county thereof

Section 345 SHERIFF'S FEE BILL TO BE POSTED The sheriff shall make fair tables of their respective fees according to this act and shall publish and keep a copy of the same in some conspicuous place in their offices

Section 346 PROTHONOTARY NEED NOT PERFORM SERVICES UNTIL FEE IS PAID The prothonotary shall not be required to perform any service whatsoever until the requisite fee is paid as herein provided

Section 347 BY WHOM FEES OF CLERK OF COURTS TO BE PAID All fees for services performed by the clerk of the courts of oyer and terminer and quarter sessions for the county shall be charged against the county and in all cases where services are rendered for an individual the proper fees shall be received and collected from the person for whom the service is rendered in accordance with the provisions of existing laws

Section 348 ILLEGAL FEES PENALTY TO PERSON INJURED COLLECTION If any officer while in office shall charge or demand any fee for any service other than the fee provided by law and shall after ten days' notice in writing refuse to pay the overcharge to the person entitled thereto such officer shall forfeit and pay to the party injured fifty dollars ($50.00) to be recovered as debts of like amount are now by law recoverable

(q) Pensions Counties of the Second Class

Section 355 "COUNTY EMPLOYE" DEFINED A county employe for the purposes of this act is any person employed by the county at a wage or salary payable at stated intervals that is to say semimonthly monthly quarterly or annually The term does not include any person elected by the vote of the people Provided however if such employee has been in the employ of the county for a period of ten years or longer and the head of his or her department or office shall grant such employee a leave of absence in order that he or she may accept temporary employment upon any board or commission authorized by law and the wage or salary of the members and employees of such board or commission are payable by law from the treasury of said county then the time so served by such employee as a member or employee of such board or commission shall be computed in determining the pensionable status of such employee provided such employee while so employed by such board or commission shall contribute to the pension fund monthly a sum equal to the last contribution paid while in the county employ before accepting such temporary employment as a member or employee of such board or commission

Section 356 PENSION SYSTEM AND FUND TO BE ESTABLISHED Each county of the second class shall provide a pension system for such county and shall establish and regulate a pension fund in connection therewith

Section 357 PENSION BOARD The pension system shall be under the sole direction of a Pension Board hereinafter designated the board which shall consist of the county commissioners the treasurer and the controller of the county

Section 358 TREASURER OF BOARD BOND COMPENSATION The county treasurer shall be the treasurer of the board and shall give such bond for the proper performance of his duties as is required by the board The premium on said bond shall be paid from the pension fund on warrants of the board The treasurer shall receive for his services the sum of one hundred dollars ($100.00) per annum from the pension fund payable on warrants of the board

Section 359 REGISTER OF EMPLOYES REGULATIONS OF BOARD The board shall keep a register of employes containing the names ages residence nature of employment time of entering the employ of the county and such other information as the board deems necessary in the performance of its duties The board may adopt amend revise and abolish in its discretion such regulations not inconsistent with law as it deems necessary

Section 360 LIST OF EMPLOYES ETC OF EACH DEPARTMENT OF COUNTY GOVERNMENT CHANGES The head of each department or office of the county shall file with the board a list of all employes of such department or office with the amount of the salary or wage received by each the age of the employe time of entering the county employ and such other information relative to such employes as is required by the board From time to time and whenever requested by the board all dismissals appointments resignations transfers changes in salaries or in employment and other information relative to employes shall be furnished to the board by the head of each such department or office

Section 361 APPROPRIATIONS TO PENSION FUND The county commissioners shall annually in January appropriate and pay into the pension fund not less than one-half of one per centum and not more than two per centum of all available moneys received by the county as taxes during the preceding calendar year

Section 362 PAYMENTS BY EMPLOYES Each county employe shall each month pay into the pension fund one per centum of the amount received by him as salary or wages from the county during the preceding calendar month Such amounts shall be collected by the county treasurer and by him paid into the pension fund Such monthly payments by an employe shall cease when such employe is entitled to receive the pension herein provided for No employe shall be entitled to a pension who does not make the monthly payment herein required

Section 363 INVESTMENT OR DEPOSIT OF FUND The board may in its discretion invest the money of the pension fund or any part thereof in obligations of the United States or of this State or of any political division of this State or it may deposit such moneys or any part thereof in one or more banks or trust companies of the county selected by the board The banks or trust companies offering to pay the highest rate of interest and that have a paid-in capital and surplus of not less than three hundred thousand dollars shall be selected A contract with a depository shall be for a period covering the term of the county treasurer No moneys shall be paid to a depository until it shall have executed to the board a bond for the proper safeguarding of the funds so deposited The bonds shall have such surety as is approved by the court of common pleas No moneys exceeding in the aggregate the amount of the bond shall be paid to any depository

Section 364 PERSONS ENTITLED TO PENSIONS Every person now or hereafter in the employ of the county who has reached the age of fifty years or upwards and who shall have been in the employ of the county during a period of not less than twenty years shall upon application to the board be retired from service and shall thereafter receive during life a pension as herein provided for The time spent in the employ of the county need not necessarily have been continuous

Section 365 EXCEPTION IN FAVOR OF PERSONS TOTALLY AND PERMANENTLY DISABLED Any employe who has been in the county employ for a period of not less than ten years shall be entitled to a pension if he or she becomes totally and permanently disabled even though such employe has not reached the age of fifty years Proof of total and permanent disability shall be by the sworn statement of three practicing physicians of the county designated by the board to the effect that such employe is totally and permanently disabled from performing the duties of his or her position or office

Section 366 AMOUNT OF PENSIONS PAYMENT The pension paid under the provisions of this act shall equal annually fifty per centum of the average annual amount received by the employe as salary or wages during the two years immediately preceding the date of retirement of the employe receiving the pension No person shall exceed the sum of one hundred dollars per month Pensions shall be paid in monthly instalments on warrant on the board

Section 367 CERTAIN PERSONS ENTITLED TO PENSION AFTER LEAVING COUNTY SERVICE If any employe after twenty years in the county employ is dismissed or retires voluntarily or is in any other manner deprived of his or her employment before attaining the age of fifty years such employe if he continues to contribute to the pension fund monthly a sum equal to the last monthly contribution paid while in the county employ shall when he or she reaches the age of fifty years be entitled to a pension

Section 368 REFUND OF CONTRIBUTIONS IN CERTAIN CASES If any county employe contributing monthly to the pension fund shall for any cause cease to be an employe of the county before the expiration of the twenty year period the total amount of the contributions paid into the pension fund by such employe shall upon demand in writing be repaid to him or her or to his or her personal representative out of the fund

Section 369 REINSTATEMENT Should any county employe who has withdraw his contribution paid into the pension fund desire to be reinstated and again become a beneficiary he or she may do so by the payment in full of the amount withdrawn and by paying the assessments provided for in section three hundred sixty-two of this act

Section 370 PENSION NOT SUBJECT TO ATTACHMENT OR ASSIGNMENT No pension herein provided for shall be subject to execution or to attachment It shall be

payable only to the beneficiary herein provided for and shall not be subject to assignment or transfer

ARTICLE IV
FINANCE

(a) Counties having a Controller

Section 391 CONTROLLER CHARGED WITH GENERAL SUPERVISION AND CONTROL OF FISCAL AFFAIRS The controller shall have a general supervision and control of the fiscal affairs of the county and of the account and official acts of all officers or other persons who shall collect receive or distribute the public moneys of the county or who shall be charged with the management or custody thereof He may at any time require from any of them in writing an account of all moneys or property which may have come into their control He shall immediately on the discovery of any default or delinquency report the same to the commissioners and the court of common pleas of the county and shall take immediate measures to secure the public moneys or property and remove the delinquent party if in office and not removed by the commissioners

Section 392 ACCOUNTS OF OFFICERS ETC AND INFORMATION REGARDING SAME The controller shall furnish the commissioners of the county whenever required by them a detailed account of any officer or other person having in his possession or under his control funds belonging to the county and shall between the hours of ten o'clock ante meridian and two o'clock post meridian give information respecting any of said accounts to any taxpayer of the county demanding the same

Section 393 CUSTODY OF VALUABLE DOCUMENTS The controller shall have the custody of all title deeds to real estate owned by the county and of all contracts entered into by or on behalf of the county and of all books documents and papers relating to its financial affairs and of all bonds and other obligations issued by said county when paid Such bonds and other obligations when so paid shall be distinctly cancelled by the controller and carefully and reguarly filed a register of which cancellation shall be kept by him in a book to be provided for that purpose

Section 394 BOOKS OF FISCIAL AFFAIRS The controller shall keep a full and regular set of books in detail by double entry of all the fiscal operations of the county embracing as many accounts under appropriate titles as may be necessary to show distinctly and separately all the property of the county its receipts and expenditures and all debts and accounts due by the county officers or others and amount raised from each source of revenue and the expenditures in detail and classified by reference to the objects thereof He shall prescribe the form and manner of keeping the books and papers used by each of the officers of said county in connection with the fiscal affairs of the county

Section 395 REPORT TO COMMON PLEAS PUBLICATION He shall in the month of January in every year make a report verified by oath or affirmation to the court of common pleas of said county of all receipts and expenditures of the county for the preceding year in detail and classified as required in the preceding section of this act together with a full statement of the financial conditions of the county Such report shall thereupon be published one time in such newspapers published in said county as the controller may direct the aggregate cost of which shall not exceed one thousand dollars in any one year to be paid for out of the county treasury

Section 396 ESTIMATE OF EXPENDITURES On or before the first Monday of January of each year the controller shall communicate to the commissioners in writing a detailed estimate of and for the legitimate purposes of the county for the current year including interest due and to fall due on all lawful debts of the county bearing interest Such estimate shall be a guide to the commissioners in fixing the tax rate shall in no wise limit the power of the commissioners in this respect Whenever the term of the controller expires the estimate herein required shall be made and furnished by the outgoing controller Provided however That in counties of the second class the controller shall communicate his estimate of expenses to the county commissioners on or before the first Monday of November of the year preceding that for which the estimate is made

Section 397 DUTY OF TREASURER RECEIPTS OF MONEY FOR COUNTIES The county treasurer shall receive all moneys due or accruing to the county He shall keep a just and true account of all moneys received and disbursed The books of the treasurer shall at all times during office hours be open to the inspection of the controller He shall report daily to the controller all moneys received by him for the county the person by whom and on what account they were paid The treasurer shall give his receipt for all moneys paid into the county treasury Such receipts shall be countersigned by the controller who shall keep an accurate record of the same

Section 398 CONTRACT OVER FIVE HUNDRED DOLLARS All contracts made by the commissioners of said county involving an expenditure exceeding five hundred dollars shall be in writing and shall immediately after their execution be filed with the controller No contract shall be made nor the payment thereof certified by the controller for over five hundred dollars unless made with the lowest and best bidder after due notice to be published by the controller wnen directed by the commissioners if he approves the purpose of the proposals invited All bids shall be received by the controller under seal and shall be opened in his presence by the commissioners and the contracts awarded thereon The controller shall keep a record of all such awards and shall certify no warrants for contracts not made agreeably thereto

Section 399 PROCEDURE ON CLAIMS AGAINST COUNTY The controller shall scrutinize audit and decide on all bills claims and demands whatsoever against the county All persons having such claims shall first present the same to the controller and if required make oath or affirmation before him to the correctness thereof The controller may if he deems it necessary require evidence by oath or affirmation of the claimant and otherwise that the claim is legally due and that the supplies or services for which payment is claimed have been furnished or performed under legal authority He may inquire or ascertain whether any officer or agent of the county is interested in the contract under which any claim may arise or has received or is to receive any commission consideration or gratuity relating thereto or whether there has been any evason of the preceding section of this act by making two or more contracts for small amount which should have been in one If he shall find that there has been any evasion or that any such officer or agent is so interested he shall refuse to approve the claim All claims which he shall find legally due he shall certify to the commissioners

Section 400 DRAWING WARRANTS COURT FEES The commissioners shall draw no warrant on the treasury for any debt claim or demand whatsoever not audited and approved by the controller as provided for in the foregoing section except for the fees of jurors witnesses criers and tipstaves of the several courts of the county The amount of said fees shall be ascertained by said courts and entered on the records thereof and duly certified by their respective clerks to the commissioners being first sworn to before the controller Said certificate shall be delivered by the commissioners to the controller for presentation as soon as the warrants are issued

Section 401 WARRANTS REPORTS ON FINANCIAL CONDITION All warrants drawn on the county treasury by the commissioners shall be countersigned by the controller who shall keep a correct register thereof noting the number date and amount of each the date of payment and to whom and for what isued The controller shall report to the commissioners monthly or oftener if required by them the amount of outstanding warrants registered and the amount of money in the treasury

Section 402 PAYMENT OF COUNTY MONEYS The treasurer shall pay no money out of the county treasury except on warrants drawn by a majority of the commissioners and countersigned by the controller He shall cancel all warrants when paid by distinctly spearing or cutting them and shall deliver such warrants to the controller who shall also cancel the same He shall report daily to the controller all moneys paid out by him giving the number of the warrant and the party to whom paid

All outstanding warrants issued before the controller enters upon the duties of his office shall be presented to him as other claims against the county

In counties wherein the poor tax is paid into the county treasury the county treasurer shall also keep a separate account of the county poor tax received by him and shall pay out the same upon warrants drawn by a majority of the

directors of the poor of the county and countersigned by the controller

Section 403 IN COUNTIES OF THE SECOND CLASS DESIGNATION OF ADDITIONAL CLERK TO COUNTERSIGN WARRANTS In counties of the second class the county controller may designate in addition to the chief clerk any clerk in his office to countersign warrants when properly drawn on the county treasurer whenever in the opinion of any such controller it is necessary so to do for the public convenience Warrants so countersigned by such clerk shall be honored by the county treasurer with the same force and effect as if countersigned by the county controller or his chief clerk during the period designated in writing to such county treasurer by the said county controller

(b) Counties having County Auditors

Section 411 ESTIMATE OF EXPENSES The commissioners of every county where the office of controller has not been established shall at their first meeing in January in every year proceed to make an estimate of the probable expense of the county for the ensuing year

Section 412 GENERAL DUTIES OF TREASURER It shall be the duty of the treasurer of every county where the office of controller has not been established to receive all moneys due or accruing to the county and to pay the same on warrants drawn by the commissioners He shall keep a just and true account of all moneys received and disbursed which account shall be at all times open to the inspection of the commissioners and of each of them He shall once in three months and oftener if required furnish the commissioners with statement of all moneys received and disbursed since the date of his last statement exhibiting the balance remaining in his hands together with the names of the collectors in whose hands any arrearages of taxes may remain with the amount thereof He shall once in each year state his accounts and produce his vouchers which after examination by the commissioners shall be by them laid before the county auditors for settlement

Section 413 AUDIT OF ACCOUNTS OF CERTAIN COUNTY OFFICERS REPORT The auditors shall audit settle and adjust the accounts of the commissioners treasurer and sheriff and coroner of the county and make report thereof annually to the court of common pleas of such county together with a statement of the balance due from or to such commissioners treasurer sheriff or coroner

Section 414 PUBLICATION OF REPORTS OF AUDITORS The county auditors shall publish the reports required of them to be made and filed in the court of common pleas Said auditors' reports shall be prepared and placed in the printer's hands for publication within ten days after being filed in the court of common pleas and shall be published once a week for three successive weeks in at least two newspapers of the respective county one of which papers shall be politically of a minority party The expense of the publication of said reports shall be paid by the county

Section 415 CONTRACTS OVER FIVE HUNDRED DOLLARS All contracts made by the commissioners of any county involving an expenditure exceeding five hundred dollars shall be in writing and shall immediately after their execution be filed with the chief clerk of the county commissioners No contract shall be made for over five hundred dollars unless made with the lowest and best bidder after due notice has been published by the commissioners All bids shall be received by the chief clerk of the county commissioners under seal and shall be opened by the commissioners and the contracts awarded thereon The chief clerk shall keep a record of all such awards

(c) Provisions Relating to all Counties

Section 418 TAX LEVIES The county commissioners shall on or before the first day of April of each year fix such rate of taxation upon the assessed valuation of the county as will raise a sufficient sum to meet the estimated expenses for the year Provided however that in counties of the second class such rate shall be fixed on or before the first day of January of each year Such tax shall not be levied on personal property taxable for county purposes where the rate of taxation thereon is fixed by law No tax for general county purposes in any county shall in one year exceed the rate of ten mills on every dollar of the adjusted valuation In addition to such levy the commissioners may also levy a tax not exceeding the rate of ten mills for the purpose of constructing reconstructing building rebuilding improving grading altering vacating extending repairing maintaining purchasing and condemning roads highways tunnels subways underground roads bridges viaducts and culverts under the provisions of this or any other act of assembly of this Commonwealth including sinking fund charges or bonds issued by the county for such purposes

Nothing in this section shall be construed to repeal or in any wise affect any provision of the existing law authorizing special tax levies for any purposes except such as are herein designated

Section 419 TAX RATE ON OCCUPATIONS ETC LIMIT OF EXPENDITURES The rate for any office or post of profit profession trade or occupation or on any single freeman who follows no occupation shall be lowered in due proportion as the tax on property shall be lower than the rate herein authorized

The commissioners shall not by contract or otherwise increase the expenditures of the county in any year to an amount beyond the taxes levied for said year

Section 420 AUDIT OF ACCOUNTS OF POOR AUTHORITIES The auditors or controller shall each year audit settle and adjust the accounts of the directors of the poor and of the treasurer and steward of each and every poor house within any county wherein a poor house has been or may hereafter be erected This section shall not apply to any poor district the territory of which is not coextensive with the county except upon the petition of at least twenty citizens resident in such districts filed in the office of the clerk of the court of quarter sessions of the county praying for an audit to be had by the county auditors or controller within ten days after the audit required by existing laws has been made

Section 421 AUDITOR APPOINTED BY COURT ABOLISHED DUTIES TO BE PERFORMED BY CONTROLLER OR COUNTY AUDITORS No appointments of auditors to settle the accounts of county officers shall hereafter be made by the judges of any of the courts of common pleas All the powers and duties of such auditors shall be exercised and performed by the county controller or the county auditors as the case may be who shall immediately after the first day of January of each year proceed to examine the accounts and dockets of the prothonotary clerk of the courts of quarter sessions and oyer and terminer clerk of the orphans' court register of wills and recorder of deeds and ascertain the whole amount of fees charged as well as the whole amount of fees received by each of said officers during the preceding year and report the same to the Auditor General and to the court of common pleas Such report shall be filed among the records of said court and shall thereafter have all the force and effect of and be subject to the same procedure as applies to other reports of the county controller or auditors

Section 422 AUDIT OF ACCOUNTS OF COMMONWEALTH MONEYS It shall also be the duty of the controller or auditors to audit settle and adjust the accounts of the treasurer of the county with the State treasury and of each of such other officers in the county receiving money for the use of the Comonwealth as may be referred to them by the Auditor General and make a separate report thereof to the court of common pleas for the county together with a statement of the balances due from or to such treasurer or other officer A certified copy of such report shall be transmitted to the Auditor General within ten days after the same is prepared

Section 423 POWER OF SUBPOENA AND ATTACHMENT The controller or auditors shall have power to issue subpoenas to obtain the attendance of the officers whose accounts they are required to adjust their executors and administrators and of any persons whom it may be necessary to examine as witnesses and to compel their attendance by attachment in like manner and to the same extent as any court of common pleas of this State may or can do in cases depending before them and also to compel in like manner the production of all books vouchers and papers relative to such accounts Such subpoena and attachment shall be served and executed by the sheriff or coroner of the county as the case may require

Section 424 POWER TO ADMINISTER OATHS The controller or auditors shall have power to administer oaths and affirmations to all persons brought or appearing before them whether accountants witnesses or otherwise and all persons swearing or affirming falsely on such examination shall be guilty of perjury

Section 425 COMMITMENT TO COUNTY JAIL OF PERSONS REFUSING TO TAKE OATH OR REFUSING TO ANSWER QUESTIONS If any person appearing before the controller or auditors for examination shall refuse to take oath or affirmation or after having been sworn or affirmed shall refuse to make answer to such questions as shall be put to him by the controller or auditors touching the public accounts or the official conduct of any public officers such persons so refusing may be committed by the controller or auditors to the county jail by warrant under his or their hand and seal directed to the sheriff or any constable of the county setting forth particularly the causes of such commitment until he shall submit to be sworn or affirmed or to make answers to such questions or be otherwise legally discharged

Section 426 WITNESS FEES Witnesses attending before the controller or auditors shall receive the same allowance as is received by witnesses attending before the courts of this Commonwealth Such allowance shall be paid out of the county treasury and where final judgment is given against any officer whose accounts are settled by the controller or auditors shall be included in the costs assessed against such officer

Section 427 PROCEEDINGS WHERE PARTIES REFUSE TO PRODUCE PAPERS OR OFFICERS REFUSE TO ATTEND OR SUBMIT TO EXAMINATION If any person in possession of books vouchers or papers relative to public accounts before the controller or auditors shall refuse to produce the same or if any officer whose accounts are to be settled and adjusted by the controller or auditors shall refuse to attend or submit to examination the auditors or controllers shall proceed by the examination of witnesses and other evidence to ascertain and settle as near as may be the amount of public money received by such officer and its application to public purposes or otherwise

Section 428 FILING REPORT The report of the controller or auditors shall be filed among the records of the court of common pleas of the county and from the time of such filing shall have the effect of a judgment against the real estate of the officer who shall thereby appear to be indebted either to the Commonwealth or to the county

Section 429 APPEAL FROM REPORTS An appeal may be taken from such report to the court of common pleas either by the Commonwealth the county or the officer Such appeal may also be taken by ten or more taxpayers in behalf of the county in the manner and subject to the restrictions provided by section eleven hundred and forty-five of this act

Such appeal shall be entered by the Commonwealth within four months and by the county and the officer within sixty days after the filing of the report If the officer is the appellant he shall enter into a recognizance with two sufficient sureties in double the sum found due by such report with condition to prosecute the appeal with effect and to pay the costs and such sum of money as shall appear on the final determination of the appeal to be due from him

Section 430 FORM OF ISSUE ON APPEALS SETTLEMENT THEREOF The courts of common pleas shall direct the form in which the issues shall be entered in all appeals now pending or which may be hereafter taken from the report of the county controller or auditors Such issues shall be tried by a jury or may be submitted to reference and arbitration in the manner and subject to the proceedings provided by existing law

Section 431 PAYMENT OF COSTS ON APPEAL In case the appellant or appellants do not recover final judgment in court more favorable to him or them than the report of auditors he or they shall pay all costs that may accrue on his or their appeal but if he or they should recover in court a final judgment more favorable than the report of the auditors then the appellee or appellees shall pay the costs that may accrue on such appeal

Section 432 APPEALS TO THE SUPERIOR OR SUPREME COURT In all appeals from settlements or reports made by the county controller or auditors it shall be lawful for any party to except to any ruling or decision of the court upon any question or point of law that may arise and an appeal may be taken therefrom to the Superior or Supreme Court as in other costs

In no case shall the controller or auditors or any of them be personally liable for the costs of any such appeal If the final decision of the Superior or Supreme Court is adverse to the surcharged officer or officers he or they shall each be individually liable for all the costs of such appeal If such final decision shall be in favor of such surcharged officer or officers the county shall pay the costs of such appeal

Section 433 ISSUE OF EXECUTION If no appeal is entered or if an appeal is entered and no security given as herein required or if upon such appeal judgment is given in favor of the Commonwealth or of the county execution shall issue against the property or person of the defaulting officer in like manner as upon judgments recovered in the usual course of law

Section 434 FINES AND FORFEITED RECOGNIZANCES All fines forfeited recognizances and other forfeitures imposed lost or forfeited in any court except such as are directed to be paid into the State treasury under the provisions of existing law or such as are collected for the violation of any ordinance shall by the clerk of such court be certified and estreated into the office of the commissioners of the county within ten days after the expiration of the term at which such fines and forfeitures were imposed together with the judgments and orders of the court on all forfeited recognizances sued upon in such court Such estreats or returns of fines and forfeitures shall be under the oath or affirmation of the clerk All sums of money collected in pursuance thereof shall be paid to the county treasurer for the use of the county It shall be the duty of the commissioners to superintend the collections of said sums of money The accounts thereof shall be annually settled by the county controller or county auditors Nothing herein contained shall impair the right of the respective courts to moderate or remit forfeited recognizances as heretofore

Section 435 REPAYMENT OF MONEY COLLECTED ON FORFEITED RECOGNIZANCES In all cases where the county commissioners have collected any money upon any forfeited recognizance duly estreated to the county commissioners and where the defendant in such case subsequently surrenders himself or herself to the jurisdiction of the court the county commissioners may with the consent of the district attorney repay to the party from whom such money was collected the amount so collected on such forfeited recognizance exclusive of all costs paid or incurred by the county in such proceeding

Section 436 TRANSFER OF CERTAIN MONEYS INTO GENERAL FUND OF COUNTY The commissioners may transfer and cover into the general fund of the county any money placed to the credit of any city borough or township where the same has been paid into the county treasury upon any duplicate for taxes and has remained during a period of ten years uncalled for by the authorities of the city borough or township to whose credit it may have been placed and the right to said money is not at the time of such transfer a matter of litigation or dispute

Section 437 MONEYS PAID FOR THE REDEMPTION OF UNSEATED LAND SOLD FOR TAXES REMAINING IN HANDS OF TREASURER AT EXPIRATION OF TERM The treasurer shall pay over to his successor in office all moneys paid to him for the redemption of unseated land sold for taxes which have not been called for by the purchasers at treasurer's sale or their legal representatives during the continuance in office of such treasurer The county controller or auditors shall charge the moneys so received to said treasurer in the same manner that other money received by him is charged and the same shall be paid to said purchasers or their legal representatives when called for by orders drawn by the commissioners of the county upon the treasurer as in other cases

(d) Sinking Fund Commission

Section 445 MEMBERSHIP In each county there shall be a sinking-fund commission composed of the commissioners the controller or auditors in counties not having a controller and treasurer of such county

Section 446 USE AND INVESTMENT OF MONEYS OF SINKING-FUNDS All moneys applicable to any sinking-fund shall be under the charge of the commission and primarily shall be used for extinguishing the county debt Where such funds are not immediately applicable for such purposes they may be invested in the purchase of loans or bonds of the county If such county loans cannot be secured to advantage then said moneys may be invested in bonds of the United States or of the Commonwealth of Pennsylvania or in any county city borough or township bonds of this Commonwealth issued within the two per centum of the Constitutional limit of indebtedness of such districts or in any bonds in which savings banks of Penn-

sylvania are authorized by law to invest their deposits and not otherwise

Section 447 MANAGEMENT OF SINKING FUNDS The sinking-fund commission shall annually apply all interest received on sinking-fund deposits and all interest received on bonds held in the sinking-fund and all other income if any from sinking-fund for the purpose of reducing the amount of money required to be paid by the county to said commission for sinking-fund purposes of the ensuing year unless such income is necessary for the purpose of having adequate funds on hand to pay the bonds of such county as they mature and become payable The income so applied and the amount required to be paid by the county for sinking-fund purposes shall annually equal the full amount required to be paid for sinking-fund purposes to the several sinking-funds

The commission shall have the power whenever it deems it necessary and for the best interests of the several sinking-funds to sell any bonds held by it other than those of the county itself

Section 448 BONDS OF COUNTY HELD BY COMMISSION All bonds of the county held by the sinking-fund commission shall be stamped in a conspicuous manner to show that they have been purchased for this purpose They shall never be reissued or sold The sinking-fund commission shall not require the county to pay interest on any of its bonds held by the commission unless the commission deems the payment thereof necessary for the purpose of having adequate funds on hand to pay the bonds of said county as they mature and become payable All bonds of the county held by the commission shall be cancelled immediately upon their maturity

Section 449 PAYING OFF AND CANCELLING OF COUNTY BONDS PRIORITY SALE OF COUNTY BONDS IN CERTAIN CASES In order to facilitate the extinguishment of the county debt the county bonds purchased by the commission from time to time shall be paid off and cancelled according to the priority of their maturity Provided however That if at any time the commission shall deem it best to withhold the purchase of such maturing county bonds until after those purchased from a later issue of county bonds shall be paid off and cancelled they shall have and are hereby given the authority to do so Provided further That if in such an event it shall appear that there will not be sufficient funds in the hands of the commission to meet the payment of such earlier maturing bonds that the same shall then be sold by said commission at not less than par

Section 450 INVESTMENT IN NEW COUNTY BONDS Whenever any new bonds shall be issued by the county the commission may invest the uninvested balances in its sinking-fund therein except so much as may be required for the payment of any bonds that may mature during the fiscal year in which such new bonds may be issued and which the commission may desire to cancel and not to sell

Section 451 COMMISSION TO DEPOSIT ALL MONEYS RECEIVED IN COUNTY DEPOSITORIES RATE OF INTEREST MAY REINVEST INTEREST All moneys received by the commission at any time shall immediately be deposited in one or more banks or banking institutions which are now or hereafter shall be designated as county depositories Not less than two per centum interest on daily balances shall be paid to said commission for the use of said moneys the commission may reinvest said interest with the other income from the bonds in their possession

(e) Depositories in Second Class Counties

Section 455 BOARD TO SELECT DEPOSITORIES In counties of the second class the commissioners controller and treasurer of the county shall be a board for the purpose of selecting depositories for the funds of the county For the purpose of voting at their meetings the county commissioners shall each have one vote the controller one vote and the treasurer one vote The majority of said vote present at any meeting shall be sufficient to enable the board to transact its business

Section 456 MEETING NUMBER OF DEPOSITORIES The board shall meet at the office of the county controller not later than noon of the third Wednesday following the first Monday of January following the election of the county treasurer and shall there decide upon the number of banks or banking institutions not less than three in number as depositories of county funds for the term for which the treasurer is elected

Section 457 DESIGNATION AND QUALIFICATION OF DEPOSITORIES RATE OF INTEREST At said meeting or at any subsequent meeting agreed upon said board shall designate the depositories and the rate of interest to be paid by them to the county Such rate of interest shall be not less than two per centum per annum calculated on daily balances Deposits shall be made with the depositories designated as soon as satisfactory bonds approved by the county commissioners are filed with the controller The bank or banking institutions selected shall have paid-in capital and surplus of not less than five hundred thousand dollars

ARTICLE V

SPECIAL POWERS AND DUTIES OF COUNTIES

Section 471 APPROPRIATION OF MONEY OR LAND TO ASSIST ARMORY BOARD WITH NATIONAL GUARD ARMORIES The board of commissioners may either independently or in connection with any other county or with any city town borough or township provide and appropriate moneys or convey land to the Commonwealth of Pennsylvania to assist the Armory Board of the State of Pennsylvania in the erection wherever deemed most advantageous by the Armory Board of armories for the use of the National Guard of Pennsylvania The board of commissioners may acquire land for such purpose either by purchase gift or by the right of eminent domain

The board of commissioners may also furnish water light or fuel either or all free of cost to the Commonwealth of Pennsylvania for use in any armory of the National Guard and may do all things necessary to accomplish such purposes

Section 472 APPROPRIATION TOWARD MAINTENANCE OF UNITS OF NATIONAL GUARD The board of commissioners may appropriate from any moneys in the county treasury not otherwise appropriated annually a sum not exceeding seven hundred and fifty dollars for the support and maintenance discipline and training of any dismounted company or similar unit of the National Guard and a sum not to exceed fifteen hundred dollars for the support and maintenance discipline and training of any mounted or motorized troop or similar unit of the National Guard using and occupying an armory building room or quarters within the limits of such county

Any moneys so appropriated shall be paid by warrant of the commissioners drawn to the order of the commanding officer of such unit only when it shall be certified to the commissioners by the Adjutant General of the State that such unit or units have satisfactorily passed the annual inspection provided by law No appropriation shall be made for any year until the expenditure of the appropriation for the previous year has been duly and satisfactorily accounted for

Section 473 APPROPRIATION TO RIFLE-CLUBS IN TIME OF WAR At any time a state of war exists the board of commissioners may appropriate money to civilian rifle-clubs duly chartered by the National Rifle Association of the United States of America for the maintenance and rental of rifle-ranges the employment of competent instructors and necessary employees and for the equipment and uniforms for such of the members of such clubs as volunteer for special military duty in their respective counties or answer any call of the Governor of the Commonwealth

No moneys shall be appropriated to any such club unless practice on such rifle-range by the members of the club shall be with the United States military rifle or revolver

Section 474 "DECEASED SERVICE MAN" DEFINED The term "deceased service man" as used in the following sections of this act shall be defined and construed to mean and include any soldier sailor marine or members of the enlisted nurse corps having a legal residence within their county who has died or shall hereafter die anywhere within or without the United States while in the service of the United States in the military naval or other branch of the combative forces of said United States during any war in which the United States has been or shall hereafter be engaged or where a state or condition of war has existed or shall hereafter exist in the United States or any foreign country or territory or upon the high seas or of any honorably discharged soldier sailor or marine or member of the enlisted nurse corps who served or who shall hereafter serve in any such combative force of the United States during any war in which the United States has been or shall hereafter be engaged or who has served or shall hereafter serve in any

such combative force of the United States where a state or condition of war existed or shall hereafter exist in the United States or any foreign country or territory or upon the high seas or who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War and not duly mustered into the service of the United States and has been or hereafter shall be honorably discharged or relieved from such service and shall hereafter die within their county or shall die beyond their county and shall have a legal residence within their county at the time of his death

Section 475 NOTICE OF DEATH OF DECEASED SERVICE MEN AND OF WIDOWS OF DECEASED SERVICE MEN All public officers agents and servants and all officers agents and servants of any county city township borough district or other municipality or of any almshouse prison morgue hospital home or other public institution having control or custody of the body of any deceased service man or of any widow of a deceased service man shall immediately upon the death or arrival of the body of such deceased service man notify the county commissioners of the county wherein such death may have occurred or wherein such deceased service man had his legal residence

Section 476 EXPENDITURE IN AID OF FUNERAL EXPENSES OF DECEASED SERVICE MEN AND OF WIDOWS OF DECEASED SERVICE MEN The board of commissioners shall expend the sum of seventy-five dollars ($75.00) toward the funeral expenses of any deceased service men or of the widow of any deceased service man Provided however That such county commissioners shall not contribute any moneys toward such funeral expenses where the total expense of any such funeral including said allowance of seventy-five dollars ($75.00) shall exceed three hundred dollars ($300.00) The warrants for such payments shall be made payable only to the person or persons who have buried the bodies for which the warrants are drawn

Section 477 COMMISSIONERS TO ASCERTAIN FACTS IN CASE OF WIDOWS It shall be the duty of the county commissioners before making any payment for the funeral expenses for the burial of the body of any widow of a deceased service man first to satisfy themselves by a careful inquiry into and examination of all the circumstances if such person is the widow of a deceased service man and that such widow died in their county or having died beyond their county shall have had a legal residence within their county at the time of her death

Section 478 PURCHASE OF LOTS IN BURIAL GROUNDS FOR BURIAL OF DECEASED SERVICE MEN The board of commissioners may at the expense of the county purchase plots of ground in any cemetery or burial-ground in the county for the interment of deceased service men The purchase price of said plots of ground shall not be charged against or allotted as part of the cost of burial of any deceased service man who may be buried in any of said plots under the provision of this act

Section 479 HEADSTONES FOR DECEASED SERVICE MEN The county commissioners shall also on the application of any relatives or friends of any deceased service man buried within the county and towards whose funeral expenses the county has contributed cause a headstone to be placed at the head of the grave of such deceased service man containing his name and if possible the organization to which he belonged or in which he served in letters raised or cut in at least three-sixteenths of an inch deep Such headstone shall be of either marble or granite and shall be placed or set in a concrete base The expense of the same shall be paid by the county and shall not exceed the sum of fifty dollars for each headstone All warrants for the payment of said expense shall be drawn in favor of the party or parties furnishing such headstone

Section 480 MARKERS FOR GRAVES OF DECEASED SERVICE MEN The board of commissioners shall upon the petition of any ten reputable freeholders of any city borough township or district in the county procure for and furnish at the expense of the county markers made of metal with bronze alloy for the grave of each deceased service man buried within the limits of said city borough township or district to be placed upon the grave of such deceased service man for the purpose of permanently marking and designating such grave for memorial purposes If such deceased service man was a veteran of any war for which the Government of the United States issued discharge buttons the markers designated for their graves shall include a facsimile of said discharge button

Section 481 APPROPRIATION FOR MEMORIAL DAY The board of commissioners shall appropriate annually to each post of the Grand Army of the Republic in the county except such posts as are situated in cities of the first second or third class or to a regular organized Memorial Day or similar organization where there was heretofore an established post in which latter case a certified list of expenditures shall be furnished the said commissioners a sum not to exceed fifty dollars to aid in defraying expenses of Memorial Day Provided That if upon the certificate of such organization it appears to the county commissionesr that the said organization decorated or will decorate over five hundred (500) graves the county commissioners may pay to the said organization the sum of one hundred ($100) dollars

Section 482 APPROPRIATIONS TO VETERANS' ASSOCIATIONS FOR EXPENSES OF MEMORIAL DAY AND ARMISTICE DAY The board of commissioners may appropriate annually to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each Naval Association and to each post of the Grand Army of the Republic in the county a sum not to exceed one hundred dollars to aid in defraying the expenses of Memorial Day The commissioners of counties of the second class may also appropriate annually to any of such veterans organizations a sum not to exceed five thousand dollars in the aggregate to aid in defraying the expenses of a proper observance of Armistice Day

Section 483 PAYMENT TO HISTORICAL SOCIETIES The board of commissioners may pay out of the county funds not otherwise appropriated and upon proper vouchers being given a sum not exceeding one thousand dollars annualy to the historical society of the county to assist in paying the running expenses thereof If there are more than one such societies in the county such payment may be made only to the oldest society Where any such society is comprised of residents of more than one county the commissioners of said respective counties may jointly pay said sum in such proportion as they shall agree

No such appropriation shall be renewed until vouchers have been filed with the commissioners showing that the appropriation for any prior year has been expended for the purpose herein designated

Section 484 QUALIFICATION OF SOCIETY In order to entitle any historical society to the said appropriation the following conditions shall have been first complied with It shall have been organized at least three years incorporated by the proper authority and have an active membership of one hundred persons each of whom shall have paid into the treasury of said society a membership fee of at least two dollars for the support of the same it shall hold at least two public meetings yearly whereat papers shall be read or discussions held on historic subjects it shall have established a museum wherein shall be deposited curios and other objects of interest relating to the history of the county or state and it shall have adopted a constitution and code of by-laws and elected proper officers to conduct its business

Section 485 APPROPRIATIONS TO CERTAIN HOSPITALS The board of commissioners may appropriate moneys for the support of any hospital located within or without the limits of such county which is engaged in charitable work and extends treatment and medical attention to residents of such county

Section 486 APPROPRIATION TO SOCIETY MAINTAINING TUBERCULOSIS SANATORIUM FOR MAINTENANCE OF INDIGENT RESIDENTS OF THE COUNTY The board of commissioners may appropriate to any duly incorporated society chartered to maintain a sanatorium for the treatment therein of persons suffering from tuberculosis so much money as may be necessary for the maintenance of indigent persons residents of the county who may be inmates of such sanatorium and under treatment for tuberculosis Said appropriation shall not exceed for each of said indigent inmates the sum of ten dollars per week payable every three months at the end of the period The board of commissioners shall at all times have free access to such sanatorium for inspection of its management and for the ascertainment of the number of indigent persons receiving treatment therein

Section 487 APPROPRIATIONS TO SOCIETIES FOR PREVENTION OF CRUELTY TO ANIMALS The board of commissioners may appropriate moneys toward the maintenance of any organization or society incorporated under the

laws of this Commonwealth for the prevention of cruelty to animals and which for a period of at least two years prior to the making of such appropriation shall have been engaged in carrying out the purposes of its incorporation in whole or in part within said county

Section 488 PENNSYLVANIA STATE COLLEGE LIMITATION IN AMOUNT PURPOSES The board of commissioners may appropriate a sum not to exceed thirty-five hundred dollars ($3,500) annually for agricultural extension work in cooperation with the Pennsylvania State College in encouraging improved methods of farm management and home economics and giving practical instruction and demonstrations in agriculture for the purpose of improving and developing the agriculture resources of the county and the money so appropriated shall be expended according to rules and regulations prescribed or approved by the board of commissioners The board of commissioners may also where practicable and desirable provide offices in the county court house for headquarters for such cooperative work

Section 489 PAYMENTS TO PERSONS MAINTAINING TIMBER LANDS The board of commisioners shall pay to the owner or owners of any land within the county planted with forest or timber trees not less than twelve hundred to the acre during the period that the said trees are maintained in sound condition upon said owner or owners making due proof thereof the following sums of money

For a period of ten years after the land has been so planted a sum equal to ninety per centum of all taxes annually assessed and paid upon the said land or so much of the said ninety per centum as shall not exceed the sum of forty-five cents per acre

For a second period of ten years a sum equal to eighty per centum of said taxes or so much of the said eighty per centum as shall not exceed the sum of forty cents per acre

For a third and final period of ten years a sum equal to fifty per centum of the said taxes or so much of the said fifty per centum as shall not exceed the sum of twenty-five cents per acre

Section 490 PAYMENTS ON LANDS CLEARED OF MERCHANTABLE TIMBER The board of commissioners shall pay to the owner or owners of forest or timber land within the county which has been cleared of merchantable timber who shall at any period after such land has been so cleared maintain upon the said land young forest or timber trees in sound condition in number at least twelve hundred to the acre the sum of money mentioned in the preceding section of this act upon such owner or owners making due proof of such facts The first period of ten years shall in such cases be counted from the time the said land has been cleared of merchantable timber

Section 491 THINNING OUT OF TREES LIMITATION OF PROVISIONS After any land has been so planted or maintained for at least ten years the owner or owners thereof may thin out and reduce the number of trees growing thereon to not less than six hundred to the acre so long as no portion of the land shall be absolutely cleared of such trees The benefits of the two preceding sections of this act shall not be extended to nurserymen or others growing trees for sale for future planting

Section 492 PREVENTION AND CONTROL OF FLOODS The board of commissioners may borrow and appropriate and expend money for the purposes of cleansing regulating improving and controlling rivers and streams lying within their respective boundaries either in whole or in part for the prevention and control of floods They may make contracts and expenditures for the cleansing regulation improvement and control of such rivers and streams and for the prevention and control of floods by storage or retaining reservoirs or otherwise in parts of the same beyond the limits of the county or of the State when in their judgment the same may be necessary and for the benefit of the county They may also make appropriations and expenditures for the purpose of investigating and examining or for assisting in the investigation and examination of the condition of such streams within or without the bounds of the county or State for the purpose of facilitating the ends aforesaid The board of commissioners may enter into such arrangements and agreements with the Secretary of War or other public authority empowered to act in the premises under any law of the United States or of this or any other State as may be necessary and proper for such purposes with a view to harmonious and efficent action and proportionate contribution as nearly as may be arrived at or be practicable In exercising the powers herein conferred the county commissioners may in their discretion subject to the limitation of the Constitution issue interest bearing bonds of the county

Section 493 APPROPRIATION BY SECOND CLASS COUNTIES FOR PURPOSE OF CONTROLLING FLOODS The board of commissioners of counties of the second class may appropriate and expend out of the moneys of the county annually a sum not exceeding ten thousand dollars or so much thereof as may be necessary for the purpose of investigating and examining or assisting in the investigation and examination of the condition of such streams and rivers as may be wholly or partially within the boundaries of the county for the purpose of controlling floods

Section 494 DRILLING GAS WELLS AND LAYING GAS LINES The board of commissioners of counties situated in regions wherein natural gas is known to be obtainable may contract for the drilling of gas wells upon any lands owned by the county for the purpose of furnishing gas for light and fuel to the county buildings and for other purposes For that purpose they may also contract for the laying of gas lines equipped with such modern appliances and machinery as may be necessary All such contracts including contracts for the building of rigs or derricks and the purchase of machinery shall be made by the board of commissioners only after the specifications therefor have been published in at least two newspapers of general circulation published in the county seat representing the two dominent political parties in the county of the time and place of letting said contract or contracts At such time and place the bids shall be publicly opened and the contract or contracts awarded to the lowest and best bidder

Section 495 CONTRACTS FOR RELOCATION CHANGE OR ELEVATION OF RAILROADS The board of commissioners may enter into contracts with any railroad companies whereby the said railroad companies may re-locate change or elevate their railroads within the county in such manner as in the judgment of the board may be best adapted to secure the safely of lives and property and promote the interest of the county For such purpose the board shall have power to do all acts that may be necessary and proper to effectually carry out such contracts

Section 496 BOND ISSUE TO AID IN CONSTRUCTION OF CERTAIN CANALS OR WATERWAYS The board of commissioners may increase the indebtedness of the county and issue bonds thereof to aid in the construction of any canal or waterway and its appurtenances whenever the State of Pennsylvania or a commission board or other agency thereof incorporated or otherwise shall be authorized by any present or future law or laws of this State to construct maintain and operate a canal or navigable waterway to connect the Great Lakes or the Atlantic Ocean with any navigable water of this State by a route situate within or partly within and partly without this State and with termini as in said law or laws generally indicated and such law or laws provide for such construction by such voluntary contributions or appropriations in money or bonds at their par value as heretofore shall have been made or as hereafter may be made pursuant to the authority of any present or future laws by the United States any of the several states of the United States and various counties cities towns municipal corporations or other political subdivisions of such states or by some or all of the United States states and other public authorities for the collection of tolls and charges for the use of such canal or waterway and appurtenances but only to such extent as may be necessary to provide for the cost of the maintenance operation and improvement thereof and to repay contributions made in money or in bonds at their par value and the interest on such bonds and for the distribution of any surplus revenues of such canal or waterway and appurtenances among such contributors to the cost of construction substantially pro rata according to the amount of their several contributions to such extent as may be necessary to repay said contributions the amount of their several contributions

Section 497 PETITION TO COURT NOTICE OF HEARING At any time after the Legislature of this State shall have enacted a law or laws as contemplated by the preceding section of this act a petition may be presented to the court of quarter sessions of any county signed by a number of qualified electors of the county equal to at least five per centum of the largest vote cast in the county for any candidate at the last preceding municipal election at which county officers were elected and verified by the affidavits of at least

five of such petitioners stating that in the judgment of such petitioners such county by reason of its location or commercial or industrial interests will be benefited by the construction of the canal or waterway authorized by such law or laws and that it is desirable that bonds of the county should be issued in aid thereof and praying said court to order an election to be held at a date stated in said petition upon the question of increasing the indebtedness of the county to be represented by its bonds to be issued in aid of such canal or waterway in such aggregate principal amount as may be stated in said petition

If said petition shall appear to said court of quarter sessions to be in proper form it shall file the same fix a date for a hearing thereon not more than thirty days thereafter and direct such notice of the hearing to be given to the county commissioners of said county and to the public generally by advertisement in a newspaper circulating in the county or by posting as to said court may seem proper

Section 498 HEARING Any person interested including the county commissioners may file exceptions to said petition prior to the day fixed for the hearing and at such hearing any person in interest may be heard The court may hear evidence and call witnesses but shall not be required to inquire into the matters set forth upon the judgment of the petitioners as to the benefit to the county resulting from the construction of said canal or waterway and the desirability of the issue of bonds as set forth which matters shall be deemed to depend upon the result of the election prayed for If the court shall find that such petition conforms to the requirements of this act it shall by order direct the county commissioners to call an election to be held in said county on the day specified in said petition for the purpose of taking a vote of the electors upon the question of the increase of indebtedness and issuance of bonds of the aggregate principal amount set forth in the petition

Section 499 ELECTION Such election shall be called held and conducted in the manner provided by section three of an act of the Legislature of Pennsylvania entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved April twentieth eighteen hundred seventy-four (Pamphlet Laws sixty-five) and the acts amendatory thereof and supplemental thereto except that the county commissioners shall not be required to signify their desire to make the increase of indebtedness in question or to fix the date of the election which latter shall be determined by the petition All expense incident to the calling and holding of such election shall be paid by the county

If by the returns of such election it shall appear that the majority of the electors voting on the question of the increase of indebtedness and issuance of bonds shall have voted in favor of such increase and issuance of bonds the county commissioners shall issue bonds of the county as hereinafter provided If at any such election a majority of the votes cast for and against such increase and bonds shall not be in favor of such question then no further election upon such question shall be held during the year following The power hereby conferred shall not be exhausted by a single submission to a vote and a favorable vote thereon

Section 500 EXECUTION AND ISSUANCE OF BONDS Whenever any officer of the State of Pennsylvania or any commission board or other agency thereof or any officer of such commission board or other agency thereunto duly authorized by any present or future law of the State of Pennsylvania shall certify to the county commissioners of any county which shall have voted to issue bonds to aid in the construction of any canal or waterway that contributions or appropriations in money or bonds at their par value have been authorized at least equal in amount to the estimated cost of such canal or waterway and appurtenances the county commissioners shall by resolution provide for the issuance and execution in the manner provided by the general law of the amount of bonds authorized by the electors Such bonds shall thereupon be executed and the treasurer or controller shall deliver the same to the Treasurer of the State of Pennsylvania Said bonds shall bear such date and run for such term not exceeding thirty years from their date bear such rate of interest not exceeding six per centum per annum payable annually or semi-annually and be in such form either coupon or registered or coupon and registered combined of such denomination and payable as to both principal and interest at such place or places as the county commissioners by resolution may provide and shall contain a recital that they are issued pursuant to the authority of sections four hundred and ninety-six to four hundred and ninety-nine of this act Such recital shall be conclusive evidence of their validity and of the regularity of their issue

Section 501 TAX TO PAY INTEREST AND PRINCIPAL SALE OF BONDS The resolution authorizing and directing the execution and delivery of said bonds shall provide for the collection of an annual tax on the taxable property of the county sufficient to pay the interest and also the principal thereof within thirty years Such tax may be assessed levied and collected without regard to any limitation or restrictions contained in any other law or laws upon the amount of taxes which may be assessed levied and collected

Said bonds may be sold from time to time at public or private sale for the best price obtainable but for not less than par and accrued interest in such manner as may be provided by any present or future law of the State of Pennsylvania The proceeds thereof shall be applied to the cost and expenses involved in the construction of such canal or waterway and appurtenances but no purchaser of said bonds shall be liable to see to the application of such proceeds Before any of said bonds shall be sold all matured coupons if any thereunto belonging shall be detached therefrom and cancelled and delivered to the county commissioners of the county issuing the same

Section 502 PROCEDURE TO BE FOLLOWED LIMITATIONS OF INDEBTEDNESS In the authorization and issuance of any such bonds county commissioners and other authorities shall comply with the requirements of "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved April twentieth one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) and the acts amendatory thereof and supplemental thereto except in so far as the same may be inconsistent with the provisions of this act

Nothing herein contained shall authorize or require the county commissioners of any county to submit to the electors the question of increasing the indebtedness of said county or authorize or require said county commissioners to issue bonds in such amount that the indebtedness of such county will exceed seven per centum upon the assessed valuation of the taxable property therein as limited by article nine section eight of the Constitution nor shall the total amount of bonds issued by any county under the provisions of this act and outstanding at any time exceed two per centum of the last assessed valuation of the taxable property of such county

Section 503 APPROPRIATIONS FOR LAW LIBRARY The board of commissioners shall annually appropriate to the committee hereinafter provided such sum or sums as may be directed by the president judge of the court of common pleas of the county for the purchase and support of a law library to be kept in or near the court house of the county for the use of the citizens thereof

Section 504 LAW LIBRARY COMMITTEE The money thus appropriated shall be expended under the direction of a committee of five members of the bar of the county to be appointed annually by the judge or judges of the several courts thereof who shall have power to fill any vacancies that may occur in said committee

Said committee shall have power to adopt such rules and regulations for the management of said library as may be expedient and necessary for the proper care and preservation of the same and shall at the end of every year report to the judge or judges aforesaid the condition of said library and account for all expenditures of money made by them in relation thereto which if approved shall be filed of record in the office of the prothonotary of said county

Section 505 ADDITIONAL APPROPRIATIONS FOR LAW LIBRARY In all cases where a law library has been or may be established in any county for public use the board of commissioners may annually make such appropriation as may in addition to any other source of revenue provided by law be necessary and sufficient to properly support and maintain such library

Section 506 REWARDS FOR DETECTION OR APPREHENSION OF CRIMINALS The board of commissioners may when they deem the same expedient offer such reward in addition to that authorized by law as in their judgment the nature of the case requires for the detection or apprehension of any person charged with or perpetrating

any felony or misdemeanor or aiding or abetting the same Upon the conviction of such person the county commissioners may pay such reward out of the county treasury but in no case shall the owner of any property stolen be entitled to any of the reward for the detection or apprehension of the person guilty of the larceny In cases of misdemeanor the county commissioners must have the approval of the president judge of the court of common pleas of the county before offering or paying such reward

Section 507 DESIGNATION OF NEWSPAPERS FOR COUNTY ADVERTISING IN SECOND CLASS COUNTIES The board of commissioners in counties of the second class shall during the first week in January in each year designate the newspapers in which notices and advertisements to be published by or on behalf of the county shall be published during the ensuing year such advertisements shall be published at regular current rates in not less than two if so many there be nor more than five daily newspapers of general circulation one of which newspapers may be published in the German language provided such German paper is published in said county

ARTICLE VI

EMINENT DOMAIN AND INJURY TO PROPERTY

Section 531 EMINENT DOMAIN COUNTY MAY ENTER UPON LAND ET CETERA In all cases where the right of eminent domain is conferred by the provisions of this act the county may enter upon appropriate take injure or destroy private lands property or material

Section 532 CERTAIN PROPERTY NOT TO BE TAKEN BY EMINENT DOMAIN The power conferred by this act shall not be exercised to enter upon appropriate take injure or destroy any church property graveyard cemetery or any dwelling house or the curtilage of the same in the actual occupancy of the owner or any land now occupied by any building which was used during the Colonial or Revolutionary period as a place of assembly by the Council of the Colony of Pennsylvania or by the Supreme Executive Council of the Commonwealth of Pennsylvania or by the Congress of the United States or as against the land now occupied by any fort redoubt or blockhouse erected during said Colonial or Revolutionary period or against any building used as headquarters by the Commander-in-Chief of the Continental Army or as against the site of any such building fort redoubt blockhouse or headquarters which said building fort redoubt blockhouse or headquarters or site thereof is now or shall hereafter be preserved for its historic memories and associations and not for private profit Provided That the said Colonial and Revolutionary period as applied to buildings forts redoubts blockhouses or headquarters or the sites thereof as aforesaid shall be taken as ended on the third day of September Anno Domini one thousand seven hundred and eighty-three

Section 533 RIGHT OF ENTRY ON PRIVATE OR PUBLIC PROPERTY TO MAKE PRELIMINARY SURVEYS ET CETERA For the purpose of making all necessary preliminary surveys in order to prepare plans and estimates the board of commissioners and the persons by them employed for such purposes may enter upon private or public property and designate by proper marks upon the ground the line of any improvement proposed to be made and constructed under and for the purposes herein authorized

Section 534 RIGHT OF DAMAGES AGAINST COUNTY FOR TAKING PROPERTY AND MATERIALS IN CERTAIN CASES The right to damages against counties is hereby given to all owners or tenants of lands property or material appropriated injured or destroyed by the county in cases where the right of eminent domain has been exercised and to all owners or tenants of lands property or material abutting on or through which pass roads or highways injured by the laying out opening widening vacating extending or grading of such roads or highways or the changing of the grades or lines thereof the construction and the vacation of bridges and piers abutments and approaches therefor and the construction of sewers over upon or through such lands or property

Section 535 AGREEMENT OF DAMAGES The county commissioners pursuant to a resolution duly adopted by a majority of the board may agree with the owner as to the amount of damages occasioned to any person for property taken injured or destroyed Such agreement the county commissioners shall report to the court of quarter sessions Upon the approval thereof by such court such damages shall be payable by the county out of the general county funds or other funds provided for that purpose

Section 536 COUNTY TO FURNISH BOND WHEN IMMEDIATE POSSESSION IS DESIRED NOTICE UPON OWNER OR LESSEE TO QUIT Whenever the board of commissioners or the board of commissioners in conjunction and acting with the corporate authorities of any city borough town or township have selected any land property or material to be appropriated injured or destroyed by the right of eminent domain and desire immediate possession thereof and are unable to agree with the owner or owners upon the amount of damages due them for such appropriation injury or destruction or by reason of the absence or legal incapacity of such owner or owners no such agreement can be made they shall tender a bond to the said owner or owners or to the attorney or agent of any absent owner or to the guardian or committee of any one under legal incapacity in sufficient sum to secure him or them for damages and upon acceptance of said bond by the owner or owners of said land property or material the county shall have the right to immediate possession thereof In case the acceptance of said bond has been refused by the owner or owners the board of commissioners after written notice thereof has first been given to said owner or owners his or their agent attorney guardian or committee shall file the same in the court of common pleas and upon approval thereof by said court the county shall have the right to immediate possession of said land property and material

Section 537 WRIT OF HABERE FACIAS POSSESSIONEM TO ISSUE If the owner lessee or occupier shall refuse to remove his personal property therefrom or give up possession thereof the petitioner in the proceedings may serve written notice upon such owner lessee or his agent or the occupier to remove his personal property therefrom and give up possession of said lands property or materials within sixty days from the date of the service of said notice

If the owner lessee or occupier of said lands property or material shall refuse or neglect to remove his personal property therefrom and give possession thereof upon proof of the service of such notice being filed in the office of the prothonotary for the county in which said lands buildings or other property is located a writ of habere facias possessionem shall forthwith issue directing the sheriff to give to the party entitled thereto possession as is provided for by existing laws

Section 538 IF DAMAGES CANNOT BE AGREED ON COMMON PLEAS TO APPOINT VIEWERS AND FIX TIME FOR VIEW NOTICE OF VIEW QUORUM OF VIEWERS In case the board of commissioners or a majority of them and the parties interested in the land property or material appropriated injured or destroyed by the county fail to agree upon the compensation to be made for the land property or material so taken injured or destroyed upon petition of such commissioners or a majority of them or any person or parties interested and whose land property or material is affected thereby to a court of common pleas of said county the said court shall appoint three viewers from the board of viewers and appoint a time not less than twenty nor more than thirty days thereafter when said viewers shall meet and view the land property or material to be so appropriated injured or destroyed The said viewers shall give at least ten days' notice by publication in the newspapers aforesaid of the time and place of their first meeting and shall also give notice thereof by handbills posted in conspicuous places in the vicinity of the said proposed public improvement All the viewers shall act unless prevented by sickness or other unavoidable cause but a majority of the viewers may hear determine pass upon and report all matters relating to the view for which they were appointed

Section 539 TIME OF APPOINTMENT OF VIEWERS COSTS The viewers provided for in the preceding section may be appointed either before or at any time after the entry upon taking appropriation or injuring of said land property or material

The cost of said viewers and all court costs incurred including all advertising and notices in connection therewith shall be paid by the county except that when the right of eminent domain has been exercised by the county acting with the corporate authorities of any city borough town or township then all costs shall be borne equally by the county and city borough town or township

Section 540 PETITION FOR APPOINTMENT OF VIEWERS TO SPECIFY LIENS ON PROPERTY

SOUGHT TO BE APPROPRIATED IN all proceedings hereafter instituted for the condemnation and appropriation of land and property by eminent domain the petition for the appointment of viewers therein shall contain allegations specifying any judgments mortgages or other claims (hereinafter designated "liens") which liens upon the land and property sought to be appropriated or condemned as aforesaid

Section 541 TESTIMONY AND EVIDENCE CONCERNING LIENS Testimony shall be taken in said proceedings to ascertain the amounts of said liens and the dates of the entry of the same and the amounts of said liens and the dates of entry thereof shall be found as facts by the viewers in said proceedings Certified lists of liens from the courts of the Commonwealth and the United States shall be prima facie evidence of the existence dates amounts dates of entry and places of record of said liens and unless modified or overcome by oral or documentary evidence shall be conclusive upon the parties thereto

Section 542 PROCEDURE RIGHTS AND LIABILITIES WHERE LIENS EXIST When it appears that liens exist which are liens upon property sought to be condemned and appropriated a report of the facts found shall be made to the court Such report shall be subject to exceptions in manner to be regulated by the Supreme Court by general rule When the court has finally determined the findings in relation to the laws the court shall make an order directing the payment and distribution of the amount found to be payable as compensation to the parties entitled thereto First to the owners of said liens then to the owners of the property appropriated as aforesaid The parties interested shall have the right of appeal from said order of distribution to the Superior and Supreme Courts Payment in accordance with the order of distribution evidenced by a receipt of record in the proceedings shall absolutely discharge the party making the payment from all liens by any person copartnership association or corporation as against said property In such receipt and on the record thereof any claimant may reserve the right to proceed against any other property or assets of the owner of the property condemned for any balance due upon his lien

Section 543 PROCEEDINGS BY AND BEFORE VIEWERS The said viewers having been duly sworn or affirmed faithfully justly and impartially to decide and true report to make concerning all matters and things to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises and examined the land property or material to be appropriated injured or destroyed shall hear all parties interested and their witnesses and having a due regard to and making just allowance for the advantages which may have resulted or which may seem likely to result to the owner or owners of said lands or materials in consequence of the proposed improvement shall estimate determine and assess the damages for the land property or material taken injured or destroyed and to whom the same is payable and the benefits if any in connection therewith Having so estimated determined and assessed the damages and benefits they shall prepare a schedule thereof and give notice to all parties to whom damages are allowed or against whom benefits are assessed of a time not less than ten days thereafter and of a place where said viewers shall meet and exhibit said schedule and hear all exceptions thereto and evidence

Section 544 NOTICE OF MEETING Notice of the time and place of said meeting shall be given in the manner provided by law for the service of summons in a personal action upon all parties allowed damages and against whom benefits have been assessed as shown by said schedule if the said parties can be found in the county or upon an adult person of any residing upon the property affected in case the owner or reputed owner cannot be found and to all others by publication in the newspaper or newspapers in which the first notices of said view were published When no service is made upon the owner reputed owner or upon an adult person residing upon the property affected said notice where publication thereof has also been made shall be deemed to have been properly served if tacked or conspicuously posted on the premises The court may provide by whom the notice provided by this act shall be posted given and served and fix the compensation for said service

Section 545 REPORT TO COURT After making whatever changes are deemed necessary the said viewers shall make report to the court showing the damages allowed and benefits assessed in each case and file therewith a plan showing the improvement and the land properties and materials taken injured or destroyed When said report is filed notice thereof shall be given by publication once in the newspaper or newspapers in which first notices of said view were published Said notice shall state the date of filing of the report and shall contain a schedule of the damages and benefits shown therein and shall further state that unless exceptions thereto are filed within thirty days from the date of filing the said report will be confirmed absolutely

Section 546 CERTAIN TESTIMONY AUTHORIZED In all proceedings arising from the exercise of the right of eminent domain it shall be competent for all witnesses called when duly qualified to state their opinion as to the market value of the property before the exercise of the right of eminent domain and as unaffected by it and its market value immediately after the exercise of the right of eminent domain and as affected thereby

(a) To state in detail and costs all the elements of benefit or damage which they have taken into consideration in arriving at their opinion

(b) In arriving at their opinion as to the market value immediately after the exercise of the right of eminent domain to add to their opinion of the market value before such exercise the cost or value of all the elements of benefit or advantage and to deduct therefrom all disadvantages or damage in order to arrive at the market value after such exercise of the right of eminent domain and as affected thereby

(c) In all proceedings to assess damages or benefits for the opening of any road or highway to take into consideration as one of the elements of advantage or disadvantage the cost of highway improvements

Section 547 VALUE OF PROPERTY AS ASSESSED FOR TAXATION MAY BE OFFERED IN EVIDENCE In all claims for damages against a county arising from the exercise of the right of eminent domain it shall be competent for the party or parties claiming damages and for the county to offer in evidence the value of the property affected as assessed for the purpose of taxation

Section 548 UNLAWFUL ASSESSMENTS In all cases of the appropriation of land for public use other than for roads or highways it shall be unlawful to assess any portion of the damage done to or value of the land so appropriated against the other property adjoining or in the vicinity of the land so appropriated

Section 549 VACATION OF ROAD WHEN NO PROPERTY IS TAKEN Whenever viewers are appointed to vacate any road or highway and the vacation of the same takes no land from the owner abutting thereon if in the opinion of the viewers such vacation damages the property of the abutting owner they may award damages to such owner as though land has been actually taken

Section 550 PROCEDURE WHEN BUILDING IS ON LINE OF PROPOSED ROAD Whenever in locating relocating opening widening straightening or extending any road or highway or parts thereof the same shall be found to pass through take or injure buildings barns or other valuable improvements thereon the said viewers or a majority of them shall have the right to recommend that such buildings and improvements situate in part or in whole on the road or highway so to be improved opened widened straightened or extended shall be permitted to remain thereon for such time as shall be deemed wise and proper and if the court shall approve the finding and report of said viewers or a majority of them the owner or owners of such building or improvements may continue to use and enjoy the same during the time by such viewers and the court fixed and determined But in case of the destruction vacation or abandonment of any such building within the time they are so authorized to remain such owners or owner shall not have the right to re-erect and reconstruct or retake such building or improvements within the line of such road or highway

Section 551 TIME LIMIT FOR REPORT OF VIEWERS EXTENSION OF TIME Viewers appointed to assess the damages and benefits due to the appropriation injury or destruction of land property and material shall make their reports within a time which the court shall fix when so appointing them If the viewers so appointed shall for any reason appearing sufficient to the court be unable to file their report within the period so fixed the court may either before or after the expiration of the time fixed extend the time for the filing of such report

Section 552 EXCEPTIONS TO REPORT Upon the report of said viewers or any two of them being filed in said

court any party interested may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report When said report is first filed in court the prothonotary thereof shall mark the same "confirmed nisi" and in case no exceptions are filed thereto within said thirty days he shall enter a decree (as of course) that said report is confirmed absolutely Within thirty days after the confirmation modification changing or correcting of said report any interested party may appeal from said decree to the Superior Court or to the Supreme Court as the case may be

Section 553 DEMAND FOR JURY TRIAL Within thirty days after said report is filed in court as aforesaid such county and any party whose property is taken injured or destroyed may appeal to the court of common pleas and demand a trial by jury according to the course of the common law The court of common pleas shall within thirty days order what notices shall be given in connection with any part of said proceedings and make all such orders as it may deem requisite and may by rule or otherwise prescribe the form of the pleadings After verdict and final judgment either party may have an appeal to the Superior Court or Supreme Court as in other cases

Section 554 PAYMENT OF DAMAGES AND COSTS All damages agreed upon or awarded and all costs and expenses incurred shall be paid by the county except in cases where an appeal is taken by any party in interest from the award of the viewers and the appellant does not recover any greater amount than the viewers award in which case the appellant shall pay all costs of such appeal

Section 555 COLLECTION OF AWARDS Upon the final confirmation of the report of the viewers the party or parties to whom an award has been made shall have the right to take such further appropriate legal proceedings as may be necessary and proper to enforce payment of said confirmed award either in nature of a writ of mandamus execution or otherwise

556 TITLE TO VEST UPON PAYMENT OF AWARD Upon payment of the compensation for land or property in accordance with the order of distribution title to such land or property shall vest in the county in accordance with provisions of the law under which the appropriation is made and all claims for compensation shall be deemed paid and satisfied

Section 557 COUNTY TO PAY MONEY INTO COURT IN CASE OF ADVERSE CLAIMS PROCEDURE If any person or persons shall claim adversely to each other any estate or interest in the land property or material selected by the board of commissioners to be appropirated injured or destroyed for the purposes mentioned in this act and the viewers shall not be liable to determine who are the owner or owners of said land property or material or the value of their estates and interests therein they shall so report valuing the land property or material as a whole and upon the confirmation by the court of the report of said viewers if no appeal shall be taken therefrom the commissioners of the county shall pay into the court the whole of the said valuation money and thereupon the title to the land property or material and the estates and interests of all the owners thereof shall become vested in fee in the county requiring and taking said land property or material The court of common pleas shall by rule process or motion require all said claimants to appear therein and may by an issue framed between them to be tried by a jury or by a reference to a master or by such orders and decisions as shall appear to be just under all the circumstances of the case determine the estates and interests of said claimants in said valuation money Upon the final determination of such proceeding the court shall direct said valuation money to be paid to the person or persons ascertained to be entitled thereto

Section 558 APPEALS BY ADVERSE CLAIMANTS In case any of said claimants shall appeal from the award of said viewers the county commissioners may upon filing in the court and having approved thereby a bond in double amount of said award to the said owners and claimants for the benefit of the persons owning said land property or material with at least two sufficient sureties conditioned for the payment by the county of such an amount as the owner or owners shall be entitled to receive for said ground when the same shall have been finally ascertained by due course of law lawfully enter upon and take possession of said land property or material The said court shall thereupon proceed to determine the estates and interests of said claimants in said land property or material as is hereinbefore provided when the valuation money is paid into court Which said proceeding shall be finally determined before the issue framed upon the said appeal shall be tried and if it be determined that the party appellant has no estate or interest in said land property or material his appeal shall be disallowed

Section 559 PAYMENT INTO COURT WHEN AWARD IS REFUSED OR WHEN PARTIES CANNOT BE FOUND Any amount of money awarded as herein provided if refused by the person or persons entitled thereto or if the person or persons entitled thereto cannot be found shall be paid into court and thereafter all such persons shall look to said fund for all damages accruing by reason of the appropriation injury or destruction of such land property or material

Section 560 NOTICE TO OWNER TO QUIT AFTER PAYMENT OF DAMAGES AS ASSESSED In case any land or proerty selected by the board of commissioners or by the board of commissioners in conjunction and acting with the corporate authorities of any city borough town or township to be appropriated injured or destroyed and said land or property has improvements thereon in the actual occupancy of any person or persons and such person or persons has had his her or their damages assessed and paid thirty days' notice to vacate the same shall be given to the party or parties so in actual possession In case of refusal or neglect on the part of any one to obey said notice the board of commissioners may at the expiration of said thirty days enter upon and eject or cause to be ejected any of the parties so refusing or neglecting to vacate and use force enough by themselves agents or employes to accomplish the same

Section 561 APPROPRIATIONS OF RIGHT OF WAY OR EASEMENT In any action brought to ascertain or recover damages caused to any owner of lands by reason of the appropriation of a right of way or easement in such lands by any county where such owner of lands and such county cannot agree upon the amount of damages payable to such owner the parties may by agreement waive the right to have such damages assessed by viewers Such owner may thereupon file his statement and claim in the court of common pleas and rule the defendant to plead thereto within fifteen days from notice of such rule duly served upon said county and the said suit shall be proceeded with the same as if an award of viewers had been filed and an appeal had been taken therefrom

Either party to such action shall have the right during the trial to demand and have the jury which may be selected to try said cause visit and view the premises over or through which the right of way or easement extends before rendering a verdict in such case

Section 562 DISCONTINUANCE OF PROCEEDINGS BY COUNTY PRIOR TO ENTRY UPON TAKING ET CETERA In case the county shall discontinue any proceedings taken providing for the appropriation injury or destruction of any land property or material prior to the entry upon taking or appropriation thereof and before judgment therein the said county shall not thereafter be liable to pay any damages which have been or might have been allowed but all costs upon any such proceedings had thereon shall be paid by the county together with any actual damages loss or injury sustained by reason of such proceeding the amount of the same may be determined and fixed by the court in which such proceedings was pending

ARTICLE VII

Grounds and Buildings

Section 581 TITLE TO REAL ESTATE VESTED IN COUNTY The title to all court houses jails prisons and workhouses together with the lots of land thereunto belonging or appertaining and all other real property acquired or that may hereafter be acquired by or for the use of the county shall be and they are hereby vested in the county for the use of the people thereof and for no other use

Section 582 BUILDINGS TO BE KEPT IN ORDER AND REPAIR ALTERING ADDING TO OR ENLARGING The board of commissioners shall keep and maintain the public buildings of the county in suitable and convenient order and repair and may when necessary having first

obtained the approval of the court of quarter sessions of the county alter add to or enlarge the same

Section 583 TEMPORARY COURT HOUSE Whenever the court house or place appointed by law for holding any of the courts shall be unsafe shall have been destroyed or under repairs the board of commissioners shall procure some other convenient place at the county seat to be approved by the court for holding such courts

Section 584 SEPARATE ROOMS FOR WOMEN JURORS The board of commissioners shall provide and maintain a separate room or rooms at or adjoining the court house upon order of the court for the comfort accommodation and convenience of women jurors and such rooms shall be provided with suitable furniture for the use of women jurors who may be serving upon juries unable to bring verdicts upon the day in which the case was placed in their hands These rooms shall also be equipped with mirrors toilets beds and other conveniences necessary to provide for the safety comfort and convenience of the occupants thereof In lieu of providing and maintaining such separate room or rooms the board of commissioners may from time to time as occasion therefore arises provide such separate accommodations for women jurors at any hotel or lodging house at the county seat

Section 585 ROOM OR BUILDING FOR JUVENILE OFFENDERS WAITING TRIAL The board of commissioners shall provide furnish and heat within the county a separate room or rooms or a suitable building to be used exclusively for the confinement of any and all children under the age of sixteen years who may be in custody awaiting trial or hearing in the courts of the county and provide for the maintenance and care of such children while in custody

Section 586 DISORDERLY CONDUCT IN AND ABOUT COURT HOUSES AND JAILS PROHIBITED It shall be unlawful for any person to cause any outcry or disorder or be guilty of any indescent or unbecoming conduct tending to disturb the peace and good order which should prevail in the said county court houses jails and other county buildings or to wilfully or carelessly defile deface or injure the floors walls or any other portion of said buildings or fences or railings surrounding the same or the carpets furniture or other articles or things used in or about said buildings belonging to the said several counties Any person violating any of the provisions of this section shall upon summary conviction be sentenced to pay a fine not exceeding ten dollars In case such person shall neglect or refuse to pay the same he or she shall suffer an imprisonment not exceeding thirty days

Section 587 WATCHMEN AND EMPLOYEES The board of commissioners may appoint one or more officers or watchmen to guard and protect the county buildings and to enforce the provisions of this act relating thereto Such officers or watchmen shall have power to arrest on view any person violating the same

The board of commissioners shall employ all janitors firemen engineers mechanics laborers and caretakers of all county buildings and grounds Such watchmen and employees shall be paid such compensation as shall be fixed by the salary board or by the commissioners in counties where there is no salary board

Section 588 DISPLAY OF MUNICIPAL FLAGS ON COUNTY BUILDINGS AUTHORIZED It shall be lawful to display the flag of any county city borough or other municipality in the State on the public buildings of any county

Section 589 FURNISHING ROOMS FOR MEETINGS OF VETERANS OF CERTAIN WARS AND OF SONS OF VETERANS The board of commissioners may in their discretion upon application therefor furnish to each organization composed of veterans of the Civil War veterans of the Spanish-American War veterans of the War with Germany and Austria veterans of any foreign war and sons of veterans a room or rooms in any public building of such county sufficient for the meeting of each of such organizations at least once each month

Section 591 PLANS OF BUILDINGS TO BE SUBMITTED TO COURT LETTING OF CONTRACT NOTICE APPROVAL Whenever the board of commissioners are authorized and required to erect a court house jail or other county building they shall let the work by contract to the lowest and best bidder after three weeks' public notice in two newspapers published in the county

Section 592 LIST OF QUANTITIES OF MATERIALS REQIRED FOR BUILDINGS In the letting of contracts for the erection and construction of any public building when plans and specifications for same shall be submitted for bids the same shall be accompanied by a bill or list of quantities of materials required for such buildings to be prepared and furnished by the architect or engineer preparing the plans which bill or list shall be attached to the specifications and shall be for a guide to bidders in making their estimates of materials required and a means by which bidders may test their own estimates Provided however That the correctness of such bill or list of materials shall not be taken as being guaranteed by the authorities submitting such plans and specifications for bids

Section 593 SEPARATE SPECIFICATIONS AND CONTRACTS FOR CERTAIN ITEMS WHEN ENTIRE COST EXCEEDS $1,000 In the preparation of specifications for the erection construction and alteration of any public building when the entire cost of such work shall exceed one thousand dollars the architect engineer or other person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work and the board of commissioners shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder for each of said branches

Section 594 ADDITIONAL BOND TO PROTECT LABOR AND MATERIAL-MEN ON CONTRACTS The board of commissioners shall in the improvement of lands or in the erection alteration addition or repair of edifices and public buildings of any kind have power to require of the contractor or contractors employed in and about said improvements an additional bond with sufficient surety or sureties providing for the payment of all labor and material entering into the said improvements

Section 595 RIGHT OF ACTION ON BOND IN LABOR AND MATERIAL-MEN The labor and material-men furnishing labor and material in and for said improvements upon the contract of said contractor shall have the right according to law to sue in an action of assumpsit in the name of the obligee for his or their use upon said bond upon proof of said contractor's failure to pay for said labor or material

Section 596 COUNTY TO EMPLOY REGISTERED PROFESSIONAL ENGINEERS ON PUBLIC WORK It shall be unlawful for the board of commissioners to engage in the construction of any public work involving engineering unless the plans and specifications and estimates have been approved by and the construction supervised by a registered professional engineer Provided That nothing in this section shall be held to apply to any public work wherein the contemplated expenditure for the complete project does not exceed two thousand ($2,000) dollars

Section 597 COMPLIANCE WITH WORKINGMEN'S COMPENSATION ACT All contracts executed by the board of commissioners which shall involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept in so far as the work covered by any such contract is concerned the provisions of the Workingmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and that the said contractor will insure his liability thereunder or file with the board of commissioners a certficate of exemption from insurance from the Bureau of Workingmen's Compensation of the Department of Labor and Industry

Section 598 PROOF OF ACCEPTANCE OF ACT OR EXEMPTION FROM INSURANCE TO PRECEDE EXECUTION OF CONTRACT The board of commissioners before signing on behalf of the county any contract requiring in its performance the employment of labor shall require proof that the said contractor with whom the contract is made shall have accepted the Workingmen's Compensation Act of one thousand nine hundred and fifteen and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of said act or that the contractor has had issued to him a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry Any contract executed in violation of the provisions of this and the preceding section shall be null and void

Section 599 COUNTY MAY REQUIRE PUBLIC WORK DONE WITHIN CERTAIN TERRITORIAL LIMITS The board of commissioners may provide by contract that any portion or all of the work on any county building or public

work for the county shall be done within the territorial limits of the county for which the said work is being performed

Secton 600 PURCHASE OF GROUNDS AND ERECTION OF BUILDINGS FOR CERTAIN PURPOSES AUTHORIZED When it appears to the county commissioners that the necessities of the county require ground at the county seat for the purpose of the erection or extension of such building or buildings as may be necessary for the accommodation of the courts and of the several officers of the county and for the reception and safe-keeping of the records and other papers in charge of such officers and also ground at or near the county-seat for the purpose of the erection or extension of such otner building or buildings as may be necessary and proper for the purposes of a county jail or workhouse or any or either of them they may purchase ground for such purposes and cause to be erected thereon the necessary buildings for which said ground was purchased subject to the approval of the court of quarter sessions

In case the ground so selected by the commissioners for any of such purposes cannot be obtained by agreement with the owner or owners at a price reasonable in the estimation of said commissioners or by reason of the absence or legal incapacity of any such owner or owners no such price or value can be agreed upon the board of commissioners shall proceed to acquire the same by the right of eminent domain and the proceedings for the ascertainment of damages for such property land or materials taken injured or destroyed shall be in the manner and subject to the restrictions and procedure provided in article six of this act

Section 601 JAILS TO BE CONSTRUCTED SO AS TO PERMIT SEPARATE CONFINEMENT OF INMATES Every county prison which shall be hereafter erected shall be so constructed that every person committed thereto whether upon conviction or otherwise may be confined separate and apart from every other person committed thereto due regard being had in the plan of construction to the health of the persons to be so confined

Section 602 ERECTION OF JAILS IN COUNTIES OF THE FOURTH CLASS DISPOSAL OF OLD BUILDINGS Whenever in any county of the fourth class the county jail prison or workhouse of such county is located in or upon a public park square or commons in the borough town or city then being the county-seat of such county and a new building or buildings are authorized and required to be erected in place of such county jail prison or workhouse the commissioners may erect such new building or buildings upon a site or conveniently near the county-seat and if need be may purchase ground for the erection of such building or buildings Upon the completion of such new building or buildings the commissioners may dispose of such jail prison or workhouse building or buildings together with all the right title or interest of such county in and to the real estate upon which said building or buildings are situated for any public purpose including a war memorial either by sale or by gift or they may remove said building or buildings from said public park square or commons

Section 603 JOINING WITH CITY IN IMPROVING CERTAIN STREETS AND HIGHWAYS The board of commissioners of counties now erecting or which may hereafter erect public buildings in any city may with the approval of the court of common pleas or if there be more than one of such courts then with the approval of all the courts of common pleas of such county join with the proper authorities of such city in the grading re-grading paving re-paving and improvement of so much of the streets and highways as are in upon or alongside of the grounds upon which said public buildings stand Said commissioners may enter into contract with any such city authority for the payment of a just proportion of the expense of said grading re-grading paving re-paving and improvement of said streets and highways and may appropriate from the county treasury sufficient funds for this purpose

Section 604 COOPERATION WITH COMMITTEE APPOINTED BY CITY Said board of commissioners may act with any committee or committees which may be appointed by such city authorities to establish grades determine the kind and quality of paving materials to be used and ratify the contracts entered into by said city authorities in the course of said improvements No obligation shall rest upon the county for any proportion of the expenses of such improvements until the selections of grades and paving materials and the acceptance of bids by said city authorities shall have been ratified by said board of commissioners and approved by the courts of common pleas

Section 605 APPROPRIATIONS FOR COMFORT STATIONS The board of county commissioners may appropriate moneys to assist any city or borough being the county-seat to construct and maintain comfort stations within the boundaries of the county

Section 606 BUILDING ON PUBLIC SQUARE REBUILT ON ANOTHER PUBLIC SQUARE Whenever the court house jail or other county building is located upon a public square or common in the borough town or city then being the county seat and a new building is authorized and required to be erected in place of such court house jail or other building the board of commissioners may erect such new building upon any other of the public squares or commons of said borough town or city or upon any part thereof Provided That the councils of the said borough town or city shall have first consented to such new location for said building

Section 607 PARKS AND COMFORT HOUSES IN COUNTIES OF THE SECOND CLASS The board of commissioners of counties of the second class may purchase land to be used for park purposes or for the erection thereon of public comfort houses The land purchased for such purpose shall lie within the limits of such county and shall be contiguous to or in the vicinity of a county road and shall be outside the corporate limits of any city or borough The amount that may be expended for such purposes shall not exceed the sum of twenty-five thousand dollars in any one year nor the sum of five thousand dollars for any single park or any single comfort house The board of commissioners shall agree with the owner or owners of the land selected upon a reasonable price to be paid therefor The county may erect and maintain on the land such buildings as are necessary to fufill the purposes for which the and was acquired

Section 608 RULES AND REGULATIONS The board of commissioners in second class counties may adopt reasonable rules and regulations necessary for the preservation management and control of parks and public comfort houses so established and maintained and provide penalties for the breach thereof All rules adopted by the board of commissioners shall before becoming operative be published once a week for three consecutive weeks in three newspapers of general circulation in the county and shall be recorded in the office of the recorder of deeds in such county Any person violating any rules so adopted shall upon summary conviction be sentenced to pay a fine of not less than five dollars nor more than twenty-five dollars which will be payable to the county treasurer who shall add the fine to the fund for the improvement of county roads

Section 609 MONUMENTS AND MEMORIALS TO WAR VETERANS The board of commissioners may appropriate money for and provide for the erection of monuments or memorial commemorating the services of the soldiers sailors and marines in any war in which the United States has been or may hereafter be engaged The style and character of such monuments or memorials shall be approved by the State Art Commission

Section 610 ASSISTANCE TO PRIVATE OR MUNICIPAL AGENCIES The board of commissioners may in order to prevent duplication appropriate money to assist any individual private corporation city borough town or township in the erection of any monument or memorial for said soldiers sailors and marines Before any such appropriation is made the style and character of such monument or memorial shall be approved by the State Art Commission

Section 611 ERECTION OR COMPLETION OF MONUMENTS AND MEMORIALS PETITION TO COURT Upon the petition of at least fifty citizens of the county to the court of quarter sessions for the erection or completion and maintenance of a memorial monument or memorial hall in honor of the soldiers sailors and marines for such county who served in any war in which the United States has been or may hereafter be engaged and the approval of said petition by said court of quarter sessions the board of commissioners may erect or complete any monument now partly erected but not completed and maintain at the county seat a suitable monument or memorial in honor of said soldiers sailors and marines

Section 612 ERECTION OF MEMORIAL HALL ELECTION FOR PURCHASE OR CONDEMNATION OF SITE In case the petition is for the erection or completion and maintenance of a memorial hall and the same has been approved by the court of quarter sessions the board of commissioners shall submit the question of the erection of a memorial hall to the electors of the county at the next election and

if a majority of the persons voting at such election shall vote in favor of the same the board of commissioners shall erect at the county seat a memorial hall and acquire by purchase donation or by condemnation under the right of eminent domain the necessary site and erect and maintain thereon a suitable and proper memorial hall or buildings in memory of the soldiers sailors and marines of any such wars All proceedings for the condemnation of any property under the provisions of this section shall be in the manner and subject to the restrictions and procedure provided in article six of this act

Section 613 EXISTING BUILDING MAY BE USED If the site so secured has a hall or building already erected thereon which can be altered and improved so as to be made suitable for such memorial hall the board of commissioners may acquire such site in manner aforesaid for the purpose of a memorial hall

Section 614 DONATIONS MAY BE ACCEPTED BY COMMISSIONERS TO AID IN ERECTION OF MEMORIAL HALLS For the purpose of aiding in paying the purchase money and price for the site and erection and construction of such memorial hall voluntary donations and contributions may be accepted by the board of commissioners from individuals associations and organizations

Section 615 MAINTENANCE OF HALL Such memorial hall shall be and remain the property of and shall be maintained at the expense of the county

Section 616 PLAN OF HALL SPECIAL ROOMS TO BE PROVIDED Such memorial hall shall be in the honor of the soldiers sailors and marines from said county who served in the Army and Navy of the United States in any war in which the United States has been or may hereafter be engaged Such memorial halls shall each contain in addition to other rooms one large assembly room or auditorium for public meetings of the soldiers sailors and marines of such county which may be used also for other public meetings and patriotic gatherings by the consent of the board of control herein provided for Such memorial hall shall also contain rooms for meetings of posts of the Grand Army of the Republic encampments of the Union Veteran Legion commanderies of the Loyal Legion camps of Sons of Veterans Women's Relief Corps Ladies of the Grand Army of the Republic chapters of the Daughters of the Revolution organizations of the Spanish-American War and Philippine Insurrection the American Legion Veterans of Foreign Wars and organizations of veterans of all other wars in which the United States has or may be engaged and also rooms for such committees of public defense and welfare as may be created by the State or as may be approved by the board of control hereinafter provided or Except in counties of the first class such memorial hall shall also include a room or rooms for the county historical society Such memorial halls shall also provide room for the display and preservation of relics and trophies of all wars in which the United States has been or may be engaged photographs paintings and portraits busts and statues of the soldiers sailors and marines of the said counties and mural tablets upon which shall be inscribed the names of such soldiers sailors and marines Such memorial halls shall also contain waiting and rest rooms with lavatories attached

Section 617 HISTORICAL SOCIETY ROOM TO BE MADE FIREPROOF The room for the county historical society shall be made as nearly fireproof as possible and be provided with the proper files and furnishing for preservation and storing of all historical data of the said county with reference to any and all subjects

Section 618 BOARD OF CONTROL A board of control is hereby created which shall have charge of all matters relating to such memorial hall and shall have the care thereof The board shall be composed of three members chosen by members of the Grand Army of the Republic three members chosen by members of camps of Spanish-American War Veterans and three members to be chosen by members of the American Legion The judges of the court of common pleas and the board of commissioners shall be ex-officio members of the board of control The selected members of the board shall serve one year when their successors shall be selected Vacancies occurring shall be filled by the board for the unexpired term of the member whose death resignation or removal caused the vacancy

Section 619 FLAGSTAFF TO BE ERECTED DISPLAY OF FLAG A suitable flagstaff shall be erected upon said memorial hall from which shall be displayed the flag of the United States from sunrise to sunset on each and every day of the year

Section 620 PURCHASE OR CONDEMNATION OF ADDITIONAL LAND EQUIPMENT FURNISHING AND DECORATING LIMIT OF COST In any county in which there has been or may hereafter be erected a memorial hall in honor of the soldiers sailors or marines from such county who served in any war in which the United States has been or may be hereafter engaged upon petition of at least fifty (50) citizens to the court of quarter sessions setting forth that it is necessary or desirable to acquire additional land adjoining that upon which said memorial hall is erected to enhance and preserve the beauty and character of said memorial hall and the object had in its erection or that it is necessary or desirable to equip furnish and decorate said memorial hall or both the court may make an order autnorizing the board of commissioners to acquire by purchase or condemnation such additional land or to equip furnish and decorate said memorial hall or both The cost to said county of acquiring such additional land shall not exceed a sum equal to one-fourth (¼) of the total cost of said memorial hall and the land upon which said memorial hall has been erected and the cost to said county of equipping furnishing and decorating said memorial hall shall not exceed a sum equal to one-twelfth (1-12) of the total cost of said memorial hall and the land upon which said memorial hall has been erected

Section 621 TAX LEVY INCREASE OF INDEBTEDNESS The board of commissioners may provide the funds with which to pay for the ground purchased or condemned and the erection thereon of a memorial hall or the acquiring of additional land or for the equipping furnishing and decorating of said memorial hall by the levying and collecting of a tax upon the taxable persons and property within said county and by increasing the indebtedness of said county according to law and by issuing and selling bonds Such bonds shall be payable in not more than ten (10) years from their date and shall be in such form upon such terms and in such denominations as the said commissioners may deem best

Section 622 PRESERVATION MAINTENANCE AND REPAIR OF PUBLIC MONUMENTS The board of commissioners may preserve maintain and repair any public monument in the county other than in cemeteries including the enclosed public ground surrounding the monument and appropriate moneys for such purposes

Section 623 DONATIONS TO ORPHANS OR CHILDREN'S HOME The board of commissioners may receive from time to time donations gifts legacies endowments devises and conveyance or conveyances of property real or personal that may be given or granted for the use and purpose of providing a home within the county for the keeping and care of indigent orphans and children dependent upon the public of such county for support

Section 624 MANAGEMENT AND CONTROL OF ORPHANS' HOME Any such orphans' home shall be under the management and control of the board of commissioners of the county and they are hereby authorized to appoint a superintendent and such assistants as may be necessary to properly conduct the affairs of such home

Section 625 ADMISSION TO HOME Indigent orphans and children shall be committed to any such home on order of the board of commissioners or of the directors or overseers of any poor district of such county

Section 626 MAINTENANCE OF CHILDREN'S HOME PAYMENT OF SALARIES When any property has been given or granted to any such county for a children's home and a home is duly established it shall be lawful for such county thereafter to appropriate from the county funds moneys for the support and maintenance of such orphans and children and for the payment of the salary of the superintendent and his assistants

Section 627 ADDITIONAL POORHOUSE AND INFECTIOUS DISEASE HOSPITALS In all cases where a poorhouse or houses have been or hereafter shall be erected in any county or counties under any law of this Commonwealth and the said buildings are found insufficient for the purpose of comfortably sheltering and maintaining the poor sick or insane of the county the board of commissioners may erect new or additional buildings for such purposes or for such purposes or for hospitals to prevent the spread of infectious diseases among those sent to such institutions Provided That before erecting any such new or additional buildings the construction thereof shall be recommended by

the directors of the poor and the court of quarter sessions of the proper county

Section 628 PURCHASE AND SALE OF LAND OF POORHOUSE Where the land connected with any poorhouse shall be deemed insufficient for the comfortable and profitable maintenance and occupation of the poor the county commissioners on the recommendations of the directors of the poor and the court of quarter sessions may purchase such additional land not exceeding two hundred acres and take a deed or deeds therefor in the name of the county Where the land connected with any poorhouse shall be found to be useless unnecessary or unprofitable the county commissioners on like recommendation may sell at public sale after due notice such part of the land held as shall be thought unnecessary and unprofitable and execute a deed or deeds therefor to the purchaser

Section 629 CONTAGIOUS DISEASE HOSPITAL Whenever in the opinion of the board of commissioners a hospital for the care of contagious diseases appears to be necessary or advisable the board of commissioners may either locate such a hospital on the grounds of the county poor-farm or may purchase a suitable location in some other locality provided such locality is not within or close to the built-up portion of any city borough or village and not within one hundred (100) feet of any public highways

Section 630 PLANS AND SPECIFICATIONS APPROVAL CONSTRUCTION Plans and specifications may be prepared for such hospital by the board of commissioners or at their instance which plans and specifications must be submitted to the State Commissioner of Health Upon the approval of said plans and specifications by the Commissioner of Health the said hospital may be constructed and equipped in the same manner that other county buildings are constructed and equipped The expense and cost of such construction and equipment paid by the board of commissioners out of county funds

Section 631 EXPENSES OF CONSTRUCTION EQUIPMENT AND MAINTENANCE All expense incident to the construction equipment and maintenance of such contagious disease hospitals shall be paid out of county funds

Section 632 MAINTENANCE ET CETERA BY DIRECTORS OF THE POOR After such hospital is erected and equipped and ready for occupancy it shall be conducted and maintained by and under the authority of the directors of the poor in the same manner that the county-home and other county poor-buildings are conducted and maintained

Section 633 ESTABLISHMENT OF HOSPITAL FOR PERSONS AFFLICTED WITH TUBERCULOSIS Whenever one hundred or more citizens residents of the county petition the board of commissioners for the establishment of a county hospital for the treatment of persons afflicted with tuberculosis such commissioners shall at the next general or municipal election submit to the voters of the county the question whether or not the county shall establish such hospital

Section 634 PREPARATION OF PLANS SELECTION AND PURCHASE OF SITE APPROVAL BY COMMISSIONER OF HEALTH If a majority of the voters voting upon such question at such election shall be in favor of the establishment of the hospital the board of commissioners shall have plans and specifications prepared and shall select and purchase a site for such hospital Such plans and specifications and the location of such site shall be approved by the State Commissioner of Health before the construction of any building is commenced

Upon the approval by the Commissioner of Health of the plans and specifications and the location of such hospital the hospital shall be constructed and equipped in the same manner as other county buildings are constructed and equipped

Section 635 MANAGEMENT OF HOSPITAL Such hospital shall be managed by a board of trustees consisting of five members who shall be electors of the county one of whom shall be a licensed physician Such trustees shall be appointed by the court of common pleas one for a term of five years one for a term of four years one for a term of three years one for a term of two years and one for a term of one year or until their successors are appointed and have qualified All appointments thereafter shall be for a full term of five years All vacancies in the membership of the board shall be filled by the court of common pleas upon the petition of the remaining members of the board for the balance of the unexpired term of the member whose death resignation or removal caused the vacancy

The board of trustees may employ such physicians nurses and other employes as may be necessary to properly conduct such hospital and shall fix their compensation which shall be paid from the county treasury

The board of trustees shall make general rules and regulations for the management of the hospital and are authorized subject to the approval of the county commissioners to undertake such coordinated activities as will promote the usefulness of the hospital in the prevention of tuberculosis They shall serve without compensation except that actual expense in connection with their service shall be paid

Section 636 ADMISSION AND EXCLUSION OF PATIENTS Every hospital established under this act shall be for the benefit of all of the inhabitants of such county afflicted with tuberculosis and they shall be entitled to occupancy nursing care and attendance according to the rules and regulations prescribed by the board of trustees The board of trustees may exclude from the use of the hospital any persons who wilfully violate any rules or regulations

Section 637 COLLECTION OF MAINTENANCE FROM PATIENTS FREE TREATMENT DISPOSITION OF MONEYS RECEIVED The board of trustees may collect from patents admitted to the hospital or from persons legally responsible for their maintenance reasonable compensation for the treatment of such patients They may also give free treatment to such persons as are unable to pay

All moneys received for the treatment of patients or by gift shall be paid into the county treasury and shall be used only for the maintenance of such hospital The board of commissioners may receive contributions donations property and trust funds for the erection and maintenance of tuberculosis hospitals provided for in this act

Section 638 COMMISSIONERS MAY INCUR INDEBTEDNESS The board of commissioners of every county establishing such hospital may incur or increase the indebtedness of the county to an amount sufficient to pay the cost of purchasing a site and of constructing and equipping the hospital by issuing coupon bonds at a rate of interest not exceeding six per centum (6%) and payable within thirty years from the date of issue

The county commissioners shall levy an annual tax in an amount necessary to pay the interest and sinking fund charges on such bonds

Section 639 TAX FOR SUPPORT OF HOSPITAL PAYMENT OF COMMISSIONERS The board of commissioners shall levy an annual tax sufficient for the support of such hospital which when collected shall be paid into the county treasury and such moneys shall be paid from the county treasury by warrant of the board of commissioners after itemized vouchers have been furnished by the board of trustees

Section 640 ANNUAL REPORT TO STATE DEPARTMENT OF HEALTH INSPECTION There shall be an annual report made to the board of commissioners and the State Department of Health in accordance with the form prescribed by the Commissioner of Health who shall by authorized agent visit and inspect such hospitals

Section 641 AUTHORITY TO SELL REAL PROPERTY The board of commissioners may sell any real property belonging to the county on petition to the court of common pleas setting forth a description of the property to be sold and the reason therefor The court shall thereupon fix a day for hearing and notice of which shall be given in at least two newspapers in said county of general circulation once a week for three consecutive weeks After hearing the court shall make such order and decree as shall seem right and proper Such sale shall be returned to the following term of court as orphans' court sales are now returned and said court shall confirm or refuse to confirm said sales as it may deem best for the interests of the county

Section 642 CONVEYANCE OF REAL ESTATE The board of commissioners shall make a deed of any real estate belonging to the county which they are authorized to sell under their hands and seals as commissioners with the seal of the county attached and the same shall be a good and lawful conveyance in fee simple

ARTICLE VIII
BRIDGES VIADUCTS AND CULVERTS
(a) General Provisions

Section 670 NUMBERING OF BRIDGES RECORD The county commissioners shall number all county bridges and

shall mark such number on each bridge They shall keep a record in their office of all county bridges by number indicating the location type of bridge and condition of each

Section 671 CONTRACTS OF OVER $500 FOR BUILDING REBUILDING OR REPAIR OF BRIDGES It is unlawful for any county commissioners to make any contract for over five hundred dollars ($500) to build rebuild or repair any bridge without first advertising for at least three weeks or in case of emergency one week for sealed bids or proposals to build rebuild or repair such bridge in at least three newspapers published in the county where said proposal or bids are asked for Such advertisement shall contain the description of the repairs or plans of the kind of bridge required the time when the proposals or bids shall be closed and when said bids or proposals shall be opened When the contract is for the building of a bridge the plans and specifications therefor or a copy thereof shall be kept in the office of the county commissioners open to the inspection of all intending bidders during such advertising and until the time specified therein for the reception of bids In the case of a bridge to be erected over a river or stream upon the line between two adjoining counties the advertising shall be done in each of said counties and a copy of the plans and specifications shall be kept in the commissioners' office of each county

Section 672 PENALTY If any county commissioner violates any of the provisions of the preceding section or if any county commissioner or any person shall do or permit anything which prevents fair competition in the making or submission of bids for such building rebuilding or repair they shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or be imprisoned not exceeding two years or both

Section 673 FILING OF SECURITY WITH PROPOSALS OPENING OF BIDS The proposals or bids must be accompanied with such security as the county commissioners may require which must be filed with the chief clerk or some one in charge of the commissioners' office at least one hour before the time fixed for the opening of the bids or proposals The time of filing bids and the person's name with whom filed must be marked on the outside of said bids

All bids or proposals shall be opened in public and in the presence of not less than two of the county commissioners and the chief clerk and a record made of each and every bid

Section 674 AWARDING OF CONTRACT RE-ADVERTISING The commissioners shall as soon as possible after the time fixed for the opening of said bids award the contract for the building rebuilding or repair of said bridge to the lowest responsible bidder upon the condition that said bidder must within ten days after notice of award of said contract sign and execute a contract for the faithful performance of the proposal and furnish a bond in a sum not exceeding the amount of the contract which contract and bond shall first be approved by the court of quarter sessions If the lowest bidder neglects to comply with the conditions of his bid within the time required the commissioners shall award the same to the next lower bidder In case all bids are too high or unreasonable in the opinion of the commissioners they may reject any and all bids and advertise for new bids

Section 675 PROCEDURE IN COUNTIES HAVING CONTROLLER In all counties having a controller bids shall be submitted and opened and contracts awarded in the manner prescribed by article four of this act

Section 676 COMPENSATION FOR ADDITIONAL WORK In all cases where bridges shall have been or may be erected for a county and deviations from or alterations in the plan contracted for have been made by the direction of the county commissioners where the county commissioners and builder cannot agree upon the compensation to be made therefor it shall be lawful for such builder to recover any sum to which he may be justly entitled for such deviations and alterations beyond the contract price in an action for work labor and service done and performed and material found and provided

Section 677 INSPECTION Every bridge erected by the commissioners of any county or under contract with them shall upon completion be inspected by three fit persons to be appointed by the court of quarter sessions who shall make report of their findings to the court Such inspectors shall before they proceed make oath or affirmation before any person authorized to administer oaths to perform their oaths impartially and according to the best of their judgment They shall receive such compensation and expenses for their services as shall be fixed by the salary board or by the commissioners in counties where there is no salary board

Section 678 PAYMENT ON CONTRACT IF BRIDGE IS APPROVED BY COURT If any such bridge shall be approved by the court and the same shall have been erected under contract with the commissioners the money due under such contract shall be paid agreeably thereto

Section 679 INSPECTORS MAY RECOMMEND THAT PART OF CONTRACT PRICE BE DEDUCTED If the persons appointed to inspect any bridge erected by contract shall not approve of the same they shall report to the court what sum in their judgment ought to be deducted from the sum stipulated in such contract and thereupon the court shall grant a rule upon the builder or contractor to show cause against said report at a time and place in such rule to be named

Section 680 ACTION ON CONTRACT OR PROCEDURE ON RULE After the service and return of such rule it shall be lawful for the builder or contractor to file a declaration or statement in the court of common pleas of the respective county upon the contract made by him with the commissioners and thereupon proceed to trial in due course in like manner as if an action had been commenced by him upon such contract against the county or at his election he may show cause against the said report and thereupon the court of quarter sessions shall determine the matter as justice and equity shall require

Section 681 INSPECTIONS NOT APPROVING BRIDGE ERECTED BY COMMISSIONERS When any bridge shall have been erected by the commissioners of the county or under their superintendence if the same shall not be approved by the inspectors they shall report in what respect such bridge is deficient and whether or not the same has occured through the default neglect or official misconduct of the commisioners or any of them and what in their judgment is the value of such bridge Thereupon the court shall in like manner grant a rule upon the commissioners to show cause against such report

Section 682 PROCEDURE ON RULE After the service and return of such rule it shall be unlawful for the commissioners to have an issue directed upon the said report to the court of common pleas to be tried by a jury or at their election they may show cause against the same and thereupon the court of quarter sessions shall determine the matter as justice and equity shall require

Section 683 COUNTY MAY RECOVER AGAINST DELINQUENT COMMISSIONERS If it shall appear upon the trial of such issue or upon investigation by the court that though the neglect of official misconduct of any one or more of the commissioners such bridge is insufficient or that it has been erected at an expense greater than its value it shall be lawful for the county to recover against such delinquent commissioner or commissioners the damages sustained by reason of his or their default

Section 684 APPROPRIATION AND TAX LEVY Any county may appropriate and pay out of the general county funds all moneys necessary for the purpose of building rebuilding and repairing bridges under the provisions of this act and may levy assess and collect taxes for such purposes on all real and personal property within said county now or hereafter taxable for county purposes in addition to all other taxes

Section 685 POWER OF COUNTY TO INCUR INDEBTEDNESS Any county may borrow money and incur indebtedness in accordance with the Constitution and laws of this Commonwealth for the purpose of providing funds necessary for carrying out any of the provisions of this article

Section 686 BRIDGES ON BOUNDARY BETWEEN TWO COUNTIES Whenever any bridge contemplated by any of the provisions of this article is on the bounary line between two counties or within one-fourth of a mile therefrom and neecssary for the accommodation of the inhabitants of both counties the commissioners of such counties shall act jointly in the exercise of all powers conferred upon them and in the performance of all duties imposed upon them Whenever a petition of residents or taxpayers is required such petition shall be made by the required number of petitioners in each county to the court of quarter sessions or the court of common pleas as the case may be of their county Whenever any other petitions are required such

petitions shall be made to each of such courts Each of the courts shall act on such petitions and shall communicate its approval or disapproval to the other court

Whenever the appointment of viewers or inspectors is required the court of each county shall appoint a full number of such viewers or inspectors The total number thereof shall act together in the view or inspection and shall make their joint report and recommendations to each court Exceptions to the report of viewers may be filed in and appeals therefrom made to the courts of either county in which case the courts of said two counties sitting together shall hear and determine the same Whenever publication of notice is required such publications shall be made in each county The approval of both boards of commissioners and of both courts shall be necessary in order to authorize any action requiring such approval

All expenses in connection with any matters affecting any such birdge shall be borne by the two counties jointly in proportion to their population and all moneys received from rentals for special use shall be divided between them in the same proportion Such bridge shall be a joint county bridge

Section 687 WIDENING STRAIGHTENING ALTERING OR CHANGING COURSE OF UNNAVIGABLE STREAM FOR PROTECTION OF COUNTY BRIDGES Whenever in the erection construction repair or maintenance of any county bridge it becomes necessary for the safety of said bridge to widen straighten alter or change the course of any unnavigable stream it shall be lawful for the county to enter upon abutting or adjacent land and to widen straighten alter or change the course of such unnavigable stream in such manner as will insure the safety of such county bridge and in connection with such entry to take injure and destroy any necessary land or property in the manner and subject to the restrictions and procedure provided in article six of this act

Section 688 DYKES BANKS CAUSEWAYS AND SLUICEWAYS FOR PROTECTION OF BRIDGES AND HIGHWAYS The board of commissioners for the purpose of protecting any county bridge or bridges the abutments thereof and approaches thereto and any public highway adjacent to the same from the incursions of the tide floods or waters of any creek rivulet or other stream and so as to prolong the life of said structures erect and maintain dykes banks causeways and sluiceways over on and across any creek rivulet or other stream not navigable and which creek rivulet or other stream is affected by the rise and fall of the tide floods or waters of any creek rivulet or other stream and secure a proper right of way for proper ingress and egress thereto upon first securing consent of the owners of the land bordering on said creek rivulet or other steam and also securing consent of the owners of the riparian rights thereon from the source to the mouth of said creek rivulet or other stream

Section 689 MATERIALS TAKEN FROM ADJOINING LANDS It shall be lawful for the contractors or board of commissioners in building any county bridge to enter upon the lands and enclosures near to the place where such bridge is to be built for the purpose of searching for and procuring the materials necessary for the building of such bridge when such materials cannot be conveniently obtained by contract at reasonable prices In exercising such right they shall do no unnecessary damage to the owners of the land and shall repair any breaches of fence which they make

Section 690 ASCERTAINING DAMAGES If the contractors or board of commissioners and the owner of such materials cannot agree upon the sum to be paid for the damages which may be done by the taking of such materials such damages shall be estimated by any two of such three persons as may be agreed upon by the contractors or board of commissioners and owners

Section 691 WHEN PARTIES CANNOT AGREE JUSTICE OF PEACE TO APOINT THREE PERSONS If the contractors or board of commissioners and owner cannot agree upon any person to estimate the value of the materials taken the owner may apply to a justice of the peace residing near the place from which such materials are to be taken Such justice shall appoint three persons one on the nomination of the contractors or board of commissioners one on the nomination of the owner of such materials and the third on his own suggestion The decision of the persons so appointed or any two of them shall be entered upon the docket of such justice and shall be final If either party shall after due notice refuse or neglect to nominate such person the justice shall appoint a person in his stead

Section 692 DAMAGES TO BE PAID OR SECURED BEFORE MATERIALS TAKEN Such damages shall be ascertained and paid or secured to be paid to the satisfaction of the owner of such materials before the same may be dug quarried or removed by such contractors or board of commissioners

Section 693 LIGHTING OF COUNTY BRIDGES AND CONTRACTS THEREFOR Whenever considered necessary for the safety and convenience of the traveling public the county commissioners may supply and equip any county bridge within their respective counties with lights of such kind and character as they shall deem necessary

To carry out the provisions of this act the county commissioners are authorized to contract with any individual or with any municipal or private corporation for the purpose of supplying the necessary light

The cost of the construction erection and maintenance of any light placed upon any bridge such bridge shall be paid by the county

Section 694 REPAIR OF COUNTY BRIDGES The county commissioners shall repair all county bridges heretofore erected or be hereafter erected by the county where no other provision is made for the maintenance thereof and shall pay the expenses of such repairs out of the county treasury

Section 695 PAINTING OF IRON AND STEEL BRIDGES AND TIGHTENING OF BOLTS The county commissioners shall have the county bridges of their respective counties which are constructed of iron or steel painted and the bolts of the same drawn as often as may be necessary to preserve them from the effects of rust and prevent unnecessary wear occasioned by loose bolts

Section 696 CONTRACTS FOR WORK Whenever it may be necessary to paint any of the county bridges and tighten the bolts thereof as required by the preceding section where the cost of such work exceeds five hundred dollars the county commissioners shall cause to be published at least once a week for four successive weeks in two newspapers of the county a list of such bridges stating their location and specifying the kind and quantity of paint to be used and asking for sealed bids for furnishing the material and doing the work upon each separate bridge which bids shall be opened on the first Monday following the close of said four weeks or as soon thereafter as practicable The contract for material and work upon each bridge shall be given to the lowest and best bidder

Section 697 REPAIR OF BRIDGE VIADUCTS AND SUBWAYS BY COUNTY COMMISSIONERS WHEN LIABILITY FOR SUCH REPAIRS IS IN DOUBT Whenever any bridge viaduct or subway carrying a public highway over or under a railroad street railway or other highway in any county of the Commonwealth is out of repair and an application has been made to the Public Service Commission to compel the repair thereof from which proceedings it appears that there is a contest between two or more municipal authorities or between such authorities and one or more public service corporations as to the liability for such repair and that the cost thereof is not in dispute the petitioner or petitioners or any other person or corporation interested may forthwith apply to the county commissioners of such county for the prompt repair thereof

Section 698 APPLICATION TO COUNTY COMMISSIONERS AUTHORITY TO ACT Such application shall be made by serving upon the county commissioners a certified copy of the petition and each of the answers on file before the Public Service Commission After such service the county commissioners may take such steps as may be necessary to place said bridge viaduct or subway in repair and safe for public travel

Section 699 COUNTY COMMISSIONERS MAY REFUSE TO MAKE REPAIRS WITHOUT CONTRIBUTIONS BY INTERESTED PARTIES Should the county commissioners find it impracticable to make such repairs with county funds they shall so notify the complainant in the proceedings instituted before the Public Service Commission Thereupon any individual corporaton or assocation interested in having such repairs made may contribute to a fund deposited with the county treasurer for the purpose of making said repairs When said fund shall become sufficient for said purpose the commissioners shall take the necessary steps to place said bridge viaduct or subway in repair and safe for public travel Said repairs may be made partly

from such contributions and partly from public funds if the commissioners find it expedient so to do

Section 700 COLLECTION OF COSTS OF REPAIRS RETURN OF CONTRIBUTIONS The cost of said repair shall be kept by the commissioners in an open account until there has been a final adjudification of the proceedings before the Public Service Commission whereupon the amount so expended together with five per centum of such amount to cover the cost of supervision of the work shall be collected as awards of the Public Service Commission are collected and shall be paid into the county treasury Thereupon or in case the contributions aforesaid are insufficient to cause said work to be undertaken any contributions which may have been made as aforesaid shall be returned to the contributors

Section 701 TEMPORARY SUBSTITUTES FOR BRIDGES Where county bridges have been or shall hereafter be destroyed or rendered impassable by fire storm flood or other casualty the county commissioners may provide at the expense of the county ferries or other temporary ways as a substitute for such destroyed or impassable bridges until such county bridge shall be rebuilt or rendered fit for public travel Where a county bridge spans a stream which is the boundary between two counties of this Commonwealth and the bridge across such stream has been built and maintained at the joint expense of said adjoining counties the establishment and maintenance of such ferry or temporary way shall be by the joint discretionary action of the boards of commissioners of said counties and the expense thereof shall be borne by said counties in equal shares

Section 702 BRIDGE FOR PEDESTRIANS ONLY When the county commissioners of any county have been legally authorized to erect a county bridge and when in the exercise of their discretion it is found that a bridge for pedestrians only will sufficiently accommodate public travel at the place in question they are authorized to erect such bridge instead of a bridge for general traffic

Section 703 REBUILDING BY COUNTY Whenever it shall appear to the commissioners that any county bridge is not sufficient for any cause to accommodate the public travel or whenever any county bridge has been destroyed or partially destroyed they may upon the approval of the court of quarter sessions of such county erect and construct a new and sufficient bridge to take the place of the insufficient destroyed or partially destroyed bridge Such new bridge when constructed shall be a county bridge

Section 704 CLOSING VACATING ABANDONING AND REMOVING Whenever it shall appear to the commissioners of any county that any county bridge has from any cause become burdensome and is no longer necessary for the accommodation of public travel they may upon the approval of the court of quarter sessions close vacate abandon and remove said bridge

Section 705 CONTRACTS WITH RAILROAD COMPANIES FOR USE PURCHASE REMOVAL REPLACING OR EXCHANGE OF COUNTY BRIDGES Any railroad company which has heretofore located or may hereafter locate its railroad upon any county bridge may contract and agree with the commissioners of said county for the use purchase removal replacing or exchange of such bridge or for the compensation to be paid to said county by said company for the use and occupancy of said bridge or such parts thereof as may be used and occupied by said railroad company For such purpose the commissioners may contract and agree with said company and may do all acts necessary and proper to effectually carry out such contract

That all moneys due and all obligations incurred by said companies under said agreements and contracts may be collected and enforced in the same manner as debts of like amount are now recovered and similar obligations enforced in this Commonwealth

Section 706 RESTRICTIONS AND SAVING CLAUSE No bridge erected under the provisions of this act shall obstruct any canal or railroad over which such bridge may be erected

Nothing in this article shall release railroad or other companies of the Commonwealth from the requirements of existing laws

(b) Authorization and Construction

1 Taking over or assisting with township and municipal bridges

Section 715 ENTERING ON RECORD AS COUNTY BRIDGE Whenever the erection and construction of any new bridge or of any bridge to take the place of an existing bridge over a river creek rivulet or canal or over or under a railroad and forming part of any street road or highway in any city borough town or township is necessary and requires more expense than it is reasonable that such city borough town or township or any two of them

The court of quarter sessions shall upon the when they are adjoining should bear the court of quarter sessions shall upon the representation of the proper authorities of the respective city borough or town or of the supervisors of the township or on the petition of any of the inhabitants of the respective city borough or township order a view If on the report of the viewers it shall appear to the court and commissioners of the county that such bridge is necessary and would be too expensive for such city borough town or township or any two of them adjoining to bear it may in the discretion of the county commissioners be entered on record as a county bridge

Section 716 CHANGE IN LOCATION OF BRIDGE AND ROADS When such bridge is to take the place of an existing bridge the viewers may change the location of such bridge so that it may be located and erected in the most suitable place or at the least expense or in the best manner and in the case of the change of location of such bridge they shall also report what change in the course or bed of the road to be connected therewith will be necessary and shall also report the vacation of the old or existing bridge and the vacation of such portion of the road connecting therewith as they may deem proper The viewers shall cause every such variation to be accurately surveyed and a plot thereof to be made and returned with their report Upon the approval of their report such roads will be altered accordingly

Section 717 ESTIMATE OF COST PROVISION IN TAX LEVY ERECTION BY CONTRACT OR OTHERWISE Whenever a bridge shall be authorized and recorded as a county bridge it shall be the duty of the commissioners to procure an estimate of the cost thereof and provide in the county levies the monies necessary to defray the same and proceed to have such bridge erected by contract or otherwise as shall seem to them expedient

Section 718 ENTERING EMBANKMENTS AND CAUSEWAYS ON RECORD AS COUNTY IMPROVEMENT Where a river creek or civulet over which it may be necessary to erect a bridge crosses a public road or highway and the erecting of such bridge requires the erection and construction of an embankment or causeway leading to either end of said bridge the erection of which embankment or causeway requires more expense than it is reasonable that one or two adjoining townships should bear the court having jurisdiction shall upon the representation of the township commissioners or supervisors or on the petition of any of the inhabitants of the respective townships order a view If on the report of the viewers it shall appear to the court that for the use and enjoyment of said bridge by the public it is necessary to erect and construct an embankment or causeway the erection and construction of which would be too expensive for such township or townships to bear it may in the discretion of the county commissioners be entered on record as a county improvement and constructed as county bridges are erected

Section 719 ASSISTANCE IN BUILDING BRIDGES NOT ENTERED AS COUNTY BRIDGES When it is found by the report of viewers and the court that a bridge is necessary and that the erection of such bridge will require more expense than it is reasonable than the one or more adjoining townships boroughs or cities of the third class should bear and the county commissioners do not deem it advisable to enter such bridge on record as a county bridge but shall consider it proper to assist such township or townships or such city of the third class or such borough in building the same they may either build such bridge or any portion or portions thereof or furnish such township or townships or city of the third class or borough the whole or part of the money necessary to build it without entering such bridge on record as a county bridge

Section 720 RECORD TO BE KEPT BY COUNTY MAINTENANCE REPAIR AND REBUILDING BY TOWNSHIP OR MUNICIPALITIES The county commissioners shall keep a record of all their proceedings in such cases and such bridges shall be maintained kept in repair and rebuilt when necesary by the respective townships boroughs or cities of the third class and the county shall in no event be liable for the same

Section 721 ENTERING ON RECORD AS COUNTY BRIDGE Whenever the county commissioners of any county have heretofore assisted or shall hereafter assist any township or borough in the building of the whole or any portion of a bridge and it shall afterwards appear to the commissioners and to the court of quarter sessions that the care maintenance and responsibility of said bridge is greater than it is reasonable that the said township or borough should bear they may with the approval of said court enter such bridge upon record as a county bridge and it shall thereafter be a county bridge the same as if it had originally been so entered of record

Section 722 BOROUGH AND TOWNSHIP BRIDGES DONATED TO COUNTY Whenever a public bridge has been built or maintained by any borough or township or both or by any two townships and used by the public for travel the county commissioners may take the same as a county bridge whenever the proper authorities having the maintenance supervision and control of such bridge shall tender the same to said county commissioners free and without charge therefor Any bridge so taken shall thereafter be maintained and kept in repair as a county bridge

On Action of County Commissioners

Section 731 BRIDGES AND APPROACHES AUTHORIZED The county commissiones of any county upon the approval of the court of quarter sessions may locate lay out open construct and maintain public bridges across any river or stream whether such bridge is wholly or partly within any city borough or township therein together with such bridge approaches viaduct or other approaches as the county commissioners or a majority of them may deem necessary or convenient for the purpose of connecting any such bridge with the existing streets or public roads in such cities boroughs or townships and to that end may take enter upon appropriate property and rights of property of all kinds whether devoted to a public or private use for the purposes aforesaid and for the necessary slopes piers walls abutments fills and embankments in the manner and subject to the restrictions and procedure provided in article six of this act and may enter upon or over any street public highway or public road in such cities boroughs or townships

Section 732 PLANS AND SURVEYS PETITION TO QUARTER SESSIONS Whenever the county commissioners of any county shall resolve to exercise any of the powers conferred by the preceding section they shall cause to be prepared plans and surveys showing the location of the proposed bridge and its approaches and the property or rights of property affected thereby together with any streets or public roads in any city borough or township proposed to be used in connection therewith and they shall present the same together with their petition on behalf of said county to the court of quarter sessions praying for authority to locate lay out open and construct such bridge Such petition shall briefly describe the location and the estimated cost of such bridge or if the method of construction has not been fully determined the estimated cost thereof for each alternative method of construction proposed

When the approval of any State or federal officer board or body is required as to the location and construction of such bridge or approaches the petition presented to the court shall set forth that the plans and surveys as presented therewith have been approved by such State or federal officer board or body

Section 733 HEARING AND DECREE Upon the filing of any such application or petition the court shall fix a time for the hearing of the same Notice of the time place and purpose of said hearing shall be given by an advertisement published once a week or three successive weeks in at least one newspaper of general circulation in such county and by handbills posted in conspicuous places along or in the neighborhood of the proposed bridge and its approaches or otherwise as the court shall direct

Upon the hearing thereof the court may for proper cause shown disapprove of said application otherwise it shall make an order approving the location and the plans and surveys therefor and authorize such county to construct such bridge and its approaches and to let a contract or contracts therefor under specifications to be prepared by the county engineer or other proper county authority Thereupon the said bridge and its approaches shall be deemed to be laid out and opened in accordance with the surveys and plans accompanying said petition

Section 734 CONTRACTS FOR SPECIAL USE OF BRIDGE The county commissioners of any county may make and enter into contracts or leases with any street railway telegraph telephone or other corporation or persons desiring to make use of said bridge and its approaches for other than ordinary public foot or vehicle traffic and with the successors and assigns of such corporations for the concurrent use of such portion of said public bridge and approaches as shall not substantially impair or restrict the public use and enjoyment thereof upon such terms and conditions as shall be agreed upon or to charge tolls or rentals for such special use No such contract or lease shall be entered into for a longer period than twenty years nor unless such contract or lease shall be first approved by the Public Service Commission of this Commonwealth

Section 735 CONSENT OF CITY OR BOROUGH Should any board of county commissioners in the exercise of the powers herein conferred deem it necessary or advisable to enter upon any street or public highway in any city or borough or to take any other action affecting the property rights or authority of any such city or borough for the purpose of constructing or maintaining any such bridge with its approaches and other appurtenances or otherwise the consent thereto of such city or borough by ordinance shall be first had and obtained

Section 736 COUNTY AUTHORIZED TO CONTRACT WITH CITY OR BOROUGH When such bridge is proposed to be located or erected in any city or borough the county may agree that such city or borough may bear a portion of the cost of the locating laying out opening and constructing of such bridge and its approaches and appurtenances and that the city or borough may provide the approach therefor and bear the cost of the maintenance of any approach within the respective city or borough as shall be agreed upon between any such county and such city or borough All such agreements shall be entered into in writing and at least one executed copy shall be furnished to each county city and borough becoming a party thereto

Section 737 TO BE A COUNTY BRIDGE MAINTENANCE AND EXPENSES All such bridges shall be county bridges and the duty of maintaining the same shall except as otherwise herein provided devolve upon the county and the expense thereof shall be paid out of the general county funds provided for that purpose

3 Between Municipalities on Petition of Resident Taxpayers

Section 741 PETITION FOR BRIDGE OR CULVERT APPOINTMENT OF VIEWERS Whenever any city and borough or township or any borough and township are separated by a river creek or rivulet the court of quarter sessions of the county in which said city and borough or township are situate upon petition by not less than twenty-five resident taxpayers of said county representing that the erection of said bridge or culvert over said river creek or rivulet is necessary for the accommodation and conveyance of public travel and praying that the county shall erect a bridge or culvert over such river creek or rivulet and between such city and borough or township shall appoint three viewers from the board of viewers to view the locality suggested in said petition for a bridge or culvert and to make report of their proceedings to the court at the next term thereof

Section 742 DUTIES OF VIEWERS The viewers after having given three weeks' public notice in at least one newspaper published in said county nearest the locality of the proposed bridge or culvert of the time and place of their meeting and after having been severally sworn or affirmed to perform the duties of their appointment justly and with fidelity and a true report to make shall view the locality mentioned in the petition asking for their appointment If they shall find that there is occasion for a bridge or culvert as prayed for they shall proceed to locate the position for the same having due regard to the convenience and accommodation of public travel and the estimated or probable cost thereof

Section 743 REPORT OF VIEWERS TO THE COURT The viewers shall make report of their proceedings to the next term of said court or at such other time as the court may direct and in their report shall state

First Who of them were present at the view and whether they were severally sworn or affirmed to perform the duties of their appointment justly and with fidelity and a true report to make

Second Whether the bridge or culvert desired is necessary for the accommodation and convenience of public travel and the estimated cost of the same

Third If their report is favorable to the erection thereof the place where they have located said bridge or culvert

If the report of the viewers favors the erection of a bridge or culvert they shall attach to their report a map or draft setting forth the location thereof

Section 744 PROCEEDINGS SUBSEQUENT TO REPORT OF VIEWERS Upon presentation of said report to the court if the court shall approve of the same it shall be confirmed nisi and be presented to the county commissioners who shall either approve or disapprove the same If the report is approved by them and if no exceptions are filed thereto within ten days after its approval by the county commissioners the confirmation of the said court shall record the same as a county bridge or culvert and shall at once proceed to construct said bridge or culvert with the necessary approaches After its construction they shall maintain and keep the same in good repair at the expense of said county

Should the county commissioners for a period of two years after presentation of said report to them following the confirmation nisi by the court neglect or refuse to approve or disapprove of said report then the court shall on application by any of the original petitioners for said bridge or culvert after due notice to the county commissioners if no sufficient case be shown to the contrary order the confirmation of said report to be made absolute and direct that the same be recorded as a county bridge or culvert and that the commissioners shall at once proceed with the construction thereof and of all necessary approaches

Section 745 GROUND FOR APPROACHES TO BRIDGE OR CULVERT For the purpose of securing the proper and necessary approaches for said bridge or culvert the commissioners of the county in which such approaches are situated if unable to procure suitable land therefor may enter upon and occupy sufficient ground for said approaches and many take injure and destroy the same in the manner and subject to the restrictions and procedure provided in article six of this act

Section 746 COUNTY COMMISSIONERS MAY PURCHASE BRIDGES ALREADY ERECTED VIEWERS' REPORT STREET CAR FRANCHISE TO CONTINUE If instead of building a new bridge the county commissioners can purchase any bridge already erected at a cost not exceeding ten per centum of what a new bridge can be built for they may make such purchase upon the recommendation of the viewers Such viewers shall also in their report file an estimate of the actual value of such existing bridge or what said bridge can be built for The amount expended by the county commissioners for such purchase shall not exceed the estimate filed by the viewers

Any street car company having the right of passage over any such bridge shall continue to exercise said franchise after the purchase of such bridge by the county

(d) Acquisition of Bridges

1. Toll-Bridges

Section 761 PURCHASE OR CONDEMNATION On petition to the court of quarter sessions by at least twenty taxpayers of any county wherein a toll bridge is situated representing that said bridge is necessary for the accommodation of public travel and that payment of tolls on such bridge is burdensome to the traveling public and praying that the same shall be taken as a county bridge and the approval of such petition of the court such county may purchase or condemn such toll bridge

Section 762 WHEN PRICE CANNOT BE AGREED UPON If the county desiring to obtain any such bridge with the approaches and appurtenances thereto is unable to agree with the owner or owners of the bridge upon the price to be paid therefor it may take and obtain the same in the manner and subject to the restrictions and procedure provided in article six of this act

Section 763 TO BE PUBLIC BRIDGE TOLLS OR RENTALS FOR SPECIAL USE PRESERVATION OF EXISTING CONTRACTS Whenever any such bridge shall be purchased or condemned the county shall control maintain and use the said bridge as a public bridge free from tolls or rentals for the use thereof from railway telephone telegraph companies and other persons making a use thereof for other than ordinary public foot and vehicle travel Where contracts exist between such persons and the owners of the bridge such contract shall be preserved for the benefit of the county and shall be assigned thereto

2 Acquiring and Rebuilding Bridges Privately Owned or Built by Public Subscription

Section 766 REBUILDING WHEN DESTROYED OR ABANDONED The county commissioners of any county may take charge of or rebuild and reconstruct any bridge owned and maintained by corporations where the same has been destroyed by ice or otherwise within ten years and abandoned by the owners where such bridge crosses any stream or river running into or through such county

Any bridge used exclusively for vehicles and foot purposes over any stream or river forming the boundary line between two counties being on the line of a public highway or deemed necessary for the use of the traveling public and owned and maintained by corporations or by private persons or which was built by public subscriptions which has been destroyed by ice flood or otherwise at any time or which has been or may be abandoned and the site or location and piers and abutments no longer used by the owners may be rebuilt and maintained jointly as a county bridge by the county commissioners of such counties and the costs and expenses of such joint reconstruction shall be paid by the said counties respectively in the proportion of the population thereof as ascertained at the last census

Section 767 MANDAMUS ON PETITION OF TAXPAYERS IF COMMISSIONERS NEGLECT OR REFUSE TO ACT If the commissioners of said county or counties shall neglect or refuse to act as herein provided then upon the petition or pentitions to the court or courts of common pleas of fifty property owners and taxpayers residing in each city borough or townships in which the bridge is or was located said court or courts may issue a writ or writs of mandamus to said commissioners to proceed as provided by the preceding section Such petition or petitions shall set forth fully all the facts and shall be supported by the affidavit of five of said property owners and taxpayers

Section 768 PROCEDURE WHEN DAMAGES CANNOT BE AGREED ON when said commissioners have taken any piers abutments approaches toll houses or other property necessary for the rebuilding and maintenance of any such bridge or have taken or impaired any rights or franchises relating to the same and are unable to agree with the owners upon the amount of damages they may sustain by reason thereof such damages shall be ascertained and paid in the manner and subject to the restrictions and procedure provided in article six of this act

3 Erected by Private Persons or by Public Subscriptions and Donated to County

Section 771 ACCEPTANCE TAKING CHARGE OF AND ENTERING ON RECORD AS COUNTY BRIDGE The county commissioners of any county may accept take charge of and enter upon the records as a county bridge any bridge over any stream or river running into or through any county which bridge has been erected and constructed at the expense of private persons or by public subscriptions and has been opened to free public travel used by the public and become necessary and convenient for the use of public upon notice in writing of the persons who erected or caused the same to be erected or by the subscribers to the original subscription on which the money was raised to erect the same or the heirs or assigns of such persons or subscribers or by a duly authorized board of trustees representing such persons or subscribers of their desire to donate the said bridge to the county wherein the same is situated Where such bridges crosses a stream forming the boundary line between two counties the persons or their heirs or assigns subscriptions or trustees representing them as aforesaid shall give notice in writing to the county commissioners of each of said counties of their desire to donate such bridge to said counties jointly

Section 772 PROCEDURE FOR DETERMINING NECESSITY OF BRIDGE Before said bridge is accepted by the county commissioners the question of its necessity shall be determined in the following manner The said county commissioners shall at the next term of the court of quarter sessions after receiving the notice present the same to said court and petition for the appointment of three viewers The viewers shall immediately fix a time of meeting and give personal notice thereof to the county commissioners and to all other persons by publication in two newspapers published in the county once a week for two consecutive weeks the last publication of said notice to be not less

than ten days prior to the meeting of said viewers At the time fixed for said meeting said viewers shall meet at the bridge and after being sworn to perform the duties of their appointment with fidelity and according to the best of their judgment shall view the bridge and the approaches leading thereto and hear any and all persons interested therein and may if necessary adjourn to a subsequent time or times After full consideration the viewer shall report to the court of quarter sessions by which they were appointed at the next session thereof Such report shall state that said viewers gave notice and were sworn as required herein that they met at the bridge in question and viewed the same together with the approaches leading thereto the condition of the bridges and whether or not in their judgment the same is necessary and convenient to accommodate travel The report of said viewers shall lie over until the then next session of said court and if no exceptions to the proceedings be filed in the meantime the court shall confirm said report absolutely The commissioners shall thereupon enter said bridge upon the records as a county bridge

Section 773 PROCEDURE IF EXCEPTIONS ARE FILED In case exceptions to the proceedings provided in the preceding section are filed within the time therein specified the said proceedings shall stay until the exceptions are disposed of by the court in which they are filed And if said exceptions are sustained proceedings de novo may be instituted at the next or any subsequent session of said court

Section 774 PAYMENT OF COSTS All costs shall be paid out of the treasury of the county The owners of said bridge shall pay the amount of said costs into the county treasury in all such cases as the court by order may direct and the county commissioners may require the owners of said bridges to file a bond together with their notice in a sufficient sum to secure the payment of the same when the case is concluded

(d) Joint Action with Municipalities

Section 781 CITY BRIDGES BENEFITING NEIGHBORING TOWNSHIPS Whenever different parts of any city or any part of such city and any township bordering thereon are separated therefrom by any intervening valley or ravine and the county commissioners of such county shall decide it necessary that a public bridge for the purpose of connecting the territories thus separated be constructed and that such bridge will be of substantial advantage and benefit to the taxable inhabitants of the township bordering thereon or townships adjacent thereto such county may contract with such city for the laying out and construction by such city of such bridge and may pay to the city such portion of the cost thereof as the county commissioners shall deem reasonable and shall appropriate money and levy taxes therefor

Section 782 MUNICIPAL BRIDGES WHERE COUNTY MIGHT HAVE BUILT BRIDGE Where under the provisions of existing laws a city of the third class a borough or a township of the first class is authorized to construct a bridge or viaduct over a river creek or stream or other place over which the county is authorized to build bridges and such municipality is authorized to contract with the county and with railroads street railways and other companies or parties interested for the building and maintenance of such bridge or viaduct and for the payment of any damages caused by the location or erection thereof the county commissioners may with the approval of the court of quarter sessions contract with such city borough or township for that part or portion of the bridge or viaduct which crosses any of the places hereinbefore mentioned including the abutments and piers thereof Such part shall thereafter be maintained as a county bridge In lieu thereof the county commissioners may with the approval of the court contract for any part or portion of the whole structure equal to or greater than the part or portion which the county might have built

Section 783 CONTRIBUTION WHERE COUNTY MIGHT NOT HAVE BUILT BRIDGE When such bridge or viaduct is built by a borough or township of the first class and does not cross any place over which the county is authorized to construct a bridge but crosses merely railroads or railroads and private property the county commissioners may subject to the approval of the court of quarter sessions contract to pay an amount of money not exceeding thirty per centum of the entire cost of the proposed bridge or viaduct Such bridge or viaduct shall thereafter be maintained as a borough or township structure and the county shall not be liable for any part of the cost of maintenance or repair thereof

Section 784 STIPULATIONS OF CONTRACTS The contracts herein provided for may stipulate that the county shall pay a certain part or portion of the whole contract price or cost of the work including damages or may stipulate that the county shall construct or pay for the construction of a certain part or portion of the work and may otherwise provide for the payment of the damages The amount to be paid by the county shall be paid directly to the contarctor as may be provided by the contract The agreements may also provide for the maintenance of the viaducts and bridges after their erection

Section 785 CONTRACTS FOR WORK After any such contract has been entered into the county commissioners in conjunction with the city borough or township shall have prepared plans and specifications of the entire work and shall advertise for bids and award the contract to the lowest responsible bidder Such contract shall provide that the county shall pay its certain part of such bridge or viaduct directly to the contractor The contractor shall have a right of action against the county for the part of the contract which the county agrees to pay

Section 786 CONTRACTS MAY BE RECORDED Any of the contracts hereinabove provided for may be recorded in the recorder's office Such record shall be notice to all persons who might be affected thereby

Section 787 PURCHASE OR CONDEMNATION OF PUBLIC TOLL-BRIDGES Where under the provisions of existing laws a borough or other municipality may purchase condemn and maintain any toll-bridge crossing any river or stream with the limits of such borough or municipality and may enter into contracts with the county commissioners whereby the county shall pay a portion of the costs thereof the county commissioners may upon petition of at least twenty tax payers of the county to the court of quarter sessions and the approval thereof by the court enter into such contract upon such terms and conditions as may be agreed upon for the purchase appropriation or condemnation of such bridge The contract may stipulate that the borough or municipality and county shall each pay a certain portion of the purchase price or the damages allowed by any condemnation proceedings and may also provide for the maintenance and repair of such bridge The amount to be paid by the county shall be paid into the borough or municipal treasury and shall be applied solely to the payment of such bridge

ARTICLE IX

ROADS AND HIGHWAYS

(a) Authorization construction and Maintenance

1 County Roads to be Maintained as Such

Section 901 ESTABLISHMENT OF COUNTY ROADS For the purpose of providing public roads specially constructed improved and maintained the county commissioners may upon approval by the court of quarter sessions originally open any public road or highway and take possession of and exercise control over any existing township road or highway or part thereof and make construct and maintain public roads or highways as county roads within their respective limits Either at the time of and in connection with the original improvement of such road or at any time thereafter they may straighten widen extend and alter any such road or part thereof and vacate so much thereof as may become unnecessary and useless Any road or highway so taken over or improved shall thereupon become a county road It shall be the duty of the county to keep maintain all county roads in repair whether improved under this or former acts of Assembly the expense thereof to be paid by such county in the manner hereinafter provided

Section 902 JOINT ACTION BY COUNTIES Such powers may also be exercised jointly by adjoining counties as to roads extending along adjacent to county lines and from one adjoining county into another

The procedure and jurisdiction in each county in such cases shall be the same as to the portion or portions of such public road or highway lying within its limits The several portions thereof except that the petition plans and surveys of such road or highway shall describe and exhibit the portion or portions of such road or highways within the limits of such county and the portion or portions

thereof extending along the line of or into an adjoining county lying within limits of each county shall be treated in all proceedings as one continuous road or highway

Section 903 TO BE COUNTY ROAD AS SOON AS SO DECREED All roads highways and parts thereof heretofore and hereafter decreed by the court under this or any former acts of assembly to be a county road shall be subject to the control and supervision of the county commissioners Upon the decree or order making an existing township road or part thereof a county road the same shall immedfately be kept in repair made constructed and maintained by the county and the township relieved of any duty thereto as a township road

Section 904 MAINTENANCE AND REPAIR OF COUNTY ROADS AND TURNPIKES The commissioners shall have prepared plans and estimates as often as required for the repair and maintenance of abandoned or condemned turnpike roads and all of public roads or highways which may be originally located or improved as county roads or which have been originally located or improved as township roads and have become county roads They may invite proposals for maintaining and repairing such roads or parts thereof in accordance with such plans and estimates and award the contract therefor in the manner provided in sections five hundred ninety-two to five hundred ninety-nine inclusive of this act or they may make the necessary repairs themselves For the purpose of making such repairs the commissioners may employ or appoint the proper persons and buy the necessary machinery and materials

Section 905 VACATION AS COUNTY ROADS Upon petition of the county commissioners the court of quarter sessions may vacate as a county road any portion or portions of any abandoned or condemned turnpike road or any portion or portions of any turnpike road purchased by the county or of any road the permanent location or improvement whereof has been ordered or made under this or former acts relating to county roads All portions of such roads so vacated shall become and be township roads Written notice of the contents of said petition and the time when the same will be presented to the court shall be given by the county commissioners to the supervisors or commissioners of the township or townships through which said road passes at least ten days before the date of presenting the same At the time said petition is presented the court may fix a time for a hearing in open court or refer the matter to an examiner to take testimony and report his findings to the court at such time as the court shall direct At any hearing in open court or before an examiner appointed by the court all parties in interest may appear and be heard After such hearing the court if it shall find that the conditions prescribed by this act has been complied with may grant the prayer of the petitioners and make a decree accordingly or make such order in the premises as to right and justice shall appertain

Section 906 ASSESSMENT OF BENEFITS Whenever any road or highway shall be originally located laid out or constructed or relocated opened straightened widened extended or altered or any part thereof vacated the viewers appointed to assess damages for taking injuring or destroying property after having determined the amount of damages sustained shall assess the whole or such part of such damages as may be represented by benefits upon the properties abutting on and benefited by such improvements The remaining part of such damages if any not so assessed against the abutting properties shall be paid by the county The total assessments for benefits shall in no case exceed the total damages awarded and agreed upon

The viewers shall in such cases file their report showing the balance struck between the damages awarded and the benefits assessed

Section 907 INTEREST ON BENEFITS ASSESSED All assessments for benefits shall bear interest at the expiration of thirty days after they have been finally determined and fixed and shall be payable to the treasurer of the county

Section 908 LIENS FOR BENEFITS ASSESSED All lines for the assessment of benefits pursuant to the provisions of the two preceding sections of this act shall be filed revived and collected by the proper officer of the county appointed and authorized so to do by the county commissioners in the manner provided by the general law

No appeal taken shall prevent the filing of liens by any county for any assessment made by virtue of the viewers report but upon the final determination of the issue the court may make such order as to any lien filed that shall appear right and proper

2 System of Main Thoroughfares Adopted Laid Out and Constructed by County and Becoming Borough and Township Roads

Section 915 ADOPTION OF SYSTEM OF MAIN THOROUGHFARES The Board of county commissioners may within two years from the commencement of the improvement of the roads of the county in the manner provided by the following section of this act cause to be laid out surveyed and adopted a system of main thoroughfares which said board shall adjudge the proper roads to be established and specially constructed and improved In adopting such system the commissioners shall consider the population and needs of all parts of the county and make an equitable distribution of the roads to be specially constructed located and improved by the said county They shall cause a plan or plans to be made showing said system of proposed roads the relation of the proposed roads to existing public roads which connect therewith or are to be supplied thereby the names of abutting property owners and also roads which already have been improved by the county Upon approval of said plan or plans by the commissioners they shall cause said approval to be engrossed upon said plans and certified over the signatures of a majority Said plans shall be filed for public inspection in the office of the commissioner and recorded in the office of the recorder of deeds in a book to be provided for the purpose

No part of the proposed roads of said system shall be an easement upon private property or in any manner interfere with the use thereof until established as a public road by the action of the court of quarter sessions

Secton 916 IMPROVEMENT OF BOROUGH AND TOWNSHIP ROADS Whenever such system of main thoughfares has been adopted or when the adoption thereof is contemplated within two years after the commencement of such improvement the commissioners may upon approval by the court of quarter sessions as hereinafter provided take exclusive control of and improve any public road or highway or section thereof located either wholly or in part in any borough or township within their limits whether existing by their authority or laid out in whole or in part by virtue of this act or otherwise For that purpose they may originally locate lay out establish in whole or in part relocate straighten widen extend alter and open public roads and highways and construct and improve the same and vacate so much of any roads as may be thereby rendered unnecessary and useless Any road or highway as established or altered constructed and improved under the provisions of this section shall by ordinance enacted by the borough councils of the borough or several boroughs or by resolution adopted by the commissioners or supervisors of the township or several townships through which such road shall pass become borough or township roads and the duty of maintaining and keeping the same in repair shall devolve upon the proper township or borough through or into which the same extends

Section 917 PLAN OF SYSTEM TO BE FOLLOWED VARIATIONS After such plans have been adopted and recorded either under the authority of this act or in pursuance of the provisions of any law repealed by this act all applications under the preceding section of this act to the court of quarter sessions shall be restricted and relate to the establishing opening construction and improvement of the proposed roads of said system or parts thereof and the vacation of roads supplied by the portions opened and improved Provided That the commissioners upon approval by the court of quarter sessions as hereinafter provided are empowered to relocate straighten widen extend alter and open construct and improve the proposed public roads as laid out surveyed marked and shown upon said plans of said system or to originally locate lay out and establish construct and improve public roads which substantially supplies said system or parts thereof by which although not parts of said system are deemed by the court to be main thoroughfares of sufficient importance to be improved by the county and to be added to said plan and in such case to vacate so much of the roads of said system and of public roads already established as may be rendered unnecessary by the changes or by an entirely new location

Section 918 IMPROVEMENT OF ROADS NOT PART OF SYSTEM ON CONTRIBUTION FROM PARTIES INTERESTED The commissioners may also in the manner provided in section nine hundred and one of this act originally locate lay out and establish in whole or in part relocate straighten widen extend alter and open construct and improve public roads not parts of said system nor deemed main thoroughfares upon parties interested therein paying or securing to be paid in a manner to be approved by the court of quarter sessions such proportion of the cost of the original construction and improvement as the commissioners may deem just which shall not be less than one-fourth of such cost in any case

3 Highways Bridges Tunnels Subways and Underground Roads

Section 925 LOCATION CONSTRUCTION OPERATION AND MAINTENANCE AUTHORIZED Counties may whenever the commissioners shall deem it expedient so to do and upon the approval thereof by the court of quarter sessions as hereinafter provided cause to be located constructed operated and maintained a public highway bridge tunnel subway or underground road or highways bridges tunnels subways or underground roads anywhere within the county either wholly or partly within the territorial limits of cities boroughs and townships thereof Any highway bridge tunnel subway or underground road constructed under the provisions of this act shall forever thereafter be a county highway bridge tunnel subway or underground road and the duty of maintaing the same and keeping in repairs shall devolve upon the county The expense thereof shall be paid by the county hereinafter provided

Section 926 CONTRACTS OR LEASE FOR SPECIAL USE OF IMPROVEMENT The county commissioners may subject to the approval of the court of quarter sessions make and enter into a contract or lease with any street railway or transportation company its successors and assigns for the concurrent use of such a portion of said public highway bridge tunnel subway and underground road as shall not substantially impair or restrict the public use and enjoyment thereof upon such terms and conditions as shall be agreed upon No such contract or lease for the concurrent use of a portion of such improvement shall be for a longer term or period than twenty years

Section 927 TAKING STREET OR OTHER PROPERTY OF CITY OR BOROUGH Should any board of county commissioners deem it necessary or advisable to enter upon or appropriate any highway street or property of any city or borough in the county or take any other action affecting the property rights or authority of such city or borough for the purpose of constructing or maintaing a highway bridge tunnel subway or underground road or otherwise the consent thereto of such city or borough by ordinance shall be obtained before the actual entering in or upon or the appropriation of such street highway or property After such entry and appropriation the county shall be liable and charged with the supervision control and maintenance of said highway streets and properties or so much thereof as is taken and used for the purpose of constructing and maintaining such highway bridge tunnel subway or underground road

4 General Provisions

Section 931 PROCEDURE TO OBTAIN APPROVAL OF QUARTER SESSIONS When the county commissioners shall resolve to exercise any of the powers conferred by any of the preceding sections of this article they shall cause to be prepared surveys and plans of such road or highway or such public highway bridge tunnel subway or underground road showing the improvement proposed to be made together with any proposed changes in existing public roads or highways and they shall present such surveys and plans together with their petition on behalf of such county to the court of quarter sessions praying for authority to make such improvement Such petition shall briefly describe the proposed improvement and the estimated cost thereof and if the method of construction has not been fully determined the estimated cost thereof in each of several methods in which the improvement may be made

On the filing of such application or petition the court shall fix a time for the hearing of the same Notice of said hearing shall be given by an advertisement published at least once a week for three consecutive weeks in two newspapers of general circulation in the county which notice shall briefly describe the location of the improvement proposed to be made and the time place and purpose of said hearing Upon the hearing thereof the court may for proper cause shown disapprove of said application otherwise said court shall approve said application and shall thereupon order that said improvement shall be made and constructed in accordance with the plans and surveys accompanying the application Thereupon any original location re-location opening widening staightening extension alteration or vacation of any road set forth in said proceedings and the right to proceed with such improvement shall become absolute

The words "improved" or "improvement" as herein used means each and every power conferred upon counties under the terms of any of the preceding sections of this article

Section 932 RIGHT OF EMINENT DOMAIN For the purposes herein described the county commissioners may enter upon private or public property and may take injure and destroy the same in the manner and subject to the restrictions and procedure in article six of this act

Section 933 CONTRACTS FOR IMPROVEMENTS Upon the approval of any application to make any such improvements the county commissioners shall invite proposals and award contracts in the manner provided by sections five hundred and ninety-two to five hundred and ninety-nine inclusive of this act of the same or such part or parts of the same as the commissioners shall deem proper Such contracts shall specify the amount and time within which payments shall be made upon estimates which shall be made from time to time by the person charged with such duty

Section 934 PAYMENT OF DAMAGES COSTS AND EXPENSES All damages found awarded or sustained for or on account of the making of any such improvement and all costs and expenses thereafter incurred in repairing and maintaining such improvement shall be paid from funds raised by taxation or by bond

Section 935 BORROWING MONEY AND BOND ISSUE The county commissioners are hereby authorized to borrow money and secure any indebtedness created by them for the purpose of making and maintaining any such improvement now constructed or to be constructed by issuing bonds in the manner and subject to the restrictions provided by the Constitution and general laws of this Commonwealth

Section 936 EMPLOYMENT OF PERSONS TO PREPARE SURVEYS PLANS AND ESTIMATES For the purpose of performing all necessary duties relating to the making of such improvements and keeping the same in repair the county commissioners may employ or appoint proper persons to prepare surveys plans and estimates and do all necessary and proper work connected therewith and shall fix the compensation of all persons so employed

Section 937 PROCEDURE WHERE PROPERTY IS LEFT WITHOUT OUTLET BY REASON OF VACATION OF PART OF OLD ROAD Whenever by reason of the relocating opening widening straightening or extending of any road or highway or any part thereof any part of the road or highway so relocated opened extended straightened or widened shall become useless and vacated and the property of one owner shall intervene between the new road or highway and the lands of another having no other outlet it shall be the duty of the said county commissioners to obtain from the owner of said intervening property and the owner of said contiguous or adjoining land an agreement for the transfer thereof from one to the other upon terms satisfactory to such parties If the parties shall not agree to the transfer of the properties so intervening upon the new road and any such lot or piece of land in the opinion of the said county commissioners be insufficient for building purposes it shall be taken and used as part of said road or highway

Section 938 CHANGING PART OF ROAD WITHOUT VIEW Whenever the board of commissioners deem it advisable to construct change or alter any part of any public road under their supervision and can agree with the property owners affected by such change as to damages they may upon payment of damages agreed upon change or alter such part of such public road as contemplated in such agreement without the formality of a view This authority shall not extend to any change or alteration of any part of any public road the costs and expenses of which to such county including damages shall exceed three hundred dollars A petition setting forth the facts accompanied by a map or draft of such proposed change shall be presented to the

court of quarter sessions for approval before such actual change is made whereupon the new location thus approved by the court shall be the public road to all intents and purposes and the old location shall be vacated

Section 939 PARTIES MAKING APPLICATION FOR NEW ROAD TO NOTIFY LOCAL ROAD AUTHORITIES In all cases wherein any proceedings are about to be had before any board of commissioners or courts of this Commonwealth by petition to the said courts or commissioners looking to the laying out opening and construction of new roads for public use it shall be the duty of the parties making application to the board of commissioners or to the courts for the appointment of viewers reviewers or re-reviewers to lay out open or construct such public road to give written notice of such application to the supervisors or commissioners of roads and highways of the territory through which the proposed public road is designated to be laid out and constructed of the time and place of such application and of the time and place of the meeting of viewers reviewers or re-reviewers A copy of said written notice properly attested shall be filed among the records of the court having cognizance of the matters Failure to comply with the provisions of this section as to such notice shall be sufficient grounds for an application to set aside whatever proceedings may have been taken of which said supervisors or commissioners of roads and highways had no written notice

Section 940 UNLAWFUL TO RAISE HIGHWAY ABOVE ORDINARY GRADE OVER DRAIN OR CULVERT In the construction or repair of any highway it shall be unlawful for the persons in charge of such construction or repair to raise such highway or permit the same to be raised or elevated above the ordinary grade thereof when a drain or culvert shall be constructed under such highway or when such highway shall be constructed or repaired over such drain or culvert

(b) Purchase and Condemnation of Turnpikes

Section 945 PURCHASE BY COUNTY Twenty-five or more resident taxpayers of any county in which any turnpike road or highway heretofore or hereafter constructed is wholly or partly located and upon which tolls are charged the traveling public under any general or special law may present their petition to the board of commissioners setting forth that it would be for the best interests of the people of the county that such turnpike road or highway or any continuous part thereof extending to one of the terminal points of said turnpike road or highway or lying within the limits of any borough should be purchased by the county and become a public road free from tolls and toll-gates Whereupon the board of commissioners may enter into negotiations with the owners of said turnpike road or highway or part thereof for the purchase of the same and if the price therefor can be mutually agreed upon it shall be paid by the board of commissioners Upon payment thereof the said turnpike road or highway or part thereof shall become a public road free from tolls and toll-gates

Section 946 CONDEMNATION If said board of commissioners and the owners of said turnpike road or highway or part thereof cannot agree upon the price to be paid for the same the said board of commissioners may take and obtain possession of the said turnpike road or highway or any part thereof in the manner and subject to the restrictions and procedure provided in article six of this act and make the same a public road free from tolls and toll-gates

Section 947 MAINTENANCE Said road so made free of tolls either by negotiations or condemnation proceedings as aforesaid shall be properly repaired and maintained at the expense of the city or borough in which the road or part thereof lies or in case such road or part thereof lies within a township or townships then by the county unless the board of supervisors or commissioners of the township accept the same and signify such acceptance in writing filed in the office of the court of quarter sessions In such case the road shall become a part of the road system of said township and shall thereafter be maintained in the same manner as other roads legally laid out in said township The provisions of this act shall not apply to any turnpike road or highway or part thereof which now forms or may hereafter form a part of the State highway system of this Commonwealth

Section 948 PROCEEDINGS WHEN TURNPIKE IS ON BOUNDARY LINE BETWEEN TWO COUNTIES In case the said turnpike road or highway which it is desired to have made free of tolls and toll-gates is located in whole or in part upon the line dividing any two counties the petition required by section nine forty-five of this act shall be signed by twenty or more resident taxpayers of each of said counties and the duties imposed in said section upon the commissioners of the one county shall be exercised by the commissioners of both counties acting together and the amount to be paid for said turnpike road or highway as agreed upon by the said boards of commissioners and the owners thereof shall be apportioned between and paid by the two counties as agreed upon by said boards of commissioners

If the said board of commissioners and the owners of said turnpike road or highway or part thereof cannot agree upon the price to be paid for the same the said boards of commissioners may take and obtain the same in the manner and subject to the restrictions and procedure provided in article six of this act In such case proceedings shall be instituted in the courts of common pleas of each county and three viewers shall be appointed by each of said courts and the said courts shall together with the commissioners of the respective counties in all other respects have and exercise concurrent jurisdiction and discretion therein Exceptions to the report of the viewers may be filed in and appeals therefrom made to the courts of common pleas of either county in which case the courts of said two counties sitting together shall hear and determine the same in the manner and subject to the restrictions and procedure provided for exceptions and appeals in article six of this act

The damages for the appropriation of any such turnpike road or highway or any part thereof shall be apportioned by said viewers between the two counties

Section 949 TO BE PUBLIC HIGHWAY TOLLS OR RENTALS FOR SPECIAL USE PRESERVATION OF EXISTING CONTRACTS Whenever any such turnpike road or highway shall be purchased or condemned the county shall control maintain and use the said turnpike road or highway as a public highway free from tolls but it shall have power to charge tolls or rentals for the use thereof from railway telephone and telegraph companies and other persons making a use thereof for other than ordinary public foot and vehicle travel Where contracts exist between such persons and the owners of such turnpike road or highway such contracts shall be preserved for the benefit of the county and shall be assigned thereto

Section 950 BOND ISSUE AUTHORIZED It shall be lawful for the board of commissioners of any county not having sufficient funds not otherwise appropriated to pay for any turnpike road or highway or part thereof purchased or condemned under the provisions of the preceding section of this act to issue bonds of the said county in accordance with the Constitution and existing laws of this Commonwealth for that purpose

Section 951 ABANDONED TURNPIKE RUNNING THROUGH UNSEATED LANDS TO BE KEPT IN REPAIR BY COUNTY Where any turnpike company abandons any turnpike or part thereof running through unseated lands and where any such abandonment is authorized by the proper authorities of any turnpike company and official notice is given to the supervisors of the proper township that such turnpike company has abandoned all its rights interest and title to such turnpike or part thereof and where by acceptance or user such abandoned turnpike or part thereof has become a township road in every such case such road or part thereof shall become a county road and kept in proper condition and repair by the board of commissioners of the proper county

(c) County Aid to Municipalities and Townships

Section 956 MUNICIPAL STREETS CONNECTING TWO ENDS OF COUNTY ROAD When a city or borough intervenes between two ends of a county highway and the municipality has failed to properly improve the municipal streets or highways constituting the shortest and most reasonable route through said municipality which will connect the two ends of such highway the board of commissioners may contract with the corporate authorities of the municipality that the shortest and most reasonable route through said municipality connecting the two ends of such highway be improved

Section 957 MUNICIPAL STREETS AT TERMINUS OF COUNTY ROAD When a county highway terminates at the corporate limits of a city or borough in the same or in another county and connects with a municipal street or

alley which the municipality has failed to properly improve and the board of commissioners of the county in which the municipality is located deem the improvement of such municipal street or alley necessary in order to make such county highway easily accessible to the residents of the municipality or to the traveling public the county commissioners may contract with the corporate officials of the municipality that such municipal street or alley or any part thereof be improved and also that there be improved when necessary any part or parts of the streets connected therewith which connect said county highway with the business district or districts of said municipality or with a system of improved streets therein or which connect the said highway with another county highway terminating at the limits of said municipality If several municipalities are contiguous to each other and at the corporate limits of any one of them a county highway treminates and one or more of such municipalities have failed to properly improve any municipal street or alley therein and the county commissioners deem the improvement of such street or alley necessary in order to make such highway easily accessible to the residents of the municipality or to thetraveling public the board of commissioners may enter into a similar contract with the corporate authorities of such municipality or municipalities

Section 958 IMPROVEMENTS The board of commissioners may widen repave or otherwise improve said municipal streets and alleys whenever the same is necessary to accomplish the purpose herein conferred Whenever such improvement is made to a municipal street or alley the county may pay the total cost of such improvement or the cost may be divided between the municipality and county The contract for any such improvement may be taken by the county upon the stipulation by the municipality to pay its proportionate share of the cost if any upon the completion of the work or it may be taken by the municipality upon a like stipulation of the county or the improvement may be made by joint contract

Section 959 MAINTENANCE Before any municipal street or alley is so improved the board of commissioners and the proper corporate authorities of such municipality shall agree upon the maintenance of such municipal street or alley Such agreement may provide that such municipal street or alley shall be kept and maintained in good repair by the municipality in which case upon the completion of said road all further liability and responsibility of the county shall cease and determine or it may provide that it shall be kept and maintained in good repair by the county and the share of the municipality shall be paid annually to the county

Section 960 CONTRACTS WITH BOROUGH TOWNSHIP OR INCORPORATED TOWN The board of commissioners may enter into a contract or contracts with the authorities of any borough or township or any incorporated town providing that the said board of commisioners shall construct an improved highway or highways under the provisions of sections nine hundred fifty-six and nine hundred fifty-seven of this act The expense or cost of said construction shall be borne jointly by the borough township or incorporated town and the county in such ratio or proportions as may be agreed on in said contract or contracts

Section 961 PAYMENT Payment for the construction of said highway or highways shall be made by the county which shall be reimbursed by the borough township or incorporated town in such sums as agreed upon in said contract or contracts upon presentation to them from time to time of estimates and bills for work already performed and paid for

Section 962 REPAIR AND MAINTENANCE Any such highway constructed jointly shall be repaired and maintained at the expense of the county but nothing shall prevent the authorities of a borough township or incorporated town from entering into a contract or contracts with the board of commissioners for the maintenance of said improved highway under such terms and conditions as may be mutually satisfactory

Section 963 MUNICIPAL ROAD LEADING TO END OF COUNTY BRIDGE When a public road leading to either end of a county bridge across any stream ten hundred feet wide or over is laid out and confirmed by the court and not opened the court of quarter sessions may upon a petition of citizens of the city town borough or township through which the said road is located setting forth that the expenses of he construction is too burdensome to the taxpayers of said city town borough or township order the county commissioners to prepare plans of said public road not exceeding one-fourth mile in length from the end of such bridge Such plans shall be submitted to the court Such time shall be fixed for filing exceptions to said proceedings as the court shall deem proper If no sufficient cause is shown to the contrary the court if it approves thereof shall authorize the board of commissioners to construct said road according to the plans and survey accompanying said proceedings Upon the approval of the same by the board of commissioners they shall proceed to open such road at the expense of the county

Section 964 WHERE CENTER LINE OF HIGHWAY IS BOUNDARY BETWEEN CITY OR BOROUGH AND TOWNSHIP Whenever the center line of any highway constitutes the dividing line between any city or borough and a township located in the same county the board of county commissioners and the commissioners or road supervisors of such township may enter into a contract with the city or borough providing for the grading curbing and macadamizing or paving of the roadway of said highway The cost thereof shall be borne one-half by the city or borough and one-half by the county and township in equal portions

Section 965 ALTERATION OR IMPROVEMENT The said alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the city or borough in compliance with existing laws governing the construction of such alterations or improvement in said city or borough and in further compliance with plans and specifications to be agreed upon in writing between said city or borough and the board of commissioners of the county and commissioners or road supervisors of the township The cost of repairs shall be borne one-half by the city or borough and one-half by the township or by the county and township in equal portions or such other proportion as may be agreed upon by the county and township

Section 966 WHERE CENTER LINE OF HIGHWAY IS BOUNDARY BETWEEN TOWNSHIP AND CITY IN ADJOINING COUNTY Whenever the center line of any highway constitutes a dividing line between a township and a city located in an adjacent county the board of commissioners of the county and the commissioners or supervisors of such township may enter into a contract with the city providing for the grading curbing macadamizing or paving of the roadway of said highway The cost thereof shall be borne one-half by the city and one-half by the township and the county in which such township shall be situated in equal portions.

Section 967 ALTERATION IMPROVEMENT AND REPAIRS Said alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the authorities of the city in compliance with existing laws governing such construction or improvement of such city and in further compliance with plans and specifications to be agreed upon in writing between such city and board of commissioners of the county and the commissioners or supervisors of the township The cost of repairs shall be borne one-half by the city and one-half by the township or by the county and township in equal portions or such other proportion as may be agreed upon by the county and township

Section 968 IMPROVEMENT ON ORDER OF QUARTER SESSIONS In all cases in which it shall be found impossible to enter into such contract or agreement as is provided for by section nine hundred and sixty-six of this act or where either the city or the township or the county in which such township is situated shall refuse to enter into such contract or agreement it shall be lawful for either the city or the county or township to present its petition to the court of common pleas of either county setting forth the facts and circumstances including the condition of the highway from which the necessity and desirability for the grading curbing macadamizing or paving of the roadway appears and the estimated cost thereof and that the terms of such contract cannot be agreed upon by the city and county or township or either or any of them or that either such city or the county or township or any or either of them refuses to enter into such contract Such petition may pray that such court may after hearing all the parties concerned make its order or decree defining the nature and character of the improvement reasonably necesary or desirable to be made to the roadway and requiring the parties hereinabove specified to enter into a contract or contracts for the making and constructing of the same as herein provided for A copy of said petition duly certified shall be served upon the city or county and township concerned other than the peti-

tioner with notice of such day as may be fixed by the court for the hearing Thereupon either or both of the parties served with such notice shall be entitled on or before such date to file in the court its answer to said petition setting forth its version of the facts or such other matters in relation thereto as may be deemed necessary or proper by it

The court upon the date so fixed or at such other time as it may appoint shall hear the evidence of the parties or it may refer the matter to a master who shall hear the testimony of the parties and report his findings in the same manner and under the same procedure as provided by the rules in equity in similar cases to the court which may reject confirm or modify the same and may make its decree or order directing the making of such alterations or improvements to the roadway as may be deemed reasonably necessary or desirable and providing for the sharing of the cost of such improvements one-half by the city and one-half by the county and township in equal portions Said order or decree may further provide that the repairs to such alterations and improvements subsequently required shall be borne one-half by the city and one-half by the county or township in equal portions or such other proportions as between the county and the township as such court may find to be legal and proper Thereupon the grading curbing macadamizing or paving of the roadway of such highway shall proceed in accordance with the decree or order of the said court in the same manner as if the contract or agreement had been entered into and duly executed

Section 969 GUARDS OR BARRIERS ALONG TOWNSHIP ROADS When a road or highway runs along the edge of a precipice along which it may be necessary to erect guards or barriers for the proper protection of the traveling public and the erecting of such guards or barriers requires more expense than it is reasonable the township should bear the court of quarter sessions having jurisdiction shall on the representation of the supervisors or on the petition of any of the inhabitants of such township order a view If on the report of the viewers it shall appear to the court and commissioners of the county that such guards or barriers are necessary and would be too expensive for such township the same shall be erected and maintained as county bridges are now erected The provisions of this section shall apply to roads already opened as well as those hereafter opened

Section 970 IMPROVEMENT OF HIGHWAYS CONNECTING WITH STATE OR STATE-AID HIGHWAYS The county may singly or jointly with any city or borough appropriate and extend moneys for the improvement of any highway not more than one mile in length outside of the limits of such city or borough for the purpose of connecting improved streets in such cities or boroughs with a State highway or State-aid highway

(d) Detours

Section 976 TO BE LAID OUT WHEN COUNTY ROAD IS CLOSED Whenever any county road or highway shall be closed to vehicular travel the board of commissioners shall immediately designate or lay out a detour on which they shall erect or cause to be erected and maintained while such detour is in use legible signs at each public road intersection throughout its entire length indicating the direction to the main highway During the period when such detour is in use the county commissioners shall maintain such detour in safe and passable condition They shall also immediately remove all detour signs when the highway originally closed is again opened for traffic

(e) Protection of Roads

Section 981 COUNTY ROAD CARETAKERS The persons appointed by the board of commissioners to inspect and repair public roads or highways improved and maintained as county roads shall be designated county road caretakers The caretakers shall have all the power and authority now vested by law in the constables of the several cities boroughs and townships of this Commonwealth to keep the peace in and along the county roads of such county and to enforce all laws regulating the speed of automobiles and other vehicles thereon and to enforce all rules or regulations governing the use of such roads and to make arrests therefor

Section 982 CARETAKERS NOT ENTITLED TO FINES OR PENALTIES No such caretaker shall be entitled to any portion of any fine or penalty imposed upon any person or persons for any violation of any act of Assembly or rule relating thereto but all such fines and penalties when the proceeding is initiated by such caretaker shall belong to and be paid into the county treasurer for the benefit of the county

Section 983 BADGE OF CARETAKERS The board of commissioners shall furnish each of said caretakers as an evidence of their authority a badge having impressed thereon the words "Police————————County Road Caretaker"

Section 984 RULES FOR PROTECTION OF ROAD PENALTY FOR VIOLATION For the purpose of preventing unreasonable wear and destruction of public roads improved and maintained by the county the board of commissioners may adopt and prescribe reasonable rules regulating and restricting the use of said roads within such county by any means of locomotion and prescribe pecuniary penalties for the enforcement thereof All such rules adopted by the board of commissioners shall before becoming operative be published once a week for three weeks in two newspapers of general circulation in the county to which the rules apply and be recorded in the office of the recorder of deeds of said county

Any resident of any county within which the violation of any rule so adopted shall occur may institute and prosecute to judgment and execution an action of assumpsit in any court having jurisdiction of such actions and the amounts involved for the recovery of any penalty for the violation of any rule prescribed by the board of commissioners of which penalty the plaintiff shall be entitled to one-half and the county shall be entitled to the other half payable to the county treasurer who shall add the same to the fund for the improvement of the said county roads

Any person violating any rule so adopted shall upon summary conviction be sentenced to pay a fine of not less than five dollars or more than one hundred dollars payable to the county treasurer who shall add the same to the fund for the improvement of said county roads From many judgment obtained for said penalty and from said summary conviction an appeal shall lie as provided by law

Section 985 PENALTY FOR DESTROYING ET CETERA INDEX BOARDS It shall be unlawful for any person to wilfully destroy remove injure or deface any sign or index board erected upon or near any public street road or bridge by the authorities of any county or erected with the consent of such authorities by any club association or other organized body for the direction guidance or safety of travellers Any and all such signs of wood metal or other substance affixed to trees or posts in or upon any highways properly erected in such manner that they do not interfere with travel or upon fences telegraph telephone trolley or other poles with the permission of the owners thereof or upon private grounds where consent has been obtained from the owners and tenants thereof and nearby public roads shall be within the provisions of this section

Any person violating the provisions of this section shall be guilty of a misdemeanor and shall upon summary conviction be sentenced to pay a fine of not less than ten dollars nor more than twenty-five dollars with all costs of prosecution together with the value of such sign so destroyed removed or defaced In default of payment of said fine costs and expenses such person shall undergo an imprisonment for a period of not less than five nor more than sixty days

ARTICLE X

SEWERS AND SEWAGE-DISPOSAL PLANTS

Section 1001 CONSTRUCTION AND MAINTENANCE AUTHORIZED Whenever the board of commissioners shall deem it expedient so to do—and upon approval thereof by the court of quarter sessions as hereinafter provided—they may construct and maintain main or trunk sanitary sewers and sewerage-disposal plants under the provisions of this act and any such main or trunk sewers or disposal plants constructed under the provisions of this act shall forever thereafter be county sewers and disposal plants and the duty of maintaining operating and keeping the same in repair shall devolve upon the county and the expense thereof shall be paid by the county as hereinafter provided

Section 1002 ESTABLISHMENT OF SEWER DISTRICTS The courts of quarter sessions may establish sewer districts in their several counties or decree that the said county shall form one or more sewerage districts having respect to the topography of the county and the course

of natural drainage upon application of the board of commissioners or upon petition of fifty freeholders resident in the locality for which a sewer district is prayed for Upon the presentation of such petition the court shall appoint three viewers from the board of viewers—for whom the county engineers shall act as artist—to inquire into the propriety of granting the prayer of the petition whose duty shall be to investigate the same and make a plan or draft showing the boundaries of sewer districts formed and report at a date to be fixed by said court at which time or any subsequent time to which said return day may be extended by the court said report shall be filed and confirmed nisi by the court and notice of said filing and that exceptions may be filed to said report within thirty days after said confirmation nisi shall be published in one or more newspapers of the county as the court may designate once a week for four weeks If exceptions be filed upon hearing thereof said court may modify or change said report or readjust the boundary lines thereof or refer the same back to the same or other viewers If no sufficient cause be shown to the contrary said report shall be approved absolutely and said district or districts so formed shall comprise separate sewerage districts of said county and be designated by number

Section 1003 PROCEDURE TO OBTAIN APPROVAL OF QUARTER SESSIONS Whenever the board of commissioners shall resolve to construct any such main or trunk sewers or sewerage-disposal plants in accordance with the provisions of this act they shall cause to be prepared surveys and plans of such main or trunk sewers or disposal-plants showing the location termini size and type of construction of such disposal-plants together with the properties and the names of the owners thereof through which said sewer or sewers extend or upon which the same abuts and the properties and names of the owners of the land upon which such disposal plants are to be located or upon which the same abuts together with an estimate of the cost and expense of the same The plans and estimates shall show the location and capacity of any main or trunk sanitary sewer or sewers or sewerage-disposal plant either completed or in course of construction together with the cost or probable cost thereof The estimates shall provide for and make such allowance or rebate to the muncipality or municipalities which shall have paid assumed or contracted for the cost of such main or trunk sanitary sewer or sewers or disposal-plants as shall be agreed upon between the county and the municipality or municipalities interested and in the event of failure so to agree the allowance or rebate shall be determined by the court of common pleas of the proper county upon application of either party The county commissioners shall thereupon present such surveys plans and estimates or a copy thereof together with their petition to the court of quarter sessions of the county and upon filing thereof the court shall fix a time for the filing of exceptions to the same and direct notice to be given thereof substantially describing the line of the proposed sewer or sewers and the location of the proposed disposal-plants by publication at least once a week for three consecutive weeks in at least two newspapers of general circulation published in the county wherein said proposed sewers or disposal-plants are to be made or constructed Upon hearing any exceptions thereto the said court may for a cause shown disallow such application If no sufficient cause be shown to the contrary said application shall be approved and said court shall order that said sewers or sewage-disposal plants shall be made and constructed in accordance with the plans and surveys accompanying the said application and thereupon the location of such sewers and sewage-disposal plants shall remain absolute

Section 1004 SIZE OF SEWER NOTICE OF APPLICATION TO MUNICIPAL AUTHORITIES RIGHT OF SUCH AUTHORITIES TO BE HEARD CONCLUSIVE FINDINGS AS TO SIZE All main or trunk sewers constructed under this act shall be of sufficient size and extent so that it shall not be burdensome upon any city borough or township which is wholly or partly within the sewer district in which said main or trunk sewer is constructed to connect its lateral sewers with said main or trunk sewer constructed under the provisions of this act and a copy of the notice provided for under section eleven hundred and thirteen of this act shall be served upon the mayor burgess commissioners or supervisors of such city borough or township forming any part of such sewer district ten days before said application shall be filed in court Any such city borough or township shall have a right to file exceptions to said proceedings The approval by the court shall be a conclusive finding that the said main sewers proposed to be constructed under said proceeding are of sufficient size and extent so that the connection thereto by any such city borough or township will not be burdensome upon said city borough or township

Section 1005 APPROVAL OF PLANS AND SPECIFICATIONS BY STATE DEPARTMENT OF HEALTH After such plans and specifications have been prepared by said board of commissioners and before presentation thereof to the court they shall be submitted to the State Department of Health and approval by said State Department of Health of the same shall be first had in accordance with the act of Assembly of April twenty-second one thousand nine hundred and five entitled "An act to preserve the purity of the waters of the State for the protection of the public health"

Section 1006 CONDEMNATION PROCEDURE FOR the purposes herein described the board of commissioners may enter upon private or public property and may take injure and destroy the same in the manner and subject to the restrictions and procedure provided in Article six of this act This section is new

Secton 1007 PAYMENT OF DAMAGES AND COSTS OF MAINTENANCE AND REPAIR All damages found awarded or sustained for or on account of the construction and operation of such sewers or disposal-plants under the provisions of this act and all cost and expense thereafter incurred in repairing and maintaining the same shall be paid from the funds raised by taxation as hereinafter provded and authorized

Section 1008 CONTRACTS FOR MAKING AND CONSTRUCTING After said survey and plans and the aforesaid application to the court of quarter sessions shall have been approved by the court and the said sewers or disposal-plants as decreed by said court ordered to be made and constructed in accordance therewith the board of commissioners or a majority of them of the repective counties wherein the said sewers or disposal plants are made or to be made and constructed shall invite proposals for the making and constructing the same by publication in at least two newspapers of general circulation published in said county or if no newspapers be published in said county then in a newspaper or newspapers published in the county adjoining once a week for four consecutive weeks fixing a time therein when such proposals will be opened and the contracts therefor awarded in addition to the notices so ordered to be given by publication there shall be posted in the office of the said board of commissioners of the respective counties like notice as those now given inviting proposals for the construction and repair of public roads and bridges the contract as aforesaid shall be awarded by the said board of commissioners or a majority of them to the lowest responsible bidder No contract shall be awarded for any of said sewers or disposal-plants until proper bonds shall be given for the faithful performance thereof by the person or persons to whom the same shall be awarded with proper security to be approved by said board of commissioners or a majority of them Any incorporated company doing business within any of said counties authorized by law to be surety for persons or corporations may be taken and accepted as surety upon the bonds herein required to be given

Section 1009 REPAIR AND MAINTENANCE Said board of commissioners shall have prepared plans and estimates as often as required for the repair and maintenance of all county sewers or disposal-plants which may hereafter be constructed under the provisions of this act and become county sewers or disposal plants They shall invite proposals for the repairing and maintenance of such sewer or disposal-plants or parts thereof in accordance with such plans and estimates and award the contract therefor in like manner as contracts for new sewers and disposal-plants

Section 1010 PREPARATION OF SURVEYS PLANS AND ESTIMATES ET CETERA For the purpose of performing all necessary duties relating to the construction and repairs of county sewers and disposal-plants herein authorized the said board of commissioners may employ or appoint proper persons to prepare such surveys plans and estimates and do all necessary and proper work connected therewith and shall fix the compensation of all persons so employed

Section 1011 FUND FROM WHICH TO PAY COSTS DAMAES ET CETERA The board of commissioners may levy assess and collect an annual tax of not more than two mills upon the dollar upon all real and personal property within the county now or hereafter taxable for county pur-

poses where the court has decreed that the entire county shall form one sewer district for the purpose of acquiring and securing a fund from which to pay all costs damages and expenses required in the locating construction maintaining repairing and operating of such county sewers or disposal plants made or constructed under the provisions of this act and for taking using and enjoying of such land as may be necessary in constructing same and the money so raised shall not be used or expended for any other purpose than that named in this section Where one or more such sewer districts have been formed by the court in any county and the county does not comprise one entire sewer district and county sewers or disposal plants are constructed to accommodate a particular sewer district of said county the said board of commissioners of such counties may have prepared separate copies of the assessed value for county purposes of the properties located within the sewer district wherein or for whose use such sewer or disposal-plant has been constructed and to levy assess and collect an annual tax of not more than two mills upon the dollar upon all real and personal property within said sewer district now or hereafter taxable for county purposes for the purpose of acquiring and securing a fund from which to pay all costs damages and expenses required in the locating constructing maintaining and operating of such county sewer or disposal-plant in or for the benefit of said sewer district The money so raised shall not be used or expended for any other purpose than that named in this section and shall not be expended or used for any other sewer district All warrants for the payment of any portion of the money raised for the purposes aforesaid shall be issued by the said board of commissioners in the manner now provided by law in the several counties upon estimates which shall be made from time to time by the person charged with such duty The amount and time within which the same shall be paid shall be fixed and determined in the contract made for the public work herein authorized

Section 1012 CONSENT OF MUNICIPALITIES TO ENTER ON HIGHWAYS Should any board of commissioners in the exercise of the powers herein conferred deem it necessary or advisable to enter upon a highway or highways in any city borough or township for the purpose of constructing or maintaining any such main or trunk sewer or sewers or disposal plants the consent thereto of such city borough or township shall first be had and obtained

Section 1013 CONNECTION WITH SEWER BY MUNICIPALITIES After the construction of such main or trunk sewer any city borough or township shall have the right free of charge to connect with said main or trunk sewer by laterals all sanitary sewerage of the sewer district in which said main or trunk sewer is located or for the use of which the same has been constructed All connections made by any city borough or township by any owner of property abutting on said main or trunk sewer with such main or trunk sewer shall be made under the supervision of the county engineer and in the manner prescribed by the board of commissioners

Section 1014 APPROPRIATIONS OF COSTS AND EXPENSES Whenever any main or trunk sewer or portion thereof or sewage-disposal plant constructed under the provisions of this act is used for the carrying or disposal of sewage from two or more sewer districts the cost damages and expenses of locating constructing maintaining repairing and operating the same shall be borne by all sewer districts so using said main sewer or portion thereof of disposal plant in proportion to their annual assessed taxable valuation for county purposes but no sewer district shall be taxed for any main or trunk sewer or portion thereof or disposal plant until said district has been accommodated with a main or trunk sewer constructed under the provisions of this act so that connections therewith can be made in said sewer districts without expenses burdensome upon cities boroughs or townships forming said sewer district

Section 1015 USE OF MUNICIPAL MAINS UNDER CONTRACT WITH MUNICIPALITY SUBJECT TO APPROVAL OF COURT Whenever in the location or construction of any such county sewers it shall be deemed desirable to connect with and use any main or trunk sewer or portion thereof of any city borough or township it shall be lawful for the board of commissioners subject to the approval of the court of quarter sessions to agree with such city borough or township for the use and repair and maintenance of such sewer or sewers or portions thereof and what compensation shall be paid therefore or in what proportions the cost of maintenance and repairs shall be borne

ARTICLE XI

ACTIONS BY AND AGAINST COUNTIES

Section 1031 SUITS TO BE BROUGHT BY AND SERVICE TO BE HAD ON COMMISSIONERS All suits by a county shall be brought and conducted by the board of commissioners In all suits against a county process shall be served upon and defense made by the board of commissioners

Section 1032 FORM OF ACTION TO RECOVER CLAIMS JURISDICTION OF JUSTICES OF THE PEACE Counties may proceed for the recovery of municipal claims by lien or by action of assumpsit Jurisdiction is conferred upon justices of the peace to entertain such actions of assumpsit to the amount of three hundred dollars

Section 1033 CERTAIN PERSONS TO BE COMPETENT WITNESSES OR JURORS No person shall be excluded from being a witness or juror in any suit prosecution or proceeding in which the county is a party or is interested by reason of such person being or having been an officer rated citizen or inhabitant in such county or owning assessed or taxable property or being liable to the assessment or payment of any tax therein

Section 1034 EXECUTION AGAINST COUNTY If judgment shall be obtained against a county in any action or proceeding the party entitled to the benefit of such judgment may have execution thereof as follows and not otherwise namely It shall be lawful for the court in which such judgment shall be obtained or to which such judgment may be removed by transcript from a justice of the peace or alderman to issue thereon a writ commanding the commissioners of the county to cause the amount thereof with the interest and costs to be paid to the party entitled to the benefit of such judgment out of any moneys unappropriated of such county or if there be no such moneys out of the first moneys that shall be received for the use of such county and to enforce obedience to such writ by attachment

Section 1035 APPEALS IN BEHALF OF COUNTY BY TAXPAYERS Any ten or more taxpayers of the county may in behalf of such county appeal from the report of its county auditors or controller to the court of common pleas or prosecute any suit or action in behalf of said county or defend such county in any suit process or action now pending or that may be brought against such county by appeals from county auditors' or controllers' reports or otherwise If no appeal is entered by county officials the appeal by such taxpayers shall be entered within ninety days after the filing of such report in the court of common pleas The appellants shall enter into recognizance with two sufficient sureties conditioned that the appellants shall prosecute said appeal with effect and pay all costs that may accrue thereon in case they fail to obtain a final decision more favorable to the county than the report from which su h appeal is taken In all such appeals the courts of common pleas may direct an issue to be tried by a jury upon whose verdict final judgment shall be entered reserving the right of all parties to appeal to the supreme court as provided in other appeals Before said taxpayers shall be permitted to come into court and prosecute any suit or action or defend the county in any suit process or action they shall present to the court a petition signed by them accompanied by an affidavit of one of their number that they believe injustice will be done such county unless they are permitted to defend Said taxpayers shall whenever the court shall deem it necessary file in said court of common pleas a bond with one or more sufficient sureties to be approved by said court to indemnify and save harmless said county from all costs that may occur in said suit process or action subsequent to filing said petition

Section 1036 CERTAIN PROCEDURE IN EQUITY NOT TO APPLY WHEN COUNTY IS LIBELLANT ET CETERA The first section of the act of May sixth one thousand eight hundred and forty-four (Pamphlet Laws five hundred and sixty-four) entitled "An Act further to regulate proceedings in courts of justice and for other purposes" shall not apply to any bill or proceeding in equity now pending or which may be hereafter instituted wherein any county is libellant plaintiff or complainant nor shall any county be required to give security on appeal to the supreme court in any proceeding in equity In all such cases it shall be the duty of the court in which the same may be pending as far

as practicable to expediate the hearing and final determination thereof by such rules order or orders not inconsistent with the laws of this Commonwealth as justice and equity may require

ARTICLE XII

ACTS OF ASSEMBLY REPEALED

Section 1046 SPECIFIC REPEALS The following acts and parts of Acts of Assembly are repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause of such act

Sections three four five and six of the act approved the fourteenth day of March one thousand seven hundred and seventy-seven (first Smith Laws four hundred and forty-three) entitled "An act for establishing in the city of Philadelphia and in each county of this state an office for the probate and registering of wills and granting letters of administration and an office for the recording of deeds" absolutely

The act approved the fifth day of March one thousand seven hundred and ninety (Volume thirteen Statutes at Large page four hundred and fifty-five) entitled "An act relating to the securities to be given by sheriffs and coroners" absolutely

The act approved the twenty-eight day of March one thousand eight hundred and three (Pamphlet Laws four hundred and seventy-six) entitled "An Act relating to County Treasurers" absolutely

The act approved the twenty-eight day of March one thousand eight hundred and three (Pamphlet Laws four hundred and ninety-seven) entitled "An act directing Sheriffs and Coroners to give sufficient securities for the faithful execution of their official duties and for other purposes" absolutely

The act approved the third day of April one thousand eight hundred and four (Pamphlet Laws four hundred eighty-eight) entitled "An act to enable persons appointed to offices of public trust to recover official documents appurtenant to the said offices from persons detaining the same" absolutely

Section four of the act approved the fourth day of April one thousand eight hundred and seven (Pamphlet Laws one hundred and thirty-three) entitled "A further supplement to the Penal Laws of this State" in so far as it authorizes construction of jail buildings

The act approved the sixteenth day of March one thousand eight hundred and nine (Pamphlet Laws forty-two) entitled "A supplement to an act entitled 'An act to provide a more effectual method of settling the public accounts of the commissioners and treasurers of the respective counties" absolutely

Section two of the act approved the twenty-third day of March one thousand eight hundred and eleven (Pamphlet Laws one hundred and eleven) entitled "An act imposing certain duties upon the commissioners and treasurer of Luzerne county and empowering county commissioners to administer oaths or affirmations," absolutely

Sections two three and four of the act approved the thirtieth day of March one thousand eight hundred and eleven (Pamphlet Laws one hundred and eighty-nine) entitled "A suplement to an act entitled 'An act for laying out and keeping in repair the public roads and highways within this Commonwealth and laying out private roads'" absolutely

Sections one and two of the act approved the sixth day of March one thousand eight hundred and twelve (Pamphlet Laws eighty-five) entitled "A supplement to an act declaring the holding of any office or appointment under this state incompatible with the holding or exercising offices or appointments under the United States" absolutely

The act approved the seventh day of February one thousand eight hundred and fourteen (Pamphlet Laws forty-four) entitled "A further supplement to an act entitled 'A supplement to "An act to provide a more effectual method of settling the public accounts of the commissioners and treasurers of the respective counties"'" absolutely

The act approved the twenty-first day of February one thousand eight hundred and fourteen (Pamphlet Laws fifty) entitled "A further supplement to the act entitled 'An act to raise and collect county rates and levies'" absolutely

Section nineteen and twenty-four of the act approved the twenty-eight day of March one thousand eight hundred and fourteen (Pamphlet Laws three hundred and fiftytwo) entitled "An act establishing a Fee bill" absolutely and sections twenty-six and twenty-seven of said act in so far as they apply to county officers

The act approved the sixth day of February one thousand eight hundred and fifteen Pamphlet Laws (twenty-eight) entitled "An act to authorize undertakers of public bridges to procure materials for building said bridges" as to county bridges

Sections three five six and eight of the act approved the twenty-second day of February one thousand eight hundred and twenty-one (Pamphlet Laws fifty) entitled "An act to alter and amend the fee bill" absolutely section nine of said act in so far as it applies to fees of the clerk of the quarter sessions sections fourteen and fifteen in so far as they apply to county officers

Sections one two and four of the act approved the twenty-ninth day of March one thousand eight hundred and twenty-seven (Pamphlet Laws one hundred and fifty-four) entitled "An act for the better preservation of the records contained in the public offices of the several counties of this Commonwealth" absolutely

Section twenty-three of the act approved the fourteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws three hundred and thirty-three) entitled "An act relative to the organization of the Courts of Justice" as to appointment of prothonotary section seventy-six of said act absolutely

The act approved the fourteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws three hundred and seventy-eight) entitled "An act supplementary to an act entitled 'An act to alter and amend the Fee Bill' passed the twenty-second day of February Anno Domini eighteen hundred and twenty-one" absolutely

Section one of this act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and nine) entitled "An act relating to county rates and levies and township rates and levies" absolutely

Sections one eight nine ten eleven twelve fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-four twenty-five twenty-seven twenty-eight twenty-nine thirty thirty-one thirty-two thirty-three thirty-four thirty-five thirty-six thirty-seven forty-one forty-four forty-five forty-six forty-seven forty-eight forty-nine fifty fifty-one fifty-two fifty-three fifty-four fifty-five fifty-six fifty-seven fifty-eight fifty-nine sixty sixty-one sixty-two sixty-three sixty-four sixty-five sixty-six sixty-seven sixty-eight sixty-nine seventy seventy-one seventy-two seventy-three seventy-four seventy-five seventy-six seventy-nine of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An act relating to counties and townships and county and township officers" absolutely sections three four five and six of said act in so far as they confer any powers or impose any duties on counties section one hundred and fifteen of said act in so far as it applies to counties

Sections seven eight and nine of the act aproved the thirteenth day of June one thousand eight hundred and thirty-six (Pamphlet Laws five hundred and fifty-one) entitled "An act relating to roads highways and bridges" in so far as they affect county roads sections thirty-five thirty-six thirty-seven thirty-eight thirty-nine forty forty-one forty-two forty-three forty-four forty-five forty-six forty-seven fifty-three and fifty-six of said absolutely sections forty-eight forty-nine fifty fifty-one and fifty-two of said act as to counties and county bridges

Sections ten and eleven of the act approved the fourteenth day of April one thousand eight hundred and thirty-eight (Pamphlet Laws four hundred and fifty-seven) entitled "An act relating to the commencement of actions to appeals from county auditors and for other purposes" absolutely

Resolutions five nine and ten of resolutions approved the seventeenth day of June one thousand eight hundred and thirty-nine (Pamphlet Laws six hundred and seventy-six) entitled "Resolutions authorizing the Clerk of the Orphans' Court of Berks county to record certain papers in his office and to perform certain other services and for other purposes" absolutely

Section one of the act approved the ninth day of April one thousand eight hundred and forty (Pamphlet Laws two hundred and eighty-three) entitled "An act relative to county auditors and for other purposes" absolutely

Section six of the act approved the sixteenth day of April one thousand eight hundred and forty (Pamphlet Laws four

hundred and ten) entitled "An act relating to Executions and for other purposes" as to suits prosecutions or proceedings in which counties are parties or are interested

Sections one two four five and seven of the act approved the twenty-seventh day of May one thousand eight hundred and forty-one (Pamphlet four hundred) entitled "An act relating to the Election of County Treasurers and for other purposes" absolutely

Section eleven of the act approved the fifth day of April one thousand eight hundred and forty-two (Pamphlet Laws two hundred and thirty) entitled "An act to authorize the construction of a toll bridge over the river Schuylkill at or near Windsor Haven in Berks county and for other purposes" absolutely

The act approved the thirteenth day of April one thousand eight hundred and forty-three (Pamphlet Laws two hundred and twenty-one) entitled "An act supplementary to an act entitled "An act relating to roads highways and bridges" absolutely

Section one of the act approved the twenty-fourth day of March one thousand eight hundred and forty-six (Pamphlet Laws one hundred and sixty-five) entitled "An act relating to sheriffs and coroners" absolutely

Section ten of the act approved the twenty-first day of April one thousand eight hundred and forty-six (Pamphlet Laws four hundred and thirteen) entitled "A supplement to the law relating to defaulting public officers" absolutely

Section one of the act approved the fifteenth day of March one thousand eight nundred and forty-seven (Pamphlet Laws three hundred and fifty-four) entitled "A further supplement to the law relating to defaulting public officers" in so far as it relates to appointments of auditors by Auditor General

Section two of the act approved the eleventh day of April one thousand eight hundred and forty-eight (Pamphlet Laws five hundred and six) entitled "An act to establish a uniform line along the river Delaware in front of the incorporated districts of the Northern Liberties and Kensington in reference to county bridges changing the name of Andrew Jackson Glarfke to Andrew C. Jackson to issuing subpoenas for witnesses by auditors exempting the real estate of the Pennsylvania society for promoting the abolition of slavery from taxation in reference to fees of constable in Schuylkill county in reference to the removal of the barn of Amos George in the township of Blockley county of Philadelphia and to change the name of Dallas township Lehigh county to Washington and relative to the commissioners of Kensington and Richmond in Philadelphia county" absolutely

Section five seven eight and nine of the act approved the ninth day of April one thousand eight hundred and fifty (Pamphlet Laws four hundred and thirty-four) entitled "An act relative to the election of auditor general surveyor general and county surveyors by the people" absolutely

Section four of the act approved the twenty-ninth day of March one thousand eight hundred and fifty-four (Pamphlet Laws two hundred and eighty-nine) entitled "An act to incorporate the Pennsylvania State Agricultural Society" absolutely

Section one of the act approved the eighth day of April one thousand eight hundred and fifty-one (Pamphlet Laws three hundred and fifty-three) entitled "An act relating to County prisons to the Foster Home Association and Cowanesque Plank Road Company to apportion the rent of wharves and docks in the port of Philadelphia and relative to the service of process on foreign insurance companies and other corporations" absolutely

The act approved the first day of March one thousand eight hundred and fifty-two (Pamphlet Laws one hundred) entitled "An act authorizing the several recorders of deeds to appoint deputies" absolutely

Sections one and two of the act approved the sixth day of March one thousandeight hundred and fifty-four (Pamphlet Laws one hundred and fifty-five) entitled "An act relating to official Seals" in so far as it affects counties and county officers

The act approved the thirtieth day of March one thousand eight hundred and fifty-five (Pamphlet Laws one hunderd and sixty) entitled "A further supplement to the act relating to County Rates and Levies and Township Rates and Levies and to the act relating to Counties and Townships and County and Township officers" absolutely

The act approved the twelfth day of April one thousand eight hundred and fifty-five (Pamphlet Laws two hundred and twenty) entitled "An Act relative to the Erection of Bridges over Canals and Railroads" as to county bridges

The act approved the twenty-sixth day of April one thousand eight hundred and fifty-five (Pamphlet Laws three hundred and eight) entitled "A supplement to the act providing for the Election of District Attorneys" absolutely

Section three of the act approved the nineteenth day of April one thousand eight hundred and fifty-six (Pamphlet Laws four hundred and fifty-eight) entitled "An act for the preservation of the Records of the Courts" absolutely

Section six of the act approved the sixth day of November one thousand eight hundred and fifty-six (Pamphlet Laws seven hundred and ninety-five one thousand eight hundred and fifty-seven) entitled "An Act allowing Bills of Exception and writs of Error in Criminal Cases" absolutely

The act approved the sixth day of November one thousand eight hundred and fifty-six (Pamphlet Laws seven hundred and ninety-seven one thousand eight hundred and fifty-seven) entitled "A supplement to an act further to regulate Proceedings in Courts of Justice and for other purposes approved the sixth day of May one thousand eight hundred and forty-four" in so far as it affects counties

The act approved the fourteenth day of May one thousand eight hundred and fifty-seven (Pamphlet Law five hundred and seven) entitled "An act regulating the Fees of District Attorneys" absolutely

The act approved the sixteenth day of May one thousand eight hundred and fifty-seven (Pamphlet Laws five hundred and thirty-five) entitled "An act relating to City County and Township Treasurers" as to county treasurers

Section one of the act approved the twenty-second day of March one thousand eight hundred and fifty-nine (Pamphlet Laws one hundred and ninety-four) entitled "An act to extend the power of Prothonotaries and Clerks to administer oaths" absolutely

Sections one and two of the act approved the thirteenth day of April one thousand eight hundred and fifty-nine (Pamphlet Laws six hundred and six) entitled "An act relating to the Fees of County Surveyors" absolutely

The act approved the thirteenth day of April one thousand eight hundred and fifty-nine (Pamphlet Laws six hundred and seventeen) entitled "An act relative to the Election of District Attorneys" absolutely

Sections seventeen and eighteen of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An act to Consolidate Revise and Amend the Penal Laws of this Commonwealth" absolutely

The act approved the third day of April one thousand eight hundred and sixty (Pamphlet Laws six hundred and fifty) entitled "An act regulating the Lien of Sheriffs' Recognizances" absolutely

The act approved the eleventh day of April one thousand eight hundred and sixty-two (Pamphlet Laws four hundred and thirty-one) entitled "An act fixing the commencement of the term of office of Sheriffs in the several counties of this Commonwealth" absolutely

The act approved the eighteenth day of March one thousand eight hundred and sixty-four (Pamphlet Laws sixty-eight) entitled "A supplement to an act relating to roads highways and bridges approved June thirteenth one thousand eight hundred and thirty-six" as to county bridges

The act approved the thirtieth day of March one thousand eight hundred and sixty-five (Pamphlet Laws thirty-nine) entitled "An Act increasing the fees of the several county officers of this Commonwealth except in the city of Philadelphia and the counties of Allegheny Bradford Susquehanna and Sullivan" absolutely

The act approved the twelfth day of March one thousand eight hundred and sixty-six (Pamphlet Laws eighty-five) entitled "A further supplement to an act entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' so far as relates to the duties of district attorneys" absolutely

The act approved the twelfth day of April one thousand eight hundred and sixty-six (Pamphlet Laws one hundred and three) entitled "An act relative to the fees of district attorney in certain counties of this Commonwealth" absolutely

The act approved the thirtieth day of March one thousand eight hundred and sixty-six (Pamphlet Laws one hundred and nine) entitled "An act authorizing commissioner's clerks to administer oaths and affirmations" absolutely

Sections two three four five six seven and eight of the act approved the second day of April one thousand eight hundred and sixty-eight (Pamphlet Laws three) entitled

"An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" absolutely

The act approved the ninth day of April one thousand eight hundred and sixty-eight (Pamphlet Laws seventy-three) entitled "A supplement to an act relating to counties and townships and county and township officers approved April fifteenth one thousand eight hundred and thirty-four relating to public buildings" absolutely

The act approved the fifteenth day of April one thousand eight hundred and sixty-nine (Pamphlet Laws forty-six) entitled "A further supplement to an act entitled 'An Act relating to roads highways and bridges' approved June thirteenth one thousand eight hundred and thirty-six" absolutely

The act approved the seventeenth day of April one thousand eight hundred and sixty-nine (Pamphlet Laws sixty-six) entitled "An act relating to the payment of county auditors" absolutely

The act approved the seventeenth day of April one thousand eight hundred and sixty-nine (Pamphlet Laws sixty-seven) entitled "A supplement to an act entitled 'An act relative to the election of Auditor General Surveyor General and county surveyors by the people' approved April ninth one thousand eight hundred and fifty" absolutely

The act approved the eighteenth day of February one thousand eight hundred and seventy-one (Pamphlet Laws seventy-nine) entitled "An act relating to the offices of county treasurer and county auditors" absolutely

The act approved the fifteenth day of June one thousand eight hundred and seventy-one (Pamphlet Laws three hundred and ninety-one) entitled "An act relating to the assessment of damage for the appropriation of land for public use" as to counties

The act approved the twelfth day of February one thousand eight hundred and seventy-four (Pamphlet Laws forty-three) entitled "An act relative to vacancies in the office of prothonotary or clerk of the several courts and in the office of register or recorder" absolutely

Section one of the act approved the sixth day of May one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and twenty-five) entitled "An act regulating state tax on certain county offices" absolutely

The act approved the fourteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and fifty-four) entitled "An act authorizing the county commissioners to sell at public sale any part of any lands reserved for public buildings when the same is not needed therefor" absolutely

The act approved the fourteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and sixty four) entitled "An act relating to the assessment of damages arising from the opening of roads and highways and the construction of bridges" as of county roads and bridges

The act approved the nineteenth day of May one thou- eight hundred and seventy-four (Pamphlet Laws one hundred and eighty-five) entitled "An act to provide for the adjustment settlement and collection of compensation from railroad companies for railroads located or that may be located on county bridges and to empower county commissioners to make contracts relating thereto" in so far as it confers any powers or imposes any duties on counties

Section six and seven of the act approved the fifteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and eighty-six) entitled "An act declaring what offices are incompatible" absolutely

The act approved the fifteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws two hundred and five) entitled "An act to provide for the appointment of officers to fill vacancies in cases not otherwise provided for by the constitution or laws of this Commonwealth" in so far as it affects county officers

The act approved the nineteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws two hundred and eighteen) entitled "An act to provide for the appointment of a special detective officer in any of the several counties of this Commonwealth" absolutely

The act approved the ninth day of June one thousand eight hundred and seventy-four (Pamphlet Laws two hundred and eighty-two) entitled "An act to authorize the counties cities towns or townships of this state respectively to enter into contracts with railroad companies whose roads enter their limits whereby said companies may re-locate change or elevate their railroads" in so far as it confers any power or imposes any duties on counties

The act approved the eighteenth day of March one thousand eight hundred and seventy-five (Pamphlet Laws twenty-seven) entitled "An act to authorize the outgoing sheriffs in all counties where said sheriffs are paid by salary to deliver to their successors all unfinished and unexecuted writs and process of every description" absolutely

Section one of the act approved the sixteenth day of April one thousand eight hundred and seventy-five (Pamphlet Laws fifty-four) entitled "An act to provide for appeals in cases where the county commissioners and auditors have failed or shall hereafter fail to fix the compensation of county treasurers and to repeal an act entitled 'A supplement to an act relating to county treasurers passed the fifteenth of April one thousand eight hundred and thirty-four' approved the eighteenth day of April one thousand eight hundred and seventy-four in regard to the compensation of county treasurers" absolutely

Section one two three four five six seven eight ten eleven fifteen sixteen seventeen of the act approved the thirty-first day of March one thousand eight hundred and seventy-six (Pamphlet Laws thirteen) entitled "An act to carry into effect section five of article fourteen of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" absolutely sections thirteen and fourteen absolutely except as to salary of county jailor

The act approved the thirteenth day of April one thousand eight hundred and seventy-six (Pamphlet Laws twenty-eight) entitled "A supplement to an act entitled 'An act to provide for the appointment of a special detective officer in any of the several counties of this Commonwealth approved May nineteenth one thousand eight hundred and seventy-four making said special detective officers general police officers with powers conferred on constables in cases of crime and criminal procedure and providing for their compensation" absolutely

The act approved the twenty-first day of April one thouasnd eight hundred and seventy-six (Pamphlet Laws forty-six) entitled "An act to fix the amount of bail to be given by the sheriffs of the several counties of this Commonwealth" absolutely

Section one and two of the act approved the fifth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and twelve) entitled "A supplement to an act relating to roads and bridges approved the thirteenth day of June Anno Domini one thousand eight hundred and thirty-six authorizing the reconstruction of county bridges destroyed or partially destroyed and empowering the commissioners to borrow money for that purpose" absolutely

The act approved the eighth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and twenty-seven) entitled "An act to further regulate the pay of county commissioners" absolutely

The act approved the eighth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and thirty-one) entitled "An act to authorize the acquisition by the several counties of this Commonwealth for the use of the county of bridges erected over rivers creeks and rivulets and for the abolition of tolls thereon" absolutely

Sections three and four of the act approved the eighth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and forty-three) entitled "A further supplement to an act regulating the election of secretary of internal affairs defining his duties and fixing his salary aproved the eleventh day of May Anno Domini one thousand eight hundred and seventy-four" absolutely

Section one of the act approved the twenty-third day of March one thousand eight hundred and seventy-seven (Pamphlet Laws thirty-three) entitled "A supplement to an act entitled 'An act to carry into effect section five of article fourteenth of the constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants' approved the thirty-first day of March Anno Domini one thousand eight hundred and seventy-six construing certain section of said act" absolutely

Sections one two four and five of the act approved the third day of May one thousand eight hundred and seventy-eight (Pamphlet Laws forty-one) entitled "A supplement to an act entitled 'An act to authorize the acquisition by the several counties of this Commonwealth for the use of the county bridges erected over rivers creeks and rivulets and for the abolition of tolls thereon' approved the eighth day

of May Anno Domini one thousand eight hundred and seventy-six designed to amend the third section of said act and also to amend the first proviso of the fifth section of said act so that not more than fifteen thousand dollars shall be paid by any one county for the purchase of any such bridge" absolutely

The act approved the third day of May one thousand eight hundred and seventy-eight (Pamphlet Laws forty-three) entitled "An act authorizing and empowering the court of common pleas of the several counties of this Commonwealth to change alter and direct the mode of preparing and keeping indices in the several offices of record in said counties and for preparing making and subtsituting new indices for old indices or parts thereof" absolutely

The act approved the twenty-fourth day of May one thousand eight hundred and seventy-eight (Pamphlet Laws one hundred and eighteen) entitled "An act requiring county commissioners to give bonds" absolutely

The act approved the twenty-fifth day of May one thousand eight hundred and seventy-eight (Pamphlet Laws one hundred and fifty) entitled "An act to regulate the erection of guards and barriers along highways" absolutely

The act approved the twelfth day of June one thousand eight hundred and seventy-eight (Pamphlet Laws one hundred and eighty-seven) entitled "An act to ascertain and appoint the fees to be received by the sheriffs coroners prothonotaries clerks of the several courts registers of wills and recorders of deeds of this Commonwealth except in counties containing more than one hundred and fifty thousand or less than ten thousand inhabitants" absolutely

The act approved the twelfth day of June one thousand eight hundred and seventy-eight (Pamphlet Laws two hundred and eight) entitled "An act authorizing the tax-payers to appeal from the reports of county auditors and to defend the county in appeals and suits" absolutely

Section one of the act approved the sixth day of March one thousand eight hundred and seventy-nine (Pamphlet Laws four) entitled "An act to ascertain and appoint the fees to be received by the recorder of deeds in and for the counties in this Commonwealth containing more than five hundred thousand (500,000) inhabitants" absolutely

The act approved the thirteenth day of March one thousand eight hundred and seventy-nine (Pamphelt Laws six) entitled "A supplement to an act entitled 'An act to provide for the division of counties of this Commonwealth and the erection of new counties therefrom' " absolutely

The act approved the twenty-second day of April one thousand eight hundred and seventy-nine (Pamphlet Laws twenty-six) entitled "A supplement to an act entitled 'An act to provide for the division of counties of this Commonwealth and the erection of new counties therefrom' approved the seventeenth day of April Anno Domini one thousand eight hundred and seventy-eight" absolutely

Section one of the act approved the twenty-second day of April one thousand eight hundred and seventy-nine (Pamphlet Laws thirty) entitled "An act extending the powers and authority of county auditors authorizing them to settle audit and adjust the accounts of the directors of the poor of the several counties of the Commonwealth" absolutely

The act approved the twenty-fourth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws thirty-two) entitled "An act directing county commissioners to procure a place for holding courts where a court house is destroyed or unsafe" absolutely

Sections one and two of the act approved the first day of May one thousand eight hundred and seventy-nine (Pamphlet Laws forty) entitled "An act to provide for the fees to be paid to collect received and charged by the clerks of courts of oyer and terminer and general jail delivery and the quarter sessions of the peace in and for the counties in this Commonwealth containing more than (500,000) five hundred thousand inhabitants" absolutely

The act approved the eleventh day of June one thousand eight hundred and seventy-nine (Pamphlet Laws one hundred and thirty-three) entitled "An Act providing for the payment of all fees received by salaried county officers into the county treasury of their respective counties where existing laws do not provide for the payment of the same into the state treasury" absolutely

The act approved the eleventh day of June one thousand eight hundred and seventy-nine (Pamphlet Laws one hundrd and thirty-six) entitled "An act to amend section four of an act entitled 'An act authorizing and empowering the court of common pleas of the several counties of this Commonwealth to change alter and direct the mode of preparing and keeping indices in the several offices of record in said counties and for preparing making and substituting new indices for old indices or parts thereof' approved May third one thousand eight hundred and seventy-eight" absolutely

The act approved the seventeenth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws one hundred andthirty-nine) entitled "A Supplement to an act entitled 'An Act to provide for the division of counties of this Commonwealth approved the seventeenth day of April eighteen hundred and seventy-eight" absolutely

The act approved the eleventh day of June one thousand eight hundred and seventy-nine (Pamphlet Laws one hundred and forty-six) entitled "A supplement to the act of assembly approved the thirteenth day of June Anno Domini one thousand eight hundred and thirty-six relative to roads and bridges to authorize county commissioners to build bridges or furnish money to aid in building bridges the erecting of which would require more expense that it is reasonable one or two adjoining townships should bear in cases where the county commissioners do not deem it advisable to enter such bridges on record as county bridges" so far as it confers any powers or imposes any duties on counties

The act approved the eleventh day of May one thousand eight hundred and eighty-one (Pamphlet Laws twenty-one) entitled "A supplement to an act entitled 'An act to carry into effect section five of article fourteen of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants' approved the thirty-first day of March one thousand eight hundred and seventy-six amending section thirteen of said act" absolutely except as to salary of county jailor

The act approved the second day of June one thousand eight hundred and eighty-one (Pamphlet Laws forty-four) entitled "An act to amend the first section of an act entitled 'An Act extending the powers and authority of county auditors authorizing them to settle audit and adjust the accounts of the directors of the poor of the several counties of the Commonwealth' approved the twenty-second day of April Anno Domini one thousand eight hundred and seventy-nine" absolutely

The act approved the eighth day of June one thousand eight hundred and eighty-one (Pamphlet Laws sixty-seven) entitled "An act authorizing the county commissioners of the several counties of this Commonwealth to re-build bridges owned by corporations that may or have been destroyed by ice or otherwise and abandoned by such corporation" absolutely

The act approved the first day of June one thousand eight hundred and eighty-three (Pamphlet Laws fifty-eight) entitled "An act empowering and directing the county commissioners of any county to purchase ground at the county seat for the erection thereon of such building or buildings as may be necessary for the accommodation of the courts and of the several officers of the county and for the reception and safe keeping of the records and other papers in charge of such officers and also such other building or buildings as may be necessary and proper for the purposes of a county jail or workhouse when occasion shall require the erection of such building or buildings and in case the said ground cannot be obtained by agreement with the owner or owners at a reasonable price in the estimation of said commissioners then to resort to condemnation" absolutely

The act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and thirteen) entitled "An act to fix the salaries to be paid the county officers in counties containing over five hundred housand inhabitants being a supplement to an act approved thirty-first March Anno Domini one thousand eight hundred and seventy-six entitled 'An act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants' " absolutely

The act approved the twenty-second day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and thirty-nine) entitled "An act fixing salaries of county officers in counties containing over one hundred thousand and less than one hundred and fifty thousand inhabitants and requiring the payment of the fees of such officers into the respective county treasuries" absolutely

Section two of the act approved the fifth day of July one thousand eight hundred and eighty-three (Pamphlet Laws

one hundred and eighty-two) entitled "An act repealing section first of an act entitled 'An act repealing section seventh of an act entitled "An act to carry into effect section five of article fourteenth of the Constituion relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" approved the thirty-first day of March Anno Domini one thousand eight hundred and seventy-six and also repealing the supplement to said act approved the twenty-third day of March Anno Domini one thousand eight hundred and seventy-seven and conferring upon councils in cities of the first class the power of fixing the number and salaries of certain employes' approved the twenty-first day of May Anno Domini one thousand eight hundred and seventy-nine and conferring upon the county commissioners and county controllers where such office exists in all counties containing less than five hundred thousand inhabitants and more than three hundred thousand the power of fixing the number and salaries of certain deputies clerks or employes" absolutely

The act approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and seventy) entitled "An act authorizing the acquisition of turnpikes roads or highways heretofore or hereafter constructed near or through any borough or township in this Commonwealth upon which tolls are charged the traveling public" absolutely

The act approved the first day of April one thousand eight hundred and eighty-seven (Pamphlet Laws fifteen) entitled "An act to fix the fees of sheriffs in counties containing over three hundred thousand inhabitants and of those performing duties under them and the manner of collecting and paying the same" absolutely

The act approved the twelfth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws ninety-five) entitled "An act regulating the compensation of county auditors within this Commonwealth" absolutely

The act approved the twenty-fourth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred and eighty-two entitled "A supplement to an act entitled 'An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants' approved the thirty-first day of March Anno Domini one thousand eight hundred and seventy-six amending the sixteenth section of said act" absolutely except as to payment of salaries of county jailor and interpreter of the courts

The act approved the twenty-fourth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred and eighty-five) entitled "An act authorizing the sheriffs of the several counties of this Commonwealth to appoint by deed chief deputies with power to act as sheriff in case of and during the temporary disability of the sheriff to act in person and fixing the salaries of such chief deputies in counties containing more than five hundred thousand inhabitants" absolutely

The act approved the twenty-fourth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws two hundred and three) entitled "An act authorizing county commissioners to join with city authorities in improving streets or other highways in the vicinity of county building in said cities" absolutely so far as it confers any power or imposes any duties on counties

Sections one and two of the act approved the first day of June one thousand eight hundred and eighty-seven (Pamphlet Laws two hundred and eighty-seven) entitled "An act for the encouragement of forest culture and providing penalties for the injury and destruction of forests" absolutely

The act approved the second day of June one thousand eight hundred and eighty-seven (Pamphlet Laws three hundred and one) entitled "A further supplement to an act entitled 'An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of the county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants' approved the thirty-first day of March Anno Domini one thousand eight hundred and seventy-six authorizing the appointment and fixing the salary of a deputy county surveyor" absolutely

Sections one two three four five six seven eight nine and ten of the act approved the second day of June one thousand eight hundred and eighty-seven (Pamphlet Laws three hundred and six) entitled "An act authorizing the condemnation of turnpikes roads or highways heretofore or hereafter constructed wholly or in part in any county of this Commonwealth for public use free from tolls and toll-gates and the assessment upon the proper county of the damages to which the owner or owners thereof may be entitled by a jury of viewers duly appointed by the court of quarter sessions of the proper county and providing for the maintenance of any such condemned turnpike road or highway by the proper city township or district" absolutely

The act approved the fourth day of April one thousand eight hundred and eighty-nine (Pamphlet Laws twenty-three) entitled "An act authorizing county commissioners to offer and pay rewards for the detection arrest and conviction of horse thieves" absolutely

The act approved the twenty-fifth day of April one thousand eight hundred and eighty-nine (Pamphlet Laws fifty-two) entitled "An act to authorize and require the county commissioners of the several counties of this Commonwealth to furnish supplies and fuel for certain county offices" absolutely

The act approved the twenty-fifth day of April one thousand eight hundred and eighty-nine (Pamphlet Laws fifty-two) entitled "An act to provide for the appointment of an assistant clerk of the separate orphans' courts in counties having less than one hundred and fifty thousand inhabitants and to provide a salary for the same" absolutely

Section two of the act approved the twenty-sixth day of April one thousand eight hundred and eighty-nine (Pamphlet Laws fifty-five) entitled "A supplement to an act entitled 'An act empowering and directing the county commissioners of any county to purchase ground at the county seat for the erection thereon of such building or buildings as may be necessary for the accommodation of the courts and of the several officers of the county and for the reception and safe keeping of the records and other papers in charge of such officers and also such other building or buildings as may be necessary and proper for the purposes of a county jail or workhouse when occasion shall require the erection of such building or buildings and in case the said ground cannot be obtained by agreement with the owner or owners at a reasonable price in the estimation of said commissioners then to resort to condemnation' approved the first day of June Anno Domini one thousand eight hundred and eighty-three repealing the second proviso to the third section of said act and regulating the manner of procedure where there are adverse claimants to the ground condemned" absolutely

The act approved the seventh day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and nine) entitled "An act regulating the compensation of county commissioners within this Commonwealth" absolutely

The act approved the eighth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and thirty-two) entitled "An act authorizing county commissioners to employ detectives offer and pay rewards for the detection arrest and conviction of felons" absolutely

The act approved the ninth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and thirty-nine) entitled "An act providing for the preservation of order in and about county buildings and for the preservation of the same and their contents from defacement and defilement also fixing penalties for the violation of the same and authorizing the appointment of officers who shall have power to enforce this act and to make arrests when violated" absolutely

The act approved the ninth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and sixty-two) entitled "An act to provide for the appointing of deputy coroners in the several counties of this Commonwealth" absolutely

The act approved the ninth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and sixty-seven) entitled "An act to empower the chief clerks of county controllers to administer oaths and affrmations" absolutely

The act approved the thirteenth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred) entitled "An act regulating the payment of traveling expenses of directors of the poor and county commissioners within this Commonwealth" in so far as it applies to county commissioners

The act approved the fifteenth day of April one thousand eight hundred and ninety-one (Pamphlet Laws seventeen)

entitled "An act to provide for an appeal by county commissioners cities or other municipalities and all persons interested in the damages awarded for laying out widening grading opening or changing the lines or grades of any public street road or alley in this Commonwealth from the decree of the court of quarter sessions confirming the report of the viewers assessing such damages" in so far as it confers any powers or imposes any duties on counties

The act approved the fifteenth day of April one thousand eight hundred and ninety-one (Pamphlet Laws twenty-two) entitled "An act regulating qualifications of clerks to county commissioners" absolutely

The act approved the twenty-ninth day of April one thousand eight hundred and ninety-one (Pamphlet Laws thirty-one) entitled "An act authorizing and empowering the several counties of this Commonwealth to purchase bridges already erected or to erect and maintain bridges or culverts with the necessary approaches joining cities and boroughs which are separated by a river creek or rivulet and providing for the condemnation of land necessary for the said approaches" absolutely

The act approved the twenty-sixth day of May one thousand eight hundred ninety-one (Pamphlet Laws one hundred and sixteen) entitled "An act to provide for an appeal to the court of common pleas from the decree of the court of quarter sessions confirming any award of viewers in proceedings to assess damages for the opening widening or changing of grade of any street road or highway" as to counties

The act approved the twenty-sixth day of May one thousand eight hundred and ninety-one (Pamphlet Laws one hundred and twenty-nine) entitled "An act authorizing and empowering the court of common pleas of the several counties of this Commonwealth to change alter and direct the mode of preparing and keeping indices in the several offices of record in said counties and for preparing making and substituting new indices for old indices or parts thereof" absolutely

The act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred and sixty-eight) entitled "An act to enable the county commissioners of the several counties to sell any real estate which they may acquire and make deeds therefor" absolutely

The act approved the eighth day of June one thousand eight hundred and ninety-one (Pamphlet Laws two hundred and twenty-eight) entitled "An act making it the duty of county commissioners to furnish office and storage rooms for the use of the county superintendents of schools" absolutely

The act approved the eleventh day of June one thousand eight hundred and ninety-one (Pamphlet Laws two hundred and ninety-five) entitled "An act amending an act entitled 'An act authorizing the condemnation of turnpikes roads or highways heretofore or hereafter constructed wholly or in part in any county of this Commonwealth for public use free from tolls and toll gates and the assessments upon the proper county of the damages which the owner or owners thereof may be entitled by a jury of viewers duly appointed by the court of quarter sessions of the proper county and providing for the maintenance of such condemned turnpike road or highway by the proper city township or district' approved the second day of June Anno Domini one thousand eight hundred and eighty-seven amending the tenth section thereof by extending its provisions to the portions of turnpikes roads or highways lying within the limits of any incorporated borough" absolutely

The act approved the sixteenth day of June one thousand eight hundred and ninety-one (Pamphlet Laws three hundred and five) entitled "An Act to amend an act entitled 'An act authorizing the county commissioners of the several counties of the Commonwealth to rebuild bridges owned by corporations that may be or have been destroyed by ice or otherwise and abandoned by such corporations' June eighth one thousand eight hundred and eighty-one" absolutely

The act approved the sixteenth day of June one thousand eight hundred and ninety-one (Pamphlet Laws three hundred and fourteen) entitled "An act to amend 'An act to fix the salaries to be paid county officers in counties containing over five hundred thousand inhabitants' being a supplement to an act aproved the thirty-first day of March one thousand eight hundred and seventy-six entitled 'An act to carry into effect section five of article fourteenth of the constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants' by a further classification of counties containing over five hundred thousand inhabitants and fixing the compensation of county officers therein" except as to salaries for jail physician and court interpreter

Section two of the act approved the eighteenth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and two) entitled "An act to provide for the immediate printing distribution filing and keeping of unbound copies of the laws of this Commonwealth as they are enacted from time to time" in so far as it imposes any duty on the prothonotary

The act aproved the eighteenth day of April one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and five) entitled "An Act authorizing and directing county commissioners of the several counties of this Commonwealth to procure bind and preserve weekly newspapers published within their respective counties" absolutely

The act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred twenty-seven) entitled "An act to amend the fifth section of an act entitled 'An act to carry into effect section five of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants' approved the thirty-first day of March Anno Domini one thousand eight hundred and seventy-six requiring the payment of salaries of county officers their deputies and clerks in offices wherein fees are no longer by law collected or received to be made on the first secular day of the month succeeding that in which said services were rendered" absolutely

The act approved the twenty-sixth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and forty-five) entitled "An act regulating the fees to be charged for filing petitions for the adoption of minors and entering order of court thereon" absolutely

Sectons one and three of the act approved the twenty-ninth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and seventy-four) entitled "An act relative to the appointing of special deputies marshals or policemen by sheriffs mayors or other persons authorized by law to make such appointments and by individuals associations or corporations incorporated under the laws of this State or any other State of the United States and making it a misdemeanor for persons to exercise the functions of such officers without authority" in so far as it relates to appoinment of deputies by sheriff

The act approved the sixth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred and thirty) entitled "An act to provide for the appointment of one or more deputy coroners and defining their power and duties in the several counties of this Commonwealth" absolutely

Section one of the act approved the sixth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred and forty) entitled "An act to abolish all fees and commissions now allowed and received by the treasurer of any county co-extensive in boundary with a city of the first class for services rendered in the receipt collection payment and disbursement of revenues on behalf of this Commonwealth" absolutely

The act approved the eighth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred and ninety-three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties" absolutely

The act approved the nineteenth day of April one thousand eight hundred and ninety-five (Pamphlet Laws thirty-eight) entitled "An act to regulate the erection of county buildings" absolutely

The act approved the nineteenth day of April one thousand eight hundred and ninety-five (Pamphlet Laws thirty-nine) entitled "An act to further amend the first section of an act entitled 'An act authorizing the county commissioners of the several counties of this Comonwealth to rebuild bridges owned by corporations that may be or have been destroyed by ice or otherwise and abandoned by such corporations' approved the eighth day of June Anno Domini one thousand eight hundred and eighty-one as amended by

an act approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-one amending that part of the same which applies to bridges which cross rivers or streams forming the boundary line between two counties or running between counties and providing for cost of reconstructing same in proportion to the population of the respective counties" absolutely

The act approved the twenty-first day of May one thousand eight hundred and ninety-five (Pamphlet Laws eighty-seven) entitled "An act relating to jurors or viewers appointed by the courts of any county co-extensive in boundary with a city of the first class to assess damages or benefits for public or municipal improvements requiring the jurors or viewers to complete their duties and to file the report within six months from the date of their appointment" absolutely

The act approved the twenty-first day of May one thousand eight hundred and ninety-five (Pamphlet Laws eighty-nine entitled "An act relating to actions brought to ascertain or recover damages for appropriation of rights of way or easements in lands by corporations invested with the right of eminent domain and empowering and authorizing owners of lands and corporations municipal or otherwise desiring to exercise the right of eminent domain in such lands to waive the assessment of damages by viewers and granting the right to either party to demand and have the jury engaged in trying such action visit and view said land and premises" so far as relates to counties

The act approved the twenty-second day of May one thousand eight hundred and ninety-five (Pamphlet Laws ninety-six) entitled "An act authorizing the county commissioners of the several counties of this Commonwealth to erect or complete and maintain a suitable monument at the county seat of each county in memory of the soldiers and sailors of the late war" absolutely

The act approved the twenty-second day of May one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and one) entitled "An act authorizing the county commissioners of the several counties in this Commonwealth to appoint a county solicitor fix his compensation and prescribe the term and duties of the solicitor" absolutely

The act approved the eighteenth day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and ninety-seven) entitled "An act to amend an act entitled 'An act to authorize and require the county commissioners of the several counties of this Commonwealth to furnish supplies and fuel for certain county offices' approved the twenty-fifth day of April Anno Domini one thousand eight hundred and eighty-nine so as to include certain additional articles of supply" absolutely

Section one of the act approved the eighteenth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and nine) entitled "An act regulating the printing and publication of notices and advertisements authorized by the county commissioners of the counties of this Commonwealth containing a population of five hundred thousand and not exceeding one million as shown by the last United States census providing how newspapers shall be designated in which such publications shall be made and repealing an act entitled 'An act authorizing the county commissioners of Allegheny county to select four morning newspapers for official county advertising' approved the second day of April Anno Domini one thousand eight hundred and seventy-three and also repealing the tenth section of an act entitled 'A supplement to an act approved the first day of May Anno Domini one thousand eight hundred and sixty-one entitled "An act relating to Allegheny County" approved the eighth day of April Anno Domini one thousand eight hundred and sixty-two" absolutely

The act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and thirty-six) entitled "An act providing for the employment and payment of janitors firemen engineers mechanics laborers and care takers of court houses and grounds" absolutely

The act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and sixty-nine) entitled "An act providing that none but citizens of the United States shall be employed in any capacity in the erection enlargement or improvement of any public building or public work within this Commonwealth" is so far as it relates to counties

The act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and thirty-six) entitled "An act providing for the permanent improvement of certain public roads or highways in the several counties of this Commonwealth making such improved roads and highways county roads authorizing the re-location opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary authorizing the taking of property for such improvement and providing for the compensation therefor and the damages resulting from such taking providing for the payment of costs and expenses incurred in making such improvements and in thereafter repairing and maintaning said road and authorizing the levy of a tax to provide a fund for said purposes" in so far as it confers any powers or imposes any duties on counties

The act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled 'An act creating the office of county controllers in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" absolutely

The act approved the second day of July one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and twenty-four) entitled "An act to amend an act entitled 'An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants' approved thirty-first March one thousand eight hundred and seventy-six providing for assistant district attorneys and fixing the salary of the same and increasing the salary of county solicitor clerk of the courts recorder of deeds register of wills and treasurer county prison warden or jailor county commissioners controllers coroners county directors of the poor jury commissioners and county detectives and decreasing the salaries of auditors and county surveyor" except as to salary of county prison warden

The act approved the second day of July one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and twenty-six) entitled "An act regulating the letting of contracts for the erection and construction of public buildings" in so far as it relates to counties

The act approved the seventeenth day of March one thousand eight hundred and ninety-seven (Pamphlet Laws four) entitled "An act to amend section four of an act approved July second eigteen hundred and thirty-nine entitled 'An act to provide for the election of prothonotaries clerks recorders and registers' providing the manner of filling such offices in case of death or vacancy" absolutely

The act approved the thirtieth day of March one thousand eight hundred and ninety-seven (Pamphlet Laws eight) entitled "An act to provide for the pay and mileage of coroners for viewing a dead body where no inquest is held" absolutely

The act approved the fourteenth day of April one thousand eight hundred and ninety-seven (Pamphlet Laws twenty-two) entitled "An act making it the duty of the various county officials to furnish on demand therefor information from their respective offices to the head of any department of the State government and providing a compensation therefor" absolutely

Section one two three and four of the act approved the sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws forty-six) entitled "An act authorizing the county commissioners of the several counties of this Commonwealth to rebuild bridges on sites owned by corporations or by private persons or built by public subscriptions over any stream or river forming the boundary line between two counties where the same have been destroyed by ice flood or otherwise at any time or which have been or may be abandoned by the owners thereof and rebuilt on another site and which were previously used exclusively for vehicles and foot purposes and providing for the cost of reconstructing the same" absolutely

Sections one and two of the act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred) entitled "An act relating to prothonataries and their duties and to their deputies and to enable said deputies to act for the said prothonotaries in case of their sickness absence or other temporary disability" absolutely

The act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws one

hundred) entitled "An act in relation to officers taking illegal fees and providing a penalty therefor" absolutely

The act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and three) entitled "An act authorizing the county commissioners of the several counties within the Commonwealth of Pensylvania to accept take charge of and enter upon the records as a county bridge any bridge over any stream or river running into or through any county and authorizing the county commissioners of any two adjoining counties to accept take charge of and enter upon the records of each of said counties as a joint county bridge any bridge over any stream forming the boundary line between said counties such bridge in either case having been erected and constructed at the expense of private persons or by public subscriptions and opened to free public travel used by the public and become necessary and convenient for public use when the same is offered to be donated to such county or counties and providing the proper proceedings to determine the question of necessity and convenience of such bridge and for the payment of the costs of such proceedings" absolutely

Section one of the act approved the fourth day of June one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and twenty-one) entitled "An act regulating the expenses of county commissioners in counties containing a population of one hundred and fifty thousand and over" absolutely

The act approved the ninth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and eighteen) entitled "An act amending the first section of the act of Assembly approved the twenty-ninth day of April Anno Domini one thousand eight hundred and ninety-one 'authorizing and empowering the several counties of this Commonwealth to purchase bridges already erected or to erect and maintain bridges or culverts with the necessary approaches joining cities and boroughs which are separated by a river creek or rivulet and providing for the condemnation of land necessary for the said approaches'" absolutely

Section one of the act approved the ninth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and thirty-eight) entitled "An act to authorize county commissioners to build bridges or to furnish money to aid in building bridges in boroughs the erection of which would require more expense than it is reasonable that the borough wherein it is to be located should bear" in so far as it effects counties

The act approved the fourteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and sixty-seven) entitled "An act creating the office of assistant district attorney in the several counties of this Commonwealth having over five hundred thousand and less than eight hundred thousand inhabitants providing for the appointment of said officers prescribing the powers duties and terms of office and fixing the salaries of sad officers" absolutely

The act approved the twenty-first day of March one thousand eight hundred and ninety-nine (Pamphlet Laws twelve) entitled "An act to amend section first of the act of Assembly approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-one entitled 'An act to amend an act to fix the salaries to be paid county officers in counties containing over five hundred thousand inhabitants' being a supplement to an act approved the thirty-first day of March one thousand eight hundred and seventy-six entitled 'An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants by a further classification of counties containing over five hundred thousand inhabitants and fixing the compensation of county officers therein' and repealing all acts or parts of acts inconsistent herewith" except as to jail physician county jailor and court interpreter

The act approved the eighteenth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws fifty-six) entitled "An act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people" absolutely

The act approved the nineteenth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws sixty-one) entitled "An act to amend an act entitled 'An act to ascertain and appoint the fees to be received by the recorder of deeds in and for the counties in this Commonwealth containing more than five hundred thousand (500,000) inhabitants' approved the sixth day of March Anno Domini one thousand eight hundred and seventy-nine amending first section thereof by fixing the fees to be charged for recording and exemplifying instruments of writing" absolutely

Sections one to ten both inclusive of the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws seventy-nine) entitled "An act supplementary to an act approved the second day of June Anno Domini one thousand eight hundred and eighty-seven entitled 'An act authorizing the condemnation of turnpikes roads or highways heretofore or hereafter constructed wholly or in part in any county of this Commonwealth for public use free from tolls and toll gates and the assessmen upon the proper county of the damages to which the owner or owners thereof may be entitled by a jury of viewers duly appointed by the court of quarter sessions of the proper county and providing for the maintenance of any such condemned turnpike road or highway by the proper city township or district' extending its provisions so as to authorize the condemnation of any turnpike road or highway in whole or in part located upon the line dividing two counties and to assess the damages payable to the owner or owners thereof equitably between such two counties" absolutely

The act aproved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws ninety-one) entitled "An act to enable the county commissioners of any county which has assisted any township townships or borough under existing laws in building the whole or any portion of a bridge but has not entered the same upon record as a county bridge to afterwards enter said bridge upon record as a county bridge" absolutely

The act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and thirteen) entitled "An act to amend section siv of an act approved the second day of April Anno Domini one thousand eight hundred and sixty-eight entitled 'An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth'" absolutely

The act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and seventy-six) entitled "An act requiring written notices to be served upon supervisors of the proposed opening and construction of new roads for public use and of views or reviews and re-reviews in connection with such proposed new roads" in so far as it confers any powers or imposes any duties on counties

The act approved the fifth day of May one thousand eight hundred and ninety-nine (Pamphlet Laws two hundred and thirty-one) entitled "An act authorizing counties of the Commonwealth of Pennsylvania to purchase maintain us and condemn bridges erected and in use over rivers and streams separating or dividing any part or district of such counties and providing the manner in which compensation shall be made" absolutely

The act approved the twenty-second day of March one thousand nine hundred and one (Pamphlet Laws fifty-two) entitled "An act amending section two of an act entitled 'An act for the encouragement of forest culture and providing penalties for the injury and destruction of forests' approved June first one thousand eight hundred and eighty-seven amending and extending the provisions thereof" absolutely

The act approved the first day of May one thousand nine hundred and one (Pamphlet Laws one hundred and ten) entitled "An act providing for the vacation of any portion of any main or public road or highway the permanent improvement thereof has been authorized under an act of Assembly aproved June twenty-sixth Anno Domini one thousand eight hundred and ninety-five and entitled 'An act providing for the permanent improvement of certain public roads in highways in the several counties of this Commonwealth making said improved roads and highways county roads et cetera' and making the portions so vacated township roads" absolutely

The act approved the eighth day of May one thousand nine hundred and one (Pamphlet Laws one hundred and forty) entitled "An act to amend sections one and sixteen of an act entitled 'An act creating the office of county controller in counties of this Commonwealth containing one

hundred and fifty thousand (150,000) inhabitants and ove prescribing his duties and abolishing the office of coun auditor in said county' approved June twenty-seventh on thousand eight hundred and ninety-five so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants and authorizing the Governor t fill vacancies" absolutely

The act approved the eleventh day of May one thousand nine hundred and one (Pamphlet Laws one hundred an eighty-four) entitled "An act to amend an act authorizin the county commissioners of the several counties of th Commonwealth to erect or complete and maintain a suitable monum nt at the county seat of each county in memory o the soldiers and sailors of the late war so as to authorize said county commissioners under the same regulations to pay debt already contracted for and about the erection and maintenance of such monument and for work done materia furnished thereof" absolutely

The act approved the eleventh day of May one thousan nine hundred and one (Pamphlet Laws one hundred an eighty-five) entitled "An act authorizing appeals from the court of common pleas to the Supreme and Superior Courts in cases which are appeals from settlements or reports o county borough or township auditors" as to reports o county auditors

The act approved the thirteenth day of May one thousand nine hundred and one (Pamphlet Laws one hundred and ninety-one) entitled "An act to amend the first and second sections of an act entitled 'An act authorizing the county commissioners of the several counties of this Commonwealth to rebuild bridges on sites owned by corporations or by private persons or built by public subscriptions ove any stream or river forming the boundary line between two counties where the same have been destroyed by ice flood or otherwise at any time or which have been or may be abandoned by the owners thereof and rebuilt on another site and which were previously used exclusively for vehicles and foot purposes and providing for the cost of reconstructing the same approved the sixth day of May Anno Domini one thousand eight hundred and ninety-seven" absolutely

The act approved the seventeenth day of May one thousand nine hundred and one (Pamphlet Laws two hundred and sixty-one) entitled "A further supplement to an act entitled 'An act to carry into effect section five of articl fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into th State and county treasury in counties containing over one hundred and fifty thousand inhabitants approved thirty-first of March one thousand eight hundred and seventy-six and amended by act approved twenty-fourth May one thousand eight hundred and eighty-seven' further amending section of said act" except in so far as it relates to salaried of county jailor and interpreter of the court

The act approved the twenty-first day of May one thousand nine hundred and one (Pamphlet Laws two hundred and sixty-eight) entitled "An act authorizing county commissioners of the several counties of this Commonwealth to construct any public road leading to either end of a county bridge across any river in this Commonwealth" absolutely

The act approved the twenty-first day of May one thousand nine hundred adn one (Pamphlet Laws two hundred and seventy-four) entitled "An act to encourage county historical societies" absolutely

Section one of the act approved the twenty-fifth day of May one thousand nine hundred and one (Pamphlet Laws three hundred and one) entitled "An act authorizing change of location of new county buildings on public squares or commons" absolutely

The act approved the ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred and twenty) entitled "An act to further amend the first section of an act entitled 'An act to amend the first and second sections of an act entitled 'An act authorizing the county commissioners of the several counties of this Commonwealth to rebuild bridges on sites owned by corporations or by private persons or built by public subscriptions over any stream or river forming the bounary line between two counties where the same have been destroyed by ice flood or otherwise at any time or which have been or may be abandoned by the owners thereof and rebuilt on another site and which were previously used exclusively for vehicles and foot purposes and providing for the cost of reconstructing the same" approved the thirteenth day of May Anno Domini one thousand nine hundred and one" absolutely

The act approved the tenth day of July one thousand nine hundred and one (Pamphlet Laws six hundred and thirty-one) entitled "An act authorizing the county commissioners to borrow money and issue bonds for the purpose of building improving and repairing public roads and highways in their respective counties in pursuance of the provisions of an act entitled 'An act providing for the permanent improvement of certain public roads or highways in the several counties of this Commonwealth making such improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may become unnecessary authorizing the taking of property for such improvement and providing for the compensation thereof and the damages resulting from such taking providing for the payment of the costs and expenses incurred in making such improvements and in thereafter repairing and maintaining said roads and authorizing the levy of a tax to provide a fund for said purposes' approved June twenty-sixth Anno Domini one thousand eight hundred and ninety-five" absolutely

The act approved the tenth day of July one thousand nine hundred and one (Pamphlet Laws six hundred and forty-one entitled "A further supplement to an act entitled 'An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties over one hundred and fifty thousand inhabitants approved thirty-first March one thousand eight hundred and seventy-six as amended by act of eleventh May one thousand eight hundred and eighty-one and as further amended by act of second June one thousand eight hundred and eighty-seven providing for the salaries of county officers in counties containing over two hundred and fifty thousand and less than five hundred thousand inhabitants'" except as to salary of county prison warden

The act approved the tenth day of July one thousand nine hundred and one (Pamphlet Laws six hundred and fifty) entitled "An act to provide for the maintenance and repair in certain cases of abandoned turnpikes or parts thereof" absolutely

The act approved the eleventh day of July on thousand nine hundred and one (Pamphlet Laws six hundred and sixty-three) entitled "An act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of the same" absolutely

The act approved the fifth day of March one thousand nine hundred and three (Pamphlet Laws eleven) entitled "An act to amend an act 'Authorizing the county commissioners of the several counties in this Commonwealth to appoint a county solicitor fix his compensation and prescribe the term and duties of the solicitor'" absolutely

Section one of the act approved the fifth day of March one thousand nine hundred and three (Pamphlet Laws thirteen) entitled "An act to authorize county commissioners to provide ferries or temporary ways over streams where county bridges shall have been heretofore and shall hereafter be destroyed or rendered impassable by fire storm flood or other casualty and legalizing prior expenditures therefor by county commissioners" absolutely

The act approved the eighteenth day of March one thousand nine hundred and three (Pamphlet Laws twenty-eight) entitled "An act regulating the filing of reports of viewers or juries of view appointed by the courts of this Commonwealth to assess damages and benefits for the taking injury or destruction of private property in the construction or enlargement of public works highways or improvements" in so far as it relates to counties

Sections four five six eight and ten of the act approved the twenty-sixth day of March one thousand nine hundred and three (Pamphlet Laws seventy-one) entitled "An act relating to the location construction and maintenance of viaducts and bridges in cities and adjacent territory empowering the several cities of this Commonwealth to construct or have constructed brdges or viaducts over rivers creeks streams railroads and private lands or over and across any of them for public highways and to procure locations therefor by purchase or condemnation proceedings whether the same be wholly within or partly within and partly without the city limits authorizing said cities to unite and enter into a contract or contracts with the county commissioners of the proper county and with railroad street railway and other companies and parties interested or with any of them for the erection construction and maintenance

of said viaducts and bridges and for the payment of the damages caused by their location and erection and forbidding any railroad company to pass under any such viaduct or bridge without contributing to the cost of maintenance thereof" in so far as it confers any powers or imposes any duties on counties

The act approved the twenty-seventh day of March one thousand nine hundred and three Pamphlet Laws seventy-four) entitled "An act to amend an act entitled 'An act to amend an act of Assembly approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine entitled "A supplement to the act of Assembly approved the thirteenth day of June Anno Domini one thousand eight hundred and thirty-six relative to roads and bridges to authorize county commissioners to build bridges or furnish money to aid in building bridges the erecting of which would require more expense than it is reasonable one or two adjoining townships should bear in cases where the county commissioners do not deem it advisable to enter such bridges on record as county bridges"' approved the twenty-fifth day of May one thousand eight hundred and eighty-seven further authorizing county commissioners to build bridges or furnish money to aid in building bridges or portions thereof in cities of the third class the erecting of which would require more expense than is reasonable for said cities of the third class should bear in cases where the county commissioners do not deem it advisable to enter such bridges on record as county bridges" in so far as it confers any powers or imposes any duties on counties

The act approved the twenty-seventh day of March one thousand nine hundred and three (Pamphlet Laws eighty-three) entitled "An act to provide for the confirmation of the reports of viewers or juries of view appointed by the courts of quarter sessions to assess damages and benefits and for the collection of damages in such proceedings" in so far as it relates to public works and improvements in counties

The act approved the third day of April one thousand nine hundred and three (Pamphlet Laws one hundred and thirty-six) entitled "An Act to amend an act entitled 'An act authorizing the county commissioners of the several counties of the Commonwealth to erect or complete and maintain a suitable monument at the county seat of each county in memory of the soldiers and sailors of the late war' approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five" absolutely

The act approved the third day of April one thousand nine hundred and three (Pamphlet Laws one hundred and thirty-seven) entitled "An act regulating the confinement of children under the age of sixteen years awaiting trial" in so far as it relates to counties

The act approved the eleventh day of April one thousand nine hundred and three (Pamphlet Laws one hundred and sixty-four) entitled "An Act to provide for the construction of bridges over or under existing railroads at the expense of the county where a public highway or a road about to be opened intersects or will intersect an existing railroad or railroads and the township within which the bridges may be necessary is reasonably unable to bear the expense of the same" in so far as it confers any powers or imposes any duties on counties

Sectios one and two of the act approved the eleventh day of April one thousand nine hundred and three (Pamphlet Laws one hundred and sixty-seven) entitled "An act creating the office of assistant district attorney in the several counties of this Commonwealth having over one hundred and fifty thousand inhabitants providing for the appointment of one or more persons in each of said counties to fill said office prescribing the qualifications duties and terms of office of said officers and fixing their salaries in accordance with existing legislation" absolutely

The act approved the twenty-first day of April one thousand nine hundred and three (Pamphlet Laws two hundred and twenty-eight) entitled "An act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their respective counties painted and the bolts of the same tightened as often as may be necessary" absolutely

The act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred and eighty-nine) entitled "An act to amend the forty-sixth section of an act approved the thirteenth day of June Anno Domini one thousand eight hundred and thirty-six entitled 'An act relating to roads highways and bridges' authorizing the construction of bridges on the line of adjoining counties or located within one-fourth of a mile from the county lines" absolutely

The act approved the twenty-fourth day of April one thousand nine hundred and three (Pamphlet Laws two hundred and ninety-nine) entitled "An Act authorizing the board of county commissioners of the several counties of the State to furnish on petition appropriate metal markers for the graves of soldiers and sailors who served with honor in the military forces of the United States" absolutely

The act approved the twenty-fourth day of April one thousand nine hundred and three (Pamphlet Laws three hundred and one) entitled "An act to amend 'An act to fix the salaries to be paid county officers in counties containing over five hundred thousand inhabitants and less than eight hundred thousand inhabitants by fixing the salaries of county engineers' being a supplement to an act approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-one entitled 'An act to amend "An act to fix the salaries to be paid county officers in counties containing over five hundred thousand inhabitants"' being a supplement to an act approved the thirty-first day of March one thousand eight hundred and seventy-six entitled 'An act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over five hundred thousand inhabitants and fixing the compensation of county officers therein' absolutely

The act approved the twenty-seventh day of April one thousand nine hundred and three (Pamphlet Laws three hundred and twenty-three) entitled "An act authorizing the county commissioners of the several counties of the Commonwealth of Pennsylvania to accept take and thereafter maintain as a county bridge any public bridge used for public travel built or maintained by any borough or township or both or any two townships within such county over rivers when tendered to the county commissioners for any such county by the proper authorities of such borough or townships free and without charge therefor absolutely

The act approved the first day of March one thousand nine hundred and five (Pamphlet Laws thirty) entitled "An Act to provide for the appointment by the district attorneys of the several counties of this Commonwealth having a population of over five hundred thousand and less than one million of a special detective officer and assistant special detective officers not exceeding ten in number making said special detective officers general police officers with the same powers conferred on constables in cases of crime and criminal procedure and defining their duties and fixing the salaries of the same and authorizing the payment of necessary traveling expenses" absolutely

The act approved the fourteenth day of March one thousand nine hundred and five (Pamphlet Laws thirty-seven) entitled "An act to fix the salaries of district attorneys and providing for the appointment of assistant district attorneys in the several counties of this Commonwealth having over eight hundred thousand inhabitants prescribing the powers and duties and fixing the salaries of the said assistant district attorneys" absolutely

The act approved the twenty-fourth day of March one thousand nine hundred and five (Pamphlet Laws fifty) entitled "An act providing for the erection of county bridges over any river creek or rivulet forming the boundary between any borough and township of the first and second class where the same crosses a public highway and providing for the cost and maintenance of the same" absolutely

The act approved the twenty-ninth day of March one thousand nine hundred and five (Pamphlet Laws sixty-nine) entitled "An act to amend section one of an act entitled 'An act requiring written notice to be served upon supervisors of the proposed opening and construction of new roads for public use and of views reviews and re-reviews in connection with such proposed new roads' approved the second day of May Anno Domini one thousand eight hundred and ninety-nine so as to require notice to be served on the supervisors of the territory through which the proposed public road is to pass of the time and place of the appointment of viewers reviewers and re-reviewers to lay out the same and of the time and place of their meetings" in so far as it confers any powers or imposes any duties on counties

The act approved the thirtieth day of March one thousand nine hundred and five (Pamphlet Laws eighty-one) entitled "An act requiring county commissioners to repair all county

bridges and to pay the expense of such repairs out of the county treasury" absolutely

The act approved the fourteenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and fifty-seven) entitled "An act to provide for the running relocating changing fixing and marking of county lines" absolutely

The act appproved the fourteenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and sixty-five) entitled "An act to further amend an act entitled an act to amend 'An act to fix the salaries to be paid county officers in counties containing over five hundred thousand inhabitants and less than eight hundred thousand inhabitants by fixing the salaries of county engineers' being a supplement to an act approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-one entitled 'An act to amend "An act to fix the salaries to be paid county officers in counties containing over five hundred thousand inhabitants"' being a supplement to an act approved the thirty-first day of March one thousand eight hundred and seventy-six entitled 'An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over five hundred thousand inhabitants fixing the compensation of county officers therein' approved twenty-fourth April one thousand nine hundred and three so as to authorize the county engineer in counties where such office exists to appoint a deputy engineer and to fix his salary" absolutely

Sections one three four and five of the act appproved the seventeenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and seventy) entitled "An act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county" absolutely

The act approved the seventeenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and seventy-six) entitled "An act providing that all vacancies in the office of county treasurer in this Commonwealth shall be filled by appointment of the Governor until the next general election" absolutely

The act approved the seventeenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and ninety-six) entitled "An act to amend an act entitled 'An act authorizing the county commissioners to borrow money and issue bonds for the purpose of building improving and repairing public roads and highways in their respective counties in pursuance of the provisions of an act entitled "An act providing for the permanent improvement of certain roads or highways in the several counties of this Commonwealth making such improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of same and the vacation of so much of any road as may become necessary authorizing the taking of property for such improvement and providing for the compensation thereof and the damages resulting from such taking providing for the payment of the costs and expenses incurred in making such improvements and in thereafter repairing and maintaining said roads and authorizing the levy of a tax to provide a fund for said purposes" approved June twenty-sixth Anno Domini one thousand eight hundred and ninety-five' approved July tenth Anno Domini one thousand nine hundred and one by changing the restriction as to the amount of bonds which may be issued in any one year from one tenth of one per cent to one-half of one per cent" absolutely

The act approved the eighteenth day of April one thousand nine hundred and five (Pamphlet Laws two hundred and six) entitled "An act to fix the salaries of district attorneys and providing for the appointment of assistant district attorneys in the several counties in this Commonwealth having over two hundred and fifty thousand inhabitants and less than five hundred thousand inhabitants prescribing the powers and duties and fixing the salaries of the said assistant district attorneys" absolutely

The act approved the twentieth day of April one thousand nine hundred and five (Pamphlet Laws two hundred and thirty-seven) entitled "An act to provide for the repair and maintenance or improvement by the proper county city or boroughs of turnpikes heretofore or hereafter appropriated or condemned or any part thereof for public use free of tolls" in so far as it confers any powers or imposes any duties on counties

The act approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred and ninety) entitled "An act to amend an act entitled 'An act providing for the permanent improvement of certain public roads or highways in the several counties of this Commonwealth making such improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any such road as may thereby become unnecessary authorizing the taking of property for such improvement and providing for the compensation therefor and the damage resulting from such taking providing for the payment of the costs and expenses incurred in making such improvements and in thereafter repairing and maintaining said road and authorizing the levy of a tax to provide a fund for such purposes' approved June twenty-sixth one thousand eight hundred and ninety-five providing that public roads and highways may be constructed improved and maintained by the several counties of the Commonwealth as county roads whether existing by other authority or laid out in whole or in part by virtue of this act and providing that public roads and highways may be originally located land out and established for the purpose of such construction improvement and maintenance by the several counties in the manner and by the procedure set out in the amended act and subject to the other provisions thereof providing for the laying out of a system of main thoroughfares to which the establishing construction improvement and maintenance of public roads by the counties shall be restricted after January one one thousand nine hundred and seven but providing for such establishing construction improvement and maintenance of road not parts of said system upon parties interested paying not less than one-fourth of the original cost of construction and providing that the county commissioners of any county may provide rules regulating the use or roads constructed and maintained by the counties and prescribing the penalties for the violation thereof" in so far as it confers any powers or imposes any liabilities on counties

Section seven of the act approved the eleventh day of May one thousand nine hundred and five (Pamphlet Laws four hundred and forty-two) entitled "An act for the appointment and maintenance of a board to be known as the Armory Board of the State of Pennsylvania and for the payment of its expenses and for providing managing and caring for armories for the use of the National Guard of Pennsylvania throughout the Commonwealth of Pennsylvania and making an appropriation for the same authorizing the State Armory Board to receive from counties cities municipalities and other sources donations or contributions for the purpose of this act" in so far as it authorizes counties to make contributions for purposes of act

The act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws seventy-four) entitled "An act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty ($250.00) dollars" absolutely

The act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws seventy-five entitled "An act regulating the building of county bridges and the letting of contracts therefor authorizing the borrowing of money to pay the same and providing for the punishing of persons who combine or conspire to stifle competition in bidding" absolutely

The act approved the fourteenth day of February, one thousand nine hundred and seven (Pamphlet Laws three) entitled "An act enlarging the powers of county commissioners to erect county bridges empowering them to erect and construct new bridges whenever the existing bridge or bridges are not sufficient for any cause to accommodate the public travel" absolutely

The act approved the seventh day of March one thousand nine hundred and seven (Pamphlet Laws seven) entitled

"An act authorizing the employment of stenographers by the county solicitors of certain counties" absolutely

The act approved the twenty-first day of March one thousand nine hundred and seven (Pamphlet Laws twenty-two) entitled "An act authorizing the county commissioners of the several counties or the town councils of the several boroughs of this Commonwealth or both to appropriate annually a sufficient sum of money to each Post of the Grand Army of the Republic in their respective counties or boroughs to aid in defraying the expenses of Memorial Day" in so far as it relates to counties

The act approved the twenty-eighth day of March one thousand nine hundred and seven (Pamphlet Laws thirty-seven) entitled "An act authorizing and empowering county controllers in counties containing a population of from three hundred thousand to one million to designate and appoint a solicitor prescribing the duties of said solicitor and fixing his term of appointment and salary" absolutely

The act approved the fourth day of April one thousand nine hundred and seven (Pamphlet Laws forty) entitled "An act providing for the recovery and collection of municipal claims by lien or by action of assumpsit" as to counties

The act approved the fourth day of April one thousand nine hundred and seven (Pamphlet Laws forty-four) entitled "An act fixing the pay of commissioners of roads viewers reviewers and re-reviewers of roads and bridges and commissioners appointed to run establish or re-establish township lines or to divide townships or to divide townships into election districts or boroughs into wards in this Commonwealth" in so far as it fixes the compensation of viewers reviewers and re-reviewers of county roads and bridges

The act approved the fourth day of April one thousand nine hundred and seven (Pamphlet Laws forty-eight) entitled "An act to fix the salaries of the deputy register clerks and employees in the office of the register of wills of any county of this Commonwealth having a population of one million or over" absolutely

The act approved the twenty-third day of April one thousand nine hundred and seven (Pamphlet Laws ninety-eight) entitled "An act authorizing county commissioners of the several counties of this Commonwealth to contract for the drilling of gas-wells in lands owned by the particular county for the purpose of furnishing light and fuel for the county buildings of that county" absolutely

The act approved the twenty-fifth day of April one thousand nine hundred and seven (Pamphlet Laws one hundred and four) entitled "An act to amend the first section of an act entitled 'An act to provide for the repair and maintenance or improvement by the proper county city or borough of turnpikes heretofore or hereafter appropriated or condemned or any part thereof for public use free of tolls' approved the twentieth day of April Anno Domini one thousand nine hundred and five providing for the repair and maintenance or improvement by the proper county city or borough of turnpikes heretofore or hereafter abandoned or any part thereof and for the repair maintenance or improvement of any turnpike or part thereof where the company or association owning the same has been or may hereafter be dissolved" in so far as it confers any powers or imposes any duties on counties

The act approved the twenty-fifth day of April one thousand nine hundred and seven (Pamphlet Laws one hundred and nineteen) entitled "An act to amend the first section of an act approved the thirteenth day of May Anno Domini one thousand nine hundred and one entitled 'An act to amend the first and second sections of an act entitled "An act authorizing the county commissioners of the several counties of this Commonwealth to rebuild bridges on sites owned by corporations or by private persons or built by public subscriptions over any stream or river forming the boundary line between two counties where the same have been destroyed by ice flood or otherwise at any time or which have been or may be abandoned by the owners thereof and rebuilt on another site and which were previously used exclusively for vehicles and foot purposes and providing for the cost of reconstructing the same" approved the sixth day of May Anno Domini one thousand eight hundred and ninety-seven' striking therefrom the proviso that such bridge shall be used only for general public travel and shall not be occupied by any railroad transportation company or private corporation" absolutely

The act approved the twenty-fifth day of April one thousand nine hundred and seven (Pamphlet Laws one hundred and twenty-one) entitled "An act providing for the appointment of assistant district attorneys in the several counties of this Commonwealth having seven hundred fifty thousand and less than one million two hundred thousand inhabitants prescribing the powers and duties and fixing the salaries of the said assistant district attorneys" absolutely

The act approved the first day of May one thousand nine hundred and seven (Pamphlet Laws one hundred and forty-two) entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of this Commonwealth in counties having a population of over one million" absolutely

The act approved the first day of May one thousand nine hundred and seven (Pamphlet Laws one hundred and forty-eight) entitled "An act providing for the erection and maintenance of Memorial Halls at the county seats of counties of Pennsylvania which have a population of over one hundred and fifty thousand inhabitants authorizing and directing the county commissioners of said counties upon petition of fifty citizens approved by two successive grand juries the court of quarter sessions and a majority vote of the qualified voters of said counties at a general election to increase the rate of taxation for county purposes to an amount sufficient to purchase a plot of ground in such county seat and erect thereon a Memorial Hall in honor of the soldiers sailors and marines from said counties who served in the army and navy of the United States in the war for the suppression of the rebellion the Spanish-American war and all other wars in defense of the American flag designating committees to determine what relics records et cetera shall be placed in said Memorial Hall restricting the cost to one hundred and fifty thousand dollars and providing for a flag staff and the display of the flag of the United States absolutely

The act approved the seventh day of May one thousand nine hundred and seven (Pamphlet Laws one hundred and sixty-nine) entitled "An act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said auditors' report by said county thereof" absolutely

The act approved the seventh day of May one thousand nine hundred and seven (Pamphlet Laws one hundred and seventy-two) entitled "An act supplementary to an act entitled 'An act authorizing the condemnation of turnpikes roads or highways heretofore or hereafter constructed wholly or in part in any county of this Commonwealth for public use free from tolls and toll-gates and the assessment upon the proper county of the damages to which the owner or owners thereof may be entitled by a jury of viewers duly appointed by the court of quarter sessions of the proper county and providing for the maintenance of any such condemned turnpike road or highway by the proper city township or district' approved the second day of June Anno Domini one thousand eight hundred and eighty-seven authorizing the court of quarter sessions of the proper county upon petition to appoint a second or subsequent jury of viewers after the lapse of five years from the final confirmation of an adverse report of a former jury of reviewers" absolutely

The act approved the eighth day of May one thousand nine hundred and seven (Pamphlet Laws one hundred and eighty-five) entitled "An act to amend an act entitled 'An act to amend the forty-sixth section of an act approved the thirteenth day of June Anno Domini one thousand eight hundred and thirty-six entitled "An act relating to roads highways and bridges" authorizing the construction of bridges on the line of adjoining counties or located within one-fourth of a mile from the county lines' approved the twenty-third day of April Anno Domini one thousand nine hundred and three so as to provide that nothing in this act shall prevent any county in this Commonwealth from erecting a bridge at any point wholly within the limits of said county without any view or other proceedings whatsoever in any adjoining county" absolutely

The act approved the tenth day of May one thousand nine hundred and seven (Pamphlet Laws one hundred and ninety-six) entitled "An act to fix the salaries of the clerk deputy clerk court clerks and employees in the office of the clerk of the court of oyer and terminer and quarter sessions of the peace of any county of this Commonwealth having a population of one million or over" absolutely

The act approved the twenty-third day of May one thousand nine hundred and seven (Pamphlet Laws two hun-

dred and twenty-five) entitled "An act providing for the payment of the premiums on bonds of county city borough school-district and township employes" in so far as it confers any powers or imposes any duties on counties

Section four five six eight and ten of the act approved the twenty-fifth day of May one thousand nine hundred and seven (Pamphlet Laws two hundred and forty) entitled "An act relating to the location construction and maintenance of viaducts and bridges in boroughs and adjacent territory empowering the several boroughs of this Commonwealth to construct or have constructed bridges or viaducts over rivers creeks streams railroads and private land or over and across railroads and any of them or over and across railroads for public highways and to procure locations therefor by purchase or condemnation proceedings whether the same be wholly within or partly within and partly without the borough limits authorizing said boroughs to unite and enter into a contract or contracts with the county commissioners of the proper county and with railroad street railway and other companies and parties interested or with any of them for the erection construction and maintenance of said viaducts and bridges and for the payment of the damages caused by their location and erection and forbidding any railroad company to pass under or upon any such viaduct or bridge without contributing to the cost of maintenance thereof" in so far as it confers any powers or imposes any duties on counties

The act approved the twenty-ninth day of May one thousand nine hundred and seven (Pamphlet Laws three hundred and eight) entitled "An act to amend an act entitled 'An act to authorize and require the county commissioners of the several counties of this Commonwealth to furnish supplies and fuel for certain county officers' approved the twenty-fifth day of April Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws fifty-two) so as to include certain additional articles of supply and to repeal the act of June eighteenth one thousand eight hundred and ninety-five" absolutely

The act approved the seventh day of June one thousand nine hundred and seven (Pamphlet Laws four hundred and fifty-nine) entitled "An act to amend sections one and three of the act approved the first day of March Anno Domini nineteen hundred and five entitled an act 'To provide for the appointment by the district attorneys of the several counties of this Commonwealth having a population of over five hundred thousand and less than one million of a special detective officer and assistant special detective officers not exceeding ten in number making said special detective officers general police officers with the same powers conferred on constables in cases of crime and criminal procedure and defining their duties and fixing the salaries of the same and authorizing the payment of necessary traveling evpenses" absolutely

The act approved the seventh day of June one thousand nine hundred and seven (Pamphlet Laws four hundred and sixty-one) entitled "An act providing a method to secure possession of lands buildings or other property acquired under the power of eminent domain" in so far as it confers any powers or imposes any duties on counties

The act aproved the seventh day of June one thousand nine hundred and seven (Pamphlet Laws four hundred and sixty-two) entitled "An act amending an act entitled 'An act to amend an act entitled "An act authorizing the county commissioners of the several counties of the Commonwealth to erect or complete and maintain a suitable monument at the county seat of each county in memory of the soldiers sailors and marines of the late war" approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five' and providing further 'That in counties having a population of over five hundred thousand and less than one million inhabitants said petition may pray for the erection of a memorial hall' approved the third day of April Anno Domini one thousand nine hundred and three to include counties having a population of fifty thousand or more" absolutely

The act approved the twelfth day of June one thousand nine hundred and seven (Pamphlet Laws five hundred and twenty-three) entitled "An act amending section thirty-five (35) of an act entitled 'An act relating to roads highways and bridges' approved the thirteenth day of June Anno Domini one thousand eight hundred and thirty-six extending the provisions of said section as to also authorize the construction of county bridges in cities and boroughs and providing for the erection of new bridges when any existing county bridge is insufficient for any cause to accommodate the public travel" absolutely

The act approved the eleventh day of March one thousand nine hundred and nine (Pamphlet Laws thirteen) entitled "An act empowering clerks designated by county controllers to administer oaths and affirmations" absolutely

The act approved the eleventh day of March one thousand nine hundred and nine (Pamphlet Laws eighteen) entitled "An act authorizing the county commissioners in counties in which a memorial hall in honor of the soldiers sailors or marines from such county who served in the army or navy of the United States in the War of the Rebellion or in any other war has been or shall be hereafter erected under the laws of this Commonwealth to acquire by purchase or condemnation additional ground adjoining that upon which said memorial hall is erected in order to enhance and preserve the beauty and character of said memorial hall and the object had in its erection and also authorizing said commissioners to equip and furnish and decorate said memorial hall limiting the cost thereof and providing for the payment of such cost by taxation or by issuing and selling bonds" absolutely

The act approved the fifteenth day of March one thousand nine hundred and nine (Pamphlet Laws thirty-three) entitled "An act relating to armories for the National Guard of Pennsylvania authorizing counties cities towns boroughs and other municipal divisions of the Commonwealth to provide and appropriate moneys or purchase and convey land or convey land owned by any county city town borough or other municipal division of the Commonwealth to assist the Army Board in the erection of armories and to furnish free of cost to the Commonwealth water light fuel either or all for use in any armory" in so far as it confers any powers or imposes any duties on counties

The act approved the eighteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty-four) entitled "An act to authorize the district attorney of any county in this Commonwealth wherein no assistant district attorney is provided by existing law to appoint an assistant to aid in the preparation and trial of any indictment for homocide or murder and to provide for the compensation of such assistant out of the treasury of the proper county" absolutely

Sections one and eight of the act approved the twenty-fourth day of March one thousand nine hundred and nine (Pamphlet Laws sixty-nine) entitled "An act authorizing municipalities to purchase condemn maintain and use public toll-bridges crossing rivers or streams within the limits thereof and to enter into a contract with the county commissioners of the proper county when said commissioners are duly authorized thereto by the court of quarter sessions on petition of twenty or more tax-payers of such county whereby the said county shall pay a portion of the cost thereof and giving power to the municipalities to charge and collect tolls or rentals for the use of any such bridge from railway telephone and telegraph companies and other persons making a use thereof for other than ordinary public foot and vehicle travel and providing for the preservation of existing contracts with such persons and their assignment to such municipality" in so far as it confers any power or imposes any duties on counties

The act approved the twenty-fourth day of March one thousand nine hundred and nine (Pamphlet Laws seventy-three) entitled "An act authorizing counties to purchase or condemn public toll-bridges crossings rivers or streams within the limits thereof when duly authorized thereto by the court of quarter sessions on petition of at least twenty tax payers of such county and giving power to the counties to charge and collect tolls or rentals for the use of any such bridge from telephone and telegraph companies and other persons making a use thereof for other than ordinary public foot and vehicle travel and providing for the preservation of existing contracts with such persons and ther assignment to such county" absolutely

The act approved the twenty-fourth day of March one thousand nine hundred and nine (Pamphlet Laws seventy-seven) entitled "An act to amend section one of an act entitled 'An act regulating State tax on certain county offices' approved the sixth day of May Anno Domini one thousand eight hundred and seventy-four by providing for the payment of said tax into the county treasury for the use of the respective counties" absolutely

The act approved the twenty-fifth day of March one thousand nine hundred and nine (Pamphlet Laws seventy-eight) entitled "An act to amend an act approved the fourth day of

April Anno Domini one thousand nine hundred and seven entitled 'An act providing for the recovery and collection of municipal claims by lien or by action of assumpsit' by conferring jurisdiction upon justices of the peace in such cases as to counties

The act approved the first day of April one thousand nine hundred and nine (Pamphlet Laws ninety-three) entitled "An act constituting the county commissioners county controller and county treasurer in any county now or hereafter containing not less than seven hundred and fifty thousand nor more than one million two hundred thousand inhabitants a board having the power to appoint depositories of county funds defining the powers of said board and specifying their duties describing how the said depositories shall be selected and repealing certain acts and parts of acts of Assembly inconsistent herewith" absolutely

The act approved the twenty-third day of April one thousand nine hundred and nine (Pamphlet Laws one hundred and seventy-one) entitled "An act making it a misdemeanor to destroy remove or deface any sign erected on or nearby a highway for the guidance of the public and and providing for the punishment of violations of this act" in so far as it relates to signs erected by or with the consent of counties

The act approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and fifty-eight) entitled "An act authorizing the employment of stenographers by the district attorneys of certain counties" absolutely

The act approved the twenty-seventh da yof April one thousand nine hundred and nine (Pamphlet Laws two hundred and sixty-four) entitled "An act to fix the salary of the deputy recorder of deeds in the office of any recorder of deeds of any county of this Commonwealth having a population of one million and over" absolutely

The act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and eight) entitled "An act creating the office of first assistant district attorney in the several counties of this Commonwealth having over one million inhabitants prescribing his powers and duties and fixing his salary" absolutely

The act approved the sixth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and thirty-four entitled "An act providing for the office of county controller in counties of this Commonwealth where such office is not now in existence upon petition to the court of common pleas of said county of twenty-five per centum of the number of electors who voted at the November election in said county preceding the date of said petition prescribing the duties and fixing the salary of said controller and abolishing the office of county auditor where this act becomes operative" absolutely

The act approved the sixth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and fifty-one) entitled "An act to fix the fees to be allowed the district attorney in the several counties of this Commonwealth having seven hundred fifty thousand inhabitants and less than one million two hundred thousand inhabitants" absolutely

The act approved the sixth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and fifty-six) entitled "An act to amend section one of an act entitled 'An act providing for the appointment of assistant district attorneys in the several counties of this Commonwealth having seven hundred and fifty thousand and less than one million two hundred thousand inhabitants prescribing the powers and duties and fixing the salaries of the said assistant district attorneys' approved the twenty-fifth day of April Anno Domini one thousand nine hundred and seven so as to increase the salary of the first assistant district attorney and to provide for the classification of the other assistant district attorneys for whose appointment provision is made by said act as second third and fourth assistants and assistants and to increase the salary of some and to decrease the salary of others of said assistant district attorneys" absolutely

The act approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and ninety-four) entitled "An act providing the manner of locating and erecting county bridges to take the place of existing bridges the change of location of such bridges and roads connecting therewith the vacation of old or existing bridges and roads connecting with the same" absolutely

The act approved the tenth day of May one thousand nine hundred and nine (Pamphlet Laws five hundred) entitled "An act fixing the salaries of county commissioners in all counties having a population exceeding one hundred and fifty thousand and not exceeding five hundred thousand" absolutely

The act approved the tenth day of May one thousand nine hundred and nine (Pamphlet Laws five hundred and three) entitled "An act to amend section one of the act of Assembly approved the twenty-first day of March Anno Domini one thousand eight hundred and ninety-nine entitled 'An act to amend section first of the act of Assembly approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-one entitled 'An act to amend an act to fix the salaries to be paid county officers in counties containing over five hundred thousand inhabitants" being a supplement to an act approved the thirty-first day of March Anno Domini one thousand eight hundred and seventy-six entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants by a further classification of counties containing over five hundred thousand inhabitants and fixing the compensation of county officers therein" and repealing all acts or parts of acts inconsistent herewith' by providing for a class of counties containing over eight hundred thousand inhabitants and less than one million two hundred thousand inhabitants and fixing the compensation of county officers therein and repealing all acts or parts of acts supplied hereby or inconsistent herewith" except as to salaries of jail physician county jailor and court interpreter

The act approved the tenth day of May one thousand nine hundred and nine (Pamphlet Laws five hundred and five) entitled "An act to fix the salaries of the miscellaneous clerks special clerks temporary clerks assistant temporary clerks transcribing clerks and copyists in the office of the recorder of deeds of any county of this Commonwealth having a population of one million or over" absolutely

The act approved the tenth day of May one thousand nine hundred and nine (Pamphlet Laws five hundred and six) entitled "An act regulating the salaries of county commissioners and their employes when said commissioners are directors of the county poor in counties of less than seventy-five thousand inhabitants" absolutely

The act approved the eleventh day of May one thousand nine hundred and nine (Pamphlet Laws five hundred and six) entitled "An act providing for the construction operation and maintenance of public highways bridges and tunnels in the several counties of this Commonwealth authorizing the taking of property for such improvement and providing for the compensation therefor and the damages resulting from such taking providing for the payment of the costs and expenses incurred in such construction operation and maintenance and authorizing the levy of a tax and the issuance of bonds to provide a fund for said purpose" absolutely

The act approved the thirtieth day of May one thousand nine hundred and nine (Pamphlet Laws five hundred and twenty-seven) entitled "An act amending an act approved the twenty-second day of April Anno Domini nineteen hundred and five entitled 'An act to amend an act entitled "An act providing for the permanent improvement of certain public roads or highways in the several counties of this Commonwealth making such improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any such road as may thereby become necessary authorizing the taking of property for such improvement and providing for the compensation therefor and the damage resulting from such taking providing for the payment of the costs and expenses incurred in making such improvements and in thereafter repairing and maintaining said road and authorizing the levy of a tax to provide a fund for such purposes' approved June twenty-sixth one thousand eight hundred and ninety-five providing that public roads and highways may be constructed improved and maintained by the several counties of the Commonwealth as county roads whether existing by other authority or laid out in whole or in part by virtue of this act and providing that public roads and highways may be originally located laid out and established for the purpose of such construction improvement and maintenance by the several counties in the manner and by the procedure set out in the amended act and subject to other provsions thereof pproviding for the laying out of a system of main thoroughfares to which the establishing construction improvement and maintenance of public roads by

the counties shall be restricted after January one one thousand nine hundred and seven but providing for such establishing construction improvement and maintenance of roads not part of said system upon parties interested paying not less than one-fourth of the original cost of construction and providing that the county commissioners of any county may provide rules regulating the use of roads constructed and maintained by the counties and prescribing the penalties for the violation thereof' and providing that public roads and highways located established constructed and improved by the several counties in the manner and by the procedure set out in the said acts shall thereafter be township or borough roads and be maintained and improved by the proper township or borough" in so far as it confers any powers or imposes any duties on counties

The act approved the fourth day of March one thousand nine hundred and eleven (Pamphlet Laws ten) entitled "An act to amend section first of an act of Assembly approved the fourth day of April Anno Domini one thousand nine hundred and seven entitled 'An act creating in counties having a population of from three hundred thousand to one million a board to fix and determine the number and compensation of employes in all county offices boards bureaus departments and divisions thereof prescribing the powers and duties of said board and regulating appeals from the decision thereof' so as to make it apply to counties containing a population of not less than eight hundred thousand nor more than one million four hundred thousand" absolutely

The act approved the fifteenth day of March one thousand nine hundred and eleven (Pamphlet Laws nineteen) entitled "An act to authorize county commissioners to erect and maintain dykes banks causeways and sluiceways on any stream not navigable and affected by the tide or floods for the economical protection of public property in their charge" absolutely

The act approved the thirtieth day of March one thousand nine hundred and eleven (Pamphlet Laws thirty-one) entitled "An act authorizing counties containing over eight hundred thousand and less than one million four hundred thousand inhabitants to appropriate moneys for the investigation of the condition of such streams and rivers as may be wholly or partially within their boundaries for the purpose of controlling floods" absolutely

The act approved the sixth day of April one thousand nine hundred and eleven (Pamphlet Laws fifty-three) entitled "An act to amend section one of an act of Assembly approved the third day of April Anno Domini one thousand nine hundred and three entitled 'An act to amend an act entitled "An act authorizing the county commissioners of the several counties of the Commonwealth to erect or complete and maintain a suitable monument at the county-seat of each county in memory of the soldiers and sailors of the late war" approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five' so as to make it apply to counties containing a population of not less than eight hundred thousand nor more than one million four hundred thousand" absolutely

The act approved the-twenty-first day of April one thousand nine hundred and eleven (Pamphlet Laws seventy-six) entitled "An act to amend part of the first section of an act approved the eleventh day of July Anno Domini one thousand nine hundred and one entitled 'An act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of the same' by requiring sheriff's fees for commitments and for discharging prisoners to be paid by the county" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-five) entitled "An act in relation to the appointment and salaries of the clerks of the court or courts of common pleas in counties containing a population of not less than seven hundred and fifty thousand nor more than one million two hundred thousand" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws ninety-one) entitled "An act amending the first section of an act approved the eighth day of May Anno Domini one thousand eight hundred and seventy-six entitled 'An act to authorize the acquisition by the several counties of this Commonwealth for the use of the county of bridges erected over rivers creeks and rivulets and for the abolition of tolls thereon' by fixing the number of the viewers at three" absolutely

The act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and nine) entitled "An act authorizing counties to purchase or condemn public toll-bridges crossing rivers rivulets streams or ravines within the limits of such county where the same connect different municipal divisions of such county when duly authorized thereto by the court of quarter sessions on petition of at least twenty taxpayers of such county and giving power to counties to charge and collect tolls or rentals for use of any such bridge from railway telephone and telegraph companies and other persons making a use thereof for other than ordinary foot and vehicle travel and providing for the preservation of existing contracts with such persons and their assignment to such county" in so far as it confers any powers or imposes any duties on counties

The act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and twenty-three) entitled "A supplement to an act entitled 'An act relating to roads highways and bridges' approved the thirteenth day of June Anno Domini eighteen hundred and thirty-six'" in so far as it confers any powers or imposes any duties on counties

The act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and eighty-three) entitled "An act to amend the first section of an act approved the fourth day of April Anno Domini one thousand nine hundred and seven entitled 'An act to fix the salaries of the deputy register clerks and employes in the office of the register of wills of any county of this Commonwealth having a population of one million or over' so as to make it apply to counties containing a population of one million four hundred thousand or over" absolutely

The act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and eighty-four) entitled "An act to amend section first of an act of Assembly approved the first day of May Anno Domini one thousand nine hundred and seven entitled 'An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of this Commonwealth in counties having a population of over one million' so as to make it apply to counties having a population of over one million four hundred thousand" absolutely

The act aproved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and ninety-four) entitled "An act to amend the first section of an act approved the tenth day of May Anno Domini one thousand nine hundred and seven entitled 'An act to fix the salaries of the clerk deputy clerk court clerks and employes in the office of the clerks of court of oyer and terminer and quarter sessions of the peace of any county of this Commonwealth having a population of one million or over' so as to make it apply to counties having a population of one million four hundred thousand or over" absolutely

The act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and ninety-seven) entitled "An act to amend the first section of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled 'An act to fix the salary of the deputy recorder of deeds in the office of any recorder of deeds of any county of this Commonwealth having a population of one million and over' so as to make it apply to counties having a population of one million four hundred thousand or over" absolutely

The act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and nine) entitled "An act authorizing county auditors of the several counties of this Comonwealth to employ counsel to advise them in their official capacity and providing that the compensation of such counsel shall be paid out of the funds of the proper county" absolutely

Sections one three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen nineteen and twenty of the act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and forty-four) entitled "An act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widen-

ing extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" absolutely and sections two and eighteen of said act in so far as is confers any powers or imposes any duties on counties

Section one to seven both inclusive of the act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and fifty-six) entitled "An act creating a sinking-fund commission in any county now or hereafter containing not less than one hundred and fifty thousand nor more than two hundred and fifty thousand inhabitants prescribing its powers and duties and repealing acts inconsistent herewith" absolutely

The act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and sixty) entitled "An act to enable counties to borrow appropriate and expend money for the cleansing improvement regulation or control of streams and rivers and the prevention and control of floods and for such purposes to enter into contracts with other counties and other public authorities of this or other States or of the United States" absolutely

The act approved the twelfth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and one) entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" absolutely

The act approved the first day of June one thousand nine hundred and eleven (Pamphlet Laws five hundred and fifty-six) entitled "An act to fix the salary of the coroner of any county in this Commonwealth having a population of one million or over" absolutely

The act approved the eighth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred and four) entitled "An act to amend section first of the act of Assembly approved the twenty-eighth day of March Anno Domini one thousand nine hundred and seven entitled 'An act authorizing and empowering county controllers in counties containing a population of from three hundred thousand to one million to designate and appoint a solicitor prescribing the duties of said solicitor and fixing his term of appointment and salary' so as to make it apply to counties containing a population of not less than eight hundred thousand nor more than one milliom four hundred thousand" absolutely

The act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred and and fifty-three) entitled "An act to provide for the appointment of deputy prothonotaries in counties of this Commonwealth having a population of more than two hundred and fifty thousand and less than a million and defining their qualifications powers and salary" absolutely

The act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred and fifty-five) entitled "An act amending the first and second sections of an act approved the fourteenth day of April Anno Domini one thousand nine hundred and five entitled 'An act to provide for the running relocating changing fixing and marking of county lines' by changing the number of surveyors on the commission" absolutely

The act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws eight hundred and thirty-four entitled "An act providing for the erection of Memorial Halls at the county-seats in the different counties of Pennsylvania authorizing and directing the county commissioners of such counties upon petition of at least fifty citizens approved by two successive grand juries and the court of quarter sessions to purchase a plot of ground in such county-seat and erect thereon a Memorial Hall in honor of the soldiers sailors and marines from such county who served in the army and navy in the Wars for the Suppression of the Rebellion and all other wars in defense of the United States flag and authorizing the levying of a tax to raise a fund to pay the purchase money of the ground and expense of the erection of a Memorial Hall" absolutely

The act approved the tenth day of June one thousand nine hundred and eleven (Pamphlet Laws eight hundred and sixty-eight) entitled "An act providing for the appointment of assistant district attorneys in the several counties of this Commonwealth having over three hundred thousand and less than seven hundred and fifty thousand inhabitants describing the powers duties and terms of office and fixing the salary of said assistants" absolutely

Section one to seven both inclusive of the act approved the thirteenth day of June one thousand nine hundred and eleven (Pamphlet Laws eight hundred and ninety-five) entitled "An act creating a County Sinking Fund Commission in the several counties of the Commonwealth of Pennsylvania and prescribing its powers and duties" absolutely

The act approved the thirteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and four) entitled "An act to amend the second section of an act approved the seventeenth day of April Anno Domini one thousand nine hundred and five entitled 'An act providing that the district atorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their service and providing for the appointment of assistant district attorneys in said counties for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county' by fixing the salaries of district attorneys in counties having more than thirty thousand inhabitants but not more than forty thousand inhabitants" absolutely

The act approved the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and sixty-five) entitled "An act providing for the appointment by the district attorney in counties having a population of over one milion and less than one million five hundred thousand inhabitants of a chief county detective an assistant county detective and special county detective defining their duties fixing their salaries and authorizing the payment of the same together with the necessary traveling expenses by the county" absolutely

The act approved the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and seventy) entitled "A further supplement to an act entitled 'A supplement to the act of Assembly approved the thirteenth day of June Anno Domini one thousand eight hundred and thirty-six relative to roads and bridges to authorize county commissioners to build bridges or furnish money to aid in building bridges the erecting of which would require more expense than it is reasonable one or two adjoining townships should bear in cases where the county commissioners do not deem it advisable to enter such bridges on record as county bridges' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the same to bridges over railroads and canals" in so far as it confers any powers or imposes any duties on counties

The act approved the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and eighty-two) entitled "An act regulating the construction and repair of highways over drains or culverts" as to county roads

Sections four five six eight and ten of the act approved the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and eighty-seven) entitled "An act relating to the location construction and maintenance of viaducts and bridges in townships of the first class and adjacent territory empowering the board of commissioners of the several townships of the first class of this Commonwealth to construct or have constructed bridges or viaducts over rivers creeks streams railroads and private land or over and across railroads and any of them or over and across railroads for public highways and to procure locations therefor by purchase or condemnation proceedings whether the same be wholly within or partly within and partly without the township limits authorizing said townships to unite and enter into contract or contracts with

the county commissioners of the proper county and with railroad street railway and other companies and parties interested or with any of them for the erection construction and maintenance of said viaducts and bridges and for the payment of the damages caused by their location and erection and forbidding any railroad company to pass under or upon such viaduct or bridge without contributing to the cost of maintenance thereof" in so far as it confers any powers or imposes any duties on counties

The act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and thirty-nine) entitled 'An act to amend the first section of an act approved the first day of June Anno Domini one thousand eight hundred and eighty-three entitled 'An act empowering and directing the county commissioners of any county to purchase ground at the county-seat for the erection thereon of such building or buildings as may be necessary for the accommodation of the courts and of the several officers of the county and for the reception and safekeeping of the records and other papers in charge of such officers and also such other building or buildings as may be necessary and proper for the purpose of a county jail or workhouse when occasion shall require the erection of such building or buildings and in case the said ground cannot be obtained by agreement with the owner or owners at a reasonable price in the estimation of said commissioners then to resort to condemnation' by fixing the number of the viewers at three" absolutely

The act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and forty-eight) entitled "An act to authorize county commissioners to erect a bridge for pedestrians only in lieu of a wagon-bridge legally authorized when in their judgment such bridge will sufficiently accommodate public travel" absolutely

The act approved the twentieth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and seventy-two) entitled "An act to regulate and establish the fess to be charged by sheriffs in counties having a population of less than one hundred and thirty thousand in this Commonwealth and to provide for the taxation and collection of the same" absolutely

The act approved the twentieth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and eighty-four) entitled "An act to amend the forty-seventh section of an act approved the thirteenth day of June Anno Domini one thousand eight hundred and thirty-six entitled 'An act relating to roads highways and bridges' providing that the cost of construction maintenance and repair of county bridges which cross rivers or streams forming the boundary line between two counties or running between counties shall be paid for by said counties in proportion to the population of the respective counties Provided This shall apply to counties having a population of two hundred thousand and under and in such counties to bridges three hundred feet (300) in length and over" absolutely

The act approved the twenty-first day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand one hundred and twelve) entitled "An act to amend the first section of an act approved the twenty-fourth day of April Anno Domini one thousand nine hundred and three entitled 'An act authorizing the board of county commissioners of the several counties of the State to furnish on petition appropriate metal workers for the graves of soldiers and sailors who served with honor in the military forces of the United States' as amended by an act approved the tenth day of April Anno Domini one thousand nine hundred and five entitled 'An act to amend section one of an act entitled "An act to furnish metal markers for graves of soldiers and sailors" approved the twenty-fourth day of April Anno Domini one thousand eight hundred and ninety-three providing that the county commissioners of the several counties of this State shall furnish markers for certain deceased soldiers and sailors' by extending its provisions to widows of soldiers and sailors" absolutely

Sections one to four both inclusive of the act approved the twenty-third day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand one hundred and twenty-three) entitled "An act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissions to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" absolutely and section eight of said act in so far as it authorizes the employment of stenographers and clerical assistance

The act approved the twenty-seventh day of March one thousand nine hundred and thirteen (Pamphlet Laws ten) entitled "An act to amend the first section of an act entitled 'An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties' approved the twenty-seventh day of June one thousand eight hundred ninety-five as amended by the act entitled 'An act to amend sections one and sixteen of an act entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over prescribing his duties and abolishing the office of county auditor in said county" approved June twenty-seventh one thousand eight hundred and ninety-five so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants and authorizing the Governor to fill vacancies' approved the eighth day of May one thousand nine hundred one by providing for the office of controller in all counties having one hundred thousand (100,000) inhabitants" absolutely

The act approved the twenty-seventh day of March one thousand nine hundred and thirteen (Pamphlet Laws eleven) entitled "An act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provisions for such salary has heretofore been made" absolutely

The act approved the twenty-seventh day of March one thousand nine hundred and thirteen (Pamphlet Laws thirteen) entitled "An act to amend an act approved the seventh day of May one thousand nine hundred and seven entitled "An act authorizing and requiring the county auditors in the several counties of this Commonwealth to publish their annual report of the accounts of the several officers whose accounts it is the duty of said county auditors to examine and settle providing the manner of publication of said auditors' report and providing for the payment of publication of said auditors' report by said county thereof' " absolutely

The act approved the second day of April one thousand nine hundred and thirteen (Pamphlet Laws thirty-seven) entitled "An act to amend an act approved the twelfth day of May one thousand nine hundred and eleven entitled 'An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same' " absolutely

The act approved the fifteenth day of April one thousand nine hundred and thirteen (Pamphlet Laws seventy-four) entitled "An act for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds" absolutely

The act approved the seventeenth day of April one thousand nine hundred and thirteen (Pamphlet Laws seventy-eight) entitled "An act to amend an act approved the twenty-sixth day of May one thousand eight hundred ninety-seven entitled 'An act in relation to officers taking illegal fees and providing a penalty therefor' " absolutely

The act approved the first day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred and fifty-five) entitled "An act regulating the letting of cerain contracts for the erection construction and alteration of public buildings" in so far as it relates to counties

The act approved the eighth day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred and sixty-one) entitled "An act to amend the second section of an act approved the eighteenth day of April Anno Domini one thousand eight hundred and ninety-nine entitled 'An act authorizing the county commissioners of the several counties of this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people' " absolutely

The act approved the tenth day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred and ninety-nine) entitled "An act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State Association for the purpose of hold-

ing annual meetings and providing for the payment of the expenses thereof" absolutely

The act approved the fourteenth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and four) entitled "An act authorizing the board of county commissioners of the several counties of the State to appropriate money for cooperative agricultural extension work for the purpose of improving and developing the agricultural resources of the proper counties" absolutely

The act approved the fourteenth day of May one thousand nine hundred and thirteen (Pamphlet Laws two and seven) entitled "An act authorizing counties to appropriate moneys for monuments memorials in memory of the soldiers sailors and marines of the Spanish-American War and soldiers sailors and marines who served on foreign soil prior to July Fourth one thousand nine hundred and two" absolutely

The act approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and forty) entitled "An act authorizing county controllers in counties containing a population of from two hundred and sixty thousand to eight hundred thousand to designate and appoint a solicitor prescribing the duties of the said solicitor and fixing his term of office and salary to be paid by the proper county" absolutely

The act approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and fifty-two) entitled "An act to amend the tenth section of an act entitled 'A supplement to the law relating to defaulting public officers' approved the twenty-first day of April one thousand eight hundred and forty six by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in each county" absolutely

The act approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and sixty) entitled "An act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand to purchase lan when adjacent or contiguous to county roads for park purposes or for public comfort stations providing for the improvement and maintenance thereof authorizing the adoption of rules relating to the management and control of such property providing penalties for the breach thereof and limiting the amount to be expended for the purposes aforesaid" absolutely

The act approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and sixty-seven) entitled "An act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned" absolutely

The act approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and seventy-three) entitled "An act to amend section eighteen of an act entitled 'An act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improviding a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road' approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by authorizing counties to contract with boroughs in the improvement of a borough street connecting with a county road providing for the cost thereof prescribing the method by which the contract for such improvement shall be made and imposing the cost of maintenance of such street on the borough" in so far as it confers any powers or imposes any duties on counties

The act approved the twenty-first day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and eighty-seven) entitled "A supplement to an act entitled 'An act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method of improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road' approved the eleventh day of May Anno Domini nineteen hundred and eleven (Pamphlet Laws two hundred forty-four) extending the provisions of said act to provide for the location and construction of such public roads or highways by adjoining counties of this Commonwealth where such roads extend along and adjacent to county lines and from one adjoining county into another and defining the procedure and jurisdiction in such cases" in so far as it confers any powers or imposes any duties on counties

The act approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and ninety-eight) entitled "An act to amend section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled 'An act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same when shall be in lieu of all fees and in full compensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon indictments shall remain in the amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county' as amended" absolutely

The act approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred and fifteen) entitled "An act to amend section one of an act entitled 'An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of this Commonwealth in counties having a population of over two hundred thousandand under one million and to provide the time of paying the same' approved the twelfth day of May one thousand nine hundred eleven by changing the minimum population of counties to which the said act shall apply from two hundred thousand to one hundred fifty thousand" absolutely

The act approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred and thirty-six) entitled "An act permitting counties cities and boroughs singly or jointly of the Commonwealth of Pennsylvania to appropriate and expend moneys for the improvement of highways outside the limits of such cities or boroughs for the purpose of connecting improved streets of such cities or boroughs with a State highway or State-aid highway when the highway outside of the limits of such cities or boroughs is less than one mile in length and will connect such cities or boroughs with the State highway or State-aid highway" in so far as it confers any powers or imposes any duties on counties

The act approved the twenty-eighth day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred and sixty-eight) entitled "An act giving to all owners or tenants of lands property or material abutting on or through which pass roads streets lanes or alleys injured by the laying out opening widening vacating extending or grading of said roads streets lanes or alleys or the changing

or grades and lines thereof by cities counties boroughs or townships within this Commonwealth the construction and the vacating by said cities counties boroughs or townships of bridges and the piers abutments approaches embankments slopes or causeways thereof or leading thereto which abut or pass through or along said lands property or material and the construction by said cities counties boroughs or townships of sewers in over upon along or through said lands property or material the right to damages for said injuries directing all injuries of view appointed or that shall hereafter be appointed under existing laws for assessing damages or benefits for taking using occupying or injuring lands property or materials to assess said damages if any against said cities counties boroughs or townships as the case may be and the benefits if any in connection therewith granting the right of appeal to the proper court of common pleas from the report of said juries and the trial by jury in said court of common pleas and the right to file exceptions to said report and the right of appeal to the Superior Court or Supreme Court after disposal of exceptions or verdicts and final judgment and providing that this act shall apply to all existing and future proceedings" as to counties

The act approved the twenty-ninth day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred and eighty-six) entitled "An act to amend the third and fourth sections of an act entitled 'An act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries of view and commissioners to view land and providing for the charges upon the respective counties in the manner of salaries costs and expenses thereof' approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven fixing the per diem compensation and mileage of the said board of viewers and providing for the payment thereof by the proper county and increasing the powers of viewers regarding the administration of oaths" absolutely

Section two of the act approved the fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred and nineteen(entitled "An act to authorize the display of the State county city borough or other municipal flags on public buildings in the Comonwealth" as to counties

The act approved the twelfth day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred and ninety-two) entitled "An act fixing the salaries and providing for the expenses of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population" absolutely

The act approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-seven) entitled "An act requiring the sheriff prothonotary and all other county officers receiving moneys as such officers to be credited to others to give quarterly written notice to such party or parties of the amount standing to his or her or their credit during the preceeding quarter" absolutely

The act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws six hundred and thirty-three) entitled "An act to permit viewers to award damages for the vacation of streets roads or highways to abutting owners where no land is actually taken" as to counties

The act approved the twenty-first day of July one thousand nine hundred and thirteen (Pamphlet Laws eight hundred and seventy) entitled "An act to fix the salary of county solicitors in counties containing a population of more than two hundred and fifty thousand and less than one million and providing for the payment thereof" absolutely

Section one and two of the act approved the twenty-first day of July one thousand nine hundred and thirteen (Pamphlet Laws eight hundred and seventy-eight) entitled "An act fixing the salary of registers of wills in counties containing a population of one million five hundred thousand and upwards and providing for the payment of fees or commissions earned by said officers into the county treasury" absolutely

The act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand and eighteen) entitled "An act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty dollars" absolutely

The act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand and twenty) entitled "An act to amend section two of an act entitled 'An act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their respective counties painted and the bolts of the same tightened as often as may be necessary' approved the twenty-first day of April Anno Domini one thousand nine hundred and three' absolutely

The act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-three) entitled "An act vesting in county commissioners certain powers relative to public monuments" absolutely

The act approved the thirty-first day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled "An act to amend section one of an act entitled 'An act to fix the fees to be allowed the district attorney in the several counties of this Commonwealth having seven hundred fifty thousand inhabitants and less than one million two hundred thousand" approved May sixth Anno Domini one thousand nine hundred and nine" absolutely

The act approved the thirty-first day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-six) entitled "An act to amend the first section of an act entitled 'An act to encourage county historical societies' approved the twenty-first day of May Anno Domini one thousand nine hundred and one so as to provide that the commissioners' board in counties where the population exceeds one million may appropriate a sum not exceeding one thousand dollars annually to the chief historical society in said county" absolutely

The act approved the ninth day of April one thousand nine hundred and fifteen (Pamphlet Laws fifty-four) entitled "An act to establish and regulate the fees to be charged and collected by sheriffs in counties of this Commonwealth having a population of not less than three hundred thousand nor more than one million five hundred thousand inhabitants as computed by the last preceding United States census the time and manner n which said fees shall be paid the publication and posting of said fees the delivery of an itemized receipt for official fees and legal costs received and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" absolutely

The act approved the fourteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixteen) entitled "An act to amend section eighteen of an act entitled 'An act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road' approved the eleventh day of May Anno Domini one thousand nine hundred and eleven as the same was amended by an act approved the twelfth day of May one thousand nine hundred and thirteen by authorizing counties to contract with municipalities in the improvement of certain streets of such municipalities connecting with a county road providing for the cost thereof prescribing the method by which the contract for such improvement shall be made and imposing the cost of the maintenance of such streets on the municipalities" in so far as it confers any powers or impose any duties on counties

The act approved the fourteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and twenty-two) entitled "An act providing for the payment of judgments and mortgages and other claims which are liens on property affected by public improvements or appropriated by the exercise of the right of eminent domain in so far as it relates to counties

The act approved the fifteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and thirty-two) entitled "An act relative to the burial of the bodies of certain indigent deceased widows at the county expense" absolutely

The act approved the twenty-first day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and fifty) entitled "An act to amend an act approved the ninth day of July one thousand nine hundred eleven entitled 'An act to provide for the appointment of deputy prothonotaries in counties of this Commonwealth having a population of more than two hundred and fifty thousand and less than a million and defining their qualifications powers and salary' " absolutely

The act approved the twenty-first day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and fifty-nine) entitled "An act relating to the competency of witnesses and to the rules of evidence in proceedings arising from the exercise of the right of eminent domain" in so far as it relates to counties

The act approved the twenty-third day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and seventy-four) entitled "An act regulating the manner of payment of county employes in counties having a population over one million" absolutely

The act approved the twenty-third day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and seventy-four) entitled "An act authorizing counties and municipalities to unite in providing in the court house certain rest or waiting rooms" in so far as it confers any powers or imposes any duties on counties

The act approved the twenty-eighth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and ninety-eight) entitled "An act relating to the bonds to be given by county officers the amount and conditions thereof the securities for such bonds the payment of the premiums therefor and the recording and custody thereof in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants" absolutely

The act approved the twenty-ninth day of April one thousand nine hundred and fifteen (Pamphlet Laws two hundred) entitled "An act creating in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census a board to fix and determine the number and compensation of employes in all county offices boards bureaus departments and divisions thereof prescribing the powers and duties of said board and regulating appeals from the decision thereof" absolutely

The act approved the third day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred and twenty-six) entitled "An act to establish and regulate the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census" absolutely

The act approved the sixth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred and seventy-four) entitled "An act providing for the alteration of the boundaries of counties in certain cases and for the adjustment of the indebtedness thereof absolutely

The act approved the thirteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and two) entitled "An act to fix the salaries to be paid to the jury commissioners county jailor and jail physician in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census" in so far as it fixes salary of jury commissioners

The act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws four hundred and eighty-seven) entitled "An act to amend an act entitled 'An act authorizing the county commissioners of the several counties of this Commonwealth to erect or complete and maintain a suitable monument at the county-seat of each county in memory of the soldiers and sailors of the late war' approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five as amended to include the soldiers and sailors of the Spanish-American War" absolutely

The act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and thirty-two) entitled "An act authorizing county commissioners to appropriate moneys to hospitals" absolutely

The act approved the twenty-eight day of May one thousand nine hundred and fifteen (Pamphlet Laws six hundred and thirty-nine) entitled "An act to amend an act approved the twenty-ninth day of April one thousand eight hundred and ninety-one entitled 'An act authorizing and empowering the several counties of this Commonwealth to purchase bridges already erected or to erect and maintain bridges or culverts with the necessary approaches joining cities and boroughs which are separated by a river creek or rivulet and providing for the condemnation of land necessary for the said approaches" absolutely

The act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and eleven) entitled "An act authorizing the county commissioners of any county to close abandon and remove county bridges under certain circumstances with the consent of the grand jury and court of quarter sessions of the proper county" absolutely

The act approved the fourth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and seven) entitled "An act to amend an act entitled 'An act authorizing the employment of stenographers by the district attorneys of certain counties' approved the twenty-seventh day of April one thousand nine hundred and nine" absolutely

The act approved the fifth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and fifty-two) entitled "An act providing for the construction maintenance and operation of main or trunk sanitary sewers and of sewerage-disposal plants by the several counties of this Commonwealth making such main or trunk sewers and sewerage disposal plants county sewers and county disposal plants for the formation of sewer districts in the several counties of this Commonwealth the preparation of separate copies of the assessed value for county puposes of the taxable properties included in such sewer districts authorizing the taking of property for the construction of such main or trunk sewers and disposal plants and providing for the compensation therefor and the damages resulting from such taking providing for the payment of the costs and expenses incurred in the constructing maintaining and operating of such main or trunk sewers and disposal plants and authorizing the levy of a tax upon said sewer districts to provide a fund for said purposes and providing for and regulating certain allowances and rebates to municipalities which have incurred or become liable for costs of construction" in so far as it relates to counties

The act approved the eighth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and fifteen) entitled "An act to fix the salaries of the deputies in the offices of the clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population" absolutely

The act approved the eleventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and thirty-six) entitled 'An act amending the first section of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and eleven entitled 'An act to amend an act entitled "An act fixing the salaries and providing for the expenses of county commissioners in counties of this Commonwealth" approved fourteenth day of April Anno Domini one thousand nine hundred and five' by increasing the classes of counties established therein so that the class described from more than one hundred thousand population and less than one hundred fifty thousand population is divided into counties having more than one hundred thousand population and less than one hundred fifteen thousand population and counties having more than one hundred fifteen thousand population and less than one hundred and twenty-five thousand population and less than one hundred fifty thousand population and increasing the salaries of the commissioners in the last two classes from eighteen

hundred dollars per annum to two thousand dollars and two thousand four hundred dollars per annum respectively and increasing the salaries in counties having a population over fifty thousand and less than seventy-five thousand twelve hundred dollars but where the commissioners are directors of the poor then eighteen hundred dollars" absolutely

The act approved the eleventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and thirty-eight) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census" absolutely

Sections two and three of the act approved the eleventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and forty-two) entitled "An act to amend an act approved the fourteenth day of April one thousand nine hundred fifteen entitled 'An act providing for the payment of judgments and mortgages and other claims which are liens on property affected by public improvements or appropriated by the exercise of the right of eminent domain" in so far as it relates to counties

The act approved the twenty-second day of March one thousand nine hundred and seventeen (Pamphlet Laws nine) entitled "An act to further amend section one of an act entitled 'An act to amend section first of the act of Assembly approved the twenty-eighth day of March Anno Domini one thousand nine hundred and seven entitled 'An act authorizing and empowering county controllers in counties containing a population of from three hundred thousand to one million to designate and appoint a solicitor prescribing the duties of said solicitor and fixing his term of appointment and salary" so as to make it apply to counties containing a population of not less than eight hundred thousand nor more than one million four hundred thousand' approved the eighth day of June Anno Domini one thousand nine hundred and eleven" absolutely

The act approved the twenty-third day of March one thousand nine hundred and seventeen (Pamphlet Laws twelve) entitled "An act providing for the location construction operation and maintenance of public highways bridges tunnels subways and underground roads any where within the several counties of this Commonwealth either wholly or partly within the territorial limits of cities boroughs and townships thereof authorizing the taking by the several counties of property for such improvement and providing for the compensation therefor and the damages resulting from such taking providing for the entry upon and appropriation by the several counties of highways streets and properties of cities and boroughs necessary for such improvements and for the supervision maintenance and control of said highways streets and properties by said counties after said entry and appropriation providing for the payment by the said several counties of the costs and expenses incurred and necessary in such construction operation and maintenance of such improvements providing for the contracting by the several counties with railway or transportation companies for the concurrent use of such public highways bridges tunnels subways and underground roads and authorizing the levy of a tax and the issuance of bonds by the several counties to provide a fund for said purposes" in so far as it confers any powers or imposes any duties on counties

The act approved the twelfth day of April one thousand nine hundred and seventeen (Pamphlet Laws seventy-four) entitled "An act to amend sections one two three and four of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen entitled 'An act to amend revise and consolidate the law providing for the burial of certain honorably discharged soldiers sailors and marines at the expense of the counties in which they shall die or have a legal residence at the time of their death to provide a system for effecting the burial of such soldiers sailors and marines and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers sailors and marines" in so far as it confers any powers or imposes any duties on counties

The act approved the twelfth day of April one thousand nine hundred and seventeen (Pamphlet Laws seventy-eight) entitled "An act to amend section one of an act approved the fifteenth day of April one thousand nine hundred and fifteen entitled 'An act relating to the burial of the bodies of certain indigent deceased widows at the county expense'" absolutely

The act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred thirty-seven) entitled "An act vesting in the persons appointed by the county commissioners of the several counties of this Commonwealth to inspect and repair county roads improved and maintained by such counties the power and authority now vested by law in the constables of the several cities boroughs and townships of this Commonwealth for the preservation of the peace in and along such roads and for the enforcement of acts of Assembly regulating the speed of automobiles and other vehicles thereon and for the enforcement of rules and regulations governing the use of such roads designating such persons county road caretakers and providing for badges evidencing their authority" absolutely

The act approved the tenth day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred and fifty-eight) entitled "An act to authorize counties cities boroughs towns townships school districts and poor districts to require a bond to protect labor and material-men and providing for suits thereon by laborers and material-men furnishing labor and material in and about the erection alteration additional and repair of public buildings as to counties

The act approved the twenty-second day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and sixty) entitled "An act fixing the salaries of the county engineer and deputy county engineer in counties containing a population of more than eight hundred thousand and less than one million four hundred thousand" absolutely

The act approved the twenty-second day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and seventy-six) entitled "An act authorizing and empowering the several counties of this Commonwealth to locate lay out open construct and maintain public bridges whether wholly or partly within any city borough or township therein across any river or stream dividing or separating any part of said county from any other part thereof together with the necessary bridge approaches viaduct or other approaches to conveniently connect the same with existing streets or public roads in such cities boroughs or townships authorizing the cities and boroughs wherein such bridges are located to share in the cost thereof and to provide approaches therefor authorizing the taking and appropriation of property and rights of property public or private for such purposes providing a method for making compensation for property taken injured or destroyed thereby authorizing the several counties to enter upon and over public streets or roads in cities boroughs or townships for said purposes authorizing the several counties to appropriate money levy taxes and incur indebtedness therefor and authorizing the several counties to charge and collect tolls and rentals for the concurrent use of such bridges and approaches by street-railway telegraph telephone and other corporations or persons making us thereof other than for ordinary foot or vehicle traffic and to enter into contracts for such use" so far as it confers any powers or imposes any duties on counties

Sections one two and four of the act approved the twenty-fourth day of May one thousand nine hundred and seveteen (Pamphlet Laws two hundred ninety-one) entitled "A supplement to an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four) entitled 'An act providing for the original location laying out and construction of public roads or highways in the several counties of Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the cost and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a

borough and apportioning the cost of such improvement and authorizing the vacation of any county road' authorizing boroughs towns and townships to enter into contracts to aid in the construction and maintenance of such roads or highways" in so far as it confers any powers or imposes any duties on counties

The act approved the twenty-fourth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred ninety-nine) entitled "An act to amend section one of an act approved the twenty-first day of March one thousand nine hundred and seven entitled 'An act authorizing the county commissioners of the several counties or the town councils of the several boroughs of this Commonwealth or both to appropriate annually a sufficient sum of money to each post of the Grand Army of the Republic in their respective counties or boroughs to aid in defraying the expenses of Memorial Day' as amended by requiring the commissioners to make appropriations also to Memorial Da or similar organizations where there was heretofore an established post" absolutely

The act approved the twenty-fourth day of May one thousand nine hundred and seventeen (Pamphlet Laws three hundred and four) entitled "An act to amend an act entitled 'An act relating to prothonotaries and their duties and to their deputies and to enable said deputies to act for the said prothonotaries in case of their sickness absence or other temporary disability' approved the twenty-sixth day of May Anno Domini one thousand eight hundred ninety-seven by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary" absolutely

Clauses (a) and (b) of section one and section two of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and fifteen) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" absolutly

Section one to three inclusive of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws five hundred and seventy) entitled "An act fixing the salaries and providing for the expenses of county commissioners in the counties of this Commonwealth" absolutely

The act approved the twenty-eighth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and fity) entitled "An act to amend an act approved the eleventh day of June one thousand nine hundred fifteen entitled 'An act to amend an act approved the fourteenth day of April one thousand nine hundred fifteen' entitled 'An act providing for the payment of judgments and mortgages and other claims which are liens on property affected by public improvements or appropriated by the exercise of the right of eminent domain' excepting proceedings to ascertain damages and benefits by reason of municipal street or sewer improvements" as to counties

The act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and fifty) entitled "An act authorizing county commissioners to appropriate moneys for the maintenance and rental of certain rifle-ranges the employment of instructors and employes in connection therewith and for the purchase of equipment and uniforms for members of rifle-clubs who volunteer for service in their counties or answer the call of the Governor" absolutely

The act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and seventy-seven) entitled "An act to amend an act entitled 'A supplement an act entitled "An act relating to roads highways and bridges" approved the thirteenth day of June Anno Domini eighteen hundred and thirty-six' approved the fifth day of May one thousand nine hundred eleven so as to provide for the construction change or alteration of parts of public roads in counties boroughs or townships without the formality of a view where the costs and expenses to such county borough or township including damages shall not exceed three hundred dollars" as to counties

The acts approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and seven) entitled "An act to amend section one of an act entitled 'An act amending the first section of an act of Assembly approved he twenty-ninth day of April Anno Domini one thousand eight hundred and ninety-one "authorizing and empowering the several counties of this Commonwealth to purchase bridges already erected or to erect and maintain bridgs or culverts with the necessary approaches joining cities and boroughs which are separated by a river creek or rivulet and providing for the condemnation of land necessary for said approaches'" approved the ninth day of July Anno Domini one thousand eight hundred and ninety-seven by extending its provisions so that the same will apply to cases where a borough and township are separated by a river creek or rivulet" absolutely

The act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and forty-two) entitled "An act authorizing county controllers in counties having a population of more than one hundred thousand and less than one hundred and fifty thousand to appoint a solicitor prescribing the duties of said solicitor and fixing his salary" absolutely

The act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and eighty-three) entitled "An act to empower certain county poor districts to purchase poor-farms providing the manner in which such purchases shall be made and providing for the mortgaging of such poor-farms to secure any part of the purchase price thereof" as to counties

The act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and eighty-four) entitled "An act to amend section two of an act approved the sixth day of June one thousand eight hundred and ninety-three entitled 'An act to provide for the appointment of one or more deputy coroners and defining their powers and duties in the several counties of this Commonwealth" absolutely

The act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and eighty-five) "An act to amend section four of an act entitled 'An act creating a County Sinking-fund Commission in the several counties of the Commonwealth of Pennsylvania and prescribing its powers and duties' approved the thirteenth day of June Anno Domini one thousand nine hundred and eleven" absolutely

The act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and eighty-six) entitled "An act regulating the fees of the recorder of deeds in counties containing a population of not less than one hundred ninety thousand nor more than seven hundred thousand inhabitants" absolutely

The act approved the nineteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and fifteen) entitled "An act to amend an act approved the twelfth day of May one thousand eight hundred and eighty-seven entitled 'An act regulating the compensation of county auditors within this Commonwealth'" absolutely

The act approved the twenty-sixth day of February one thousand nine hundred and nineteen (Pamphlet Laws ten) entitled "An act to amend section eight of the act approved the thirteenth day of May one thousand eight hundred eighty-seven (Pamphlet Laws one hundred eight) entitled 'An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof' as amended" absolutely

The act approved the fourteenth day of March one thousand nine hundred and nineteen (Pamphlet Laws nineteen) entitled "An act to amend section five of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand and eighteen) entitled 'An act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty dollars' by excepting contracts for the repair building or rebuilding of any bridge or bridges that will cost less than five hundred dollars" absolutely

The act approved the twenty-first day of March one thousand nine hundred and nineteen (Pamphlet Laws twenty-one) entitled "An act validating certain agreements heretofore entered into by counties to pay a portion of the cost of improving and reconstructing certain borough roads and streets and authorizing the payment by the county of such portion of the cost of such improvement and reconstruction" in so far as it confers any powers or imposes any duties on counties

The act approved the fourth day of April one thousand nine hundred and nineteen (Pamphlet Laws thirty-seven) entitled "An act to amend an act approved the eighteenth

day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand and forty-two) entitled 'An act authorizing county controllers in counties having a population of more than one hundred thousand and less than one hundred and fifty thousand inhabitants to appoint a solicitor prescribing the duties of said solicitor and fixing his salary' by extending the provisions of the act to include counties having a population of more than one hundred thousand and less than two hundred and sixty thousand inhabitants and authorizing the county commissioners and county controller to fix the salary of the solicitor" absolutely

The act approved the fourth day of April one thousand nine hundred and nineteen (Pamphlet Laws forty-one) entitled "An act to amend section one of the act approved the eighth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred and thirty-two) entitled 'An act authorizing county commissioners to employ detectives offer and pay rewards for the detection arrest and conviction of felons' to include persons charged with a misdemeanor" absolutely

The act approved the eighteenth day of April one thousand nine hundred and nineteen (Pamphlet Laws eighty-three) entitled "An act creating the office of indictment and cost clerk as an assistant to the district attorney in the several counties of this Commonwealth having a population tion of not less than one hundred and fifty thousand and not more than two hundred and fifty thousand inhabitants providing for the appointment of a person in each of said counties to fill said office prescribing the qualifications duties and term of office of said appointees fixing their salaries and authorizing the payment of the same by the county" absolutely

The act approved the eighteenth day of April one thousand nine hundred and nineteen (Pamphlet Laws ninety) entitled "An act to amend section one of an act aproved the fourteenth day of May one thousand nine hundred thirteen (Pamphlet Laws two hundred and four) entitled 'An act authorizing the board of county commissioners of the several counties of the State to appropriate money for co-operative agricultural extension work for the purpose of improving and developing the agricultural resources of the proper counties' " absolutely

The act approved the first day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred one) entitled "An act to amend the first section of an act entitled 'An act to encourage county historical societies' approved the twenty-first day of May Anno Domini one thousand nine hundred and one as amended by the act approved the thirty-first day of March one thousand nine hundred and fifteen so as to increase the sum that may be appropriated to such societies and providing for joint appropriations" absolutely

The act approved the second day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and ten) entitled "An act to amend part of section one of an act approved the ninth day of April one thousand nine hundred and fifteen (Pamphlet Laws fifty-four) entitled 'An act to establish and regulate the fees to be charged and collected by sheriffs in counties of this Commonwealth having a population of not less than three hundred thousand nor more than one million five hundred thousand inhabitants as computed by the last preceding United States census the time and manner in which said fees shall be paid the publication and posting of said fees the delivery of an itemized receipt for official fees and legal costs received and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' extending the provisions of said act to counties having a population of not less than two hundred thousand and not more than one million five hundred thousand inhabitants" absolutely

The act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and twenty-nine) entitled "An act providing for a State association of county controllers and for the meetings thereof and providing for the payment by the counties of the expenses thereof" absolutely

The act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and thirty-eight) entitled "An act requiring counties having a population of over one million and less than one million five hundred thousand to establish a pension fund for the employes of such counties and providing for the administration of such fund and payments therefrom" absolutely

The act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and sixty-three) entitled "An act authorizing county commissioners to appoint county engineers and to fix their compensation and prescribing the duties of such engineers" absolutely

The act approved the sixteenth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and ninety-nine) entitled "An act making it lawful for twenty-five or more resident taxpayers of any county in this Commonwealth in which any turnpike road or highway is wholly or partly located upon which tolls are charged the traveling public to present their petition to the county commissioners of their county setting forth that it would be for the best interests of the people of their county that such turnpike road or highway or part thereof should be purchased and become a public road free from tolls and toll-gates and thereupon for the county commissioners of the petitioners' county to purchase the same for public use free from tolls and toll-gates if a price therefor can be agreed upon with the owners therof and pay for the same out of the funds of their county not otherwise appropriated and if such county has not sufficient funds to issue bonds of said county for that purpose and providing that any turnpike road or highway or part thereof so purchased and made a public road shall thereafter be repaired maintained and improved by the county township borough or city in which the same or part thereof is located" absolutely

The act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and five) entitled "An act to amend section one of an act approved the fifth day of May one thousand eight hundred and thirty-two entitled 'An act regulating collateral railroads' by extending the provisions thereof to any person or persons corporation of the first or second class partnership municipal or quasi-municipal corporation school or poor district of the State of Pennsylvania incorporated under general or special act of Assembly being the owner or owners of land mills quarries coal-mines lime-kilns or other real estate in the vicinity of any railroad canal or slack-water navigation made or to be made by any company or by the State of Pennsylvania and not more than four miles distant therefrom" in so far as it confers any powers or imposes any duties on counties

The act approved the thirty-first day of May one thousand nine hundred and nineteen (Pamphlet Laws three hundred and fifty-five) entitled "An act to amend section two of an act approved the twenty-first day of April one thousand nine hundred and three (Pamphlet Laws two hundred and twenty-eight) entitled 'An act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their respective counties painted and the bolts of the same tightened as often as may be necessary' as amended" absolutely

The act approved the third day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and sixty-nine) entitled "An act providing for the appointment by the district attorney in counties having a population of over one million five hundred thousand inhabitants of a chief county detective an assistant chief county detective and special county detectives defining their duties defining their authority fixing their salaries and authorizing the payment of the same together with the necessary traveling expenses by the county" absolutely

The act approved the third day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and seventy) entitled "An act to fix the number and salaries of assistant district attorneys in counties of this Commonwealth having over one million five hundred thousand inhabitants and prescribing the powers and duties of said assistant district attorneys" absolutely

The act approved the third day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and seventy-one) entitled "An act to fix the fees to be allowed the district attorney in counties containing over one million five hundred thousand inhabitants" absolutely

The act approved the fourth day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and seventy-four) entitled "An act authorizing counties to appropriate money for and to erect monuments or memorials to commemorate the services of soldiers sailors and marines in the war with Germany and Austria and authorizing counties to appropriate moneys to assist in erecting such monuments or memorials" absolutely

The act approved the fourth day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and eighty-three) entitled "An act to amend an act approved

the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and fifty-eight) entitled 'An act authorizing the employment of stenographers by the district attorneys of certain counties' as amended" absolutely

The act approved the fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and ninety-three) entitled "An act to further amend section four of an act approved the twenty-third day of June one thousand nine hundred eleven (Pamphlet Laws one thousand one hundred and twenty-three) entitled 'An act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof' as amended" absolutely

The act approved the seventh day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and fourteen) entitled "An act amending sections two four and fifteen of an act entitled 'An act authorizing and empowering the several counties of this Commonwealth to locate lay out open construct and maintain public bridges whether wholly or partly within any city borough or township therein across any river or stream dividing or separating any part of said county from any other part thereof together with the necessary bridge approaches viaduct or other approaches to conveniently connect the same with existing streets or public roads in such cities boroughs or townships authorizing the cities and boroughs wherein such bridges are located to share in the cost thereof and to provide approaches therefor authorizing the taking and appropriation of property and rights of property public or private for such purposes providing a method for making compensation for property taken injured or destroyed thereby authorizing the several counties to enter upon and over public streets or roads in cities boroughs or townships for said purposes authorizing the several counties to appropriate money levy taxes and incur indebtedness therefor and authorizing the several counties to charge and collect tolls and rentals for the concurrent use of such bridges and approaches by street railway telegraph or other corporations or persons making use thereof other than for ordinary foot or vehicle traffic and to enter into contracts for such use' approved the twenty-fourth day of May one thousand nine hundred seventeen" in so far as it confers any powers or imposes any duties on counties

Sections one and two of the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and seventy-six) entitled "An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census" absolutely

The act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eleven) entitled "An act authorizing counties to widen straighten alter or change the course of unnavigable streams to insure the safety of county bridges conferring upon counties the right of eminent domain in connection therewith and providing for the assessment of damages for property taken injured or destroyed" absolutely

The act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and thirteen) entitled "An act providing a method whereby highways the center line of which constitutes a dividing line between a city and a township in an adjacent county may be altered or improved and the cost thereof apportioned between the city county and township and providing the procedure to be followed where such city and the township or the county in which such township is situated do not or cannot agree with respect to the method of such alterations or improvements or the apportionment of the cost thereof" in so far as it confers any powers or imposes any duties on counties

The act approved the seventh day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and twenty-seven) entitled "An act authorizing the district attorney in certain counties with the approval of the president judge of the courts to appoint detectives to investigate crimes and providing for the compensation of such detectives payable by the county" absolutely

The act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and thirty-eight) entitled "An act to amend sections thirteen and twenty of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four) entitled 'An act providing for original location laying out and constructing of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the comepensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road' providing for the repair maintenance and vacation of abandoned and condemned turnpikes" absolutely

The act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred sixty-one) entitled "An act empowering the several counties of this Commonwealth to contract with any city within such county for the payment by the county of a portion of the cost of the laying out and construction of any public highway bridge connecting different portions of said city or portions of said city and any township bordering thereon but separated therefrom by any intervening valley or ravine and empowering such county to appropriate money levy taxes and incur indebtedness therefor" in so far as it confers any powers or imposes any duties on counties

The act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred sixty-two) entitled "An act authorizing county commissioners to appropriate moneys to certain cities or boroughs to assist in the erection of comfort stations" absolutely

The act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred eighty-four) entitled "An act authorizing counties cities and boroughs to furnish rooms in public buildings for meeting places for certain organizations" in so far as it confers any powers or imposes any duties on counties

Section one of the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and ninety-five) entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants" absolutely

The act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and eighty-seven) entitled "An act dividing the counties of this Commonwealth into eight classes designating the mode of ascertaining and changing the classification of counties and providing for the regulation of their affairs according to their respective classes" absolutely

The act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and eighteen) entitled "An act amending sections one three five and twelve of an act entitled 'An act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of dam-

ages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof providing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road' approved the eleventh day of May one thousand nine hundred and eleven" absolutely

Section one of the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and sixty-one) entitled "An act fixing the salaries and compensation of the officers clerks and employes in the office of the recorder of deeds of any county having a population of one million five hundred thousand inhabitants or over" absolutely

The act approved the seventeenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and ninety-two) entitled "An act to amend the act approved the fifteenth day of April one thousand nine hundred fifteen (Pamphlet Laws one hundred and thirty-two) entitled 'An act relating to the burial of the bodies of certain indigent widows at the county expense' as amended requiring county commissioners to pay from the county funds the expenses of burial of all widows of honorably discharged soldiers sailors and marines legally resident within the county authorizing the county commissioners to make inquiries and investigations providing for payments to persons who buried such bodies and requiring public officers and officers and agents of institutions to report deaths of such widow" in so far as it confers any powers or imposes any duties on counties

Section one of the act approved the seventeenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and ninety-five) entitled "An act to provide for the appointment of assistant district attorneys in the several counties having over ninety thousand and less than seven hundred and fifty thousand inhabitants and fixing their salaries" absolutely

The act approved the seventeenth day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and one) entitled "An act fixing the fees of the prothonotary for attendance in court in counties having a population of less than seventy thousand and providing for the payment thereof by the several counties" absolutely

The act approved the twenty-second day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand one hundred and sixteen) entitled "An act to amend section one of an act approved the fourth day of April one thousand nine hundred and seven (Pamphlet Laws forty-eight) entitled 'An act to fix the salaries of the deputy register clerks and employes in the office of the register of wills of any county of this Commonwealth having a population of one million or over' as amended" absolutely

The act approved the seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty-five) entitled "An act to amend section one of the act approved the seventeenth day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and one) entitled 'An act fixing the fees of the prothonotary for attendance in court in counties having a population of less than seventy thousand and providing for the payment thereof by the several counties' by making the provisions of said act apply to counties of the sixth seventh and eighth classes" absolutely

The act approved the thirty-first day of March one thousand nine hundred and twenty-one (Pamphlet Laws seventy-six) entitled "An act amending section two of an act entitled 'An act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State Association for the purpose of holding annual meetings and providing for the payment of the expenses thereof' approved the tenth day of May Anno Domini one thousand nine hundred thirteen as amended by providing that the necessary expenses of the convention shall not be more than fifty dollars to any county per annum" absolutely

The act approved the thirty-first day of March one thousand nine hundred and twenty-one (Pamphlet Laws seventy-nine) entitled "An act requiring county commissioners of the counties of the sixth class to furnish the county officers with certain services equipment and supplies at the expense of the county" absolutely

The act approved the fifth day of April one thousand nine hundred and twenty-one (Pamphlet Laws ninety-four) entitled "An act requiring the county commissioners in all counties of the fifth sixth seventh and eighth class of this Commonwealth to provide an office at the county-seat for the district attorney and his assistants if any and to furnish supplies postage telephone fuel and light required for his and their use" absolutely

The act approved the sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred) entitled "An act authorizing removal of county jails prisons or workhouses from public parks squares or commons in counties of the fourth class and the erection of new county jails prisons or workhouses at or near the county-seat of said counties and regulating the disposal of such abandoned county jails prisons or workhouses and the ground upon which the same may be located" absolutely

The act approved the seventh day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and seventeen) entitled "An act providing for the repair by the county commissioners of bridges viaducts or subways carrying a public highway over or under any railroad street railway or other highway where a dispute exists between municipal authorities and public service corporations as to the responsibility for such repair and providing for the collection of the cost of such repairs and supervision of the work" absolutely

The act approved the thirteenth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred thirty-four entitled "An act to amend section one of an act approved the seventeenth day of July one thousand nine hundred nineteen (Pamphlet Laws nine hundred ninety-two) entitled 'An act to amend the act approved the fifteenth day of April one thousand nine hundred fifteen (Pamphlet Laws one hundred and thirty-two) entitled "An act relative to the burial of the bodies of certain indigent deceased widows at the expense of the county" as amended requiring county commissioners to pay from the county funds the expenses of burial of all widows of honorably discharged soldiers sailors and marines legally resident within the county authorizing the county commissioners to make inquiries and investigations providing for payments to persons who buries such bodies and requiring public officers and officers and agents of institutions to report deaths of such widows' " absolutely

The act approved the thirteenth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred thirty-eight) entitled "An Act providing for the assessment of benefits and award of damages by the viewers appointed in counties of the second class pursuant to the provisions of an act approved the eleventh day of May one thousand nine hundred eleven (Pamphlet Laws two hundred forty-four) entitled 'An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road' and providing for the filing reviving and collecting of liens arising from any asessment of benefits thereunder" absolutely

The act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred thirty-eight) entitled "An Act to fix the fees to be allowed the district attorney in counties of the third and fourth classes" absolutely

The act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two

hundred forty-three) entitled "An Act authorizing district attorneys in counties of the fourth class to appoint county detectives defining their powers and duties fixing their salaries and providing for the payment of such salaries and the expenses of such detectives from the county treasury" absolutely

The act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and sixty-eight) entitled "An act to further amend section one of the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred seventy) entitled 'An act to amend revise and consolidate the law providing for the burial of certain honorably discharged soldiers sailors and marines at the expense of the counties in which they shall die or have a legal residence at the time of their death to provide a system for effecting the burial of such soldiers sailors and marines to provide headstones and markers for the graves of such soldiers sailors and marines and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers sailors and marines' as amended" absolutely

The act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pampniet Laws two hundred and seventy-one) entitled "An act to amend section one of an act approved the first day of June one thousand eight hundred and eighty-three (Pamphlet Laws fifty-eight) entitled 'An act empowering and directing the county commissioners of any county to purchase ground at the county-seat for the erection thereon of such building or buildings as may be necessary for the accommodation of the courts and of the several officers of the county and for the reception and safe-keeping of the records and other papers in charge of such officers and also such other building or buildings as may be necessary and proper for the purposes of a county jail or work-house when occasion shall require the erection of such building or buildings and in case the said ground cannot be obtained by agreement with the owner or owners at a reasonable price in the estimation of said commisioners then to resort to condemnation' as amended by providing for the purchase and condemnation of ground at or near the county-seat" absolutely

The act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and eighty-four) entitled "An act to provide separate accommodations for women jurors at the several court-houses and providing that the separation of jurors in certain cases shall not work mistrials" in so far as it imposes any duties on counties

The act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and thirty-seven) entitled "An act to amend the act approved the sixteenth day of April one thousand eight hundred and sevety-five (Pamphlet Laws fifty-four) entitled 'An act to provide for appeals in cases where the county commissioners and auditors have failed or shall hereafter fail to fix the compensation of county treasurers and to repeal an act entitled "A supplement to an act relating to county treasurers passed the fifteenth of April one thousand eight hundred and thirty-four" approved the eighteenth day of April one thousand eight hundred and seventy-four in regard to the compensation of county treasurer' by providing for appeals by the county treasurer in cases where the county commissioners and auditors have fixed the compensation of the county treasurer" absolutely

The act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death" absolutely

The act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-seven) entitled "An act to further amend section twenty of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four) entitled 'An act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such original construction or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of such property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method of improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road' as amended providing for the vacation of abandoned or condemned turnpikes" absolutely

The act approved the twelfth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and thirty-five) entitled "An act authorizing district attorneys in counties of the third class to appoint county detectives defining their powers and duties fixing their salaries and providing for the payment of such salaries and the expenses of such detectives from the county treasury" absolutely

The act approved the twelfth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and forty-four) entitled "An Act authorizing counties cities boroughs towns and townships to acquire lands by purchase gift or condemnation and to convey such lands to the Commonwealth for use of the National Guard" as to counties

The act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and thirty-eight) entitled "An Act to amend section nineteen of an act approved the eleventh day of May one thousand nine hundred eleven (Pamphlet Laws two hundred and forty-four) entitled 'An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement and compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaing said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road' further relating to the repair of such roads and expressing the intent of the act" in so far as it confers any powers or imposes any duties on counties

The act approved the seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-three) entitled "An Act to amend an act approved the twenty-fourth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred eighty-two) entitled 'An Act to authorize the councils of the cities of the first class of the Commonwealth to appropriate annually a sum not exceeding five hundred dollars for the support and maintenance of each company of the National Guard using and occupying an armory building room or quarters within said cities in addition to the annual appropriation by the Legislature' fixing the amounts which may be appropriated by cities of the first second and third classes to companies troops and similar units of the National Guard and extending the provisions of said act to counties" in so far as it confers any powers or imposes any duties on counties

The act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred

and ninety-four) entitled "An Act to amend an act approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and fifty) entitled 'An Act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day' by authorizing appropriations to each post of the American Legion Veterans of Foreign Wars and to each Naval Association and each post to the Grand Army of the Republic" in so far as it confers any powers or imposes any duties on counties

The act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and ninety-seven) entitled "An Act to amend section one of an act approved the twenty-first day of March one thousand nine hundred and seven (Pamphlet Laws twenty-two) entitled 'An Act authorizing the county commissioners of the several counties or the town councils of the several boroughs of this Commonwealth or both to appropriate annually a sufficient sum of money to each Post of the Grand Army of the Republic in their respective counties or boroughs to aid in defraying the expenses of Memorial Day' as amended authorizing county commissioners to make additional appropriations for Memorial Day purposes" absolutely

The act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and eight) entitled "An act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing" in so far as it confers any powers or imposes any duties on counties

The act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and fifteen) entitled "An act to amend section one of the act approved the eleventh day of July one thousand nine hundred and one (Pamphlet Laws six hundred sixty-three) entitled 'An act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of the same' as amended" absolutely

The act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and thirty-eight) entitled "An act to provide for the better preservation of the books and papers in the office of the prothonotaries in the counties of this Commonwealth by copying transcribing and certification of dilapidated faded or injured books or papers" absolutely

The act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred forty-four) entitled "An act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor" except insofar as it confers any power or imposes any duties on the State Commissioner of Health

The act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and seventy-six) entitled "An act fixing the salary of the jury commissioners of the counties of the third class" absolutely

The act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and six) entitled "An act relating to certain county officers in counties of the fifth class providing for their salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on the county commissioners county controllers and county auditors requiring the payment into the respective county treasury of the fees of such county officers and providing penalties for violation of this act" absolutely

The act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and four) entitled "An act to ascertain and appoint the fees to be received by the recorder of deeds in and for the counties in this Commonwealth containing more than one million five hundred thousand (1,500.000) inhabitants" absolutely

The act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and eight) entitled "An act to further amend the fifth section of an act entitled 'An act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof' approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes" absolutely

Section 1047 EFFECT ON OTHER LEGISLATION All other acts and parts of acts inconsistent with this act are repealed This act shall not repeal or modify any of the provisions of the Public Service Company Law nor the act entitled "An act to preserve the purity of the waters of the State for the protection of the public health" approved the twenty-second day of April one thousand nine hundred and five nor shall this act repeal or modify any of the provisions of an act of assembly amendatory of law in force at the time of the passage of this act or otherwise adopted at the session of the general assembly of one thousand nine hundred and twenty-three whether such acts were adopted prior to the passage of this act or shall be adopted subsequent to the passage of this act nor shall this act repeal any such act or part thereof in force at the time of the passage of this act which is amended by an act of assembly approved at the session of the general assembly of one thousand nine hundred and twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 924, as follows:

An Act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representatives districts as provided by the Constitution"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the members of Representatives in the General Assembly of the State and to apportion the State into representatives districts as provided by the Constitution" is hereby amended to read as follows

The county of Schuylkill shall elect five members and shall be divided into four districts as follows

The boroughs of Frackville Gilberton Mahanoy City and Shenandoah and the townships of Delano Mahanoy and West Mahanoy shall constitute the first district and elect one member

The boroughs of Ashland Girardville and Gordon and the townships of Barry Butler Cass Eldred Foster Hegins Hubley and Upper Mahantongo shall constitute the second district and elect one member

The boroughs of Coaldale McAdoo Middleport New Philadelphia New Ringgold Port Clinton Ringtown and Tamaqua and the townships of Blythe East Brunswick East Union Union Kline North Union Rahn Rush Ryan Schuylkill Union Walker West Brunswick and West Penn shall constitute the third district and elect one member

The city of Pottsville boroughs of Auburn Cressona Landingville Mechanicsville Minersville Mount Carbon Orwigsburg Palo Alto Pine Grove Port Carbon Saint Clair Schuylkill Haven Tower City and Tremont and the townships of Branch East Norwegian Frailey New Castle North Manheim Norwegian Pinegrove Porter Reilly South Manheim Tremont Washington and Wayne shall constitute the fourth district and elect two members

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 928, as follows:

An Act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents reports bulletins and other publications for the use of the Commonwealth the several departments boards commissions and other agencies engaged in the legislative judicial and administrative work of the State government the sale of waster paper the appointment of a Director and other employes and repealing inconsistent and conflicting legislation

ARTICLE I

Section 1 The term "director" as used in this act is declared to be the Director of Publications or such other officer or person who shall be designated in conformity with law and is charged with the responsibility for the public printing and binding

The term "public printing and binding" as used in this act is declared to include the editing for publication of all matter to be printed the reading and revising of all proof and the procurement of all printing binding lithographing cuts plates dies and supplies and materials incident thereto for the use of the Commonwealth and the several departments boards bureaus commissions divisions and other agencies engaged in the legislative judicial and adminstrative work of the State government and the distribution of the same

The term "proposal" as used in this act is declared to be and include all bids in writing upon specifications furnished by the Director

The term "contract" as used in this act is declared to be any agreement in writing between the Commonwealth and any person firm or corporation for public printing and binding and the word "contractor" any person firm or corporation so contracting

The term "specification" as used in this act is declared to be detailed information schedules list plans and data with maximum prices therefor upon which proposals shall be based and contracts made

Section 2 The Director shall have the power and his duty shall be

(a) To edit for publication all reports bulletins and other publications of the various department boards and commissions of the State government

(b) With the approval of the Governor the President pro tempore of the Senate and the Speaker of the House to determine the size character quantity and method of distribution of the various publications to be printed for the use of the General Assembly

With the approval of the Governor to determine the need size character quantity and method of distribution of the various publications to be printed for the use of the several departments boards commissions and other agencies engaged in the administrative work of the government Provided That in the case of reports made by the several departments boards or commissions the department board or commission making the report shall be consulted with regard to the size character quantity and method of distribution of such reports

With the approval of the Governor and of the Chief Justice of the Supreme Court of Pennsylvania to determine the size character quantity and method of distribution of the various publications to be printed for the use of the judicial department

(c) To enter into contracts for furnishing all printing used in the legislative and other departments of government and the printing binding and distributing of the laws journals department reports and all other printing and binding which contracts shall be given to the lowest responsible bidder below such maximum price and under such regulations not inconsistent with this act as may now or hereafter be fixed by law and shall be subject to the approval of the Governor Auditor General and State Treasurer

Section 3 For the purpose of carrying out the provisions of this act the Director is hereby authorized by and with the consent and approval of the Governor to appoint such assistants clerks and other employes as shall in his opinion be necessary and fix their salaries

Section 4 All contracts for public printing and binding shall be for a term of not less than one year nor more than four years and said Director shall have the right to divide said printing and binding into as many classes and enter into as many contracts therefor as he shall deem proper and advisable in carrying out the provisions of this act and said Director is hereby authorized to make said classifications and to prepare specifications schedules and contracts subject to the approval of the Governor State Treasurer and Auditor General and all contracts shall be executed by the Director the Governor State Treasurer and Auditor General

Section 5 That not less than two months prior to the termination of any contract now existing or the termination or expiration of any contract hereafter entered into the Director shall advertise for proposals for public printing and binding said advertisements for such proposals shall be published for at least three days the first and last insertion of which shall be published at least ten days apart in one or more newspapers of general circulation published in Philadelphia Pittsburgh Harrisburg and five other places within the Commonwealth

Section 6 All proposals shall be submitted upon blanks furnished by the Director on or before the time fixed for opening said proposals and each proposal shall be in duplicate one of which shall be marked "Duplicate Prosposal" each proposal shall be accompanied by certified check to the order of the State Treasurer in such an amount as shall be determined by the Director the Governor Auditor General and State Treasurer and designated in said advertisement the Director shall open all proposals received in the presence of those bidding and shall proceed publicly to award the contract or contracts for which bids were asked to the lowest responsible bidder or bidders below the maximum price or prices fixed in the schedule or schedules prepared by the Director and if any such bidder refuses or neglects to accept a contract awarded to him within ten days then such contract may be awarded to the next lowest bidder and so on until such contract shall be awarded and accepted Provided however That the Director shall have the right to reject any and all bids and when all bids shall be so refused the Director shall advertise again for proposals giving at least ten (10) days' notice thereof by advertisement and said proposals to be opened awarded and approved in like manner as hereinbefore provided

Section 7 The certified checks of all unsuccessful bidders to whom no contracts were awarded shall be returned to the makers thereof but any bidder to whom a contract has been awarded and who has neglected or failed to enter into the contract or contracts awarded to him in the manner and upon the terms herein provided shall be liable to the Commonwealth for the difference between the amount of his bid and the bid of the person or persons to whom said contract shall afterwards be awarded and in addition thereto all costs and expenses necessarily incurred by reason of his neglect or failure and as liquidated damages therefor there shall be retained by the Commonwealth out of the amount of said certified check the amount required to reimburse the Commonwealth for said loss

Section 8 No contract shall be entered into with any contractor until after such contractor has furnished a sufficient bond to the Commonwealth in such form and amount as may be prescribed by the Director conditioned for the faithful performance of the terms of the contract and shall have as surety a surety company authorized to act as such surety in this Commonwealth said bond and the terms thereof to be approved by the Attorney General

Section 9 No public printing and binding shall be performed for any department board commission or other agency of the State government or any officer thereof unless authorized in writing by the Director and no printing or binding whatever shall be done by the contractor at the expense of the Commonwealth except upon such written order or authorization and the contractor shall not proceed with any work until he shall have received from the Director a written order and full instruction therefor

Section 10 The rates of compensation for the public printing and binding for all objects of charge against the Commonwealth by the contractor shall be according to the schedules set out in the specifications furnished by the Director and incorporated in the contract and no printing and binding or other work or material whatsoever shall be done or furnished by the contractor that is not set forth in the schedules or specifications incorporated in the contract unless authorized in writing by the Director and the price therefor designated by him and if the contractor

shall proceed with any such printing and binding without such authorization in writing the Director shall have the right to condemn such unauthorized work whereupon the contractor shall not be entitled to receive any compensation whatsoever therefor or the Director if he shall accept such unauthorized printing and binding shall fix a reasonable price therefor which said price shall in no case exceed the lowest rate or rates at which the same can be obtained elsewhere by said Director and said contractor shall be bound by the rate or rates so fixed by said Director and shall in no case recover any additional sum or amount

Section 11 There shall be provided by the Director and incorporated in every contract made hereunder provision for delivery of all printing binding and other work done by the contractor the time when delivery must be made and reasonable penalties for delay in such delivery

Section 12 All documents shall be distributed upon requisitions of the persons entitled to make requisition therefor as determined under section two of this act and upon receipt of any proper requisition the Director shall cause the same to be packed in packages or boxes as the case may be addressed as required in the requisition and delivered personally at the office of the Director or free at the post office express or freight office indicated in the requisition and the Director shall furnish blank requisition forms to officials or persons entitled to make requisitions for documents

Section 13 The librarian of the Senate the resident clerk of the House the heads of the various departments of the government the chairman of each commission or committee in or before the first day of June of each year shall file with the Director a statement showing the number of each kind respectively on hand the first of June preceding all documents in excess of the number in the performance of the work of the respective departments committees or other branches of the State government shall be turned over to the Director and his receipt taken therefor All such documents not needed shall be sold as waste paper by the Director and as hereinafter provided and all money received from the sale thereof shall be paid into the State Treasury for the use of the Commonwealth

Section 14 The Director from time to time shall solicit by advertising proposals for the purchase of all the waste paper documents and other materials that have been accumulated and are no longer needed and the Director is hereby authorized to make sale thereof by contract or contracts to the highest bidder upon such terms and conditions as he shall determine provided that he shall have the right to reject any and all proposals for the sale and further provided that it shall be unlawful for any officer or employe of the State government other than the said Director to sell or offer for sale any document waste or other matrials incident thereto

Section 15 For the purpose of carrying out the provisions of this act there shall be appointed by the Governor by and with the advice and consent of the Senate within thirty days after this act shall go into effect and every four (4) years thereafter a Director of Publications who shall have had at least five (5) years' experience in practical editorial work and who shall be a qualified printer who shall be commissioned by the Governor to serve for a term of four (4) years from the date of his appointment and until his successor is duly qualified who shall receive an annual salary of Seven Thousand Dollars ($7,000.00) and in case of vacancy in the office of Director by reason of death resignation or otherwise the Governor shall appoint a qualified person to fill such vacancy for the unexpired balance of the term

Section 16 The Director shall before entering upon the duties of his office take and subscribe to the oath of office prescribed by the Constitution the same to be filed in the office of the Secretary of the Commonwealth and give a bond in such penal sum as shall be fixed by the Governor with surety to be approved by the Attorney General conditioned for the faithful discharge of the duties of his office

Section 17 The Director shall have an office in the Capitol Building which shall be kept open and accessible throughout the year to all persons interested in the performance of his official duties and he shall not be interested directly in the public printing and binding nor in furnishing the material therefor nor in supplying stationery blanks or other materials whatsoever to the State Government or any part thereof

Section 18 The Director shall keep complete records of all printing and binding and of all printing and binding and materials and supplies incident thereto furnished by the Commonwealth for the use of any department board commission or other agency of the State Government ordered to be done by the contractor or contractors and shall examine and approve all accounts before payment thereof and after approval thereof by the said Director the Auditor General shall draw his warrant on the State Treasurer in favor of the contractor for the amounts due and owing under the terms and provisions of the contract in the same manner as other public accounts are now payable

Section 19 Nothing contained in this act shall in any way interfere with any contract now existing for supplying the State with printing and binding or material and supplies incident thereto

Section 20 The following acts and parts of acts are specifically repealed

The act entitled "An Act to create the Department of Public Printing and Binding to carry out the provisions of Section twelve Article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor" approved the seventh day of February Anno Domini one thousand nine hundred and five (Pamphlet Laws three) also the act entitled "An Act to amend sections one ten fourteen sixteen eighteen twenty-one twenty-three twenty-five twenty-eight thirty-one thirty-four thirty-five thirty-seven thirty-eight and forty-two of an act entitled 'An Act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materals therefor' approved the seventh day of February Anno Domini one thousand nine hundred and five by further regulating said department and the further regulating the public printing and binding and the supply of paper and other materials therefor" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws two hundred and ten) also the act entitled "An act to amend an act approved the seventh day of February one thousand nine hundred five (Pamphlet Laws three) entitled 'An Act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor' as amended" approved he twenty-third day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws eleven hundred and twenty-eight) also the act entitled "An Act to amend an act approved the seventh day of February one thousand nine hundred and five (Pamphlet Laws three) entitled 'An Act to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor' as amended" approved the sixteenth day of February Anno Domini one thousand nine hundred and twenty-one (Pamphlet Laws five) also the act entitled "An Act creating a Division of Documents defining its powers and duties regulating the number of documents to be printed bound and the requisition distribution and sale of the public documents of this Commonwealth providing penalties for the violation of this act and repealing certain acts" approved the twenty-second day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws ten hundred and ninety-seven)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 874, as follows:

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all elections heretofore held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the provisions of an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) and under the acts amendatory thereof where the majority of votes cast as such election was in favor of the increased indebtedness be and the same are hereby ratified confirmed and made valid notwithstanding the fact that fifty-one weeks had not elapsed since an election on the same subject was held at which a majority of votes cast were not in favor of increasing the indebtedness and notwithstanding any defect or informality in the manner of holding or giving notice of such election

All bonds issued or to be issued in pursuance of every such election are hereby made valid binding obligations of every such county city borough township school district or incorporated district provided all the other requirements of the law concerning such elections and issue of bonds have been complied with

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 920, entitled:

An Act to amend Section one of the act approved the fourteenth day of April one thousand nine hundred five (Pamphlet Laws one hundred and sixty-nine) entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person wilfully to enter upon any land within the limits of this Commonwealth where the owner or owners of said land has caused to be prominently posted upon said land printed notices that the said land is private property and warning all persons from trespassing thereon under the penalties provided in this act Provided That the provisions of this act shall be construed to include State institutions and land apurtenant thereto

On the question,

Will the House agree to the section?

Mrs. deYOUNG. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1 page 1 line 3 by inserting after the word "same" the following: "That section one of an act approved the fourteenth day of April one thousand nine hundred and five, (P. L. 169) entitled, "An Act making it unlawful to trespass upon land posted as private property, and providing the penalty therefor" is hereby amended to read as follows"

"Section 1. Be it enacted, &c."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend Section one of the act approved the fourteenth day of April one thousand nine hundred five (Pamphlet Laws one hundred and sixty-nine) entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor"

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 984, as follows:

An Act providing for the taxation modification remission and collection of all fees received by the several prothonotaries and the several clerks of the courts of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all fees to be received by the several prothonotaries and the several clerks of the courts of this Commonwealth shall be as heretofore fixed by statute Provided however that the judges of each of the several courts shall have full power to make such rules as they deem advisable providing for the taxation modification remission and collection of such fees in their own court or tribunal in civil actions and in trespass where the amount involved do not exceed one hundred dollars And provided further that such rules shall not fix a charge in excess of the fee fixed by statute for similar services

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 633, entitled:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-nine) entitled "An Act to provide for the election of one person to fill the office of prothonotary one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds in counties containing forty thousand inhabitants and hereafter created separate judicial districts under the Constitution" providing that said act shall be in effect only upon the acceptance thereof

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twelfth day of June one thousand nine hundred and one (Pamphlet Laws five hundred fifty-nine) entitled "An Act to provide for the election of one person to fill the office of prothonotary one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds in counties containing forty thousand inhabitants and thereafter created separate judicial districts under the Constitution" is hereby amended to read as follows

Section 1 Be it enacted et cetera That in each of the counties of the Commonwealth containing forty thousand inhabitants accepting the provisions of this act which heretofore have been or hereafter may be created separate and independent judicial districts under section five article five of the Constitution there shall be elected one person to

fill the office of prothonotary one person to fill the office of the clerk of the courts of general and quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds at the expiration of the terms of the persons then filling and exercising such offices in such counties and the persons so elected shall hold such offices for the time and under the terms provided by existing laws therefor

Such acceptance of the provisions of this act shall be exercised by a decree of the court of common pleas of the county which shall be recorded in the office of the recorder of deeds of the county and in the office of the Secretary of the Commonwealth Any county which now elects the said county officers in accordance with the provisions of this act shall be presumed to have accepted the provisions thereof and in such counties no actual acceptance of the provisions hereof shall be necessary

On the queston,

Will the House agree to the section?

Mr. WILLISTON P. WOOD. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 10, by striking out the words "et cetera" and inserting in lieu thereof the following: "&c.,"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the queston,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-nine) entitled "An Act to provide for the election of one person to fill the office of prothonotary one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds in counties containing forty thousand inhabitants and hereafter created separate judicial districts under the Constitution" providing that said act shall be in effect only upon the acceptance thereof

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 745, (Senate Bill No. 98), entitled

An Act to repeal an act approved the ninth day of April one thousand eight hundred and sixty-eight (Pamphlet Laws seventy-three) entitled " A supplement to an act relating to counties and townships and county and township officers approved April fifteenth one thousand eight hundred and thirty-four relating to public buildings"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 752, (Senate Bill No. 129), entitled

An Act to amend sections five hundred and forty, and five hundred and forty-one as amended, of an act, approved May 18, 1911 (P. L. 309) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1142, (Senate Bill No. 291), entitled

An Act to amend section one of the act approved the twenty-third day of May, one thousand nine hundred and seven, (P. L. 225), entitled "An Act providing for the payment of the premiums on bonds of county, city, borough, school-district, and township employes;" extending the provisions thereof to officers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1143, (Senate Bill No. 292), entitled

An Act to amend section ten of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in s..id counties."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1151, (Senate Bill No. 411), entitled

An Act to amend part of section one of the act approved the tenth day of May, 1921, (P. L. 449) entitled "An Act to fix the number of Senators in the General Assembly of the State; apportion the State into senatorial districts, as provided by the Constitution; and to regulate the election of, and the terms of office of, the present and future elected Senators."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 440, entitled:

An Act to provide for the licensing of transit retail merchants in cities boroughs and townships and providing a penalty for the failure to obtain such license

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 912, entitled:

An Act validating the incurring of certain debts or increase of indebtedness of poor districts in counties of the second class by the county commissioners thereof, for improvements or alterations of the property of such poor districts, and all bonds, and other securities issued therefor, and also the assessments of annual taxes for the payment of such indebtedness since the twentieth day of April, one thousand eight hundred and seventy-four.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE.

Mr. LORENZO D. THOMAS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. LORENZO D. THOMAS. Mr. Speaker, it has been brought to my attenton, within the last hour, that on the vote as it was recorded last evening on House Bill No. 282, file folio, 559, on page 20 of yesterday's calendar, that I am recorded as voting negatively, which is a mistake, and I would like to have it corrected on the record.

The SPEAKER. The remarks of the gentleman from Luzerne, Mr. Thomas, under his question of personal privilege, will be spread upon the Journal.

ERRATUM.

Correct Legislative Journal of Tuesday, March 27th, 1923, page 896, second column, second paragraph, line 36, as follows: "They have not got very much" should be "They have got their Edge."

RECESS.

The SPEAKER. If there are no objections, the Chair will declare a recess until 8:00 o'clock this evening.

Whereupon, at 1:55 o'clock P. M., the House took a recess until 8:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 8:00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

BILL RE-REFERRED.

Mr. PATTERSON returned from the Committee on Military with the recommendation that it be re-referred to the Committee on Appropriations, House Bill No. 467, entitled:

An Act providing for the payment of pensions to certain citizens of Pennsylvania who volunteered in defense of the State as emergency men, imposing certain duties on the Adjutant General of the Commonwealth, the Lieutenant Governor, the Attorney General and the Secretary of the Commonwealth and making an appropriation.

The SPEAKER. The bill is now re-referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES

Mr. EARLEY, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 295, entitled:

An Act making a burial permit issued at the place of death valid throughout the Commonwealth.

Mr. WELLS, from the Committee on Ways and Means, reported as committed House Bill No. 1256, entitled:

An Act imposing a State tax on liquid fuels as herein defined to be paid by distributors as herein defined; providing for the collection of such tax and for the distribution and use of the revenues derived therefrom; providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax; and fixing penalties.

Mr. GELDER, from the Committee on Insurance, reported as amended House Bill No. 846, entitled:

An Act to amend clauses (e) and (f) of section three hundred and six, and clause seven of section three hundred and seven of the act approved the second day of June, one thousand nine hundred and fifteen, (P. L. 736), entitled, "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," as amended: and providing when the same shall become effective.

Mr. GELDER, from the Committee on Counties and Townships, reported as committed House Bill No. 1281, entitled:

An Act to amend chapter seven of an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," regulating the appointment, supervision and discharge of police officers.

Mrs. PITTS, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 900, entitled:

A Supplement to the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four (Pamphlet Laws, seventy-three), entitled "An Act to provide for the incorporation and regulation of certain corporations," requiring notice to the Department of Public Welfare of application for charters and amendments thereto of hospitals, maternity homes and hospitals and certain charitable and eleemosynary institutions and societies; and further regulating the incorporation thereof.

Mr. JOSHUA EVANS, from the Committee on Judiciary General, reported as committed House Bill No. 1354, entitled:

An Act to prohibit the taking of lands and property by the Commissioners of Valley Forge Park until the damages accuring to owners thereof have been ascertained and paid.

Mr. CHARLES B. JONES, from the Committee on Counties and Townships, reported as committed House Bill No. 1228, entitled:

An act to repeal the act approved the twelfth day of June, one thousand nine hundred and nineteen, (P. L. 461), entitled, "An act to provide for the removal or retirement of judges of the Supreme, Superior, common pleas, orphans' municipal, and county court, permanently disqualified by reasons of physical or mental disability to perform their regular judicial functions or duties, and providing for the payment of compensation to them during the balance of the term for which they may have been elected, and, in certain cases for the remainder of their lives after resignation or retirement, and for filling the vacancies caused thereby; providing for judges who have been retired or who may have retired or resigned under provisions or previous acts or otherwise; and repealing certain acts."

Mr. CHARLES B. JONES, from the Committee on Counties and Townships, reported as amended House Bill No. 1052, entitled:

An Act relating to salaries, compensation, bonds, offices and supplies of certain county officers, their deputies and clerks, in counties of the sixth class.

Mr. FRAZIER, from the Committee on Counties and Townships, reported as committed, House Bill No. 1286, entitled:

An Act to amend chapter six of the act approved the fourteenth day of May, one thousand nine hundred and seventeen, (P. L. 840), entitled, "An act concerning townships; and revising amending and consolidating the law relating thereto," regulating the appointment, suspension and discharge of police officers in boroughs and townships.

Mrs. SPEISER, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 921, entitled:

An Act requiring persons and agencies engaged in child caring, child placing and child protection work to secure a certificate of approval from the Commissioner of Public Welfare; and regulating the placing out and care of children.

Miss MacKINNEY, from the Committee on Judiciary General, reported as committed, House Bill No. 1175, entitled:

A supplement to an act approved the fifth day of May, one thousand nine hundred and eleven, (P. L. 198) entitled, "An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," further regulating appeals to the Common Pleas Court; regulating hearings in desertion and non-support cases; the handling of Juvenile cases and providing for the designation of two judges for such purposes.

Mr. GUNDY, from the Committee on Insurance, reported as committed, House Bill No. 1311, entitled:

An Act to provide for reimbursement of expenses of the Department of Labor and Industry from and in proportion to the Compensation paid by the State Fund, Insurance, casualty or indemnity corporations, mutual associations or companies and self-insured employees.

Mr. STAUDENMEIER, from the Committee on Public Roads, reported as committed, House Bill No. 957, entitled:

An Act to provide for the laying out, altering and vacating roads lying in one county and partly in an adjoining county, forming or intended to form a continuous highway from one county to another, and providing for the location, construction of a joint county bridge on said road.

Mr. GROVER C. MYERS, from the Committee on Public Roads, reported as amended, House Bill No. 139, entitled:

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468) entitled, "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act," as amended.

Mr. BERGER, from the Committee on Counties and Townships, reported as committed House Bill No. 1290, entitled:

An Act to amend the act approved the fifth day of April, one thousand nine hundred and twenty-one (Pamphlet Laws, ninety-four), entitled "An act requiring the county commissioners, in all counties of the fifth, sixth seventh and eighth class of this Commonwealth, to provide an office at the county-seat for the district attorney and his assistants, if any, and to furnish supplies, postage, telephone, fuel and light required for his and their use;" extending the provisions of the act to counties of the fourth class.

Mr. WHEELER, from the Committee on Public Roads, reported as committed House Bill No. 1128, entitled:

An Act authorizing the State Highway Commissioner to empower certain other employees of his department to perform such official acts as he may designate.

Mr. BURCHINAL, from the Committee on Insurance, reported as committed House Bill No. 316, entitled:

An Act to amend section three hundred and seven of an act approved the second day of June, one thousand nine hundred fifteen, (P. L. 736), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

Mr. BUSH, from the Committee on Military, reported as committed House Bill No. 1033, entitled:

An Act providing that any person who was engaged in the military or naval service of the United States during any war in which the United States was engaged, and having an honorable discharge therefrom, shall receive credit for the experience and training derived from such service, in civil service examinations.

Mr. BUSH, from the Committee on Insurance, reported as committed House Bill No. 1279, entitled:

An Act relating to motor vehicles and requiring the owner of any motor vehicle to be insured against liability for damages for injuries in person or property sustained through the negligent or illegal operation thereof in this Commonwealth and providing a penalty.

Mr. BUSH, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 674, entitled:

An Act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering; providing for the appointment by the Governor of an examination board; defining the powers and duties of such board; regulating barber

shops, barber schools and barber colleges and apprentices and students therein, and providing penalties.

Mr. MILLAR, from the Committee on Judiciary General, reported as committed House Bill No. 1271, entitled:

An Act making it unlawful for the Public Service Commission of the Commonwealth of Pennsylvania to make, fix, alter, change or modify rates, fares, charges or other considerations set forth in any contract heretofore or herafter made between a public service corporation and a municipality.

Mr. KENNEDY, from the Committee on Judiciary General, reported as committed House Bill No. 1174, entitled:

An Act to amend an act approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof;" by providing that said court shall consist of six judges.

Mr. HONTZ, from the Committee on Military, reported as committed House Bill No. 977, entitled:

An Act to amend an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 894), entitled "An act to amend an act approved the twenty-fifth day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and fifty), entitled 'An act authorizing the several counties, incorporated towns, and boroughs to appropriate annually sums of money to each camp of the United States War Veterans, and the Army of the Philippines, and to each post of the American Veterans of Foreign Service, in the respective counties, boroughs, and towns, to aid in defraying the expenses of Memorial Day,' by authorizing appropriations to each post of the American Legion, Veterans of Foreign Wars, and to each Naval Association, and each post of the Grand Army of the Republic" to include authorization of appropriations to each organization of ex-service men incorporated under the act of April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto.

Mr. COLDSMITH, from the Committee on Military, reported as amended House Bill No. 916, entitled:

An Act to amend sections eighteen, twenty-six, thirty-two, thirty-four, thirty-eight, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-nine and sixty-one of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 869) entitled "An Act providing for the organization, government, discipline, maintenance, and regulation of the armed land forces of this Commonwealth."

Mr. BLUETT, from the Committee on Judiciary General, reported as committed House Bill No. 1313, entitled:

An Act to amend section ten of the act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 711), entitled "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," as amended.

Mr. McBRIDE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 508, entitled:

An Act to validate certain municipal assessments, municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings for the collection of such assessments and claims.

Mr. HUBER, from the Committee on Military, reported as committed, House Bill No. 1163, entitled:

An Act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same.

Mr. GEORGE A. SMITH, from the Committee on Military, reported as committed, House Bill No. 1080, entitled:

An Act to make reinstatements in the civil service of persons honorably released from the active military or naval service of the United States after service in any of the wars in which the United States has been engaged.

Mr. MOORE, from the Committee on Counties and Townships, reported as committed, House Bill No. 978, entitled:

An act to amend section one hundred and ninety-six as amended, section one hundred and ninety-seven as amended, section one hundred and ninety-eight, section four hundred and twenty-seven, section four hundred and thirty-four as amended, and section one thousand and forty of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840) entitled, "An act concerning townships; and revising, amending and consolidating the law relating thereto."

Mr. PRICE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1337, entitled:

An Act providing a method for deciding a tie vote in borough councils.

Mr. CRAIG, from the Committee on Municipal Corporations, reported as committed House Bill No. 531, entitled:

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class, for the establishment of lines and grades for, and the grading, paving or repaving of said alleys, and the grading of private alleys hereafter laid out, and for apportioning the cost and for the filing of liens therefor.

Mr. HEYBURN, from the Committee on Counties and Townships, reported as committed House Bill No. 979, entitled:

An act to amend section two of an act aproved the fifth day of May, one thousand nine hundred and twenty-one, (P. L. 397) entitled, "An act authorizing a State association of township supervisors and township commissioners, and providing for the payment of the expenses thereof by the respective counties."

Mr. HEYBURN, from the Committee on Counties and Townships, reported as committed House Bill No. 1274, entitled:

A Supplement to an act approved the tenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, four hundred seventy-one), entitled "An act providing a system of management and control of the jail or county prison in each county of the fifth class; providing for a warden; defining his powers and duties; providing for other employes and salaries; and describing the duties and powers of the county commissioners and the sheriff in connection therewith," authorizing the county commissioners of said counties to use or to contract with townships, boroughs and cities for the use by them of prison labor in the construction, maintenance and repair of roads, streets, highways bridges and culverts and to prepare, furnish and transport material for the same, and to require male prisoners to perform labor for said purposes, and providing for the compensation of prisoners performing such labor and the application thereof, limiting the liability of the counties for injuries received by prisoners employed, and providing penalties for escape or attempt to escape by prisoners.

Mr. HEYBURN, from the Committee on Counties and Townships, reported as committed House Bill No. 1153, entitled

An Act to relieve life tenants of land from the payment of taxes on the underlying veins of coal which they have no right to operate, and providing that such coal shall be assessed to and the taxes thereon paid by the owner of said veins of coal.

Mr. SPANGLER, from the Committee on Judiciary General, reported as committed House Bill No. 1360, entitled,

An Act to amend section six of the act approved the nineteenth day of June, one thousand nine hundred and eleven, (P. L. 1055), entitled "An Act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries."

Mr. BIDELSPACHER, from the Committee on Judiciary General, reported as commited House Bill No. 1259, entitled,

An Act providing that certain elections to take under or against the will of decedents heretofore required to be filed by surviving husbands or wives shall be presumed to have been made to take under said will.

Mr. BIDELSPACHER, from the Committee on Public Roads, reported as committed House Bill No. 333, entitled,

An Act authorizing the State Highway Department, the Public Service Commission, counties, cities, boroughs, townships and railroad and railway corporations to purchase or condemn by the right of eminent domain free and unobstructed view over and across lands at certain highway, railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of said highways, railroads and railways; and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view.

Mr. SPANGLER, from the Committee on Judiciary General, reported as committed, House Bill No. 1305, entitled,

An Act to confer upon the courts of Quarter Sessions of the several counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds, which have or shall become unsightly and unsuitable places for interment.

Mr. STARK, from the Committee on Public Roads, reported as committed House Bill No. 486, entitled,

An Act to amend section two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one, (P. L. 908), entitled, "An Act regulating the closing of public highways, and providing for the locating, marking, and maintenance of detours necessitated by such closing," and providing penalties.

Mr. HAINES, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1078, entitled,

An Act to amend section twelve of the act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith;" providing for re-hearings in cases where licenses have been suspended or revoked and for the reinstatement of licenses in certain cases.

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed, House Bill No. 603, entitled,

An Act concerning declaratory judgments and decrees and to make uniform the law relating thereto.

Mr. BLUMBERG, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1074, entitled,

An Act supplemental to an act entitled "An Act to establish a Bureau of Housing for the sanitary inspection and control of tenement boarding and lodging houses; defining its powers and duties and providing certain penalties: approved July twenty-fourth, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand and fifteen) and providing for the protection of the health safety and welfare of the people of Pennsylvania by establishing regulations for the lighting, ventilation, sanitation, protection, maintenance, erection, alteration, improvement, use and occupancy of dwellings and land appurtenant thereto; defining the classes of dwellings affected; establishing administrative procedure and remedies and prescribing penalties for violation thereof and repealing acts inconsistent herewith.

Mr. ALFRED I. FOWLER, from the Committee on Counties and Townships, reported as amended House Bill No. 896, entitled,

An Act to ascertain and appoint the fees to be received by the clerk of quarter sessions and oyer and terminer of counties of the third and fourth class.

Mr. WHITEMAN, from the Committee on Military, reported as committed House Bill No. 881, entitled,

An Act creating the Camp Meade Memorial Commission to select a site and provide for the construction, erection and dedication of a monument or memorial on the site of Camp Meade used during the Spanish-American War; and making an appropriation.

Mr. ALLEN J. STEVENS, from the Committee on Military, reported as committed House Bill No. 1165, entitled,

An Act authorizing cities, boroughs, towns and townships to purchase burial plots for certain deceased service men.

Mr. SPROWLS, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1075, entitled,

An Act for the prevention and treatment of mental diseases, mental defect, epilepsy and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition and deportation of mental patients; providing for the payment by individuals, counties or the Commonwealth of the cost of the admission, care and discharge of mental patients; and imposing penalties.

Mr. CRAIG, from the Committee on Manufactures, reported as amended House Bill No. 395, entitled,

An Act to regulate the sale of caustic acid or caustic alkali preparations intended for household use and providing penalties for the violation thereof.

Mr. SPANGLER, from the Committee on Judiciary General, re-reported as amended House Bill No. 73, entitled,

An Act to amend section one, article six, chapter seven of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled, "Providing a system of government for boroughs and revising, amending and consolidating the law relating to boroughs" as amended.

Mr. CONNER, from the Committee on Counties and Townships, re-reported as committed House Bill No. 751 (Senate Bill No. 40), entitled,

An Act fixing the salary of the prothonotary in counties of the eighth class and providing for the payment of all fees and commissions into the county treasury.

Mr. McKIM, from the Committee on Judiciary General, re-reported as amended House Bill No. 746 (Senate Bill No. 100), entitled,

An Act to amend section ten of an act approved June 27, 1895, (P. L. 403), entitled "An act creating the office of

county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

Mr. STONER, from the Committee on Municipal Corporations, re-reported as amended, House Bill No. 254, entitled,

An Act to carry into effect section one of Article fifteen of the Constitution; giving cities the right and power to frame, adopt, and amend their own charters, and to exercise the powers and authority of local self-government and providing the procedure therefor; imposing certain restrictions, limitations and regulations; imposing duties upon city councils, city officers, county commissioners, and prothonotaries; and providing for the payment of certain expenses by cities.

Mr. METCALF, from the Committee on Counties and Townships, reported as amended, House Bill No. 1144, (Senate Bill No. 293), entitled,

An Act to amend section six of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled, "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

Mr. HAINES, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 860, (Senate Bill No. 16), entitled,

An Act to amend Clause five of Section three of an Act entitled, "An Act relating to food; defining food; providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" approved the thirteenth day of May, Anno Domini one thousand nine hundred and nine (Pamphlet Laws, five hundred and twenty).

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed, House Bill No. 893, (Senate Bill No. 362), entitled,

An Act regulating the practice of law in Courts not of record.

Mr. HAWS, from the Committee on Insurance, reported as committed House Bill No. 1140 (Senate Bill No. 130), entitled,

An Act to amend section one of the act approved the seventeenth day of May, one thousand nine hundred and nineteen, (Pamphlet Laws two hundred and eight), entitled "An act prohibiting, under certain conditions, the commutation, encumbrance, or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

Mr. POSEY, from the Committee on Municipal Corporations, reported as committed House Bill No. 890, (Senate Bill No. 240), entitled,

An Act to amend section six of an act approved June 20, 1917 (P. L. 618), entitled "An Act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations the manner of appointments, and the manner and power of removal of employes of said department; and providing a method for fixing compensation," as amended.

Mr. EARLEY, from the Committee on Military, reported with a negative recommendation House Bill No. 1085, entitled,

An Act for the protection of Memorial Day; prohibiting certain races, games and sports thereon; and providing penalties.

Mr. HUBER, from the Committee on Insurance, reported with a negative recommendation House Bill No. 506, entitled,

An Act providing for the bringing of actions at law for the recovery of damages for injuries received by employes in the course of employment when the injury is caused solely by the negligence of the employer; restoring certain defenses and providing for the crediting of compensation received on any verdict recovered.

Mr. HAWS, from the Committee on Insurance, reported as committed House Bill No. 1003, entitled,

An act establishing the office of fire marshal in all counties of the second class defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his order and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste.

BILLS REPORTED FROM COMMITTEES TO BE READ THE FIRST TIME.

Mr. ALEXANDER. Mr. Speaker and members of the House, for the same reason as stated this morning, I would like to ask for unanimous consent of the House to read all bills reported at this time, for the first time.

The SPEAKER. The gentleman from Delaware asks for unanimous consent that all bills reported from Committees at this time be read for the first time.

Are there objections?

The Chair hears none and the bills reported from Committees will be read for the first time.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 295, entitled:

An Act making a burial permit issued at the place of death valid throughout the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1256, entitled:

An Act imposing a State tax on liquid fuels as herein defined to be paid by distributors as herein defined; providing for the collection of such tax and for the distribution and use of the revenues derived therefrom; providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax; and fixing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 846, entitled:

An Act to amend clauses (e) and (f) of section three hundred and six, and clause seven of section three hundred and seven of the act approved the second day of June, one thou-

sand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An Act defining the liability of an employer to pay damage for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder, as amended; and providing when the same shall become effective.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1281, entitled:

An Act to amend chapter seven of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws, three hundred twelve), entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs;" regulating the appointment, supervision and discharge of police officers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 900, entitled:

A Supplement to the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four (P. L. 73) entitled, "An Act to provide for the incorporation and regulation of certain corporations," requiring notice to the Department of Public Welfare of applications for charters and amendments thereto of hospitals, maternity homes and hospitals and certain charitable and eleemosynary institutions and societies; and further regulating the incorporation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1354, entitled:

An Act to prohibit the taking of lands and property by the Commissioners of Valley Forge Park until the damages accruing to owners thereof have been ascertained and paid.

And said bill having been read at length the first time,
Ordered To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1228, entitled:

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and nineteen, (P. L. 461), entitled "An Act to provide for the removal or retirement of judges of the Supreme, Superior, common pleas, orphans', municipal, and county court, permanently disqualified by reason of physical or mental disability to perform their regular judicial functions or duties, and providing for the payment of compensation to them during the balance of the term for which they may have been elected, and, in certain cases, for the remainder of their lives after resignation or retirement, and for filling the vacancies caused thereby; providing for judges who have been retired or who may have retired or resigned under provisions of previous acts or otherwise; and repealing certain acts."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1052, entitled:

An Act relating to salaries, compensation, bonds, offices and supplies of certain county officers, their deputies and clerks, in counties of the sixth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1286, entitled:

An Act to amend chapter six of the act approved the fourteenth day of May, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto;" regulating the appointment, suspension and discharge of police officers in boroughs and townships.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 921, entitled:

An Act requiring persons and agencie engaged in child caring, child placing and child protection work to secure a certificate of approval from the Commissioner of Public Welfare; and regulating the placing out and care of children.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1175, entitled:

A Supplement to an act approved the fifth day of May, one thousand nine hundred and eleven, (P. L. 198) entitled, "An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," further regulating appeals to the Common Pleas Court; regulating hearings in desertion and non-support cases; the handling of Juvenile cases and providing for the designation of two judges for such purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1311, entitled:

An Act to provide for reimbursement of expenses of the Department of Labor and Industry from and in proportion to the Compensation paid by the State Fund, insurance, casualty or indemnity corporations, mutual associations or companies and self-insured employers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 957, entitled:

An Act to provide for the laying out, altering and vacating roads lying partly in one county and partly in an adjoining county, forming or intended to form a continuous highway from one county to another, and providing for the location, construction of a joint county bridge on said road.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 139, entitled:

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven,

(P. L. 468) entitled, "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriation to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act," as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1290, entitled:

An Act to amend the act approved the fifth day of April, one thousand nine hundred and twenty-one (Pamphlet Laws ninety-four), entitled "An Act requiring the county commissioners, in all counties of the fifth, sixth, seventh and eighth class of this Commonwealth, to provide an office at the county-seat for the district attorney and his assistants, if, any, and to furnish supplies, postage, telephone, fuel and light required for his and their use;" extending the provisions of the act to counties of the fourth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1128, entitled:

An Act authorizing the State Highway Commissioner to empower certain other employees of his department to perform such official acts as he may designate.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 316, entitled:

An Act to amend section three hundred and seven of an act approved the second day of June, one thousand nine hundred fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1033, entitled:

An Act providing that any person who was engaged in the military or naval service of the United States during any war in which the United States was engaged, and having an honorable discharge therefrom, shall receive credit for the experience and training derived from such service, in civil service examinations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1279, entitled:

An Act relating to motor vehicles and requiring the owner of any motor vehicle to be insured against liability for damages for injuries in person or property sustained through the negligent or illegal operation thereof in this Commonwealth and providing a penalty.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 674, entitled:

An Act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering; providing for the appointment by the Governor of an examining board; defining the powers and duties of such board; regulating barber shops, barber schools and barber colleges and apprentices and students therein, and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1271, entitled:

An Act making it unlawful for the Public Service Commission of the Commonwealth of Pennsylvania to make, fix, alter, change or modify rates, fares, charges or other considerations set forth in any contract heretofore or hereafter made between a public service corporation and a municipality.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1174, entitled:

An Act to amend an act approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198) entitled "An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof;" by providing that said court shall consist of six judges.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 977, entitled:

An Act to amend an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 894), entitled "An Act to amend an act approved the twenty-fifth day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and fifty), entitled 'An Act authorizing the several counties, incorporated towns, and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans, and of the Army of the Philippines, and to each post of the American Veterans of Foreign Service, in the respective counties, boroughs, and towns, to aid in defraying the expenses of Memorial Day,' by authorizing appropriations to each post of the American Legion, Veterans of Foreign Wars, and to each Naval Association, and each post of the Grand Army of the Republic" to include authorization of appropriations to each organization of ex-service men incorporated under the act of April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 916, entitled:

An Act to amend sections eighteen, twenty-six, thirty-two, thirty-four, thirty-eight, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-nine, and sixty-one of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, eight hundred sixty-nine), entitled "An Act providing for the organization, government, discipline, maintenance, and regulation of the armed land forces of this Commonwealth."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1313, entitled:

An Act to amend section ten of the act approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred eleven), entitled "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof, as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 508, entitled:

An Act to validate certain municipal assessments, municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings for the collection of such assessments and claims.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1163, entitled:

An Act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1080, entitled:

An Act to make reinstatements in the civil service of persons honorably released from the active military or naval service of the United States after service in any of the wars in which the United States has been engaged.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 978, entitled:

An Act to amend section one hundred and ninety-six as amended, section one hundred and ninety-seven as amended, section one hundred and ninety-eight, section four hundred and twenty-seven, section four hundred and thirty-four as amended, and section one thousand and forty of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1337, entitled:

An Act providing a method for deciding a tie vote in borough councils.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 531, entitled:

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class, for the establishment of lines and grades for, and the grading, paving or repaving of said alleys, and the grading of private alleys hereafter laid out, and for apportioning the cost and for the filing of liens therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 979, entitled:

An Act to amend section two of an act approved the fifth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, three hundred ninety-seven), entitled, "An Act authorizing a State association of township supervisors and township commissioners, and providing for the payment of the expenses thereof by the respective counties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1274, entitled:

A supplement to an act approved the tenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, four hundred seventy-one), entitled "An Act providing a system of management and control of the jail or county prison in each county of the fifth class; providing for warden; defining his powers and duties; providing for other employes and salaries; and describing the duties and powers of the county commissioners and the sheriff in connection therewith," authorizing the county commissioners of said counties to use or to contract with townships, boroughs

and cities for the use by them of prison labor in the construction, maintenance and repair of roads, streets, highways, bridges and culverts and to prepare, furnish and transport material for the same, and to require male prisoners to perform labor for said purposes, and providing for the compensation of prisoners performing such labor and the application thereof, limiting the liability of the counties for injuries received by prisoners employed, and providing penalties for escape or attempt to escape by prisoners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1153, entitled:

An Act to relieve life tenants of land from the payment of taxes on the underlying veins of coal which they have no right to operate, and providing that such coal shall be assessed to and the taxes thereon paid by the owner of said veins of coal.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1360, entitled:

An Act to amend section six of the act approved the nineteenth day of June, one thousand nine hundred and eleven, (P. L. 1055), entitled "An Act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1259, entitled:

An Act providing that certain elections to take under or against the will of decedents heretofore required to be filed by surviving husbands or wives shall be presumed to have been made to take under said will.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 333, entitled:

An Act authorizing the State Highway Department, the Public Service Commission, counties, cities, boroughs, townships and railroad and railway corporations to purchase or condemn by the right of eminent domain free and unobstructed view over and across lands at certain highway, railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of said highways, railroads and highways; and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1305, entitled:

An Act to confer upon the courts of Quarter Sessions of the several counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds, which have or shall become unsightly and unsuitable places for interment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 486, entitled:

An Act to amend section two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one, (P. L. 908) entitled, "An Act regulating the closing of public highways, and providing for the locating, marking, and maintenance of detours necessitated by such closing;" and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1078, entitled:

An Act to amend section twelve of the act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled, "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom, and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith;" providing for rehearings in cases where licenses have been suspended or revoked and for the reinstatement of licenses in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 603, entitled:

An Act concerning declaratory judgments and decrees and to make uniform the law relating thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1074, entitled:

An Act supplemental to an act entitled "An Act to establish a Bureau of Housing for the sanitary inspection and control of tenement boarding and lodging houses; defining its powers and duties and providing certain penalties" approved July twenty-fourth, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand and fifteen) and providing for the protection of the health, safety and welfare of the people of Pennsylvania by establishing regulations for the lighting, ventilation, sanitation, protection, maintenance, erection, alteration, improvement use and occupancy of dwelling and land appurtenant thereto; defining the classes of dwellings affected; establishing administrative procedure and remedies and prescribing penalties for violation thereof and repealing acts inconsistent herewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 896, entitled:

An Act to ascertain and appoint the fees to be received by the clerk of quarter sessions and oyer and terminer of counties of the third and fourth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 881, entitled:

An Act creating the Camp Meade Memorial Commission to select a site and provide for the construction, erection and dedication of a monument or memorial on the site of Camp Meade used during the Spanish-American War; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1165, entitled:

An Act authorizing cities, boroughs, towns and townships to purchase burial plots for certain deceased service men.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1075, entitled:

An Act for the prevention and treatment of mental diseases, mental defect, epilepsy and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, inter-state rendition and deportation of mental patients; providing for the payment by individuals, counties or the Commonwealth of the cost of the admission, care and discharge of mental patients; and imposing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1144, (Senate Bill No. 293), entitled:

An Act to amend section six of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties".

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 860, (Senate Bill No. 16), entitled:

An Act to amend Clause five of Section three of an Act entitled "An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" Approved the thirteenth day of May Anno Domini one thousand nine hundred and nine (Pamphlet Laws five hundred and twenty).

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 893, (Senate Bill No. 362), entitled:

An Act regulating the practice of law in Courts not of record.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1140, (Senate Bill No. 130), entitled:

An Act to amend section one of the act approved the seventeenth day of May, one thousand nine hundred and nineteen (Pamphlet Laws, two hundred and eight), entitled "An Act prohibiting under certain conditions the commutation, encumbrances or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" by extending the name to the proceeds and income from policies issued by both domestic and foreign companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 890, (Senate Bill No. 240), entitled:

An Act to amend section six of an act approved the twentieth day of June, one thousand nine hundred and seventeen (Pamphlet Laws, six hundred and eighteen), entitled "An Act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation" as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1003, entitled:

An Act establishing the office of fire mashal in all counties of the second class; defining his powers and duties; providing for his compensation and the maintenance of his office; giving courts the power to punish witnesses for contempt of his authority and to review his order and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE.

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 729, as follows:

An Act to amend sections one thousand one one thousand two one thousand three and one thousand four Article ten of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for imprisonment for default in payment of fines and costs

in case of neglect of duty by fire warden refusing to aid a fire warden hindering a forest protection officer in his duties or non-abatement of a nuisance caused by maintaining a special forest fire hazard

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand and one of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" is hereby amended to read as follows

Section 1001 Penalty for Neglect of Duty—If a fire warden shall fail to perform his duty or shall render a false or fraudulent statement or service alleged to have been performed or shall fail to pay promptly the respective amounts due those who have rendered service after said amounts have been transmitted to him he shall be guilty of a misdemeanor and upon conviction thereof shall be fined a sum not exceeding five hundred dollars or undergo imprisonment not exceeding six months or both at the discretion of the court

Section 2 That section one thousand and two of said act is hereby amended to read as follows

Section 1002 Penalty for Refusing to Aid a Fire Warden—If any fire warden being in need of assistance in the suppression of fire shall call upon any person to render assistance and such person shall refuse without a just and fair excuse he shall upon conviction in a summary proceeding before any magistrate alderman or justice of the peace be sentenced to pay a fine not exceeding one hundred dollars and in default of the payment of such fine and costs be imprisoned in the county jail one day for each dollar of fine and costs unpaid not however exceeding thirty days

Section 3 That section one thousand and three of said act is hereby amended to read as follows

Section 1003 Penalty for Hindering an Officer in His Duties—A person who shall prevent or obstruct or attempt to prevent or obstruct a fire warden or ex officio fire warden in the performance of a duty required by this act or the exercise of the rights of entry access or examination by any warden or officer of this bureau shall upon conviction in a summary proceeding before any magistrate alderman or justice of the peace be sentenced to pay a fine not exceeding one hundred dollars and in default of the payment of such fine and costs be imprisoned in the county jail one day for each dollar of fine and costs unpaid not however exceeding thirty days

Section 4 That section one thousand and four of said act is hereby amended to read as follows

Section 1004 Penalty for Non-Abatement or Removal of Nuisance—Every person or corporation refusing to comply with an order of the chief forest fire warden for the abatement of a nuisance under this act shall upon conviction in a summary proceeding before any magistrate alderman or justice of the peace be sentenced to pay a fine not exceeding one hundred dollars and in default of the payment of such fine and costs be imprisoned in the county jail one day for each dollar of fine and costs unpaid In construing or enforcing the provisions respecting the abatement of nuisances under this act the neglect or refusal of any officer agent or other person acting for or employed by a corporation and having within the scope of his employment the supervision of the property complained about shall in every case be deemed to be the neglect or refusal of the corporation itself

Every day's continuance in the non-abatement of a nuisance after an order by the chief forest fire warden to abate the same shall be a separate and distinct offense

If a preliminary injunction be granted or any interlocutory order of supersedeas intervene no penalty shall be incurred on account of non-abatement of such nuisance for the period of time such injuncticon or supersedeas is in force

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Albert,	Earley,	Kohler,	Raymond,
Alexander,	Edmonds,	Kunkle,	Richards,
Allman,	Evans, B. P.,	Lafferty,	Rinn,
Anderson,	Flinchbaugh,	Lauver,	Rippman,
Armstrong,	Fowler, A. I.,	Little,	Sample,
Arthur,	Fowler, D.,	Long,	Sautter,
Aston,	Frazier,	Lucas,	Schaeffer,
Baker,	Gelder,	Ludlow,	Schoener,
Baldi,	Gibbon,	Lynch,	Schwartz,
Beaver,	Gilchrist,	Marcus, J. C.,	Shambach,
Bell, F. A.,	Goehring,	McCaig,	Smith, G. A.,
Bentley,	Golder,	McCann,	Smith, H. J.,
Betts,	Goss,	McClure,	Smith, H.,
Bidelspacher,	Greeby,	McCurdy,	Smith, J. W.,
Blair,	Griffith,	McDaniel,	Speiser,
Bluett,	Gundy,	McDermott,	Sprowls,
Blumberg,	Haas,	McGowan,	Stark,
Brenneman,	Haines,	Metcalf,	Thomas, L. D.,
Brewster,	Hall,	Minehart,	Van Alen,
Bromley,	Harter,	Moffat,	Vickerman,
Brown,	Haslett,	Moore,	Weamer,
Burns,	Heffernan,	Morrison,	Wells,
Bush,	Heffran,	Munley,	Wettach,
Clutton,	Henderson,	Myers, G. C.,	Wheeler,
Coldsmith,	Hetrick,	Myers, P. M.,	Whitehouse,
Colville,	Hines,	Nolte,	Whiteman,
Conner,	Hontz,	Ogle,	Williams, G. W.
Coyne,	Horne,	Orr,	Williams, J. M.,
Craig,	Huber,	Parkinson,	Woner,
de Young,	Irvin,	Patterson,	Wood, N.,
Dietz,	Johnson,	Peelor,	Wood, W. P.,
Donahue,	Jones, D. J.,	Perry,	Wright,
Driggs,	Jones, E. P.,	Pitts,	Zook,
Drinkhouse,	Keene,	Posey,	Goodnough,
Eaches,	Kennedy,	Price,	Speaker.

NAYS—3.

Miller,	Sheridan,	Stavitski,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY THE SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 118.

An Act providing that the county controller shall be made a party defendant in all suits against any county

SENATE BILL No. 194.

A Supplement to an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" providing a procedure to incur or to increase indebtedness where the existing indebtedness is less than two per centum but the amount to be incurred exceeds two per centum of the assessed value of the taxable property and providing that this act shall apply to pending proceedings

SENATE BILL No. 199.

An Act to exempt certain real estate of certain organizations of war veterans from taxation

SENATE BILL No. 235.

An Act relative to the burial of the bodies of deceased widows of soldiers sailors and marines at county expense

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 332.

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 37.

A Joint Resolution proposing an amendment to article nine of section four of the Constitution of the Commonwealth of Pennsylvania

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 26.

An Act to amend section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" providing for the sale of the real and personal property of a decedent without known heirs kindred or surviving spouse and the payment of the net proceeds of such sale into the State Treasury

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows, viz:

HOUSE BILL No. 57.

An Act authorizing boroughs to appropriate moneys or to levy and collect with the assent of electors a special tax for the purpose of purchasing fire engines and fire apparatus and to assist existing fire companies in the purchase of fire engines and fire apparatus

HOUSE BILL No. 186.

An Act authorizing county commissioners to purchase road machinery and to rent the same to the townships of such county

HOUSE BILL No. 425.

An Act to amend an act, approved the ninth day of April, one thousand nine hundred and thirteen, (Pamphlet Laws forty-six), entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department."

HOUSE BILL No. 259.

An Act relating to the drainage of wet and spouty lands by providing for the construction of surface or under drains over lands owned by others

HOUSE BILL No. 452.

An Act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effects of the decree thereon

HOUSE BILL No. 523.

An Act to further amend section five of the act approved the thirty-first day of March one thousand eight hundred and seventy-six (Pamphlet Laws thirteen) entitled "An Act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" as amended

HOUSE BILL No. 594.

An Act authorizing the county commissioners to appropriate county moneys to incorporated agricultural and horticultural societies and assocations

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL NO. 365.

An Act to amend section one of the act approved the fifteenth day of March, 1911 (P. L. 20) entitled "An Act regulating the criminal trials, the cross-examination of a defendant when testifying in his own behalf by prohibiting the introduction as evidence of certain testimony or records.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 13, by inserting after the word "reputation" the following: "nor shall the Commonwealth be permitted to affirmatively introduce into evidence any such testimony or any record."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Albert,	Flinchbaugh,	Kohler,	Rippman,
Alexander,	Flynn,	Kunkle,	Sarig,
Allman,	Fowler, D.,	Labar,	Sautter,

Anderson,	Gallaher,	Lauver,	Schaeffer,
Armstrong,	Gibbon,	Little,	Schilling,
Arthur,	Glasgow,	Long,	Schoener,
Aston,	Goehring,	Ludlow,	Shambach,
Baker,	Gorham,	Mack,	Sheridan,
Beaver,	Goss,	MacKinney,	Smith, G. A.,
Behney,	Greeby,	Malie,	Smith, H.,
Bell, F. A.,	Griffith,	Mangan,	Smith, J. W.,
Bentley,	Grimes,	Marcus, J.,	Soffel,
Berger,	Guerin,	Marshall, W. F.	Sowers,
Betts,	Gundy,	McCaig,	Spangler,
Bidelspacher,	Haas,	McCann,	Speiser,
Bluett,	Hall,	McCurdy,	Sprowls,
Blumberg,	Harer,	McDermott,	Stark,
Brenneman,	Haslett,	McKim,	Stavitski,
Brewster,	Haws,	McVicar,	Steedle,
Bromley,	Heffernan,	Miller,	Sterling,
Brown,	Heffran,	Minehart,	Stevens, A. F.,
Burchinal,	Hetrick,	Moffat,	Stoner,
Burns,	Heyburn,	Morrison,	Storb,
Bush,	Himes,	Myers, G. C.,	Thomas, L. D.,
Coldsmith,	Holcombe,	Myers, P. M.,	Van Alen,
Colville,	Hollis,	Nolte,	Weamer,
Conner,	Hontz,	O'Boyle,	Wettach,
Coyne,	Hoover,	Ogle,	Wheeler,
Craig,	Horne,	Orr,	Whitehouse,
de Young,	Huber,	Patterson,	Whiteman,
Donahue,	Irvin,	Peelor,	Williams, G. W.,
Driggs,	Johnson,	Pitts,	Williams, J. M.,
Drinkhouse,	Jones, C. B.,	Posey,	Wood, N.,
Earley,	Jones, D. J.,	Post,	Wood, W. P.,
Edmonds,	Jones, E. P.,	Price,	Wright,
Eshelman,	Keene,	Rhodes,	Zook,
Evans, B. P.,	Kelly,	Richards,	Goodnough,
Evans, J.,	Kennedy,	Rinn,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL NO. 423.

An Act authorizing boards of County Commissioners to cooperate with the Department of agriculture and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious diseases of livestock and poultry and dangerous plant diseases and insect pests.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 2, by striking out, after the word "with," the following: "the Bureau of Animal Industry of."

Amend title, page 1, line 6, by inserting after the word "poultry," the following: "and dangerous plant diseases and insect pests."

Amend section 1, page 1, line 7, by inserting after the word "poultry," the following: "and dangerous plant diseases and insect pests."

Amend section 1, page 1, line 8, by striking out, after the word "Pennsylvania," the following: "through the Bureau of Animal Industry."

Amend section 2, page 1, line 12, by striking out, after the word "Pennsylvania," the following: "Bureau of Animal Industry," and inserting in lieu thereof "Department of Agriculture."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albert,	Gilchrist,	Lucas,	Sautter,
Armstrong,	Glasgow,	Ludlow,	Schaeffer,
Arthur,	Goehring,	Lynch,	Schoener,
Baldi,	Golder,	Mack,	Schwartz,
Beaver,	Gorham,	MacKinney,	Shambach,
Behney,	Goss,	Mangan,	Smith, G. A.,
Bell, F. A.,	Greeby,	Marcus, J. C.,	Smith, H. J.,
Bentley,	Griffith,	Marshall, J. G.,	Smith, H.,
Betts,	Grimes,	Marshall, W. F.	Soffel,
Bidelspacher,	Guerin,	McBride,	Sowers,
Blair,	Gundy,	McCaig,	Spangler,
Bluett,	Haas,	McCann,	Speiser,
Boback,	Haines,	McClure,	Sprowls,
Brenneman,	Hall,	McCurdy,	Staudenmeier,
Brewster,	Harer,	McDaniel,	Stavitski,
Bromley,	Harter,	McDermott,	Steedle,
Brown,	Haws,	McGowan,	Sterling,
Brownmiller,	Heffernan,	McVicar,	Stofflet,
Bush,	Heffran,	Metcalf,	Stoner,
Chaplin,	Henderson,	Millar,	Storb,
Clutton,	Hetrick,	Miller,	Storer,
Coldsmith,	Heyburn,	Minehart,	Thomas, L. D.,
Colville,	Himes,	Moffat,	Thomas, M. G.,
Conner,	Hollis,	Moore,	Thompson,
Craig,	Hontz,	Morrison,	Van Alen,
de Young,	Hoover,	Munley,	Vickerman,
Diehm,	Horne,	Myers, G. C.,	Wells,
Dietz,	Howell,	Myers, P. M.,	Wettach,
Driggs,	Huber,	Nolte,	Whitehouse,
Drinkhouse,	Irvin,	O'Boyle,	Whiteman,
Eaches,	Johnson,	Ogle,	Williams, G. W.,
Earley,	Jones, C. B.,	Orr,	Williams, J. M.,
Edmonds,	Jones, D. J.,	Parkinson,	Woner,
Evans, B. P.,	Jones, E. P.,	Patterson,	Wood, N.,
Evans, J.,	Kelly,	Peelor,	Wood, W. P.,
Fields,	Kennedy,	Perry,	Wright,
Flinchbaugh,	Kohler,	Pitts,	Zook,
Fowler, A. I.,	Korns,	Price,	Goodnough,
Fowler, D.,	Kunkle,	Raymond,	Speaker.
Frazier,	Labar,	Richards,	
Gelder,	Lafferty,	Rinn,	
Gibbon,	Long,	Sarig,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL NO. 426.

An Act to amend section thirty of an act approved June first one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine."

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 14, by striking out after the word "paid," the words "and any judgment recovered thereon."

Amend section 1, page 2, line 17, by inserting after the word "Treasurer," the following: "and any judgment recovered thereon except where appeals have been taken as aforesaid."

Amend section 1, page 3, line 2, by inserting after the word "due," the following: " And provided further that the amendments herein made shall only apply to those cases where the first or original settlements are made after the passage of this act."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Albert,	Evans, J.,	Korns,	Raymond,
Alexander,	Flinchbaugh,	Kunkle,	Rhodes,
Allman,	Fowler, A. I.,	Labar,	Rinn,
Anderson,	Fratt,	Lafferty,	Rippman,
Armstrong,	Gallaher,	Lauver,	Sarig,
Arthur,	Gibbon,	Long,	Schaeffer,
Asbury,	Gilchrist,	Lucas,	Schoener,
Aston,	Glasgow,	Ludlow,	Schwartz,
Baker,	Goehring,	Lynch,	Shambach,
Baldi,	Golder,	Mack,	Sheridan,
Behney,	Gorham,	MacKinney,	Smith, H. J.,
Bell, F. A.,	Greeby,	Mangan,	Smith, H.,
Bentley,	Griffith,	Marcus, J.,	Smith, J. W.,
Berger,	Grimes,	Marcus, J. C.,	Soffel,
Betts,	Guerin,	Marshall, J. G.,	Spangler,
Bidelspacher,	Gundy,	Mathay,	Speiser,
Bluett,	Haas,	McBride,	Staudenmeier,
Blumberg,	Haines,	McCann,	Steedle,
Brenneman,	Harer,	McClure,	Stofflet,
Bromley,	Harter,	McCurdy,	Stoner,
Brown,	Haslett,	McDermott,	Thomas, L. D.,
Brownmiller,	Haws,	McKim,	Thompson,
Burchinal,	Heffernan,	McVicar,	Van Alen,
Burns,	Heffran,	Millar,	Wells,
Bush,	Hetrick,	Minehart,	Wettach,
Clutton,	Heyburn,	Moffat,	Wheeler,
Colville,	Holcombe,	Morrison,	Whitehouse,
Conner,	Hollis,	Munley,	Whiteman,
Craig,	Hoover,	Myers, G. C.,	Williams, J. M.,
de Young,	Horne,	Myers, P. M.,	Woner,
Diehm,	Howell,	Nolte,	Wood, N.,
Dietz,	Huber,	O'Boyle,	Wood, W. P.,
Donahue,	Johnson,	Ogle,	Wright,
Driggs,	Jones, C. B.,	Parkinson,	Zook,
Drinkhouse,	Jones, D. J.,	Peelor,	Goodnough,
Eaches,	Jones, E. P.,	Perry,	Speaker.
Edmonds,	Kelly,	Posey,	
Evans, B. P.,	Kennedy,	Post,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL NO. 38.

An Act relating to treasurers in counties of the fifth class providing for their salaries bonds offices and supplies and the compensation of deuties and clerks

HOUSE BILL NO. 51.

An Act providing for the construction of certain bridges on State highways and providing for the apportionment of the cost damages and expenses of construction of such bridges and the maintenance thereof between the State the county and any railroad company or companies whose tracks are crossed by such bridge

HOUSE BILL NO. 219.

A Joint Resolution proposing an amendment to article seventeen section eight of the Constitution of the Commonwealth of Pennsylvania authorizing the granting of free passes or passes at a discount to clergymen

HOUSE BILL NO. 373.

An Act to amend an act approved June fifteenth, one thousand nine hundred and eleven (P. L. 955) entitled "An Act making state taxes unpaid bonus, interest, penalties and all public accounts a first lien upon the franchise and property of corporations, companies, associations, joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof, and repealing section four of the act approved April sixteen one thousand eight hundred and twenty-seven" by providing for the employment of counsel fixing such counsels' commissions and giving such commissions and costs the same priority and liens as such taxes bonus interest penalties and public accounts

HOUSE BILL NO. 470.

An Act to amend sections one and two of the act approved the twenty-third day of June, one thousand nine hundred and seventeen (P. L. 639), entitled "An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the distribution thereof" extending said act to cities of the second class.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECONSIDERATION OF VOTE.

Mr. CONNER. Mr. Speaker, I move that the vote by which House Bill No. 434, file folio 1359, entitled:

An Act to amend section four of an act approved the thirteenth day of May, Anno Domini, one thousand nine hundred and fifteen, entitled, "An Act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violations of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," changing the maximum number of hours in the working day and working week for minors.

was defeated on final passage on Tuesday, March 28th, be reconsidered.

Mr. STERLING. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker announced the "ayes" appeared to have it.

Whereupon, a division was called for, and ninety-one members having voted in the affirmative, and twenty-eight in the negative, the question was determined in the affirmative, and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. LORENZO D. THOMAS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. McKIM. Mr. Speaker, I second the motion.

The motion was agreed to.

MOTION TO PLACE BILL ON THE CALENDAR.

Mr. LUDLOW. Mr. Speaker, I move the House Bill No. 559, file folio 1517, entitled:

An Act regulating the manner in which boroughs and first class townships may secure the services of State Police; providing for their payment and discipline; defining their powers and duties and the authority to which they are subject; providing for the appointment of temporary troopers and officers, and making an appropriation.

which was reported from the Municipal Coroporations Committee, be placed on the calendar notwithstanding the negative recommendation of the committee.

Mr. STORB. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. LUDLOW. Mr. Speaker and members of the House, when this bill was presented to the committeee, through a misapprehension on my part I was not present to present the bill in the light that I think it should be. It was handed to me by the Department of State Police, who have a good many friends and a good many enemies in this House. But at the same time I wanted to have an opportunity to present the bill on its merits, and I therefore ask the courtesy of the House to pass this motion so that the bill may be considered on its merits. If the House thinks it is not a meritorious bill, let it be defeated.

On the question recurring,

Will the House agree to the motion?

The SPEAKER announced the "nays" appeared to have it.

Whereupon, a division was called for, and fifty-five members having voted in the affirmative, and eighty-six in the negative, the question was determined in the negative, and the motion was not agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 638, as follows:

An Act supplementing an act entitled 'A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof' approved the twenty-first day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy)" providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities establishing the procedure upon said appeals authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties and authorizing said appeals to be advanced

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the powers heretofore granted to cities of the second class as provided for in an act enentitled 'A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof' approved the twenty-first day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy)" as amended by an act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and three) entitled "An Act amending an act entitled 'A supplement to an act entitled "An act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof' approved the twenty-first day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy) providing for twenty days' notice to the city planning commission of any proposed amendment or change for an enforcing officer and a board of appeal to review his actions" the Mayor of every city of the second class shall with the approval of the council appoint a board of appeals consisting of three members one of whom shall be a member of the planning commission one of whom shall be designated to serve until the first day of January one thousand nine hundred and twenty-four one until the first day of January one thousand nine hundred and twenty-five and one until the first day of January one thousand nine hundred and twenty-six Their successors shall be appointed on the expiration of their respective terms to serve three years

Section 2 Said board of appeals shall hear determine and decide appeals from and review any order requirement decision or determination made by the administrative official charged by ordinance of any of said cities with the enforcement of any ordinance duly adopted pursuant to the provisions of the act entitled "A Supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the areas of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof" approved June twenty-first one thousand nine hundred and nineteen (Pamphlet Laws five hundred and seventy) and the supplements or amendments thereto they shall also hear and decide all matters referred to them and upon which they are required to pass under any ordinance adopted pursuant to the provisions of said act and its supplements or amendments such decisions may be made by the vote of the majority of said board such appeal shall be taken by any person aggrieved or by the head of any department of said city affected thereby or interested therein every decision of such board shall however be subject to review by appeal the board of appeals may

reverse or affirm wholly or partly or may modify the order requirement decision or determination as in its opinion ought to be made in the premises and to that end shall have all the powers of the officer from whom the appeal is taken where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of such ordinance the board of appeals shall have the power in passing upon appeals to vary or modify any of the regulations or provisions of said ordinance in harmony with their general purpose and intent and in accordance with general or specific rules therein contained so that the spirit of the ordinance shall be observed the public health the public safety and the general welfare secured and substantial justice done

Section 3 Such appeal shall be taken within such time as shall be prescribed by the board of appeals by general rule by filing with the officer from whom the appeal is taken and with the board of appeals a notice of appeal specifying the grounds thereof The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken

Section 4 An appeal shall stay all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of appeals after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life and property in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of appeals or by the court of common pleas on application and notice to the officer from whom the appeal is taken and on due cause shown The board of appeals shall fix a reasonable time for the hearing of the appeal and give notice thereof to the parties and decide the same within a reasonable time Upon the hearing any person may appear in person or by agent or attorney

Section 5 Any person or persons jointly or severally aggrieved by any decision of the board of appeals or the head of any department of said city affected thereby or interested therein may present to the court of common pleas a petition duly verified setting forth that such decision is illegal in whole or in part specifying the ground of the illegality Such petition must be presented to a judge of the common pleas court within thirty days after the filing of the decision in the office of the board

Section 6 Upon presentation of such petition the judge may allow an appeal directed to the board of appeals to review such decision of the board of appeals and shall prescribe therein the time within which a return thereto must be made and served upon the petitioner or his attorney which shall not be less than ten days and may be extended by the court or a judge thereof Such writ shall be returnable to the court of common pleas of the county in which the property affected is situated The allowance of the writ shall not stay proceedings upon the decision appealed from unless the court shall on application and notice to the board and on due cause shown grant a restraining order

Section 7 The board of appeals shall not be required to return the original papers acted upon by it but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ The return must concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and must be verified and shall contain a transcript of the testimony

Section 8 If it shall appear to the court that further testimony is necessary for the proper disposition of the matter it may hear evidence or appoint a Master to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law which shall constitute a part of the proceedings upon which the determination of the court shall be made The court may reserve or affirm wholly or partly or may modify the decision brought up for review

Section 9 Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from

Section 10 All issues in the court of common pleas under this act shall have preference over all other civil actions and proceedings

Section 11 If any provision of the act to which this is a supplement or of this act shall be held by any court to be unconstitutional such judgment shall not affect any other section of either act

Section 12 So much of the act entitled "An Act amending an act entitled 'A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof' approved the twenty-first day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy) providing for twenty days' notice to the city planning commission of any proposed amendment or change for an enforcing officer and a board of appeal to review his actions" approved the eleventh day of May one thousand nine hundred and twenty-one as provides for a board of appeals and all other acts and parts of acts thereof inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,	Fowler, A. I.,	Long,	Sautter,
Alexander,	Fowler, D.,	Lucas,	Schaeffer,
Allman,	Frazier,	Ludlow,	Schoener,
Anderson,	Gallagher,	Mack,	Schwartz,
Armstrong,	Gelder,	MacKinney,	Shambach,
Arthur,	Gibbon,	Malie,	Sheridan,
Aston,	Glasgow,	Mangan,	Smith, G. A.,
Baker,	Goehring,	Marcus, J.,	Smith, H. J.,
Baldi,	Golder,	Marcus, J. C.,	Smith, H.,
Beaver,	Greeby,	Marshall, J. G.,	Smith, J. W.,
Behney,	Griffith,	Marshall, W. F.	Soffel,
Bell, F. A.,	Grimes,	Mathay,	Sowers,
Bell, W. T.,	Guerin,	McBride,	Spangler,
Bentley,	Gundy,	McCaig,	Speiser,
Betts,	Haines,	McCann,	Sprowls,
Bidelspacher,	Hall,	McCurdy,	Stark,
Blair,	Harer,	McDaniel,	Staudenmeier,
Bluett,	Harter,	McGowan,	Stavitski,
Blumberg,	Haslett,	McVicar,	Steedle,
Brenneman,	Heffernan,	Metcalf,	Sterling,
Brewster,	Heffran,	Miller,	Stevens, A. F.,
Bromley,	Henderson,	Minehart,	Stofflet,
Burchinal,	Hetrick,	Moore,	Stoner,
Burns,	Heyburn,	Munley,	Storb,
Bush,	Himes,	Myers, G. C.,	Storer,
Chaplin,	Holcombe,	Myers, P. M.,	Thomas, L. D.,
Coldsmith,	Hollis,	Nolte,	Thomas, M. G.,
Colville,	Hontz,	O'Boyle,	Thompson,
Conner,	Hoover,	Ogle,	Van Alen,
Coyne,	Horne,	Orr,	Vickerman,
Craig,	Howell,	Patterson,	Weamer,
de Young,	Huber,	Peelor,	Wells,
Diehm,	Johnson,	Perry,	Wettach,
Dietz,	Jones, C. B.,	Pitts,	Whitehouse,
Donahue	Jones, D. J.,	Posey,	Whiteman,
Driggs,	Jones, E. P.,	Post,	Williams, G. W.
Drinkhouse,	Keene,	Price,	Williams, J. M.,
Eaches,	Kennedy,	Raymond,	Woner,
Earley,	Korns,	Rhodes,	Wood, W. P.,
Eshelman,	Kunkle,	Rinn,	Wright,
Evans, B. P.,	Labar,	Rippman,	Zook,
Evans, J.,	Lafferty,	Sample,	Goodnough,
Fields,	Lauver,	Sarig,	Speaker.
Flynn,	Little,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 358, as follows:

An Act to amend sections one and eighteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-nine) entitled "An Act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" changing the age limit of persons required to procure licenses and providing for the purchase with surplus moneys of lands and waters and the impounding of waters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-nine) entitled "An Act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the word "persons" as used in this act except where the context otherwise indicates means citizens of the State of Pennsylvania over (twenty-one) sixteen years of age

Section 2 That section eighteen of said act is hereby amended to read as follows

Section 18 All license fees fines and penalties collected under the provisions of this act and paid into the State Treasury shall be kept separate and apart in a fund known as the "Resident Fish License Fund" and an amount not in excess of four hundred thousand dollars ($400,000) in any one year shall be used solely under the direction of the Department of Fisheries for the purpose of the payment of the salaries of the Commissioner of Fisheries clerks stenographers fish wardens traveling expenses counsel fees court expenses and contingent expenses for the propagation and protection distribution of fish the stocking of the waters and the employment of necessary labor and the purchase of material motor vehicles machinery and implements therefor for necessary repairs and improvements to fish hatcheries for field work stream investigations gathering spawn transferring fish and the employment of necessary labor and the purchase of necessary motor vehicles machinery and implements therefor for the purchase of necessary land and water supplies for State fish hatcheries for the purchase and erection of buildings ponds and other extensions incidental to State fish hatcheries for the maintenance and operation of a boat on Lake Erie and the cruiser Anna at Torresdale on the Delaware River and for dredging the approach to the fish hatchery at Erie

Any moneys in said fund at any time in excess of the amount hereinbefore limited shall be used solely under the direction of the Department of Fisheries with the consent of the Governor for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing hunting and forest purposes and said lands and waters so purchased shall be under the supervision direction and control of the Department of Fisheries

All moneys in such separate fund from time to time are hereby specifically appropriated to the Department of Fisheries and may be expended for the the Department of Fisheries and may be expended for the purposes hereinbefore enumerated The Auditor General shall upon requisition from time to time of the Commissioner of Fisheries draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund at the time of making such requisition

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. WELLS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. EACHES. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WELLS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for nformation.

The Clerk then read the amendments as follows:

Amend section 1 page 2 line 20 by underscoring the word "sixteen"

Amend section 2 page 2 line 28 by underscoring the words "not an excess of"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 87, entitled:

An Act making a deficiency appropriation to carry into effect the provisions of an act, approved the twenty-fifth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand one hundred and ninety-five), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations, and regulating the payment thereof."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Albert,	Fowler, D.,	Long,	Rinn,
Alexander,	Fratt,	Lucas,	Rippman,
Allman,	Frazier,	Ludlow,	Sarig,
Anderson,	Gelder,	Lynch,	Sautter,
Armstrong,	Gibbon,	Mack,	Schaeffer,
Arthur,	Gilchrist,	MacKinney,	Schoener,
Asbury,	Glasgow,	Mangan,	Schwartz,
Aston,	Goehring,	Marcus, J. C.,	Shambach,
Baker,	Gorham,	Marshall, J. G.,	Sheridan,
Baldi,	Goss,	Marshall, W. F.,	Smith, G. A.,
Beaver,	Greeby,	Mathay,	Smith, H. J.,
Behney,	Griffith,	McBride,	Smith, H.,
Bell, F. A.,	Grimes,	McCaig,	Smith, I. W.,
Bentley,	Guerin,	McClure,	Sowers,
Berger,	Gundy,	McCurdy,	Spangler,
Betts,	Haas,	McDaniel,	Speiser,
Bidelspacher,	Haines,	McDermott,	Sprowls,
Blair,	Hall,	McGowan,	Stark,

Blumberg,	Harer,	McKim,	Staudenmeier,
Boback,	Harter,	McVicar,	Stavitski,
Brenneman,	Haws,	Metcalf,	Steedle,
Brewster,	Heffran,	Millar,	Sterling,
Bromley,	Heffernan,	Miller,	Stevens, A. F.,
Brownmiller,	Henderson,	Minehart,	Stoffiet,
Burchinal,	Hetrick,	Moffatt,	Storb,
Bush,	Heyburn,	Moore,	Storer,
Chaplin,	Himes,	Morrison,	Thomas, L. D.,
Clutton,	Holcombe,	Munley,	Thomas, M. G.,
Coldsmith,	Hollis,	Myers, G. C.,	Thompson,
Colville,	Horne,	Myers, P. M.,	Van Alen,
Conner,	Howell,	Nolte,	Vickerman,
Coyne,	Huber,	O'Boyle,	Weamer,
Craig,	Irvin,	Ogle,	Wells,
de Young,	Johnson,	Orr,	Wettach,
Diehm,	Jones, C. B.,	Parkinson,	Wheeler,
Driggs,	Jones, D. J.,	Patterson,	Whitehouse,
Eaches,	Jones, E. P.,	Peelor,	Whiteman,
Earley,	Kelly,	Perry,	Williams, G. W.
Edmonds,	Kennedy,	Pitts,	Williams, J. M.
Eshelman,	Kohler,	Posey,	Wood, N.,
Evans, B. P.,	Kunkle,	Post,	Wood, W. P.,
Evans, J.,	Labar,	Price,	Wright,
Fields,	Lauver,	Rhodes,	Zook,
Flinchbaugh,	Little,	Richards,	Goodnough,
Fowler, A. I.,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 501, entitled:

An Act authorizing cities of the third class to appropriate moneys to State park commissions to provide improvements in State parks, and, with the consent of any such commission, to erect, construct, supervise, and maintain in such parks, bathing beaches, recreation centers, playgrounds, playfields, camp sites, boat houses, and boat landings.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Albert,	Fowler, A. I.,	Labar,	Rhodes,
Alexander,	Fowler, D.,	Lafferty,	Richards,
Allman,	Frazier,	Little,	Rippman,
Anderson,	Gallaher,	Long,	Sample,
Armstrong,	Gibbon,	Lucas,	Sautter,
Arthur,	Gilchrist,	Ludlow,	Schaeffer,
Asbury,	Glasgow,	Lynch,	Schoener,
Aston,	Goehring,	Mack,	Schwartz,
Baker,	Golder,	MacKinney,	Shambach,
Baldi,	Gorham,	Mangan,	Sheridan,
Beaver,	Goss,	Marcus, J. C.,	Smith, H. J.,
Behney,	Greeby,	Marshall, W. F.,	Smith, H.,
Bell, F. A.,	Griffith,	Mathay,	Spangler,
Bentley,	Grimes,	McBride,	Speiser,
Berger,	Guerin,	McCaig,	Sprowls,
Betts,	Gundy,	McCann,	Stark,
Bidelspacher,	Haas,	McClure,	Staudenmeier,
Blair,	Haines,	McCurdy,	Stavitski,
Bluett,	Hall,	McDaniel,	Steedle,
Blumberg,	Harer,	McGowan,	Sterling,
Brenneman,	Haslett,	McKim,	Stevens, A. F.,
Brewster,	Haws,	McVicar,	Stevens, A. J.,
Bromley,	Heffernan,	Metcalf,	Stoner,
Brown,	Heffran,	Millar,	Storb,
Brownmiller,	Henderson,	Miller,	Storer,
Burns,	Hetrick,	Minehart,	Thomas, L. D.,
Bush,	Heyburn,	Moffat,	Thomas, M. G.,
Clutton,	Himes,	Moore,	Thompson,
Coldsmith,	Holcombe,	Morrison,	Van Alen,
Colville,	Hollis,	Munley,	Weamer,
Conner,	Hontz,	Myers, G. C.,	Wells,
Coyne,	Hoover,	Myers, P. M.,	Wettach,
Craig,	Horne,	Nolte,	Wheeler,
de Young,	Huber,	O'Boyle,	Whitehouse,
Diehm,	Irvin,	Ogle,	Whiteman,
Donahue	Johnson,	Orr,	Williams, G. W.,
Driggs,	Jones, C. B.,	Parkinson,	Williams, J. M.,
Drinkhouse,	Jones, D. J.,	Peelor,	Woner,
Eaches,	Jones, E. P.,	Perry,	Wood, N.,
Earley,	Keene,	Pitts,	Wood, W. P.,
Eshelman,	Kelly,	Posey,	Wright,
Evans, B. P.,	Kennedy,	Post,	Zook,
Evans, J.,	Korns,	Price,	Goodnough,
Flinchbaugh,	Kunkle,	Raymond,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 774, entitled:

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs township commissioners and township supervisors of townships and requiring boroughs and townships to pay the expenses in connection therewith

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161.

Albert,	Fratt,	Little,	Sarig,
Allman,	Frazier,	Long,	Sautter,
Anderson,	Gelder,	Lucas,	Schaeffer,
Armstrong,	Gibbon,	Ludlow,	Schoener,
Arthur,	Glasgow,	Lynch,	Schwartz,
Asbury,	Goehring,	MacKinney,	Smith, G. A.,
Aston,	Golder,	Mangan,	Smith, H. J.,
Baker,	Goss,	Marcus, J.,	Smith, H.,
Beaver,	Greeby,	Marcus, J. C.,	Smith, J. W.,
Behney,	Griffith,	Marshall, W. F.,	Sowers,
Bell, F. A.,	Grimes,	McBride,	Speiser,
Bentley,	Guerin,	McCaig,	Stark,
Berger,	Gundy,	McCann,	Staudenmeier,
Betts,	Haas,	McClure,	Stavitski,
Bidelspacher,	Haines,	McCurdy,	Steedle,
Blair,	Hall,	McDermott,	Sterling,
Bluett,	Harter,	McGowan,	Stevens, A. F.,
Blumberg,	Haslett,	McVicar,	Stoner,
Brenneman,	Heffernan,	Miller,	Storb,
Brewster,	Heffran,	Minehart,	Storer,
Bromley,	Henderson,	Moffatt,	Thomas, L. D.,
Brown,	Hetrick,	Moore,	Thomas, M. G.,
Brownmiller,	Heyburn,	Morrison,	Thompson,
Burchinal,	Himes,	Munley,	Van Alen,
Burns,	Holcombe,	Myers, G. C.,	Weamer,
Bush,	Hoover,	Myers, P. M.,	Wells,
Chaplin,	Horne,	O'Boyle,	Wettach,
Clutton,	Howell,	Ogle,	Wheeler,
Coldsmith,	Huber,	Orr,	Whitehouse,
Colville,	Irvin,	Parkinson,	Whiteman,
Conner,	Johnson,	Patterson,	Williams, G. W.,
Coyne,	Jones, C. B.,	Peelor,	Williams, J. M.
Craig,	Jones, D. J.,	Perry,	Woner,
de Young,	Jones, E. P.,	Pitts,	Wood, N.,
Diehm,	Kelly,	Posey,	Wood, W. P.,
Donahue,	Kennedy,	Post,	Wright,
Driggs,	Kohler,	Price,	Zook,
Eaches,	Kunkle,	Rhodes,	Goodnough,
Earley,	Labar,	Richards,	Speaker.
Evans, J.,	Lafferty,	Rippman,	
Fowler, A. I.,	Lauver,	Sample,	

NAYS—2.

Evans, B. P., Millar,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

MISS GRIMES IN THE CHAIR.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 852, entitled:

An Act to amend sections four, seven and section nine, as amended, of an act approved the twenty-second day of July, one thousand nine hundred and nineteen, (P. L. 1093), entitled "An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand, a board for the assessment and provision of taxes; providing for the appointment of the members of such board by the county commissioners; fixing their salaries, payable by the county; defining the powers and duties of such board; and regulating the assessment of property and occupations for State and county purposes; authorizing the appointment of subordinate assessors and clerks, defining their duties and providing for their compensation, payable by such counties; imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act, and abolishing the office of ward, borough, and township assessor, in so far as respects the assessment of property and occupations for State and county purposes," by exempting buildings and structures in the course of erection, and providing for the placing of borough and township assessments in public places.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Alexander,	Flinchbaugh,	Kunkle,	Raymond,
Allman,	Fowler, A. I.,	Labar,	Richards,
Armstrong,	Fowler, D.,	Lafferty,	Rinn,
Arthur,	Fratt,	Little,	Sample,
Asbury,	Gelder,	Long,	Sarig,
Aston,	Gibbon,	Lucas,	Sautter,
Baker,	Gilchrist,	Ludlow,	Schaeffer,
Baldi,	Glasgow,	Lynch,	Schoener,
Beaver,	Goehring,	Mack,	Schwartz,
Behney,	Golder,	Malie,	Shambach,
Bell, F. A.,	Gorham,	Marcus, J. C.,	Sheridan,
Bentley,	Goss,	Marshall, W. F.,	Smith, H. J.,
Betts,	Greeby,	Mathay,	Smith, H.,
Bidelspacher,	Griffith,	McBride,	Spangler,
Blair,	Grimes,	McCaig,	Speiser,
Bluett,	Guerin,	McCann,	Sprowls,
Blumberg,	Haas,	McClure,	Stark,
Boback,	Haines,	McCurdy,	Staudenmeier,
Brenneman,	Hall,	McDaniel,	Steedle,
Brewster,	Harer,	McGowan,	Sterling,
Bromley,	Harter,	McKim,	Stevens, A. F.,
Brown,	Haslett,	McVicar,	Stoner,
Brownmiller,	Haws,	Metcalf,	Storb,
Burns,	Heffernan,	Millar,	Storer,
Bush,	Heffran,	Miller,	Thomas, L. D.,
Chaplin,	Henderson,	Minehart,	Thompson,
Clutton,	Hetrick,	Moffatt,	Van Alen,
Coldsmith,	Heyburn,	Moore,	Vickerman,
Colville,	Haines,	Morrison,	Wells,
Conner,	Holcombe,	Munley,	Wettach,
Coyne,	Hontz,	Myers, G. C.,	Whitehouse,
Craig,	Hoover,	Myers, P. M.,	Whiteman,
de Young,	Horne,	Nolte,	Williams, G. W.,
Diehm,	Huber,	O'Boyle,	Williams, J. M.
Dietz,	Irvin,	Ogle,	Woner,
Driggs,	Johnson,	Orr,	Wood, N.,
Drinkhouse,	Jones, C. B.,	Parkinson,	Wood, W. P.,
Eaches,	Jones, D. J.,	Patterson,	Wright,
Earley,	Jones, E. P.,	Peelor,	Zook,
Edmonds,	Keene,	Perry,	Goodnough,
Eshelman,	Kennedy,	Pitts,	Speaker.
Evans, B. P.,	Kohler,	Posey,	
Fields,	Korns,	Price,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 678, entitled:

An Act to amend clause three, section two, article two of chapter seven of the act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312) entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BREWSTER. Madam Speaker, I should like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Lawrence, Mr. David J. Jones, permit himself to be interrogated?

Mr. DAVID J. JONES. I will.

Mr. BREWSTER. Will the gentleman state just what the difference is between the present borough code and this proposed act.

Mr. DAVID J. JONES. This bill is one of the bill originating with the convention of boroughs. It extends justice of the peace powers to a burgess, whereby he may commit to the county jail or the workhouse.

Mr. BREWSTER. Madam Speaker, that is just what I want to know. These powers are conferred upon the chief burgess in any borough. Is that correct?

Mr. DAVID J. JONES. That is correct.

Mr. BREWSTER. I am apposed to this bill Madam Speaker, ladies and gentlemen of the House for the reason that if this bill passes the chief burgess of every small borough in this Commonwealth has the power to commit to the county jail persons who are charged with some offense in their respective borough and the county jails will be crowded full of petty criminals at great cost to the counties. I think it would be a great imposition, especially upon the rural districts and rural counties in this Commonwealth. We have justices of the peace who are constantly committing people to our little county jails. Our jails are full now and if you confer this same power upon the chief burgess of these little boroughs throughout the Commonwealth then our jails will be more than filled and the burden in this Commonwealth would be beyond endureance, and I ask this House to defeat this measure.

Mr. DAVID J. JONES. Madam Speaker and members of the House, This bill came to me from the Convention of Boroughs. I understand that the boroughs are already, to a certain extent, using this measure but are using it without authority. The fact is that certain parties are now being committed to the county jails, if I understand it correctly, and the boroughs are liable for the keeping of these persons. This simply puts into effect, under the law, what is now being used and I do not think it will place any additional hardship on the boroughs to have this act passed. It will merely clarify matters, and I ask for your support.

Mr. BREWSTER. Every borough has already, or should have, a justice of the peace and what is the use of conferring this power upon two officers of a borough. They

can go before the justice of the peace of the respective boroughs and have them committed to the county jails, but here you are conferring powers upon the chief burgess, a man usually without knowledge of the law and who knows nothing else pertaining to conditions in the county jails, when the justice of the peace may have the knowledge. Since we already have the justices of the peace, why confer this power upon the chief burgess? This would be beyond endurance, especially in the smaller towns.

Mr. DAVID J. JONES. May I ask the indulgence of the House on one point? In a number of instances where arrests are made and are tried before the burgess, a fine may be imposed. Now the party arrested may say, "I cannot pay the fine," and then the only recourse is to sue for the fine, being unable to commit the party to the county jail. Under the provisions of this measure they can commit to the county jail instead of going to the expense of suing, but if this bill should pass, they can commit to the county jail.

Mr. SPANGLER. Madam Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Lawrence, Mr. David J. Jones, permit himself to be interrogated.

Mr. DAVID J. JONES. I will.

Mr. SPANGLER. I would like to ask the gentleman from Lawrence what there is to prevent the Borough Council from defining in any criminal ordinance they may pass the penalty for a committed breach of that ordinance?

Mr. DAVID J. JONES. Madam Speaker and members of the House, not being an attorney myself, I do not think I should go into the legal side of this. I can only speak from the layman's side. I have never been a burgess, nor been tried before one, and I cannot go into the details of this.

Mr. SPANGLER. Madam Speaker, and members of the House, I just want to say this, that the phraseology of this bill is very indefinite and very broad. To entrust a petty officer with such broad powers as this bill would seem to confer upon them, without any more definite explanations than we have received her this evening, it seems to me would be passing a law that this legislature should not pass under these circumstances. At the present time when an ordinance is passed by a borough, and that ordinance is a criminal ordinance imposing a penalty that penalty is defined, but to permit a burgess to sentence to an indefinite sentence, such as this bill implies, seems to me to be improper.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—90.

Alexander,	Gelder,	Labar,	Schwartz,
Anderson,	Glasgow,	Little,	Smith, G. A.,
Armstrong,	Goehring,	Long,	Smith, H. J.,
Aston,	Golder,	Ludlow,	Smith, H.,
Baldi,	Goss	Lynch,	Speiser,
Beaver,	Grimes,	MacKinney,	Stark,
Behney,	Haas,	Marcus, J. C.,	Sterling,
Bell, F. A.,	Haines,	Mathay,	Stoner,
Bell, W. T.,	Hall,	McClure,	Storb,
Bentley,	Harer,	McKim,	Thomas, L. D.,
Betts,	Haslett,	McVicar,	Thomas, M. G.,
Blair,	Heffernan,	Moffat,	Thompson,
Bromley,	Heffran,	Moore,	Vickerman,
Burchinal,	Henderson,	Myers, G. C.,	Weamer,
Burns,	Himes,	Orr,	Wells,
Clutton,	Holcombe,	Parkinson,	Whitehouse,
Coldsmith,	Horne,	Peelor,	Whiteman,
Craig,	Jones, D. J.,	Pitts,	Williams, G. W.,
de Young,	Jones, E. P.,	Post,	Woner,
Donahue	Keene,	Price,	Wood, N.,
Fratt,	Kelly,	Richards,	Wood, W. P.,
Frazier,	Kennedy,	Sample,	
Gallaher,	Kunkle,	Schaeffer,	

NAYS—81.

Albert,	Eaches,	Irvin,	Posey,
Allman,	Earley,	Johnson,	Rhodes,
Arthur,	Eshelman,	Lauver,	Sarig,
Asbury,	Evans, B. P.,	Lucas,	Sautter,
Baker,	Evans, J.,	Mangan,	Schilling,
Berger,	Flynn,	Marcus, J.,	Schoener,
Bluett,	Fowler, A. I.,	Marshall, J. G.,	Sheridan,
Blumberg,	Fowler, D.,	Marshall, W. F.	Sowers,
Brenneman,	Gibbon,	McCann,	Spangler,
Brewster,	Gilchrist,	McCurdy,	Staudenmeier,
Brown,	Gorham,	McDaniel,	Stavitski,
Brownmiller,	Greeby,	McDermott,	Steedle,
Bush,	Harter,	Metcalf,	Stevens, A. F.,
Chaplin,	Haws,	Millar,	Storer,
Colville,	Hetrick,	Miller,	Wettach,
Conner,	Heyburn,	Minehart,	Wheeler,
Diehm,	Hollis,	Munley,	Williams, J. M.,
Dietz,	Hontz,	Nolte,	Wright,
Driggs,	Hoover,	Ogle,	Zook,
Drinkhouse,	Howell,	Perry,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 740, entitled:

An Act to amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

On the question,

Will the House agree to the bill on third reading?

Mr. STONER. Mr. Speaker and members of the House, it seems to me that this bill is most unwise, in that it seeks to pass on to citizens of the townships powers which it seems to me should be exercised only by the constituted authorities, being the township commissioners. It would seem that it would permit any citizen to take an appeal in a case where damages have been awarded to one who is an abbutting property owner and would be introducing confusion into such proceedings. It does not seem to make for good, as all laws should. Again it would seem that such an apepal would be taken at the expense of the township, and counsel would have to be furnished at the expense of the township. It does not seem to me that the bill is wise, and I desire to call your attention to it.

BILL POSTPONED.

Mr. HALL. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 663, entitled:

An Act to amend sections five and six of an act approved the sixteenth day of May, one thousand nine hundred and nineteen, (P. L. 193), entitled " An Act to provide for the licensing and regulation of public dance halls and ball rooms, and for the regulation, supervision of public dances and balls in cities of the first, second and third class;" by making it the duty of the Mayor to investigate the character of applicants for dance hall and ball room licenses; and providing that no such license shall issue to any person of immoral character or who is an unfit person to hold such license, or who has been convicted of any crime.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. MILLAR. Mr. Speaker, in the absence of the sponsor of the bill, I move that further consideration be postponed for the present.

Mr. STERLING. Mr. Speaker, I second the motion.

The motion was agreed to.

SPEAKER GOODNOUGH IN THE CHAIR.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 789, entitled:

An Act making a deficiency appropriation to the Pennsylvania Industrial Reformatory at Huntingdon Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Albert,	Fratt,	Long,	Sample,
Alexander,	Frazier,	Lucas,	Sautter,
Armstrong,	Gallaher,	Ludlow,	Schaeffer,
Arthur,	Gibbon,	Lynch,	Schilling,
Asbury,	Gilchrist,	Mack,	Schwartz,
Aston,	Glasgow,	MacKinney,	Shambach,
Baker,	Goehring,	Mangan,	Smith, G. A.,
Baldi,	Golder,	Marcus, J. C.,	Smith, H. J.,
Beaver,	Gorham,	Marshall, J. G.,	Smith, H.,
Behney,	Goss,	Marshall, W. F.	Smith, J. W.,
Bell, F. A.,	Greeby,	Mathay,	Sowers,
Bentley,	Griffith,	McBride,	Spangler,
Berger,	Grimes,	McCaig,	Speiser,
Betts,	Guerin,	McCann,	Sprowls,
Bidelspacher,	Gundy,	McClure,	Stark,
Blair,	Haas,	McCurdy,	Staudenmeier,
Bluett,	Haines,	McDaniel,	Stavitski,
Blumberg,	Hall,	McGowan,	Steedle,
Brenneman,	Harer,	McKim,	Sterling,
Brewster,	Harter,	McVicar,	Stevens, A. F.,
Bromley,	Haslett,	Metcalf,	Stevens, A. J.,
Brown,	Haws,	Millar,	Stoner,
Brownmiller,	Heffernan,	Miller,	Storb,
Burns,	Heffran,	Minehart,	Storer,
Bush,	Henderson,	Moffat,	Thomas, L. D.,
Chaplin,	Hetrick,	Moore,	Thomas, M. G.,
Clutton,	Heyburn,	Morrison,	Thompson,
Coldsmith,	Himes,	Munley,	Van Alen,
Colville,	Hollis,	Myers, G. C.,	Vickerman,
Conner,	Hontz,	Myers, P. M.,	Weamer,
Coyne,	Hoover,	Nolte,	Wells,
Craig,	Horne,	O'Boyle,	Wettach,
de Young,	Howell,	Ogle,	Wheeler,
Diehm,	Huber,	Orr,	Whitehouse,
Dietz,	Irvin,	Parkinson,	Whiteman,
Driggs,	Johnson,	Patterson,	Williams, G. W.,
Eaches,	Jones, D. J.,	Perry,	Williams, J. M.,
Earley,	Jones, E. P.,	Pitts,	Woner,
Edmonds,	Kelly,	Posey,	Wood, N.,
Eshelman,	Kennedy,	Price,	Wood, W. P.,
Evans, B. P.,	Kohler,	Raymond,	Wright,
Fields,	Kunkle,	Rhodes,	Zook,
Flinchbaugh,	Lafferty,	Richards,	Goodnough,
Flynn,	Lauver,	Rinn,	Speaker.
Fowler, A. I.,	Little,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 855, entitled:

An Act authorizing the county commissioners and sheriff of any county of the second class to organize a uniformed and mounted county Police

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. STORER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. McKIM. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 700, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for a budget system

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. STEEDLE. Mr. Speaker, in view of the fact of a request from the Attorney General's office, I move that further consideration of this bill be postponed for the present.

Mr. HORNE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 379, as follows:

An Act to amend section twenty and section sixty-six and seventy-one as amended of an act approved the seventh day of June one thousand nine hundred and one (Pamphlet Laws four hundred and ninety-three) entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" providing that when any plumbing or house drainage is not done in the manner provided in said act that the owner occupier or tenant of any building or premises may be restrained by injunction from using the said plumbing in any manner unless the same is changed in accordance with the provisions of this act and providing for the abatement of nuisances and for penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty of an act approved the seventh day of June one thousand nine hundred and one (Pamphlet Laws four hundred and ninety-three) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rates regulating and require-

ments for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" is hereby amended to read as follows

Section 20 All buildings shall be kept provided with proper metallic leaders for conducting water from the roofs in such manner as shall protect the walls and foundations of said buildings from injury in no case shall the water from said leaders be allowed to flow upon the sidewalk but the same shall be conducted by a pipe or pipes to the sewer if there be no sewer in the street upon which such buildings front then the water from said leaders shall be conducted by proper pipe or pipes below the surface of the sidewalk to the street gutter but the provisions of this section shall not authorize or permit the conducting of rain storm or surface waters into any sewer which has been constructed and is maintained for sanitary purposes only

Section 2 That section sixty-six of said act which was amended by an act approved the fourteenth day of May one thousand nine hundred and nine (Pamphlet Laws eight hundred and forty) entitled "An Act amending sections one two eight twenty-one twenty-five twenty-nine thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties or forfeitures for violation thereof 'approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to cities of the third class having a system of water-supply and sewerage of this Commonwealth and providing further rules regulations and requirements for the construction re-construction of plumbing house-drainage and cess-pools and providing penalties and forfeitures for violation thereof" is hereby further amended to read as follows

Section 66 Whenever it shall come to the knowledge of the department or board or bureau of health or complaint in writing shall be made by any citizen that the plumbing or drainage in any building has become a nuisance or is contrary to the provisions and requirements of this act or the ordinances of the city or is of faulty construction and liable to breed disease or endanger the health of the occupants or upon the request of any owner or occupant of any building fitted with plumbing or drainage prior to the passage of this act then the department or board or bureau of health shall direct the proper officer to examine the plumbing or drainage in any such building and the said officer shall make a drawing of the plan of said plumbing drainage and sewer and ventilating shaft connections He shall report his findings in writing to the department or board or bureau of health and suggest such changes as are necessary to make the same conform to the rules governing such matters

The department or board or bureau of health shall thereupon notify the owner or agent of any such building of the changes which are necessary to be made in said plumbing or drainage Said changes shall be made within the time fixed by the department or board or bureau of health and upon refusal or neglect to obey such orders the department or board or bureau of health shall institute legal proceedings in a court of equity to restrain by injunction the use of said plumbing by the owner occupier or tenant of the respective building or premises where said nuisance exists or where the said plumbing has not been made and done in accordance with this act as reported to the council in the manner aforesaid and where a nuisance to provide for the abatement of the same and the said court of equity shall have full power to issue injunctions for the above purpose in accordance with the practice in such cases and the said injunction shall not be dissolved unless and until the plumbing aforesaid has been changed and the work done in such a way or manner that the same substantially conforms with the provisions of this act but the owner or agent of said building may show in defence that the plumbing or drainage was not a nuisance or was not of faulty construction or out of repair and in case of a building constructed subsequent to the passage of this act said plumbing or drainage was not contrary to the provisions and requirements of this act or the ordinance of the city

Section 3 That section seventy-one of said act which was amended by the said act approved the fourteenth day of May one thousand nine hundred and nine (Pamphlet Laws eight hundred and forty) is hereby further amended to read as follows

Section 71 Any person who shall fail to comply with any of the provisions of this act regarding the procuring of a license or certificate to engage in or work at the business of plumbing or house drainage shall be liable to a fine of not less than ten dollars ($10.00) nor exceeding fifty dollars ($50.00) for each and every day he or they shall engage in or work at said business without first having said certificate or license and any person or persons who shall violate any of the rules regulations or requirements set forth in this act regarding the construction reconstruction or testing of plumbing house drainage or cesspools shall be liable for every such offense to a fine of not less than ten dollars ($10.00) nor more than two hundred dollars ($200.00) and costs of suit

All fines and penalties imposed by this act shall be recoverable by summary proceedings before any mayor alderman police magistrate or justice of the peace in said cities and all suits or actions at law instituted for the recovery thereof shall be in the name and for the use of the city within or against which the offense is committed and upon recovery thereof all such fines and penalties shall be paid to the city treasurer thereof In default of the payment of any fine penalty and costs imposed by any mayor alderman police magistrate or justice of the peace under the provisions of this act the persons or persons so offending may be committed to the jail of the proper county or workhouse or other penal institutions for a period not exceeding ninety days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Albert,	Fowler, A. I.,	Lafferty,	Richards,
Alexander,	Fowler, D.,	Lauver,	Rippman,
Allman,	Fratt,	Little,	Sample,
Anderson,	Gallaher,	Long,	Sarig,
Armstrong,	Gelder,	Lucas,	Schaeffer,
Arthur,	Gilchrist,	Ludlow,	Schilling,
Aston,	Glasgow,	Lynch,	Schoener,
Beaver,	Goehring,	MacKinney,	Schwartz,
Behney,	Golder,	Mangan,	Shambach,
Bell, F. A.,	Gorham,	Marcus, J.,	Smith, H. J.,
Bell, W. T.,	Goss,	Marcus, J. C.,	Smith, H.,
Bentley,	Greeby,	Marshall, J. G.,	Smith, J. W.,
Berger,	Griffith,	Mathay,	Spangler,
Betts,	Grimes,	McBride,	Speiser,
Bidelspacher,	Guerin,	McCann,	Stark,
Blair,	Gundy,	McClure,	Staudenmeier,
Bluett,	Haas,	McCurdy,	Steedle,
Blumberg,	Haines,	McDaniel,	Sterling,
Brenneman,	Hall,	McDermott,	Stevens, A. F.,
Brewster,	Harer,	McKim,	Stevens, A. J.,
Bromley,	Harter,	McVicar,	Stoner,
Brown,	Haslett,	Metcalf,	Storb,
Brownmiller,	Haws,	Millar,	Storer,
Burchinal,	Heffernan,	Miller,	Thomas, L. D.,
Bush,	Heffran,	Minehart,	Thomas, M. G.,
Chaplin,	Henderson,	Moffat,	Thompson,
Clutton,	Hetrick,	Moore,	Van Alen,
Coldsmith,	Heyburn,	Morrison,	Vickerman,
Colville,	Himes,	Munley,	Weamer,
Conner,	Hollis,	Myers, G. C.,	Wells,
Craig,	Hontz,	Myers, P. M.,	Wettach,
de Young,	Hoover,	O'Boyle,	Wheeler,
Diehm,	Horne,	Ogle,	Whitehouse,
Dietz,	Howell,	Orr,	Whiteman,
Driggs,	Huber,	Parkinson,	Williams, G. W.,
Drinkhouse,	Johnson,	Patterson,	Williams, J. M.,
Eaches,	Jones, C. B.,	Peelor,	Woner,
Earley,	Jones, D. J.,	Perry,	Wood, N.,
Edmonds,	Keene,	Pitts,	Wood, W. P.,
Eshelman,	Kelly,	Posey,	Wright,
Evans, B. P.,	Kennedy,	Post,	Zook,
Fields,	Kunkle,	Raymond,	Goodnough,
Flynn,	Labar,	Rhodes,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 682, entitled:

An Act to amend the forty-first clause of section two, article one, chapter five, of the act, approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312) entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," as amended.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Alexander,	Fowler, A. I.,	Kunkle,	Sautter,
Allman,	Fowler, D.,	Lafferty,	Schaeffer,
Anderson,	Fratt,	Ludlow,	Schilling,
Armstrong,	Frazier,	Lynch,	Sheridan,
Arthur,	Gallaher,	Marcus, J. C.,	Smith, H.,
Baldi,	Gibbon,	Marshall, W. F.,	Smith, J. W.,
Beaver,	Gilchrist,	McBride,	Soffel,
Behney,	Glasgow,	McCaig,	Spangler,
Bell, F. A.,	Goehring,	McCann,	Speiser,
Bentley,	Golder,	McClure,	Sprowls,
Berger,	Gorham,	McCurdy,	Stark,
Betts,	Goss,	McDaniel,	Staudenmeier,
Blair,	Greeby,	McDermott,	Stavitski,
Bluett,	Griffith,	McGowan,	Steedle,
Boback,	Grimes,	McKim,	Sterling,
Brenneman,	Guerin,	McVicar,	Stevens, A. F.,
Brewster,	Gundy,	Metcalf,	Stoner,
Bromley,	Haas,	Millar,	Storb,
Brown,	Haines,	Miller,	Storer,
Brownmiller,	Hall,	Minehart,	Thomas, L. D.,
Burchinal,	Harter,	Moffatt,	Thomas, M. G.,
Bush,	Haslett,	Moore,	Thompson,
Chaplin,	Heffernan,	Morrison,	Van Alen,
Clutton,	Heffran,	Munley,	Vickerman,
Coldsmith,	Henderson,	Myers, G. C.,	Weamer,
Colville,	Hetrick,	Myers, P. M.,	Wells,
Conner,	Heyburn,	O'Boyle,	Wettach,
Coyne,	Himes,	Ogle,	Wheeler,
Craig,	Holcombe,	Orr,	Whitehouse,
de Young,	Horne,	Parkinson,	Whiteman,
Diehm,	Howell,	Perry,	Williams, G. W.
Dietz,	Huber,	Pitts,	Williams, J. M.
Donahue,	Irvin,	Posey,	Woner,
Driggs,	Johnson,	Post,	Wood, N.,
Eaches,	Jones, C. B.,	Price,	Wood, W. P.,
Earley,	Jones, D. J.,	Raymond,	Wright,
Evans, B. P.,	Keene,	Rhodes,	Zook,
Evans, J.,	Kelly,	Rippman,	Goodnough,
Flinchbaugh,	Kennedy,	Sample,	Speaker.
Flynn,	Korns,	Sarig,	

NAYS—3.

Albert,	Hontz,	Peelor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 750, (Senate Bill No. 131), entitled:

An Act validating certain proceedings and elections of counties cities boroughs townships school districts and other municipalities or incorporated districts had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Albert,	Gallaher,	Lucas,	Rippman,
Allman,	Gelder,	Ludlow,	Sarig,
Anderson,	Gibbon,	Lynch,	Sautter,
Armstrong,	Glasgow,	Mack,	Schaeffer,
Arthur,	Goehring,	MacKinney,	Schilling,
Baker,	Golder,	Marcus, J. C.,	Schwartz,
Baldi,	Gorham,	Marshall, W. F.,	Shambach,
Beaver,	Goss,	Mathay,	Smith, G. A.,
Behney,	Greeby,	McBride,	Smith, H. J.,
Bell, W. T.,	Griffith,	McCaig,	Smith, H.,
Bentley,	Grimes,	McCann,	Sowers,
Berger,	Guerin,	McClure,	Spangler,
Betts,	Gundy,	McCurdy,	Speiser,
Bidelspacher,	Haines,	McDaniel,	Sprowls,
Bluett,	Hall,	McDermott,	Stark,
Blumberg,	Harer,	McGowan,	Staudenmeier,
Brenneman,	Harter,	McVicar,	Stavitski,
Brewster,	Haws,	Metcalf,	Sterling,
Bromley,	Heffernan,	Millar,	Stevens, A. F.,
Brown,	Heffran,	Miller,	Stofflet,
Brownmiller,	Henderson,	Minehart,	Stoner,
Burchinal,	Hetrick,	Moffatt,	Storb,
Burns,	Heyburn,	Moore,	Storer,
Chaplin,	Himes,	Morrison,	Thomas, L. D.,
Clutton,	Holcombe,	Munley,	Thomas, M. G.,
Coldsmith,	Hollis,	Myers, G. C.,	Thompson,
Conner,	Hontz,	Myers, P. M.,	Van Alen,
Craig,	Hoover,	Nolte,	Vickerman,
de Young,	Horne,	O'Boyle,	Weamer,
Diehm,	Huber,	Ogle,	Wells,
Dietz,	Irvin,	Orr,	Wettach,
Driggs,	Johnson,	Parkinson,	Wheeler,
Drinkhouse,	Jones, D. J.,	Patterson,	Whitehouse,
Eaches,	Jones, E. P.,	Peelor,	Whiteman,
Earley,	Keene,	Perry,	Williams, G. W.,
Edmonds,	Kennedy,	Pitts,	Williams, J. M.
Eshelman,	Kohler,	Posey,	Woner,
Evans, B. P.,	Korns,	Price,	Wood, W. P.,
Flinchbaugh,	Kunkle,	Raymond,	Wright,
Flynn,	Lafferty,	Rhodes,	Zook,
Fowler, A. I.,	Lauver,	Richards,	Goodnough,
Fowler, D.,	Little,	Rinn,	Speaker.
Frazier,	Long,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The house proceeded to the third reading and consideration of House Bill No. 170, entitled:

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. VICKERMAN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The house proceeded to the third reading and consideration of House Bill No. 246, entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. VICKERMAN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The house proceeded to the third reading and consideration of House Bill No. 244, as follows:

A Joint Resolution proposing an amendment to section fourteen of article eight of the Constitution of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That section fourteen of article eight of the Constitution of Pennsylvania which reads as follows

"District election boards shall consist of a judge and two inspectors who shall be chosen annually by the citizens Each elector shall have the right to vote for the judge and one inspector and each inspector shall appoint one clerk The first election board for any new district shall be selected and vacancies in election boards filled as shall be provided by law Election officers shall be privileged from arrest upon days of election and while engaged in making up and transmitting returns except upon warrant of a court of record or judge thereof for an election fraud or felony or for wanton breach of the peace In cities they may claim exemption from jury duty during their term of service" is hereby amended to read as follows

Election officers shall be privileged from arrest upon days of election and while engaged in making up and transmitting returns except upon warrant of a court of record or judge thereof for an election fraud or felony or for wanton breach of the peace In cities they may claim exemption from jury duty during their term of service provided however that this amendment shall take effect only in so far as statutes shall be duly passed and approved in exercise of the power conferred upon the Legislature by this amendment

BILLS ON THIRD READING.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. VICKERMAN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The house proceeded to the third reading and consideration of House Bill No. 245, as follows:

A Joint Resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That section one article eight of the Constitution of Pennsylvania which reads as follows

"Every male citizen twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections subject however to such laws requiring and regulating the registration of electors as the General Assembly may enact

First He shall have been a citizen of the United States at least one month

Second He shall have resided in the State one year (or having previously been a qualified elector or native-born citizen of the State he shall have removed therefrom and returned then six months) immediately preceding the election

Third He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election

Fourth If twenty-two years of age and upwards he shall have paid within two years a State or county tax which shall have been assessed at least two months and paid at least one month before the election"

is hereby amended to read as follows

Every citizen twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections subject however to such laws requiring and regulating the registration of electors as the General Assembly may enact

First He shall have been a citizen of the United States at least one month

Second He shall have resided in the state one year (or having previously been a qualified elector or native-born citizen of the State he shall have removed therefrom and returned then six months) immediately preceding the election

Third He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. VICKERMAN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 243, entitled:

A Joint Resolution proposing an amendment to section sixteen of article eight of the Constitution of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. VICKERMAN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 728, entitled:

An Act to amend Article X of the act approved the third day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred ninety-seven), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," adding thereto a section, to be section one thousand nine, providing

a penalty for interfering with notices posted by the Department.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Alexander,	Fratt,	Lauver,	Rinn,
Allman,	Frazier,	Little,	Rippman,
Anderson,	Gallaher,	Long,	Sample,
Armstrong,	Gibbon,	Lucas,	Sautter,
Arthur,	Gilchrist,	Ludlow,	Schaeffer,
Aston,	Glasgow,	Lynch,	Schilling,
Baker,	Goehring,	MacKinney,	Schwartz,
Beaver,	Golder,	Mangan,	Shambach,
Behney,	Gorham,	Marcus, J. C.,	Sheridan,
Bell, F. A.,	Goss,	Marshall, J. G.,	Smith, G. A.,
Bentley,	Greeby,	Marshall, W. F.,	Smith, H. J.,
Berger,	Griffith,	McBride,	Smith, H.,
Betts,	Grimes,	McCaig,	Soffel,
Bidelspacher,	Guerin,	McCann,	Sowers,
Bluett,	Haas,	McClure,	Spangler,
Blumberg,	Haines,	McCurdy,	Speiser,
Boback,	Hall,	McDaniel,	Stavitski,
Brenneman,	Harer,	McDermott,	Steedle,
Brewster,	Harter,	McVicar,	Sterling,
Bromley,	Haslett,	Metcalf,	Stevens, A. F.,
Brown,	Haws,	Millar,	Stofflet,
Brownmiller,	Heffernan,	Miller,	Stoner,
Burchinal,	Heffran,	Minehart,	Storb,
Burns,	Henderson,	Moffatt,	Storer,
Bush,	Hetrick,	Moore,	Thomas, M. G.,
Chaplin,	Heyburn,	Morrison,	Thompson,
Clutton,	Holcombe,	Munley,	Van Alen,
Coldsmith,	Hollis,	Myers, G. C.,	Vickerman,
Colville,	Hontz,	Myers, P. M.,	Weamer,
Conner,	Hoover,	Nolte,	Wells,
Coyne,	Horne,	O'Boyle,	Wettach,
Craig,	Howell,	Ogle,	Wheeler,
de Young,	Huber,	Orr,	Whitehouse,
Diehm,	Irvin,	Parkinson,	Whiteman,
Driggs,	Johnson,	Patterson,	Williams, G. W.
Drinkhouse,	Jones, D. J.,	Peelor,	Williams, J. M.,
Eaches,	Jones, E. P.,	Perry,	Woner,
Earley,	Keene,	Pitts,	Wood, N.,
Edmonds,	Kennedy,	Posey,	Wood, W. P.,
Evans, B. P.,	Kohler,	Post,	Wright,
Flinchbaugh,	Kunkle,	Raymond,	Zook,
Flynn,	Labar,	Rhodes,	Goodnough,
Fowler, A. I.,	Lafferty,	Richards,	Speaker.
Fowler, D.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 721, entitled:

An Act to amend section one hundred and two, clause (j), Article I, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing for co-operation with and receipts of contributions from persons, firms, corporations or associations for forest protection.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albert,	Fowler, A. I.,	Lauver,	Rippman,
Alexander,	Fowler, D.,	Long,	Sarig,
Allman,	Frazier,	Lucas,	Sautter,
Anderson,	Gallaher,	Ludlow,	Schaeffer,
Armstrong,	Gelder,	Lynch,	Schoener,
Arthur,	Gilchrist,	MacKinney,	Schwartz,
Aston,	Glasgow,	Mangan,	Shambach,
Baker,	Goehring,	Marcus, J. C.,	Sheridan,
Beaver,	Golder,	Marshall, W. F.,	Smith, G. A.,
Behney,	Gorham,	Mathay,	Smith, H. J.,
Bell, F. A.,	Goss,	McBride,	Smith, H.,
Bentley,	Greeby,	McCaig,	Soffel,
Berger,	Griffith,	McCann,	Sowers,
Betts,	Grimes,	McClure,	Spangler,
Bidelspacher,	Guerin,	McCurdy,	Speiser,
Blair,	Haas,	McDaniel,	Stark,
Bluett,	Haines,	McGowan,	Staudenmeier,
Boback,	Hall,	McKim,	Stavitski,
Brenneman,	Harer,	McVicar,	Steedle,
Brewster,	Haslett,	Metcalf,	Sterling,
Bromley,	Haws,	Millar,	Stevens, A. F.,
Brown,	Heffernan,	Miller,	Stofflet,
Brownmiller,	Heffran,	Minehart,	Storb,
Burchinal,	Henderson,	Moffatt,	Storer,
Burns,	Hetrick,	Moore,	Thomas, L. D.,
Bush,	Heyburn,	Morrison,	Thomas, M. G.,
Chaplin,	Himes,	Munley,	Thompson,
Clutton,	Holcombe,	Myers, G. C.,	Van Alen,
Coldsmith,	Hollis,	Myers, P. M.,	Vickerman,
Colville,	Hontz,	Nolte,	Weamer,
Conner,	Hoover,	O'Boyle,	Wells,
Craig,	Horne,	Ogle,	Wettach,
de Young,	Huber,	Orr,	Wheeler,
Diehm,	Irvin,	Parkinson,	Whitehouse,
Dietz,	Johnson,	Patterson,	Whiteman,
Driggs,	Jones, D. J.,	Peelor,	Williams, G. W.,
Eaches,	Jones, E. P.,	Perry,	Williams, J. M.,
Earley,	Kelly,	Pitts,	Woner,
Edmonds,	Kennedy,	Post,	Wood, N.,
Eshelman,	Korns,	Price,	Wood, W. P.,
Evans, J.,	Kunkle,	Raymond,	Wright,
Flinchbaugh,	Labar,	Rhodes,	Zook,
Flynn,	Lafferty,	Richards,	Goodnough,
		Rinn,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 727, entitled:

An Act to amend Article X of the act approved the third day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred ninety-seven), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special or local, or any parts thereof, that may be inconsistent with or supplied by this act," by adding thereto section one thousand and eight; regulating civil actions by and on behalf of persons and the Commonwealth suffering damage from forest fires; and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Albert,	Fowler, D.,	Lucas,	Rippman,
Alexander,	Fratt,	Ludlow,	Sarig,
Allman,	Frazier,	Lynch,	Sautter,

Anderson,	Gelder,	MacKinney,	Schaeffer,
Armstrong,	Gibbon,	Mangan,	Schilling,
Arthur,	Gilchrist,	Marcus, J.,	Schoener,
Asbury,	Glasgow,	Marshall, J. G.,	Schwartz,
Baker,	Goehring,	Marshall, W. F.	Shambach,
Baldi,	Golder,	Mathay,	Sheridan,
Beaver,	Gorham,	McBride,	Smith, H. J.,
Behney,	Goss,	McCaig,	Smith, H.,
Bell, F. A.,	Greeby,	McCann,	Soffel,
Bentley,	Griffith,	McClure,	Spangler,
Berger,	Grimes,	McCurdy,	Speiser,
Betts,	Guerin,	McDaniel,	Sprowls,
Bidelspacher,	Haas,	McGowan,	Staudenmeier,
Bluett,	Haines,	McKim,	Stavitski,
Blumberg,	Hall,	McVicar,	Sterling,
Boback,	Harter,	Metcalf,	Stevens, A. F.,
Brenneman,	Haslett,	Millar,	Stoner,
Brewster,	Haws,	Miller,	Storb,
Bromley,	Heffernan,	Minehart,	Storer,
Brown,	Heffran,	Moffat,	Thomas, M. G.,
Brownmiller,	Henderson,	Moore,	Thompson,
Bush,	Hetrick,	Morrison,	Van Alen,
Chaplin,	Heyburn,	Munley,	Vickerman,
Clutton,	Himes,	Myers, G. C.,	Weamer,
Coldsmith,	Hontz,	Myers, P. M.,	Wells,
Colville,	Hoover,	Nolte,	Wettach,
Craig,	Horne,	O'Boyle,	Wheeler,
de Young,	Howell,	Ogle,	Whitehouse,
Diehm,	Huber,	Orr,	Whiteman,
Dietz,	Irvin,	Parkinson,	Williams, G. W.,
Driggs,	Johnson,	Patterson,	Williams, J. M.,
Drinkhouse,	Jones, D. J.,	Peelor,	Woner,
Eaches,	Jones, E. P.,	Perry,	Wood, N.,
Earley,	Kelly,	Pitts,	Wood, W. P.,
Edmonds,	Kennedy,	Post,	Wright,
Eshelman,	Kunkle,	Price,	Zook,
Evans, B. P.,	Labar,	Raymond,	Goodnough,
Flinchbaugh,	Lauver,	Rhodes,	Speaker.
Flynn,	Little,	Richards,	
Fowler, A. I.,	Long,	Rinn,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 274, entitled:

An Act to amend section three of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 831), entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines; prescribing their qualifications, and regulating the salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Albert,	Fowler, A. I.,	Ludlow,	Sarig,
Alexander,	Fowler, D.,	Lynch,	Sautter,
Allman,	Frazier,	MacKinney,	Schaeffer,
Anderson,	Gallaher,	Mangan,	Schilling,
Armstrong,	Gibbon,	Marcus, J.,	Schoener,
Aston,	Gilchrist,	Marcus, J. C.,	Shambach,
Baker,	Glasgow,	Marshall, J. G.,	Smith, G. A.,
Baldi,	Goehring,	Marshall, W. F.,	Smith, H. J.,
Beaver,	Golder,	McBride,	Smith, H.,
Behney,	Goss,	McCaig,	Smith, J. W.,
Bell, F. A.,	Greeby,	McCann,	Spangler,
Bentley,	Griffith,	McClure,	Speiser,
Berger,	Grimes,	McCurdy,	Sprowls,
Betts,	Guerin,	McDaniel,	Stark,
Bidelspacher,	Haas,	McDermott,	Staudenmeier,
Bluett,	Haines,	McKim,	Stavitski,
Blumberg,	Harer,	McVicar,	Sterling,
Brenneman,	Harter,	Metcalf,	Stofflet,
Brewster,	Haws,	Millar,	Stoner,
Bromley,	Heffernan,	Miller,	Storb,
Brown,	Heffran,	Minehart,	Storer,
Brownmiller,	Henderson,	Moffatt,	Thomas, L. D.,
Burns,	Hetrick,	Moore,	Thomas, M. G.,
Bush,	Heyburn,	Morrison,	Thompson,
Chaplin,	Himes,	Munley,	Van Alen,
Clutton,	Holcombe,	Myers, G. C.,	Vickerman,
Coldsmith,	Hontz,	Myers, P. M.,	Wells,
Conner,	Hoover,	Nolte,	Wettach,
Coyne,	Horne,	O'Boyle,	Wheller,
Craig,	Howell,	Ogle,	Whitehouse,
Dichm,	Huber,	Orr,	Whiteman,
Dietz,	Irvin,	Parkinson,	Williams, G. W.,
Donahue	Johnson,	Patterson,	Williams. J. M.,
Driggs,	Keene,	Perry,	Woner,
Eaches,	Kelly,	Pitts,	Wood, N.,
Earley,	Kohler,	Posey,	Wood, W. P.,
Edmonds,	Korns,	Post,	Wright,
Eshelman,	Labar,	Price,	Zook,
Evans, B. P.,	Lafferty,	Rhodes,	Goodnough,
Fields,	Lauver,	Richards,	Speaker.
Flinchbaugh,	Long,	Rinn,	
Flynn,	Lucas,	Rippman,	
		Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 482 (Senate Bill No. 33), entitled:

An Act to amend section seven of the act approved the tenth day of June, 1893, (P. L. 419), entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such election," as amended.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albert,	Gallaher,	Ludlow,	Rinn,
Allman,	Gelder,	Lynch,	Rippman,
Anderson,	Gibbon,	MacKinney,	Sarig,
Armstrong,	Gilchrist,	Malie,	Sautter,
Arthur,	Glasgow,	Mangan,	Schaeffer,
Asbury,	Goehring,	Marcus, J.,	Schilling,
Aston,	Golder,	Marcus, J. C.,	Schoener,
Baker,	Gorham,	Marshall, J. G.,	Schwartz,
Baldi,	Goss,	Marshall, W. F.,	Sheridan,
Beaver,	Greeby,	McBride,	Smith, G. A.,
Behney,	Griffith,	McCaig,	Smith, H. J.,
Bell, F. A.,	Grimes,	McCann,	Smith, H.,
Bentley,	Gundy,	McClure,	Sowers,
Berger,	Haas,	McCurdy,	Spangler,
Betts,	Haines,	McDaniel,	Speiser,
Bidelspacher,	Hall,	McDermott,	Sprowls,
Bluett,	Harter,	McGowan,	Stark,
Blumberg,	Haslett,	McKim,	Staudenmeier,
Brenneman,	Haws,	McVicar,	Stavitski,
Brewster,	Heffernan,	Metcalf,	Sterling,
Bromley,	Heffran,	Millar,	Stofflet,
Brown,	Henderson,	Miller,	Stoner,
Brownmiller,	Hetrick,	Minehart,	Storb,
Burns,	Heyburn,	Moffatt,	Storer,
Bush,	Himes,	Moore,	Thomas, M. G.,
Chaplin,	Hollis,	Morrison,	Thompson,
Clutton,	Hontz,	Munley,	Van Alen,
Coldsmith,	Hoover,	Myers, G. C.,	Vickerman,

Colville,	Horne,	Myers, P. M.,	Weamer,
Coyne,	Howell,	Nolte,	Wells,
Craig,	Huber,	O'Boyle,	Wettach,
de Young,	Irvin,	Ogle,	Wheller,
Dietz,	Johnson,	Orr,	Whitehouse,
Drinkhouse,	Jones, E. P.,	Parkinson,	Whiteman,
Eaches,	Kelly,	Patterson,	Williams, G. W.,
Earley,	Kennedy,	Peelor,	Williams, J. M.,
Edmonds,	Kohler,	Pitts,	Woner,
Evans, B. F.,	Korns,	Posey,	Wood, N.,
Evans, J.,	Kunkle,	Post,	Wood, W. P.,
Flinchbaugh,	Labar,	Price,	Wright,
Flynn,	Lafferty,	Raymond,	Zook,
Fowler, A. I.,	Little,	Rhodes,	Goodnough,
Frazier,	Long,	Richards,	Speaker.
Fowler, D.,	Lucas,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 29, entitled:

An Act proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

Mr. GOSS. Mr. Speaker and members of the House, I again ask the privilege from the floor to call your attention to the bill now up for your consideration.

Since protesting against the reconsideration of this bill last Monday evening after it had been reported to the House with a negative recommendation from the Constitutional Reform Committee my attitude in regard to the same has not changed, as the committee gave considerable consideration to the merits and demerits contained in the measure.

This measure is a constitutional amendment, was introduced for the first time in the session of 1921, and as a consequence has to be passed on at this session in order that it may become effective, providing, of course, it meets with the approval of the members of the House. Then it will be submitted to the people of the Commonwealth for their acceptance or rejection.

According to the interpretation that I place on this measure it is the first step toward the enactment of an income tax.

This measure is couched in language that is misleading and hard to understand. Take, for instance, the income feature of it. It sets about to make a graduation of something that does not exist, and in a sense it is a measure of anticipation, but Mr. Speaker and members of the House, the bill as it is now clothed is very mysterious and not self-explanatory. Why don't the proponents of the bill remove the false face from this measure and reveal to the members of this House its true significance.

The inheritance tax feature is very commendable. With that view in mind and to show the sincerity of those opposing this bill, I respectfully call your attention to House Bill No. 866, which passed last night's session by a vote of 186-0. This will clarify the situation and relieve those under unjust taxation. The opponents of the present bill are acting in good faith and making an honest effort to correct a wrong, while on the other hand the proponents of the measure are seeking to grant relief to the widows and orphans, and in the same sentence in this bill are binding them hand and foot with a possible future taxation.

Then, again, Mr. Speaker and members of the House, I respectfully call your attention to the word progressive in connection with the word graded in this measure.

What this word progressive means in this connection is beyond my comprehension, unless it means the disruption of the present uniform system of taxation in this state. I, for one, question the advisability of disturbing a system, the principles of which have been well understood and defined.

As I said last Monday, I did not think there is any demand at this time for any legislation tending toward an income tax, as all the reputable civic organizations in the State are opposed to this bill, and the same is true of the laboring classes, for they realize that any taxation means an additional burden and in the end the working class pays the taxation while the manufacturers charge the same to overhead expenses.

In conclusion, Mr. Speaker and members of the House the opponents of this measure would not have uttered one word of criticism if the two provisions of this bill had been separated and each one stood or fell after judgment had been passed on them by the members of this House, but as it is now constructed, you are compelled to vote for something you do not want in order to afford relief to the poorer classes in our state. The proponents of this measure, no doubt, ladies and gentlemen of the House, will rise in its defense by stating that the MacKinney bill, No. 866, passed last night, which I referred to a short while ago, will be for the relief of the widows and orphans and the poor class of this state. But I want to impress on your minds at this time that House Bill No. 866 is a straight cut proposition, not clouded in mystery and we knew what we were voting for, but this bill as I said before is clouded in mystery.

In conclusion, ladies and gentlemen of the House, I ask you to vote "no" on this proposition.

Mr. SARIG. Mr. Speaker, ladies and gentlemen of the House, I fail to understand just exactly what the gentleman from Allegheny is afraid of. Is he afraid of the people, is he afraid of the Legislature, is he afraid of himself, or what is he afraid of in this bill?

Now this is only an enabling act, which if adopted by the people, will give the Legislature power to pass graded taxation bills. We understand that all tax measures are unpopular. I received a number of letters and also several telegrams in opposition to this bill, but we all understand that we have to face the music and that we have to find the money one way or another. The principle underlying this graded system of taxation is simply this, we believe, and those of us who believe in this system believe, there is a certain element of sacrifice in all taxation. Now, during the war we said the widow's mite which she used to buy a liberty bond for fifty dollars was just as patriotic as the rich man's twenty-five thousand or fifty thousand dollar purchase of liberty bonds, and we believe the same of taxation. We believe the taxes should be paid by those who can afford to pay them without any heavy sacrifice. Now, we have in the past here in Pennsylvania placed the bulk of the burden back on real estate. In 1920, we collected all told, $234,000,000 in taxes, and of that $57,000,000 were collected by the State and the rest was raised in the local districts, nearly all of it raised upon local real estate. Now, we have a situation at this time in Pennsylvania, especially in the rural districts, where the farmers and the common people are crying out for relief from taxation. Down in my own district, in Berks County, if you take the Kutztown pike between Reading and Allentown, you will find forty-seven farms within a mile of each side of the road that have no tenants for this coming summer. It is almost impossible for farm owners

to keep tenants, because the taxes run something like $250, $300 and in some cases, up to $350 on a farm. Now, that takes practically every bushel of wheat that the farmer raises to pay his taxes, and all the other income that he has practically comes from his milk. Outside of that he has very little to sell.

Now, here is a proposed system of taxation by which the class of people who are making large amounts of money, who are getting out of society a great deal, would be compelled to make a large contribution towards keeping up the government of the State. Talk about patriotsim! What is a patriot? A patriot is a man who gives more to society than he takes out of it. We all look up to the soldier boy as the highest type of patriot, because he gives to society his all, if need be, his life; and I believe that in the case of taxation, the man with the large income, the man who can pay these taxes without sacrifice and without a burden to themselves should pay the heavier or the larger share of this taxation; he should bear his just share of the burden. We have a number of people in fact every letter and every telegram I have received comes from the class that can well afford to pay. I have not received one letter from the laboring man, or the farmer, or the small business man against this graded taxation. Every letter and telegram which I have received has come from that particular class which can well afford to pay these taxes, and which can pay them without any burden to themselves. They can pay them without any sacrifice. Why we have plenty of men in this Commonwealth whose incomes run to fifty or one hundred thousand dollars, or in some cases to two, three, four or five hundred thousand dollars. Now what burden is it to a man like that to pay an income tax of say five thousand dollars, even ten thousand dollars. It means no sacrifice at all to him, it means no burden to him. What he does get he gets out of society, and to my way of thinking he owes it to the state, he owes it to society, to yield up some portion of that great income which he draws from society to his private use and to turn it back for the public use so that we can relieve the farmer, and the small property owner from the heavy burden of taxation under which he is now groaning. I believe there is no rural district in this State at the present time that is not suffering from over-burden taxation. A moment ago I heard the gentleman from Allegheny say that this would be passed on to the consumer.

That is just why they do not want this graded tax because they cannot pass it on, whereas they can pass on other taxes, and the fact is that even now, while they are not paying this tax, they are charging the consumer all that the traffic will bear anyway, whether they pay this tax or not. And even if this tax is imposed they cannot do more than the traffic will bear, the same as the present time. The other reason. It reminds me of a little story I heard one time. A prisoner was hailed before the judge and he was trembling and was nervous. The judge tried to quiet his nerves and he said, "Patrick, do not be afraid, you will get justice here." Pat looked up and said, "Yes, your honor, that is just what I am afraid of." That is just the fact here. These men are not afraid of this income tax because they are not afraid they will not get justice, but they are against this income tax because they are afraid they will get justice if this bill passes. This does not say that we are just at this particular moment legislating to pass this particular tax. As I have said, this is only an enabling act. It wouldn't give the Legislature power to pass such a bill even if they saw fit. Why can we not trust to the members of the Legislature to use their discretion and to use their judgment, whether the people want it or not, and so far as the amendment is concerned, why not trust the people of Pennsylvania? Why not let the people of Pennsylvania say next November whether they want this enabling act or whether they don't want it? I believe that in a democracy like ours, in a government like our system of government, we must trust in the people, and unless we can trust in their judgment and the will of the people, then this whole system of government is a failure; and I do not see why we should be afraid of the people of Pennsylvania next fall, and I do not see why we should be afraid of the superseding Legislature in this matter, on in other words, why can we not trust the people of Pennsylvania next fall to say whether they want it or not? A substitute bill has been mentioned, and that substitute bill has for the first time come before the Legislature, but this bill has already gone through the Legislature a second time, and the people will be able to vote on it in 1923, this coming November, whereas, if this bill is defeated, the people cannot vote on it until 1925, because the bill which passed the other night will have to pass another session of the legislature before it can be placed before the people at the polls.

Now I feel there should be no reason at all why anyone should be afraid of this as an enabling act. I say put it up to the people and let the people decide at the polls whether they want it or not, and I feel perfectly safe in trusting to any superseding legislature to do what is right and just to all classes of people in this great Commonwealth.

Mr. ALEXANDER. Mr. Speaker and members of the House, as I have often said before on the floor of this House, let us be fair with ourselves; don't let us camouflage this thing; don't let us try to fool ourselves, or fool somebody else. There have been certain interests throughout this State that have been working against this amendment for some time. The gentleman from Berks has just told you who those interests are. They have had the newspapers write articles which are misleading and which do not tell the people the truth. The newspapers and every letter that I have been receiving, every one that I have received, and every one that I have seen anybody else receive comes from a Chamber of Commerce somewhere, and that Chamber of Commerce says vote against bill No. 29 which imposes an income tax, and that is just as far from the truth as anything can be. Believe, me, there is not a thing to hinder this Legislature at the present time, except the minds of the legislators themselves, from passing an income tax just the same as they passed an inheritance tax. The argument my friend, the gentleman from Allegheny, made a while ago, would be a grand argument if the question before the House was a bill levying an income tax, but that is sometime in the future, maybe many years from now, and maybe never as far as we are concerned. Now, I want to show you how the newspapers put it. I cut this out of one of the newspapers in last Sunday. It says in part:

"The State Chamber of Commerce has sent to its members a list of the House members who voted to place the measure on the calendar and has asked them to get in touch with their representatives and senators to have them vote against the measure.

"This bill has been passed by the Session of 1921, and, under the law, if it is successful in passing the present session, it can be submitted to the voters for ratification at the next general election.

"Should it finally prevail by the vote of the people, the legislature of 1925 will then be empowered to levy a State tax on all incomes."

Can it be possible that the dear newspapers who are always looking after the interests of the dear people of the Commonwealth are by these misrepresentations, from these

very people, endeavoring to thwart the will of the people, and after all, that is all this bill is for, that is, to submit it to the people, the common people, of this government of the people, for the people, and by the people. I am never afraid to submit any question to them. If it is bad they will always vote it down, and if it is good they are always for it. I am never afraid to place these issues before any of the public, and especially in this great Commonwealth of ours. I have never seen the time when this great Commonwealth has elected a legislature, or members of the legislature, that I believe, and including myself, was ever able to decide for them issues of as vital importance as the question of taxation, and whenever a question comes before us in this House which is a referendum back to the people that they may by their vote at the ballot box say whether they want that bill or not, or whatever is included in that bill, I say aye every time, let them vote it down if they don't like it, and let them pass it if they want it. After all, that is all this bill is. It has been passed by the 1921 session. You have heard it generally said all along about the bill that was passed the other night, that the poor widow or the orphans have been suffering now for several years because they could not grade that inheritance tax, and after all, that is all that these Chambers of Commerce write you. It is not an income tax. They are not afraid of that, but they don't want the inheritance tax graded, they don't want any income tax graded. That is the trouble with them, and they don't want the poor widow to be exempt from any tax, not even if it is only five hundred dollars. They want her to be pinched just the same as anybody else. But, however, as I say, this is the issue here, shall the people, your constituents and my constituents, have a right to say at the ballot box on next November, whether they want this. That is the reason I stand here now and say to you that it is our duty, that whenever an issue like this comes up, as important as this, that we should not hear the voice of the will-o-the-wisp, or hear the voice of some interest here, or some interest there, but submit it to your people and let the whole people say whether it is their will or whether they want it for their law or not, and I say again in closing, that is all this bill does. If we pass it at this legislature the people next fall will have the right to say at the ballot box whether or not the constitution in this respect shall be amended, and then it is up to some future legislature to pass a bill if they so see fit I dare say, that if I am a member of this House, when that bill comes up levying an income tax, I will be working just as strongly against it as I am at the present time against it, because there is no man in this House more opposed at the present time to an income tax than I am. These opponents to this bill know very well that that is not the issue. The issue here is, shall the people of Pennsylvania amend the constitution of Pennsylvania, and that is the whole of it, and that is what you are voting on now.

Mr. WONER. Mr. Speaker and members of the House, I suppose as sponsor for this amendment of the constitution, that I should make some explanation. I think that there is considerable misunderstanding. At the session of 1917 an emergency tax measure was passed known as the inheritance tax. At that same session of the legislature a resolution for the amendment of the constitution to permit the exemption and graduation under such inheritance tax, or all taxes, was passed. The wording of that resolution was the same as this, "Graded and progressive taxes." I don't have access to the vote on that resolution, but I understand it went through without opposition. In the session of 1919, of which I was a member, I recall that that resolution was passed the second time without opposition. Because it specified that it should be submitted to a vote of the people at the general election of 1919, and that election being a municipal election, the attorney general's department decided that it would not be submitted. Therefore, it was necessary to lose those two years and to start again. Then, this present resolution was introduced in the session of 1921 and passed through both houses unanimously. At the opening of this session, this resolution was handed to me logically and properly as chairman of Ways and Means Committee, it being a subject of taxation. I passed it out to the House. You have heard of its conception; you have heard that there was no fight made against it with respect to the progressive and graded taxes in the year 1917, or the year 1919, or the year 1921, and it is now before you so far as I am concerned simply as chairman of the Ways and Means Committee. I think this will clear up in your minds some misunderstanding concerning the inception of this resolution.

Mr. SPANGLER. Mr. Speaker and gentlemen of the House, the watchword of government at the present time is economy. In both the Federal and the State Administrations. The tendency has been not to open the door for the future outgo of money, but to close the door and prevent the future outgo of money, in order that the taxpayers may have their taxes reduced. The burdens of taxation, both State and National, have been clearly shown by the records of the passed few years. We have only to look at the records of this State and of our neighboring states and the records of our Federal Government and compare the expenses of those governments a few years ago with the terrific increased expense of the present time. Now, the Legislature is the outpost in questions of constitutional amendment. It is the duty of the legislature to determine, in the first instance, whether a constitutional amendment is proper and whether it is proper at the time it is under consideration. I have had enough experience with legislatures to know that when we create the means of taxation, that the legislature will utilize that means, ordinarily, to the limit. To place an opporunity of this kind before the legislature and to invite them to appropriate additional large sums of money taken from the tax payers is like placing candy before children. Now, it seems to me that the big issue is not a personal issue, it isn't a question of whether some big interests want this legislation or whether they don't. It is a question of whether this legislature can afford to place this means for the additional taxation on the people within the grasp of the legislature, and I feel confident that if we make it possible in this State to impose an income tax, that as soon as that constitutional amendment will pass, we shall have in this legislature new isms and new idealists to cause the legislature to appropriate in the interests of those unnecessary things, and draw the money from the additional means that they will get under the provisions of this bill. This is not the time to pass measures that afford an opportunity to further tax the people, and it seems to me that the sooner the legislature realizes that, the better for us and for the State of Pennsylvania.

Mr. MILLAR. Mr. Speaker and members of the House, we may assume that the Constitution of Pennsylvania is satisfactory to the people of the State at the present time, or if it hadn't been, the people have it in their power to change it. Now, under the Constitution as it functions today, it requires that any resolution suggesting an amendment to the Constitution be submitted to two legislatures prior to its submission to the people, and that it seems logical to me to assume that the Legislature is intended to pass judgment upon the subjects submitted to the people, and for that reason the argument of the gentleman from Berks and the gentleman from Delaware that it is perfectly proper to pass this buck

along to the people, and leave them decide it is of no consequence, for if the people had intended that the legislature should not pass judgment on suggested amendments to the Constitution, provisions would not have been made that it must be submitted to two legislatures. Unquestionably, the purpose of this suggested amendment is the imposition of an income tax upon the people of the State. From 1914 until the present time, we have had experience with the Federal income tax. I think I speak wisely when I say it is universally unpopular, and recognized as being an inequitable and unjust system of taxation, and for that reason, functioning as we do, under the present Constitution I think we should exercise the judgment which we are intended to use in passing upon questions of this kind, and I can see nothing to do at this time but to determine whether or not the people of this State should be burdened with an income tax; and for that reason and from the experience I have had with the Federal income tax, I oppose, and ask you to oppose, this resolution.

Mr. SOWERS. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Butler, Mr. Woner, permit himself to be interrogated?

Mr. WONER. Mr. Speaker, I will.

Mr. SOWERS. You stated that this bill was given to you by someone. Was it given to you by the administration?

Mr. WONER. I said it was given to me, as Chairman of the Ways and Means Committee logically to place before this legislature, having been passed by the last Legislature.

Mr. SOWERS. Was it given to you by the Secretary to the Governor?

Mr. WONER. No sir.

Mr. SOWERS. Who gave it to you?

Mr. WONER. It was not given to me by anybody connected with the Administration. It came in logically from the Legislative Reference Bureau, as all resolutions that have been passed by previous assemblies are looked after by the one of the coming Assembly, who is in charge of such committee.

Mr. SOWERS. Does it meet with the approval of the Governor?

Mr. WONER. I am not able to say. The Governor will be compelled to speak for himself.

Mr. GIBBON. Mr. Speaker and members of the House, two years ago we voted upon this measure because we believed it was going to correct an evil that existed, namely, we wanted to eliminate small estates from the provisions of the inheritance tax law. We found, however, after the measure was passed that it was of rather a general nature. Now, two weeks ago, or rather a week ago, there was introduced into this House by the lady from Butler, Miss MacKinney, a measure correcting the evil that this bill was intended to correct two years ago, namely, eliminating small estates from the provisions of the inheritance tax law, and that bill is passed. Now, should this measure be defeated it will only delay for one year or for two years this feature, and I believe the bill should be defeated.

Mr. ALEXANDER. Mr. Speaker I desire to interrogate the gentleman from York, Mr. Spangler.

The SPEAKER. Will the gentleman from York, Mr. Spangler, permit himself to be interrogated?

Mr. SPANGLER. Yes sir, Mr. Speaker.

Mr. ALEXANDER. I desire to ask the gentleman from York if it is his idea that there is anything in the Constitution that prohibits this legislature at this time from passing an income tax?

Mr. SPANGLER. I think there is nothing, Mr. Speaker, that would prevent the legislature from passing an income tax, but the income tax would have to be uniform.

Mr. ALEXANDER. Mr. Speaker, I would like to interrogate the gentleman further.

The SPEAKER. The gentlemen will proceed.

Mr. ALEXANDER. Is there any difference between levying an income tax now and the levying of an inheritance tax at the time the inheritance tax was levied, except that the income tax is levied upon the living and the inheritance tax is levied upon the dead.

Mr. SPANGLER. The gentleman will have to answer that question himself, because it has nothing to do with the argument that I made before the House.

Mr. ALEXANDER. Mr. Speaker, as the gentleman has asked me to explain it,—I think you all can see yourselves,—that there is no difference between the levying of an inheritance tax some years ago, because that had to be uniform, according to the constitution, than if this legislature or some future legislature would levy an income tax without having the power to grade or to exempt it, and if you will notice, this bill, as I forgot to call your attention to before, only provides and gives the legislature the power to exempt income and inheritance tax, to exempt them, that is, cut them out.

On the question recurring,
Will the House agree to the bill on third reading?
It was agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—64.

Albert,	Coldsmith,	Horne,	Stark,
Alexander,	Driggs,	Howell,	Staudenmeier,
Armstrong,	Eaches,	Irvin,	Stevens, A. J.,
Asbury,	Earley,	Jones, D. J.,	Stevens, A. F.,
Aston,	Eshelman,	Jones, E. P.,	Thomas, L. D.,
Behney,	Flinchbaugh,	Korns,	Thomas, M. G.,
Bell, F. A.,	Fowler, A. I.,	Kunkle,	Thompson,
Berger,	Frazier,	Lauver,	Wells,
Betts,	Gallaher,	Marshall, J. G.,	Whitehouse,
Bidelspacher,	Gelder,	Marshall, W. F.,	Whiteman,
Blair,	Gilchrist,	McCurdy,	Williams, G. W.
Brenneman,	Griffith,	McDermott,	Woner,
Brewster,	Gundy,	Moffatt,	Wright,
Brownmiller,	Henderson,	Myers, G. C.,	Zook,
Burchinal,	Himes,	Sarig,	Goodnough,
Bush,	Holcombe,	Schaeffer,	Speaker.
Clutton,	Hoover.	Schoener,	

NAYS—115.

Allman,	Golder,	Ludlow,	Posey,
Arthur,	Gorham,	Lynch,	Price,
Baker,	Goss,	MacKinney,	Rhodes,
Baldi,	Greeby,	Mangan,	Richards,
Bell, W. T.,	Grimes,	Marcus, J.,	Rippman,
Bluett,	Guerin,	Marcus, J. C.,	Sample,
Blumberg,	Haas,	Mathay,	Sautter,
Boback,	Haines,	McBride,	Sheridan,
Bromley,	Hall,	McCaig,	Smith, G. A.,
Brown,	Harer,	McCann,	Smith, H.,
Burns,	Harter,	McClure,	Sowers,
Chaplin,	Haslett,	McDaniel,	Spangler,
Colville,	Haws,	McGowan,	Speiser,
Conner,	Heffernan,	McKim,	Sprowls,
Craig,	Heffran,	McVicar,	Stavitski,
de Young,	Hetrick,	Metcalf,	Steedle,
Diehm,	Heyburn,	Millar,	Sterling,
Dietz,	Hollis,	Miller,	Stofflet,
Donahue	Hontz,	Morrison,	Stoner,
Drinkhouse,	Huber,	Munley,	Storb,
Evans, B. P.,	Johnson,	Myers, P. M.,	Storer,
Evans, J.,	Jones, C. B.,	Nolte,	Vickerman,
Fields,	Keene,	Ogle,	Weamer,
Flynn,	Kelly,	Orr,	Wettach,
Fowler, D.,	Kennedy,	Parkinson,	Wheeler,
Fratt,	Labar,	Patterson,	Williams, J. M.,

Gibbon,	Little,	Peelor,	Wood, N.,
Glasgow,	Long,	Perry,	Wood, W. P.,
Goehring,	Lucas,	Pitts,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE.

Mr. RHODES. Mr. Speaker, this proposed amendment eliminates the principle of uniformity of taxation. I am of the opinion that the Constitution should be amended to permit graded taxes on inheritances and possibly on incomes, but feel that this amendment should go no farther. If any other suject of taxation is to have this principle applied to it, then it should be by a separate amendment, duly submitted to the people. The present bill is general and not specific.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 476, as follows:

An Act creating regulating and defining the powers of a County Planning Commission and authorizing the creation of a county plan in counties of the second class requiring the county commissioners to furnish to the commission before passage resolutions relating to county improvements to roads lands buildings or means of communications authorizing the commission to report suggestions to the county commissioners concerning improvements and to appear in court with reference thereto authorizing the making of a county map and plan including territory extending three miles beyond the county limits showing proposed improvements in roads lands buildings and means of communication making it unlawful to record plans of land with streets or highways intended for dedication to public use except in boroughs or cities without first securing approval from the commission and making disapproval of a plan by the commission a refusal of proposed dedication

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the second class a department is hereby created to be known as the Department of County Planning which shall be in charge of the County Planning Commission consisting of nine persons who shall be residents of the county and who shall have knowledge and experience in respect to one or more of the following subjects finance commerce industry agriculture transportation architecture landscape architecture real estate building engineering social welfare civic administration and law and at least seven of whom shall not be paid county employees to be appointed by the county commissioners three of them shall be designated to serve until the first day of January one thousand nine hundred and twenty-five three of them until the first day of January one thousand nine hundred and twenty-seven and three of them until the first day of January one thousand nine hundred and twenty-nine their successors shall be appointed at the expiration of their respective terms to serve six years an appointment to fill a casual vacancy shall be only for the unexpired portion of the term three shall constitute a quorum they may make and alter rules and regulations for their own organization and procedure consistent with the resolutions of the county commissioners and the rules of the Commonwealth they shall serve without compensation and make annually to the county commissioners a report of their transactions and recommendations they may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for in the discretion of the county commissioners by proper appropriation and resolution

Section 2 All resolutions of the county commissioners relating to the location of any public building in the county and to the location extension widening enlargement ornamentation or parking of any street boulevard parkway bridge tunnel subway or underground road park playground or other public grounds to the vacation of any highway or portion thereof or to the making or alteration of the county plan of highways or to any surface underground or elevated railway shall be furnished to the County Planning Commission twenty days before their passage and adoption by the county commissioners The said commission may make a report or suggestion in relation thereto if it deems the report necessary or advisable for the consideration of the said commissioners If the said report is made by the commission prior to the expiration of the said twenty days the county commissioners may immediately proceed with the adoption of the said resolution All such reports when delivered to the said commissioners shall be for the information of the public as well as for the commissioners and the commissioners shall furnish to any newspaper of the county on request for publication a copy of any such report

Section 3 The County Planning Commission may appear in any proceeding in the court of quarter sessions of said county with reference to the opening or vacation of any public road or highway bridge tunnel subway or underground road and file a report stating its views with reference thereto and may produce testimony before the said court in connection therewith

Section 4 The County Planning Commission may make or cause to be made and laid before the said county commissioners and in its discretion cause to be published a map or maps of the county and any portion or portions thereof including the territory extending three miles beyond the county limits showing the highways and other public improvements herein before specified and other natural or artificial features and also locations proposed by it for any new highways or other of such improvements or any widening extension or relocation of the same or any change in the county plan by it deemed advisable And it may make recommendations to the said commissioners from time to time concerning any such matters and things aforesaid for action of the county commissioners thereon and in so doing have regard for present conditions and future needs and growth of the county and the distribution and relative location of all the principal streets and railways waterways and all other means of public travel and business communication as well as the distribution and relative location of public buildings public grounds and open spaces devoted to public use and the planning and laying out for dwelling and business purposes of private grounds brought into the market from time to time

Section 5 The County Planning Commission may make recommendations to any public authorities or any corporations or individuals in such counties with reference to the location of any buildings structures or works to be erected or constructed by them

On the question,

Will the House agree to the bill on third reading?

Miss GRIMES. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend Title as follows: On line fourteen after the word "communication", strike out balance of title.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

The SPEAKER. This amendment being only a strike out, the bill is now under consideration.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albert,	Flynn,	Labar,	Rinn,
Alexander,	Fowler, A. I.,	Lauver,	Rippman,
Allman,	Fowler, D.,	Little,	Sample,
Anderson,	Frazier,	Long,	Sarig,
Arthur,	Gallaher,	Lucas,	Schaeffer,
Asbury,	Gelder,	Ludlow,	Schilling,
Aston,	Gilchrist,	Mack,	Schoener,
Baker,	Glasgow,	MacKinney,	Schwartz,
Baldi,	Goehring,	Mangan,	Sheridan,
Beaver,	Golder,	Marcus, J.,	Smith, G. A.,
Behney,	Gorham,	Marshall, J. G.,	Smith, H. J.,
Bell, F. A.,	Greeby,	Marshall, W. F.,	Smith, J. W.,
Bentley,	Griffith,	Mathay,	Soffel,
Berger,	Grimes,	McBride,	Sowers,
Betts,	Guerin,	McCaig,	Spangler,
Bidelspacher,	Gundy,	McCann,	Sprowls,
Blair,	Haines,	McClure,	Stark,
Bluett,	Hall,	McCurdy,	Staudenmeier,
Blumberg,	Harer,	McDermott,	Stavitski,
Boback,	Harter,	McGowan,	Steedle,
Brenneman,	Haslett,	McVicar,	Stevens, A. J.,
Bromley,	Haws,	Metcalf,	Stevens, A. F.,
Brownmiller,	Heffernan,	Miller,	Stoffiet,
Burchinal,	Heffran,	Minehart,	Storb,
Bush,	Henderson,	Moffatt,	Storer,
Bush,	Hetrick,	Moore,	Thomas, L. D.,
Chaplin,	Heyburn,	Morrison,	Thomas, M. G.,
Coldsmith,	Holcombe,	Myers, G. C.,	Van Alen,
Colville,	Hontz,	Myers, P. M.,	Weamer,
Conner,	Hoover,	Nolte,	Wells,
Coyne,	Howell,	O'Boyle,	Wheeler,
Craig,	Huber,	Ogle,	Whitehouse,
de Young,	Irvin,	Orr,	Williams, G. W.
Diehm,	Johnson,	Parkinson,	Williams, J. M.,
Dietz,	Jones, C. B.,	Peelor,	Woner,
Driggs,	Jones, D. J.,	Perry,	Wood, W. P.,
Drinkhouse,	Jones, E. P.,	Pitts,	Wright,
Eaches,	Keene,	Posey,	Zook,
Edmonds,	Kelly,	Post,	Goodnough,
Eshelman,	Kennedy,	Price,	Speaker.
Evans, J.,	Korns,	Raymond,	
Fields,	Kunkle,	Richards,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 30. (HOUSE BILL No. 1368).

An Act to amend an act approved May 5, 1921, (P. L. 379), entitled "An Act to amend an act, approved the nineteenth day of June one thousand nine hundred and eleven, (P. L. 1059), entitled 'An act extending the powers of judges of courts of quarter sessions and of oyer and terminer, in relation to releasing prisoners in jails and workhouses on parole,' by extending said act to include houses of correction, conferring similar powers on other courts of record and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law;" providing the procedure in cases of parole; conferring power to parole upon the several courts instead of judges thereof; and fixing the time when petitions for parole may be first presented.

Referred to the Committee on Judiciary General.

SENATE BILL No. 119. (HOUSE BILL No. 1369).

An Act creating the office of controller in counties of the first, second, third, fourth and fifth classes; prescribing his powers and duties; imposing certain duties upon such county commissioners and county treasurers; and abolishing the office of county auditor.

Referred to Committee on Counties and Townships.

SENATE BILL No. 120. (HOUSE BILL No. 1370).

An Act fixing the salaries of the controller in counties of the first second third fourth and fifth classes.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 247. (HOUSE BILL No. 1371).

An Act supplementing and amending an act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (P. L. 1159), entitled "An act authorizing certain corporations to issue preferred or common stock of one or more classes; providing for the manner of issuance, restrictions and regulations in the manner of voting thereof, and the rights and privileges of the holders thereof; validating certain acts of corporations not participated in by the holders of non-voting stock; and repealing all acts and parts of acts inconsistent therewith," further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value, and regulating such issuing of said stock.

Referred to the Committee on Corporations.

SENATE BILL No. 366. (HOUSE BILL No. 1372).

An Act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made.

Referred to the Committee on Judiciary General.

SENATE BILL No. 5. (HOUSE BILL No. 1373).

An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 21. (HOUSE BILL No. 1374).

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 58. (HOUSE BILL No. 1375).

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania at Ashland Schuylkill County Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 96. (HOUSE BILL No. 1376).

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the deaf at Scranton Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 128. (HOUSE BILL No. 1377).

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh Pennsylvania to cover deficiency in maintenance and education of State pupils.

Referred to the Committee on Appropriations.

SENATE BILL No. 224. (HOUSE BILL No. 1378).

An Act providing for the filing of vacancies in the office of tax-collector in boroughs by the council of the borough and repealing certain acts inconsistent therewith.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 282. (HOUSE BILL No. 1379).

An Act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto.

Referred to the Committee on Judiciary General.

SENATE BILL No. 422. (HOUSE BILL No. 1380).

An Act fixing the compensation of jury commissioners in counties of the seventh class.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 429. (HOUSE BILL No. 1381).

An Act to amend section one of the act approved the thirty-first day of March one thousand nine hundred and twenty-one (Pamphlet Laws seventy-one) entitled "An Act providing for the salaries of court criers and tipstaves of the several courts in counties of the fourth class."

Referred to the Committee on Counties and Townships.

SENATE BILL No. 433. (HOUSE BILL No. 1382).

An Act further amending the act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventy) entitled "An Act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions and providing penalties".

Referred to the Committee on Public Roads.

SENATE BILL No. 434. (HOUSE BILL No. 1383).

An act to further amend section one of an act, approved the twelfth day of June, one thousand nine hundred and nineteen, entitled "An act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys, and to incur indebtedness and issue bonds and other obligations, for the improvement and maintenance of State highways and State-aid highways of any public highwy and any county of the Commonwealth, and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases."

Referred to the Committee on Public Roads.

SENATE BILL No. 435. (HOUSE BILL No. 1384).

An act to further amend section three hundred eighty-six, clause four, of the act, approved the fourteenth day of July, one thousand nine hundred seventeen (Pamphlet Laws, eight hundred forty) entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto."

Referred to the Committee on Public Roads.

SENATE BILL No. 438. (HOUSE BILL No. 1385).

An Act making a deficiency appropriation to the Commissioners of Fairmount Park.

Referred to the Committee on Appropriations.

SENATE BILL No. 446. (HOUSE BILL No. 1386).

An Act fixing the salaries of the county commissioners county controller county treasurer register of wills recorder of deeds and clerk of the courts in counties of the third class.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 449. (HOUSE BILL No. 1387).

An Act to amend so much of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455) entitled "An Act to fix the number of Representatives in the General Assembly of the State, and to proportion the State into representative districts as provided by the constitution."

Referred to the Committee on Legislative Apportionment.

SENATE BILL No. 453. (HOUSE BILL No. 1388).

An Act to amend section ten hundred and twenty-five of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (P. L. 840) entitled, "An act concerning townships; and revising, amending, and consolidating the law relating thereto."

Referred to the Committee on Counties and Townships.

SENATE BILL No. 457. (HOUSE BILL No. 1389).

An Act to amend section twenty-two of an act approved May 17, 1921 (P. L. 869)) entitled "An Act providing for the organization government, discipline, maintenance and regulation of the armed land forces of this Commonwealth," authorizing the Governor to confer brevet rank upon certain officers.

Referred to the Committee on Military.

SENATE BILL No. 461. (HOUSE BILL No. 1390).

An Act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 599. (HOUSE BILL No. 1391).

An Act to amend section fourteen of the act approved the 27th day of June A. D. 1895 (P. L. 403) entitled "An Act creating the office of county controller in counties of this Commonwealth containing two hundred and fifty thousand inhabitants" prescribing the appointments of said office, fixing the salaries thereof, and repealing all acts or parts of acts inconsistent therewith.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 600. (HOUSE BILL No. 1392).

An Act to amend section one of the act approved the 8th day of June one thousand nine hundred and fifteen (P. L. 915), entitled "An act to fix the salaries of the deputies in the offices of the clerk of the courts, county controller, recorder of deeds, county treasurer, chief deputy sheriff, and chief clerk to the county commissioners, in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population; by changing the manner of fixing salaries and prescribing the minimum thereof; and making the act apply to counties of the third class.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 294. (HOUSE BILL No. 1393).

An Act to amend sections two and five of the act approved the tenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, four hundred and seventy-three), entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers, sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones, markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

Referred to Committee on Municipal Corporations.

SENATE BILL No. 296. (HOUSE BILL No. 1394).

An Act to amend section two of the act approved the twentieth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, nine hundred and forty-four), entitled "An Act authorizing the establishments by counties of hospitals for the treatment of persons afflicted with tuberculosis; providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor," by empowering the county commissioners and county controller where such office exists to take by eminent domain proceedings land necessary for the establishment of such hospitals; giving the board of trustees powers concurrent with the county commissioners and county

controller in reference to the planning and construction of such hospitals.

Referred to Committee on Judiciary General.

SENATE BILL No. 297. (HOUSE BILL No. 1395).

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has formerly been held or conveyed by to or for corporations not authorized by law to hold the same.

Referred to Committee on Judiciary General.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER. The chair desires to say that while there will be no session on Thursday of this week, as in the Chair's opinion the calendar does not warrant it, we have every reason to believe that next week and the weeks following during the session, there will be sessions of the House on Thursdays.

ADJOURNMENT.

Mr. HAWS. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to, and (at 11:10 o'clock P. M.) the House adjourned until 11:00 o'clock tomorrow morning.

COMMONWEALTH OF PENNSYLVANIA

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HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 4, 1923.

The House met at 11:00 o'clock A. M.
The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty God, our Heavenly Father, reverently would we, with bowed head, come into Thy presence this morning to record the gratitude of our hearts for this beautiful day, for life and all its blessings; and we pray that Thou wouldst pour upon us the Holy Spirit of promise, that with gladness of heart and clarity of vision, we may take up the duties of this day, and so discharge them that when the evening shadows fall, Thy benediction may rest upon all that we have said and done.

To this end, bless the members of this House, its officers and the Governor of this Commonwealth. We ask it in the name of Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. LONG, the further reading was dispensed with, and the Journal approved.

REPORTS FROM COMMITTEES.

Mr. LONG, from the Committee on Ways and Means, reported as committed House Bill No. 1357, entitled:

An Act providing for the redemption and cancellation of the Bond issued under the act approved April 3, 1872, (P. L. 39,) entitled "An Act directing the sale of the bonds composing the Agricultural College land script fund, and authorizing the issue of a new bond in lieu hereof, and abolishing the board commissioners created by act of April first, one thousand eight hundred and sixty-three," and for the investment of the moneys in the fund resulting from such redemption, and the payment of the interest therefrom by the Sinking Fund Commission to Pennsylvania State College.

Mr. SPEISER, from the Committee on Judiciary Special, reported as committed House Bill No. 1224, entitled:

An Act regulating service of process and authorizing the service of writs of summons and other process in any county of the Commonwealth.

Mr. GELDER, from the Committee on Counties and Townships, reported as committed House Bill No. 681, entitled:

An Act to amend the supplement to an act, approved the twenty-first day of May, one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight,) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth, in State hospitals for the insane,' approved the thirteenth day of June, Anno Domini, one thousand eight hundred and eighty-three," as amended, by fixing the maximum amount for maintenance weekly, per capita.

Mr. KELLY, from the Committee on Elections, reported as committed House Bill No. 167, entitled:

An Act to amend section thirteen of the act approved the thirteenth day of January, one thousand eight hundred and seventy-four, (P. L. 31), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended; by providing that qualified electors charging fraud or mistake in any election district, need not be residents of the said district but shall be residents of the territory affected by the election.

Mr. STAVITSKI, from the Committee on Counties and Townships, reported as committed House Bill No. 919, entitled:

An Act to repeal section twenty-three of the act approved the first day of May, one thousand eight hundred and sixty-one, (P. L. 450), entitled "An Act relating to Allegheny County."

Mr. HASLETT, from the Committee on Elections, reported as committed, House Bill No. 882, entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January, one thousand eight hundred and seventy-four (P. L. 31) entitled, "A Further Supplement to the act regulating elections in this Commonwealth," as amended; by authorizing the members of the board of receiving, computing and certifying election returns, to act when a majority of the members thereof are not qualified.

Mr. HASLETT, from the Committee on Counties and Townships, reported as committed, House Bill No. 686, entitled:

An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole; and providing for the payment of their expenses and membership dues by counties.

Mr. WRIGHT, from the Committee on Elections, reported as committed, House Bill No. 576, entitled:

An Act to amend section eleven, and fifteen as amended, and repealing section twenty-one of the act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make and to alter amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing

inconsistent legislation;" by limiting the right of assistance to voters, extending the power of the court to open ballot boxes, and abolishing the office of watchers at primary elections.

Mr. BREWSTER, from the Committee on Elections, reported as committed, House Bill No. 469, entitled:

An Act to amend section three of an act, approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended.

Mr. BREWSTER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1173, entitled:

An Act providing that the address of holders of second mortgages shall be noted in the margin of the record of first mortgages, and that notice of foreclosure proceedings shall be given to such holders of second mortgages.

Mr. CHARLES B. JONES, from the Committee on Counties and Townships, reported as committed, House Bill No. 1066, entitled:

An Act to amend section one of the act approved the second day of June, one thousand eight hundred and ninety-one (Pamphlet Laws, one hundred sixty-eight), entitled, "An Act to enable the county commissioners of the several counties to sell any real estate which they may acquire, and make deeds therefor," excepting from the provisions of said act real estate acquired at tax sales.

Mr. FRAZIER, from the Committee on Counties and Townships, reported as committed, House Bill No. 994, entitled:

A Supplement to an Act approved the eighth day of May, one thousand nine hundred and nineteen (Pamphlet Laws, one hundred and thirty-eight), entitled, "An act requiring counties having a population of over one million and less than one million five hundred thousand, to establish a pension fund for the employes of such counties, and providing for the administration of such fund and payments therefrom," by restricting the provisions of said act so that the same shall hereafter be applicable to counties of the second class only, and by extending the provisions of said act so that the same shall apply to all county employes working for wages on a per diem basis, or any other basis, and providing that all county employes shall have full credit hereafter for all services heretofore or hereafter rendered on a per diem or other basis in calculating the total period of their employment for any of the purposes mentioned in said act.

Mr. LYNCH, from the Committee on Elections, reported as committed, House Bill No. 883, entitled:

An Act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled, "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended.

Mr. BLUETT, from the Committee on Judiciary Special, reported as amended, House Bill No. 694, entitled:

An Act to amend an act approved the twenty-eighth day of March one thousand eight hundred seventy-nine, (P. L. 14), entitled, "An Act enabling wives of lunatics to release their right of dower in the real estate of their husbands," extending the provisions of said act to include wives of habitual drunkards and wives of epileptics, insane, weak-minded or feeble-minded persons.

Mr. JERRY M. WILLIAMS, from the Committee on Counties and Townships, reported as amended, House Bill No. 556, entitled:

An Act requiring counties of the third and fourth classes to establish a pension fund for the employes of such counties, and providing for the administration of such fund and payments therefrom.

Mr. COLVILLE, from the Committee on Judiciary Special, reported as committed, House Bill No. 1269, entitled:

An act to amend section three of an act approved the tenth day of April, one thousand eight hundred and sixty-seven, (P. L. 62), entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth," by requiring the drawing of jury panels from the wheel to take place publicly in the court room and in the presence of one of the Judges of the court of common pleas.

Mr. HALL, from the Committee on Judiciary Special, reported as committed, House Bill No. 1294, entitled:

An Act authorizing executors and administrators to bring suit and recover judgments against the Commonwealth of Pennsylvania in the counties of which the decedents whose estates they administer were resident, for the recovery of over payments of direct and collateral inheritance transfer taxes.

Mr. BEAVER, from the Committee on Agriculture, reported as committed, House Bill No. 1183, entitled:

An Act reappropriating the unexpended balance of an appropriation made by the General Assembly of one thousand nine hundred and twenty-one to the State Fair Commission.

Mr. GORHAM, from the Committee on Counties and Townships, preported as committed, House Bill No. 1335, entitled:

An Act relating to certain county officers in counties of the fifth class; providing for their salaries, and the compensation of deputies and clerks in the respective county offices; establishing a salary board, and defining its powers and duties; placing certain duties on the county commissioners, county controllers, and county auditors; requiring the payment into the respective county treasury of the fees of such county officers; and providing penalties for violation of this act.

Mr. HOLLIS, from the Committee on Law and Order, reported as committed, House Bill No. 669, entitled:

An Act to amend section eight of an act approved the seventh day of June, one thousand nine hundred and eleven, (P. L. 668), entitled "An Act to restrain and regulate the use of billiard-tables, pool-tables, and bagatelle-boards or tables, kept and maintained for the use of the general public, for hire or reward, in cities of the first class in this Commonwealth; providing for the granting of licenses, and providing for punishments for the violation of the provisions of this act," by providing for the revocation of the licenses therein provided for when the place licensed shall, in the opinion of the Director of the Department of Public Safety, be so conducted as to be detrimental to the immediate neighborhood or when the licensee is not a person of good

moral character or a fit person to hold such license; or when said place is frequented by immoral persons or managed in an improper or disorderly manner.

Mr. BROMLEY, from the Committee on Judiciary Special, reported as committed, House Bill No. 1289, entitled:

An Act empowering the Board of Commissioners of Public Grounds and Buildings to procure bonds for State officers and employes, and providing for the payment of the cost of said bonds and the custody thereof.

Mr. PARKINSON, from the Committee on Agriculture, reported as committed House Bill No. 975, entitled:

An Act to amend section six, as amended, and section eight of the act approved the twenty-fourth day of July, one thousand nine hundred and thirteen, (P. L. 965), entitled "An Act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," changing the legal weight of certain commodities, and providing for the disposition of certain funds.

Mr. CRAIG, from the Committee on Judiciary Special, reported as committed, House Bill No. 820, entitled:

An Act authorizing the sale of real estate held by entireties by husband and wife when an order of support has been secured against the husband who has neglected to comply with the same, or whose whereabouts is unknown, or who has absented himself from this Commonwealth; prescribing the procedure to be followed; permitting husband and wife to testify; providing for the disposition of the proceeds of such sale; and granting a divorced woman the same rights under this act as a wife.

Mr. CRAIG, from the Committee on Judiciary Special, reported as committed, House Bill No. 1216, entitled:

An Act authorizing certain corporations to create and issue and convert their authorized and outstanding capital stock into shares of any class or kind either with or without nominal or par value; and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof.

Mr. HEFFRAN, from the Committee on Counties and Townships, reported as committed House Bill No. 46, entitled:

An Act to amend section two hundred and seventy-one of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto."

Mr. FLYNN, from the Committee on Ways and Means, reported as committed, House Bill No. 849, entitled:

An Act to amend section one of an Act approved the fifteenth day of July, one thousand eight hundred and ninety-seven (P. L. 292) entitled "An Act to provide Revenue by Taxation."

Mr. FLYNN, from the Committee on Ways and Means, reported as committed, House Bill No. 851, entitled:

An Act to amend an Act, approved the thirteenth day of June, Anno Domini one thousand nine hundred and seven (Pamphlet Laws, six hundred forty), entitled "An Act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of Section twenty-nine of an act, entitled "An Act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance, of owners of real estate, mortgages and others interested in real estate, from loss by reason of defective titles, liens and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an Act, entitled "An Act conferring upon certain fidelity insurance, safety deposit, trust and savings companies the powers and privileges of companies incorporated under the provisions of Section twenty-nine of an act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto," approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies."

Mr. JERRY M. WILLIAMS, from the Committee on Counties and Townships, reported as committed, House Bill No. 1012, entitled:

An Act validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways, and validating municipal liens therefor.

Mr. GOEHRING, from the Committee on Judiciary General, reported as amended, House Bill No. 10, entitled:

An Act to consolidate, revise and amend the laws of this Commonwealth relating to Penal proceedings and pleadings and imposing certain costs therein upon the Commonwealth of Pennsylvania and the various counties thereof.

Mr. GOEHRING, from the Committee on Judiciary General, reported as amended, House Bill No. 11, entitled:

An Act to consolidate, revise and amend the Penal Laws of this Commonwealth.

Mrs. SPEISER, from the Committee on Judiciary Special, re-reported as amended, House Bill No. 275, entitled:

An Act providing for the recovery and collection of taxes assessed on either real or personal property by action of assumpsit against the owner or owners of the real or personal property upon which or against the owner of which the said taxes have been assessed.

Mr. KELLY, from the Committee on Elections, re-reported as amended, House Bill No. 45, entitled:

An Act providing a system whereby persons absent from their regular polling places may cast their votes, imposing certain powers and duties upon the county commissioners, prothonotaries, return boards of the various counties and the board of registration commissioners in cities of the first and second class in relation thereto, and providing penalties.

Mr. BLUETT, from the Committee on Judiciary Special, re-reported as amended, House Bill No. 388, entitled:

An Act providing that the negligence of a servant or employe of any municipality shall under the rule of respondeat superior be attributable to the municipality responsible for his compensation or wages

Mr. HOLLIS, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 1157, entitled:

An Act relating to the posting of and trespassing on private land.

BILLS RE-REFERRED.

Mr. HAWS returned from the Committee on Appropriations, with the recommendation that it be re-referred to the Committee on Public Roads, House Bill No. 201, entitled:

An Act making an appropriation to the State Highway Department for the construction of an improtant link in the William Penn State Highway in the County of Perry.

The SPEAKER. The bill is now re-referred to the Committee on Public Roads.

Mr. HAWS returned from the Committee on Appropriations, with the recommendation that it be re-referred to the Committee on Insurance, House Bill No. 956, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June, one thousand eight hundred and

eighty-five (Pamphlet Laws one hundred eighty-one), entitled "An Act to authorize certain corporations to become sole surety for the faithful performance of any trust or duty, and to authorize certain officers to approve the same;" by requiring the approval thereof when the certificates issued by the Insurance Department to said corporations have been filed in the prothonotary's office.

The SPEAKER. The bill is now re-referred to the Committee on Insurance.

Mr. WHITEMAN returned from the Committee on Judiciary General with the recommendation that it be re-referred to the Committee on Law and Order, House Bill No. 1010, entitled

An Act prohibiting the sale of brewed and malt liquors to minors.

The SPEAKER. The bill is now re-referred to the Committee on Law and Order.

BILL INTRODUCED.

Mr. BEHNEY. asked and obtained unanimous consent to introduce a bill at this time.

The bill, for the information of the House, was read as follows:

An Act to repeal the act adopted over the veto of the Governor by the Senate of Pennsylvania the eighth day of May, one thousand eight hundred and sixty-one, and by the House of Representatives of Pennsylvania the fifteenth day of May, one thousand eight hundred and sixty-one, (P. L. 715), entitled "An act to grade, curb and pave Main or Market Street, in the town of Annville, Lebanon County.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act adopted over the veto of the Governor by the Senate of Pennsylvania the eighth day of May, one thousand eight hundred and sixty-one, and by the House of Representatives of Pennsylvania the fifteenth day of May, one thousand eight hundred and sixty-one, (P. L. 715), entitled "An act to grade, curb and pave Main or Market Street, in the town of Annville, Lebanon County," is hereby repealed.

BILL REFERRED.

Mr. BEHNEY. HOUSE BILL No. 1396.

An Act to repeal the act adopted over the veto of the Governor by the Senate of Pennsylvania the eighth day of May, one thousand eight hundred and sixty-one, and by the House of Representatives of Pennsylvania the fifteenth day of May, one thousand eight hundred and sixty-one, (P. L. 715), entitled "An Act to grade, curb and pave Main or Market Street, in the town of Annville, Lebanon County."

Referred to the Committee on Municipal Corporations.

TIME EXTENDED ON BILL.

Mr. HEFFRAN. Mr. Speaker, I move that House Bill No. 232, file folio 1713, postponed, be continued for a further period of five days.

Mr. WALKER. Mr. Speaker, I second the motion.

The question is on the motion.

The motion was agreed to.

TIME EXTENDED ON ALL BILLS ON POSTPONED CALENDARS.

Mr. SOWERS. Mr. Speaker, I move that all bills on final passage postponed, or upon third reading postponed, be extended for a further period of five days.

Mr. JOSEPH MARCUS. Mr. Speaker I second the motion.

The question is on the motion.

The motion was agreed to.

RESOLUTION RELATIVE TO FINAL ADJOURNMENT.

Mr. SOWERS offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, April 4, 1923.

Resolved, (if the Senate concur), That the General Assembly of one thousand nine hundred and twenty-three, do adjourn sine die on April twenty-sixth, one thousand nine hundred and twenty-three, at twelve o'clock noon.

Moved by Clinton A. Sowers.

Seconded by Christian Miller, John E. Stavitski, Edward P. Jones, George E. Gilchrist, John J. Bobuck, W. J. Mumley, Robert A. Stofflet, F. J. Donahue, M. J. Gorham, Thomas F. O'Boyle, Wilmer Albert, I. N. Johnson, G. J. Stevens, Harry I. Garver, T. C. Harter, Christian Sautter, A. F. Allman.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 72.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 3, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 72, entitled, "An Act to amend section two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-four) entitled, 'An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor' ".

GIFFORD PINCHOT.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER. The Chair regrets to state that it was impossible to procure a calendar in time this morning. If there are no objections the Chair will omit the second reading calendar, which would appear had the calendar been printed, and we will take up bills on third reading. The Chair will give you the correct file folio of the bills that are read before the House and the Chair asks unanimous consent to this arrangement. The Chair is advised that one section of this calendar has just been sent to the House It contains, however nothing except the second reading bills and in many instances the file folio is not given. It would be of little advantage to proceed with the second reading calendar at this time, due to the fact that we would be unable to take up from today's calendar a third reading calendar.

Mr. STEEDLE. Mr. Speaker, is it understood that you are going to proceed to the third reading calendar?

The SPEAKER. We will pass the second reading celendar this morning and take up bills on third reading from yesterday's calendar.

Mr. STEEDLE. Only such bills as were not acted on yesterday?

The SPEAKER. They will appear on yesterday's calendar under the caption "Bills on Second Reading"

Mr. ALEXANDER. Mr. Speaker, did I understand you correctly that there would be no second reading calendar today?

The SPEAKER. No, except the ones that were brought up here. There are no file folios given the bills that have not been printed in white.

Mr. ALEXANDER. Would it not be better to have a second reading calendar today so the bills will be advanced?

The SPEAKER. It may be that before we complete the second reading calendar that the other part of today's calendar will be on file.

Mr. STEEDLE. Mr. Speaker, there must be certainly some misunderstanding about the practice which the Chair wants to pursue at this time. In looking over the calendar of yesterday we have completed all third reading bills. The last bill called up last night was the bill of Miss Grimes of Allegheny. If the Chair is going to take up third reading they will have to be such bills as were on the second reading calendar yesterday?

The SPEAKER. And only such bills as are printed, and upon the files. They will appear on yesterday's calendar under the caption, "Bills on Second Reading".

Mr. STEEDLE. I wanted to know if it would only be such bills as appeared on the unfinished third calendar of yesterday, and I understood you to say "yes".

The SPEAKER. Together with those on the second reading calendar.

Mr. ALEXANDER. If we do this we cannot be advised as to what these bills are because there were a great many amendments on the second reading calendar, and we have nothing on the files to show what the amendments are.

The Speaker. They will be only such bills as are now upon the files.

Mr. ALEXANDER. There is no file folio?

The SPEAKER. The Chair will give you the file folio.

MOTION TO ADJOURN.

Mr. DAVID FOWLER. Mr. Speaker, in view of the fact that the calendar is incomplete, I move that we do now adjourn until next Monday night, April 9, 1923, at 9:00 o'clock.

Mr. JOSEPH MARCUS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the Motion?

Mr. FLYNN. Mr. Speaker, may I interrogate the Speaker of the House?

The SPEAKER. The gentleman from Elk will proceed.

Mr. FLYNN. Mr. Speaker, may I ask the Chair what position we are in in regard to having a calendar with which to work for the balance of the day?

The SPEAKER. The gentleman from Elk is informed that the printer has not furnished us with a complete calendar, that only the first 16 pages of today's calendar are now in the House; that there are no bills upon this partial calendar except bills on second reading, many of which do not have the file folio, therefore, we would be unable to read the bills. The Chair has suggested that we make a third reading calendar from the calendar of yesterday, from the second reading calendar of yesterday, using those bills which were called up, and the Chair will be able to give the correct file folios. If they were not amended the file folio is the same. The suggestion of the Chair was that we work from this second reading calendar.

Mr. GOSS. Mr. Speaker, with your permission and the sanction of the members of the House I wish to say that we all realize at the present time the delay that is caused by an injustice in the printing offices who get this material out for us. I think it is very harmful not only to the tax payers of this State but also to the members of this House insofar as the working conditions in that particular office are concerned. You know 22 months ago there was a strike inaugurated in the State and throughout the United States for the enforcement of the 44 hour system. That strike is still in existence in the City of Harrisburg. As a consequence the particular printer who gets this work out has employed high school graduates on the machines and cannot facilitate this work. I have been advised by the president of the Typographical Union of Harrisburg just a few minutes ago that he went to the printing establishment and volunteered to give him sufficient men, irrespective of the rules and regulations, laid down by the International Typographical Union, and also disregarding the laws of the local organization of this State. That proposition was absolutely refused, and I cannot reconcile myself to the fact that he is making a sincere effort to advance the business of this House.

On the question recurring,

Will the House agree to the motion?

The Speaker announced the nays appeared to have it.

Whereupon a division was called for, and 37 members having voted in the affirmative and 114 in the negative, the question was determined in the negative and the motion was not agreed to.

MOTION TO TAKE UP THIRD READING CALENDAR.

Mr. JOHN G. MARSHALL. Mr. Speaker I move that the Speaker take the second reading calendar of yesterday and read the numbers of the bills to the members of the House that have not been amended, in order to give them an apportunity of checking the bills on the calendar that will be taken up in their order this morning, in that way eliminating the amended bills. In doing that we will be able to read our calendar in advance and have the file folio of the bills that will be called up for final passage this morning.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

In accordance with the motion passed by the House, the Speaker designated the numbers and file folios of bills to be considered on third reading.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 961, entitled:

An Act to exempt bequests or devises in trust for the perpetual care and preservation of burial lots or graves therein from the payment of transfer inheritance ax

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albert,	Frazier,	MacKinney,	Schilling,
Alexander,	Gallaher,	Marcus, J. C.,	Schoener,
Allman,	Gelder,	Marshall, W. F.,	Schwartz,
Anderson,	Gibbon,	McBride,	Shambach,
Arthur,	Gilchrist,	McCaig,	Sheridan,
Aston,	Glasgow,	McCann,	Smith, G. A.,
Baker,	Goehring,	McClure,	Smith, H. J.,
Beaver,	Golder,	McCurdy,	Smith, H.,
Behney,	Goss,	McDaniel,	Smith, J. W.,
Bell, F. A.,	Greeby,	McDermott,	Soffel,
Bell, W. T.,	Griffith,	McGowan,	Spangler,
Bentley,	Grimes,	McKim,	Speiser,
Berger,	Guerin,	McVicar,	Sprowls,
Betts,	Gundy,	Metcalf,	Stark,
Blair,	Haas,	Millar,	Staudenmeier,
Bluett,	Hall,	Miller,	Stavitski,

Blumberg,	Harer,	Minehart,	Sterling,
Boback,	Haslett,	Moffatt,	Stevens, A. J.,
Brenneman,	Haws,	Moore,	Stevens, A. F.,
Brewster,	Heffernan,	Morrison,	Stofflet,
Bromley,	Heffran,	Munley,	Storb,
Brownmiller,	Henderson,	Myers, G. C.,	Storer,
Burchinal,	Hetrick,	Myers, P. M.,	Thomas, L. D.,
Bush,	Heyburn,	O'Boyle,	Thomas, M. G.,
Clutton,	Holcombe,	Ogle,	Thompson,
Coldsmith,	Hollis,	Orr,	Vickerman,
Colville,	Hontz,	Parkinson,	Weamer,
Conner,	Howell,	Patterson,	Wells,
Craig,	Huber,	Peelor,	Wettach,
de Young,	Johnson,	Perry,	Wheeler,
Diehm,	Jones, C. B.,	Pitts,	Whitehouse,
Dietz,	Jones, E. P.,	Posey,	Whiteman,
Donahue	Keene,	Post,	Williams, G. W.
Driggs,	Kelly,	Price,	Williams, J. M.,
Drinkhouse,	Kohler,	Raymond,	Woner,
Eaches,	Kunkle,	Richards,	Wood, W. P.,
Earley,	Lafferty,	Rippman,	Wood, N.,
Eshelman,	Lauver,	Sample,	Wright,
Evans, B. P.,	Little,	Sarig,	Zook,
Flinchbaugh,	Lucas,	Sautter,	Goodnough,
Flynn,	Ludlow,	Schaeffer,	Speaker.

NAYS—1.

Horne,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present he same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 926, entitled:

An Act to amend Section twenty-three of an act, approved the first day of June, Anno Domini, one thousand eight hundred and eighty-nine, (P. L. 420), entitled, "A Further Supplement to an act, entitled, 'An Act to provide revenue by taxation,' approved the seventh day of June, Anno Domini, one thousand eight hundred and seventy-nine."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SOWERS. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Butler, Mr. Woner, permit himself to be interrogated?

Mr. WONER. Mr. Speaker, I will.

Mr. SOWERS. What is the particular object sought to be accomplished by this bill.

Mr. WONER. This bill is one of the bills prepared by the Auditor General of State, after very careful investigation into the methods of some of the state tax laws, so that they might be altered or extended so as include therein transportation companies, and so forth, which have not been included in the law as it has been on the statute books for a number of years. The first addition is taxicab companies, auto bus line companies, truck transportation companies, and every individual partnership, firm or unincorporated association engaged in, or hereafter engaged in the transportation of freight or passengers or oil within the state. The while purpose of this bill is to bring within the eight mills gross receipts tax a number of companies in the same class as those that are now paying, and doing the same work, those that are now taxed. For instance a trolley line, a railroad line, a transportation line is taxed upon the gross receipts eight mills, and this is taking in the taxicab companies, auto bus lines, and so forth. This is a bill approved by the Auditor General.

RECONSIDERATION OF VOTE.

Mr. JOSEPH MARCUS. Mr. Speaker, I move that the vote by which House Bill No. 926 passed on third reading be reconsidered.

Mr. SOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. JOSEPH MARCUS. Mr. Speaker, I move that this bill be referred back to the committee on Ways and Means in order that a proper study may be made, and for the purpose of a hearing.

Mr. SOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 908, entitled:

An Act to amend section nine of the act approved the third day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, two hundred eighty-nine), entitled "An Act to provide for the selection of a site and the erection of a State institution for the feeble minded, to be called the Western Pennsylvania State Institution for the Feeble Minded, and making an appropriation therefor;" by changing the name of said institution.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Albert,	Flynn,	Little,	Sarig,
Alexander,	Fowler, A. I.,	Long,	Sautter,
Allman,	Fowler, D.,	Lucas,	Schaeffer,
Anderson,	Gallaher,	Ludlow,	Schilling,
Armstrong,	Gibbon,	Mack,	Schwartz,
Arthur,	Gilchrist,	MacKinney,	Shambach,
Aston,	Glasgow,	Mangan,	Sheridan,
Baker,	Goehring,	Marcus, J. C.,	Smith, G. A.,
Baldi,	Golder,	Marshall, W. F.,	Smith, H. J.,
Bell, F. A.,	Goss,	McBride,	Smith, H.,
Bell, W. T.,	Greeby,	McCaig,	Smith, J. W.,
Bentley,	Griffith,	McCann,	Soffel,
Berger,	Grimes,	McClure,	Sowers,
Betts,	Gundy,	McCurdy,	Speiser,
Bidelspacher,	Haas,	McDaniel,	Sprowls,
Bluett,	Haines,	McDermott,	Stark,
Blumberg,	Hall,	McGowan,	Staudenmeier,
Boback,	Harer,	McKim,	Stavitski,
Brenneman,	Harter,	McVicar,	Sterling,
Brewster,	Haslett,	Metcalf,	Stevens, A. F.,
Bromley,	Haws,	Millar,	Stofflet,
Brown,	Heffernan,	Miller,	Stoner,
Brownmiller,	Heffran,	Minehart,	Storb,
Burchinal,	Henderson,	Moffatt,	Storer,
Burns,	Hetrick,	Moore,	Thomas, L. D.,
Bush,	Heyburn,	Morrison,	Thomas, M. G.,
Chaplin,	Himes,	Munley,	Thompson,
Clutton,	Holcombe,	Myers, G. C.,	Van Alen,
Coldsmith,	Hontz,	Myers, P. M.,	Vickerman,
Colville,	Hoover,	Ogle,	Weamer,
Conner,	Horne,	Orr,	Wells,
Coyne,	Howell,	Parkinson,	Wettach,
Craig,	Huber,	Patterson,	Wheeler,
de Young,	Irvin,	Peelor,	Whitehouse,
Dietz,	Johnson,	Perry,	Whiteman,
Donahue	Jones, D. J.,	Pitts,	Williams, G. W.,
Driggs,	Jones, E. P.,	Posey,	Williams, J. M.,
Drinkhouse,	Keene,	Post,	Woner,
Eaches,	Kelly,	Price,	Wood, N.,
Earley,	Kennedy,	Rhodes,	Wood, W. P.,
Edmonds,	Korns,	Richards,	Wright,
Eshelman,	Kunkle,	Rinn,	Zook,
Evans, B. P.,	Labar,	Rippman,	Goodnough,
Evans, J.,	Lafferty,	Sample,	Speaker.
Flinchbaugh,	Lauver,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 798, entitled:

An Act relating to building constructions in cities of the first class by prescribing the maximum undivided floor areas permitted, and permitting the use of non-fireproof steel roof trusses and purlins in certain cases; prescribing limitations on garages, automobile service stations and buildings for similar purposes; and constructions permitted for curtain and spandrel walls; permitting the use of wood furring and stud-partitions in certain cases; and repealing inconsistent laws.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Alexander,	Glasgow,	Marshall, W. F.,	Smith, G. A.,
Allman,	Goehring,	McBride,	Smith, H. J.,
Anderson,	Golder,	McClure,	Smith, J. W.,
Armstrong,	Goss,	McCurdy,	Sowers,
Arthur,	Greeby,	McDaniel,	Spangler,
Aston,	Griffith,	McDermott,	Speiser,
Baker,	Grimes,	McGowan,	Sprowls,
Behney,	Guerin,	Metcalf,	Stark,
Bell, F. A.,	Haines,	Millar,	Staudenmeier,
Bentley,	Hall,	Miller,	Stavitski,
Berger,	Harer,	Minehart,	Steedle,
Bluett,	Heffran,	Moffatt,	Stevens, A. J.,
Blumberg,	Henderson,	Moore,	Stevens, A. F.,
Boback,	Hetrick,	Morrison,	Stofflet,
Brenneman,	Heyburn,	Munley,	Storb,
Brewster,	Himes,	Myers, G. C.,	Storer,
Bush,	Horne,	O'Boyle,	Thomas, L. D.,
Chaplin,	Huber,	Ogle,	Thomas, M. G.,
Clutton,	Irvin,	Parkinson,	Thompson,
Coldsmith,	Johnson,	Patterson,	Van Alen,
Conner,	Jones, C. B.,	Peelor,	Vickerman,
Craig,	Jones, D. J.,	Perry,	Weamer,
de Young,	Jones, E. P.,	Pitts,	Wells,
Diehm,	Kelly,	Posey,	Wettach,
Dietz,	Kennedy,	Post,	Wheeler,
Donahue	Kohler,	Raymond,	Whitehouse,
Driggs,	Korns,	Rinn,	Whiteman,
Drinkhouse,	Kunkle,	Rippman,	Williams, G. W.
Eaches,	Lafferty,	Sample,	Williams, J. M.
Earley,	Little,	Sarig,	Woner,
Edmonds,	Long,	Schaeffer,	Wood, N.,
Eshelman,	Lucas,	Schilling,	Wood, W. P.,
Fields,	Ludlow,	Schoener,	Wright,
Frazier,	Lynch,	Schwartz,	Zook,
Gelder,	Mack,	Shambach,	Goodnough,
Gibbon,	Malie,	Sheridan,	Speaker.
Gilchrist,	Mangan,		

NAYS—5.

Baldi,	Bell, W. T., Smith, H.,	Burns,	Fratt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 905, entitled:

An Act to amend section eight of the act approved the fifth day of May, one thousand eight hundred and seventy-six, (P. L. 121), entitled "An Act to provide for the selection of a site and the erection of a state hospital for the insane for the city and county of Philadelphia, and the counties of Bucks, Montgomery, Delaware, Chester, Northampton and Lehigh, to be called the State Hospital for the Insane for the southeastern District of Pennsylvania, and for the management of the same;" changing the name of said hospital.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Alexander,	Gallaher,	Lynch,	Rippman,
Allman,	Gelder,	Mack,	Sample,
Anderson,	Gibbon,	MacKinney,	Sarig,
Armstrong,	Gilchrist,	Mangan,	Sautter,
Baker,	Glasgow,	Marcus, J. C.,	Schaeffer,
Behney,	Goehring,	Marshall, J. G.,	Schilling,
Bell, F. A.,	Golder,	Marshall, W. F.,	Schwartz,
Bell, W. T.,	Gorham,	Mathay,	Shambach,
Bentley,	Goss,	McBride,	Sheridan,
Berger,	Greeby,	McCaig,	Smith, G. A.,
Betts,	Grimes,	McCann,	Smith, H. J.,
Blair,	Guerin,	McClure,	Smith, H.,
Bluett,	Gundy,	McCurdy,	Smith, J. W.,
Blumberg,	Haas,	McDaniel,	Sowers,
Brenneman,	Haines,	McDermott,	Speiser,
Brewster,	Hall,	McGowan,	Sprowls,
Bromley,	Harer,	McKim,	Stark,
Brown,	Haslett,	McVicar,	Staudenmeier,
Brownmiller,	Haws,	Metcalf,	Stavitski,
Burchinal,	Heffernan,	Millar,	Sterling,
Burns,	Heffran,	Miller,	Stevens, A. F.,
Bush,	Henderson,	Minehart,	Stevens, A. J.,
Chaplin,	Hetrick,	Moffatt,	Stoner,
Clutton,	Heyburn,	Moore,	Storb,
Coldsmith,	Himes,	Morrison,	Storer,
Colville,	Holcombe,	Munley,	Thomas, L. D.,
Conner,	Hollis,	Myers, G. C.,	Thomas, M. G.,
Coyne,	Hoover,	Myers, P. M.,	Thompson,
Craig,	Horne,	Nolte,	Vickerman,
de Young,	Howell,	O'Boyle,	Weamer,
Diehm,	Huber,	Ogle,	Wells,
Dietz,	Irvin,	Orr,	Wettach,
Donahue,	Johnson,	Parkinson,	Wheeler,
Driggs,	Jones, D. J.,	Patterson,	Whitehouse,
Drinkhouse,	Jones, E. P.,	Peelor,	Whiteman,
Eaches,	Kelly,	Perry,	Williams, G. W
Earley,	Kennedy,	Pitts,	Williams, J. M.
Edmonds,	Kunkle,	Posey,	Woner,
Eshelman,	Labar,	Post,	Wood, N.,
Evans, B. P.,	Lafferty,	Price,	Wood, W. P.,
Evans, J.,	Little,	Raymond,	Wright,
Fields,	Long,	Rhodes,	Zook,
Flynn,	Lucas,	Richards,	Goodnough,
Frazier,	Ludlow,	Rinn,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the thrid reading and consideration of House Bill No. 657, entitled:

An Act to amend section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the compensation of

auditors of the accounts of school districts of the fourth class

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Alexander,	Gilchrist,	Lucas,	Rippman,
Allman,	Glasgow,	Ludlow,	Sample,
Anderson,	Goehring,	Mack,	Sarig,
Arthur,	Golder,	MacKinney,	Schaeffer,
Baker,	Greeby,	Marcus, J. C.,	Schilling,
Baldi,	Griffith,	Marshall, W. F.,	Schwartz,
Beaver,	Grimes,	Mathay,	Shambach,
Behney,	Haas,	McBride,	Sheridan,
Bell, F. A.,	Haines,	McCaig,	Smith, H.,
Bell, W. T.,	Hall,	McCann,	Smith, J. W.,
Bentley,	Harer,	McClure,	Speiser,
Betts,	Harter,	McCurdy,	Stark,
Bidelspacher,	Haslett,	McDaniel,	Staudenmeier,
Blair,	Haws,	McDermott,	Stavitski,
Bluett,	Heffernan,	McGowan,	Steedle,
Blumberg,	Heffran,	McKim,	Sterling,
Brenneman,	Henderson,	McVicar,	Stevens, A. J.,
Brewster,	Hetrick,	Metcalf,	Stoner,
Bromley,	Heyburn,	Millar,	Storb,
Brown,	Himes,	Miller,	Storer,
Brownmiller,	Holcombe,	Minehart,	Thomas, L. D.,
Burns,	Hollis,	Moffatt,	Thomas, M. G.,
Bush,	Hontz,	Moore,	Thompson,
Chaplin,	Hoover,	Morrison,	Van Alen,
Clutton,	Horne,	Munley,	Vickerman,
Coldsmith,	Huber,	Myers, G. C.,	Wells,
Conner,	Irvin,	Myers, P. M.,	Wettach,
Coyne,	Johnson,	Nolte,	Wheeler,
Craig,	Jones, C. B.,	O'Boyle,	Whitehouse,
de Young,	Jones, D. J.,	Ogle,	Whiteman,
Diehm,	Jones, E. P.,	Orr,	Williams, G. W.
Dietz,	Keene,	Parkinson,	Williams, J. M.,
Eaches,	Kelly,	Patterson,	Woner,
Earley,	Kennedy,	Peelor,	Wood, N.,
Edmonds,	Kohler,	Perry,	Wood, W. P.,
Eshelman,	Korns,	Pitts,	Wright,
Evans, B. P.,	Kunkle,	Posey,	Zook,
Evans, J.,	Labar,	Price,	Goodnough,
Gallaher,	Lafferty,	Raymond,	Speaker.
Gelder,	Little,	Rhodes,	
Gibbon,	Long,	Richards,	

NAYS—0.

The majority required by the Constitution having voted in the affirmaive, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 756, entitled:

An Act to amend section one and two of the act approved the eighth day of April, one thousand eight hundred and sixty-one (Pamphlet Laws, two hundred seventy), entitled, "An Act for the suppression of fortune telling and similar purposes."

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. BURD P. EVANS. Mr. Speaker, I move that House Bill No. 756 be recommitted to the Committee on Judiciary Local for the purpose of amendment.

Mr. ORR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 914, entitled:

An Act to amend section one of an act approved the eighth day of June, one thousand eight hundred and eighty-one, (P. L. 83) entitled "An Act to organize the state hospital for the insane at Warren, Pennsylvania, changing the name of said hospital.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,	Fratt,	Lucas,	Sarig,
Alexander,	Frazier,	Ludlow,	Sautter,
Allman,	Gallaher,	Lynch,	Schaeffer,
Anderson,	Gibbon,	Mack,	Schilling,
Armstrong,	Gilchrist,	MacKinney,	Schoener,
Arthur,	Glasgow,	Marcus, J. C.,	Schwartz,
Baker,	Goehring,	Marshall, J. G.,	Shambach,
Baldi,	Golder,	Marshall, W. F.,	Sheridan,
Beaver,	Gorham,	Mathay,	Smith, H. J.,
Behney,	Goss,	McBride,	Smith, H.,
Bell, F. A.,	Greeby,	McCaig,	Sowers,
Bell, W. T.,	Griffith,	McCann,	Spangler,
Bentley,	Grimes,	McClure,	Speiser,
Berger,	Guerin,	McCurdy,	Sprowls,
Betts,	Haas,	McDaniel,	Stark,
Bidelspacher,	Haines,	McDermott,	Staudenmeier,
Blair,	Hall,	McGowan,	Stavitski,
Bluett,	Harter,	McVicar,	Sterling,
Blumberg,	Haslett,	Metcalf,	Stevens, A. F.,
Brenneman,	Haws,	Millar,	Stevens, A. J.,
Brewster,	Heffernan,	Miller,	Stoner,
Bromley,	Heffran,	Minehart,	Storb,
Brown,	Henderson,	Moffatt,	Storer,
Brownmiller,	Hetrick,	Moore,	Thomas, L. D.,
Burchinal,	Heyburn,	Morrison,	Thomas, M. G.,
Burns,	Himes,	Munley,	Thompson,
Bush,	Holcombe,	Myers, G. C.,	Vickerman,
Clutton,	Hontz,	Myers, P. M.,	Weamer,
Coldsmith,	Hoover,	Nolte,	Wells,
Colville,	Horne,	O'Boyle,	Wettach,
Conner,	Howell,	Ogle,	Wheeler,
Coyne,	Huber,	Orr,	Whitehouse,
Craig,	Irvin,	Parkinson,	Whiteman,
de Young,	Johnson,	Patterson,	Williams, G. W.
Diehm,	Jones, C. B.,	Peelor,	Williams, J. M.,
Dietz,	Jones, D. J.,	Perry,	Woner,
Donahue,	Jones, E. P.,	Pitts,	Wood, N.,
Driggs,	Keene,	Posey,	Wood, W. P.,
Drinkhouse,	Kelly,	Price,	Wright,
Eaches,	Kennedy,	Raymond,	Zook,
Earley,	Kunkle,	Rhodes,	Goodnough,
Edmonds,	Labar,	Richards,	Speaker.
Eshelman,	Lafferty,	Rinn,	
Evans, J.,	Lauver,	Rippman,	
Flynn,	Long,	Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmaive, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 903, entitled:

An Act to amend section seven of an act approved the eighteenth day of July, one thousand nine hundred and one (P. L. 737), entitled "An Act to provide for the selection of a site and the erection of a State Hospital, for the treatment of the insane under homeopathic management, to be called The Homeopathic State Hospital for the Insane, and making an appropriation therefor," as amended, changing the corporate name of said hospital.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,	Fowler, A. I.,	Long,	Sample,
Alexander,	Frazier,	Lucas,	Sarig,
Allman,	Gallaher,	Ludlow,	Sautter,
Anderson,	Gelder,	Lynch,	Schaeffer,
Armstrong,	Gibbon,	Mack,	Schoener,
Arthur,	Gilchrist,	MacKinney,	Schwartz,
Asbury,	Glasgow,	Marcus, J.,	Shambach,
Aston,	Goehring,	Marcus, J. C.,	Sheridan,
Baldi,	Golder,	Marshall, J. G.,	Smith, G. A.,
Beaver,	Gorham,	Marshall, W. F.,	Smith, H. J.,
Behney,	Goss,	Mathay,	Smith, H.,
Bell, F. A.,	Greeby,	McBride,	Smith, J. W.,
Bell, W. T.,	Griffith,	McCaig,	Sowers,
Bentley,	Grimes,	McCann,	Spangler,
Berger,	Guerin,	McClure,	Speiser,
Betts,	Haas,	McCurdy,	Sprowls,
Bidelspacher,	Haines,	McDaniel,	Stark,
Blair,	Hall,	McDermott,	Staudenmeier,
Bluett,	Harer,	McGowan,	Stavitski,
Blumberg,	Harter,	McVicar,	Stevens, A. F.,
Brenneman,	Haslett,	Metcalf,	Stevens, A. J.,
Brewster,	Heffernan,	Millar,	Storb,
Bromley,	Heffran,	Miller,	Storer,
Brown,	Henderson,	Minehart,	Thomas, L. D.,
Brownmiller,	Hetrick,	Moffatt,	Thomas, M. G.,
Burns,	Heyburn,	Moore,	Thompson,
Bush,	Holcombe,	Morrison,	Vickerman,
Clutton,	Hollis,	Munley,	Weamer,
Coldsmith,	Hontz,	Myers, G. C.,	Wells,
Colville,	Hoover,	Myers, P. M.,	Wettach,
Conner,	Horne,	Nolte,	Wheeler,
Coyne,	Howell,	O'Boyle,	Whitehouse,
Craig,	Huber,	Ogle,	Whiteman,
de Young,	Irvin,	Orr,	Williams, G. W.
Diehm,	Johnson,	Parkinson,	Williams, J. M.,
Dietz,	Jones, D. J.,	Patterson,	Woner,
Donahue,	Jones, E. P.,	Peelor,	Wood, N.,
Driggs,	Keene,	Perry,	Wood, W. P.,
Drinkhouse,	Kelly,	Pitts,	Wright,
Eaches,	Kennedy,	Posey,	Zook,
Earley,	Kohler,	Price,	Goodnough,
Eshelman,	Kunkle,	Raymond,	Speaker.
Evans, B. P.,	Labar,	Rhodes,	
Evans, J.,	Lafferty,	Richards,	
Flynn,	Little,	Rinn,	

NAYS—0.

The majority required by the Constitution having voted in the affirmaive, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 541, entitled:

An Act to amend an act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty), entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" as amended by authorizing the court of Quarter Sessions to abolish all wards existing in any township of the first class and to re-divide such township into new wards.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Alexander,	Goehring,	Mack,	Schaeffer,
Arthur,	Golder,	Marcus, J. C.,	Schoener,
Aston,	Gorham,	McBride,	Schwartz,
Baker,	Greeby,	McCaig,	Shambach,
Beaver,	Griffith,	McCann,	Sheridan,
Behney,	Grimes,	McClure,	Smith, H. J.,
Bell, F. A.,	Guerin,	McCurdy,	Smith, H.,
Bell, W. T.,	Haas,	McDaniel,	Smith, J. W.,
Bentley,	Haines,	McDermott,	Sowers,
Berger,	Hall,	McGowan,	Spangler,
Bluett,	Harer,	McKim,	Speiser,
Blumberg,	Harter,	Metcalf,	Sprowls,
Brenneman,	Haslett,	Millar,	Stark,
Brewster,	Haws,	Miller,	Stavitski,
Bromley,	Heffernan,	Minehart,	Steedle,
Brown,	Heffran,	Moffatt,	Sterling,
Brownmiller,	Henderson,	Moore,	Stoffiet,
Burns,	Hetrick,	Morrison,	Stoner,
Chaplin,	Heyburn,	Munley,	Storb,
Clutton,	Holcombe,	Myers, G. C.,	Storer,
Coldsmith,	Hollis,	Myers, P. M.,	Thomas, L. D.,
Conner,	Hoover,	Nolte,	Thomas, M. G.,
Coyne,	Horne,	O'Boyle,	Thompson,
Craig,	Howell,	Orr,	Weamer,
de Young,	Huber,	Parkinson,	Wells,
Diehm,	Irvin,	Patterson,	Wettach,
Dietz,	Johnson,	Peelor,	Wheeler,
Driggs,	Jones, E. P.,	Perry,	Whitehouse,
Drinkhouse,	Kelly,	Pitts,	Whiteman,
Eaches,	Kennedy,	Posey,	Williams, G. W.
Earley,	Kohler,	Post,	Williams, J. M.
Edmonds,	Kunkle,	Price,	Woner,
Evans, B. P.,	Labar,	Raymond,	Wood, N.,
Evans, J.,	Lauver,	Rhodes,	Wood, W. P.,
Flinchbaugh,	Little,	Richards,	Wright,
Flynn,	Long,	Rinn,	Zook,
Frazier,	Lucas,	Rippman,	Goodnough,
Gallaher,	Ludlow,	Sample,	Speaker.
Gilchrist,	MacKinney,	Sarig,	
Glasgow,		Sautter,	

NAYS—0.

The majority required by the Constitution having voted in the affirmaive, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 965, entitled:

An Act to repeal an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled "An act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department"

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. EDMONDS. Mr. Speaker, I move that House Bill No. 965 be placed upon the postponed calendar.

Mr. HAWS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 666, entitled:

An Act to amend section two thousand one hundred five of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first second and third classes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Albert,	Haws,	McCurdy,	Smith, H.,
Anderson,	Heffernan,	McDaniel,	Smith, J. W.,
Armstrong,	Heffran,	McDermott,	Soffel,
Bell, W. T.,	Henderson,	McGowan,	Speiser,
Bentley,	Hetrick,	McKim,	Stark,
Betts,	Heyburn,	Metcalf,	Staudenmeier,
Bluett,	Holcombe,	Millar,	Stavitski,
Blumberg,	Hollis,	Miller,	Steedle,
Brenneman,	Hoover,	Minehart,	Sterling,
Bromley,	Horne,	Moffat,	Stevens, A. J.,
Brown,	Howell,	Moore,	Stevens, A. F.,
Brownmiller,	Huber,	Morrison,	Storb,
Bush,	Irvin,	Munley,	Storer,
Chaplin,	Johnson,	Myers, G. C.,	Thomas, L. D.,
Clutton,	Jones, C. B.,	Myers, P. M.,	Thomas, M. G.,
Coldsmith,	Jones, D. J.,	Nolte,	Thompson,
Coyne,	Jones, E. P.,	O'Boyle,	Van Alen,
Craig,	Kelly,	Ogle,	Vickerman,
Diehm,	Kennedy,	Orr,	Weamer,
Dietz,	Kohler,	Parkinson,	Wells,
Eaches,	Kunkle,	Patterson,	Wettach,
Earley,	Lafferty,	Peelor,	Wheeler,
Edmonds,	Little,	Perry,	Whitehouse,
Evans, B. P.,	Long,	Post,	Whiteman,
Fields,	Lucas,	Price,	Williams, G. W.
Gallaher,	Ludlow,	Rhodes,	Williams, J. M.,
Gibbon,	Lynch,	Richards,	Woner,
Glasgow,	MacKinney,	Rippman,	Wood, N.,
Goss,	Marshall, J. G.,	Sample,	Wood, W. P.,
Greeby,	Marshall, W. F.,	Sarig,	Wright,
Grimes,	Mathay,	Schaeffer,	Zook,
Guerin,	McBride,	Schilling,	Goodnough,
Haines,	McCaig,	Schwartz,	Speaker.
Hall,	McCann,	Shambach,	
Harter,	McClure,	Sheridan,	

NAYS—1.

Bell, F. A.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 999, entitled:

An Act providing for the refunding of liquor license fees and additional taxes to holders of licenses to manufacture or sell vinous spiritous malt or brewed liquors or any admixture thereof intoxicating liquor or ethyl alcohol where the Act of Assembly under the authority of which such licenses were granted has been repealed by the General Assembly of one thousand nine hundred and twnty-three prior to the expiration of the license year for which such licenses were issued providing for the payment of such refund in certain cases by the county in which such license was granted and the repayment to such county by the city borough township and State of their respective shares of such refund and for the payment of such refund in certain cases by the State alone providing the procedure in such cases and making an appropriation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Allman,	Fowler, D.,	Labar,	Schwartz,
Anderson,	Fratt,	Lauver,	Shambach,
Arthur,	Frazier,	Little,	Sheridan,
Baker,	Gallaher,	Lucas,	Smith, G. A.,
Beaver,	Gelder,	Ludlow,	Smith, H. J.,
Behney,	Gibbon,	Mack,	Smith, H.,
Bell, F. A.,	Gilchrist,	MacKinney,	Smith, J. W.,
Bell, W. T.,	Glasgow,	Marcus, J. C.,	Sowers,
Bentley,	Goehring,	Mathay,	Spangler,
Berger,	Gorham,	McBride,	Speiser,
Betts,	Griffith,	McClure,	Stark,
Bluett,	Grimes,	McCurdy,	Staudenmeier,
Blumberg,	Gundy,	McDermott,	Stavitski,
Brenneman,	Haas,	McGowan,	Sterling,
Brewster,	Hall,	McKim,	Stevens, A. F.,
Bromley,	Harter,	McVicar,	Thomas, L. D.,
Brown,	Haslett,	Metcalf,	Thomas, M. G.,
Brownmiller,	Haws,	Millar,	Thompson,
Burns,	Heffernan,	Miller,	Vickerman,
Bush,	Henderson,	Minehart,	Weamer,
Chaplin,	Hetrick,	Moffatt,	Wells,
Coldsmith,	Himes,	Moore,	Wettach,
Colville,	Hontz,	Morrison,	Wheeler,
Craig,	Hoover,	Munley,	Whitehouse,
de Young,	Horne,	Myers, G. C.,	Whiteman,
Dietz,	Howell,	O'Boyle,	Williams, G. W.,
Donahue,	Huber,	Ogle,	Williams, J. M.,
Driggs,	Irvin,	Orr,	Woner,
Dunn,	Johnson,	Parkinson,	Wood, N.,
Eaches,	Jones, C. B.,	Patterson,	Wood, W. P.,
Earley,	Jones, E. P.,	Peelor,	Wright,
Edmonds,	Keene,	Perry,	Zook,
Evans, B. P.,	Kelly,	Pitts,	Goodnough,
Evans, J.,	Kennedy,	Raymond,	Speaker.
Flinchbaugh,	Korns,	Richards,	
Flynn,	Kunkle,	Schaeffer,	

NAYS—3.

Albert,	Alexander,	Heyburn,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 959, entitled:

An Act to repeal the act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and eighteen) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employes and on city councils of cities of the first and second class and providing penalties" and section thirty-nine of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. MINEHART. Mr. Speaker, at the request of some gentlemen who think this bill may conflict with the previous bill that has passed the House, I would move that this bill be placed on the postponed calendar to give them time to study it.

Mr. JOHNSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 869, entitled:

An Act relating to the proof of intoxicating liquors sold offered for sale or furnished and providing penalties

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. STEEDLE. Mr. Speaker, I should like to interrogate the gentleman from Delaware, Mr. Craig.

The SPEAKER. Will the gentleman from Delaware, Mr. Craig, permit himself to be interrogated?

Mr. CRAIG. With pleasure, Mr. Speaker.

Mr. STEEDLE. I should like to ask the gentleman from Delaware, in the prescription issued by a physician for anything other than hard liquors, by that I mean whiskey, whether it would be necessary for the container to show the percentage of alcohol within the product. As an example, if I were to prescribe champaign for a patient, would it be necessary for that container to show the percentage of alcohol?

Mr. CRAIG. In reply to the question of the gentleman from Allegheny, Mr. Steedle, I would state that down where I come from, if the patient, or the doctor is able to procure good whiskey on a prescription they have, they are doing very good. I didn't have in mind that there might be some other liquors that the physician would use when I had this act drawn, but it has been brought to my attention that champagne is often used. However, it is seldom used in our county. I know one case where it was used and the gentleman who took it to the hospital, took two bottles there for the use of his daughter, and she was only able to drink one bottle. When he attempted to take the other bottle out. the doctor promptly stopped him from removing it, claiming it was against the law. In the making of champagne, it is made in an original container, it is made in the bottle in which you buy it, or a similar bottle, and I should think that if made that way, it might be able to get by without having the percentage of proof upon it.

Mr. STEEDLE. Don't you think that there might be some confusion under the phraseology of this act, that it might be misconstrued by the druggist who is dispensing the product in protection of himself. Now, I can easily understand your sincerity in the measure, it is for the purpose of where a physician prescribes whiskey, that it shall be in a container and shall certify that it is 100% proof. In other words, that the druggist shall not be permitted to adulterate after he has bought from the distillery for the purpose of dispensing it for medicial purposes only. Now, that is true, and I understand from information received that when you first proposed this bill, it was for the purpose of making it a very serious crime on the part of the druggist to change the contents in the way of a substitution of an adulterant, or wood alcohol, in trying to reduce a good product down to a bad one. Now, I would be heartily in accord with any such law as that, but I am afraid that this is going to be a little confusing in the case of port wine, sherry wine and any other beverage that may be used for medicinal purposes.

Therefore, I think that it might be amended to take care of your idea and compelling him simply to certify to spirits fermenti, whiskey.

May I ask the sponsor to make a motion to refer it back to the committee and have it amended.

On the question recurring,
Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. CRAIG. Mr. Speaker, I move that the vote by which House Bill No. 869 passed on third reading be reconsidered.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. CRAIG. Mr. Speaker, I have no objection to having it amended. I move you that House Bill No. 869, be recommitted to the Committee on Public Health and Sanitation for the purpose of having it amended.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 693, entitled:

An Act providing for the quarantine and control of the Japanese Beetle imposing certain powers and duties on the Department of Agriculture and providing penalties

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Albert,	Glasgow,	Mack,	Sarig,
Allman,	Goehring,	MacKinney,	Sautter,
Arthur,	Golder,	Mangan,	Schaeffer,
Asbury,	Goss,	Marcus, J.,	Schilling,
Baker,	Greeby,	Marcus, J. C.,	Schwartz,
Baldi,	Griffith,	Marshall, W. F.,	Shambach,
Beaver,	Grimes,	Mathay,	Smith, G. A.,
Behney,	Guerin,	McBride,	Smith, H. J.,
Bell, F. A.,	Gundy,	McCaig,	Smith, H.,
Bell, W. T.,	Haas.	McCann,	Smith, J. W.,
Bentley,	Haines,	McClure,	Spangler,
Betts,	Hall,	McCurdy,	Speiser,
Bidelspacher,	Harer,	McDaniel,	Sprowls,
Blair,	Haslett,	McDermott,	Stark,
Bluett,	Haws,	McGowan,	Staudenmeier,
Blumberg,	Heffernan,	McVicar,	Stavitski,
Brenneman,	Heffran,	Metcalf,	Sterling,
Brewster,	Henderson,	Millar,	Stevens, A. J.,
Bromley,	Hetrick,	Miller,	Stevens, A. F.,
Brown,	Heyburn,	Minehart,	Stoner,
Brownmiller,	Himes,	Moffatt,	Storb,
Burchinal,	Holcombe,	Moore,	Storer,
Burns,	Hollis,	Morrison,	Thomas, L. D.,
Bush,	Hontz,	Munley,	Thomas, M. G.,
Clutton,	Hoover,	Myers, G. C.,	Thompson,
Coldsmith,	Horne,	Myers, P. M.,	Vickerman,
Colville,	Huber,	Nolte,	Weamer,
Coyne,	Irvin,	O'Boyle,	Wells,
Dietz,	Johnson,	Ogle,	Wettach,
Donahue,	Jones, C. B.,	Orr,	Wheeler,
Driggs,	Jones, D. J.,	Parkinson,	Whitehouse,

Drinkhouse,	Jones, E. P.,	Patterson,	Whiteman,
Eaches,	Kennedy,	Peelor,	Williams, G. W.,
Earley,	Kohler,	Perry,	Williams, J. M.,
Edmonds,	Korns,	Pitts,	Woner,
Evans, J.,	Kunkle,	Posey,	Wood, N.,
Flinchbaugh,	Labar,	Post,	Wood, W. P.,
Fowler, A. I.,	Lauver,	Price,	Wright,
Fowler, D.,	Little,	Raymond,	Zook,
Frazier,	Long,	Richards,	Goodnough,
Gallaher,	Lucas,	Rinn,	Speaker.
Gibbon,	Ludlow,	Sample,	
Gilchrist,	Lynch,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 121, entitled:

An Act making a deficiency appropriation to the State Hospital of Coaldale

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Schuylkill permit himself to be interrogated?

Mr. SCHAEFFER. Mr. Speaker, the gentleman from Schuylkill, the sponsor of this bill, is sick, but I think the chairman of the Appropriations Committee can answer any questions.

Mr. HARER. Mr. Speaker, I will be glad to answer any question if it is possible.

Mr. ALEXANDER. Mr. Speaker, I would like to ask the chairman of the Appropriations Committee what the appropriation to this hospital was in 1921.

Mr. HARER. I cannot tell you that offhand, but I can get it for you.

Mr. ALEXANDER. Mr. Speaker, we had a number of these deficiency bills in the appropriation Committee this morning some of them asking for practically half as much as was appropriated to them in 1921.

For instance, we had one hospital this morning that asked for $95,000 in 1921. The legislature of 1921 appropriated $95,000 to that hospital. The Governor cut the appropriations to $90,000, yet that same hospital came in with an appropriation asking for a deficiency of $45,000, which was 50 per cent of the amount appropriated before. That $45,000 was o. k'd by the Public Welfare Board, yet the Appropriation Committee appointed a sub-committee, and that subcommittee, upon investigation, found that all that was necessary to pay the deficiency was $35,000, or $10,000 less than had been approved by the Public Welfare Board. A number of those bills, therefore, were laid over this morning, to have those hospitals or their management, come before the Appropriations Committee and inform the Appropriation Committee, why their estimate for 1921 was so much below what the necessity seems to be, and how the deficiency was made up. Now, it seems to me, when you look at this bill and see that this is one of the bills that they asked for a deficiency first for $50,587.85, and the sub-committee after investigation, found they could get along with $22,527, which is less than 50 per cent. It seems to me that this bill, in order to play fair with everybody should be postponed and should be sent back to the Appropriations Committee to be investigated, with these other deficiencies. I cannot understand how any management can put in an estimate and then two years hence, fall down on that estimate fifty percent and then ask for a deficiency of about 25 per cent too much, and still their accounts be proper. When I think that such things as that do happen, it is incumbent upon us to make a careful investigation. I have no hesitancy to say that, as far as the sub-committee of the Appropriations Committee went, they went as far as was possible for them to go. They examined the figures, and the figures seemed to be o. k.; but it seems to me, we should go back of the figures especially, as I say, when the discrepancies are so great as they are in these deficiency measures. I therefore, move Mr. Speaker, that House Bill No. 121, File Folio 2077, that the vote by which this bill passed third reading be reconsidered.

Mr. HEYBURN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. HARER. Mr. Speaker, in reply to the statement made by Mr. Alexander, I will say in regard to this bill in particular, that the difference of $28,000 was due to construction work that was done at this institution, and which the committee found they could not put in as a deficiency bill but must be cared for out of their appropriation. Now, in regard to all these bills about which Mr. Alexander has spoken, I want to say for the benefit of the House, that the Appropriations Committee made a two days examination of all these deficiency bills. By comparing notes with the Auditor General's reports we found they were different, and taking the Auditor General's reports as authentic they were able to save considerable money. The Appropriations Committee tried to investigate why these deficiencies existed and were told by the institutions that they were made necessary by increased costs over which they had no control. Now these deficiencies had existed for a great many years but the fact that they had existed does not excuse them in any sense of the word. They should not exist and the Governor has assured us that under his new system they will not exist. The fact remains however that the State or the institutions are obligated for these bills, for this indebtedness, and they must be met. Now, the Committee is satisfied, except in a fw instances where we are going to call in the Board, we are satisfied that the rest of these bills are right as far as they have been contracted for. They are right in incurring this indebtedness, We can't say, but we know the bills exist and they must be met, and I think the Committee has done its work and has done it properly and the only thing that the House can do is pass these bills.

Mr. McCaig. Mr. Speaker, as a member of the sub-committee, appointed by the chairman of the Appropriations Committee, I would just state what has been done in prior years. We have called in the Auditor General's Department when shaving down, in order to keep within the revenues, and that Department has placed at our disposal the gentleman who checks up the reports, the sworn reports that are handed in by the various institutions, and these are all state institutions. The gentleman checks up he auditor's reports, and each institution is audited quarterly by the Auditor General's Department. That Department has a traveling auditor who goes to each institution quarterly and audits the books and cuts out anything that is not allowed by the State. In estimating the required amounts, when they apply for appropriations, they estimate the amount of the cost for living and the amount of work they can do, and in may instances where these deficiencies occur, it is for work done for which they did not estimate. When we get these amounts recommended by the Welfare Depart-

ment we go to the Auditor General's expert, I might say, and we figure the cost of running the institution for the 21 months just passed and the remaining three months are just estimated, and by charging them with strict economy these amounts are arrived at and that why the bills are on the calendar. The sub-committee made its report to the committee, the Committee placed the bills before you, and when they come from the Auditor General's Department and the amount is fixed there, I feel that we are in duty bound to pay these amounts.

Mr. EDMONDS. Mr. Speaker, I desire to interrogate the Chairman of the Appropriations Committee.

The SPEAKER. Will the gentleman from Lycoming, Mr. Harer, permit himself to be interrogated?

Mr. HARER. Yes, sir, Mr. Speaker.

Mr. EDMONDS. Did I understand you to say just now that these bills have already been considered by the sub-committee of the appropriations Committee and that they were cut down to the legitimate amounts?

Mr. HARER. Not only by the sub-committee, but by the entire committee.

Mr. EDMONDS. Mr. Speaker, I desire to interrogate the gentleman from Delaware.

The SPEAKER. Will the gentleman from Delaware, Mr. Alexander, permit himself to be interrogated?

Mr. ALEXANDER. Yes sir, Mr. Speaker.

Mr. EDMONDS. I would like to ask the gentleman what particular advantage there would be in sending this bill back to the Appropriations Committee?

Mr. ALEXANDER. As far as the sub-committee is concerned they simply take the figures as produced in the first instance and o.k'd by the Public Welfare Board and the sub-committee pared $10,000 from the figures already o.k'd by the Auditor General's Department without having any explanation from the management of this hospital. As far as the right of the hospital to contract for additional work is concerned, they have no right to so contract. That is a wrong idea. They have no right to contract further than the amount of the appropriation of this House. The fact that the committee does appropriate a deficiency to them is no reason why they should run that deficiency to 50 per cent of the amount appriated in 1921. I do not like the idea of some of these bills being held up for examination, and not the others, because I do not delieve in making flesh of one and bone of the other. I want to treat them all fairly, and that is the reason I suggested sending this one back and putting it in the same position of the ones where they have sent for the management.

Mr. EDMONDS. As I undestand the chairman, that already has been done by the sub-committee. Is that correct?

Mr. HARER. Yes.

Mr. EDMONDS. While the course of the gentleman from Delaware is right and proper for a new appropriation, the fact is that this already represents the final judgment of the committee after a severe scrutiny.

Mr. CRAIG. Mr. Speaker, I just want to say this for the information of the gentleman from Delaware, that we have never taken the figures of the Welfare Department. We take the figures as we find them on the Auditor General's books and I thing we can safely give them this amount. It is due them due to work they didn't figure on, an amergency which arises, an increased cost of all the commodities they use, and I can say that the Auditor General's figures are what now appear here.

Mr. HARER. There is only one thing to be gained by the motion of the gentleman from Delaware. We all agree that we owe these bills which have been contracted for. While we may not legally be indbted for these bills, we are morally, and the Governor has said in times past that the institution must be continued. It must do its work. If it does not have sufficient money, if an emergency arises, or if it runs out of its appropriation through no fault of its own, it must continue, and the State is liable for it morally if for no other way. The only thing gained by the motion would be to bring in these people to tell us why they did this. It will not effect the bill in any way. They have been given to understand in the past that they must not do this, but every year they come in just the same and I do not know how to relieve the situation any.

Mr. SCHAEFFER. Mr. Speaker, I desire to interrogate the chairman of the Appropriations Committee.

The SPEAKER. Will the gentleman from Lycoming, Mr. Harer, permit himself to be interrogated?

Mr. HARER. Yes sir.

Mr. SCHAEFFER. Mr. Speaker, I desire to ask the gentleman whether or not the Superintendent of the Coaldale Hospital was not before the sub-committee of this appropriation committee?

Mr. HARER. He was, yes sir.

Mr. SCHAEFFER. Mr. Speaker and members of the House, this hospital is sadly in need of this money, and I hope that this motion will not prevail.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Arthur,	Frazier,	Lauver,	Posey,
Baker,	Gibbon,	Little,	Price,
Baldi,	Gilchrist,	Long,	Richards,
Beaver,	Glasgow,	Ludlow,	Rippman,
Bell, F. A.,	Goehring,	Lynch,	Sample,
Bell, W. T.,	Golder,	Mack,	Sarig,
Betts,	Gorham,	MacKinney,	Sautter,
Blair,	Grimes,	Mangan,	Schaeffer,
Bluett,	Gundy,	Marcus, J.,	Schoener,
Blumberg,	Haas,	Marcus, J. C.,	Schwartz,
Bromley,	Hall,	Marshall, W. F.,	Sheridan,
Brown,	Harer,	McBride,	Smith, H. J.,
Brownmiller,	Harter,	McCaig,	Smith, H.,
Burns,	Haws,	McClure,	Smith, J. W.,
Bush,	Heffernan,	McCurdy,	Sprowls,
Colville,	Himes,	McDermott,	Stark,
Craig,	Hollis,	McGowan,	Staudenmeier,
de Young,	Hontz,	McKim,	Steedle,
Diehm,	Horne,	McVicar,	Sterling,
Dietz,	Howell,	Miller,	Thomas, L. D.,
Driggs,	Huber,	Minehart,	Thomas, M. G.,
Drinkhouse,	Irvin,	Moffatt,	Vickerman,
Eaches,	Jones, D. J.,	Moore,	Weamer,
Earley,	Jones, E. P.,	Munley,	Wells,
Edmonds,	Keene,	Myers, P. M.,	Wettach,
Eshelman,	Kelly,	O'Boyle,	Whitehouse,
Evans, B. P.,	Kennedy,	Ogle,	Whiteman,
Evans, J.,	Kohler,	Orr,	Wood, W. P.,
Fowler, A. I.,	Korns,	Parkinson,	Wright,
Fowler, D.,	Kunkle,	Peelor,	Zook,
Fratt,	Lafferty,	Pitts,	Goodnough,
			Speaker.

NAYS—5.

Alexander,	Flinchbaugh,	Lucas,	Stevens, A. F.,
Behney,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 790, entitled:

An Act making a deficiency appropriation to the Pennsylvania Training School at Morganza Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Allman,	Gorham,	Marcus, J. C.,	Schaeffer,
Arthur,	Greeby,	Marshall, W. F.,	Schwartz,
Baker,	Griffith,	Mathay,	Shambach,
Beaver,	Grimes,	McBride,	Sheridan,
Behney,	Guerin,	McCaig,	Smith, H. J.,
Bell, W. T.,	Gundy,	McClure,	Smith, H.,
Bentley,	Haines,	McCurdy,	Smith, J. W.,
Betts,	Hall,	McDaniel,	Sowers,
Bidelspacher,	Harer,	McDermott,	Spangler,
Blair,	Haslett,	McGowan,	Speiser,
Bluett,	Heffernan,	McKim,	Stark,
Boback,	Heffran,	Metcalf,	Staudenmeier,
Brewster,	Henderson,	Millar,	Staviski,
Brown,	Hetrick,	Miller,	Steedle,
Brownmiller,	Himes,	Minehart,	Stevens, A. J.,
Burchinal,	Holcombe,	Moffatt,	Stevens, A. F.,
Burns,	Hontz,	Moore,	Storb,
Bush,	Hoover,	Morrison,	Storer,
de Young,	Horne,	Munley,	Thomas, L. D.,
Diehm,	Howell,	Myers, G. C.,	Thomas, M. G.,
Dietz,	Huber,	Myers, P. M.,	Thompson,
Donahue,	Irvin,	O'Boyle,	Vickerman,
Driggs,	Jones, D. J.,	Ogle,	Weamer,
Drinkhouse,	Jones, E. P.,	Orr,	Wells,
Eaches,	Keene,	Parkinson,	Wettach,
Earley,	Kennedy,	Patterson,	Wheeler,
Eshelman,	Korns,	Peelor,	Whiteman,
Evans, B. P.,	Kunkle,	Perry,	Williams, G. W.,
Evans, J.,	Lafferty,	Pitts,	Williams, J. M.,
Flinchbaugh,	Little,	Post,	Woner,
Fowler, A. I.,	Long,	Price,	Wood, N.,
Frazier,	Lucas,	Rhodes,	Wood, W. P.,
Gallaher,	Ludlow,	Richards,	Wright,
Gibbon,	Lynch,	Rinn,	Zook,
Gilchrist,	MacKinney,	Sample,	Goodnough,
Golder,	Mangan,	Sarig,	Speaker.

NAYS—1.

Alexander,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 641, entitled:

An Act making a deficiency appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Allman,	Gallaher,	Little,	Rippman,
Anderson,	Gelder,	Long,	Sample,
Asbury,	Gibbon,	Lucas,	Sarig,
Aston,	Gilchrist,	Ludlow,	Schaeffer,
Baker,	Glasgow,	Mack,	Schilling,
Beaver,	Goehring,	MacKinney,	Shambach,
Behney,	Golder,	Mangan,	Sheridan,
Bell, F. A.,	Gorham,	Marcus, J. C.,	Smith, H. J.,
Bentley,	Goss,	Marshall, W. F.,	Smith, H.,
Berger,	Greeby,	McBride,	Smith, J. W.,
Betts,	Griffith,	McCaig,	Sowers,
Bidelspacher,	Grimes,	McClure,	Spangler,
Bluett,	Guerin,	McCurdy,	Speiser,
Blumberg,	Gundy,	McDaniel,	Stark,
Brenneman,	Haines,	McDermott,	Staudenmeier,
Brewster,	Harer,	McGowan,	Stavitski,
Bromley,	Haslett,	McKim,	Steedle,
Brownmiller,	Haws,	Metcalf,	Sterling,
Burns,	Heffernan,	Millar,	Stofflet,
Bush,	Heffran,	Miller,	Stoner,
Chaplin,	Henderson,	Minehart,	Storer,
Coldsmith,	Hetrick,	Moffat,	Thomas, L. D.,
Colville,	Heyburn,	Moore,	Thomas, M. G.,
Coyne,	Holcombe,	Morrison,	Thompson,
Craig,	Hollis,	Munley,	Vickerman,
de Young,	Hoover,	Myers, G. C.,	Wells,
Diehm,	Horne,	Myers, P. M.,	Wettach,
Dietz,	Howell,	Nolte,	Whitehouse,
Driggs,	Huber,	O'Boyle,	Whiteman,
Drinkhouse,	Irvin,	Ogle,	Williams, J. M.,
Eaches,	Johnson,	Orr,	Woner,
Earley,	Jones, D. J.,	Parkinson,	Wood, N.,
Edmonds,	Jones, E. P.,	Patterson,	Wood, W. P.,
Eshelman,	Kelly,	Posey,	Wright,
Evans, B. P.,	Kennedy,	Post,	Zook,
Evans, J.,	Korns,	Raymond,	Goodnough,
Flinchbaugh,	Kunkle,	Richards,	Speaker.
Frazier,	Lafferty,	Rinn,	

NAYS—1.

Alexander,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 782, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia to cover deficiency in maintenance and education of State pupils

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153.

Anderson,	Gilchrist,	Mack,	Sample,
Armstrong,	Goehring,	MacKinney,	Sarig,
Beaver,	Golder,	Marcus, J. C.,	Schaeffer,
Behney,	Goss,	Marshall, J. G.,	Schoener,
Bell, F. A.,	Greeby,	Marshall, W. F.,	Schwartz,
Bell, W. T.,	Griffith,	McBride,	Sheridan,
Bentley,	Grimes,	McCaig,	Smith, H. J.,
Berger,	Guerin,	McCann,	Smith, H.,
Blair,	Haas,	McClure,	Smith, J. W.,
Bluett,	Haines,	McCurdy,	Sowers,
Brenneman,	Harer,	McDaniel,	Speiser,
Brewster,	Harter,	McDermott,	Stark,
Bromley,	Haws,	McKim,	Staudenmeier,
Brown,	Heffernan,	McVicar,	Stavitski,
Brownmiller,	Heffran,	Metcalf,	Steedle,
Burns,	Henderson,	Millar,	Stevens, A. J.,
Bush,	Hetrick,	Miller,	Stevens, A. F.,
Chaplin,	Heyburn,	Minehart,	Stoner,
Coldsmith,	Himes,	Moffatt,	Storb,
Colville,	Hollis,	Moore,	Storer,
Conner,	Hoover,	Morrison,	Thomas, L. D.,
Coyne,	Horne,	Munley,	Thomas, M. G.,
Craig,	Howell,	Myers, G. C.,	Thompson,
de Young,	Huber,	Myers, P. M.,	Vickerman,
Diehm,	Irvin,	Nolte,	Weamer,
Dietz,	Johnson,	O'Boyle,	Wells,

Driggs,	Jones, D. J.,	Ogle,	Wheeler,
Drinkhouse,	Jones, E. P.,	Orr,	Whitehouse,
Eaches,	Kelly,	Parkinson,	Whiteman,
Earley,	Kennedy,	Patterson,	Williams, G. W.,
Edmonds,	Kohler,	Peelor,	Williams, J. M.
Evans, B. P.,	Kunkle,	Perry,	Woner,
Evans, J.,	Korns,	Pitts,	Wood, N.,
Flinchbaugh,	Labar,	Posey,	Wood, W. P.,
Flynn,	Lafferty,	Price,	Wright,
Fratt,	Little,	Raymond,	Zook,
Frazier,	Long,	Rhodes,	Goodnough,
Gallaher,	Lucas,	Richards,	Speaker.
Gelder,	Ludlow,	Rinn,	
Gibbon,	Lynch,	Rippman,	

NAYS—1.

Alexander,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1082, entitled:

An Act making it unlawful to interfere or attempt to interfere with persons about to procure marriage licenses or to influence or attempt to influence such persons or go to certain officers for such purpose

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BREWSTER. Mr. Speaker I should like to interrogate the proponent of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Storer, permit himself to be interrogated?

Mr. STORER. I will, Mr. Speaker.

Mr. BREWSTER. I should like to know whether this bill includes any interference on the part of parents who may have a wayward child who goes to the marriage bureau to secure a marriage license. There is nothing at all in the bill exempting them from being arrested and charged with a misdemeanor, and for that reason I would feel like opposing the bill.

Mr. STORER. It does not.

Mr. BREWSTER. There is nothing said in the bill that exempts any person who may interfere with parties going to the marriage license bureau or the clerk of the Orphans' Court for a license. If I have a wayward daughter or a wayward son, sixteen years of age, or even younger, as the case sometimes happens, and I should go to the clerk of the Orphans' Court for a license to marry some man, prehaps whom I would be opposed to, there is nothing in this bill that exempts parents under those circumstances from being arrested and charged with a misdemeanor, that I can see in the bill. Otherwise, the bill is a good bill, except for that reason, as far as I can see, but I would have to oppose it, and I believe that every parent in this House, and those members who are not parents would oppose this bill. I was deputy clerk of the Orphans' Court of our county, and I know something about it. I want to say right here that many and many a time, young people came there and their parents would object to their procuring a license. Now, there is nothing in this bill, that I can see, to prevent their being arrested and charged with a misdemeanor. For that reason, I am opposed to this bill.

Mr. STORER. The purpose of this bill is to stop the practice of persons who have been interfering with persons who are on their road to the marriage license office. It has become a nuisance, not only to the Orphans' Court, but to persons who are on their way for the marriage license. In answer to the gentleman from Huntingdon, I will say that a person less than twenty-one years of age in the State of Pennsylvania could not get a marriage license without having a guardian or parent go to sign, and a person more than twenty-one years of age, would, of course, be entitled to a marriage license whether they shoud be wayward or not.

Mr. ALEXANDER. Mr. Speaker, may I interrogate the sponsor of this bill?

The SPEAKER. Will the gentleman from Allegheny, Mr. Storer, permit himself to be interrogated?

Mr. STORER. Mr. Speaker, I will.

Mr. ALEXANDER. I would like to ask the gentleman from Allegheny, whether, as often happens, two persons desiring to be married and they come to the courthouse, especially in the country districts, this applies to the whole State, and find that the Register of Wills' or the Clerk of the Orphans' Court office is closed. Therefore, someone of whom they inquire advises them to go down to the justice of the peace office and get their marriage license. Would not that party be guilty of a crime as set out in this bill.

Mr. STORER. He would not.

Mr. ALEXANDER. This bill, as I understand it, as I read it, makes it unlawful for any person to interfere with or attempt to interfere with any person who may want to go to the office of any clerk of the Orphans' Court for the purpose of securing a marriage license, to influence or attempt to influence any such person to go to any other office, that would be doing that, would it not?

Mr. STORER. That would be asking for information. That would not be interfering with them.

Mr. ALEXANDER. But, if he asked the party where is the office of the clerk of the Orphans' Court, and he would say to them, the clerk of the Orphans' Court office, it being after 12:00 o'clock on Saturday afternoon, is closed, they have gone home, there is nobody here. You go down here to the magistrate's office, he has licenses and will grant them to you. That is surely interference.

Mr. STORER. That would not be a violation of the provisions of this Act.

Mr. ALEXANDER. Does the gentleman from Allegheny think there is any real reason for his bill.

Mr. STORER. Mr. Speaker, I do think there are very great reasons for this bill. It has become quiet a nuisance in Allegheny County, and members of this House from Allegheny County realize that.

BILL POSTPONED.

Mr. STORER. Mr. Speaker, I move that House Bill No. 1082 be placed on the postponed calendar.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the thrid reading and consideration of House Bill No. 911, entitled:

An Act to provide for the erection of new or additional buildings for the maintenance care and treatment of the poor indigent insane and indigent persons afflicted with tuberculosis in poor districts in counties of the second class which now maintain or which shall hereafter maintain a poor house or a hospital or sanitarium for such purposes

authorizing the county commissioners to borrow moneys issue and negotiate the sale of bonds and to levy taxes for the payment of the same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Albert,	Flynn,	Lucas,	Sautter,
Alexander,	Fowler, A. I.,	Ludlow,	Schaeffer,
Allman,	Fowler, D.,	Mack,	Schoener,
Arthur,	Frazier,	MacKinney,	Schwartz,
Aston,	Gelder,	Mangan,	Shambach,
Baker,	Gibbon,	Marcus, J.,	Sheridan,
Beaver,	Gilchrist,	Marcus, J. C.,	Smith, G. A.,
Behney,	Glasgow,	Marshall, W. F.	Smith, H. J.,
Bell, F. A.,	Goehring,	Mathay,	Smith, J. W.,
Bentley,	Golder,	McBride,	Sowers,
Betts,	Gorham,	McCaig,	Spangler,
Bluett,	Grimes,	McClure,	Speiser,
Blumberg,	Gundy,	McCurdy,	Sprowls,
Boback,	Harer,	McDermott,	Stark,
Brenneman,	Harter,	McKim,	Stavitski,
Bromley,	Haslett,	Metcalf,	Steedle,
Brownmiller,	Haws,	Miller,	Sterling,
Burchinal,	Heffernan,	Minehart,	Stevens, A. J.,
Burns,	Hetrick,	Moffat,	Stevens, A. F.,
Bush,	Heyburn,	Moore,	Stoner,
Chaplin,	Hollis,	Morrison,	Storb,
Coldsmith,	Hoover,	Munley,	Storer,
Conner,	Howell,	Myers, G. C.,	Thomas, L. D.,
Craig,	Huber,	Myers, P. M.,	Thomas, M. G.,
de Young,	Irvin,	O'Boyle,	Thompson,
Diehm,	Johnson,	Ogle,	Vickerman,
Dietz,	Jones, C. B.,	Orr,	Weamer,
Donahue,	Jones, D. J.,	Parkinson,	Wells,
Driggs,	Jones, E. P.,	Patterson,	Wettach,
Drinkhouse,	Keene,	Peelor,	Wheeler,
Eaches,	Kelly,	Perry,	Whitehouse,
Earley,	Kohler,	Pitts,	Woner,
Edmonds,	Korns,	Posey,	Wood, N.,
Eshelman,	Kunkle,	Price,	Wood, W. P.,
Evans, B. P.,	Lauver,	Rhodes,	Zook,
Evans, J.,	Little,	Rinn,	Goodnough,
Flinchbaugh,	Long,	Rippman,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 983, entitled:

An Act authorizing John J. Higgins of the City of Philadelphia Pennsylvania to bring suit against the Commonwealth

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SOWERS. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentlemen, from Montgomery, Mr. Evans, permit himself to be interrogated?

Mr. BURD P. EVAN. I will, Mr. Speaker.

Mr. SOWERS. Does the sponsor of the bill know whether or not this was presented to any Philadelphia member in this House, and that member declined to offer the bill.

Mr. BURD P. EVANS. I don't.

Mr. SOWERS. Mr. Speaker, I am not concerned with the merits or demerits of this bill, but if a resident of Philadelphia desires to have special legislation offered to this House, it seems to me that he ought to consult the delegation from Philadelphia without going out into the country; that the Philadelphia members ought to have the consideration of that legislator before it is offered here. It seems to me that the Philadelphia members are perfectly capable of taking care of their own constituents. I ask that this bill be voted down.

Mr. BURD P. EVANS. I want to assure the gentleman from Philadelphia and the members of the House that there is no attempt to be discourteous in the presenting of this bill by myself, a member from Montgomery County. I suppose that the gentleman knows, that section 1, article 2, of the Constitution of Pennsylvania, provides that suit may be brought against the Commonwealth of Pennsylvania in such manner and in such court and in such cases as the Legislature may by law, direct, An individual can sue this Commonwealth, I understand, without such action as we are now about to take, or trying to take, giving him that privilege. This bill was presented to me by a constituent of mine in Montgomery County, who was on intimate friend of this gentleman whom I am trying to relieve by having this bill passed, and because of the fact that this accident occured in Montgomery County. Therefore, the suit as I understand it, should be brought in the Montgomery County courts. I hope that I have not offended the gentleman personally, and that he will excuse me, having not intended any offense. I believe that this bill has merit, and the present attempted relief by bringing this bill before you will let him have what he should have.

Mr. SOWERS. Mr. Speaker, the explanation of my colleague from Montgomery County is very satisfactory, and if the matter in dispute occurred in Montgomery County, that changes the aspect of the situation, and I withdraw my objection.

And said bill having been read at length the third time, considered and agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132.

Albert,	Eaches,	Huber,	Pitts,
Alexander,	Earley,	Irvin,	Price,
Allman,	Edmonds,	Johnson,	Richards,
Armstrong,	Eshelman,	Jones, C. B.,	Sample,
Arthur,	Evans, B. P.,	Jones, D. J.,	Sautter,
Asbury,	Evans, J.,	Jones, E. P.,	Schaeffer,
Aston,	Fields,	Keene,	Schoener,
Baker,	Flinchbaugh,	Lauver,	Schwartz,
Beaver,	Flynn,	Little,	Shambach,
Behney,	Fowler, A. I.,	Long,	Sheridan,
Bell, F. A.,	Fowler, D.,	Lucas,	Smith, H.,
Bentley,	Fratt,	Ludlow,	Smith, J. W.,
Betts,	Frazier,	Mack,	Sowers,
Baldi,	Gallaher,	MacKinney,	Spangler,
Bluett,	Gelder,	Marcus, J. C.,	Speiser,
Blumberg,	Gibbon,	Marshall, W. F.	Stark,
Boback,	Gilchrist,	McBride,	Sterling,
Brenneman,	Goehring,	McCurdy,	Stevens, A. J.,
Brewster,	Golder,	McDaniel,	Storb,
Brown,	Greeby,	McDermott,	Storer,
Brownmiller,	Griffith,	McGowan,	Thomas, L. D.,
Burns,	Grimes,	Minehart,	Thomas, M. G.,
Bush,	Gundy,	Moffat,	Weamer,
Chaplin,	Haines,	Moore,	Wells,
Colville,	Harter,	Morrison,	Wettach,
Conner,	Haslett,	Munley,	Wheeler,
Craig,	Haws,	Myers, G. C.,	Whiteman,
de Young,	Hetrick,	Myers, P. M.,	Woner,
Diehm,	Heyburn,	O'Boyle,	Wood, N.,
Dietz,	Holcombe,	Orr,	Wood, W. P.,
		Parkinson,	Wright,

Donahue,	Hollis,	Patterson,	Zook,
Driggs,	Hoover,	Peelor,	Goodnough,
Drinkhouse,	Horne,	Perry,	Speaker.

NAYS—2.

Miller, Stavitski,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

REPORT FROM COMMITTEE.

Mr. POSEY asked and obtained unanimous consent to report a bill at this time.

Mr. POSEY, from the Committee on Appropriations, reported as ameded House Bill No. 868, entitled:

An Act allowing and regulating boxing, sparring and wrestling matches and exhibtions; establishing a State Athletic Commission, making an appropriation therefor, and prescrbing penalties.

REPORT FROM COMMITTEE.

Mr. HARER asked and obtained unanimous consent to report a bill at this time.

Mr. HARER, from the Committee an Appropriations, reported as committed House Bill No. 1254, entitled:

An Act making an appropriation to carry out the provisions of the act, approved the twenty-seventh day of May, one thousand nine hundred and twenty-one(Pamphlet Laws, eleven hundred ninety), entitled "An Act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers' licenses, which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim; and making an appropriation for such refunds."

REPORT FROM COMMITTEE

Mr. HAWS asked and obtained unanimous consent to report a bill at this time.

Mr. HAWS, from the Committee on Appropriations, reported as committed House Bill No. 1373 (Senate Bill No. 5), entitled:

An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Regions of Pennsylvania at Scranton, Pennsylvania.

REPORT FROM COMMITTEE

Mr. ALEXANDER asked and obtained unanimous consent to report a bill at this time.

Mr. ALEXANDER, from the Committee on Appropriations, reported as committed House Bill No. 1385 (Senate Bill No. 438), entitled:

An Act making a deficiency appropriation to the Commissioners of Fairmount Park.

BILLS ON SECOND READING.

The SPEAKER. If there are no objections, the Chair will take up the second reading calendar, laying before the House those bills that are now on file. The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 708, as follows:

An Act to amend sections two five seven and sixteen of an act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provide for raising revenue for State purposes" by requiring personal property returns and tax receipts to indicate and identify each mortgage included or upon which the tax is paid requiring the production of such receipt before entering satisfaction on any such mortgage in the recorder's office and authorizing the recorder of deeds to receive such taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the seventeenth day of June one thousand nine hundred and thirtaeen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" is hereby amended to read as follows

Section 2 That the board of revision of taxes or the commissioners of every county in this Commonwealth shall annually furnish the assessors of the several townships boroughs and cities of the respective counties with blanks to be preparel by them and it shall be the duty of each of said assessors to furnish a copy of the same to every taxable person copartnership unincorporated association joint-stock association and company limited partnership and corporation in his respective ward district borough or township or to any officer agent or emplovee found at the place of business of any such limited partnership or corporation in his ward district borough or township upon which blank each taxable person copartnership unincorporated association company limited partnership joint-stock association and corporation shall respectively make return annually of the aggregate amount of all the different classes of personal property clearly indicating and identifying each mortgage included therein made taxable by the first section of this act held owned or possessed by said person copartnership unincorporated association company limited partnership joint-stock association or corporation either in his her or its own right or as trustee agent attorney-in-fact or i nany other capacity for the use benefit or advantage of any other person persons copartnership unincorporated association company limited partnership joint-stock association or corporation which return shall be made and sworn or affirmed to by such taxable person and in the case of copartnerships unincorporated associations and join-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the preident chairman or treasurer thereof Provided That any corporations joint-stock association or limited partnership doing business in more than one county shall be liable to make such return only in the county in which its principle office within this Commonwealth is situated

Section 2 That section five of the said act is hereby amended to read as follows

Section 5 That upon the refusal or failure of any taxable person copartnership unincorporated association limited partnership joint-stock association or corporation to make a return properly verified by oath or affirmation as required by this act within ten days after being notified so to do it shall be the duty of the assessor to make a return for such taxable person copartnership unincorporated association joint-stock association limited partnership or corporation from the best information he can obtain which return shall

clearly indicate and identify each mortgage included therein he shall examine the records and lists of judgments and mortgages returned by the prothonotary and the recorde. of deeds and mortgages under the seventh and eighth sections of this act in the commissioners' office or office of the board of revision of taxes or remaining in their respective offices and assess such defaulting person copartnership unincorporated association joint-stock association limited partnership or corporation with the amounts of all such liens with interest thereon and add thereto the amount of all taxable property obtained from al other sources of information which return the proper county commissioners or board of revision of taxes shall have power and it shall be their duty to revise and corrcet according to the best information they can command from the records in their office or other sources and it shal be their duty to send for a person persons and papers and to administer an oath or affirmation t him or them in such form as shall be prsecribed to which revised and corrected estimated return the proper county commissioners or board of revision of taxes shall add fifty per centum and theaggregate amount so obtained shall b the basis for taxation Provided That if such taxable persor or copartnership or unincorporated association or company limited partnership joint-stock association or corporation on or before the day fixed for appeals from assessments shall present reasons supported by oath or affirmation satisfactory to the proper county commissioners or board of revision of taxes excusing a failure to make a return such as should be made to the assessors and shall then make such return the proper county commissioners or board of revision of taxes may substitute such return for that returnd by the assessor and corrected as aforesaid to have like effect as if no failure to return had occurred

Section 3 That section seven of said act is hereby amended to read as follows

Section 7 That from and after the passage of this act it shall be the duty of the recorder of deeds mortgages and other instruments of writing in each and every county in this Commonwealth to keep a daily record separate and apart from all other records of every mortgage or article of agreement given to secure the payment of money entered in his office for recording which said record shall set forth the following information to wit The date of the mortgage or agreement the names of the parties thereto the just sum of money secured the precise residence of the mortgagee or person to whom interest is payabe a brief description of the real estate upon which such mortgage is secured and the date or several dates when the said sum or portion of said sum shal become due and payable and a like daily record of every assignment of a mortgage or an article of agreement given to securethe payment of money and also the number of mortgages and agreements together with the amount of same and the names of the parties thereto which shall have beer that day satisfied of record and for the purpose of obtaining with accuracy the precise residence of all mortgagees assignees and persons to whom interest is payable on articles of agreement it shall be the duty of the recorder of deeds in each county whenever a mortgage assignment or agreement given to secure the payment of money shall be presented to him for record to refuse the same unless the said mortgage assignment or agreement has attached thereto and made part of said mortgage assignment or agreement a certificate signed by said mortgagee assignee or person entitled to interest or his or her or their duly authorized attorney or agent setting forth the precise residence of such morytgagee assignee or person entitlted to interest said certificate to be recorded with said mortgage assignment or agreement and it shall be the further duty of the recorder on the first Monday of each month to file the aforesaid daily record in the commissioners' office or with the board of revision of taxes of the proper county or city and one certificate appended thereto shall be all that shall be required

Commencing with the date upon which the personal property taxes for the year one thousand nine hundred and twenty-four are first due and payable it shall be the duty of the recorder of deeds in each county before entering upon the records the satisfaction of any mortgage ti demand the production of a proper receipt showing the payment of the taxes on such mortgage If the tax has not been paid upon any such mortgage for any one or more years the recorder of deeds is hereby required to collect such tax together with interest at the rate of six per centum and a penalty of five per centum added thereto and give a proper receipt therefor before satisfaction may be entered

Section 4 That section sixteen of said act is hereby amended to read as follows

Section 16 That the tax upon personal property imposed by the first section of this act shall be collected by distraint or otherwise as other taxes for county purposes or in cities coextensive with counties for city and county purposes are collected under the laws of this Commonwealth Provided however That when any such tax is collected the receipt given for the same shall clearly indicate and identify each mortgage upon which the tax is paid and no tax by said first section imposed shall be collectable or collected for the year one thousand nine hundred and thirteen it being intended that the tax upon such personal property for said year shall be collected by and for the State under existing legislation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 942, as follows:

An Act to amend section five hundred and two as amended section five hundred and thirty-seven as amended and section five hundred and forty-six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a pubilc school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation theerof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts theerof that are or may be inconsistent therewith'

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and two of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent theerwith" which was amended by the act approved the twelfth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and forty-six) entitled "An Act to add sections one hundred and twenty-seven and one hundred and twenty-eight to and to amend section five hundred and two of an act approved the eighteenth day of May one thousand nine hundred and elven (Pamphlet Laws three hundred nine) entitled 'An Act to establish a public school system in the Commonweatlh of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith'" is hereby further amended to read as follows

Section 502 There shall be but one levy of school taxes made in each school district in each year which shall be assessed levied and collected for all the purposes provided in this act and shall be uniform throughout the territorial limit of each school district Provided That in the year one thousand nine hundred and twenty-four there shall be one levy made in districts of the second third and fourth classes in April or May and a second levy made in the month of December in the year one thousand nine hundred and twenty-four which second levy shall be for the calendar year one thousand nine hundred and twenty-five Provided however That whenever heerafter a school district of the second third or fourth class shall be annexed to and merged in and become a part of a school district of the first class the board of public education of said district of the first class shall have power to levy a special school tax on the territory which comprised said annexed and merged school dis-

trict to provide for the expense and maintainance of the schools thereof from the end of the school year of said annexed and merged school district to the beginning of the next school year in said school district of the first class class and to provide fo rand pay the floating indebtedness of said annexed and merged school district said levy shall not exceed one-half of the last previous total annual millage levied by said school district of the first class

Section 2 That section five hundred and thirty-seven of said act which was amended by the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and eight) entitled "An Act to amend sections five hundred and thirty-seven five hundred thirty-nine as amended five hundred forty-one five hundred forty-two as amended five hundred forty-three five hundred fifty six five hundred fifty-seven and five hundred fifty-eight as amended and to repeal section five hundred forty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith'" is hereby further amended to read as follows

Section 537 In all school districts of the second third and fourth class all school taxes shall be levied and assessed by the board of school directors therein during the month of December one thousand nine hundred and twenty-four and each year thereafter and shall be certified to the board of county assessors on or before the first day of January next for the ensuing calendar year and in school districts of the second class shall not exceed twenty mills on the dollar and in school districts of the third and fourth class shall not exceed twenty-five mills on the dollar on the total amount of the assessed valuation of all property taxable for school purposes therein Provided That each school district of the second third or fuorth class may alos collect a per capita tax on each resident or inhabitant of such district over twenty-one years of age as herein provided Provided further That in the year one thousand nien hundred and twenty-three said taxes shall be levied in the month of April or May as heretofore and in the year one thousand nine hundred and twenty-four taxes shall be levied in the month of April or May as heertofore for the six months ending the thirty-first day of December one thousand nine hundred and twenty-four and in the year one thousand nine hundred and twenty-four and every year thereafter the levy shall be made in the month of December as hereinbefore provided

Section 3 That section five hundred and forty-six of said act is hereby amended to read as follows

Section 546 In all school districts of the second third and fourth class in this Commonwealth as soon as the school tax is assessed and levied by the board of school directors the secretary shall compute the total amount of tax and report the same to the board and said report shall be entered upon the minutes of the proceedings of the said board

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 777, as follows:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty thousand dollars or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Institution for the Instruction of the Blind to meet the deficiency in the cost of education and maintenance of Pennsylvania State pupils enrolled therein for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 306, as follows:

An Act making a deficiency appropriation to the State Hospital for the Criminal Insane at Fairview Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy-five thousand dollars ($75,000) or so much thereof as may be necessary is hereby specifically appropriated to the State Hospital for the Criminal Insane at Fairview Pennsylvania to cover a deficiency in maintenance of the said institution from June first one thousand nine hundred and twenty-one to May thirty-first one thousand nine hundred and twenty three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 440, as follows:

An Act to provide for the licensing of transient retail merchants in cities boroughs and townships and providing a penalty for the failure to obtain such license

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter every person whether principal or agent entering into beginning or desiring to begin a transietn retail business in any city borough or township of this Commonwealth for the sale of any goods wares or merchandise whatsoever and who hires leases or occupies a room apartment store shop building or other structure for the exhibition and sale of such goods wares or merchandise shall take out a license for the same from the proper authorities of the said city borough or township PROVIDED however that nothing herein contained shall apply to farmers selling their own produce or to any sale of goods wares or merchandise donated by the owners thereof the proceeds whereof are to be applied to any charitable or philanthropic purpose

Section 2 The amount of such license in any city or borough shal be fixed by ordinance duly passed by the council of such city or borough and shall not be less than Twenty-five dollars ($25) nor exceed the sum of Two hundred dollars ($200) per month or fractional part thereof to be paid to the treasurer of said city or borough and the amount of such license in any township shall be the sum of Twenty-five dollars ($25) per month or fractional part thereof to be paid to the county treasurer for the use of the school fund of said township Said license shall be renewed monthly during the continuance of said sale and upon failure of said person or persons so to secure such license he sheor they shall be fined in a sum not less than One hundred dollars ($100) nor more than Two hundred dollars ($200) to be collected as other fines are by law collectible and in default of payment of said fines shall be imprisoned in the jail of said city or county for a period not exceeding thirty (30) days

Section 3 Nothing herein contained shall be construed to relieve any person partnership or corporation from the duty of taking out a license or from the payment of any license tax imposed or authorized by any other statute of this Commonwealth

Section 4 The following acts or parts of acts are hereby repealed

The act approved May second one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and fifty-nine) entitled An act to provide for the licensing of tran-

sient retail merchants in cities boroughs and townships and providing for failure to obtain the same

The act approved May twentieth one thousand nine hundred and thirteen (Pamphlet Laws two hundred and twenty-seven) entitled An act requiring a license for conducting any business the whole or greater part of which shall consist of the sale of goods which shall be held forth represented or advertised to be goods of or obtained from the estate of any bankrupt or goods of or obtained from an assignee or a person firm or corporation about to go out of business or goods to have been damaged in any way and regulating such licensing and fixing a penalty for violation of this act

Sections four five six and seven of article twenty chapter six of the act approved May fourteenth one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled An act providing a system o f government for boroughs and revising amending and consolidating the law relating to boroughs and

Sections twelve hundred and sixty twelve hundred and sixty-one twelve hundred and sixty-two and twelve hundred and sixty-three of the act approved July fourteenth one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled An act concerning townships and revising amending and consolidating the law relating thereto

All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 912, as follows:

An Act validating the incurring of certain debts or increase of indebtedness of poor districts in counties of the second class by the county commissioners thereof for improvements or alterations of the property of such poor districts and all bonds and other securities issued therefor and also the assessments of annual taxes for the payment of such indebtedness since the twentieth day of April one thousand eight hundred and seventy-four

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where the county commissioners of counties of the second class have incurred debt or increased the indebtedness of a poor district or districts of such county to an amount in the aggregate not exceeding two per centum upon the assessed value of the taxable property therein as fixed and determined by the last preceding assessed valuation for the purpose of making improvements or alterations of the porperty of the poor district or districts therein and have issued bonds interest bearing coupon or otherwise or other securities therefor and levied and assessed an annual tax for the payment of the interest and principal of such bonds or other securities since the twentieth day of April one thousand eight hundred and seventy-four such incurring of debt or increase of indebtedness is hereby declared to be valid and shall be held and adjudged to be valid and sufficient in law and in all such cases the said bonds or other securities issued by said county commissioners as evidence of such debt or increase of indebtedness shall be and the same are hereby declared to be valid and lawful to all intents and purposes against the poor district of said county in the hands of all persons or corporatons holding the same and in all assessments of annual tax for the payment of such bonds or other securities are likewise hereby declared to be valid and lawful to all intents and purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 617, as follows:

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" so as to permit the orphans' court in its discretion to permit a corporation appointed as trustee in the place of an executor or executors trustee or trustees dying renouncing dismissed or refusing to act to give its own bond without surety

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clauses (b) and (c) of section fifty-six of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate for the lien thereof contracts of decedents for the sale or purchase of real estates legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisment of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante abesntia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" are hereby amended to read as follows

(b) Whenever in any of the cases enumerated in clause (a) of this section all of the said executors or trustees shall die renounce resign be dismissed from or refuse to

act in the said trust it shall be lawful for the orphans' court having jurisdiction of the accounts of such executors or trustees on the application of any party interested and with notice to all persons interested so far as such notice can reasonably be given to appoint a trustee or trustees in place of the executor or executors trustee or trustees so dying renouncing resigning dismissed or refusing to act and to require the person or persons so appointed to enter sufficient security for the faithful performance of the trust or in the case of a corporation duly authorized by its charter or by law to act as executor administrator or trustee being appointed the court may permit such corporation to give its own bond without security The trustee or trustees so appointed shall have the same power and interest over and in the property in trust as the executor or executors trustee or trustees in whose stead he or they shall be so appointed as aforesaid It shall also be lawful for the said court to appoint a successor or successors to such trustees from time to time whenever from death resignation or otherwise the same shall be necessary or expedient

(c) In all cases of trusts created by will and annexed to the officer of executor such executor may decline to accept the trust or be discharged therefrom without affecting his office of executor and the orphans' court of the proper county shall have the power to fill the vacancy by appointment and if a trust fund or estate is committed to an executor or other trustee in which several cestuis que trust have or are entitled to enjoy a separate interest and a vacancy should in any manner occur in the office of the trustee thereof then said court may appoint one or more trustees of such estate or fund for each of the said cestuis que trust on his or her application and the said trustee shall give security as in other cases and if a corporation is appointed the court may permit it to give its own bond without security

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 254, as follows:

An Act to carry into effect section one of article fifteen of the Constitution giving cities the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county commissioners and prothonotaries and providing for the payment of certain expenses by cities

ARTICLE I

ADOPTION OF CITY CHARTERS

CITIES EMPOWERED TO ADOPT CHARTERS

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city may frame and adopt a charter for its own government in the following manner

Section 2 INITIATION OF PROCEEDING TO ADOPT CHARTER The city council or other legislative authority of said city by a two-thirds vote of its members may or upon petition signed by qualified electors equal in number to at least twenty per centum of the total number of electors registered at the proceeding general or municipal election shall forthwith provide by ordinance for the submission to the qualified electors of the city of the question "Shall a commission be chosen to frame a charter for the government of the city of .....?" But in no case shall more than twenty-five thousand signatures be required on any such petition

Such ordinance shall require that the question be submitted to the qualified electors at the next general or municipal election occurring at least sixty days after the enactment of the ordinance

A copy of said ordinance certified by the secretary or clerk of the legislative authority of the city shall be filed with the county commissioners

Section 3 NOMINATIONS OF CANDIDATES FOR COMMISSION At the same election a charter commission shall be elected Candidates for the commission shall be nominated by petition filed with the county commissioners at least twenty-eight days before the election The petition of each candidate shall be signed by qualified electors equal in number to not less than two per centum of the total number of qualified electors of the city as shown by the last proceeding personal registration of the electors of the city but in no case shall less than one hundred nor more than one thousand signatures be required for the nomination of any one candidate Each petition shall have attached thereto the affidavit of the person or persons circulating the same stating that the signatures thereon were signed in his presence and by the parties themselves and that to the best of his knowledge the persons signing are qualified electors The form of the petition shall be prepared by the secretary or clerk of the legislative authority of the city and copies of such petitions shall be furnished by him to candidates upon application

Section 4 PROCEEDINGS TO SET ASIDE NOMINATION PETITIONS Application to set aside any nomination petition may be made by petition filed in the court of common pleas of the county within five days after the last day for the filing of nomination petitions with the county commissioners and such petitions shall specifically set forth the matters objected to Upon the presentation of any such petition the court shall make an order fixing a time for hearing which shall be not later than ten days after the last day for filing nomination petitions with the county commissioners The court shall also specify the time and the manner of notice that shall be given to the candidate named in the nomination petition sought to be set aside

No nomination petition shall be set aside except for

(a) Material error or defects apparent upon the face thereof or on the face of the appended or accompanying affidavit or

(b) Material alterations made after signing without the consent of the signers or

(c) Want of sufficient number of genuine signatures of persons qualified with respect to age residence and citizenship to be electors

If the matters objected to are such as are specified in subdivision (a) of this section the court upon hearing the case may in its discretion permit amendments within such time and upon such terms as to the payment of costs as the court may specify

In case the petition to set aside a nomination petition is dismissed the petitioner shall pay the whole of the costs of the proceedings including all witness fees

Section 5 FORM OF QUESTION ARRANGEMENT OF NAMES OF CANDIDATES The county commissioners shall cause the question hereinbefore provided for and the names of the candidates for the charter commission to be printed upon the ballot to be used at the election in the form and manner provided by the laws governing general or municipal election The names of the candidates shall be printed on the ballot without any party designation The position of the names of the candidates upon the ballot shall be determined by the drawing of lot at a time and place fixed by the county commissioners

Section 6 NUMBER OF CANDIDATES TO BE VOTED FOR MEMBERSHIP OF COMMISSION TIE VOTES Each qualified elector shall be entitled to vote for ten candidates only and the fifteen candidates receiving the highest respective vote shall be declared elected and shall constitute the charter commission In case of a tie vote between two or more candidates the person to be entitled to membership on the commission shall be selected by the casting of lots before the prothonotary of the county at a time and place to be fixed by him

Section 7 VACANCIES Vacancies in the membership of the commission caused by death resignation removal from the city or otherwise shall be filled by the remaining members of the commission

Section 8 EFFECT OF NEGATIVE AND MAJORITY VOTES ORGANIZATION OF COMMISSION If a majority of the qualified electors voting on the question "shall a commission be chosen to frame a charter for the government of the city of.....?" shall vote in the negative then no further proceedings shall be had and all proceedings theretofore had shall be of no effect if a majority of the qualified electors so voting shall vote in the affirmative then the mayor of the city shall fix a time

and place and call a meeting of the members of the charter commission within thirty days after said election and at such meeting the commission shall organize and proceed to frame a charter for the government of such city No member of the commission shall receive any compensation for his or her services on said commission All meetings of the commission shall be open to the public except when the commission may desire an executive session

Section 9 FRAMING OF PROPOSED CHARTER AND BALLOT QUESTIONS SIGNING FILING AND DISTRIBUTION OF OFFICIAL DRAFT SEPARATE AND ALTERNATIVE PROVISIONS The charter commission thereupon shall proceed to frame a charter for the government of the city for submission as one proposal or as one main proposal and separate proposals for severable or alternative provisions

The commission shall prepare an official draft setting forth the text of the proposal or proposals submitted by it for vote of the qualified electors together with the form of the question or questions to be printed on the ballot The commission shall endeavor to frame each separate proposal and ballot question so as to avoid any conflicts among provisions which may be adopted by vote of the qualified electors and so as to show on the ballot when a proposition must fail with another proposition Should two or more propositions adopted by vote of the qualified electors be found to conflict the proposition receiving the largest number of votes shall control as to all matters in conflict

The official draft shall be signed by at least a majority of the members of the commission Not later than nine months after the election of the commission the commission shall file this draft with the secretary or clerk of the legislative authority of the city and he shall cause it to be recorded at length in the minutes or journal of such legislative authority The commission shall also transmit a correct copy of the question or questions to be placed on the ballot to the county commissioners or other authority charged with the preparation of the ballots upon which the questions are to be placed at least thirty days before the election at which the questions are to be submitted

The commission shall cause the official draft of its proposal and ballot questions to be printed in pamphlet form and in such number as the commission shall determine Said pamphlets shall be deposited with the secretary or clerk of the legislative authority of the city at least seventy days before the election hereinafter provided for and shall by him be distributed to qualified electors of the city upon application The commission shall make such further provisions as it may deem necessary for giving to the qualified electors of the city information concerning its proposals

Section 10 SUBMISSION OF PROPOSED CHARTER The charter so framed shall be submitted for approval to the qualified electors of the city at the general or municipal election next succeeding the one at which the commission was elected

Section 11 EFFECT OF CHARTER ON EXISTING LAWS Such proposal or proposals as are approved by a majority of qualified electors voting thereon subject to the exceptions provided herein shall become the organic law of the city at such time as may be fixed therein and all courts shall take judicial notice thereof So far as the same is consistent with the grant of powers and the limitations restrictions and regulations hereinafter prescribed it shall supersede any existing charter and all acts or ports of acts affecting the organization government and powers of such city which are in conflict therewith All existing acts or parts of acts and ordinances affecting the organization government and powers of the city not in conflict with the organic law so adopted shall remain in full force No contract existing at the time of the adoption of a charter by a city under the provisions of this act shall be affected thereby but such contract shall have the same force and effect and be of the same validity as if such charter had not been adopted

Section 12 RECORDING AND FILING OF CHARTER PRINTING IN PAMPHLET LAWS The secretary or clerk of the legislative authority of the city shall forthwith cause the said charter as approved by the qualified electors to be recorded in the ordinance book of the city and in the office of the recorder of deeds of the proper county or counties in a book to be provided and kept for that purpose He shall also file a certified copy thereof in the office of the Secretary of the Commonwealth and the text thereof shall be published as an appendix to the pamphlet laws subsequently published

Section 13 CONDUCT OF ELECTIONS RETURNS CERTIFICATE OF ELECTION All elections provided for in this act shall be conducted by the election officers for such city in accordance with the laws governing general elections The election officers shall count the votes cast and make return thereof to the prothonotary of the county The result of any such election shall be computed in the same manner and by the same return board as is provided by law for the computation of other returns at any such election Certificates of the result of any such election shall be filed by the prothonotary with the city council or other legislative authority of the city and with the Secretary of the Commonwealth and the certificates of election shall be by him given to the candidates elected to any charter commission

Section 14 NOTICE OF ELECTIONS At least thirty days' notice of each election herein provided for shall be given by proclamation of the mayor A copy of such proclamation shall be posted at each polling place of the city and shall be published in each daily newspaper of the city once a week for four successive weeks prior to the election

Section 15 EXPENSES PAID BY CITY The expenses of the charter commission including the cost of publishing and distributing the commission's proposal or proposals and all other expenses incurred in connection with any proceedings hereinbefore provided for when not otherwise provided for by law shall be paid from the city treasury and the appropriating authority of the city shall provide therefor

ARTICLE II
NEW CHARTERS AMENDMENTS

Section 20 INITIATION PROCEEDINGS New charters or amendments to the existing charter of any city may be adopted through the medium of a commission in the same manner as is hereinbefore provided for the adoption of a charter Amendments to any existing charter may also be proposed by a two-thirds vote of the city council or other legislative authority of the city or by a petition filed with the city council or other legislative authority of the city setting forth the proposed amendment or amendments and signed by qualified electors equal in number to not less than twenty per centum of the total number of qualified electors registered in the city at the preceding general or municipal election but in no case shall more than twenty-five thousand signatures be required

Section 21 QUALIFIED ELECTORS TO VOTE ON AMENDMENTS All amendments proposed by the council or other legislative authority of the city or by petition of qualified electors shall be submitted to the qualified electors of the city for adoption at the next general or municipal election occurring at least ninety days after such proposal by the city council or other legislative authority or the filing of a petition by qualified electors

Section 22 QUESTION TO BE SUBMITTED TO QUALIFIED ELECTORS Whenever it is proposed to create a commission for the purpose of drafting a new charter or amendments to an existing charter the question to be submitted to the qualified electors shall be "Shall a commission be chosen to frame (a new charter for) (amendments to the charter of) the city of.....?"

Whenever amendments are proposed by the city council or other legislative authority of the city or by petition of qualified electors the question to be submitted to the qualified electors of the city shall be framed by the city council or other legislative authority

Ballot questions must be so framed that a qualified elector may vote for or against any amendment without voting for or against all amendments submitted

Section 23 ELECTIONS ON NEW CHARTERS AND AMENDMENTS PUBLICATION Except as in this article otherwise provided all proceedings for the holding of elections to vote on the adoption of a new charter or amendments to an existing charter shall be as hereinbefore provided for elections on the question of the adoption of a charter Amendments proposed by the city council or other legislative authority of the city or by petition of qualified electors shall be published and distributed in the manner provided for the publication and distribution of the proposal or proposals of the charter commission

Section 24 LIMITATIONS ON THE ADOPTION OF NEW CHARTERS AND AMENDMENTS No question for

the election of a commission to frame a new charter or to frame amendments to an existing charter shall be submitted to the qualified electors oftener than once in every four years Amendments proposed by the city council or other legislative authority of the city or by petition of qualified electors may be proposed at any general or municipal election

Section 25 EFFECT OF NEW CHARTERS AND AMENDMENTS All new charters or amendments to existing charters when duly adopted filed and recorded as hereinbefore provided in the case of the adoption of a charter shall be come the organic law or part thereof of the city and shall take effect at the time specified therein

ARTICLE III

GENERAL GRANT OF POWERS LIMITATIONS

Section 30 GENERAL GRANT OF POWER AND AUTHORITY Subject to limitations hereinafter prescribed each city taking advantage of this act shall have and may exercise all powers and authority of local self-government and for the exercise of municipal functions and no enumeration of powers in any other law shall be deemed to restrict the general grant of power and authority hereby conferred and accordingly the charter of any such city adopted in accordance with this act may provide for any system of municipal government not inconsistent with the Constitution of the United States or of this Commonwealh and may provide for the election or appointment of city officers employes or agents and the manner thereot for the establishment and administration of all departments and agencies of the city government for the regulation and administration of all local municipal functions and for the exercise of all or any part of the power or authority conferred by this act which the city desires to exercise thereunder ordinances rules and regulations adopted under the authority of this act or under the provisions of charters adopted thereunder shall be enforceable by the imposition of fines forfeitures and penalties not exceeding three hundred dollars and by imprisonment for a period not exceeding ninety days

Section 31 LIMITATIONS Nothing contained in the foregoing grant of powers and authority shall authorize any city to adopt provisions in any charter contrary to provisions of law

1. Applicable to a class or classes of cities on the following subjects

(a) Limiting rates and fixing subjects of taxation

(b) Providing for the assessment of real or personal property and persons for taxation purposes

(c) Providing for the filing and collection of municipal and tax claims or liens and for the sale of real or personal property in satisfaction thereof

(d) Providing the procedure for the condemnation of property for public purposes

(e) Providing for the assessment of damages and benefits for property taken injured or destroyed

(f) Providing methods for the incurring or increasing of indebtedness

(g) Providing for the annexation or exclusion or detachment of territory

(h) Providing for the personal registration of electors or

(i) Regulating public schools

2 Applicable in every part of the Commonwealth or

3 Applicable to all the cities of the Commonwealth nor

Shall any city exercise any powers or authority beyond the city limits except such as are conferred by Act of Assembly

ARTICLE IV

GENERAL PROVISIONS

Section 40 VALIDATION OF CHARTER PROCEEDINGS No charter or any amendment to an existing charter when adopted by a majority vote of the qualified electors of any city voting at any general or municipal election shall be declared invalid or be set aside on account of any defect error or omission in the proceedings for the adoption of any such charter or amendment and all such proceedings after such adoption shall be and are hereby validated

Section 41 CONSTRUCTION OF ACT The provisions of this act are declared to be severable and if any of its provisions are declared unconstitutional such decision shall not affect or impair any of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional pro visions not been included therein

Section 42 "REPEALER" All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeaby to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 932, as follows:

An Act requiring the insurance of motor vehicles against liability for damages to persons or property due to the negligent operation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "motor vehicle" as used in this act shall include automobiles motor bicycles motorcycles trucks tractors and all other vehicles which are self-propelled or designated to be self-propelled by mechanical power or guided by rails or tracks

The term "owner" as used in this act shall include the person or persons having a motor vehicle in his or her possesion custody or control under a lease or contract of conditional sale or other like agreement

Section 2 The owner of any motor vehicle or motor vehicle shall be liable for all damages or injuries to the person or property of another caused by the negligent operation of such motor vehicle or motor vehicles either by himself or by any of his agents or by his employees while acting within the scope of their employment Unless exempted as hereinafter provided the owner shall take out a policy or policies of insurance in some insurance company or association of good standing in the State in such amounts as hereinafter provided o insure the payment of any such damage or loss

Section 3 Whenever but one motor vehicle is registered the owner or owners thereof shall take out such insurance in the sum of five thousand ($5,000) dollars when two motor vehicles are registered the owner or joint owners thereof shall take out such insurance in the sum of eight housand ($8,000) dollars when three motor vehicles are registered the owner or joint owners thereof shall take out such insurance in the sum of ten thousand ($10,000) dollars and for every additional motor vehicle more than three the owner or joint owners thereof shall take out such insurance in the sum of one thousand dollars in excess of the amount required for three

Section 4 Unless exempted as herein provided every application for registration of a motor vehicle or motor vehicles shall be accompanied by a receipt or statement from such insurance company or association showing that the owner or joint owners of the motor vehicle or vehicles have been issued as required in the foregoing section for the period for which regstration is requested

Section 5 Any owner or joint owners desiring to be exempt from issuing the whole or any part of his liability for accident shall make application to the State Highway Department showing his or their financial ability to pay the probable amount of any such damages occasioned by the negligent operation of any such motor vehicle or vehicles whereupon the said State Highway Department if satisfied of the applicant's financial ability shall by written order make such exemption The State Highway Department may from time to time require further statements of the financial ability of such owner or joint owners appear no longer able to pay the indemity shall revoke its order granting exemption whereupon the owner or joint owners shall immediately insure his or their liability as aforesaid and exhibit his receipt therefor to the State Highway Department Upon the failure of the owner or joint owners to effect such insurance the State Highway Department shall immediately revoke the registration license of such motor vehicle

Section 6 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideraton of House Bill No. 962, as follows:

An Act to amend sections twenty forty and forty-seven of an act entitled "An Act relating to Warehouse Receipts approved the eleventh day of March Anno Domini one thousand nine hundred and nine"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty of an act entitled "An Act relating to warehouse receipts approved the ninth day of March Anno Domini one thousand nine hundred and nine" which reads as follows

"Section 20 A warehouseman shall be liable to the holder of a receipt for damages cause by the non-existence of the goods or by the failure of the goods to correspond with the description thereof in the receipt at the time of its issue If however the goods are describd in a rceipt mrely by a statement of marks or labels upon them or upon packages containing them or by a statement that the goods are said to be goods of a certain kind or that packages containing the goods are said to contain goods of a certain kind or by words of like purport such statements if true shall not make liable the workhouseman issuing the receipt although the goods are not of the kind which the marks or labels upon them indicate or of the kind they were said to be by the depositor" be and the same is hereby amended to read as follows

Section 20 A warehouseman shall be liable to the holder of a receipt issued by him or on his behalf by an agent or employe the scope of whose actual or apparent authority includes the issuing of warehouse receipts for damages caused by the non-existence of the goods or by the failure of the goods to correspond with the description thereof in the receipt at the time of is issue If however the goods are described in a receipt merely by a statement of marks or labels upon them or upon packages containing them or by a statement that the goods are said to be goods of a certain kind or that the packages containing the goods are said to contain goods of a certain kind or by words of like purport such statements if true shall not make liable the warehouseman issuing the receipt although the goods are not of the kind which the marks or labels upon them indicate or of the kind they were said to be by the depositor

Section 2 That section forty of the same act which reads as follows

"Section 40 A negotiable receipt may be negotiated

a By the owner thereof or

b By any person to whom the possession or custody of the receipt has been entrusted by the owner if by the terms of the receipt the warehousman undertakes to deliver the goods to the order of the person to whom the possession or custody o the receipt has been entrusted or if at the time of such entrusting the receipt is in such form that it may be negotiated by delivery" be and the same is hereby amended to read as follows

Section 40 A negotiable reciept may be negotiated by any person in possession of the same however such possession may have been acquired if by the terms of the receipt the warehouseman undertakes to deliver the goods to the order of such person or if at the time of negotiation the receipt is in such form that it may be negotiated by delivery

Section 3 That section forty-seven of the same act which reads as follows

"Section 47 The validity of the negotiation of a receipt is not impaired by the fact that such negotiation was a breach of duty on the part of the person making the negotiation or by the fact that the owner of the receipt was induced by fraud mistakes or duress to entrust the possession or custody of the receipt to such persons if the person to whom the receipt was negotiated or a person to whom the receipt was subsequently negotiated paid value therefor without no tice of the breach of duty or fraud mistake or duress" be and the same is hereby amended to read as follows

Section 47 The validity of the negotiations of a receipt is not impaired by the fact that such negotiation was a breach of duty on the part of the person making the negotiation or by the fact that the owner of the receipt was deprived of the possession of the same by loss theft fraud accident mistake duress or conversion if the person to whom the receipt was negotiated or a person to whom the receipt was subsequently negotiated paid value therefor in good faith without notice of the breach of duty or loss theft fraud accident mistake duress or conversion

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1318, as follows:

An Act imposing a State tax on the premiums paid into the State Workmen's Insurance Fund and providing for collection thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That from and after the first of July one thousand nine hundred and twenty-three the State Workmen's Insurance Board shall pay into the general fund of the State treasury a tax of eight mills on the dollar upon the gross amount of premiums paid by subscribers to the State Workmen's Insurance Fund

Section 2 The said tax shall be payable semi-annually upon the last days of January and July in each year and for the purpose of ascertaining the amount of the same it shall be the duty of the manager of the State Workmen's Insurance Board or other proper officer thereof to transmit to the Auditor General semi-annually on the first day of January and July in each year a report under oath or affirmation setting forth the entire amount of premiums received by the said board from subscribers to the said State Workmen's Insurance Fund during the six calendar months immediately preceding

Section 3 It shall be the duty of the officer or officers charged with the adjustment settlement and collection of State taxes to add ten per centum to the account of the said State Workmen's Insurance Board upon its neglect or refusal for a period of thirty days to make said report or to pay into the State Treasury the tax imposed by this act and the said officer or officers are hereby authorized to examine the books and papers of the said State Workmen's Insurance Board pertaining to the premiums made taxable by this act to verify the accuracy of any return made under the provisions of this act and in the adjustment settlement and collection of said tax the said officer or officers shall have all the powers now vested in the Auditor General and the State Treasurer by the laws of the Commonwealth for the adjustment settlement and collection of State taxes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the third reading and consideration of House Bill No. 1320, as follows:

An Act to amend an act approved May second one thousand eight hundred and ninety-nine Pamphlet Laws one hundred eighty-four entitled "An Act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of said tax" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of an act approved May second one thousand eight hundred and ninety-nine Pamphlet Laws one hundred eighty-four entitled "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods ware and merchandise and providing for the collection of said tax" which as last amended by an act approved July twenty-one one thousand nine hundred and nineteen Pamphlet Laws one thousand seventy-two entitled "An Act to amend section seven of an act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hun-

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SENATE

MONDAY, APRIL 9, 1923.

The Senate met at nine o'clock P. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Heavenly Father: We are very thankful that we may be co-workers with Thee in bringing things to pass, in making a better world. Grant that we may never forget the blessed responsibility that rests upon us. Help us to realize that each one of us has a special place and a particular mission in life, and that Thou art depending upon us to do our part and to do it well. May we not fail Thee or disappoint Thee. May we ever keep duty in the forefront. Forbid that glory or pleasure or profit should gain the first place in our thinking and striving. May we be workmen that need not be ashamed. Be Thou present at this evening's session of the Senate, and guide the body in all of its deliberations. For Jesus' sake. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on the motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal approved.

PETITIONS.

OPPOSING HOUSE BILLS 836, 637 AND 569, AND FAVORING PASSAGE OF HOUSE BILL 700.

Mr. PATTON presented petitions of the Philadelphia Board of Trade, opposing the passage of House Bills 836, 637 and 569, and favoring passage of House Bill 700.

Which were referred to the Committee on Judiciary General.

LEAVES OF ABSENCE.

Mr. CRAIG asked and obtained leave of absence for the Senator from Venango, Mr. Phipps, on account of illness.

Mr. CLARK asked and obtained leave of absence for the Senator from Butler, Mr. Christley.

Mr. BARR asked and obtained leave of absence for the Senator from Allegheny, Mr. McClintock.

HOUSE MESSAGES.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 365.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 365, entitled:

An Act to amend section one of the act approved the fifteenth day of March, one thousand nine hundred and eleven, (Pamphlet Laws twenty), entitled "An Act regulating in criminal trials the cross-examination of a defendant, when testifying in his own behalf," by prohibiting the introduction as evidence of certain testimony or records.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 423.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 423, entitled:

An Act authorizing boards of County Commissioners to co-operate with the Bureau of Animal Industry of the Department of Agriculture and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious disease of livestock and poultry

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 426.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 426, entitled:

An Act to amend Section thirty of an act approved June one one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine."

HOUSE CONCURS IN SENATE BILL No. 33.

He also returned to the Senate, Senate Bill No. 33, entitled:

An Act to amend section seven of the act approved the tenth day of June, 1893, (P. L. 419), entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 131.

He also returned to the Senate, Senate Bill No. 131, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved April 20, 1874, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the

illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

with the information that the House has passed the same without amendment.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 87, (Senate Bill No. 703), entitled:

An Act making a deficiency appropriation to carry into effect the provisions of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-five) entitled "An Act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof"

Which was committed to the Committee on Appropriations.

House Bill No. 121; (Senate Bill No. 704), entitled:

An act making a deficiency appropriation to the State Hospital of Coaldale

Which was committed to the Committee on Appropriations.

House Bill No. 274 (Senate Bill No. 705) entitled:

An Act to amend section three of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and thirty-one) entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating the salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines"

Which was committed to the Committee on Mines and Mining.

House Bill No. 379 (Senate Bill No. 706), entitled:

An Act to amend section twenty, and sections sixty-six and seventy-one as amended, of an act approved the seventh day of June, one thousand nine hundred and one (Pamphlet Laws four hundred ninety-three), entitled "An Act providing for the examination, licensure and registration and regulation of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof;" providing that when any plumbing or house drainage is not done in the manner provided in said act, that the owner, occupier or tenant of any building or premises may be restrained by injunction from using the said plumbing in any manner unless the same is changed in accordance with the provisions of this act; and providing for the abatement of nuisances and for penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 476, (Senate Bill No. 707) entitled:

An Act creating, regulating and defining the powers of a County Planning Commission, and authorizing the creation of a county plan in counties of the second class; requiring the county commissioners to furnish to the commission, before passage, resolutions relating to county improvements to roads, lands, buildings or means of communications, authorizing the commission to report suggestions to the county commissioners concerning improvements, and to appear in court with reference thereto; authorizing the making of a county map and plan, including territory extending three miles beyond the county limits, showing proposed improvements in roads, lands, buildings and means of communication; making it unlawful to record plans of land with streets or highways intended for dedication to public use, except in boroughs or cities, without first securing approval from the commission; and making disapproval of a plan by the commission a refusal of proposed dedication.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 501, (Senate Bill No. 708), entitled:

An Act authorizing cities of the third class to appropriate moneys to State park commissions to provide improvements in State parks, and, with the consent of any such commission, to erect, construct, supervise, and maintain in such parks, bathing beaches, recreation centers, playgrounds, playfields, camp sites, boat houses, and boat landings.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 541, (Senate Bill No. 709), entitled:

An Act to amend an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended; by authorizing the court of Quarter Sessions to abolish all wards existing in any township of the first class, and to re-divide such township into new wards

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 638, (Senate Bill No. 710), entitled:

An Act supplementing an act, entitled "An act amending an act, entitled 'A Supplement to an act, entitled "An Act for the government of cities of the second class," approved the seventh day of March, one thousand nine hundred and one; authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards, courts and open spaces, and to regulate and restrict the location of trades and industries, and the location of buildings for specified uses; and to make regulations for trades and industries and for the use of buildings; and, for the above purposes, to divide the cities into districts; and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein; and providing the method of adoption of said districts, regulations, and restrictions, and the method of amendment or change thereof,' approved the twenty-first day of June, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, five hundred seventy)," providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities, establishing the procedure upon said appeals, authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties, and authorizing said appeals to be advanced.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 641, (Senate Bill No. 711), entitled:

An act making a deficiency appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb

Which was committed to the Committee on Appropriations.

House Bill No. 657, (Senate Bill No. 712), entitled:

An Act to amend section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled, "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties

for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the compensation of auditors of the accounts of school districts of the fourth class.

Which was committed to the Committee on Education.

House Bill No. 666, (Senate Bill No. 713), entitled:

An Act to amend section two thousand one hundred five of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first second and third classes

Which was committed to the Committee on Education.

House Bill No. 682, (Senate Bill No. 714), entitled:

An Act to amend the forty-first clause of section two article one chapter five of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 693, (Senate Bill No. 715), entitled:

An Act providing for the quarantine and control of the Japanese Beetle imposing certain powers and duties on the Department of Agriculture and providing penalties

Which was committed to the Committee on Agriculture.

House Bill No. 721, (Senate Bill No. 716), entitled:

An Act to amend section one hundred and two clause (j) Article I of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act "By providing for co-operation with and receipts of contributions from persons firms corporations or associations for forest protection

Which was committed to the Committee on Forestry.

House Bill No. 727, (Senate Bill No. 717), entitled:

An Act to amend article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto section one thousand and eight regulating civil actions by and on behalf of persons and the Commonwealth suffering damage from forest fires and making an appropriation

Which was committed to the Committee on Forestry.

House Bill No. 728, (Senate Bill No. 718), entitled:

An Act to amend article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section one thousand nine providing a penalty for interfering with notices posted by the Department

Which was committed to the Committee on Forestry.

House Bill No. 729, (Senate Bill No. 719), entitled:

An Act to amend sections one thousand one one thousand two one thousand three and one thousand four Article ten of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden refusing to aid a fire warden hindering a forest protection officer in his duties or non-abatement of a nuisance caused by maintaining a special forest fire hazard

Which was committed to the Committee on Forestry.

House Bill No. 774, (Senate Bill No. 720), entitled:

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs township commissioners and township supervisors of townships and requiring boroughs and townships to pay the expenses in connection therewith

Which was committed to the Committee on Judiciary General.

House Bill No. 782, (Senate Bill No. 721), entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb, Mount Airy, Philadelphia, to cover deficiency in maintenance and education of State pupils.

Which was committed to the Committee on Appropriations.

House Bill No. 789, (Senate Bill No. 722), entitled:

An Act making a deficiency appropriation to the Pennsylvania Industrial Reformatory at Huntingdon Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 790, (Senate Bill No. 723), entitled:

An Act making a deficiency appropriation to the Pennsylvania Training School at Morganza Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 790, (Senate Bill No. 724), entitled:

An Act relating to building construction in cities of the first class by prescribing the maximum undivided floor areas permitted and the use of non-fireproof steel trusses and purlins in certain cases prescribing limitations on garages automobile service stations and buildings for similar purposes and constructions permitted for curtain and spandrel walls permitting the use of wood furring and stud-partitions in certain cases and repealing inconsistent laws

Which was committed to the Committee on Municipal Affairs

House Bill No. 852, (Senate Bill No. 725), entitled:

An Act to amend sections four, seven and section nine, as amended, of an act approved the twenty-second day of July, one thousand nine hundred and nineteen, (P. L. 1093), entitled "An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand, a board for the assessment and provision of taxes;

providing for the appointment of the members of such board by the county commissioners; fixing their salaries, payable by the county; defining the powers and duties of such board; and regulating the assessment of property and occupations for State and county purposes; authorizing the appointment of subordinate assessors and clerks, defining their duties and providing for their compensation, payable by such counties; imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act, and abolishing the office of ward, borough, and township assessor, in so far as respects the assessment of property and occupations for State and county purposes," by exempting buildings and structures in the course of erection, and providing for the placing of borough and township assessments in public places.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 903, (Senate Bill No. 726), entitled:

An Act to amend section seven of an act approved the eighteenth day of July one thousand nine hundred and one (Pamphlet Laws seven hundred thirty-seven) entitled "An Act to provide for the selection of a site and the erection of a State Hospital for the treatment of the insane under homeopathic managements to be called the Homeopathic State Hospital for the Insane and making an appropriation therefor" as amended changing the corporate name of the said hospital

Which was committed to the Committee on Judiciary Special.

House Bill No. 905, (Senate Bill No. 727), entitled:

An Act to amend section eight of the section approved the fifth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and twenty-one) entitled "An Act to provide for the selection of a site and the erection of a hospital for the insane for the city and county of Philadelphia and the counties of Bucks Montgomery Delaware Chester and Northampton and Lehigh to be called the State Hospital for the Insane for the Southeastern District of Pennsylvania and for the management of the same" changing the name of said hospital

Which was committed to the Committee on Judiciary Special.

House Bill No. 908, (Senate Bill No. 728), entitled:

An Act to amend section nine of the act approved the third day of June one thousand eight hundred and ninety-three (Pamphlet Laws two hundred eighty-nine) entitled "An act to provide for the selection of a site and the erection of a State institution for the feeble-minded to be called the Western Pennsylvania State Institution for the Feeble Minded and making an appropriation therefor" by changing the name of said institution

Which was committed to the Committee on Judiciary Special.

House Bill No. 911, (Senate Bill No. 729), entitled:

An Act to provide for the erection of new or additional buildings for the maintenance care and treatment of the poor indigent insane and indigent persons afflicted with tuberculosis in poor districts in counties of the second class which now maintain or which shall hereafter maintain a poor house or a hospital or sanitarium for such purposes authorizing the county commissioners to borrow moneys issue and negotiate the sale of bonds and to levy taxes for the payment of same

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 914, (Senate Bill No. 730), entitled:

An Act to amend section one of an act approved the eighth day of June one thousand eight hundred and eighty-one (Pamphlet Laws eighty-three) entitled "An act to organize the state hospital for the insane at Warren Pennsylvania" changing the name of said hospital

Which was committed to the Committee on Judiciary Special.

House Bill No. 961, (Senate Bill No. 731), entitled:

An act to exempt bequests or devices in trust for the perpetual care and preservation of burial lots or graves therein from the payment of transfer inheritance tax

Which was committed to the Committee on Finance.

House Bill No. 983, (Senate Bill No. 732), entitled:

An act authorizing John J. Higgins of the City of Philadelphia Pennsylvania to bring suit against this Commonwealth

Which was committed to the Committee on Judiciary General.

House Bill No. 999, (Senate Bill No. 733), entitled:

An Act providing for the refunding of liquor license fees and additional taxes to holders of licenses to manufacture or sell vinous spirituous malt or brewed liquors or any admixture thereof intoxicating liquor or ethyl alcohol where the Act of Assembly under the authority of which such licenses were granted has been repealed by the General Assembly of one thousand nine hundred and twenty-three prior to the expiration of the license year for which such licenses were issued providing for the payment of such refund in certain cases by the county in which such license was granted and the repayment to such county by the city borough township and State of their respective share of such refund and for the payment of such refund in certain cases by the State alone providing the procedure in such cases and making an appropriation

Which was committed to the Committee on Law and Order.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented communications in writing from his Excellency, the Governor of the Commonwealth, which were read as follows:

VETO OF SENATE BILL No. 41.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 6, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval, Senate Bill No. 41, entitled "An Act fixing the salary of sheriffs in counties of the eighth class requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail."

The principal of the Bill can be approved, also the amount of the salary, but I am not willing that the Bill as enacted shall become a law unless and until it is amended so that as in previous Bills of this nature the duty is imposed upon the sheriffs of counties of the eighth class "to exact, collect and receive all fees payable to the sheriffs to and for the use of their respective counties, except such taxes and fees as are levied for the State, which shall be to and for the use of the State."

The Bill, if reenacted, should also contain other similar provisions which are in previous acts of this nature.

For these reasons the Bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

BILL POSTPONED.

Mr. CULBERTSON. Mr. President, I move that the question, together with the further consideration of the bill be postponed for the present.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

NOMINATIONS BY THE GOVERNOR.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 9, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Miss M. B. Burroughs, Perrysville, April 21, 1923.
Miss Lulu Creighton, Pittsburgh, April 1, 1923.
H. Stewart Dunn, Pittsburgh, April 21, 1923.
Harry Easton, Pittsburgh, April 16, 1923.
C. E. Field, Pittsburgh, April 6, 1923.
John G. Gill, Turtle Creek, March 31, 1923.
V. E. Griffin, Glassport, April 22, 1923.
Geo. B. Herwick, McKeesport, April 21, 1923.
Ralph H. Kipp, Pittsburgh, April 1, 1923.
C. M. Labriola, Pittsburgh, April 22, 1923.
J. Elmer McCaffrey, Pittsburgh, April 1, 1923.
Miss J. A. Means, Pittsburgh, April 18, 1923.
Edward J. Plocki, Pittsburgh, April 3, 1923.
Miss Hattie B. Rowley, Pittsburgh, April 1, 1923.
Louis M. Sachs, Pittsburgh, April 1, 1923.
Herman H. Tully, McKeesport, April 21, 1923.
W. W. Wiggins, Ben Avon, April 21, 1923.

BUCKS COUNTY.

Miss Mabel A. Shriner, Langhorne, April 23, 1923.

CAMBRIA COUNTY.

Vincent B. Saly, Johnstown, April 21, 1923.

CAMERON COUNTY.

William M. Thomas, Jr., Driftwood, April 1, 1923.

CLEARFIELD COUNTY.

Samuel Toney, Clearfield, March 31, 1923.

CRAWFORD COUNTY.

Charles R. Church, Titusville, April 17, 1923.

CUMBERLAND COUNTY.

John L. Barner, Shippensburg, April 17, 1923.

DAUPHIN COUNTY.

Miss Mary E. Hite, Harrisburg, April 21, 1923.

FAYETTE COUNTY.

Alexander Ronay, Fayette City, April 20, 1923.

LACKAWANNA COUNTY.

Harry C. Hubler, Scranton, April 21, 1923.
Clarence J. Wing, Taylor, April 1, 1923.

LEBANON COUNTY.

Miss Mary M. Binner, Myerstown, April 19, 1923.

LUZERNE COUNTY.

Miss Anna Breeze, Hazleton, March 29, 1923.
John Wadzinski, Nanticoke, April 21, 1923.

LYCOMING COUNTY.

Mrs. Grace A. Anderson, Williamsport, April 21, 1923.

MERCER COUNTY.

Will T. Baines, Sharon, April 18, 1923.

MONTGOMERY COUNTY.

Perry Greenspan, Abington, April 21, 1923.
Irvin F. Knipe, Norristown, April 17, 1923.
Daniel S. Moser, Perkiomenville, April 21, 1923.
Chas. L. Schumaker, Willow Grove, April 21, 1923.
C. D. Wright, Jenkintown, April 19, 1923.

NORTHAMPTON COUNTY.

Jno. P. Baker, Hellertown, April 1, 1923.

PHILADELPHIA COUNTY.

Columbus W. Gabell, Jr., Philadelphia, April 19, 1923.
Edgar J. Elliott, Philadelphia, April 21, 1923.
J. Joseph George, Philadelphia, April 19, 1923.
George H. Grant, Philadelphia, April 21, 1923
Samuel A. Guldin, Philadelphia, April 21, 1923.
W. A. Hamilton, Philadelphia, April 21, 1923.
Harry Kattelman, Philadelphia, April 22, 1923.
Ralph G. Luff, Philadelphia, April 1, 1923.
George Marx, Philadelphia, April 19, 1923.
Taddeo F. Mattia, Philadelphia, April 1, 1923.
Wm. F. McMonagle, Philadelphia, Feb. 21, 1923.
Jacob H. Rhoads, Philadelphia, April 16, 1923.
Miss Catherine M. Stely, Philadelphia, April 21, 1923.
William H. F. Ward, Philadelphia, April 19, 1923.

SCHUYLKILL COUNTY

Horace I. Weston, Pottsville, April 1, 1923.

WARREN COUNTY

Miss Frances L. Young, Warren, April 21, 1923.

WASHINGTON COUNTY

Thomas H. Warrensford, Charleroi, April 19, 1923.

WESTMORELAND COUNTY

John E. Irwin, Irwin, April 21, 1923.
Wm. E. King, Arnold, April 20, 1923.
J. R. Silvis, Greensburg, April 21, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 9, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ADAMS COUNTY.

Roger J. Keefer, Littlestown.

ALLEGHENY COUNTY.

William E. Clark, Wilkinsburg.
Wm. H. McClafferty, Pittsburgh.
Benjamin Meyer, Pittsburgh.
Mrs. A. M. Thomas, Etna.
John G. Toth, McKeesport.
Miss Katherine Uhlinger, Springdale.
H. E. Yost, Pittsburgh.

ARMSTRONG COUNTY.

William G. Resinger, Kittanning.

BUTLER COUNTY.

John H. Soule, Butler.

LACKAWANNA COUNTY.

Robert B. Rinehart, Scranton.

LANCASTER COUNTY.

Miss Anna Dearbeck, Mount Joy.

LAWRENCE COUNTY

William Pitts, Mahoningtown.

LUZERNE COUNTY.

W. B. Yeager, Wilkes-Barre.

MONTGOMERY COUNTY.

Harry M. Detwiler, Souderton.

PHILADELPHIA COUNTY.

Henry M. Black, 125 Mulberry St., Philadelphia.
Howard Bortz, 6244 Ogontz Ave., Philadelphia.
Miss Louise B. Caffrey, 1007 Finance Bldg., Philadelphia.
Morris E. Conn, 108 South 22nd St., Philadelphia.
A. J. Donaghue, 517 N. 63rd St., Philadelphia.
Walter A. Eells, 2409 W. Lehigh Ave., Philadelphia.
Wm. S. Elwell, 433 Fishers Ave., Philadelphia.
Miss Mary M. Grady, 1500 Porter St., Philadelphia.
Maurice L. Karr, 239 Christian St., Philadelphia.
Holman G. Knouse, 3455 Walnut St., Philadelphia.
Joseph J. O'Neill, 3355 N. Front St., Philadelphia.
D. J. Potter, 6932 Dittman St., Philadelphia.
Stanley A. Szymanski, 225 Fitzwater St., Philadelphia.
James O. Waters, Roslyn. Philadelphia.
Gayraud S. Wilmore, 1418 N. 23d St., Philadelphia.

SCHUYLKILL COUNTY.

P. S. Canfield, Silver Creek.

WARREN COUNTY.

Enoch J. Johnson, Sheffield.

GIFFORD PINCHOT.

ALDERMEN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 9, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Lyman Priest, of Pittsburgh, as Alderman, in and for the Twentieth Ward, City of Pittsburgh, Allegheny County, vice John Hall, Jr., deceased, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 9, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John F. Burkhart, of Lancaster, as Alderman in and for the Second Ward of the City of Lancaster, Lancaster County, vice Roy Y. Showers, resigned, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Davis,	Kutz,	Sisson,
Baldwin,	Derrick,	Lanius,	Smith,
Barr,	DeWitt,	Long,	Snyder,
Berntheizel,	Einstein,	MacDade,	Sones,
Betts,	Eyre,	Mansfield,	Sprowls,
Brown,	Harris,	Miller,	Steele,
Buckman,	Heaton,	Norton,	Stineman,
Clark,	Homsher,	Patton,	Stites,
Craig,	Jones,	Quigley,	Vare,
Culberston,	Joyce,	Salus,	Weaver,
Daix,	Krause,	Schantz,	Woodward,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now arise.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. JOYCE, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 709, (House Bill No. 541), entitled:

An Act to amend an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" as amended by authorizing the court of Quarter Sessions to abolish all wards existing in any township of the first class and to re-divide such townships into new wards.

Mr. DAIX, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 426, entitled:

An Act to further regulate the construction, maintenance and inspection of buildings in cities of the first class.

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 212, (House Bill No. 52), entitled:

An Act to amend an act entitled "An Act to prohibit the speeding and racing of certain motor vehicles to fires, the parking of motor vehicles in the vicinity of fires, and the driving of motor vehicles over lines of hose" by extending the provisions thereof to all vehicles

Mr. JONES, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 660, (House Bill No. 234), entitled:

An Act concerning game or wild birds and wild animals and amending revising consolidating and changing the law relating thereto.

Mr. STEELE, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 587, entitled:

An Act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers on the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity.

Mr. DERRICK, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 549, (House Bill No. 702), entitled:

An Act to amend section 3 and section 4 of an act approved the fifth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws 374) entitled "An act providing for the licensing and regulation or corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing, negotiating, offering for sale, or selling certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or installment plan, or of assuming fixed obligations, or issuing, in connection there-

with a contract based upon payments, being made upon installments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties."

Mr. CULBERTSON, from the Committee on Insurance, reported as committed, Senate Bill No. 662, (House Bill No. 416), entitled:

An Act to amend section three hundred and four of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws."

Also from the Committee on New Counties and County Seats reported as amended, Senate Bill No. 639, entitled:

An act to further amend the act approved the twenty-seventh day of April, one thousand nine hundred and nine (P. L. 258) entitled "An act authorizing the employment of stenographers by the district attorneys of certain counties as amended; extending said act to counties of the fourth fifth, sixth, seventh, and eighth classes; and fixing the salaries of said stenographers.

Mr. MANSFIELD, from the Committee on Banks and Building and Loan Associations, reported as committed Senate Bill No. 323, entitled:

An Act to further amend section two of an act approved the twentieth day of June, (P. L. 521) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal."

Mr. KRAUSE, from the Committee on Forestry, reported as committed, Senate Bill No. 675, (House Bill No. 724) entitled:

An Act to amend section one thousand and five Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing further penal provisions for setting fire maliciously or otherwise to any woodlot forest or wild land.

Mr. BETTS, from the Committee on Forestry, reported as committed, Senate Bill No. 676, (House Bill No. 725), entitled:

An Act to amend Article XII of an act approved the third day of June one thousand nine hundred and fifteen (P. L. 797) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms.

Mr. ARON, from the Committee on Insurance, reported as committed, Senate Bill No. 558, entitled:

An Act to amend section six hundred and three of an act approved the seventeenth day of May nineteen hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An Act Relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund and providing penalties and repealing existing laws."

Mr. EYRE, from the Committee on Banks and Building and Loan Associations, reported as amended, Senate Bill No. 584, entitled:

An act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania.

Mr. QUIGLEY, from the Committee on Forestry, reported as committed, Senate Bill No. 674, (House Bill No. 723), entitled:

An act authorizing counties cities boroughs and townships to appropriate moneys for forest work.

Mr. NORTON, from the Committee on Legislative Apportionment, reported as committed, Senate Bill No. 521, (House Bill No. 262), entitled:

An act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution."

Mr. STINEMAN, from the Committee on Forestry, reported as committed, Senate Bill No. 677, (House Bill No. 726), entitled:

An Act to amend an act entitled "An Act to amend an Act entitled "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an Act entitled "An Act to establish a public school system in the Commonwealth of Pensylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forests now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five)" by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania.

Mr. LONG, from the Committee on Forestry, reported as amended, Senate Bill No. 673, (House Bill No. 722), entitled:

An Act to amend clause (h) of section one hundred and two Article I of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act," by providing for the purchase lease building and

maintenance of telephone lines or attachments thereto by private parties and appropriating the revenue derived therefrom.

Mr. DAVIS, from the Committee on Forestry, reported as committed, Senate Bill No. 672, (House Bill No. 720), entitled:

An Act to amend section seven hundred three Article VII of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for comepensation for forest fire fighting or private lands listed with the Department of Forestry for forest protection.

Mr. SCHANTZ, from the Committee on Appropriations, reported as amended, Senate Bill No. 399, entitled:

An Act making an appropriation to reimburse the fund in the Mechanics Trust Company of Harrisburg standing to the credit of the Water Supply Commission for the improvement of French Creek, for moneys inadvertantly paid into the State Treasury.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 553, entitled:

An act for the appointment of a commission to study conditions relating to blind persons in Pennsylvania, and make recommendations, and making an appropriation.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 645 entitled:

A supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (Appropriation Acts, page 142) entitled, "An act making an Appropriation to the State Industrial Home for Women at Muncy, reappropriating certain appropriations heretofore made to the State Industrial Home for Women at Muncy.

Also from the Committee on Appropriations, re-reported as amended, Senate Bill No. 153, entitled:

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to certain aged persons; and providing for their burial; creating an Old Age Assistance Commission of this Commonwealth and Old Age Assistance Board in each county; defining their powers and duties; providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators; making counties liable for certain expenses; providing penalties; and making an appropriation.

BILLS INTRODUCED.

Mr. PATTON, read in his place and presented to the Chair Senate Bill No. 734, entitled:

A Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen.

Which was committed to the Committee on Municipal Affairs.

Mr. VARE, read in his place and presented to the Chair Senate Bill No. 735, entitled:

An Act to make an appropriation for the improvement of the maritime port facilities of the State of Pennsylvania at Philadelphia and providing for the expenditure thereof and for the appointment by the Governor of a competent engineer to assist and cooperate therein.

Which was committed to the Committee on Appropriations.

Mr. JONES, read in his place and presented to the Chair Senate Bill No. 736, entitled:

An Act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the Act of March tenth, one thousand nine hundred and twenty-one, entitled "An Act making an appropriation to the State Highway Department for the construction of permanent State Highways; for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highways within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department"; for the construction or reconstruction of State highways, and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts, so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof.

Which was committed to the Committee on Public Roads and Highways.

Mr. STEELE, read in his place and presented to the Chair Senate Bill No. 737, entitled:

An Act authorizing the State Highway Commissioner to take over as State highawys certain roads leading from State institutions to State highways or railroad stations.

Which was committed to the Committee on Public Roads and Highways.

Mr. NORTON read in his place and presented to the Chiar Senate Bill No. 738, entitled:

An Act to amend sections one, four, eight, thirteen and fifteen, and to repeal sections five and six of the act approved the seventh day of June, 1887, (P. L. 365), entitled "An act to encourage and authorize the formation of cooperative associations, productive and distributive, by farmers, mechanics, laborers, or other persons;" providing for the formation of such associations by five or more natural or legal persons; eliminating the provisions with regard to the giving of credit and the sale and leasing of real estate, and the clause requiring the keeping posted of a balance sheets for three months.

Which was committed to the Committee on Judiciary General.

Mr. MacDADE read in his place and presented to the Chair Senate Bill No. 739, entitled:

An Act to amend section four of an act approved May 1st, 1909, (P. L. 307) entitled "An act to provide for the recovery by bureaus of health, boards of health, and boards of school directors, of cities, boroughs and townships of this Commonwealth, of money expended to care for and maintain persons sick of contagious or infectious diseases, when the person so sick has a settlement in some other city, borough, or township of the Commonwealth, and providing for the payment of all expense by the party falling sick, except poor persons, and defining a settlement for the purposes of this act," defining the settlement of a married woman.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair Senate Bill No. 740, entitled:

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred and ninety-three (P. L. 344) entitled, "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases," authorizing a married woman to mortgage or convey her real property to the same extent as a married man, and to make contracts as if unmarried.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 741, entitled:

An Act to amend section four of an act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 429) entitled "An act relating to the decent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," providing for the husband's share in lands aliened by his wife in her lifetime without his joining in the conveyance.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 742, entitled:

An Act concerning the domicile of a married woman.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 743, entitled:

An Act to further amend clause three of section one of an act approved the eighth day of May, one thousand eight hundred and fifty-four (P. L. 644) entitled, "An act concerning divorces," as amended, making the degree of cruelty as a ground for divorce the same for husband and wife.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 744, entitled:

An act to amend section one of an act approved March 15th, 1915 (P. L. 150) entitled "An act concerning divorces;" making the degree of cruelty as a ground for divorce the same for husband and wife, and to repeal section ten of the said act.

Which was committed to the Committee on Judiciary General.

Mr. MANSFIELD, read in his place and presented to the Chair Senate Bill No. 745, entitled:

An Act relating to depositories of county funds in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; providing for the selection thereof by the county treasurer, county commissioners and controller if any there be and for the payment of interest on county funds for the use of the county; imposing certain expenses upon counties in connection therewith, and providing penalties.

Which was committed to the Committee on New Counties and County Seats.

Mr. SISSON, read in his place and presented to the Chair Senate Bill No. 746, entitled:

An act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the fourth class and authorizing the expenditure of a portion of all of said fines for the support and maintenance of a law library in said counties.

Which was committed to the Committee on Judiciary General.

Mr. BETTS, read in his place and presented to the Chair Senate Bill No. 747, entitled:

An Act making an appropriation to the Du Bois Hospital of Du Bois, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. ARON, read in his place and presented to the Chair Senate Bill No. 748, entitled:

An Act to further amend section nine of an act approved the thirtieth day of June, one thousand nine hundred and nineteen (P. L. 678), entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after motor vehicles, requiring the registration of the same and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of and tampering with motor vehicles; permitting and defining the powers of cities, boroughs, incorporated towns, townships and counties as to the regulation of the use and equipment of motor vehicles, and the taxing registration or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle" by providing that fifty per centum of the fees required for registration of motor vehicles and trailers and of all other fees required to be paid by the said act, shall be credited to the counties wherein such fees shall have originated.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 749, entitled:

An Act to provide for the settlement registration, transfer and assurance of titles to land laying in the several counties of the Commonwealth of Pennsylvania and to establish a court of and registration for said purpose.

Which was committed to the Committee on Judiciary General.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 750, entitled:

An Act providing for the refunding of moneys erroneously paid into the State treasury as taxes on inheritances or transfers of inheritances

Which was committed to the Committee on Judiciary General.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 751, entitled:

An Act to amend section two hundred and eighty-six of an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840) entitled "An act concerning townships; and revising, amending and consolidating the law relating thereto."

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 752, entitled:

An Act to amend section seventeen of an act approved May 31, 1911, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the Counties or townships of the Commonwealth certain existing public roads connecting County-seats, principal cities, and towns and extending to the State line; precribing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain

the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and, procedure therein providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State providing, aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads; and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, authorizing the Department to collect fees for permits and making an appropriation thereof.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 753, entitled:

An Act to amend section seven hundred and twenty-seven of an act approved July 14, 1917, (P. L. 840) entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended; authorizing the State Highway Department to charge permit fees for constructions in, over or under township highways and making an appropriation thereof.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 754, entitled:

An Act to amend section eighty-nine of an act approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382) entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth;" making the concealing of the death of a bastard child an offense of the father as well as of the mother.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 755, entitled:

An Act to amend section one of an act approved June 26, 1895 (P. L. 316) entitled "An act relating to husband and wife who are the parents of minor children, enlarging and extending the power control and authority of the mother over their minor children under certain circumstances," giving the mother under all circumstances the same and equal power and rights with the father.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 756, entitled:

An Act to amend section two of an act approved the nineteenth day of April, 1843, (P. L. 348) entitled "An act to punish seduction and to afford a more adequate civil remedy for the injury," granting the mother a joint right of action with the father.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 757, entitled:

An Act providing that the labor of a married woman shall be her property.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 758, entitled:

An Act to amend section eight clause (a) of an act, approved the seventh day of June, 1917, (P. L. 403) entitled, "An act relating to the form, execution, revocation, and interpretation of wills; to noncupative wills; to the appointment of testamentary guardians; to spendthrift trusts; to forfeiture of devise or legacy in case of murder of testator; to elections to take under or against wills, and to the recording registering of such elections and of decrees relative thereto, and to the fees therefor," by giving to the sole surviving parent the right to appoint a testamentary guardian for his or her minor child.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 759, entitled:

An Act concerning the recovery of damages for personal injuries to a married woman.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 760, entitled:

An Act to amend section one, clause (c) of an act approved the seventh dey of June, one thousand nine hundred and seventeen (P. L. 447) entitled, "An act relating to the administration, and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, occounts, discharge and removal of executors administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; and the appraisement of real estate devised as a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators tnerein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," enlarging the right of the widow to letters of administration.

Which was committed to the Committee on Judiciary General.

Mr. SMITH, read in his place and presented to the Chair Senate Bill No. 761, entitled:

An Act to amend section two of an act, approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 121), entitled "An act restricting the use of the word 'trust' as part of a corporate name; forbidding advertising or doing business as a trust company except by corporations under the supervision of the banking department; and providing a penalty for violation thereof."

Which was committed to the Committee on Banks and Building and Loan Associations.

Also read in his place and presented to the Chair Senate Bill No. 762, entitled:

An Act to safeguard human life and health throughout the Commonwealth by providing for the reporting quarantining and control of disease declared communicable by this act or by regulation of the Department of Health; providing for the prevention of infection therefrom and prescribing penalties.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair Senate Bill No. 763, entitled:

An Act relating to the preparation of a new Constitition of the Commonwealth by a convention and its adoption or rejection by the people; and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. BUCKMAN, read in his place and presented to the Chair Senate Bill No. 764, entitled:

An Act fixing the salary of court criers in counties of the sixth class.

Which was committed to the Committee on Judiciary General.

Mr. SALUS, read in his place and presented to the Chair Senate Bill No. 765, entitled:

A Joint Resolution providing for the continuation of the commission appointed in accordance with the provisions of a joint resolution, approved July 25, 1917, (P. L. 1188) entitled "A joint resolution providing for a commission to submit a revised penal code of Pennsylvania and making an appropriation for the expenses of the Commission" providing for additional members; and making an appropriation.

Which was committed to the Committee on Appropriations

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 766, entitled:

An Act to establish as a State Highway a certain section of public road in the county of Lancaster.

Which was reported to the Committee on Public Roads and Highways.

Mr. QUIGLEY read in his place and presented to the Chair Senate Bill No. 767, entitled:

An Act making an appropriation to the Andrew Kaul Memorial Hospital, St. Marys, Pennsylvania.

Which was committed to the Committee on Appropriations

Mr. BARR read in his place and presented to the Chair Senate Bill No. 768, entitled:

An Act providing for the appointment of inspectors of steam engines and steam boilers in counties of the second class of this Commonwealth.

Which was committed to the Committee on Judiciary General.

RESOLUTION AUTHORIZING THE APPOINTMENT OF COMMITTEE TO DRAFT RESOLUTIONS ON THE DEATH OF THE HONORABLE BOIES PENROSE AND FIXING TIME FOR MEMORIAL SESSION.

Mr. DAIX offered the following resolution, which was twice read, considered and agreed to.

In the Senate, Monday April 9th, 1923.

Resolved, That a Committee of five Senators be appointed to draft suitable resolutions expressive of the sense of the Senate upon the death of the late United States Senator Boies Penrose, who died December the 31st 1921, and present the said resolutions to the Senate at a special meeting to be held Tuesday afternoon April the 24th at two o'clock

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 53, 85 and 191.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 3, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following Senate Bills:

Senate Bill No. 53, entitled, "An Act fixing the per diem compensation of registry or assistant assessors in townships of the first class for the performance of election duties and the method of ascertaining the number of days employed."

Senate Bill No. 85, entitled, "An Act authorizing cities of the third class to regulate the location of business trades and industries the location size and use of buildings and the areas of yards courts and open spaces".

Senate Bill No. 191, entitled, "An Act to amend section one of the act approved the seventh day of July one thousand nine hundred and thirteen (Pamphlet Laws six hundred and ninety-three) entitled, 'An act prescribing the manner and time of submitting to the qualified electors of the State proposed amendments to the Constitution in order to determine whether the same be approved by a majority or those voting thereon as provided by Article eighteen section one of the Constitution' ".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL No. 6.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 4, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 6, entitled, "An Act to amend section two of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and thirty-four) entitled, "An act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing for the payment of the expenses thereof' ".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL No. 112.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 3, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 112, entitled, "An Act authorizing cities of the first class to provide for the use of moneys borrowed or authorized to be borrowed

for purposes which have proved or may prove impracticable impossible or inadvisable for any other lawful municipal purpose or to provide for the cancellation of the authority to borrow such moneys".

GIFFORD PINCHOT.

APPROVAL OF RESOLUTION AUTHORIZING GOVERNOR TO APPOINT THE OFFICERS OF THE HOUSE AND SENATE AS A COMMITTEE TO REPRESENT THE GENERAL ASSEMBLY AT THE ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE FOUNDING OF THE CITY OF READING.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 4th, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a Resolution of the House and Senate authorizing the Governor to appoint the officers of the House and Senate as a committee to represent the General Assembly at the one hundred and seventy-fifth anniversary of the founding of the City of Reading.

GIFFORD PINCHOT.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 258, as follows:

An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" fixing the compensation of township auditors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred and twenty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" is hereby amended to read as follows

Section 325 The auditors of townships of the first and second class shall meet annually on the day following the day which is fixed by this act for the organization of the township supervisors or the township commissioners of the several townships respectively and shall audit settle and adjust the accounts of the supervisors commissioners roadmasters treasurer and tax collector of the township two auditors shall constitute a quorum

Any officer whose act or neglect has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss

Each auditor shall receive two dollars per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring

Will the Senate agree to the bill on third reading?

Mr. BUCKMAN. Mr. President, I regret to have to offer amendments due to typographical errors made by the printer, and, therefore, ask unanimous consent to amend section 1, page 2, line 8 by striking out the word "two" and inserting in lieu thereof the word "Two"; also line 12 by striking out the brackets surrounding "five" and underscoring same; also by enclosing the word "two" in parenthesis.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 15, as follows:

An Act relating to the retirement of certain officers and employes of the State Government and their compensation including officers and employes heretofore retired

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the phrase "State employe" as used in this act includes (a) all officers and employes of the executive and legislative branches of the State government including officers and employes of the Department of Public Instruction who at the time of retirement are not contributors to the State Teachers' Retirement Fund and entitled to retirement in accordance therewith (b) all officers and persons employed by the Supreme and Superior Courts and (c) all salaried officers and employes of hospitals asylums penitentiaries reformatories and other institutions operated by the Commonwealth

Section 2 Any State employe who has served as such for twenty-five years or more or who has served as such for twenty years or more and has reached the age of sixty-five years shall be eligible to retirement under the provisions of this act if he or she is in the opinion of the Governor incapacitated or disabled from performing his or her regular official duties

Section 3 Any State employe desiring to take advantage of the provisions of this act may express to the Governor his or her desire to do so The Governor upon the receipt of any such expression of desire or upon his own initiative may notify any such State employe of the privilege to be so retired and in either case if such State employe shall resign within thirty days after such notice and shall hold himself or herself in readiness to perform special duties in such ways as he or she may be reasonably able to perform after such retirement by resignation he or she shall receive during the remainder of his or her life or during the continuance of such disability or incapacity one-half of the salary compensation or emoluments which he or she would have received at the time of retirement

Section 4 No such State employe while accepting the benefits of this act shall be entitled to any additional compensation for the performance of any duties assigned to him hereunder and no such employe shall be obliged to accept an assignment of duty from any department or branch of service of which he was an employe at the time of his retirement except in cases where the duties so to be performed have been transferred to some other department or branch of service

Section 5 All payments under this act shall be made monthly only upon the certificates of the head of the proper department or branch of service or the department or branch of service to which the duties of such State employe have been transferred that such retired State employe is living and willing to perform the special duties assigned to him by such State official

Section 6 Any State employe who has been heretofore retired under the provisions of any act repealed by this act shall continue to be so retired and shall be entitled to all the benefits emoluments and be subject to the performance of all the duties provided for by this act

Section 7 The General Assembly shall at each biennial session appropriate moneys sufficient for the payment of the salaries compensation and emoluments of all such retired State employes

Section 8 That the following acts of Assembly are hereby repealed

The act approved the fourteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and seventy-three) entitled "An act to provide for retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement"

The act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws five hundred and fifty-nine) entitled "An act to amend an act entitled 'An act to provide for retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement' approved the fourteenth day of June Anno Domini one thousand nine hundred and fifteen so as to extend the operation thereof to all employes in penitentiaries and other institutions operated by the Commonwealth as well as those more directly in the service thereof"

The act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and ninety-seven) entitled "An act to amend section one of an act approved the fourteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-three) entitled 'An act to provide for the retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement' as amended by changing the conditions under which said employes can be retired and the procedure therein changing the pension period and defining the term 'State employe' to include officers and employes in the legislative and executive branches of the State Government and of State institutions"

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. SMITH. Mr. President, I ask unanimous consent to amend Section 2, page 2, line 6, by striking out "sixty" and re-inserting "sixty-five"; also Section 3, page 2, line 20 by inserting after the word "receive" the word "annually" line 24 by striking out the word "at" and insert in lieu thereof the following: "during the year preceding"

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 321, entitled:

An act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An act for the government of cities of the second class"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Davis,	Kutz,	Sisson,
Baldwin,	Derrick,	Lanius,	Smith,
Barr,	DeWitt,	Long,	Snyder,
Berntheizel,	Einstein,	MacDade,	Sones,
Betts,	Eyre,	Mansfield,	Sprowls.
Brown,	Harris,	Miller,	Steele,
Buckman,	Heaton,	Norton,	Stineman,
Clark,	Homsher,	Patton,	Stites,
Craig,	Jones,	Quigley,	Vare,
Culberston,	Joyce,	Salus,	Weaver,
Daix.	Krause,	Schantz,	Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives of concurrence.

BILL RECOMMITTED.

Mr. JOYCE. Mr. President, I move that Senate Bill No. 328, on third reading, entitled:

An act requiring county commissioners to rebuild or repair county bridges closed to vehicular traffic or destroyed

be recommitted to the Committee on New Counties and County Seats for amendment.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 385, (House Bill No. 411), entitled:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July one thousand nine hundred seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the laws relating thereto"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Davis,	Kutz,	Sisson,
Baldwin,	Derrick,	Lanius,	Smith,
Barr,	DeWitt,	Long,	Snyder.
Berntheizel,	Einstein,	MacDade,	Sones,
Betts,	Eyre,	Mansfield,	Sprowls.
Brown,	Harris,	Miller,	Steele,
Buckman,	Heaton,	Norton,	Stineman,
Clark,	Homsher,	Patton,	Stites,
Craig,	Jones,	Quigley,	Vare,
Culberston,	Joyce,	Salus,	Weaver,
Daix,	Krause,	Schantz,	Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 432, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Davis,	Kutz,	Sisson,
Baldwin,	Derrick,	Lanius,	Smith,
Barr,	DeWitt,	Long,	Snyder,
Berntheizel,	Einstein,	MacDade,	Sones,
Betts,	Eyre,	Mansfield,	Sprowls,
Brown,	Harris,	Miller,	Steele,
Buckman,	Heaton,	Norton,	Stineman,
Clark,	Homsher,	Patton,	Stites,
Craig,	Jones,	Quigley,	Vare,
Culberston,	Joyce,	Salus,	Weaver,
Daix,	Krause,	Schantz,	Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 500, entitled:

An Act to amend section one of the act approved the twenty-second day of April, one thousand nine hundred and fifteen, (P. L. 167), entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry; fixing their duties and salaries, and increasing the salaries of the chief medical inspector, chief of the bureau of statistics and information, and the chief clerk;" by providing for additional supervising inspectors.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Davis,	Kutz,	Sisson,
Baldwin,	Derrick,	Lanius,	Smith,
Barr,	DeWitt,	Long,	Snyder,
Berntheizel,	Einstein,	MacDade,	Sones,
Betts,	Eyre,	Mansfield,	Sprowls,
Brown,	Harris,	Miller,	Steele,
Buckman,	Heaton,	Norton,	Stineman,
Clark,	Homsher,	Patton,	Stites,
Craig,	Jones,	Quigley,	Vare,
Culberston,	Joyce,	Salus,	Weaver,
Daix,	Krause,	Schantz,	Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 513, entitled:

An Act to amend section three of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 912), entitled, "An Act to regulate the drilling operating, and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Davis,	Kutz,	Sisson,
Baldwin,	Derrick,	Lanius,	Smith,
Barr,	DeWitt,	Long,	Snyder,
Berntheizel,	Einstein,	MacDade,	Sones,
Betts,	Eyre,	Mansfield,	Sprowls,
Brown,	Harris,	Miller,	Steele,
Buckman,	Heaton,	Norton,	Stineman,
Clark,	Homshef,	Patton,	Stites,
Craig,	Jones,	Quigley,	Vare,
Culberston,	Joyce,	Salus,	Weaver,
Daix,	Krause,	Schantz,	Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 640, entitled:

An Act to amend section three of an act approved July twenty-fifth one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled "An Act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington Crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Davis,	Kutz,	Sisson,
Baldwin,	Derrick,	Lanius,	Smith,
Barr,	DeWitt,	Long,	Snyder,
Berntheizel,	Einstein,	MacDade,	Sones,
Betts,	Eyre,	Mansfield,	Sprowls,
Brown,	Harris,	Miller,	Steele,
Buckman,	Heaton,	Norton,	Stineman,
Clark,	Homsher,	Patton,	Stites,
Craig,	Jones,	Quigley,	Vare,
Culberston,	Joyce,	Salus,	Weaver,
Daix,	Krause,	Schantz,	Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 146, entitled:

An Act to define Real Estate Brokers and Real Estate Salesmen and providing for the Licensing regulation and

supervision of Resident and non-resident Real Estate Brokers and Real Estate Salesmen and their business through a Bureau in the Department of the secretary of the Commonwealth

The first section of the bill was read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the Real Estate Brokers' License Act of one thousand nine hundred and twenty-three

The second section of the bill was read as follows:

Section 2 (a) The term "real estate broker" shall include all persons copartnerships associations and corporations foreign and domestic who for another and for a fee commission or other valuable consideration shall sell exchange purchase or rent or shall negotiate the sale exchange purchase or rental or shall offer or attempt to negotiate the sale exchange or rental or shall hold himself or themselves out as engaged in the business of selling purchasing or renting of any real estate or interest in real estate the property of another whether the same shall be located within the State of Pennsylvania or elsewhere or shall collect or offer or attempt to collect rental for the use of real estate the property of another or shall negotiate or offer or attempt to negotiate a loan secured or to be secured by mortgage or other encumbrance upon or transfer of any such real estate It shall also include any person copartnership association or corporation employed by the owner or owners of lots or other parcels of real estate at a stated salary or upon a commission or upon a salary and commission basis or otherwise to sell such real estate or any parts thereof in lots or other parcels and who shall sell or exchange or offer or attempt to negotiate the sale or exchange of any such lot or parcel of real estate One act in consideration of compensation by fee commission or otherwise of buying selling renting or exchanging any such real estate of or for another or attempting or offering so to do or negotiating a loan upon or leasing or renting or placing for rent any such real estate or collection of rent therefrom shall constitute the person copartnership association or corporation so acting or attempting to act a real estate broker within the meaning of this act

(b) The term "real estate salesman" shall mean and include any person employed by a licensed real estate broker to sell or offer for sale to by or offer to buy or to negotiate the purchase sale or exchange of any real estate or interest in real estate the property of another or to negotiate a loan upon real estate or to lease or rent or offer to lease or rent or place for rent any such real estate

(c) Neither of the said terms "real estate broker" or "real estate salesman" shall be held to include within the meaning of this act any person holding in good faith a duly executed letter of attorney from the actual owner of any real estate authorizing the sale and conveyance or leasing of such real estate for and in the name of such owner nor shall they be held to include any attorney at law when acting for or under due authority from his client nor shall they be held to include any receiver trustee in bankruptcy or any other person or corporation acting under the appointment or order of any court or as trustee under the authority of a will or deed of trust or in any other fiduciary capacity

On the question,

Will the Senate agree to the section?

Mr. NORTON. Mr. President, I move to amend section 2, page 3, line 11, by striking out the words "any person holding in good"; also by striking out the whole of lines 12, 13, 14, and 15.

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows and agree to

Section 3 There is hereby created in the Department of the Secretary of the Commonwealth a bureau to be known as the Pennsylvania Real Estate License Commission for the issuance of real estate brokers' and salesmen's licenses under the provisions of this act and the supervision and control of all such licensees as hereinafter specifically provided

The fourth section of the bill was read as follows:

Section 4 The Governor shall on or before October the first one thousand nine hundred and twenty-three appoint to be members of the said Commission three persons whose vocation for a period of at least seven years prior to and at the date of their appointment shall have been and be that of a real estate broker or real estate salesman These appointments shall be confirmed by the State Senate and the chairman of the Commission shall be designated by the Governor One member shall be appointed for a term of one year one member shall be appointed for a term of two years and one member shall be appointed for a term of three years and until their respective successors shall be appointed and qualified thereafter the term of the members of said Commission shall be three years and until their successors shall be appointed and qualify Members to fill vacancies shall be appointed for the unexpired term The Commission appointed in one thousand nine hundred and twenty-three shall organize within two weeks from date of appointment and then prepare to issue licenses on January first one thousand nine hundred and twenty-four and may do all things convenient for carrying into effect the provisions of this act and to that end may from time to time adopt and promulgate necessary rules and regulations In subsequent years the commission shall organize immediately upon the qualifications of the new member appointed

Each member of the Commission shall receive as full compensation for each day actually spent on the work of said Commission the sum of ($25.00) per day and his actual and necessary expenses incurred in the performance of duties pertaining to his office

On the question,

Will the Senate agree to the section?

Mr. NORTON. Mr. President, I move to amend section 4, page 4, line 25, by striking out the word "necessary" also by inserting after the word "regulations" the following: "necessary for the administration of the act".

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth, sixth, seventh, eighth and ninth sections of the bill were read as follows and agreed to.

Section 5 A secretary of this commission shall be appointed by the Governor to hold office during his pleasure and subject to the approval of the Governor the Commission shall employ and at its pleasure discharge such deputies clerks and assistants as shall be deemed necessary to discharge the duties imposed by the provisions of this Act and shall outline their duties and fix their compensation subject to the general laws of the State

Section 6 The Board of Commissions of Public Grounds and Buildings shall furnish and equip suitable rooms at the Capitol for the use of said Commission The printing for said Commision shall be done by the State Printer on requisition of the Commission to the Superintendent of Public Printing and Binding

Section 7 From and after the date of approval of this act all monies collected by this commission as license fees charges or otherwise shall be paid by the Commission into the general fund of the State Treasury All expenses incurred by the Commission under the provisions of this act including compensation to members secretaries clerks and

assistants shall be paid out of the general fund in the State Treasury upon warrants of the Auditor General from time to time when vouchers thereof are exhibited and approved by the Commission provided that the total expense for every purpose incurred shall not exceed the total fees and charges collected and paid into the State Treasury

Section 8 The Commission shall adopt a seal with the words "Real Estate License Commission of the Commonwealth of Pennsylvania" and such other devices as the Commission may select A description of the seal with the impression thereoo shall be filed in the office of the Secretary of the Commonwealth

Section 9 (a) Copies of all records and papers or documents filed in the office of Real Estate License Commission and as well of all proceedings by or before the Commission or any of its deputies with the commission's action thereon and stenographic notes of testimony or other evidence submitted when certified under the hand and seal of the commission shall be admitted to be read in evidence in all courts in this Commonwealth in all cases where the originals would be admissible in evidence under the provisions of this act Provided That in any proceeding the court having jurisdiction may on cause shown require the production of the original

(b) For every copy of paper filed with the Real Estate License Commission in any proceedings before it the commission may charge such fees as it may by general rule or regulation prescribe

The tenth section of the bill was read as follows:

Section 10 Neither the Members of the Real Estate License Commission nor any deputy clerk or other employee of the said bureau shall directly or indirectly willfully exhibit publish divulge or make known to any person or persons any record report statement letter or any other matter of fact or thing contained among the papers documents or records of said bureau or ascertained from any of the same or from any investigation or proceeding made or held under the provisions of this act by or before the commission or any of its deputies excepting in such manner as is expressly authorized by this act and excepting when the production of such information in a proceeding in any court is duly required by subpeoena issued by special order of the court or other regular process any violation of the provisions of this section shall be a misdemeanor upon conviction whereof the person so offending shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and shall be dismissed from his appointment by said commission

Provided however That the provisions oi this section shall not apply to any ruling or decision of the commission with the record relative thereto and upon which the same was founded which ruling or decision shall have been duly made and entered under and in accordance with the provisions of this act after investigation and or hearing as hereinafter provided All such records shall immediately upon the entry of such ruling or decision become public records of the Real Estate License Commission subject to inspection by any person interested

On the question,

Will the Senate agree to the section?

Mr. NORTON. Mr. President, I move to amend section 10, page 7, line 22 by striking out the word "or"

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the sections as amended?

It was agreed to.

The eleventh, twelfth and thirteenth sections of the bill were read as follows and agreed to.

Section 11 From and after January 1 1924 it shall be unlawful for any person copartnership association or corporation to engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without first obtaining a license as a real estate broker or real estate salesman from the Real Estate License Commission

Section 12 (a) It shall be the duty of the Real Estate License Commission upon payment of license fees required by this Act to issue licenses as real estate broker or real estate salesman to all individuals and as real estate broker alone to all copartnerships associations and corporations who shall be duly qualified under and shall comply with the provisions of this Act

(b) Applications for licenses as real estate broker shall be made in writing to the Real Estate License Commission upon a blank provided for the purpose by the said bureau and shall contain such information as to the applicant or when the application is made by a copartnership association or a corporation as to its members or officers as the Commission shall require The application shall be signed by the applicant and shall be accompanied by the recommendation of at east two citizens not related to the ap- any member or officer thereof who shall be owners of real estate within and residents of the county in which the applicant resides or has his their or its place of business certifying to the honesty truthfulness and good repute of the applicant or in the case of a copartnership association or corporation its members or officers by name and recommending that a license be granted the applicant If the applicant or in the case of a copartnership or corporation any of its members or officers shall have resided or shall have engaged in business for less than one year in the county from which the application is made such application shall also be accompanied by the recommendation of at least two (2) real estate owners not related to the applicant of each of the counties where he or each of such members or officers has formerly resided or engaged in business during the said period of one year prior to filing of such application certifying to the honesty truthfulness and good repute of the applicant or its members or officers by name and recommending that the license be granted Where the applicant for a real estate broker's license maintains more than one place of business within this Commonwealth he shall be required to apply for and procure a duplicate license for each branch office so maintained by him such duplicate license to be issued with an additional charge of five dollars for each additional office or place of business Every such application shall state the name of the person copartnership association or corporation and the location of the place or places of business for which such license is desired and the license shall expire December thirty-first of the year issued unless sooner revoked by the Real Estate License Commission

(c) Appliciation for license as real estate salesman shall be made in writing to the said Commission signed by the applicant setting forth the period of time during which he has been engaged in the business stating the name of the last employer and the name and place of business of the person firm copartnership association or corporation then employing him or into whose employ he is then about to enter All applications shall be made upon a blank provided for the purpose by the Real Estate License Commission and shall contain such information as to the applicant in addition to the above prescribed as the Commission shall require The application shall be accompanied by the recommendation of his employer or prospective employer certifying that the applicant is honest truthful and of good repute and recommending that such license be granted All such licenses shall expire December thirty-first of the year issued unless sooner revoked by the Real Estate License Commission

(d) The Real Estate License Commission may require such other and further evidence as it may deem advisable of the qualifications of any applicant for a license or of the members of any copartnership or of the officers of any association or corporation making such application before issuing such license

(e) Authority to transact business as a real estate broker or real estate salesman under any license issued by the Real Estate License Commission shall be restricted to the person named in such license and shall not inure to the benefit of any other person or persons whatsoever Where a real estate broker's license shall be issued to a corporation or association authority to transact business thereunder shall be limited to one officer of such corporation or association to be designated in the application and named in the license Each other officer of such association or corpora-

tion desiring to act as a real estate broker in connection with the business of the said association or corporation or otherwise shall be required to make application for and take out a separate license in his or her own name individually Where the license is a copartnership the license issued to such copartnership shall confer authority to act as real estate broker upon one member of such copartnership only who shall be designated in the application and named in the license all the other members of such copartnership shall be required to apply for and take out individual licenses in their own names

(f) A non-resident of this state may be licensed as a real estate broker or a real estate salesman upon complying with all the provisions and conditions of this act relative to resident brokers and salesmen

(g) In connection with the application of a non-resident of this state for a license as Real Estate Broker or Real Estate Salesman the Real Estate License Commission may accept in lieu of the recommendations and statements otherwise required to accompany the application for such license the license (as real estate broker or real estate salesman) issued to such applicant by the proper authority of the state of his domicile upon the payment by the applicant of the proper license fee and the filing with the Commission of a duly certified copy of the license issued to such applicant by such other state In such case the license shall not be required to maintain a definite place of business within this state provided that he if a broker shall maintain an active place of business within the state of his domicile Provided however and it is hereby expressly stipulated that the provisions of this sub-paragraph "(g)" of Section 12 of this act shall only apply to licensed real estate brokers and real estate salesman of those states under the laws of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmen of this state Provided further that every non-resident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in the proper court of any county of this State in which a cause of action may arise in which the plaintiff may reside by the service of any process or pleading authorized by the laws of this State on the Secretary of the Commission said consent stipulating and agreeing that such service of such process or pleadings on said secretary shall be taken and held in all courts to be as valid and binding as if due service had been made upon said applicant personally within the State Said instrument containing such consent shall be authenticated by the seal thereof if a corporation or by the acknowledged signature of a member or officer thereof if otherwise All such applications except from individuals shall be accompanied by the duly certified copy of the resolution of the proper officers or managing board authorizing the proper officer to execute the same In case any process or pleadings mentioned in the case are served upon the Secretary of the Commission it shall be by duplicate copies one of which shall be filed in the office of the Commission and the other immediately forwarded by registered mail to the main office of the applicant against which said process or pleadings are directed

Section 13 The fees to be charged by and paid to the Real Estate License Commission by licensees for all licenses issued shall be as follows

(1) For each real estate broker's license a fee of twenty dollars ($20.00) Provided That there shall be an additional license fee of five dollars for each additional office or place of business

(2) For each license as real estate broker issued to an officer of a corporation or association or member of a copartnership other than the office or member named in the license issued to such association corporation or copartnership a fee of ten dollars ($10.00)

(3) For each real estate salesman's license a fee of five dollars ($5.00)

(4) Provided however that for any and all licenses issued subsequently to the first day of July in any year the license fee charged shall be but one-half of the annual license fee as respectively above prescribed The fees herein prescribed for real estate brokers' and real estate salesman's licenses shall be in lieu of any and all other license fees or license taxes imposed or to be imposed upon real estate brokers and real estate salesmen by this Commonwealth or any sub-division thereof

The fourteenth section of the bill was read as follows:

Section 14 (a) Every person copartnership association or corporation licensed as a real estate broker under the provisions of this act shall be required to have and maintain a definite place of business within the Commonwealth which shall serve as his their or its office for the transaction of business under the authority of the said license and where the license shall be prominently displayed The said place of business shall be specified in the application for license and designated in the license and no license issued under the authority of this act shall authorize the licensee to transact business from any office other than that designated in the license Notice in writing shall be given to the commission of any change of business location whereupon the Commission shall forthwith issue a new license for the unexpired period without charge The change of the specified business location without notification to the said commission and the issuance by it of a new license therefor shall automatically cancel the license theretofore issued

(b) All real estate brokers shall also prominently display in their place or places of business the licenses of all real estate salesmen employed by them therein or in connection therewith All licenses issued to real estate salesmen shall designate the employer of such salesman by name Prompt notice in writing shall be given to said commission by the real estate salesmen of any change of employer and of the name of the new employer into whose service such salesman is about to enter or has entered and a new license shall thereupon be issued without charge by the commission to such salesman for the then unexpired term of the original license provided that such new employer shall be a duly licensed real estate broker The change of employer or employment by any licensed real estate salesman without notice to the commission as aforesaid shall automatically cancel the license to him theretofore issued and it shall be the duty of the employer named in such license to notify the Commission promptly of any such change of employer or employment

On the question,

Will the Senate agree to the section?

Mr. NORTON. Mr. President, I move to amend section 14, page 14, line 13 by inserting after the word "location" the following: "within ten days thereof".

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifteenth section of the bill was read as follows:

Section 15 (a) The Real Estate License Commission may upon its own notice and shall promptly upon the verified complaint in writing of any person setting forth specifically the wrongful act or acts complained of investigate any action or business transaction of any licensed real estate broker or real estate salesman and shall have the power temporarily to suspend or permanently to revoke licenses therefore issued by the commission under the provisions of this act at any time when after due proceedings as hereinafter provided it shall find the holder thereof to have been guilty in the performance or attempt to perform any of the acts prohibited to others than licensed real estate brokers or real estate salesmen under the provisions of this act

(1) Of making any substantial misrepresentation or

(2) Of making any false promise of a character likely to influence persuade or induce or

(3) Of a continued or flagrant course of misrepresentation or making of false promises through agents or salesmen or

(4) Of any other conduct whether of the same or of a different character than that hereinbefore specified which shall constitute dishonest dealing or when it shall be shown that the licensee within five years prior to the issuance of the license then in force has been convicted in a court of competent jurisdiction of this or any other state of forgery embezzlement obtaining money under false pretenses extortion conspiracy to defraud or other like offense or offenses

(b) Before refusing suspending or revoking any license the Commission shall in writing notify the applicant or licensee of the charges against him accompanying the notice with a copy of the complaint if any filed and the Commission shall accord the applicant or licensee ample opportunity to be heard thereon in person or by counsel If the applicant or licensee shall so desire the Commission shall grant a hearing upon such charges to be held on not less than ten (10) days' prior notice in writing to the applicant or licensee given and shall furnish licensee at the time of giving the said notice with copies of any and all communicatons reports affidavits and depositions in the possession of the Commission touching or relating to the matter in question At such hearing the applicant or licensee shall be entitled to examine either in person or by counsel any and all persons complaining against him and as well all other witnesses whose testimony is relied upon to substantiate the charges made He shall also be entitled to present such evidence oral and written as he may see fit and as may be pertinent to the inquiry The said hearings may be held by the Commission or any member thereof or by any of its duly authorized deputies or by any other person duly deputized by the Commission for such purpose in any particular case and they shall be held if the applicant or licensee so desires within the county where the applicant's or licensee's principal place of business is situated At such hearings all witnesses, shall be duly sworn by the Commissioner or the duly authorized deputy general or special before whom the hearing is held and stenographic notes of the proceedings shall be taken and filed as part of the record in the cause Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes upon the payment to the Commission of such fee as the Commission shall by general rule or regulation prescribe therefor not exceeding however twenty-five cents per folio

(c) The refusal of the Commission to issue any license after application properly made and compliance by the applicant with the requirements of this Act shall be subject to review by the Court of Common Pleas of the county in which the principal office or place of business of the applicant shall be located upon petition for writ of mandamus or other appropriate remedy with the right of appeal to the applicant as in other and similar cases

(d) The decision of the Commission in suspending or revoking any license issued under this act shall be subject to review by the Court of Common Pleas of the county in which the principal office or place of business of the licensee is located The Commission shall maintain in its office a public docket or other record in which it shall record from time to time as made the rulings or decisions upon all complaints filed with it and all investigations instituted by it in the first instance upon or in connection with which any such hearing shall have been had or in which the licensee charged shall have made no defense The Commission shall also give immediate notice in writing of such ruling or decision to the licensee affected thereby and as well where the investigation shall have been instituted by complaint filed to the party or parties by whom the complaint was made If such ruling shall be to the prejudice of or shall injuriously affect the licensee the Commission shall also state in said notice the date upon which the said ruling or decision shall become effective if not theretofore appealed from and such date shall be not less than fifteen (15) days from and after the date of the said notice If the licensee cannot at such time be found his whereabouts being then unknown such notice may be given by the Commission by advertisement inserted in one issue of a newspaper of general circulation within the county where was located the principal office of the licensee as designated in the license

Such ruling or decision of the Commission shall be final when in favor of the licensee and in dismissal of the complaint if any If against the licensee or in any way to the licensee's injury or prejudice the licensee may at any time prior to the date fixed by the Commission in its said notice as the date it shall become effective appeal from such decision to the Court of Common Pleas of the county in which the licensee's principal office or place of business is located by serving upon the Commission written notice of such appeal Such service shall be made either by filing the said notice of appeal in the office of the Real Estate License Commission at Harrisburg or by delivering the same to the deputy whether general or special before whom the hearing in the case was had

Within thirty (30) days after the service of such notice of appeal the Commission shall file with the prothonotary of the said court of common pleas a transcript of the record of the proceedings in its office duly certified over the seal of the Real Estate License Commission which record shall include all papers on file with the said Commission affecting or relating to the inquiry or investigation conducted by the Commission and all the evidence taken in the said hearing including the stenographic notes of testimonty Notice of the filing of the said transcript with the term and number to which filed shall be forthwith given by the Commission to the licensee and as well to the party or parties if any upon whose complaint the proceedings before the Commission were instituted The cost of the said transcript at twenty-five cents per folio and one dollar for certification shall be entered as part of the record costs in the cause to be paid as the said court may direct In all proceedings upon such appeal the Real Estate License Commission shall appear for and represent the Commonwealth

The appeal shall thereupon be heard in due course by the judge or judges of the said court of common pleas without a jury by whom the proceedings before the Commission its findings and rulings shall be given similar weight force and effect as are accorded to the findings and report of a referee selected or appointed under the provisions of the act entitled "An Act to provide for the submission of civil cases by agreement of the parties to a referee learned in the law" approved the fourteenth day of May one thousand eight hundred and seventy-four and its supplements The court may however in its discretion receive and consider any additional pertinent evidence whether oral or written either in open court or by deposition as the said court shall direct and the decision of the Commission shall be reviewed in the light of such evidence

(e) The order or ruling of the Commission in any such proceeding shall become of full force and effect upon the date fixed by the Commission in the said notice by it given thereof to the parties thereto unless notice of appeal therefrom shall prior to said date be duly served upon the Commission as hereinbefore provided If an appeal shall be so taken such an appeal shall act as a supersedeas until ten (10) days from and after the date of the filing of the transcript by the Commission in the Court of Common Pleas to which the appeal is taken and notice thereof by it given to the licensee but not longer unless the said Court of Common Pleas shall upon motion of the licensee grant an order of supersedas in which case the appeal shall be heard by the said court and its decision entered within thirty (30) days after the granting of such order of supersedas An appeal shall lie from the decision of the said Court of Common Pleas to the Superior Court but no such appeal shall operate as a supersedeas

On the question,

Will the Senate agree to the section?

Mr. NORTON. Mr. President, I move to amend section 15, page 15, line 23 by inserting after the word "misrepresentation" the words "in writing."

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixteenth and seventeenth sections of the bill were read as follows and agreed to.

Section 16 (a) In all proceedings before the Commission and as well in all proceedings upon appeal from any of its decisions the record or a duly certified or exemplified copy thereof in any proceeding at law or in equity in any court of competent jurisdiction in this or any other State in which the applicant or licensee charged or under investigation shall have been a party shall be admissible where the issue of fact involved in such proceeding are pertinent to the inquiry before the Commission and the verdict of the jury or judgment of the court in any such action at law or the decree of the court in any such proceeding in equity shall be conclusive as to the facts at issue in such proceeding and necessarily adjudicated therein So also the verdict of the

jury in any criminal prosecution in a court of record of this or any other State in which the applicant or license charged shall have been the defendant shall be conclusive as to the facts charged and at issue in such prosecution

(b) Where during the term of any license issued by the said Commission the licensee shall be convicted in a court of competent jurisdiction in this or any other State of forgery embezzlement obtaning money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses and a duly certified or exemplified copy of the record in such proceeding shall be filed with the said Commission the Commission shall revoke forthwith the license by it theretofore issued to the licensee so convicted

(c) In the event that any licensee shall be indicated in this or any other State for forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses and a certified copy of the indictment be filed with the Commission or other proper evidence thereof he to it given the Commission shall have authority in its discreation to suspend the license issued to such licensee pending trial upon indictment

(d) In the event of the revocation or suspension of the license issued to any member of a co-partnership or to any officer of an association or corporation the license issued to such co-partnership association or corporation shall be revoked by the Commission unless within a time fixed by the Commission where a co-partnership the connection therewith of the member whose license has been revoked shall be served and his interest in the co-partnership and his share in its activities brought to an end or where an association or corporation the offending officer shall be discharged and shall have no further participation in its activities

(e) Pending any investigation or proceeding before the Commission affecting any licensee and as well pending final decision upon any appeal taken by a licensee from the ruling of the Commission no new license shall be issued to such licensee or to a co-partnership of which he is a member or employee or to an association or corporation of which he shall be an officer or employee except for the period of such investigation or proceeding and subject to the action of the Commission thereon or therein

(f) After the revocation of any license no new license shall be issued to the same licensee within a period of one year and after the date of such revocation nor at any time thereafter except in the sole discretion of the Commission

(g) No license shall be issued by the Commission to any person known by it to have been within five (5) years theretofore convicted of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses or to any co-partnership of which such person is a member or to any association or corporation of which said person is an officer or employe or in which as a stockholder such person has or exercises a controlling interest either directly or indirectly

Section 17 Any person co-partnership association or corporation who shall after the first day of January nineteen hundred and twenty-four engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without a license or shall carry on or continue business after the suspension or revocation of any such license to him or it issued or shall employ any person as a real estate salesman to whom a license as real estate salesman has not been isssued or whose license as such shall have been revoked or suspended shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced or the first offense to pay a fine of not less than fifty dollars ($50) nor more than one hundred dollars ($100) and for a second and any subsequent offense shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00) or undergo imprisonment for a period of not more than one (1) year or both in the discretion of the court

The eighteenth section of the bill was read as follows:

Section 18 (a) The Real Estate License Commission and each of its duly authorized assistants and deputies and as well any special deputy appointed by it to hold a hearing in any particular case shall have power to administer oath and to issue subpoena for the attendance of witnesses and the production of books and papers In any hearing in any part of the Commonwealth the process issued by the Commission shall extend to all parts of the Commonwealth and such process shall be served either in like manner as are served writs of subpoena in the court of Common Pleas or by any person designated by the Commission for such purposes The person serving such process shall receive such compensation as may be allowed by the Commission not to exceed the fee prescribe by law for similar services in the courts of common pleas and such fees shall be paid in the same manner as provided herein for the fees of witnesses subpoenaed at the instance of the Commission All witnesses who shall be subpoenaed and who shall appear in any proceeding before the Commission shall receive the same fees and mileage as allowed by law to witnesses in the Common pleas which amount shall be paid by the party at whose instance the subpoena has issued or upon whose behalf the witness has been called When any witness who has not been subpoenaed at the instance of any party to the proceeding shall be subpoenaed at the instance of the Commission or its assistant or deputy general or special the fees and mileage of such witness shall be paid from the funds appropriated to the use of the said Commission in the same manner as other expenses of said Commission are paid

(b) Where in any proceeding before the Commission any witness shall fail or refuse to attend upon subpoena issued by the Commission or any of its assistants or deputies general or special or appearing shall refuse to testify or shall refuse to produce any books and papers the production of which is called for by the subpoena the attendance of such witness and the giving of his testimony and the production of the books and papers required shall be enforced by any court of common pleas of this Commonwealth in like manner as are enforced the attendance and testimony of witnesses before commissioners appointed by any court of the United States or of any other State to examine or take the testimony of witnesses within this Commonwealth

(c) The court of common pleas of any county shall upon the application of the Commission issue commissions or letters rogatory to other State for the taking of evidence there for use in any proceeding before the Commission The Commission shall make such application at the instance of any party to the proceeding before it unless in the opinion of the Commission such application is made for the purpose of delay Any such party shall be entitled as of right to subpoenas from the Commission directed to such witnesses and for the production of such books and papers as the party may desire

On the question,

Will the Senate agree to the section?

Mr. NORTON. Mr. President, I move to amend section 18, page 24, line 22, by striking out the word "oath" and inserting in lien thereof the word "oaths" also by striking out the word "subpoena" and inserting in lien thereof the word "subpoenas"

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The nineteenth section of the bill was read as follows and agreed to.

Section 19 No violation of any of the provisions of this act on the part of any real estate salesman or other employee of any licensed real estate broker shall be ground for the revocation of the license of the employer of such salesman or empolyee unless it shall appear upon the hearing had that such employer had guilty knowledge of such violation A course of dealing shown to have been persistently and consistently followed by such employee shall constitute prima facie evidence of such knowledge upon the part of his employer

The twentieth section of the bill was read as follows:

Section 20 (a) It shall be unlawful for any licensed real estate broker or real estate salesman to pay any

compensation in money or other valuable thing to any person other than a licensed real estate broker or real estate salesman for the rendering of any service or the doing of any of the acts by this act forbidden to be rendered or performed by other than licensees

(b) No real estate salesman shall accept or receive compensation of any kind from any person other than the licensed real estate broker by whom he is employed for any service rendered or work done by such salesman in buying selling exchanging leasing or negotiating a loan upon real estate or interest therein

(c) The violation of the provisions of this section by any licensee shall be sufficient cause for the suspension or revocation of his license in the discretion of the Real Estate License Commission

On the question,

Will the Senate agree to the section?

Mr. NORTON. Mr. President, I move to amend section 20, page 26, line 28, striking out the word "or" and inserting in lieu thereof the word "for"

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-first, twenty-second, twenty-third, and twenty-fourth sections of the bill were read as follows and agreed to.

Section 21 No action of suit shall be instituted nor recovery therein be had in any court of this Commonwealth by any person co-partnership association or corporation for compensation for any act done or service rendered the doing or rendering of which is prohibited under the provisions of this act to others than licensed real estate brokers unless such person co-partnership association or corporation was duly licensed hereunder as real estate broker at the time of the doing of such act or the rendering of such service

Section 22 This act is intended as a complete and exclusive measure for the licensing and regulation of real estate brokers and their salesmen as hereinbefore defined All laws or parts of laws imposing any license fees or in any way regulating said brokers and salesmen general local or special are hereby specifically repealed

Section 23 The Commission may act by a majority vote of the members thereof and authority is hereby given to the Commission to adopt fix and establish all rules and regulations in its opinion necessary for the conduct of its business the holding of hearings before it and its deputies and otherwise generally for the carrying out of the provisions of this Act

Section 24 If any section subsection sentence clause phrase or requirement of this Act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions thereof The Legislature hereby declares that it would have passed this Act and each section subsection sentence clause phrase and requirement thereof irrespective of the fact that any one or more sections subsections sentences clauses phrases or requirements be declared unconstitutional

The title of the bill was read as follows and agreed to.

An Act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the Department of the Secretary of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 146, the bill just read, be recommitted to the Committee on Judiciary General.

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. NORTON. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Salus.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Salus permit himself to be interrogated?

Mr. SALUS. Mr. President, I will.

Mr. NORTON. Mr. President, I desire to ask the Senator from Philadelphia the purpose of recommitting the bill?

Mr. SALUS. Mr. President, and members of the Senate; this bill was before the Committee on Judiciary General at the last meeting and at that time it was agreed that the bill would be sent back for the purpose of amendment, and then be considered afterwards. This bill was not considered by any member of the committee at the meeting and it was the express understanding that after the amendments were made it would be returned to the committee on Judiciary General for the purpose of consideration. This bill was never considered by the committee and it is absolutely correct that that was the understanding at that time.

Mr. NORTON. Mr. President, this bill was recommitted to the committee on Judiciary General and a public hearing was held upon this bill and after that it was reported out. I see no reason why the bill should be recommitted to the committee and I trust the motion will not prevail.

Mr. SALUS. Mr. President, the statement that I have made can be substantiated by every member of the committee on Judiciary General. This bill was never considered, not a line of it, at the committee meeting. It was sent out for the purpose of the amendments being made and then to be returned and considered and I think the Senator from Berks, if he will think back, will likely remember the conditions under which it was sent out I am somewhat surprised to hear that he offers any objection to the agreement that was made at that time. I think every member of the Judiciary General committee will recall that that is exactly what happened.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILL OVER IN ORDER.

Mr. BARR. Mr. President, in view of the absence of the Senator from Butler, Mr. Christley, I ask that Senate Bill No. 188, on second reading, entitled:

An act authorizing the transfer of the property and franchises of certain schools and academies to State Normal Schools

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 203, entitled:

A joint resolution proposing an amendment to Article three Section six of the Constitution of the Commonwealth of Pennsylvania so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title

The first section of the bill was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Gener-

al Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth Article thereof

That Section 6 of Article three be amended so as to read as follows

Section 6 No law shall be revived amended or the provisions thereof extended or conferred by reference to its title only but so much thereof as is revived amended extended or conferred shall be re-enacted and published at length and the subject of the amendment or supplement and the subject to which such law is extended or on which it is conferred shall also be clearly expressed in its title

On the question,

Will the Senate agree to the section?

Mr. VARE. Mr. President, I move to amend section 1 page 2, line 2, by underscoring beginning with the word "and" and ending line 5 with the word "title".

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

A joint resolution proposing an amendment to Article three Section six of the Constitution of the Commonwealth of Pennsylvania so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 312, (House Bill No. 325), entitled:

An Act to require counties to cause the graves of honorably discharged soldiers sailors and marines to be decorated with flags on Memorial Day

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 396, (House Bill No. 362), entitled:

An Act to empower and authorize any school or college of optometry organized operated and conducted not for profit which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 397, (House Bill No. 447), entitled:

An Act to amend section five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service men' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 439, entitled:

An Act to amend sections one thousand one hundred five and one thousand one hundred thirty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand one hundred five of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penealties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 1105 The school directors of each county of this Commonwealth in which a county superintendent is to be elected shall meet in convention at the county-seat of their county in the court-house or some other suitable place to be furnished by the county commissioners at the expense of the county on the second Tuesday of April one thousand nine hundred and eighteen (1918) and on the same day of every fourth year thereafter and by a majority vote of those present elect as herein provided one duly qualified person as county superintendent to serve for four years from the first day of July next following

Section 2 That section one thousand one hundred thirty-four of said act is hereby amended to read as follows

Section 1134 The boards of school directors of each district of the second or third class electing a district superintendent shall meet in convention at its regular place of meeting on the second Tuesday of April one thousand nine hundred and eighteen (1918) and every four years thereafter at an hour previously fixed by said board and the secretary shall mail to each member thereof at least five days beforehand a notice of the time place and purpose of such convention Such convention shall in the same manner as a county superintendent is elected and certified elect and certify a properly qualified district superintendent to serve for four years from the first day of July next following his election

On the question,

Will the Senate agree to the section?

Mr. BARR. Mr. President, I move to amend Section 2, page 3, line 19 by striking out the word "superintendent" and inserting in lieu thereof the word "superintendents."

Mr. LONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend sections one thousand one hundred five and one thousand one hundred thirty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. CRAIG. Mr. President, In the absence of the sponsor, I ask that Senate Bill No. 464, on second reading, entitled:

An Act providing a means whereby real estate devised upon a trust to divide it among other persons and the trustee has died without performing the trust may be divided amicably by the interested persons with the approval of the Orphans' Court and the legal title be vested in them by judicial decree

go over in its order

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration on Senate Bill No. 472, as follows:

An Act to amend section one of an act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and seventy-two) entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes" extending the provisions of said act to all such sales.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Genera Assembly met and it is hereby enacted by the authority o the same That section one of an act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and seventy-two) entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes" is hereby amended to read as follows

Section 1 Be it enacted et cetera That in all cases where land has been prior to the passage of this amendment or shall hereafter be sold for unpaid taxes the purchaser at such sale or his successor in title may present his petition under oath to the court of common pleas of the county wherein the land situate setting forth (a) The location of the lands by metes and bounds or if it be in a recorded plan of lots the plan number of the lot and the place of record of the plan (b) the names of the former owners reputed owners persons in possession or any other person having or claiming to have a right to interest in claim against said land if any there be and (c) that upon diligent inquiry no person has been found who has or claims to have any right title or interest in or claim against said land unless it be those named in the petition Thereupon a rule shall be granted upon the persons named in the petition and generally upon all other persons not named in the petition who have or claim to have any right title or interest in or claim against the said land to appear within sixty days from the service of the rule and show cause why the title of the petitioner to said land should not be adjudicated and decreed valid and indefeasible as against all rights or claims whatsoever The rule may be made to such term or return day as may be fixed by the court and shall be entered of record in the appearance docket of said court and duly indexed therein and also in the ejectment index of said court As to persons domiciled within the county the rule shall be served and returned as writs of summons are served and returned As to those who do not have their domicile within the county in which the rule is issued or those whose domicile is outside the State the rule may be served by mailing a true and attested copy of the petition and rule by registered letter to his or their last known address if any

In addition thereto the court shall direct that notice by one advertisement in a newspaper of general circulation in the county where the land is situate be given to all persons including those named in the petition to appear on or before the return day of the rule and show cause why the title of the petitioner should not be adjudicated and decreed valid indefeasible as against all rights or claims whatsoever The advertisement shall be made at least sixty days before the return day of the said rule

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 489, as follows:

An Act to amend section two of the Act of April nineteen one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and t is hereby enacted by the authority of the same That section two of an act entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued" approved April nineteen one thousand nine hundred and one (Pamphlet Laws eighty-eight) is hereby amended to read as follows

Section 2 If any other person than the defendant named in the writ be found in possession of the goods and chattels he shall be duly served with the writ and his name added as a party defendant to the cause The writ shall command the sheriff to serve the party in possession as well as the defendant named The sheriff shall upon demand of such person forthwith certify his name and address to said prothonotary as that of the party in possession and then if such person files an affidavit in said court that said goods and chattels belong to him he may file a counter-bond in proper time and manner or otherwise act as a defendant before the return of said writ without obtaining leave to intervene

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 507, as follows:

An Act to amend section one of an act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and ninety-four) entitled "An Act providing that estates in buildings ground books curios pictures statuary and other works of art passing by will to any municipality corporation or unincorporated body for free exhibition within Pennsylvania shall not be subject to collateral inheritance tax and in certain instances the date when such tax shall become due" extending the act to property passing to colleges universities and educational institutions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General

Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and ninety-four) entitled "An act providing that estates in buildings ground books curios pictures statuary and other works of art passing by will to any municipality corporation or unincorporated body for free exhibition within Pennsylvania shall not be subject to collateral inheritance tax and in certain cases the date when such tax shall become due" is hereby amended to read as follows

Section 1 Be it enacted et cetera That all estates in any buildings ground books curios pictures statuary or other works of art passing by will from a person seized or possessed thereof to any municipality corporation or unincorporated body for the sole use of the public by way of free exhibition within the State of Pennsylvania whether in trust or otherwise and property in whatever form passing to or for the use of colleges universities and other educational institutions the property of which is by the laws of the Commonwealth otherwise exempt from taxation shall not be subject to any collateral or transfer inheritance tax for the use of the Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 509, as follows:

An Act to require the teaching of the Constitution of the United States in the public and private schools

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all public and private schools located within the Commonwealth commencing with the school year next ensuing after the passage of this act there shall be given regular courses of instruction in the Constitution of the United States

Section 2 Such instruction in the Constitution of the United States shall begin not later than the opening of the eighth grade and shall continue in the high school course and in courses in State colleges and State universities and the educational departments of State and municipal institutions to an extent to be determined by the Superintendent of Public Instruction

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 511, as follows:

An Act making it a misdemeanor to forge or to make or manufacture any object with intent of representing or of permitting the same to be represented as an archaeological specimen or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully forged made or manufactured and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonweatlh of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful to make or manufacture a reproduction copy or forgery of any archaeological object or to make or manufacture any object whether copied or not with intent to represent such object to be an original or genuine archaeological specimen or with the intent to deceive or with the intent to offer such object for sale or exchange or of permitting such object to be offered for sale or exchange as an original or genuine archaeological specimen It is unlawful to knowingly sell or exchange or offer to sell or exchange or to have in possession for the purpose of selling or exchanging as original or genuine archaeological specimens any such objects unlawfully forged or made or manufactured as aforesaid

Section 2 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00) or to undergo imprisonment for a period of not more than ninety days or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 533, (House Bill No. 524), entitled:

An Act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Snate Bill No. 537, (House Bill No. 560), entitled:

An Act to repeal the act approved the twenty-third day of February one thousand eight hundred and seventy (Pamphlet Laws two hundred and twenty-three) entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county" and the act approved the nineteenth day of May one thousand eight hundred and seventy-one (Pamphlet Laws nine hundred eighty-three) entitled "A Supplement to an act entitled 'An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county' passed the twenty-third day of February Anno Domini one thousand eight hundred and seventy"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 545, (House Bill No. 635), entitled:

An Act to amend section six of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated "as deceased service men" defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 581, as follows:

An Act to further amend section one thousand two hundred ten as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred ten of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which as amended by an act approved the tenth day of July one thousand nine hundred nineteen (Pamphlet Laws nine hundred and ten) entitled "An Act to further amend section one thousand two hundred ten and to repeal sections one thousand two hundred eleven one thousand two hundred thirteen and two thousand eight hundred and five of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and making an appropriation" and which as amended by an act approved the twenty-eighth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred twenty-eight) entitled "An Act to amend section one thousand two hundred ten as amended and section one thousand one hundred three and section five hundred twenty-four as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An Act to establish a public school in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and repealing section one thousand two hundred twelve thereof" is hereby further amended to read as follows

Section 1210 One The minimum salaries of all teachers supervisors principals and superintendents in the public schools of the Commonwealth except as otherwise hereinafter provided shall be paid by the several classes of districts in which such persons are employed in accordance with the following schedules

Two Districts of the first class—Elementary teachers minimum annual salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) assistant high school teachers minimum annual salary one thousand five hundred dollars ($1,500) minimum annual increment one hundred dollars ($100) minimum number of increments three (3) junior high school teachers and city normal school training teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) high school teachers and city normal school teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred seventy-five dollars ($175) minimum number of increments eight (8) provided that subject to regulations prescribed by the State Board of Education and such additional regulations as the local board of public education may prescribe the minimum maximum salary for high school teachers shall be advanced to at least three thousand six hundred dollars ($3,600) supervisors minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) elementary school principals minimum annual salary two thousand one hundred dollars ($2,100) minimum annual increment two hundred thirty-seven dollars and fifty cents ($237.50) minimum number of increments eight (8) junior high school city normal school principals minimum annual salary four thousand dollars ($4,000) minimum annual increment two hundred fifty dollars ($250) minimum number of increments four (4) Vocational industrial manual training continuation school industrial art and similar teachers if classified in the elementary schools shall be entitled to the salary and increments prescribed in the schedule for elementary teachers or if classified in junior high schools they shall be entitled to the salary and increments prescribed in the schedule for junior high school teachers All teachers now holding valid licenses to teach in districts of the first class shall be deemed to have the minimum qualifications required by this act

Three The principalships in elementary continuation industrial trade junior high and high schools in districts of the first class shall be classified by the board of public education on the basis of the number of teachers or rooms in the school or such other facts and conditions as determine the relative importance and value of the service rendered by such principals The board of public education shall fix the number of increments the amount thereof and the maximum salary of each of such pricipals but no principal shall receive less than the minimum salary prescribed The increments provided in the foregoing schedule for principals apply to those principals only who serve in the schools of the highest classification which classification shall be determined by the board of public education

Four Each person on the teaching or supervisory staff in a school district of the first class on the first Monday of July one thousand nine hundred twenty-one shall be entitled to receive the minimum salary provided for herein and in addition thereto to one annual increment for each year of accredited service or experience not exceeding the number of increments authorized by this act

Five Districts of the second class—Elementary teachers and elementary principals who devote less than one-half their time to supervision and administration minimum annual salary one thousand dollars ($1,000) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) high school teachers and high school principals who devote less than one-half their time to supervision and administration minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) provided that where teachers in junior high schools have the qualifications required by the local school board for teachers of the senior high school they shall be placed upon the high school schedule otherwise they shall be placed upon the elementary school schedule supervisors minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) elementary principals who devote one-half or more of their time to supervision and administration minimum annual salary one thousand six hundred dollars ($1,600) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) high school principals who devote one-half or more of their time to supervision and administration minimum annual salary three-thousand dollars ($3,000) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) superintendents minimum annual salary five thousand dollars ($5,000)

Six Districts of the third class—Elementary teachers and elementary principals who devote less than one-half of their time to supervision and administration minimum annual salary one thousand dollars ($1,000) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) high school teachers and high school principals who devote less than one-half of their time to supervision and administration minimum annual salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) provided that where teachers in junior high schools have the qualifications required by the local school board for teachers of the senior high school they shall be place upon the high school schedule otherwise they shall be placed upon the elementary school schedule supervisors

minimum salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) elementary principals who devote one-half or more of their time to supervision and administration minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) high school principals who devote one-half or more of their time to supervision and administration minimum annaul salary two thousand dollars ($2,000) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments four (4) superintendents minimum annual salary three thousand five hundred dollars ($3,500)

Seven Districts of the fourth class—Elementary teachers minimum monthly salary one hundred dollars ($100) high school teachers minimum monthly salary one hundred thirty dollars ($130)

Eight County superintendents of counties having a population of less than twenty thousand (20,000) minimum annual salary two thousand five hundred dollars ($2,500) county superintendents of counties having a population of twenty thousand and more but less than forty-five thousand (45,000) minimum annual salary three thousand dollars ($3,000) county superintendents of counties having a population of forty-five thousand and more but less than one hundred fifty thousand (150,000) minimum annual salary three thousand five hundred dollars ($3,500) county superintendents of counties having a population of one hundred fifty thousand (150,000) or more minimum annual salary four thousand dollars ($4,000) all assistant county superintendents minimum annual salary two thousand five hundred dollars ($2,500)

Nine The foregoing schedules prescribe a minimum salary in each instance and where an increment is prescribed it is also a minimum It is within the power of the boards of education boards of public school directors or county conventions of school directors as the case may be to increase for any person or group of persons included in this schedule the initial salary or the amount of an increment or the number of increments or the minimum qualifications set forth in this act Teachers shall be entitled to the increments provided for in said schedules who have complied with such requirements as may be prescribed by the State Board of Education except where additional qualifications are required by the local board of public education or board of school directors

Nothing in this act contained shall be construed to interfere with or discontinue any salary schedule now in force in any school district so long as such schedule shall meet the rquirements of this section nor to prevent the adoption of any salary schedule in conformity with the provisions of this act

Ten The increments herein provided for are applicable only where the beneficiaries thereof remain in the service of the same school district Where such teachers enter a new district they shall enter at a point in the schedule to be agreed upon between said teachers and the employing districts which agreement shall be made a part of the contract between them

Eleven Teachers who are required because of additional work to devote more than the usual number of periods per day to their duties shall be entitled to a fair increase in compensation to be determined by the board of public education or the board of school directors Teachers who may be employed in giving instruction for only part of a day shall render such other service for such period of time per day as the board of public education or the board of school directors may direct but if such service cannot be assigned to such teacher by the board of public education or the board of school directors the salary paid to such teachers shall be proportioned to the number of hours of service rendered

Twelve Only those persons holding one of the following certificates shall be qualified to teach in the public schools of this Commonwealth College permanent certificate college provisional certificate normal school diploma normal school certificate special permanent certificate special temporary certificate permanent State certificate certificates which are permanent licenses to teach by virtue of the provisions of section one thousand three hundred eight of this act as amended or such other kind of certificates as are issued under the rules and regulations of the State Board of Education or State Council of Education The State Board of Education shall also provide for the issuance of certificates by county or district superintendents to meet such emergencies or shortage of teachers as may occur

Thirteen The holders of any of the foregoing certificates shall be entitled to the benefits of the salary schedule where the qualifications required for such certificates include not less than graduation from a State normal school of this Commonwealth or equivalent training but all holders of certificates which are permanent licenses to teach in the public schools of the Commonwealth shall be entitled to the benefits of this salary schedule and nothing in this act nor any regulations of the State Board of Education shall invalidate any permanent certificate except as hereinafter provided on account of incompetence cruelty negligence immorality or intemperance Teachers not entitled to the benefits of the salary schedule herein provided shall become entitled to such benefits by meeting the qualifications prescribed in this act and such teachers until so qualified shall receive at least seventy-five ($75) dollars per month Provided That a teacher holding a professional certificate or a certificate of equivalent value as determined by the State Board of Education shall receive a minimum monthly salary of eighty-five dollars ($85) upon meeting such qualifications as shall be required under the rules of the State Board of Education

Fourteen After the first day of September one thousand nine hundred twenty-seven all persons receiving certificates to teach in the public schools of the Commonwealth except emergency certificates as herein provided for shall have the qualifications required herein of beneficiaries of the salary schedule

Fifteen The State Board of Education shall provide for summer schools in normal schools colleges universities and other educational institutions and for extension courses and correspondence courses for all teachers employed in the public school system of the Commonwealth who wish to acquire the minimum qualifications prescribed herein or such further qualifications as may be desirable

Sixteen The board of public education of board of school directors of each school district shall establish a salary schedule with increments for all members of the teaching and supervisory staff not included in the schedules herein provided

Seventeen All certificates in effect the first Monday of July one thousand nine hundred twenty-one shall remain valid for the period of time for which they were issued or renewed

Eighteen In school districts of the second third and fourth classes at the beginning of the school year following the approval of this act each teacher supervisor or principal employed in the same school district in which he was employed for the previous school year shall be entitled to the salary provided in the schedule next higher than the salary received by the said teacher during the said previous school year

Nineteen Of the salaries herein provided for teachers supervisors principals and all other members of the teaching and supervisory staff in the public schools of the Commonwealth except part time and night school teachers the Commonwealth shall pay to such school district as complies with the laws governing the public schools of the Commonwealth for each of said persons employed therein as follows In school districts of the first class for each member of the teaching and supervisory staff twenty-five per centum (25%) of the annual minimum salary prescribed herein for elementeary teachers in such districts in school districts of the second and third class for each member of the teaching and supervisory staff thirty-five per centum (35%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the fourth class for each member of the teaching and supervisory staff fifty per centum (50%) of the annual minimum salary prescribed herein for teachers in such districts Provided That the amount paid by the Commonwealth to a school district in any of the foregoing classes which has a true valuation per teacher of assessable property or fifty thousand dollars ($50,000) or less shall be seventy-five per centum (75%) of the annual minimum salary prescribed herein for elementary teachers in such districts and that the amount paid to a school district in any of the foregoing classes which has a true valuation per teacher of assessable property of not less than fifty thousand dollars ($50,000) nor more than one hundred thousand dollars ($100,000) shall be sixty per centum (60%) of the annual minimum salary prescribed herein for elementary teachers in such districts Provided That where any mem-

ber of the teaching or supervisory staff receives less salary than the minimum salary prescribed by the foregoing salary schedule for the class of district in which he is teaching there shall be paid to the district a corresponding per centum of the salary paid to such person And provided further That wherever payment is made upon the salary of any member of the teaching or supervisory staff from Federal or other State funds such amount shall be to the extent thereof in lieu of the payment provided herein for such person Provided further That the Superintendent of Public Instruction shall annually apportion to each fourth class school district the sum of two hundred dollars ($200) for each school permanently closed or discontinued in such district since nineteen hundred eleven or which may hereafter be permanently closed or discontinued The true valuation per teacher for each district shall be determined by the State Council of Education on data and material submitted by the officers of such district in the annual report to the Superintendent of Public Instruction It shall be found by dividing the true valuation of the district by the number of full time teachers which number shall include all teachers principals supervisors and superintendents employed in the vocational and non-vocational schools of the district for the year covered by such report The true valuation of the taxable property of each school district shall be obtained by dividing the amount of the assessed valuation certified in the annual report of the district for the school year ending June thirtieth one thousand nine hundred and twenty-two and every second year thereafter by the average rate of assessment certified in such annual reports for the three years immediately preceding the date on which such true valuation is determined For the two fiscal years beginning on June first one thousand nine hundred and twenty-three and ending on May thirty-first one thousand nine hundred and twenty-five such true valuation of the district shall be determined during the month of June one thousand nine hundred and twenty-three on the data and material available in the report filed with the Superintendent of Public Instruction on August first one thousand nine hundred and twenty-two The true valuation of each school district for the two fiscal years beginning on June first one thousand nine hundred and twenty-five and ending May thirty-first one thousand nine hundred and twenty-seven and for each biennium thereafter shall be determined during the month of October one thousand nine hundred and twenty-four and in the month of October of every second year thereafter The State Council of Education is hereby given full power and authority to make such investigations to take such action and to institute such proceedings as may be necessary to determine any of the questions that may be raised in the determination and adjustment of the aforesaid true valuations and the decisions which such Council reaches in such questions shall be final and conclusive

Twenty On or before the first day of November of each year each school district of the first and second class and each school district of the third class having a district superintendent shall file a certificate with the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him showing the number of teachers supervisors principals and other members of the teaching and supervisory staffs the certificates held by each and the compensation paid each for the current school year On or before the first day of October of each year each school district of the third class not having a district superintendent and each school district of fourth class shall forward such a certificate to the county superintendent and if approved by him the county superintendent shall forward the same to the Superintendent of Public Instruction on or before the first day of November of each year

Twenty-one The Superintendent of Public Instruction shall ascertain and determine the amount of funds required to meet each of the four payments to school districts which become due and payable within the two fiscal years beginning June first one thousand nine hundred and twenty-three and ending on May first one thousand nine hundred and twenty-five and each biennium thereafter on the data and material contained in the certificates which school districts are required by law to file with the said Superintendent on November first immediately preceding the beginning of each biennium and the said Superintendent shall also apportion and allot the same to and among the respective districts

Twenty-two When the amount payable to each school district has been ascertained and determined by the Superintendent of Public Instruction he shall certify the same to the State Treasurer and Auditor General who shall place the amounts to the credit of the respective school districts The Superintendent of Public Instruction shall transmit to each county and district superintendent a statement showing the amount which has been apportioned and allotted to each school district under the supervision of such county or district superintendent

Twenty-three The amount apportioned and allotted to each school district shall be divided into equal semiannual instalments and the Superintendent of Public Instruction shall draw his warrants semiannually upon the State Treasurer in favor of each district for the amount to which it is entitled and payment thereof shall be to fourth class districts during the months of February and August of each year to second and third class districts during the months of March and September of each year to first class districts during the months of April and October of each year

Twenty-four Boards of school directors of school districts of the second third and fourth classes are hereby authorized and directed to levy annually a tax on each dollar of the total assessment of all property assessed and certified for taxation therein to pay the minimum salaries and increments of the teaching and supervisory staff provided for herein Said tax shall be invalidated or affected by reason of the fact that it may increase the total annual school tax levy of any school district beyond the millage fixed or limited by law Provided That in districts of the fourth class the tax herein authorized together with all other school taxes levied in the district shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. STINEMAN. Mr. President, I ask that Senate Bill No. 589, on second reading, entitled:

An act authorizing sheriffs in counties of the fourth class to appoint a solicitor prescribing the duties of said solicitor and fixing his salary go over in its order.

The PRESIDENT. Is there objection? The chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 601, as follows:

An Act authorizing boards of revision of taxes and boards for the assessment and revision of taxes to hear and dispose of appeals away from the county seat

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the boards of revision of taxes and boards for the assessment and revision of taxes of the several counties shall have power when hearing tax appeals to sit and to hold hearings and dispose of appeals away from the county seat and within the city borough or township of the county where the appeals originate and to take action on any such appeals with like force and effect as if said appeals were regularly heard and action thereon taken in their respective offices at the county seat

Section 2 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 634, as follows:

An Act to amend section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and three) entitled "An Act regulating the fees of notaries public"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and three) entitled "An Act regulating the fees of notaries public" is hereby amended to read as follows

Section 1 Be it enacted et cetera That from and after the passage of this act the fees of notaries public shall be as follows

Making demand for payment or acceptance of a promissory note bill of exchange draft or check seventy-five cents

Protesting the same seventy-five cents

Registering protest of the same fifty cents

For each notice of protest twenty cents

Administering oaths or affidavit writing out and certifying the same with seal fifty cents

Probate to bill or account and certifying the same with seal fifty cents

Every acknowledgement or probate of deed or other instrument of writing for first name fifty cents each and ditional name after the first twenty-five cents

Taking depositions (first page folio cap) one dollar each additional page seventy-five cents

Marine protest including affidavits certificate seal et cetera ten dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 666. (House Bill No. 691), entitled:

A Supplement to the act aproved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred twenty-two) entitled "An Act creating a commission to select an historic spot as a cemetery for the burial of bodies of soldiers sailors marines war nurses and members of the National Guard defining the powers and duties of the Commission and making an appropriation" extending the time for the making of the report of the Commission and making an additional appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 666, (House Bill No. 691), the bill just read, be recommitted to the Committee on Appropriations.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 668, (House Bill No. 697), entitled:

An Act making it unlawful for any county city borough or incorporated town to prohibit the wearing of certain military insigna by its employes upon their uniforms

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 679, (House Bill No. 759), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. EYRE. Mr. President, I move that Senate Bill No. 679, (House Bill No. 759), the bill just read, be recommitted to the Committee on Appropriations.

Mr. STEINMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 680, (House Bill No. 760), entitled:

An Act to amend section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide head stones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 692, (House Bill No. 209), entitled:

An Act making an appropriation to O'Hara Brothers for payment for the burial of indigent persons under instructions of the State Department of Health

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 692, (House Bill No. 209), the bill just read, be recommitted to the Committee on Appropriations.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS SIGNED.

The PRESIDENT (Mr. David J. Davis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 26, entitled:

An Act to amend section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" providing for the sale of the real and personal property of a decedent without known heirs kindred or surviving spouse and the payment of the net proceeds of such sale into the State Treasury

House Bill No. 37, entitled:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania

House Bill No. 57, entitled:

An Act authorizing boroughs to appropriate moneys or to levy and collect with the assent of electors a special tax for the purpose of purchasing fire engines and fire apparatus and to assist existing fire companies in the purchase of fire engines and fire apparatus

House Bill No. 186, entitled:

An Act authorizing county commissioners to purchase road machinery and to rent the same to the townships of such county

House Bill No. 259, entitled:

An Act relating to the drainage of wet and spouty lands by providing for the construction of surface or under drains over lands owned by others

House Bill No. 332, entitled:

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowldeged.

House Bill No. 365, entitled:

An Act to amend section one of the act approved the fifteenth day of March, 1911 (P. L. 80) entitled "An Act regulating the criminal trials, the cross-examination of a defendant when testifying in his own behalf by prohibiting the introduction as evidence of certain testimony or records.

House Bill No. 423, entitled:

An Act authorizing boards of County Commissioners to cooperate with the Bureau of Animal Industry of the Department of Agriculture and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious diseases of livestock and poultry and dangerous plant diseases and insect pests.

House Bill No. 425, entitled:

An Act to amend an act, approved the ninth day of April, one thousand nine hundred and thirteen, (Pamphlet Laws forty-six), entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department."

House Bill No. 426, entitled:

An Act to amend section thirty of an act approved June one one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine"

House Bill No. 450, entitled:

An Act to further amend clause three, section one of an act approved the eighth day of May, one thousand eight hundred and fifty-four (Pamphlet laws six hundred forty-four), entitled, "A further supplement to the act entitled, 'An Act concerning divorces'" as amended by taking away the right of support or alimony in certain cases.

House Bill No. 523, entitled:

An Act to further amend section five of the act approved the thirty-first day of March one thousand eight hundred and seventy-six (Pamphlet Laws thirteen) entitled "An Act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" as amended

House Bill No. 594, entitled:

An Act authorizing the county commissioners to appropriate county moneys to incorporated agricultural and horticultural societies and associations

Whereupon,

The PRESIDENT (Lieutenant-Governor David J. Davis) in the presence of the Senate signed the same.

MOTION TO READ BILLS THE FIRST TIME.

Mr. SCHANTZ. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 212, (House Bill No. 52), entitled:

An Act to amend an act approved the thirty-first day of March, one thousand nine hundred and twenty-one (Pamphlet Laws seventy-eight) entitled "An Act to prohibit the speeding and racing of certain motor vehicles to fires the parking of motor vehicles in the vicinity of fires and the driving of motor vehicles over lines of hose" by extending the provisions thereof to all vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 323, entitled:

An Act to amend section one of the act approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred and twenty-one), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal."

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 399, entitled:

An act making an appropriation to reimburse the fund in the Mechanics Trust Company of Harrisburg standing

to the credit of the Water Supply Commission for the improvement of French Creek, for money inadvertently paid into the State treasury.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 426, entitled:

An act to further regulate the construction, maintenance and inspection of buildings in cities of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 521, (House Bill No. 262), entitled:

An act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 549, (House Bill No. 702), entitled:

An act to amend section three and section four of an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seventy-four entitled "An Act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments on contributions to be held or used in any plan of accumulation or investment or of issuing regulating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or installment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payment being made upon installments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 553, entitled:

An Act for the appointment of a commission to study conditions relating to blind persons in Pennsylvania, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 558, entitled:

An Act to amend section six hundred and three of an act approved the seventeenth day of May nineteen hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An Act relating to insurance amending revising and consolidating the law, providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 584, entitled:

An Act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 587, entitled:

An Act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers of the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 639, entitled:

An Act to further amend the act approved the twenty-seventh day of April, one thousand nine hundred and nine, (P. L. 258), entitled "An Act authorizing the employment of stenographers by the district attorneys of certain counties as amended; extending said act to counties of the fourth fifth, sixth, seventh and eighth classes; and fixing the salaries of said stenographers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
he Senate proceeded to the first reading and consideration of Senate Bill No. 645, entitled:

A supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (Appropriation Acts, page 142) entitled, "An act making an appropriation to the State Industrial Home for Women at Muncy," reappropriating certain appropriations heretofore made to the State Industrial Home for Women at Muncy.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 660, (House Bill No. 234), entitled:

An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the laws relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
he Senate proceeded to the first reading and consideration of Senate Bill No. 662, (House Bill No. 416), entitled:

An act to amend section three hundred and four of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and regulation and supervision of insurance carried by such companies

associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 672, (House Bill No. 720), entitled:

An Act to amend section seven hundred three Article VII of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special local or any parts thereof that may be inconsistent with or supplied by this act" by providing for compensation for forest fire fighting on private lands listed with the Department of Forestry for forest protection.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 673, (House Bill No. 722), entitled:

An Act to amend clause (h) section one hundred and two Article I of an act approved the third day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a bureau of Forest Protection within the Department of Forestry Designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act," by providing for the purchase lease building and maintenance of telephone lines for attachments thereto by private parties and appropriating the revenue derived therefrom.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 674, (House Bill No. 723), entitled:

An Act authorizing counties boroughs and townships to appropriate moneys for forest work.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 675, (House Bill No. 724), entitled:

An Act to amend section one thousand and five Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing further penal provisions for setting fire maliciously or otherwise to any woodlot forest or wild land.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 676, (House Bill No. 725), entitled:

An act to amend Article XII of an act approved the third day of June one thousand nine hundred and fifteen (P. L. 797) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 677, (House Bill No. 726), entitled:

An act to amend an Act entitled "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an Act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forests now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five)" by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania.

And Said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 709, (House Bill No. 541), entitled:

An Act to amend an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" as amended by authorizing the court of Quarter Sessions to abolish all wards existing in any township of the first class and to re-divide such township into new wards.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. DAIX. Mr. President, I move that the Senate do now adjourn until tomorrow morning at eleven o'clock.

Mr. DAVIS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10.49 P. M., until 11.00 o'clock Tuesday morning, April 10, 1923.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 9, 1923.

The House met at 9:00 o'clock P. M.
The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty God, as the curtains of another night fall silently about us, directing our thoughts to the sovereign majesty of Thy will, we are impelled to cry out with one of old, and

consider the heavens the work of Thy fingers, the moon and stars which Thou hast ordained. What is man, that Thou art mindful of him, or the Son of Man that Thou visitest him? Thou hast created him a little lower than Thyself, and crowned him with honor and glory; and we pray Thee tonight that Thou wouldst endue us with Thy presence and Thy spirit, that we may so act and think as becometh the One who stands next to Thee, that we may give an account to Thee.

We ask it in the name of Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Wednesday, April 4, 1923.

The Clerk proceeded to read the proceedings of Wednesday, April 4, 1923, when, on motion of Miss Gallaher, the further reading was dispensed with and the Journal approved.

PETITIONS.

PROTESTING AGAINST THE PASSAGE OF HOUSE BILL NO. 836.

The SPEAKER presented a petition from the Philadelphia Board of Trade, protesting against the passage of House Bill No. 836 and all other bills amending the Workmen's Compensation Law.

Referred to the Committee on Insurance.

FAVORING PASSAGE OF HOUSE BILL No. 700.

The SPEAKER presented a petition from the Philadelphia Board of Trade favoring the passage of House Bill No. 700.

Referred to the Committee on Constitutional Reform.

PROTESTING AGAINST THE PASSAGE OF HOUSE BILL No. 637.

The SPEAKER presented a petition from Philadelphia Board of Trade, protesting against the passage of House Bill No. 637.

Referred to the Committee on Banks and Banking.

PROTESTING AGAINST THE PASSAGE OF HOUSE BILL NO. 569.

The SPEAKER presented a petition from the Philadelphia Board of Trade, protesting against the passage of House Bill No. 569.

Referred to the Committee on Judiciary General.

PROTESTING AGAINST DIVERSION OF FUNDS APPROPRIATED TO THE STATE RETIREMENT SYSTEM.

The SPEAKER presented a petition from the School District of Philadelphia, protesting against the diversion of any funds due or delays in appropriations to the State Retirement System.

Referred to the Committee on Education.

FAVORING PASSAGE OF LEGISLATION PROVIDING FOR PENAL REFORM.

The SPEAKER presents a petition from the judges of the Courts of Common Pleas of Philadelphia, favoring passage of legislation providing for an institution in which prisoners could be more regularly employed than under present system.

Referred to the Committee on Judiciary General.

FAVORING PASSAGE OF DERRICK BILL.

The SPEAKER presented a number of petitions from citizens of Philadelphia favoring the passage of the Derrick Bill, affecting also the city of Philadelphia.

Referred to the Committee on Judiciary General.

LEAVES OF ABSENCE.

Mr. DILSHEIMER asked and obtained leave of absence for Mr. Drinkhouse.

Mr. HORNE asked and obtained leave of absence for Mr. Korns.

RESOLUTION RELATIVE TO PRINTING.

Mr. RHODES offered the following resolution, which was twice read, and laid over under the rules:

Whereas, the procedure of this House of Representatives has been greatly hindered and delayed by the frequent failure of the Department of Printing and Binding to have prepared on time the printing which is necessary for the transaction of the business of this House;

And Whereas, the apparent inability of the Department of Printing and Binding to get out the necessary printing has been becoming more pronounced with corresponding results upon the deliberations of this House;

And Whereas, the requirements of this House of Representatives for the printing of its necessary documents are increasing;

And Whereas, if the present condition is not remedied in the Department of Printing and Binding this House of Representatives will be unable to properly function; its members will be greatly embarrassed and handicapped and an extra and unnecessary burden will be placed upon the people of this Commonwealth by the inability of this House to complete its work and adjourn at an early date;

Therefore be it Resolved, That the Speaker of this House of Representatives be and hereby is authorizd and requested to appoint a committee of five members of this House to make an investigation into the present status of the printing being done for this House, to ascertain if possible, the causes of the delay in the Department of Printing and Binding and to make its report within ten days to this House of Representatives relative thereto, with such recommendations and suggestions as said Committee may deem proper to rectify the present intolerable condition.

MOTION TO PLACE BILL ON THE CALENDAR.

Mr. DAVID FOWLER. Mr. Speaker, I move that House Bill No. 171, file folio 2961, entitled

An Act to promote the safety of travelers and employes upon railroads by compelling common carriers by railroad to properly man their trains

be placed upon the calendar, notwithstanding the negative recommendation of the committee.

Mr. KOHLER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. DAVID FOWLER. Mr. Speaker and members of the House. This is the bill called the Full Crew Bill, but I would rather call it the efficiency bill. I feel that in all fairness to the railroad men of this state this should be given a fair and just hearing. I feel that in all fairness to myself, sponsor of this bill, that this bill should be placed upon the calendar. I want to say to you members of this House that no man in this House has taken his beatings any better than I have taken mine, and I want to say to you, regardless of what your position may be in regard to the full crew measure, I feel that in justice to the working class of people in this State, it ought to be placed upon the calendar. I hope and trust that each and every member of this House will show that much courtesy to the railroaders of this

State, and that you will vote for this measure to be placed on the calendar, and let us have the debate, fair and square, upon this issue.

Mr. HEFFERNAN. Mr. Speaker and members of the House, I ask your earnest consideration at this time while I, as a member of the Railroad Committee, give you a full explanation regarding the bill. If I were to touch on the bill proper, itself, there is no doubt but that the sponsor of the bill would raise the point of order that I was not speaking upon the bill itself, it not being upon the calendar, and I therefore could not presume to speak upon it. But I intend to say a few words to you regarding this action. When this bill was introduced in this House it was regularly referred to the Railroad Committee. The Chairman of the Railroad Committee, Mr. Sprowls, called a meeting. We assembled in the Railroad Committee room and the first courtesy extended to the sponsor of the bill was given when he asked permission to address the committee. That courtesy was extended to him because he is favorably known on the floor of this House. After a few days, came the request that they desired a public hearing and the Committee agreed that Mr. Fowler should have his friends here and hold a public hearing. A date was set for the public hearing, and the hearing was held. It was held two o'clock in the afternoon and on account of our having to be here in the House at four o'clock the Chairman announced to all those present, those representing both sides that there would be one and one-half hours of discussion on this bill, and each side was to take three-quarters of an hour, and whatever time remained should be divided between them for the purpose of summing up. After that hearing was over the Committee immediately went into executive session, and since we still desired to be fair with Mr. Fowler, it was decided that before any action should be taken on the bill by the Committee, that it would be referred to a sub-committee and that the sub-committee should call upon the Public Service Commission and find out whether or not they were functioning, and functioning properly, and doing the right thing by the railroad employees. That committee consisted of Mr. Armstrong, of Armstrong county; Mr. Whiteman, of Westmoreland county; Mr. Sowers of Philadelphia. Mr. Fowler, I was informed by one of the sub-committee, accompanied the sub-committee that called on Public Service Commissioner, Ainey, who told them that they were functioning and doing everything in their power to satisfy the railroad employees, and from what I understand, if I am not mistaken, Mr. Fowler seemed to be well satisfied with what was said at that meeting between Mr. Ainey and the sub-committee.

Now, gentlemen, I do not know what more a member could do for a brother member on the floor of this House. If you feel that we have not given Mr. Fowler a square deal on this bill, then place the bill on the calendar. But, on the other hand, if you have committees of this House made up of men, reputable men no one for a moment could compel them to come in here and render a decision such as they did unless they feel they were conscientiously doing something in accordance with the feeling of all the members of the committee.

Now, Mr. Speaker and members of the House, I, for reasons stated, do not feel that this bill should be put upon the calendar, and I ask that in view of the remarks I have made, and the views I have given regarding this resolution, that the members of the House will vote this motion down, and I will say that to corroborate what I have said we have with us Mr. Armstrong, of Armstrong county, and Mr. Whiteman of Westmoreland county, who were members of that sub-committee and they can corroborate what I have said.

Mr. ARMSTRONG. Mr. Speaker, ladies and gentlemen of the House, I can substantitate all that the gentleman from Philadelphia has said. In addition, I feel that every bill is considered a valuable bill by the sponsor, and when a bill is reported out negatively, no doubt the sponsor of the bill feels just as bad as the gentleman from Lackawanna did about his bill. If you are going to set aside the action of the committee in all of these matters, we had better do away with the committee and bring all bills before the House. There is no bill coming before this House this session, to my knowledge, that has received more careful attention and has been given a greater opportunity for discussion of its good and bad points than the bill under consideration. Every opportunity was afforded to the people who were in favor of it to present all the arguments they saw fit, and as the gentleman from Philadelphia has stated, the sub-committee called upon the Public Service Commission and discussed it, and I think allowed the gentleman from Lackawanna to sit in and listen, so I feel the bill has received extraordinary attention, and I hope that the motion will be voted down.

Mr. DAVID FOWLER. Mr. Speaker, when the gentleman said the bill has received extraordinary attention, he spoke the truth; it has certainly received that. I want to say to you that this bill was introduced on January 30th, and there was great attention given it before we forced a hearing before we forced the hands of this committee. The gentleman from Philadelphia did not tell you that when the meeting was called first for the purpose of considering this bill that somebody forgot to bring the bill. There were sufficient votes at that time to bring out this bill on the floor of the House, but it was jockeyed from one hearing to another, and the committee of railroaders at all times were courteous enough to have a hearing on this bill. We did not ask for a hearing at any time. When the sub-committee was picked to take up the matter with the Public Service Commission, I asked to go along, but I absolutely refused to discuss the bill at that time, as I told the sub-committee it was not my mission, but that I was only there to find out the facts from Commissioner Ainey, as they got them from him, and I wanted to know what Mr. Ainey said about the bill. The gentleman from Philadelphia said I was well pleased, but when he says that he is handling the truth recklessly. I had nothing to say, but Mr. Ainey said this when the question was brought to him in regard to the case. As you well know the bill passed at the last session of the legislature referred all grievances to the Commission, yet the Commission did not act upon these bills as the law provides but instead of that when an agreement was reached by the railroad operators and they went back at their own suggestion that they meet at a round table and discuss the bills then they say "why the grievances were never brought back." You can read in my remarks about the propaganda that the railroad people have sent out in their reply to Mr. Jordan. At that time I said in defense of an amendment that I asked this House to pass, that the railroads themselves would have to go before the Commissioner before they could take a man off his train, and they connected a double speech in the propraganda they sent out to you, and this is not all of one speech, but they did not put in there the remarks of myself. Mr. Speaker and members of the House, I said at that time that if the grievances were allowed to drag along what was a poor man going to do? Was he going to stand idle for twelve months to wait for the the commission to hear his case? Naturally the man that was discharged would seek employment elsewhere, perhaps in another county, perhaps in another state and then they come back twelve months later and say, "Why don't you reopen the case?"

They wanted them to stay idle for 12 months. Commissioner Ainey said this, and I challenge the sub-committee, "I could not make a blanket decision in regard to the number of men on a train, so it would be better for you men to pass a law yourself in the House of Representatives." That was what pleased me, my dear friends, when he said that. I say to you if I would go into a discussion of the bill and I do not intent to go into the discussion at this time, that I can show our views backed by newspaper statements of the number of men killed by accidents where they avoided the full crew that this bill should go on the calendar and those who are fighting it know that. Courtesy! I don't call it courtesy to the sponsor of the bill to keep camouflaging it, to keep calling meetings and then another meeting. If you want to give me courtesy, give me the opportunity to defend myself upon the floor of this House; that is all I ask.

We hear a great deal of Americanism these days. We are all budding out with patriotism. Why not give this old patriot a chance and if you can lick him on the floor of the House, I will give you credit for it.

Mr. WHITEMAN. Mr. Speaker, inasmuch as I was a member of the sub-committe who made the report of the conference with Commissioner Ainey to the full committee, and inasmuch as that report has received comment by different speakers, it seems to me that I also should make a statement relative to what I think was the fair and honest action of the committee in taking the action which it did upon this particular bill. As you know, Mr. Speaker, when the full crew law was repealed the repealer carried with it a provision by which it was intended that this matter of manning trains should receive some consideration outside of the railroads themselves, and it was provided in the repealer that the Public Service Commission should have jurisdiction over this matter of manning or under-manning trains. Naturally, Mr. Speaker, when the bill which would restore the full crew law came before the Railroad Committee the chief question it raised was whether or not there was any manner by which this question of manning trains could be taken care of; in other words, whether the act repealing the full crew law in 1921 had provided a means by which there could be a functioning on this important question of manning trains. The elemental question raised, Mr. Speaker, was the question of safety. That was the question brought before the Committee and that was the question not ignored by the committee. The question was raised as to whether the Public Service Commission was functioning in a way to meet the situation, and a sub-committee was appointed to confer with the head of the Public Service Commission, and in the performance of that duty the conference was held. At that conference, Mr. Ainey, the commissioner, made it perfectly plain that he for the Commission, should not say whether or not the Commonwealth of Pennsylvania should have a full crew law, but he did make it plain that the Public Service Commission is ready and willing to function and to do its duty in accordance with the law. He explained that there had been numerous complaints filed by claimants regarding the under-manning of trains and he explained further that at a conference between railroad men and the operators an agreement had been reached by which these complaints were to be considered in conference, around the table not to be pushed before the Public Service Commission, but that under that agreement all complaints except one were withdrawn, that particular complaint the D. L. & W. R. R. was afterward settled by the restoration of the man on the train. The Commissioner further stated that following the withdrawal of these complaints that the representative of the claimants came to him and said they were not getting action sufficiently fast in their conferences with the railroad representatives, and the Commissioner told him there were two courses open to him; either to try to expedite matter by going to the heads of the roads or by re-filing his complaints, and he assured him that if these complaints were taken up again hearings would be held upon them. He made it plain to the committee, Mr. Speaker, that the Public Service Commission door was open at all times to receive complaints regarding the manning or under-manning of trains, from the standpoint of safety. I feel that the matter of safety was being taken care of, and that there was a manner by which relief could be secured, that the door of the Public Service Commission was open, and that there was no need of this particular law, which would undoubtedly add millions of dollars of expense to the railroads. We so reported, the Committee so acted. I feel the Committeee gave the bill due consideration, and I feel that the House in all fairness should stand by the Committee in its report.

Mr. HAAS. Mr. Speaker, I do not happen to be a member of the Railroad Committee, but I also was permitted to attend the hearing when Mr. Ainey told of the procedure that had gone before that. It seems to me that every consideration was given to this bill. This committee reported the bill negatively after the hearing the chairman of the Public Service Commission told them that there was an avenue open through which the men could appeal, and if their cases were not determined, they had the right at any time to appeal to the Public Service Commission for justice. I will say this, and I have a great many friends among the railroad men, that they will get justice before the Public Service Commission this is a question of principle. This committee has reported this bill negatively and they have given it every consideration, and it is up to the members of this House to stand by the committee.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. David Fowler and Mr. Kohler, and were as follows:

YEAS—82.

Albert,	Glasgow,	Kunkle,	Patterson,
Alexander,	Golder,	Labar,	O'Boyle,
Aston,	Gorham,	Lauver,	Post,
Berger,	Goss.	Little,	Rhodes,
Betts,	Greeby,	Lucas,	Schaeffer,
Blumberg,	Hall,	Mack,	Schilling,
Boback,	Haslett,	MacKinney,	Schleiter,
Brownmiller,	Haws,	Malie,	Schwartz,
Burns,	Hetrick,	Marcus, J. C.,	Sheridan,
Chaplin,	Himes,	McBride,	Smith, G. A.,
Coldsmith,	Holcombe,	McCaig,	Staudenmeier,
Coyne,	Hontz,	McClure,	Stavitski,
Dietz,	Howell,	McCurdy,	Steedle,
Dilsheimer,	Huber,	McDermott,	Stevens, A. J.,
Driggs,	Johnson,	Metcalf,	Thomas, L. D.,
Earley,	Jones, C. B.,	Millar,	Whitehouse,
Fowler, A. I.,	Jones, D. J.,	Miller,	Williams, J. M.,
Fowler, D.,	Jones, E. P.,	Moffat,	Wood, N.,
Gallagher,	Keene,	Moore,	Zook,
Gelder,	Kelly,	Munley,	
Gibbon,	Kohler,	Nolte,	

NAYS—107.

Allman,	Evans, B. P.,	Marshall, W. F.	Smith, J. W.,
Anderson,	Evans, J.,	Mathay,	Sowers,
Armstrong,	Fields,	McDaniel,	Spangler,
Arthur,	Flinchbaugh,	McGowan,	Speiser,
Baldi,	Flynn,	McVicar,	Sprowls,
Beaver,	Frazier,	Minehart,	Stark,
Bell, F. A.,	Griffith,	Morrison	Sterling,
Bell, W. T.,	Grimes,	Myers, G. C.,	Stevens, A. P.,
Bentley,	Guerin,	Myers, P. M.,	Stoffiet,
Bidelspacher,	Gundy,	Ogle,	Stoner,
Blair,	Haas,	Orr,	Storb,
Bluett,	Haines,	Parkinson,	Thomas, M. G.,

Brenneman,	Harer,	Peelor,	Thompson,
Brewster,	Harter,	Perry,	Van Alen,
Bromley,	Heffernan,	Pitts,	Vickerman,
Brown,	Heffran,	Posey,	Walker,
Burchinal,	Henderson,	Price,	Weamer,
Bush,	Heyburn,	Raymond,	Wells,
Clutton,	Hollis,	Richards,	Wettach,
Colville,	Hoover,	Rinn,	Wheeler,
Conner,	Horne,	Rippman,	Whiteman,
Craig,	Irvin,	Sample,	Williams, G. W.
de Young,	Kennedy,	Sarig,	Woner,
Diehm,	Lafferty,	Schoener,	Wood, W. P.,
Donahue	Long,	Shambach,	Wright,
Edmonds,	Ludlow,	Smith, H. J.,	Goodnough,
Eshelman,	Marshall, J. G.,	Smith, H.,	Speaker.

So the question was determined in the negative and the motion was not agreed to.

PRINTING EXTRA COPIES OF HOUSE BILL No. 254.

Mr. CRAIG. Mr. Speaker, I move that 1000 copies of House Bill 254, file folio 2931, entitled:

An Act to carry into effect section one of Article fifteen of the Constitution; giving cities the right and power to frame, adopt, and amend their own charters, and to exercise the powers and authority of local self-government, and providing the procedure therefor; imposing certain restrictions, limitations and regulations; imposing duties upon city councils, city officers, county commissioners, and prothonotaries; and providing for the payment of certain expenses by cities.

be printed.

Mr. GIBBON. Mr. Speaker I second the motion.

The motion was agreed to.

RESOLUTION RELATIVE TO ONE DAY REST.

Mr. McBRIDE offered the following resolution which was twice read and laid over under the rules,

In the House of Representatives, April 9, 1923.

Whereas, The laws of the various states vary greatly with regard to the hours of employment of labor and,

Whereas, A uniform law upon this subject would have a great influence in stabilizing business conditions and aid in bringing about permanent prosperity, therefore be it

Resolved, (if the Senate Concur) That the General Assembly of the Commonwealth of Pennsylvania, the greatest industrial State in the union, hereby petitions Congress of the United States to consider, and if deemed advisable to adopt legislation providing for one day's rest in every seven and a universal eight hour day for all labor throughout the United States.

Resolved, That the Chief Clerk of the House of Representatives forward a copy of this resolution to the President Pro Tempore of the Senate and the Speaker of the House of Representatives and to each United States Senator and Member in Congress from Pennsylvania.

BILLS RECOMMITTED.

Mr. JOHN G. MARSHALL. Mr. Speaker, I move that House Bill No. 918, file folio 2859, entitled:

An Act providing for the taking over operation control and management of certain county city and poor districts insane hospitals by the State under the supervision of the Department of Public Welfare providing for their transfer providing for the use of such hospitals not taken over as institutions for the care and treatment of persons mentally defective providing for the management and maintenance thereof regulating the commitment of persons thereto providing for assistance from the State and imposing certain duties upon said department of Public Welfare

on page 30 of today's calendar, be recommitted to the Committee on Judiciary Local for the purpose of a hearing.

Mr. VICKERMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. LUDLOW. Mr. Speaker, I move that House Bill No. 940, file folio 1823, entitled:

An Act to amend revise change and consolidate the laws relating to the assessment of persons property and subjects of taxation and the levy and collection of taxes in counties of the second third fourth fifth sixth seventh and eighth classes and in cities of the third class boroughs towns townships school districts of the second third and fourth classes independent school districts and certain poor districts permitting cities of the second class to accept the provisions of this act and become subject thereto and repealing existing laws

on page 28 of today's calendar be recommitted to the Committee on Judiciary Local for the purpose of amendment.

Mr. STORB. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. LUDLOW. Mr. Speaker, I move that House Bill No. 944, file folio 1821, entitled:

An Act prohibiting the collection from persons borrowing money of taxes imposed upon loans by the laws of the Commonwealth.

on page 28 of today's calendar, be recommitted to the Committee on Judiciary Local for the purpose of amendment.

Mr. STORB. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. LUDLOW. Mr. Speaker, I move that House Bill No. 943, file folio 1819, entitled,

An Act to amend section three hundred and ninety of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

on page 28 of today's calendar, be recommitted to the Committee on Judiciary Local for the purpose of amendment.

Mr. STORB. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. HASLETT. Mr. Speaker, I move that House Bill No. 1035, file folio 2869, entited,

An Act to amend section one of the act approved the first day of June one thousand nine hundred and seven (Pamphlet Laws three hundred sixty-four) entitled "An Act to increase the pay of jurors and witnesses in this Commonwealth" as amended.

on page 31 of today's calendar be recommitted to the Committee on Judiciary Local for further consideration.

Mr. FRAZIER. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. HALL. Mr. Speaker, I move that House Bill No. 603 file folio 3155, entitled,

An Act concerning declaratory judgments and decrees and to make uniform the law relating thereto

on page 41 of today's calendar be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. EARLY. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. DAVID J. JONES. Mr. Speaker, I move that House Bill 462, file folio 2787, entitled,

An act to amend section one of the act approved the fifteenth day of July, one thousand eight hundred and ninety-seven, (P. L. 292), entitled, "An act to provide revenue by taxation," eliminating the provision of said act permitting the payment of taxes by banks at the rate of ten mills on the dollar of the par value of the shares of stock.

on page 12 of today's calendar, be recommitted to the Committee on Ways and Means for the purpose of a hearing.

Mr. WHITEMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

The SPEAKER. The Chair lays before the House the motion of the gentleman from Delaware, Mr. Alexander, to recommit House Bill 306 file folio 2085, entitled:

An Act making a deficiency appropriation to the State Hospital for Criminal Insane at Farview Pennsylvania

to the Committee on Appropriations, which was under consideration when the House adjourned on Wednesday, April 4, 1923.

On the question recurring,

Will the House agree to the motion?

Mr. ALEXANDER. On last Wednesday I made a motion to recommit this bill to the Appropriations Committee for a hearing. You will notice that the deficiency was originally $80,000. The gentleman from Susquehanna, Mr. Gelder, in defense of the bill stated that $26,000 of this was a hold-over prior to 1921. Today I called on the Auditor General Mr. Lewis, and he referred me to the gentleman in his office who had charge of this matter, and he states as a further reason why I think this bill should be recommitted, that is, the Auditor General Department has not been satisfied for a long while with the business methods of Farview, and they have so told the management to that effect. They also showed me some items of where a part of the deficiency was still existing that the management of Farview spent $5,475 for a Cadillac car and something like $1,876. for musical instruments, that was while they were in debt to the extent of $26,000. While I say, the Auditor General has stated to me that that Department has not been satisfied with this management for a long while. I think, therefore, owing to the fact, that there has been asked $85,000 for a deficiency, that we should have the management come in here with their books and let the committee go a little more thoroughly into this question of this deficiency. I am not criticising in any way the Appropriation Committee. I understand, that to a certain extent, they went into this question, and there was a sub-committee appointed, and that they cut $5,000. While I am a member of that Appropriation Committee, I suppose I was engaged at that time in another committee and was not present at the time they had this hearing. It seems to me, however, that what developed since the hearing, and what the Auditor General tells us it won't hurt the State of Pennsylvania any, and that is the interest that we are looking after, to have this bill recommitted for a further hearing.

Mr. GELDER. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Alexander.

The SPEAKER. Will the gentleman from Delaware, Mr. Alexander, permit himself to be interrogated?

Mr. ALEXANDER. Yes Sir.

Mr. GELDER. Is it not a fact, Mr. Alexander, that you were present in the Appropriations Committee when this bill was reported out?

Mr. ALEXANDER. No sir, not that I know of.

Mr. GELDER. I have been informed that you were.

Mr. ALEXANDER. I don't think I was. My attention was not called to the enormous figures of the deficiency of $80,000.

Mr. GELDER. Do I understand the gentleman from Delaware to say that the Auditor General informed him that that institution was extravagently conducted?

Mr. ALEXANDER. He did.

Mr. GELDER. The Auditor General, or some employee of the Auditor General's?

Mr. ALEXANDER. My recollection was he told me, at least it was told by an employee to whom I was referred by the Auditor General, and it was stated in the presence of the Auditor General.

Mr. GELDER. Is the gentleman from Delaware County aware of the fact that the automobile purchased by that institution was first approved and authorized by the commission of Buildings and Grounds, composed of the Auditor General, the State Treasurer and the Governor?

Mr. Alexander. I am not.

Mr. GELDER. Such I understand to be the fact.

Mr. ALEXANDER. I was told by the Auditor General's representative that that $5400 automobile was purchased for the use of some of the trustees going backwards and forwards between Philadelphia and the hospital at a time when they had a deficiency of $26,000.

Mr. GELDER. Mr. Speaker, and ladies and gentlemen of the House, personally I have no objection to this bill going back before the Appropriations Committee for an investigation, excepting that it has already been there. The officials of the institution have already been before the Appropriations Committee, and answered the questions that they asked, and demonstrated to them that they had a real deficit. They were also before the Auditor General, and demonstrated to his satisfaction, and I want to say for your information this evening that within the last half hour, the Auditor General informed me that he had not told the gentleman from Delaware County that Farview was extravagantly conducted. The Welfare Department has also gone over the figures from Farview. I would suggest, to save the time of this House, that if the gentleman from Delaware will go up to Farview, I will be glad, myself, to pay his expenses; I will see that it will cost him nothing for board, and I will guarantee him that he will be able to go round among the folks of that institution to his heart's content; and then, if he finds anything wrong with that institution, if the sponsor of the bill does not move to have it brought back, I will move, even though it has gone to the Governor, that it be returned to this House and sent to the Committee on Appropriations for a hearing. But it seems to me that we are simply wasting the time of this session to go into a further investigation of this matter. I think I have nothing more to add to what was said on Wednesday. I will simply leave it to the judgment of the House.

On the question recurring,

Will the House agree to the motion?

The motion was agreed to.

BILL RECOMMITTED.

Mr. STAVITSKY. Mr. Speaker, I move that House Bill No. 1281, file folio 2985, entitled,

An Act to amend chapter seven of an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," regulating the appointment, supervision and discharge of police officers.

on page 33 of today's calendar be recommitted to the Committee on Counties and Townships for the purpose of amendment and a hearing.

Mr. DIETZ. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS SIGNED BY THE SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 26.

An Act to amend section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled "An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" providing for the sale of the real and personal property of a decedent without known heirs kindred or surviving spouse and the payment of the net proceeds of such sale into the State Treasury

HOUSE BILL No. 37.

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania

HOUSE BILL No. 57.

An Act authorizing boroughs to appropriate moneys or to levy and collect with the assent of electors a special tax for the purpose of purchasing fire engines and fire apparatus and to assist existing fire companies in the purchase of fire engines and fire apparatus

HOUSE BILL No. 186.

An act authorizing county commissioners to purchase road machinery and to rent the same to the townships of such county

HOUSE BILL No. 259.

An Act relating to the drainage of wet and spouty lands by providing for the construction of surface or under drains over lands owned by others

HOUSE BILL No. 332.

An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged

HOUSE BIL No. 365.

An Act to amend section one of the act approved the fifteenth day of March one thousand nine hundred and eleven (Pamphlet Laws twenty) entitled "An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf by prohibiting the introduction as evidence of certain testimony or records

HOUSE BILL No. 423.

An Act authorizing boards of county commissioners to cooperate with the Department of Agriculture and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious disease of livestock and poultry and dangerous plant diseases and insect pests

HOUSE BILL No. 425.

An Act to amend an act approved the ninth day of April one thousand nine hundred and thirteen (Pamphlet Laws forty-six entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department"

HOUSE BILL No. 426.

An Act to amend section thirty of an act approved June first one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine"

HOUSE BILL No. 452

An Act authorizing the courts of common please to change the name of persons prescribing the procedure and the effect of the decree thereon

HOUSE BILL No. 523.

An Act to further amend section five of the act approved the thirty-first day of March one thousand eight hundred and seventy-six (Pamphlet Laws thirteen) entitled "An Act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" as amended

HOUSE BILL No. 594.

An Act authorizing the county commissioners to appropriate county moneys to incorporated agricultural and horticultural societies and associations.

Whereupon.

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 471.

An Act to amend sections one, two as amended and three of an act approved April 24, 1885, (P. L. 9), entitled "An Act to amend an act entitled 'An Act to provide for the destruction and to prevent the spread of Canada thistles' approved the twenty-second day of March, A. D., one thousand eight hundred and sixty-two" extending the provisions of said act to cichorium intybus the weed commonly known as chickory or succory, or blue daisy.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 10, by inserting after the word "succory," the words "or blue daisy."

Amend section 1, page 2, line 11, by inserting after the word "succory," the words "or blue daisy."

Amend section 2, page 3, line 9, by inserting after the word "succory," the words "or blue daisy."

On the question,

Will the House concur in the amendments made by the Senate.

RECONSIDERATION OF VOTE.

Mr. HETRICK. Mr. Speaker, I move that the vote by which House Bill No. 471 passed finally be reconsidered.

Mr. EARLEY. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. HETRICK. Mr. Speaker, I move that the vote by which House Bill No. 471 passed third reading be reconsidered.

Mr. EARLEY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HETRICK. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend Sec. 2 page 3 lines 3 and 4 by striking out the lines 3 and 4 both inclusive and eliminating them from the bill

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any

objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

The SPEAKER. The amendments being merely a strike out the bill is now under consideration.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

Yeas.—184.

Albert,	Evans, B. P.,	Lafferty,	Sample,
Alexander,	Evans, J.,	Lauver,	Sarig,
Allman,	Fields,	Little,	Schaeffer,
Anderson,	Flinchbaugh,	Long,	Schilling,
Arthur,	Flynn,	Lucas,	Schleiter,
Asbury,	Fowler, A. I.,	Ludlow,	Schoener,
Aston,	Fowler, D.,	Mack,	Schwartz,
Baldi,	Gallaher,	MacKinney,	Shambach,
Beaver,	Gibbon,	Malie,	Sheridan,
Behney,	Gilchrist,	Mangan,	Smith, H. J.,
Bell, F. A.,	Glasgow,	Marcus, J.,	Smith, H.,
Bell, W. T.,	Goehring,	Marcus, J. C.,	Smith, J. W.,
Bentley,	Golder,	Marshall, W. F.,	Sowers,
Berger,	Gorham,	Mathay,	Spangler,
Betts,	Goss,	McBride,	Speiser,
Bidelspacher,	Greeby,	McCaig,	Sprowls,
Blair,	Grimes,	McCann,	Stark,
Bluett,	Guerin,	McClure,	Staudenmeier,
Blumberg,	Gundy,	McCurdy,	Stavitski,
Boback,	Haas,	McDermott,	Steedle,
Brenneman,	Haines,	McGowan,	Stevens, A. F.,
Brewster,	Hall,	McVicar,	Stevens, A. J.,
Bromley,	Harer,	Metcalf,	Stoffiet,
Brown,	Harter,	Millar,	Stoner,
Brownmiller,	Haslett,	Minehart,	Storb,
Burns,	Haws,	Moffatt,	Storer,
Bush,	Heffernan,	Moore,	Thomas, L. D.,
Chaplin,	Heffran,	Morrison,	Thomas, M. G.,
Clutton,	Hetrick,	Myers, G. C.,	Thompson,
Coldsmith,	Heyburn,	Myers, P. M.,	Van Alen,
Colville,	Himes,	Nolte,	Vickerman,
Conner,	Holcombe,	O'Boyle,	Walker,
Coyne,	Hollis,	Ogle,	Weamer,
Craig,	Hoover,	Orr,	Wells,
de Young,	Horne,	Patterson,	Wettach,
Diehm,	Howell,	Peelor,	Wheeler,
Dietz,	Irvin,	Perry,	Whitehouse,
Dilsheimer,	Johnson,	Pitts,	Whiteman,
Donahue,	Jones, C. B.,	Posey,	Williams, G. W.,
Drinkhouse,	Jones, D. J.,	Post,	Williams, J. M.,
Dunn,	Jones, E. P.,	Price,	Woner,
Eaches,	Keene,	Raymond,	Wood, W. P.,
Earley,	Kelly,	Rhodes,	Wright,
Edmonds,	Kohler,	Richards,	Zook,
Eshelman,	Korns,	Rinn,	Goodnough, Speaker.

Nays.—4.

Hontz,	Kennedy,	Labar,	Smith, G. A.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered that the Clerk return the same to the Senate with the information that the House has concurred in the amendments made by the Senate and has further amended the bill, in which the concurrence of the Senate is requested.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL HOUSE BILL No. 302.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 3, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 302, entitled, "An act to amend section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-six) entitled, 'An act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An act to regulate the fees of court creirs and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand nhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine' as amended".

GIFFORD PINCHOT.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO HOUSE BILL No. 450.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 6, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval, House Bill No. 450, entitled, "An Act to further amend clause three section one of an act, approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws, six hundred forty-four), entitled 'A further supplement to the act entitled 'An Act concerning divorces, as amended by taking away the right of support or alimony in certain cases."

Under the law which this Bill amends, the Courts within their discretion may grant alimony to the divorced wife if such circumstances as the degree of her fault, her health, her ability to make a living, the ability of her husband to grant her support, and the attitude of the husband toward the wife during the marriage cause the Court to feel that justice clearly demands the granting of such alimony.

There are also some instances where the wife is adroitly driven to the course of action called "cruel and barbarous" in the presence of willing witnessess by a course of conduct actually intended to drive her to an hysterical condition beyond her control.

If Bill No. 450 should become a law the Court would have no such discretion, and I am not willing to approve a law which makes it impossible in certain cases to give justice and equity to a divorced wife.

For these reasons the Bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding?

VETO LAID UPON THE TABLE.

Mr. MATHAY. Mr. Speaker, I move that the bill, together with the veto, be laid upon the table.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1357, entitled:

An Act providing for the redemption and cancellation of the Bond issued under the act approved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled "An Act directing the sale of the bonds composing the Agricultural College land script fund and

authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" and for the investment of the moneys in the fund resulting from such redemption and the payment of the interest therefrom by the Sinking Fund Commission to Pennsylvania State College

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1224, entitled:

An Act regulating service of process and authorizing the service of writs of summons and other process in any county of the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 681, entitled:

An Act to amend the supplement to an act approved the twenty-first day of May one housand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 167, entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended by providing that qualified electors charging fraud or mistake in any election district need not be residents of the said district but shall be residents of the territory affected by the election

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill, No. 919, entitled:

An Act to repeal section twenty-three of an act approved the first day of May one thousand eight hundred and sixty-one (Pamphlet Laws four hundred and fifty) entitled "An act relating to Allegheny County"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 882, entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating election in this Commonwealth" as amended by authorizing the members of the board of receiving computing and certifying election returns to act when a majority of the members thereof are not qualified

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 686, entitled:

An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole and providing for the payment of their expenses and membership dues by counties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 576, entitled:

An Act to amend section eleven and fifteen as amended and repealing section twenty-one of the act approved the twelfth day of June one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public office the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" by limiting the right of assistance to voters extending the power of the court to open ballot boxes and abolishing the office of watchers at primary elections

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 469, entitled:

An Act to amend section three of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1173, entitled:

An Act providing that the address of holders of second mortgages shall be noted in the margin of the record of first mortgages and that notice of foreclosure proceedings shall be given to such holders of second mortgages

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1066, entitled

An Act to amend section one of the act approved the second day of June one thousand eight hundred and ninety-

one (Pamphlet Laws one hundred sixty-eight) entitled "An act to enable the county commissioners of the several counties to sell any real estate which they may acquire and make deeds therefor" excepting from the provisions of said act real estate acquired at tax sales

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 994, entitled

Supplement to an act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and thirty-eight) entitled "An act requiring counties having a population of over one million and less than one million five hundred thousand to establish a pension fund for the empolyes of such counties and providing for the administration of such fund and payments therefrom" by restricting the provisions of said act that the same shall hereafter be applicable to counties of the second class only and by extending the provisions of said act so that the same shall apply to all county employes working for wages on a per diem basis or any other basis and providing that all county employes shall have credit hereafter for all services heretofore or hereafter rendered on a per diem or other basis in calculating the total period of their employment for any of the purposes mentioned in said act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 883, entitled:

An Act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 694, entitled:

An Act to amend an act approved the twenty-eighth day of March one thousand eight hundred seventy-nine (Pamphlet Laws fourteen) entitled "An act enabling wives of luntics to release their right of dower in the real estate of their husbands" extending the provisions of said act to include wives and husbands of habitual drunkards and wives or husbands of epileptics insane weak-minded or feeble-minded persons

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 556, entitled:

An Act requiring counties of the third and fourth classes to establish a pension fund for the employes of such counties and providing for the administration of such fund and payments therefrom

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1269, entitled:

An Act to amend section three of an act approved the tenth day of April one thousand eight hundred and sixty-seven (Pamphlet Laws sixty-two) entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" by requiring the drawing of jury panels from the wheel to take place publicity in the court of common pleas

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1294, entitled:

An Act authorizing executors and administrators to bring suit and recover judgments against the Commonwealth of Pennsylvania in the counties of which the decedents whose estates they administer were residents for the recovery of taxes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreably to order,
The House proceeded to the first reading and consideration of House Bill No. 1183, entitled:

An Act reappropriating the unexpended balance of an appropriation made by the General Assembly of one thousand nine hundred and twenty-one to the State Fair Commission

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreably to order,
The House proceeded to the first reading and consideration of House Bill No. 1335, entitled:

An Act relating to certain county officers in counties of the fifth class providing for their salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on tne county commissioners county controllers and county auditors requiring the payment into the respective county treasury of the fees of such county officers and providing penalties for violation of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 668, entitled

An Act to amend section eight of an act approved the seventh day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred sixty-eight) entitled "An act to restrain and regulate the use of billiard-tables pool-tables and bagatelle-boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth providing for the granting of licenses and providing for punishments for violations of the provisions of this act" by providing for the revocation of the licenses therein provided for when the place licensed shall in the opinion of the Director of the Department of Public Safety be so conducted as to be detrimental to the immediate neighborhood or when the licensee is not a person of good moral character or a fit person to hold such license or when said place is frequented by immoral persons or managed in an improper or disorderly manner

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1289, entitled

An Act empowering the Board of Commissioners of Public Grounds and Buildings to procure bonds for state officers and employes and providing for the payment of the cost of said bonds and the custody thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 975, entitled:

An Act to amend section six as amended and section eight of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred sixty-five) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" changing the legal weight of certain commodities and providing for the disposition of certain funds

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 820, entitled:

An Act authorizing the sale of real estate held by entireties by husband and wife when an order of support has been secured against the husband who has neglected to comply with the same or whose whereabouts is unknown or who has absented himself from this Commonwealth prescribing the procedure to be followed permitting husband and wife to testify providing for the disposition of the proceeds of such sale and granting a divorced woman the same rights under this act as a wife

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1216, entitled:

An Act authorizing certain corporations to cerate and issue and convert their authorized and outstanding capital stock into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 46, entitled:

An Act to amend section two hundred and seventy-one ot the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 849, entitled:

An Act to amend section one of an act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 851, entitled:

An Act to amend an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective title liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1012, entitled:

An Act validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways and validating municipal liens therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 10, entitled:

An Act to consolidate revise and amend the laws of this Commonwealth relating to Penal proceedings and pleadings and imposing certain costs therein upon the Commonwealth of Pennsylvania and the various counties thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 11, entitled:

An Act to consolidate revise and amend the Penal Laws of this Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 868, entitled:

An Act allowing and regulating boxing sparring and Athletic Commission making an appropriation therefor and wrestling matches and exhibitions establishing a State prescribing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1254, entitled:

An Act making an appropriation to carry out the provisions of the Act approved the twenty-seventh day of May

one thousand nine hundred and twenty-one (Pamphlet Laws eleven hundred ninety) entitled "An Act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers' licenses which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim and making an appropriation for such refunds"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1373, (Senate Bill No. 5), entitled:

An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1385, (Senate Bill No. 438), entitled:

An Act making a deficiency appropriation to the Commissioners of Fairmount Park

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 358, as follows:

An Act to amend sections one and eighteen of the act approved the sixteenth day of May one thousand nine hundred and fifty-nine) entitled "An act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providng for the disposition of the penalties recovered and license fees received" changing the age limit of persons required to procure licenses and providing for the purchase with surplus moneys of lands and waters and the impounding of waters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-nine) entitled "An act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the word "persons" as used in this act except where the context otherwise indicates means citizens of the State of Pennsylvania over (twenty-one) sixteen years of age

Section 2 That section eighteen of said act is herby amended to read as follows

Section 18 All license fees fines and penalties collected under the provisions of this act and paid into the State Treasury shall be kept separate and apart in a fund known as the "Resident Fish License Fund" and an amount not in excess of four hundred thousand dollars ($400,000) in any one year shall be used solely under the direction of the Department of Fisheries for the purpose of the payment of the salaries of the Commissioners of Fisheries clerks stenographers fish wardens traveling expenses counsel fees court expenses and contingent expenses for the propagation and protection distribution of fish the stocking of the waters and the employment of necessary labor and the purchase of material motor vehicles machinery and implements therefor for necessary repairs and improvements to fish hatcheries for field work stream investigations gathering spawn transferring fish and the employment of necessary labor and the purchase of necessary motor vehicles machinery and implements therefor for the purchase of necessary land and water supplies for State fish hatcheries for the purchase and erection of buildings ponds and other extensions incidental to State fish hatcheries for the maintenance and operation of a boat on Lake Erie and the cruiser Anna at Torresdale on the Delaware River and for dredging the approach to the fish hatchery at Erie

Any moneys in said fund at any time in excess of the amount hereinbefore limited shall be used solely under the direction of the Department of Fisheries with the consent of the Governor for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing hunting and forest purposes and said lands and waters so purchased shall be under the supervision direction and control of the Department of Fisheries

All moneys in such separate fund from time to time are hereby specifically appropriated to the Department of Fisheries and may be expended for the purposes hereinbefore enumerated The Auditor General shall upon requisition from time to time of the Commissioner of Fisheries draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund at the time of making such requisition

On the question,

Shall the bill pass finally?

Mr. FLINCHBAUGH. Mr. Speaker, in the conservation of our fisheries, I am vitally interested, and it seems to me that the State of Pennsylvania is pursuing a short-sighted policy in this regard. We have in many instances saved at the spigot, while we let the fish run out at the bunghole. We had in the Susquehanna River, one of the finest food fish that a kind Providence has ever placed in any stream. The State of Pennsylvania allowed a great corporation to build a sea wall across this river, and the millions of fish which in times past came up every spring of the year in order to spawn in the upper waters of the Susquehanna River have forever disappeared, and a large supply of food has been lost to the State forever, a livelihood for many people, and a sport for a great many people. Now, they have allowed this corporation to put across this dam, and we want to make it more difficult for the people of our State to engage in the sport of fishing. After this breastworks was placed across the Susquehanna River, hundreds of thousands of fish came up, and as the water is turned out over this spillway and allowed to go to the turbines, there were places in the river where thousands of fish died so that the water really became filled with stench on account of dead and decaying fish. Now, we want to compel boys and girls of sixteen years and upwards to take out a fish license in order to catch a few minnows, probably, in our streams. The boys and girls of this State are entitled to some consideration. Their moral, physical and mental qualities must be protected, and the boys and girls should be allowed to get an education, they should be allowed to learn a trade and go out and become useful citizens, but they also should be allowed to have some recreation, and as you vote on this bill tonight, I want your mind to run back over the trend of years, ten, twenty and thirty years, probably among some of you and forty or fifty years, to the time when you were a boy and fished in the waters of Pennsylvania. If I were an artist, I would draw a picture that many of you probably would recollect. I would draw a picture of a verdant meadow, and woodland beyond, and I would paint the picture of a

boy with a fishing rod and his faithful dog by his side, and I would not mar this picture by any license tag upon the boy sixteen years of age. The schoolboy who is working his way through high school or college, wants to take a day for recreation, a boy who is allowed a day off from the factory, the farmer boy who takes a day from his arduous cares and toils, who snatches one day to go fishing, I ask you gentlemen to consider that if it were possible, many of you would throw off the cares and the toils and disappointments, the pangs of despised love, the laws delays, the insolence of office and the spurns that patient merit to the unworthy take, when you might be a boy again and go fishing in the waters of Pennsylvania without a fishing license. I ask you to vote "no" on this amendment

Mr. HORNE. Mr. Speaker and members of the House, this bill is called the fishermen's license bill. There is only one change in the bill as compared with the bill as it was two years ago. The fee is not changed at all, and the limit for age is cut from twenty-one to sixteen years for this reason, that it has been learned from sportsmen's organizations in various parts of the State that possibly four to one of the fishermen are between these ages as compared with the ages about twenty-one years. The argument as given by my colleague would lead you to believe that the Fishery Department of the State would like to take away from the boys and girls of this State the liberty and pleasure of fishing. That is far removed, and unfair to the Fishery Department of this State. If I were a Democrat and wished to find fault with the administration now, I would use some other department than the Department of Fisheries. This is not a party measure, this is not a political department, but ever since the time it was organized, I believe, was a department that was constructive.

We are not here as destroyers, but as builders. To my mind, Mr. Buller has been a servant to the citizens of this State and has always rendered service to his duties. I have had for several years a very high regard for Mr. Buller. It has been true that I have opposed at times salary raisers, but they were not in the Department of Fisheries. Mr. Buller has not been a man who, through political tendencies was able to create a great retinue of servants, and in his department was but eleven men, counting himself. Fortunately for him, he has been versed in the art of raising fish, and he has been proficient in that art. Truly, if we want to restore to the people of Pennsylvania for the generations to come the pleasure, liberty and joy to the boy and girl to go out fishing, we must procure streams, woodlands and lakes. In recent years, and just last year in one of the counties of this State having the largest number of lakes, twenty per cent of them were taken over by a commercial institution for the purpose of commercializing the liberty of fishing. They were bought principally by people from the other states, from the great State of New York. Shall we give up the streams and the great lakes and woodlands that protect the fish to the commercial interests, or shall we in this department, which has been efficient and reliable, shall we give them funds sufficient to give to the boys and girls of the future the opportunities to fish? To my mind, the argument as given by my colleague, is entirely reversed to the facts of the case. I am not questioning his attitude on that view, but I do believe he is away from the point. For my part, I believe if you destroy the fisheries of this State by destroying this license, in but a few years you will have no streams to fish in and no fish in the streams. I urge every man and woman here, regardless of parties, regardless of the feeling they have regardless of the fact that the corporations of the State have polluted some of the streams, and Mr. Bullard is anxious to clear up the streams, and we cannot have ideal conditions so long as we have coal mines draining into the streams, I appeal to every man and woman on the floor to vote for this bill. I believe the bill is constructive.

Mr. SARIG. Mr. Speaker, I cannot see that there is anything at all in this bill that would label it as a partisan measure, as has been referred to by the gentleman from Cambria. There is nothing whatever in this bill that is either Democratic or Republican. It is simply a bill in which we say to the boys and girls of Pennsylvania whether we want to make this wholesome recreation more difficult for the boys and girls or whether we want to make it easy for them. Now, I submit to you ladies and gentlemen, that we have spent many thousands of dollars in providing playgrounds in our cities and other forms of recreation for our boys and girls, because, if there is one thing that tends to uplift the morals of boys and girls, it is wholesome recreation. Every boy and girl has a certain amount of energy, and that energy will come out in some form or other. If we do not provide a wholesome system of recreation, then that same energy is bound to find an outlet in something that is not wholesome for it. As I said before, this bill is simply a question of whether we want to give to the boys and girls of Pennsylvania something that is wholesome, something that is uplifting. I cannot conceive of any form of recreation that would have a more wholesome effect on the lives and character of the boys and girls of Pennsylvania than to take a fishing rod and go out sit by some stream and engage in the sport of fishing. I cannot see for the life of me why this Legislature should try to make this more difficult for these boys and girls. We all know that in the farming districts many of our boys have no income of their own. They are working for their parents and have no income of their own, and I appeal to you in a spirit of fairness to the boys and girls of this great Commonwealth that you do not make this wholesome form of recreation more difficult for them, but that you vote down this bill and say that you encourage fishing. I therefore ask that you vote against this bill.

Mr. MINEHART. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Cambria, Mr. Horne, permit himself to be interrogated?

Mr. HORNE. Mr. Speaker, I will.

Mr. MINEHART. Did I understand you to say that you have been advised that four out of every five of the fishermen on the streams of the State of Pennsylvania are children between the age of sixteen and twenty-one?

Mr. HORNE. I have been so advised and was advised by a sportman's organization of my own city which I know to be reliable.

Mr. MINEHART. We will leave that up to the ladies and gentlemen of this House whether or not that is right. Do you know now what revenue the fish department receives with its present tax?

Mr. HORNE. $217,000.

Mr. MINEHART. Four times that makes $817,000.

Mr. HORNE. That is not the question, we do not get our fees or revenues here for four years, but for two years.

Mr. MINEHART. But I am talking now of the number, the increase in fishermen. I understand that Mr. Buller said he would need double the amount of taxes which we have got today. Why do they need this larger figure?

Mr. HORNE. Provision is made in this bill that all money over $400,000 shall be appropriated for the purchase of lakes, streams, lands or forest land, for fish purposes.

Mr. MINEHART. Mr. Speaker, I don't know whether this bill has been branded as a democratic bill, but I don't want you to look on it that way so far as I am concerned. I am opposed to this bill for the simple reason that there are lots of boys and girls that go out one day in the year, Ascension Day, probably, and they go out with their parents to have a little recreation, and now this great State of Pennsylvania says to them, "You must pay one dollar for that privilege." For that reason I am opposed to the bill and shall vote against it.

MOTION TO STRIKE BILL FROM CALENDAR.

Mr. SPANGLER. Mr. Speaker, since reading this bill I have come to the conclusion that it is a pernicious bill, and I therefore move that it be stricken from the calendar.

Mr. HAWS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. HORNE. Mr. Speaker, I should like to appeal to the men and women of this House to defeat this motion. To pass this motion would be to destroy a department which nobody has shown is not useful. To do otherwise would be to do away with the very thing that has been appealed for, to properly furnish the boy and girl with a place to fish and the fish to be caught. The boy and girl and not of that sort, they are game sports, and are willing to pay. They do not want something for nothing. I would like very much to have you vote down the motion as offered by the gentleman from York, Mr. Spangler.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

Mr. SPANGLER. Mr. Speaker, to be serious, the reason I made that motion was that I entirely agree with what has been said in opposition to this bill. I have had considerable experience with Mr. Buller. I have in mind no criticism to offer at this time, but I know very well that when the fish license bill was before this House at the previous session, it was voted for by this House very reluctantly, and it was only passed because it was considered that the revenue was exceedingly necessary at that particular time. Now when you give this man an inch he takes a mile. He comes in now and says that twenty-one is not sufficient, but let us make it sixteen. The result is that the farmer who has several children, the boys cannot fish and he has to send those children into the Treasurer's office to take out a license. Now there is a limit to the patience of people in relation to legislation of this character, and I think in my own humble opinion that the Legislature has reached that limit when the age was fixed at twenty-one. For that reason it seems to me that the House should vote against this bill because it is pernicious in its purpose.

Mr. WELLS. Mr. Speaker, in the last session, Mr. Buller came before us asking for the same bill that is on our calendar, asking that the age limit should be from sixteen years up. Some of you may remember that I was one of the members who opposed the bill at that time, thinking that it would raise a sufficient amount of money, as Mr. Buller asked $400,000 at that time, saying that that was the amount needed to carry on the necessary work for the propagation of fish and the building of hatcheries. I opposed the bill, and said to him that I thought we would get sufficient revenue by striking out the sixteen-year limit not taxing boys and girls for this privilege. Now, it seems to me that there is just one thing for this bill, and that is that the law that we have on our books does not bring in a sufficient amount of revenue to properly take care of the propagation of our fish and the building of the necessary hatcheries for that purpose. I hope that this bill will pass. The fishermen in my county are in favor of it, not only the boys and sportsmen's clubs, but the individual fishermen believe that this is a proper change in the present law.

Mr. WHEELER. Mr. Speaker and members of the House there appears to be a great deal of vicarious suffering on behalf of these poor boys between the ages of sixteen and twenty-one. It seems to me that a boy, we will say, eighteen years of age is old enough to earn money to pay for the fish license, the amount being one dollar. We are informed that the Civil War was fought by boys eighteen years of age largely. Now, if they are old enough to serve in the army they should be old enough to share in the responsibilities of the Government. The first argument in favor of this bill, as the gentleman who just preceded me pointed out, is simply this: at the present time the Fish Commissioner states that nearly fifty per cent of the applications for fish which he receives can be honored. In other words, there are one hundred per cent more people asking for fish than he can possibly reply favorably thereto. In other words, he needs a larger sum than he is deriving at the present time. Last session, as has been pointed to you, contrary to what the gentleman from York has stated the Commissioner asked for an age limit from sixteen years upward, and that bill I am informed passed the House. It was later amended in the Senate. If we are to have a fish license at all it seems to me the general sentiment of sportsmen and men who are interested, men who come from counties where there are fish is in favor of extending the limit downwards to include those of sixteen years. If we don't consider the fish license at all then we will simply throw the cost of the department back upon the State and all the taxpayers will have to pay. It is a much fairer method as it is at the present time to assess those who share in the benefits and make them share in the natural responsibilities. I hope you will not be led away by sentiment and support this bill. It appears to me to be equitable all the way through.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the constitution the yeas and nays were taken.

Mr. SPANGLER. Mr. Speaker, I ask for a verification of the roll.

The Roll was verified as follows:

YEAS—99.

Alexander,	Evans, B. P.,	Kelly,	Richards,
Anderson,	Evans, J.,	Kennedy,	Sample,
Armstrong,	Fields,	Kunkle,	Schilling,
Arthur,	Frazier,	Labar,	Sheridan,
Asbury,	Gallaher,	Long,	Smith, G. A.,
Aston,	Gibbon,	Ludlow,	Smith, H. J.,
Beaver,	Golder,	Mack,	Smith, H.,
Bluett,	Griffith,	Marcus, J.,	Smith, J. W.,
Blumberg,	Haas,	Marcus, J. C.,	Sowers,
Brewster,	Harer,	Marshall, J. G.,	Sprowls,
Bromley,	Harter,	Mathay,	Staudenmeier,
Burchinal,	Haslett,	McDaniel,	Sterling,
Burns,	Heffernan,	McVicar,	Storb,
Bush,	Henderson,	Metcalf,	Storer,
Chaplin,	Heyburn,	Miller,	Thompson,
Clutton,	Himes,	Munley,	Vickerman,
Coldsmith,	Hontz,	Nolte,	Walker,
Colville,	Horne,	Ogle,	Wells,
Conner,	Huber,	Orr,	Wheeler,
Craig,	Irvin,	Parkinson,	Whiteman,
de Young,	Johnson,	Peelor,	Williams, G. W.,
Diehm,	Jones, C. B.,	Pitts,	Wood, W. P.,
Donahue,	Jones, D. J.,	Posey,	Wright,
Eaches,	Jones, E. P.,	Price,	Goodnough,
Edmonds,	Keene,	Raymond,	Speaker.

NAYS—85.

Albert,	Fratt,	Little,	Rippman,
Allman,	Gelder,	Lucas,	Sarig,
Behney,	Gilchrist,	Lynch,	Sautter,
Bell, F. A.,	Glasgow,	MacKinney,	Schoener,
Bell, W. T.,	Goehring,	Malie,	Schwartz,
Bentley,	Gorham,	Mangan,	Shambach,
Betts,	Goss,	Marshall, W. F.,	Spangler,
Bidelspacher,	Greeby,	McBride,	Stark,
Blair,	Grimes,	McCann,	Steedle,
Boback,	Guerin,	McClure,	Stevens, A. F.,
Brenneman,	Gundy,	McCurdy,	Stevens, A. J.,
Brown,	Haines,	McDermott,	Stoner,
Brownmiller,	Hall,	McGowan,	Thomas, L. D.,
Coyne,	Haws,	McKim,	Weamer,
Dietz,	Heffran,	Minehart,	Wettach,
Dilsheimer,	Hetrick,	Morrison,	Whitehouse,
Driggs,	Holcombe,	Myers, G. C.,	Williams, J. M.
Earley,	Hollis,	Myers, P. M.,	Wood, N.,
Eshelman,	Hoover,	Patterson,	Zook,
Flinchbaugh,	Howell,	Post,	
Flynn,	Kohler,	Rhodes,	
Fowler, D.,	Lauver,	Rinn,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Hall

The House resumed the consideration on third reading of House Bill No. 740, entitled:

An Act to amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

On the question,

Will the House agree to the bill on third reading?

Mr. HALL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend the bill, page 2, by adding at the end thereof the following paragraph:

"In any case where an appeal is taken by any tax payer on behalf of the township, such tax payer shall enter bond in such amount as the court may direct, conditioned for the payment of all costs in case the appeal hall be determined against the township and the tax payer."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

REPORT FROM COMMITTEE

Mr. HARER, asked and obtained unanimous consent to report a bill from committee at this time.

Mr. HARER, from the Committee on Appropriations, reported as amended House Bill No. 81, entitled:

An Act to provide for the ordinary expenses of the executives, judicial and legislative department of the Commonwealth, interest on the public debt and the support of the public schools for the two fiscal years beginning June first, one thousand nine hundred and twenty-three.

BILL ON FIRST READING.

Mr. HARER asked and obtained unanimous consent to have House Bill No. 81 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 81, entitled:

An Act to provide for the ordinary expenses of the executives judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-three

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS RE-REFERRED.

Mr. HARER asked and obtained unanimous consent to return bills from committee at this time.

Mr. HARER returned from the Committee on Appropriations with the recommendation that it be re-referred to the Committee on Game, House Bill No. 939, entitled:

An Act providing for the payment of certain claims for damages done to livestock, poultry or bees by bear, providing a method for the ascertainment of such damage and making an appropriation.

The SPEAKER. The bill is now re-referred to the Committee on Game.

Mr. HARER returned from the Committee on Appropriations with the recommendation that it be re-referred to the Committee on Game, House Bill No. 1203, entitled:

An Act providing a method through which the Commonwealth may co-operate with individuals in building fences to protect farm crops and fruit orchards against damage from wild deer, and making an appropriation.

The SPEAKER. The bill is now re-referred to the Committee on Game.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Walker.

The House resumed the consideration on final passage of House Bill No. 232, entitled:

An Act to amend chapter eleven article two of the Act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—106.

Alexander,	Edmonds,	Jones, C. B.,	Schilling,
Allman,	Evans, B. P.,	Jones, D. J.,	Schwartz,
Armstrong,	Evans, J.,	Keene,	Shambach,
Arthur,	Fields,	Kelly,	Smith, H.,
Asbury,	Fowler, A. I.,	Kunkle,	Smith, J. W.,
Aston,	Fratt,	Little,	Spangler,
Bell, F. A.,	Frazier,	Long,	Sprowls,
Bell, W. T.,	Gallaher,	Lucas,	Sterling,
Bentley,	Gelder,	Ludlow,	Stevens, A. F.,
Berger,	Gibbon,	Marcus, J.,	Stevens, A. J.,
Bidelspacher,	Gilchrist,	McBride,	Stoner,

Blair,	Goehring,	McCurdy,	Storb,
Bluett,	Gorham,	McGowan,	Thomas, L. D.,
Blumberg,	Greeby,	McVicar,	Thomas, M. G.,
Bromley,	Grimes,	Metcalf,	Vickerman,
Burchinal,	Guerin,	Minehart,	Walker,
Burns,	Hall,	Moore,	Weamer,
Bush,	Haslett,	Myers, P. M.,	Wells,
Chaplin,	Heffernan,	Nolte,	Whitehouse,
Clutton,	Heffran,	Ogle,	Whiteman,
Coldsmith,	Henderson,	Orr,	Williams, G. W.,
Colville,	Hetrick,	Parkinson,	Williams, J. M.,
Craig,	Himes,	Pitts,	Woner,
de Young,	Holcombe,	Posey,	Zook,
Dilsheimer,	Horne,	Post,	Goodnough,
Eaches,	Huber,	Raymond,	Speaker.
Earley,	Irvin,	Sautter,	

NAYS—48.

Anderson,	Hontz,	McDermott,	Rippman,
Betts,	Hoover,	Miller,	Sample,
Brenneman,	Howell,	Morrison,	Sarig,
Brewster,	Johnson,	Munley,	Schleiter,
Dietz,	Jones, E. P.,	Myers, G. C.,	Schoener,
Donahue,	Kennedy,	O'Boyle,	Sheridan,
Driggs,	Labar,	Patterson,	Smith, H. J.,
Eshelman,	Lauver,	Peelor,	Stavitski,
Flinchbaugh,	Lynch,	Price,	Storer,
Griffith,	Malie,	Rhodes,	Wettach,
Gundy,	Marshall, W. F.	Richards,	Wood, N.,
Harter,	McClure,	Rinn,	Wright,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present to the Senate for concurrence.

SENATE MESSAGE.

SENATE BILL FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 321. (HOUSE BILL No. 1397).

An Act to amend section one of article one of an act approved the seventh day of March, one thousand nine hundred and one, entitled, "An Act for the government of cities of the second class."

Referred to the Committee on Municipal Corporations.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. O'Boyle.

The House resumed the consideration on third reading of House Bill No. 582, entitled:

An Act to repeal an act approved the sixteenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred seventy-nine), entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safe-keeping, discipline and employment of prisoners and the government and management of said jails or county prisons"

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WHITEMAN. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Lackawanna, Mr. O'Boyle, permit himself to be interrogated.

Mr. O'BOYLE. Mr. Speaker, I will.

The SPEAKER. The gentleman will proceed.

Mr. WHITEMAN. I would like to know from the gentleman, Mr Speaker, what criticism he has to offer to the present law which was enacted in 1921.

Mr. O'BOYLE. When this bill was passed the Board was made up of the judges, the county commissioners, district attorneys and the sheriffs of the different counies. In Lackawanna couny the members of the board refused to meet and the prisoners of the county jail are walking in the streets without anybody to take care of them. The Sheriff does not know what is going on at the jail at the present time, and the reason he asked me to put in this bill to repeal the bill is only to put the county jail back in the hands of the sheriff. The sheriff is liable for anything that happens at the jail, but at the present time he knows nothing of what goes on at the jail.

Mr. WHITEMAN. It seems to me, and I think it must seem so to the members of this House, that if the conditions such as the gentleman describes in Lackawanna exist it is a case for local action and not a case for attacking a bill which was presented two years ago to correct conditions and to correct evils which had existed. The act of 1921 creating prision boards affecting third and fourth class counties has been working out in a very admirable way. I know in our own county it is far more desirable it seems to me, and the records show that it is more desirable to run a prison under the auspices and under the protection of a board made up of county officials, including the judges and the commissioners, with a warden duly delegated to look after the prison, than it is to revert to the old fashioned method by which the sheriff was given a per diem allowance for the care of prisoners, and whether the prisoners got that allowance it was hard to tell. We have our warden in Westmoreland county who conducts the prison. He presents his bills to the comptroller and they are audited every month, and the bills themselves show that the system is working out in a splendid way. In the month of February he boarded a total of 439, that means boarded the prisoners at a total cost of $1520.00. Now that has been the manner in which the law has worked in our county right along. The system of supervision is excellent. The board of prison management serves without any compensation and surely we don't want to go back to that old system that allowed a sheriff to run a jail as it existed and to pay out as much as he wanted to pay out of what he got per diem for prisoners. This is the best way it seems to me to run a prison. The act has been tested out in counties, which have been giving it fair treatment and because a situation like that as the gentleman describes exists in Lackawanna county is no reason why a good bill should be wiped off the statute books, and go back to something else which was far from being satisfactory in the past.

Mr. LUDLOW. Mr. Speaker and members of the House, there are three counties of the third class and eleven counties of the fourth class to which this bill, if passed tonight, relates. It seems a shame because there has been trouble in the county where the sponsor of this bill lives that we should be asked to repeal an act that has been effective and giving satisfaction in the other counties of the third and fourth class. This bill, if you will recall, was reported out negatively by the committee, and then placed on the calendar. It seems to me that if there was a demand from a number of the counties of the third and fourth class to change the system that the House could very well give heed to the request of the sponsor of this bill to pass this bill. It seems to me it is wrong and unless the demand from third and fourth class counties is greater, which we know it is not, that this particular bill should be defeated and the

action of the committee in reporting it out negatively sustained. I hope this particular bill is defeated.

Mr. KUNKLE. Mr. Speaker, ladies and gentlemen of tne House, I wish to register a protest against this bill. The act of 1921 has applied to Westmoreland county, one of the third class counties. It is giving good service; our jail is being kept in a model way, and we have no objection whatever to the act, or the application of the act. I will join with the gentleman preceding me in asking the ladies and gentlemen of this House to vote "no" on this bill.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. LUDLOW Mr. Speaker I ask for a verification of the roll.

YEAS—88

Albert,	Fields,	Lynch,	Rinn,
Allman,	Fowler, D.,	Mack,	Rippman,
Arthur,	Frazier,	Malie,	Sample,
Asbury,	Gibbon,	Mangan,	Sarig,
Aston,	Gilchrist,	Marcus, J. C.,	Sautter,
Behney,	Glasgow,	Marshall, W. F.	Schaeffer,
Bell, W. T.,	Golder,	McBride,	Schleiter,
Bentley,	Gorham,	McCaig,	Schoener,
Berger,	Greeby,	McCann,	Schwartz,
Betts,	Grimes,	McClure,	Sheridan,
Bluett,	Guerin,	McDermott,	Smith, H. J.,
Blumberg,	Gundy,	McGowan,	Smith, H.,
Boback,	Haines,	Millar,	Staudenmeier,
Brenneman,	Heffernan,	Miller,	Stavitski,
Brownmiller,	Hontz,	Moore,	Steedle,
Burns,	Hoover,	Munley,	Stevens, A. F.,
Coyne,	Jones, E. P.,	Myers, G. C.,	Stevens, A. J.,
Dietz,	Keene,	Myers, P. M.,	Thomas, L. D.,
Dilsheimer,	Kohler,	Nolte,	Wettach,
Donahue,	Labar,	O'Boyle,	Wheeler,
Driggs,	Lauver,	Perry,	Goodnough,
Eshelman,	Lucas,	Post,	Speaker.
		Rhodes,	

NAYS—85.

Alexander,	Griffith,	Ludlow,	Smith, J. W.,
Armstrong,	Hall,	MacKinney,	Sprowls,
Beaver,	Harter,	Mathay,	Sterling,
Bell, F. A.,	Haslett,	McCurdy,	Stoner,
Bidelspacher,	Heffran,	McDaniel,	Storb,
Blair,	Henderson,	McVicar,	Storer,
Brewster,	Hetrick,	Metcalf,	Thomas, M. G.,
Brown,	Heyburn,	Moffat,	Thompson,
Burchinal,	Himes,	Morrison,	Vickerman,
Bush,	Holcombe,	Ogle,	Walker,
Chaplin,	Hollis,	Orr,	Weamer,
Clutton,	Horne,	Parkinson,	Wells,
Coldsmith,	Huber,	Patterson,	Whitehouse,
Craig,	Irvin,	Peelor,	Whiteman,
de Young,	Jones, C. B.,	Pitts,	Williams, G. W.
Eaches,	Jones, D. J.,	Price,	Williams, J. M.,
Edmonds,	Kelly,	Raymond,	Woner,
Evans, B. P.,	Kennedy,	Richards,	Wood, N.,
Flynn,	Kunkle,	Schilling,	Wood, W. P.,
Fowler, A. I.,	Little,	Shambach,	Wright,
Fratt,	Long,	Smith, G. A.,	Zook,
Gallaher,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

QUESTION OF PERSONAL PRIVILLEGE.

Mr. McCANN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. McCANN. At the time that the roll was called on House Bill No. 171, not hearing my name called, and not arising at the proper time, I ask now unanimous consent to be recorded as voting aye on that bill.

The SPEAKER. The remarks of the gentleman from Allegheny, Mr. McCann, under his question of personal privilege will be noted upon the Journal

QUESTION OF PERSONAL PRIVILLEGE.

Mr. MANGAN. Mr. Speaker, I desire to have the same courtesy, I was late in getting here, and I was unable to cast my vote for bill No. 171. I would like to be recorded as saying that had I been here I would have voted to place the bill upon the calendar, notwithstanding the recommendation of the committee.

The SPEAKER. The remarks of the gentleman from Allegheny, Mr. Mangan will be noted upon the journal.

REPORTS FROM COMMITTEES.

Mr. DAVID J. JONES asked and obtained unanimous consent to report bills from Committees at this time.

Mr. DAVID J. JONES, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1367, (Senate Bill No. 502), entitled:

An Act prohibiting the location by cities of the third class of city prisons or lock-ups close to public school buildings.

Mr. DAVID J. JONES, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1397, (Senate Bill No. 321), entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An act for the government of cities of the second class."

BILLS ON FIRST READING.

Mr. DAVID J. JONES asked and obtained unanimous consent to have the following bills read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1367 (Senate Bill No. 502), entitled

An Act prohibiting the location by cities of the third class of any city prisons or lock-ups close to public school buildings.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1397 (Senate Bill No. 321), entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An act for the government of cities of the second class"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. JOSEPH C. MARCUS. Mr. Speaker, and members of the House, this morning I found on my desk a written statement signed by Mrs. A. G. H. Frazier, Perrysville Avenue, Pittsburgh, Pa., a lady whom I have known for a number of years and whom I hold in the highest esteem and respect. With the indulgence of the members of this

House I would like to read the article which I found on my desk:

"Dear Mr. Marcus:—

"Reading with feelings of fear and consternation (and pardon me if I add 'sincere resentment') the oft recurring statements in the newspaper that there is danger of the public school teachers of Pennsylvania having their richly deserved and hard-won salaries reduced through legislative action, I am taking the liberty of requesting your able assistance, through your official position as an honored legislator, to register in unmistakeable words my heartfelt opposition to any move, program or plan that would (or may I use the word 'dare'?) to think of taking from those women and men what they strove so many years to obtain. Mr. Marcus will you kindly at this point identify me to the House as a member of the Republican State Committee and also as Chairman of the Allegheny County Republican women who believe in the public policies and endeavors of Joseph N. Mackrell, whom you know so well. I, as a mother whose children completed the public school courses know what the American school teacher meant to me. I have never thought that these wonderful character-molding women were remunerated properly and I have heard enough recent comment to satisfy me that a storm of protest, terrible in its strength, would sweep across Pennsylvania if such a thing occurred as cutting teachers' salaries.

"In closing, Mr. Marcus, I want to trespass further on your time, to ask you kindly to request the men and women of the of the legislature to oppose the cutting of teachers' salaries with their prayers and their votes.

"Permit me to thank you, Mr. Marcus, and through you the other legislators.

Respectfully yours,
Mrs. A. G. H. Frazier,
Perrysville Avenue,
Pittsburgh, Pa."

The SPEAKER. The remarks of the gentleman from Allegheny, Mr. Marcus, under this question of personal privilege will be noted upon the Journal.

REPORT FROM COMMITTEE.

Mr. LORENZO D. THOMAS asked and obtained unanimous consent to report a bill from committee at this time.

Mr. LORENZO D. THOMAS, from the Committee on Legislative Apportionment, reported as committed, House Bill No. 1387, (Senate Bill No. 449), entitled:

An Act to amend so much of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455) entitled, "An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

BILL ON FIRST READING.

Mr. LORENZO D. THOMAS asked and obtained unanimous consent to have the following bill read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1387 (Senate Bill No. 449), entitled:

An Act to amend so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 112, as follows:

An Act to amend section five of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing for the assessment of property and the collection of taxes interest and penalties in cases of the refusal or failure of taxables to make return and in the case of false or incomplete returns

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" is hereby amended to read as follows

Section 5 That upon the refusal or failure of any taxable person copartnership unincorporated association limited partnership joint-stock association or corporation to make a return properly verified by oath or affirmation as required by this act within ten days after being notified so to do it shall be the duty of the assessor to make a return for such taxable person copartnership unincorporated association joint-stock association limited partnership or corporation from the best information he can obtain he shall examine the records and lists of judgments and mortgages returned by the prothonotary and the recorder of deeds and mortgages under the seventh and eight sections of this act in the commissioner's office or office of the board of revision of taxes or remaining in their respective offices and assess such defaulting person copartnership unincorporated association joint-stock association limited partnership or corporation with the amounts of all such liens with interest thereon and add thereto the amount of all taxable property obtained from all other sources of information which return the proper county commissioners or board of revision of taxes shall have power and it shall be their duty to revise and correct accordingly to the best information they can command from the records in their office or other sources and it shall be their duty to send for a person persons and papers and to administer an oath or affirmation to him or them in such form as shall be prescribed to which revised and corrected estimated return the proper county commissioners or board of revision of taxes shall add fifty per centum and the aggregate amount so obtained shall be the basis for taxation Provided That if such taxable person or copartnership or unincorporated association or company limited partnership joint-stock association or corporation on or before the day fixed for appeals from assessment shall present reasons supported by oath or affirmation satisfactory to the proper county commissioners or board of revision of taxes excusing a failure to make a return such as should be made to the assessors and shall then make such return the proper county commissioners or board of revision of taxes may substitute such return for that return by the assessor and corrected as aforesaid to have like effect as if no failure to return had occurred Provided further That in cases where by the refusal or failure of any taxable person copartnership unincorporated association limited partnership joint-stock association to make return has been made by the assessor and a penalty has been added by the county commissioners or board of revision of taxes or a return so

made and no penalty added such action shall not estop the county or city from the collection of any additional tax due whenever the facts may become known and it shall be the duty of the officers charged with the assessment and collection of such taxes to assess or reassess any such personal property for any former year or years and collect the balances of the tax which should have been paid together with a penalty of fifty per centum thereon and interest thereon at the rate of six per centum In ascertaining the balance found to be due no credit shall be given for any penalty formerly assessed and paid And provided further That in every case of a false or incomplete return it shall be the duty of the officers charged with the assessment and collection of said tax whenever the facts may become known to reassess the personal property of any such taxable for any former year or years and to collect the balances of the tax found to be due together with a penalty of fifty per centum and interest at the rate of six per centum

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. EDMONDS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. JEFFERSON W. SMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 145, as follows:

A Supplement to the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" authorizing the payment of taxes for county and city purposes on certain investments through the use of adhesive stamps prepared by the Auditor General of the State for the use of the several counties and cities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "investments" as used in this act shall include all of the kinds and classes of personal property hereinafter enumerated evidenced by written or printed instrument which are made taxable for county or city purposes by the act approved the seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" to which this is a supplement that is to say

(a) All moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment

(b) All articles of agreement and accounts bearing interest

(c) All public loans except those issued by this Commonwealth or by the United States and those made taxable for State purposes by the laws of this Commonwealth

(d) All loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any State Government including car trust securities and loans secured by bonds of any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by the laws of this Commonwealth

(e) All shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares of capital stock for State purposes or relieved from the payment of the tax on its shares of capital stock for State purposes by the laws of this Commonwealth

(f) All moneys loaned or invested in any other state territory the District of Columbia or any foreign country

(g) All annuities yielding annually over two hundred dollars

The word "investments" as used in this section shall be construed to include any such kind or class of personal property evidence of which is filed of record in the office of the prothonotary or recorder of deeds of any county of the Commonwealth

Section 2 Any person copartnership unincorporated association corporation joint-stock company limited partnership or company liable for the payment of tax for county or city purposes on any investment may take or send to the office of the county commissioners of the proper county or the board of revision of taxes of the city any such investment or a description thereof and pay to the county or city a tax at the rate of four mills per annum on each dollar of value thereof for any one or more years not exceeding five under such regulations as the said commissioners or board may prescribe The county commissioners or board of revision of taxes or any authorized clerk shall thereupon affix stamps hereinafter provided for to such investment or to the description thereof which stamps shall be duly signed by a commissioner a member of the board or an authorized clerk and dated as of the date of payment of such tax and the stamps shall also bear a notation of the year or years for which the taxes are paid The county commissioners shall keep a record of such investment together with the name and address of the person presenting the same and the date of the payment of the tax

After the payment of any such tax the investment shall thereafter be exempt from all assessment and taxation for county or city purposes as provided by the act to which this is a supplement for the period of years for which such tax shall have been paid and such stamps affixed

The taxing value placed upon any such investment by the county commissioners or board of revision of taxes shall be the taxing value thereof for the year or years for which the tax is paid and no additional tax shall be assessed or collected and no abatement or deduction shall be allowed or returned for any increase or decrease in the value of such investment for the year or years for which such taxes are paid Whenever any stamps are affixed to any description of an investment the said description with the stamps thereon shall be attached to the investment and when so attached shall evidence the payment of the tax unless said description shall be in any material matter false in which case the taxes due together with a penalty of ten per centum per annum shall be assessed and collected in the manner such taxes are now assessed and collected by law

Section 3 Whenever any investment is sold or disposed of by the owner thereof the stamps upon such investment or a description thereof shall in the hands of the purchaser thereof be evidence of the payment of the tax for the year or years for which paid In cases where new evidences of such investments are issued the purchaser thereof may secure new stamps from the county commissioners or the board of revision of taxes at actual cost under such uniform rules and regulations as the Auditor General may prescribe and such stamps when affixed to the investment or a description thereof as hereinbefore provided shall evidence the payment of the said taxes for the year or years for which the taxes were originally paid

Section 4 Adhesive stamps for the purpose of indicating the payment of the tax provided for by this act shall be prepaid by the Auditor General of the Commonwealth in such form and of such denominations and in such quantities as may from time to time prescribe The stamps so prepared shall be of two kinds the one kind to be used when taxes are originally paid on any investment and the other kind to be used when new evidences of investment are issued upon which

taxes have been theretofore paid Such stamps when so prepared shall be sold by the Auditor General to the county commissioners and boards of revision of taxes at actual cost and shall be used only for the purpose of paying the tax on investments as hereinbefore provided

Section 5 Any person who shall wilfully remove or cause to be removed alter or cause to be altered the cancelling or defacing marks of any such adhesive stamp with intent to use the same or cause the use of the same after it shal have been used or shall knowingly or wilfully sell or buy any washed or restored stamp or offer the same for sale or give or expose the same to any person for use or knowingly use the same or prepare the same with intent for further use thereof or shall wilfully use any counterfeit stamp or forged stamp with intent to defraud shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars nor more than one thousand dollars or be imprisoned for not more than six months or both

Section 6 All taxes collected under the provisions of this act shall be paid into the county or city treasury for the use of the county or city

Section 7 All acts and parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. EDMONDS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. JEFFERSON W. SMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 709, as follows:

A Supplement to an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the same of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" providing additional taxes upon the transfer of certain kinds and classes of personal property upon which county and city taxes have not been paid as required by law

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Auditor General or his agent shall in every case where there is a transfer of personal property or interest therein as provided by the act to which this is a supplement ascertain whether there has been any transfer of personal property of the kind or classes made taxable for county or city purposes by the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" and if there be any such personal property the Auditor General or his agent shall further ascertain whether all county and city taxes have been paid as required by law and for such purposes shall examine the tax records of the proper county or city or view the personal property in question to see whether said tax has been paid through stamps affixed to said personal property as permitted by law

Section 2 In all cases where the Auditor General shall ascertain that any county or city taxes upon any such personal property have not been paid to the date of the decedent's death he shall assess upon the clear value of such property a tax of five per centum in addition to the taxes imposed by the act to which this is a supplement and the register of wills as agent for the Commonwealth shall collect said taxes in the same manner with like powers and compensation as transfer inheritance taxes are collected Any personal representative who shall fail to pay any of the taxes imposed by this act after the amount due has been ascertained by the Auditor General or his agent shall become personally liable therefor

All taxes collected under the provisions of this act by the register of wills shall be paid by him into the general fund of the State Treasury and he shall furnish to the Auditor General a monthly statement of all such taxes collected

Section 3 This act shall not apply to any personal property held by a decedent actually engaged in the bona fide purchase and sale of investments as a business and who at the time of his death maintained an office or place of business in this State for the carrying on of the actual bona fide business of purchasing and selling investments as distinguished from the purchase thereof for investment purposes and who held such property for sale or transfer for the purpose of his business and not as an investment

Section 4 All acts and parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. EDMONDS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. JEFFERSON W. SMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 899, as follows:

An Act to amend section eight of the act approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws one thousand fifty-five) entitled "An Act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital" as amended changing the name of said hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of the act approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws one thousand fifty-five) entitled "An Act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital" which as amended by the act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and seventy-four) entitled "An Act to amend section eight of an act entitled 'An Act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital' approved the eighteenth day of

June Anno Domini one thousand nine hundred fifteen (Pamphlet Laws one thousand and fifty-five)" is hereby further amended to read as follows

Section 8 Immediately upon the passage of this act the Governor by and with the advice and consent of the Senate shall appoint a board of nine (9) trustees who in addition to the powers hereinafter conferred shall have power to purchase any additional lands that may be necessary for the proper administration of said hospital and shall have and possess all the powers nereinbefore conferred upon the building commission of said hospital which commission is hereby abolished The said board of trustees shall be a body corporate and shall be known by the name and style of the Torrance State Hospital The members of the said board shal serve without compensation but shall be reimbursed for expenses incurred by them in the performance of their duties

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCAIG. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Coldsmith, permit himself to be interrogated?

Mr. COLDSMITH. Yes, sir.

Mr. McCAIG. May I ask the sponsor of this bill where this hospital is located.

Mr. COLDSMITH. This bill was handed to me by one of the Departments. The location, I could not tell you, sir, but it is in the western part of the state somewhere. This just changes the name.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Albert,	Flinchbaugh,	Long,	Sample,
Alexander,	Fowler, A. I.,	Lucas,	Sarig,
Allman,	Fowler, D.,	Ludlow,	Sautter,
Anderson,	Frazier,	Lynch,	Schaeffer,
Armstrong,	Gallaher,	MacKinney,	Schilling,
Arthur,	Gibbon,	Malie,	Schoener,
Asbury,	Gilchrist,	Marcus, J. C.,	Schwartz,
Aston,	Glasgow,	Marshall, W. F.	Shambach,
Behney,	Goehring,	Mathay,	Sheridan,
Bell, F. A.,	Gorham,	McBride,	Smith, G. A.,
Bell, W. T.,	Goss,	McCaig,	Smith, H. J.,
Bentley,	Greeby,	McCann,	Smith, H.,
Berger,	Griffith,	McClure,	Smith, J. W.,
Bidelspacher,	Grimes,	McCurdy,	Sowers,
Blair,	Guerin,	McDaniel,	Spangler,
Bluett,	Gundy,	McDermott,	Stark,
Blumberg,	Hall,	McVicar,	Staudenmeier,
Boback,	Harter,	Metcalf,	Stavitski,
Brenneman,	Haslett,	Miller,	Sterling,
Brewster,	Haws,	Minehart,	Stevens, A. F.,
Bromley,	Heffernan,	Moffat,	Stevens, A. J.,
Brown,	Henderson,	Moore,	Stofflet,
Brownmiller,	Hetrick,	Morrison,	Thomas, L. D.,
Burchinal,	Heyburn,	Munley,	Thomas, M. G.,
Burns,	Himes,	Myers, G. C.,	Thompson,
Bush,	Holcombe,	Myers, P. M.,	Vickerman,
Chaplin,	Hontz,	Nolte,	Walker,
Clutton,	Hoover,	O'Boyle,	Weamer,
Coldsmith,	Horne,	Ogle,	Wells,
Colville,	Howell,	Orr,	Wettach,
Craig,	Huber,	Parkinson,	Wheeler,
de Young,	Irvin,	Patterson,	Whitehouse,
Diehm,	Johnson,	Peelor,	Whiteman,
Dietz,	Jones, C. B.,	Perry,	Williams, G. W.
Dilsheimer,	Jones, D. J.,	Pitts,	Williams, J. M.,
Donahue,	Jones, E. P.,	Posey,	Woner,
Driggs,	Keene,	Post,	Wood, N.,
Eaches,	Kennedy,	Price,	Wood, W. P.,
Earley,	Kohler,	Raymond,	Wright,
Edmonds,	Kunkle,	Rhodes,	Zook,
Eshelman,	Labar,	Richards,	Goodnough,
Evans, J.,	Lauver,	Rinn,	Speaker.
Fields,	Little,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

HOUSE BILL No. 411.

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the laws relating thereto"

With information that the Senate has passed the same without amendment.

ADJOURNMENT.

Mr. LUCAS. Mr. Speaker, I move that this House do now adjourn until 11:00 o'clock to-morrow morning.

The motion was agreed to, and (at 11:59 P. M.) the House adjourned until 11:00 o'clock to-morrow morning.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

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SENATE

TUESDAY, APRIL 10, 1923.

The Senate met at 11:00 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Father in Heaven: We thank Thee for this new day of life. Help us to use it and not abuse it. May we spend it not primarily for our own pleasure and profit, but to Thine honor and glory and for the welfare of our fellowmen. Bless the Senators as they take up the important business that lies before them, and help them to arrive at wise decisions. Bless our Presiding Officer, and remember our Governor amid his arduous duties. Bless the President of the United States, and watch over our Commonwealth and our Nation and the whole world. We ask it in the name of Jesus Christ. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

PETITION.

AGAINST PASSAGE OF SENATE BILL No. 101.

Mr. VARE presented petition of Philadelphia Board of Trade, protesting against the passage of Senate Bill No. 101.

Which was referred to the Committee on Banks and Building and Loan Associations.

REPORTS FROM COMMITTEES.

Mr. CRAIG, from the Committee on Education, reported as committed, Senate Bill No. 228, (House Bill No. 162), entitled:

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

Also from the Committee on Forestry, reported as committed, Senate Bill No. 718, (House Bill No. 728), entitled:

An Act to amend article X of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" adding thereto a section to be section one thousand nine providing a penalty for interfering with notices posted by the Department.

Mr. CLARK, from the Committee on Forestry, reported as committed, Senate Bill No. 716, (House Bill No. 721), entitled:

An Act to amend section one hundred and two clause (j) article one of the act approved June 3, 1915 (P. L. 797) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries, prescribing penalties for the violation thereof and repealing all laws, general, special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for co-operation with and receipts of contributions from persons, firms, corporations or associations for forest protection.

Mr. MacDADE, from the Committee on Forestry, reported as committed, Senate Bill No. 717, (House Bill No. 727), entitled:

An Act to amend Article X of the act approved the third day of June, 1915, (P. L. 797) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general, special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto section one thousand and eight regulating civil actions by and on behalf of persons and the Commonwealth suffering damage from forest fires and making an appropriation.

Also from the Committee on Judiciary General, reported as amended, Senate Bill No. 355, (House Bill No. 206), entitled:

An Act to further amend section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before issuing of the writ.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 663, (House Bill No. 461), entitled:

An Act to better secure all bonds stocks mortgages or other securities deposited with the State Treasurer by providing for their inspection examination and verification and the verification of the books containing a record of such bonds stocks mortgages or other securities by the Auditor General or his agents.

Mr. KUTZ, from the Committee on Judiciary General, reported as committed, Senate Bill No. 649, entitled:

An Act to repeal the act approved the sixth day of June, one thousand eight hundred and seventy-three, (1874, P. L. 410), entitled "An Act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny."

Mr, CULBERTSON, from the Committee on Forestry, reported as committed, Senate Bill No. 719, (House Bill No. 729), entitled:

An Act to amend sections one thousand, one thousand two, one thousand three, and one thousand four, Article ten of the act approved June 3, 1915 (P. L. 797) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry, designating the officers who shall constitute the Bureau their duties and salaries, prescribing penalties for the violation thereof and repealing all laws, general, special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden refusing to aid a fire warden hindering a forest protection officer in his duties or non-abatement of a nuisance caused by maintaining a special forest fire hazard.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 746, entitled:

An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the Fourth class, and authorizing the expenditure of a portion of all of said fines for the support and maintenance of a law library in said counties.

Mr. DERRICK, from the Committee on Education, reported as committed, Senate Bill No. 653, entitled:

An Act to amend section one thousand four hundred and six, as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. WEAVER, from the Committee on Education, reported as committed, Senate Bill No. 654, entitled:

An Act to amend sections one, two, three, and four of an act approved the eighteenth day of June, one thousand nine hundred and nineteen, (Pamphlet Laws, four hundred ninety-eight), entitled "An Act defining consolidation of schools providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools."

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 655, entitled:

An Act for the enforcement of the penal and criminal laws of the Commonwealth, expediting the administration thereof, and enlarging and defining the duties and powers of the Attorney General and of his Deputies with respect thereto.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 268, entitled:

A Joint Resolution proposing an amendment to article four section eight of the Constitution of the Commonwealth of Pennsylvania prohibiting after adjournment the appointment to office of any person whose nomination the Senate failed to confirm.

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 699, (House Bill No. 857), entitled:

An Act providing for the lapsing of unexpended or unencumbered balances of appropriations.

Mr. STITES, from the Committee on Judiciary General, reported as amended, Senate Bill No. 764, entitled:

An Act fixing the salary of court criers in counties of the sixth class.

Mr. STEELE, from the Committee on Education, reported as committed, Senate Bill No. 657, entitled:

An Act empowering School Districts to employ a Police Force.

Mr. BALDWIN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 613, entitled:

An Act amending sections one, two and eleven of an act approved the twenty-third day of April, one thousand nine hundred and three, (P. L. 274), entitled "An Act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment and control of dependent, neglected, incorrigible and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised;" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency.

Mr. BARR, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 685, entitled:

An Act to amend sections one, two, three, five and seven, as amended of an act approved the first day of May, one thousand nine hundred and nine, (P. L. 321), entitled "An act to provide for State registration of nurses, to establish a State Board of Examiners in connection therewith, and to provide penalties for the violation of certain provisions regarding such registration;" by providing for a change in membership of the Board, for a change in salary of the secretary, treasurer, educational director and of the members of the Board.

Also from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 686, entitled:

An Act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of Nurses, and the issuance of a license to practice nursing.

Mr. DAVIS, from the Committee on New Counties and County Seats, reported as amended, Senate Bill No. 707, (House Bill No. 476), entitled:

An Act creating, regulating and defining the powers of a County Planning Commission and authorizing the creation of a county plan in counties of the second class, requiring the county commissioners to furnish to the commission before passage resolutions relating to county improvements to roads, lands, buildings or means of communcations authorizing the commission to report suggestions to the county commissioners concerning improvements and to appear in court with reference thereto authorizing the making of a county map and plan including territory extending three miles beyond the county limits showing proposed improvements in roads, lands, buildings and means of communication.

Mr. SALUS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 506, entitled:

An Act to amend section two of an act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking associa-

tion, standing in the name of any decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended.

Mr. DAIX, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 266, entitled:

An Act providing for only one assessment of all property for taxation in cities of the third class within this Commonwealth, directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such assessors, to perform all other duties now performed by the county assessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes, city, school, county, poor and other taxes to be levied on assessment.

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 267, entitled:

An Act relating to the collection of city, county, school, poor and other taxes in the several cities of the third class in this Commonwealth, providing that the city treasurer of each of said cities shall be the collector of the said several taxes, prescribing his duties, providing for his compensation, authorizing him to appoint deputy collectors and clerks and providing for their compensation.

Mr. SCHANTZ, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 229, (House Bill No. 211), entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for any lawful purpose defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto making an appropriation of the proceeds of such bonds for the purposes intended providing for the payment of interest on and the redemption of such bonds by the Sinking Fund Commission and fixing the compensation of the loan and transfer agent of the Commonwealth in connection therewith.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 703, (House Bill No. 87), entitled:

An Act making a deficiency appropriation to carry into effect the provisions of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-five) entitled "An Act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 704, (House Bill No. 121), entitled:

An Act making a deficiency appropriation to the State Hospital of Coaldale.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 711, (House Bill No. 641), entitled:

An Act making a deficiency appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 722, (House Bill No. 789), entitled:

An Act making a deficiency appropriation to the Pennsylvania Industrial Reformatory at Huntingdon Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 723, (House Bill No. 790), entitled:

An Act making a deficiency appropriation to the Pennsylvania Training School at Morganza Pennsylvania.

Mr. QUIGLEY, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 528, (House Bill No. 412), entitled:

An act authorizing any county separately or counties interested jointly to lease for a term of years from a bridge company or corporation any toll bridge spanning a river or stream when such bridge is used solely for highway purposes or jointly for highway railroad or street railway purposes discontinuing tolls on any such bridge during such lease and authorizing counties to appropriate money levy taxes and incur indebtedness for such purposes.

Mr. MANSFIELD, from the Committee on Education, re-reported as committed, Senate Bill No. 451, entitled:

An Act to amend section one thousand four hundred and twenty-three of an act approved May 18, 1911, (P. L. 309), entitled "An act to establish a pubilc school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" conferring jurisdiction on the municipal court to enforce compulsory attendance of pupils.

Mr. ARON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 598, entitled:

An act authorizing cities of the third class to sell certain real estate, and prescribing the procedure to be followed:

Mr. MANSFIELD, from the Committee on Municipal Affairs reported as amended, Senate Bill No. 388, entitled:

An act relating to the assessment and value of property and occupations for the purpose of taxation in counties of the second class creating a general board of tax appeal providing for the appointment of subordinate assessors of personal property and occupations and for the annual assessment and valuation of personal property and occupations through-out the county and for the annual assessment and valuation of real property except in cities and authorizing said General Board of Tax Appeal to make assessments of property in such County for State purposes under any laws hereinafter to be enacted making assessments and valuations for city purposes the basis for county valuations within such city and imposing part of the cost of such assessments on the county imposing certain duties on certain city officers making certain city officers members of the general board of tax appeal in certain cases abolishing the board for the assessment and revision of taxes and providing penalties.

Mr. DAVIS, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 168, (House Bill No. 183), entitled:

An act providing for the establishing and maintenance of uniform building lines in cities of the third class.

Mr. JOYCE, from the Committee on New Counties and County Seats, reported as amended, Senate Bill No. 389, entitled:

An act creating a Department of Real Estate and Assessment in cities of the second class; providing for the appointment, qualifications, compensation and dismissal of a commissioner and deputy commissioners where a county tax assessors' examining board exists and where no such board exists; prescribing the powers and duties of such department with regard to valueing real property for any purpose, and in valueing and assessing property for the purpose of taxation; providing for annual assessments, the classification of real property for purposes of taxation into buildings on land and land exclusive of buildings, and the assessment of a less tax upon the buildings than upon the land exclusive of buildings; and abolishing the Department of Assessors.

Mr. SMITH, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 452, entitled:

An Act for the protection of the public health in the manufacture and sale of soft drinks, still and carbonated: providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing and compounding of soft drinks, still and carbonated, and the sale and dispensing thereof; creating a special fund in the State Treasury, and making an appropriation thereof; and prescribing penalties.

BILLS INTRODUCED.

Mr. BUCKMAN, read in his place and presented to the Chair Senate Bill No. 769, entitled:

A Supplement to an act approved the tenth day of March, one thousand nine hundred and twenty-one (Appropriation Acts, page 11) entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highways; for the payment of the Commonwealth's share in the expenses of constructing State-aid Highways; for the maintenance and repair of State Highways within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department;" by extending the date for the apportionment of State-aid appropriations made by said act.

Which was committed to the Committee on Appropriations.

Mr. CULBERTSON, read in his place and presented to the Chair Senate Bill No. 770, entitled:

An Act fixing the salary of sheriffs in counties of the eighth class; providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and prescribing penalties.

Which was committed to the Committee on New Counties and County Seats.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 771, entitled:

An Act to further amend Route sixty-three of Section six of an act approved the thirty-first day of May, A. D. 1911, entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for the purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and in corporated towns with Commonwealth governing same, providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

Mr. CRAIG read in his place and presented to the Chair Senate Bill No. 772, entitled:

An Act to amend an act, approved the twenty-first day of July, 1919 (P. L. 1057) entitled "An act to amend section one, and to supplement an act, approved the twenty-fifth day of July, one thousand nine hundred and seventeen (P. L. 1202), entitled 'An act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks, private bankers, and trust companies doing business within this Commonwealth, and making an appropriation'; extending the powers and duties of the commission so as to include the condification and revision of the law relating to all corporations, persons, partnerships, and associations under the supervision of the Banking Department; and making an appropriation"; extending said commission for a further period of two years; and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 773, entitled:

An Act to amend section two of the act approved the eighth day of April, 1861, (P. L. 270) entitled "An act for the suppression of fortune telling and similar purposes."

Which was committed to the Committee on Judiciary General.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 774, entitled:

An Act to establish as a State Highway a certain section of public road in the counties of Cambria and Blair.

Which was committed to the Committee on Public Roads and Highways.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 775, entitled:

An Act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners.

Which was committed to the Committee on Public Roads and Highways.

Mr. STITES, read in his place and presented to the Chair Senate Bill No. 776, entitled:

An Act making an appropriation for the restoration of buildings and property at the State Hospital for the In-

sane of the Southeastern District of Pennsylvania, located at Norristown, Pennsylvania, damaged and destroyed by a cyclone.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 777, entitled:

An Act authorizing the commissioners of Valley Forge Park to convey certain lands to an Historical Society incorporated to secure preserve and publish documents relating to the history of Valley Forge and the heroes of the United States in creating and perpetuating the republic; and making an appropriation of the moneys received therefor.

Which was committed to the Committee on Appropriations.

TIME OF NEXT MEETING.

Mr. BUCKMAN offered the following resolution which was twice read considered and agreed to:

In the Senate, April 10, 1923.

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day it reconvene on Monday evening, April sixteenth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, April sixteenth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 199.

Mr. SCHANTZ, offered the following resolution, which was twice read, considered and agreed to:

Resolved (if the House of Representatives concur), That Senate Bill No. 199, entitled "An act to exempt certain real estate of certain organizations of war veterans from taxation," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 15, as follows:

An Act relating to the retirement of certain officers and employes of the State Government and their compensation including officers and employes heretofore retired

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the phrase "State employe" as used in this act includes (a) all officers and employes of the executive and legislative branches of the State government including officers and employes of the Department of Public Instruction who at the time of retirement are not contributors to the State Teachers' Retirement Fund and entitled to retirement in accordance therewith (b) all officers and persons employed by the Supreme and Superior Courts and (c) all salaried officers and employes of hospitals asylums penitentiaries reformatories and other institutions operated by the Commonwealth

Section 2 Any State employe who has served as such for twenty-five years or more or who has served as such for twenty years or more and has reached the age of sixty-five years shall be eligible to retirement under the provisions of this act if he or she is in the opinion of the Governor incapacitated or disabled from performing his or her regular official duties

Section 3 Any State employe desiring to take advantage of the provisions of this act may express to the Governor his or her desire to do so The Governor upon the receipt of any such expression of desire or upon his own initiative may notify any such State employe of the privilege to be so retired and in either case if such State employe shall resign within thirty days after such notice and shall hold himself or herself in readiness to perform special duties in such ways as he or she may be reasonably able to perform after such retirement by resignation he or she shall receive annually during the remainder of his or her life or during the continuance of such disability or incapacity one-half of the salary compensation emoluments which he or she received during the year preceding the time of retirement

Section 4 No such State employe while accepting the benefits of this act shall be entitled to any additional compensation for the performance of any duties assigned to him hereunder and no such employe shall be obliged to accept an assignment of duty from any department or branch of service of which he was an employe at the time of his retirement except in cases where the duties so to be performed have been transferred to some other department or branch of service

Section 5 All payments under this act shall be made monthly only upon the certificates of the head of the proper department or branch of service or the department or branch of service to which the duties of such State employe have been transferred that such retired State employe is living and willing to perform the special duties assigned to him by such State official

Section 6 Any State employe who has been heretofore retired under the provisions of any act repealed by this act shall continue to be so retired and shall be entitled to all the benefits emoluments and be subject to the performance of all the duties provided for by this act

Section 7 The General Assembly shall at each biennial session appropriate moneys sufficient for the payment of the salaries compensation and emoluments of all such retired State employes

Section 8 That the following acts of Assembly are hereby repealed

The act approved the fourteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and seventy-three) entitled "An Act to provide for retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement"

The act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws five hundred and fifty-nine) entitled "An Act to amend an act entitled 'An Act to provide for retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement' approved the fourteenth day of June Anno Domini one thousand nine hundred and fifteen so as to extend the operation thereof to all employes in penitentiaries and other institutions operated by the Commonwealth as well as those more directly in the service thereof"

The act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and ninety-seven) entitled "An Act to amend section one of an act approved the fourteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-three) entitled 'An Act to provide for retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement' as amended by changing the conditions under which said employes can be retired and the procedure therein changing the pension period and defining the term 'State employe' to include officers and employes in the legislative and executive branches of the State Government and of State institutions"

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—17.

Aron,	Joyce,	Salus,	Stineman,
Baldwin,	Craig,	Schantz,	Woodward,
Berntheizel,	Culberston,	Sisson,	Eyre,
Brown,	Davis,	Steele,	Pres. Pro Tem.
Clark,	MacDade,		

NAYS—17.

Barr,	Krause,	Mansfield,	Smith,
Betts,	Kutz,	Miller,	Snyder,
Buckman,	Lanius,	Norton,	Sones,
Derrick,	Long,	Quigley,	Sprowls,
DeWitt,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 258, as follows:

An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" fixing the compensation of township auditors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred and twenty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" is hereby amended to read as follows

Section 325 The auditors of townships of the first and second class shall meet annually on the day following the day which is fixed by this act for the organization of the township supervisors or the township commissioners of the several townships respectively and shall audit settle and adjust the accounts of the supervisors commissioners road-masters treasurer and tax collector of the township Two auditors shall constitute a quorum

Any officer whose act or neglect has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss

Each auditor shall receive five dollars per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Aron,	Davis,	Lanius,	Sones,
Baldwin,	Craig,	Long,	Sprowls,
Barr,	Culberston,	MacDade,	Steele,
Berntheizel,	Derrick,	Mansfield,	Stineman,
Betts,	DeWitt,	Miller,	Weaver,
Brown,	Joyce,	Quigley,	Eyre,
Buckman,	Krause,	Sisson,	Pres. Pro Tem.
Clark,	Kutz,	Snyder,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 153 on third reading, entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to certain aged persons and providing for their burial creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county defining their powers and duties providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators making counties liable for certain expenses providing penalties and making an appropriation

be recommitted to the Committee on Appropriations for amendment.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 203, as follows:

A Joint Resolution proposing an amendment to Article Three Section six of the Constitution of the Commonwealth of Pennsylvania so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth Article thereof

That section six of article three be amended so as to read as follows

Section 6 No law shall be revived amended or the provisions thereof extended or conferred by reference to its title only but so much thereof as is revived amended extended or conferred shall be re-enacted and published at length and the subject of the amendment or supplement and the subject to which such law is extended or on which it is conferred shall also be clearly expressed in its title

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Aron,	Culberston,	Long,	Snyder,
Baldwin,	Daix,	MacDade,	Sones,
Barr,	Davis,	Mansfield,	Steele,
Berntheizel,	Derrick,	Miller,	Stineman,
Betts,	DeWitt,	Norton,	Weaver,
Brown,	Joyce,	Patton,	Woodward,
Buckman,	Krause,	Quigley,	Eyre,
Clark,	Kutz,	Schantz,	Pres. Pro Tem.
Craig,	Lanius,	Sisson,	

NAYS—2

Salus,	Sprowls,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 312, (House Bill No. 325), entitled:

An act to require counties to cause the graves of honorably discharged soldiers sailors and marines to be decorated with flags on Memorial Day

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Aron,	Culberston,	Mansfield,	Sones,
Baldwin,	Daix,	Miller,	Sprowls,
Barr,	Davis,	Patton,	Steele,
Berntheizel,	Derrick,	Quigley,	Stineman,
Betts,	DeWitt,	Salus,	Weaver,
Brown,	Joyce,	Schantz,	Woodward,
Buckman,	Kutz,	Sisson,	Eyre,
Clark,	Long.	Smith,	Pres. Pro Tem.
Craig.	MacDade,	Snyder,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. DAVIS. Mr. President, I desire to know if any Senator on the floor can explain this bill? If not I ask that Senate Bill No. 396, (House Bill No. 362) on third reading, entitled:

An act to empower and authorize any schools or college or institution or optometry incorporated under the laws of Pennsylvania organized operated and conducted not for profit which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 397, (House Bill No. 447), entitled

An Act to amend section five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Aron,	Derrick,	Miller,	Sones,
Baldwin,	DeWitt,	Norton,	Sprowls,
Barr,	Einstein,	Patton,	Steele,
Betts,	Joyce,	Quigley,	Stineman,
Brown,	Krause,	Salus,	Vare,
Clark,	Kutz,	Schantz,	Weaver,
Craig,	Lanius,	Sisson,	Woodward,
Culberston,	Long,	Smith,	Eyre,
Daix,	MacDade,	Snyder,	Pres. Pro Tem.
Davis,	Mansfield,		

NAYS -7.

Berntheizel,	Harris,	Hornsher,	Stites,
Buckman,	Heaton,	Jones,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded ta the third reading and consideration of Senate Bill No. 439, as follows:

An Act to amend sections one thousand one hundred five and one thousand one hundred thirty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand one hundred five of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 1105 The school directors of each county of this Commonwealth in which a county superintendent is to be elected shall meet in convention at the county-seat of their county in the court-house or some other suitable place to be furnished by the county commissioners at the expense of the county on the second Tuesday of April one thousand nine hundred and eighteen (1918) and on the same day of every fourth year thereafter and by a majority vote of those present elect as herein provided one duly qualified person as county superintendent to serve for four years from the first day of July next followiug

Section 2 That section one thousand one hundred thirty-four of said act is hereby amended to read as follows

Section 1134 The boards of school directors of each district of the second or third class electing a district superintendent shall meet in convention at its regular place of meeting on the second Tuesday of April one thousand nine hundred and eighteen (1918) and every four years thereafter at an hour previously fixed by said board and the secretary snall mail to each member thereof at least five days beforehand a notice of the time place and purpose of such convention Such convention shall in the same manner as a county superintendent is elected and certified elect and certify a properly qualified district superintendent to serve for four years from the first day of July next following his election

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Consitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Derrick,	Long.	Smith,
Baldwin,	Davis,	MacDade,	Snyder,

Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Einstein,	Miller,	Sprowls,
Betts,	Harris,	Norton,	Steele,
Brown,	Jones,	Patton,	Vare,
Buckman,	Joyce,	Quigley,	Weaver,
Clark,	Krause,	Salus,	Woodward,
Craig,	Kutz,	Schantz,	Eyre,
Culberston,	Lanius,	Sisson,	Pres. Pro Tem.
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 472, entitled:

An Act to amend section one of an act approved July eighteenth one thousand nine hundred seventeen (Pamphlet Laws one thousand seventy-two) entitled "An act providing a method of establishing title to land asquired at a sale for unpaid taxes" extending the provisions of said act to all such sales

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Aron,	Davis,	MacDade,	Sones,
Baldwin,	Derrick,	Mansfield,	Sprowls,
Barr,	DeWitt,	Miller,	Steele,
Berntheizel,	Einstein,	Norton,	Stineman,
Betts,	Harris,	Patton,	Stites,
Brown,	Homsher,	Quigley,	Vare,
Buckman,	Joyce,	Salus,	Weaver,
Clark,	Krause,	Schantz,	Woodward,
Craig,	Kutz,	Sisson,	Eyre,
Culberston,	Lanius,	Smith,	Pres. Pro Tem.
Daix,	Long,	Snyder,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideraation of Senate Bill No. 489, entitled:

An act to amend section two of the act of April nineteenth one thousand nine hundred and one Pamphlet Laws eighty-eight entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Einstein,	Mansfield,	Sprowls,
Berntheizel,	Harris,	Miller,	Steele,
Betts,	Heaton,	Norton,	Stineman,
Brown,	Homsher,	Patton,	Stites,
Buckman,	Jones,	Quigley,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culberston,	Kutz,	Sisson,	Eyre,
Daix,	Lanius,	Smith,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. BARR. Mr. President, I move that Senate Bill No. 507, on third reading, entitled:

An Act to amend section one of an act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred ninety-four) entitled "An ac providing that estates in buildings ground books curios pictures statuary and other works of art passing by will to any municipality corporation or unincorporated body for free exhibition within Pennsylvania shall not be subject to collateral inheritance tax and in certain instances the date when such tax shall become due" extending the act to property passing to colleges universities and educational institutions

be recommitted to the committee on Finance.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 509, entitled:

An Act to require the teaching of the Constitution of the United States in the public and private schools

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Einstein,	Mansfield,	Sprowls,
Berntheizel,	Harris,	Miller,	Steele,
Betts,	Heaton,	Norton,	Stineman,
Brown,	Homsher,	Patton,	Stites,
Buckman,	Jones,	Quigley,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culberston,	Kutz,	Sisson,	Eyre,
Daix,	Lanius,	Smith,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 511, entitled:

An Act making it a misdemeanor to forge or to make or manufacture any object with intent of representing or of permitting the same to be represented as an archeological specimen or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully forged made or manufactured and providing penalties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Einstein,	Mansfield,	Sprowls,
Berntheizel,	Harris,	Miller,	Steele,
Betts,	Heaton,	Norton,	Stineman,
Brown,	Homsher,	Patton,	Stites,
Buckman,	Jones,	Quigley,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culberston,	Kutz,	Sisson,	Eyre,
Daix,	Lanius,	Smith,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. DAVIS. Mr. President, I ask that Senate Bill No. 533, (House Bill No. 524), on third reading, entitled:

An Act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 537, (House Bill No. 560), entitled:

An Act to repeal the act approved February twenty-third one thousand eight hundred and seventy (Pamphlet Laws two hundred twenty-three) entitled "An act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county" and the act approved May nineteenth one thousand eight hundred seventy-one (Pamphlet Laws nine hundred eighty-three) entitled "A supplement to an act entitled 'An act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county' passed the twenty-third day of February Anno Domini one thousand eight hundred and seventy"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Einstein,	Mansfield,	Sprowls,
Berntheizel,	Harris,	Miller,	Steele,
Betts,	Heaton,	Norton,	Stineman,
Brown,	Homsher,	Patton,	Stites,
Buckman,	Jones,	Quigley,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culberston,	Kutz,	Sisson,	Eyre,
Daix,	Lanius,	Smith,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 545, (House Bill No. 635), entitled:

An Act to amend section six of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated "as deceased service men" defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Einstein,	Mansfield,	Sprowls,
Berntheizel,	Harris,	Miller,	Steele,
Betts,	Heaton,	Norton,	Stineman,
Brown,	Homsher,	Patton,	Stites,
Buckman,	Jones,	Quigley,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culberston,	Kutz,	Sisson,	Eyre,
Daix,	Lanius,	Smith,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 581, entitled:

An Act to further amend section one thousand two hundred ten as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Einstein,	Mansfield,	Sprowls,
Berntheizel,	Harris,	Miller,	Steele,
Betts,	Heaton,	Norton,	Stineman,
Brown,	Homsher,	Patton,	Stites,
Buckman,	Jones,	Quigley,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culbertson,	Kutz,	Sisson,	Eyre,
Daix,	Lanius,	Smith,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 601, entitled:

An Act authorizing boards of revision of taxes and boards for the assessment and revision of taxes to hear and dispose of appeals away from the county seat

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Einstein,	Mansfield,	Sprowls,
Berntheizel,	Harris,	Miller,	Steele,
Betts,	Heaton,	Norton,	Stineman,
Brown,	Homsher,	Patton,	Stites,
Buckman,	Jones,	Quigley,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culbertson,	Kutz,	Sisson,	Eyre,
Daix,	Lanius,	Smith,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. SNYDER. Mr. President, I ask in the absence of the sponsor, that Senate Bill No. 634, on third reading, entitled:

An Act to amend section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred three) entitled "An act regulating the fees of notaries public"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 668, (House Bill No. 697), entitled:

An Act making it unlawful for any county city borough or incorporated town to prohibit the wearing of certain military insignia by its employees upon their uniforms

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Einstein,	Mansfield,	Sprowls,
Berntheizel,	Harris,	Miller,	Steele,
Betts,	Heaton,	Norton,	Stineman,
Brown,	Homsher,	Patton,	Stites,
Buckman,	Jones,	Quigley,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culbertson,	Kutz,	Sisson,	Eyre,
Daix,	Lanius,	Smith,	Pres. Pro Tem.
Davis,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 680, (House Bill No. 760), entitled:

An act to amend section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have legal residence at the time of their death"

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Einstein,	Mansfield,	Sprowls,
Berntheizel,	Harris,	Miller,	Steele,
Betts,	Heaton,	Norton,	Stineman,
Brown,	Homsher,	Patton,	Stites,
Buckman,	Jones,	Quigley,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culbertson,	Kutz,	Sisson,	Eyre,
Daix,	Lanius,	Smith,	Pres. Pro Tem.
Davis,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. LONG. Mr. President, I move that Senate Bill No. 188, on second reading, entitled:

An Act authorizing the transfer of the property and franchises of certain schools and academies to State Normal Schools

be re-committed to the committee on education for consideration and amendment.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 212, (House Bill No. 52), entitled:

An Act to amend an act approved the thirty-first day of March, one thousand nine hundred and twenty-one (Pamphlet Laws seventy-eight), entitled "An act to prohibit the speeding and racing of certain motor vehicles to fires, the parking of motor vehicles in the vicinity of fires and the driving of motor vehicles over lines of hose" by extending the provisions thereof to all vehicles.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 323, as follows:

An Act to further amend section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal"

Section 1 Be it enacted by the Senate and House of Represenatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the twentieth day of June one thousand nine hundred nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" which as amended by an act approved the fourth day of May one thousand nine hundred twenty-one (Pamphlet Laws three hundred forty-one) entitled "An Act to amend section two of this act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing acts for repeal" which reads as follows

"Section 2 All taxes imposed by this act shall be at the rate of two per centum upon the clear value of the property subject to such passing to or for the use of father mother husband wife children lineal descendants born in lawful wedlock legally adopted children children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and also on the clear value of such property passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such child his wife or widow and passing from an illegitimate child to his mother and at the rate of ten percentum upon the clear value of the property subject to such tax passing to or for the use of any other person or persons bodies corporate or politic to be paid for the use of the Commonwealth In ascertaining the clear value of such estates the only deductions to be allowed from the gross values of such estates shall be the debts of the decedent and the expenses of the administration of such estates and no deduction whatsoever shall be allowed for or on account of any taxes paid on such estate to the Government of the United States or to any other State or Territory" is hereby amended to read as follows

Section 2 All taxes imposed by this act shall be at the rate of two per centum upon the clear value of the property subject to such tax passing to or for the use of father mother husband wife children lineal descendants born in lawful wedlock legally adopted children children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and also on the clear value of such property passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such child his wife or widow and the passing from an illegitimate child to his mother and at the rate of ten per centum upon the clear value of the property subject to such tax passing to or for the use of any other person or persons bodies corporate or politic to be paid for the use of the Commonwealth PROVIDED HOWEVER THAT SUBSEQUENT TO THE PASSAGE OF THIS ACT NO SUCH TAX SHALL BE IMPOSED UPON OR COLLECTED FROM ANY PROPERTY PASSING BY WILL TO ANY EDUCATIONAL OR CHARITABLE INSTITUTION WITHIN THE STATE OF PENNSYLVANIA In ascertaining the clear value of such estates the only deductions to be allowed from the gross values of such estates shall be the debts of the decedent and the expenses of the administration of such estates and no deduction whatsoever shall be allowed for or on account of any taxes paid on such estate to the Government of the United States or to any other State or Territory

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. MANSFIELD. Mr. President, I move that Senate Bill No. 323, the bill just read, be recommitted to the Committee on Finance.

Mr. CLARK. Mr. President, I second the motion

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 399, as follows:

An Act makiug an appropriation to reimburse the fund in the Mechanics Trust Company of Harrisburg standing to the credit of the Water Supply Commission for the improvement of French Creek for moneys inadvertently paid into the State treasury

Whereas By an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-one) entitled "An Act providing for the deepening widening and improvement of French Creek in Crawford county vesting certain powers in the Water Commission including the taking of land and materials by eminent domain and making an appropriation" of twenty-five thousand dollars ($25,000) was made to the Water Supply Commission for the purpose of deepening widening and improving French Creek in Crawford county and

Whereas Said appropriation was made on condition that citizens corporations the city of Meadville and the county of Crawford should make available for the same purposes a sum of twenty-five dollars and

Whereas Said sum of twenty-five thousand dollars ($25,000) was so made available and paid into the Mechanics Trust Company of Harrisburg and placed to the credit of the Water Supply Commission for the improvement of French Creek and

Whereas The Water Supply Commission has been unable to proceed with said improvement and therefore has not used said moneys and in the meantime said Mechanics Trust Company has paid on said account interest to the amount of ($1916.96) nineteen hundred sixteen dollars and ninety-six cents which interest instead of being credited upon the principal sum has been inadvertently paid into the general fund of the State treasury therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one thousand nine hundred sixteen dollars and ninety-six cents ($1,916.96) be and the same is hereby specifically appropriated to be paid by warrant of the Auditor General upon the State treasurer to the Mechanics Trust Company of Harrisburg Pennsylvania and by it to be placed into the account of the Water Supply Commission for the improvement of French Creek and to be credited to the amount in said fund as a part of the principal sum thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 426, as follows:

An Act to further regulate the construction maintenance and inspection of buildings in cities of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in cities of the first class of this Commonwealth where dwellings are erected on corner lots at the intersection of two streets neither of which is less than twenty feet in width the legal open space required for dwellings may be encumbered in whole or in part by structures not exceeding one story or fifteen feet in height provided such structures do not diminish the light in any room in the dwelling below that required for tenement houses in section twelve of an act of the General Assembly number four hundred and twenty approved June eleven one thousand nine hundred and fifteen and Further provided That every room in such structures also complies with the above provisions

Section 2 All acts or parts of acts inconsistent herewith or supplied hereby be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. CRAIG. Mr. President, I ask that Senate Bill No. 464, on second reading, entitled:

An act providing a means whereby real estate devised upon a trust to divide it among other persons and the trustee has died without performing the trust may be divided amicably by the interested persons wit hthe approval of the Orphans' Court and the legal title be vested in them by judicial decree

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 521, (House Bill No. 262), entitled:

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL RECOMMITTED.

Mr. WEAVER. Mr. President, I move that Senate Bill No. 521, (House Bill No. 262), the bill just read, be recommitted to the Committee on Legislative Apportionment.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 549, (House Bill No. 702), entitled:

An Act to amend section three and section four of an act approved the fifth day of May one thousand nine hundred and twenty-one entitled "An act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiations offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or installment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon installments or single payments under which all or part of the total amount received is to be paid at some future time with or without profit and imposing penalties"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 553, as follows:

An Act for the appointment of a commission to study conditions relating to blind persons in Pennsylvania and make recommendations and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is hereby authorized to appoint a commission of nine members three at least of whom shall be women and six at least experts in work to help the condition of the blind to make a study of he laws and of educational economic and social conditions relating to blind persons in the Commonwealth and also to report to the next session of the General Assembly with recommendations as to legislation and policies to make the treatment care progress and welfare of blind persons

in the Commonwealth comparable with the most approved methods and practices

Section 2 The commission shall serve without pay but there is hereby appropriated five thousand dollars ($5,000) to be used to pay the necessary expenses of the commission and the compensation of trained experts to be employed by and assist the commission if it so desires

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 558 as follows:

An Act to amend section six hundred and three of an Act approved the seventeenth day of May nineteen hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six hundred and three of the Act of Assembly of the Commonwealth of Pennsylvania approved the seventeenth day of May nineteen hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" which reads as follows

"Section 603 Investment of Surplus Restrictions Any money over and above the capital of any such stock casualty insurance company may be invested in the securities above enumerated or loaned upon the security of the same or in the stock or other evidence of indebtedness of any solvent dividend paying corporation created under the laws of this Commonwealth or of any other State of the United States or loaned upon the pledge of the same except its own stock or the stock of any other insurance company transacting like classes of business The current market value of such securities at the time of any loan thereon shall be at least fifteen per centum (15%) more than the sum loaned thereon No such insurance company shall invest any of its funds in any unincorporated business or enterprise nor in the stock or evidence of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for taxes nor shall any of its funds be loaned on personal security Not more than one-fifth (1/5) of its capital shall be invested in a single mortgage No such company shall hereafter invest in acquire or hold directly or indirectly more than ten per centum (10%) of the securities of any single company nor shall more than ten per centum of its assets be invested in the stock of any single company No such company shall enter into any agreement to withhold from sale any of its property but the disposition of its property shall be at all times within the control of its board of directors or trustees If any investment or loan is made in a manner not authorized by this act the officers and directors making or authorizing the same shall be personally liable for any loss occasioned thereby" be and the same is hereby amended to read as follows

Section 603 Investment of Surplus Restrictions Any money over and above the capital of any such stock casualty insurance company may be invested in the securities above enumerated or loaned upon the security of the same or in the stock or other evidence of indebtedness of any solvent dividend paying corporation created under the laws of this Commonwealth or of any other State of the United States or loaned upon the pledge of the same except its own stock or the stock of any other insurance company transacting like classes of business The current market value of such securities at the time of any loan thereon shall be at least fifteen per centum (15%) more than the sum loaned thereon No such insurance company shall invest any of its funds in any unincorporated business or enterprise nor in the stock or evidence of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for taxes nor shall any of its funds be loaned on personal security Not more than one-fifth (1/5) of its capital shall be invested in a single mortgage Except as hereinafter provided no such company shall hereafter invest in acquire or hold directly or indirectly more than ten per centum (10%) of the securities of any single company nor shall more than ten per centum of its assets be invested in the stock of any single company No such company shall enter into any agreement to withhold from sale any of its property but the disposition of its property shall be at all times within the control of its board of directors or trustees If any investment or loan is made in a manner not authorized by this act the officers and directors making or authorizing the same shall be personally liable for any loss occasioned thereby

Any such stock casualty insurance company may invest in the capital stock and obligations of a corporation or corporations formed for the purpose of taking and holding title to real estate and erecting or maintaining thereon a building or buildings to be used in whole or in part for the accommodation and transaction of the business of such insurance company without being subject to the limitation on the amount of such investment as hereinbefore prescribed but no such insurance company shall invest more than fifty per centum (50%) of its capital and surplus in the stock and other obligations of any such corporation or corporations nor acquire and hold any of the stock or other obligations of any such corporation or corporations if the total amount of the capital and other obligations of such corporation or corporations exceeds in the aggregate fifty per centum (50%) of the the capital and surplus of such insurance company without the written approval of the Insurance Commissioner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 584, as follows:

An Act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every Trust Company and Bank organized and incorporated under the laws of the Commonwealth of Pennsylvania is hereby authorized and empowered to discount but sell negotiate and assign promissory notes drafts bills of exchange trade and bank acceptances bonds and other evidences of debt and to receive and retain in advance interest on loans and discounts made

Section 2 With the approval of the commissioner of banking whose decision in the matter shall be final any Trust Company or Bank having a combined capital and surplus of one million or more may establish and maintain a branch office or branch offices in one or more places located outside the State of Pennsylvania either in the United States of America any territory possession or dependency thereof or in any foreign country if qualified to do so under the laws of such states territories or countries

Section 3 Any Trust Company or Bank which shall establish or maintain a branch either within or without the State of Pennsylvania without the approval of the Commissioner of banking shall be subject to a penalty of one hun-

dred dollars for each day during which any such branch shall be open or occupied said penalty shall be payable to the Commissioner of Banking for the use of the Commonwealth and in case of failure or refusal of such Trust Company or Bank to pay the same the Commissioner of Banking may maintain an action at law for the recovery thereof in the same courts and with like procedure as is now provided by the laws of this Commonwealth for the recovery of debts of like amount

Section 4 All acts or parts of acts inconsistent with this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 587, as follows

An Act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers on the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever a trust company or a banking company possessed of trust company powers incorporated under the provisions of any general or special law of this Commonwealth shall merge or consolidate with another trust company or banking company possessed of trust company powers incorporated under the provisions of any general or special law of this Commonwealth all the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity shall be deemed and taken to be transferred to and vested in the consolidated corporation without any further act or deed or any order or decree of any court or other tribunal and the consolidated corporation shall have and hold the same as fully as the same was possessed and held by the constituent corporations from which it was by operation of the provisions of this act transferred and said consolidated corporation shall succeed to all the relations obligations and liabilities and shall execute and perform all the trusts and duties devolving upon it in the same manner as though it had itself assumed the relation or trust Provided That if within thirty days after notice to any person or corporation interested in any such trust of the said consolidation and merger such a person or corporation shall file a written objection with said consolidated corporation and shall apply to the proper court or other tribunal having jurisdiction of such trust estate for the appointment of a substituted trustee or other fiduciary such court or tribunal shall have power to make the appointment of a substituted trustee or other fiduciary and to order said consolidated corporation forthwith to file an account of such trust estate and to pay over and transfer the assets and property thereof to the substituted trustee or fiduciary so appointed

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 589, as follows:

An Act authorizing sheriffs in counties of the fourth class to appoint a solicitor prescribing the duties of said solicitor and fixing his salary

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of the fourth class the sheriff may appoint one person learned in the law as his solicitor

Section 2 Said solicitor shall advise upon all legal matters that may be submitted to him and shall conduct any litigation when requested so to do by the sheriff The solicitor shall hold office for the term for which the sheriff was elected and shall receive a salary of five hundred dollars per annum to be paid out of the county treasury

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. LONG. Mr. President, I ask that Senate Bill No. 639, on second reading, entitled:

An Act to further amend the act approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred fifty-eight) entitled "An act authorizing the employment of stenographers by the district attorneys of certain counties" as amended extending said act to counties of the fourth fifth sixth seventh and eight classes and fixing the salaries of said stenographers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 645, as follows:

A Supplement to an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts page one hundred and forty-two) entitled "An Act making an appropriation to the State Industrial Home for Women at Muncy" reappropriating certain appropriations heretofore made to the State Industrial Home for Women at Muncy

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one thousand nine hundred thirty-two dollars and ninety-one cents ($1932.91) of the total sum appropriated for maintenance to the State Industrial Home for Women at Muncy by the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts page one hundred forty-two) entitled "An act making an appropriation to the State Industrial Home for Women at Muncy" is hereby specifically reappropriated and transferred to said institution for the following purposes

For deficiency in maintenance for the two fiscal years beginning June first one thousand nine hundred and nineteen the sum of three hundred ninety-nine dollars and sixty-eight cents ($399.68)

For deficiency in payment for tools and machinery for the two fiscal years beginning June first one thousand nine hundred and nineteen the sum of one thousand five hundred thirty-three dollars and twenty-three cents ($1,533.23)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 660, (House Bill No. 234), entitled:

An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. LONG. Mr. President, I move that Senate Bill No. 660, (House Bill No. 234), the bill just read, be recommitted to the Committee on Game and Fisheries.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 662, (House Bill No. 416), entitled:

An Act to amend section three hundred and four of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and eighty two) entitled "An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance campanies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws".

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 672, (House Bill No. 720), entitled:

An Act to amend section seven hundred three Article VII of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for compensation for forest fire fighting on private lands listed with the Department of Forestry for forest protection

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 673, (House Bill No. 722), as follows:

An Act to amend clause (h) of section one hundred and two Article I of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for the purchase lease building and maintenance of telephone lines for attachments thereto by private parties and appropriating the revenue derived therefrom

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (h) of section one hundred and two Article I of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" is hereby amended to read as follows

(h) He shall plan and put into effect as rapidly as convenient a system of fire-towers observation stations and a system of telephone lines which shall cover the regions subject to forest fires and for such purposes he may purchase the necessary material and equipment to build and and maintain such towers stations and lines and hire the necessary labor for the installation of such systems In maintaining systems of telephone lines he is authorized to buy or lease any existing lines He may permit the attachment of telephones of persons firms and corporations on such lines under such conditions and for such rentál as may be agreed upon and shall through the Commissioner of Forestry deposit all moneys so received with the State Treasurer which shall be placed into the fund appropriated for forest protection purposes and such moneys shall be available upon requisition of the Commissioner of Forestry for the extension maintenance and upkeep of such telephone lines and for such purposes such moneys are hereby specifically appropriated provided that no attachment of telephones shall be permitted for commercial purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 674, (House Bill No. 723), entitled:

An Act authorizing counties cities boroughs and townships to appropriate moneys for Forest work

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 675, (House Bill No. 724), entitled:

An Act to amend section one thousand and five Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing further penal provisions for setting fire maliciously or other wise to any woodlot forest or wild land

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 676, (House Bill No. 725), entitled:

An Act to amend Article XII of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 677, (House Bill No. 726), entitled:

An Act to amend an act entitled "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenues to establish and maintain the same and the method of collecting such revenue and repealing all laws general sepecial or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forests now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five) by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proveeded to the second reading and consideration of Senate Bill No. 709, (House Bill No. 541), entitled:

An Act to amend an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" as amended by authorizing the court of Quarter Sessions to abolish all wards existing in any township of the first class and to re-divide such township into new wards

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

NOMINATIONS BY THE GOVERNOR.

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 10, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

A. E. Bradley, East McKeesport.
Bruce L. Ramsey, Pittsburgh.
Albert C. Smith, Pittsburgh.
Eugene White, Pittsburgh.

BEAVER COUNTY.

Albert B. Ruhe, Beaver Falls.

BERKS COUNTY.

Miss Martha S. Bower, Reading.
Lloyd A. Gass, Hyde Park.
Mrs. V. S. Hoffman, Reading.

BLAIR COUNTY.

Leonardo A. Giciosa, Altoona.
Miss Olga Kiefer, Altoona.

CENTRE COUNTY.

Miss Ruth Pritchard, Philipsburg.

CLARION COUNTY.

B. L. Bowman, Clarion.

ERIE COUNTY.

G. U. Hopkins, Edinboro.

FAYETTE COUNTY.

H. Dana Wright, Connellsville.

LAWRENCE COUNTY.

M. E. Alexander, New Castle.

LUZERNE COUNTY.

M. V. Quinn, Pittston.

MONTGOMERY COUNTY.

E. C. A. Moyer, Norristown.

PHILADELPHIA COUNTY.

Morris Bloom, Philadelphia, 4234 Parkside Ave.
Miss Julia Houston, Philadelphia, 111 W. Upsal St.
Miss Isabel C. Wilson, Philadelphia, 604 Market St.

SCHUYLKILL COUNTY.

J. Frank Farne, Minersville.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 10, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present comissions:

ALLEGHENY COUNTY.

William C. Young, Pittsburgh, April 1, 1923.

BERKS COUNTY.

Anthony Zaffiro, Reading, April 1, 1923.

BLAIR COUNTY.

Mrs. Edith S. Bartley, Altoona, Jan. 21, 1923.

DELAWARE COUNTY.

John F. Crowley, Chester, April 1, 1923.

McKEAN COUNTY.

James J. Matthews, Bradford, April 1, 1923.

PHILADELPHIA COUNTY.

Jesse H. Barlow, Philadelphia, April 1, 1923.
Miss Lillian M. Brogan, Philadelphia, April 1, 1923.
Samuel H. Wolf, Philadelphia, April 1, 1923.

SCHUYLKILL COUNTY.

Thomas Price, Jr., West Mahanoy, Mar. 31, 1923.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Einstein,	Mansfield,	Sprowls,
Berntheizel,	Harris,	Miller,	Steele,
Betts,	Heaton,	Norton,	Stineman,
Brown,	Homsher,	Patton,	Stites,
Buckman,	Jones,	Quigley,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culbertson,	Kutz,	Sisson,	Eyre,
Daix,	Lanius,	Smith,	Pres. Pro Tem.
Davis,			

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Mr. DAVIS. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 396 (House Bill No. 362), on the third reading, entitled:

An Act to empower and authorize any school or college of optometry organized operated and conducted not for profit which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 396, (House Bill No. 362), entitled:

An Act to empower and authorize any schools or college or institution of optometry incorporated under the laws of Pennsylvania organized operated and conducted not for profit which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Einstein,	Mansfield,	Sprowls,
Berntheizel,	Harris,	Miller,	Steele,
Betts,	Heaton,	Norton,	Stineman,
Brown,	Homsher,	Patton,	Stites,
Buckman,	Jones,	Quigley,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culbertson,	Kutz,	Sisson,	Eyre,
Daix,	Lanius,	Smith,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE MESSAGES.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 232, (Senate Bill No. 778), entitled:

An Act to amend chapter eleven article two of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 899, (Senate Bill No. 779), entitled:

An Act to amend section eight of the act approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws one thousand fifty-five) entitled "An act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital" as amended changing the name of said hospital.

Which was committed to the Committee on Judiciary Special.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 471.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 471, entitled:

An Act to amend sections one two as amended and three of an act approved the twenty-fourth day of April one thousand eight hundred and eighty-five (Pamphlet Laws nine) entitled "An Act to amend an act entitled 'An act to provide for the destruction and to prevent the spread of Canada thistles' approved the twenty-second day of March

Anno Domini one thousand eight hundred and sixty-two" extending the provisions of said act to cichorium intybus the weed commonly known as chickory or succory or blue daisy with the additional information that the House has further amended the bill, as follows:

Amend section 2, page 3, by striking out lines 3 and 4 and eliminating them from the bill.

In which amendments the concurrence is requested.

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Einstein,	Mansfield,	Sprowls,
Berntheizel,	Harris,	Miller,	Steele,
Betts,	Heaton,	Norton,	Stineman,
Brown,	Homsher,	Patton,	Stites,
Buckman,	Jones,	Quigley,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culberston,	Kutz,	Sisson,	Eyre,
Daix,	Lanius,	Smith,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 83, entitled:

An act grading coal; and making it unlawful to misrepresent the grade of coal sold or offered or advertised for sale.

Senate Bill No. 131 entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships school districts, and other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved April 20, 1874, entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the asme.

BILL INTRODUCED.

Mr. BARR. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 780, entitled:

An Act providing that the County Treasurers in counties of the second class of this Commonwealth shall add a penalty of five percentum on all taxes, in each district, of said counties, which shall have been assessed against any person or persons, or their property in any of the districts of the said county and which shall remain due and unpaid for a period of four months after the date fixed for the payment in the proper district and requiring the county treasurer to receive the whole amount of taxes assessed against any person or persons or their property in any of the districts of the said coutny, with the added penalty of five per centum, as provided herein, without any other increases or deductions; providing that the said penalty of five per centum shall accrue to the revenues of said county; and repealing all acts or parts of acts inconsistent herewith

Which was committed to the Committee on Municipal Affairs.

REPORTS FROM COMMITTEES.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 776, entitled:

An act making an appropriation for the restoration of buildings and property at the State Hospital for the Insane of the Southeastern District of Pennsylvania, located at Norristown, Pennsylvania, damaged and destroyed by a Cyclone.

Mr. JOYCE. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JOYCE, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 770, entitled:

An Act fixing the salary of sheriffs in counties of the eighth class; providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and prescribing penalties.

MOTION TO READ BILLS THE FIRST TIME.

Mr. VARE. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeeded to the first reading and consideration of Senate Bill No. 168, (House Bill No. 183), entitled:

An act providing for the establishing and maintenance of uniform building lines in cities of the third class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 228, (House Bill No. 162), entitled:

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general

special or local or any parts thereof that are or may be inconsistent therewith."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 266, entitled:

An Act providing for only one assessment of all property for taxation in cities of the third class within this Commonwealth, directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such asssessor, to perform all other duties now performed by the county assessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes, city, school, county, poor and other taxes to be levied on said assessment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 267, entitled:

An Act relating to the collection of city, county, school, poor and other taxes in the several cities of the third class in this Commonwealth, providing that the city treasurer of each of said cities shall be the collector of the said several taxes, prescribing his duties, providing for his compensation, authorizing him to appoint deputy collectors and clerks and providing for their compensation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 268, entitled:

A Joint Resolution proposing an amendment to article four section eight of the Constitution of the Commonwealth of Pennsylvania prohibiting after adjournment the appointment to office of any person whose nomination the Senate failed to confirm.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 355, (House Bill No. 206), entitled:

An Act to further amend section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before issuing of the writ.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 388, entitled:

An Act relating to the assessemnt and valuation of property and occupations for the purpose of taxation in counties of the second class creating a general board of tax appeal providing for the appointment of subordinate assessors of personal property and occupations and for the annual assessment and valuation of personal property and occupations through-out the county and for the annual assessment and valuation of real property except in cities and authorizing said General Board of Tax appeal to make assessments of property in such County for State purposes under any laws hereinafter to be enacted making assessments and valuations for city purposes the basis for county valuations within such city and imposing part of the cost of such assessments on the county imposing certain duties on certain city officers making certain city officers members of the general board of tax appeal in certain cases abolishing the board for the assessment and revision of taxes and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 389, entitled:

An Act creating a Department of Real Estate and Assessment in cities of the second class; providing for the appointment, qualifications, compensation and dismissal of a commissioner and deputy commissioners where a county tax assessors' examining board exists and where no such board exists; prescribing the powers and duties of such department with regard to valuing real property for any purpose, and in valuing and assessing property for the purpose of taxation; providing for annual assessments, the classification of real property for purposes of taxation into buildings on land and land exclusive of buildings, and the assessment of a less tax upon the buildings than upon the land exclusive of buildings; and abolishing the Department of Assessors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 452, entitled:

An Act for the protection of the public health in the manufacture and sale of soft drinks, still and carbonated providing for the registration thereof; prohibiting the sale offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing and compounding of soft drinks, still and carbonated, and the sale and dispensing thereof; creating a special fund in the State Treasury, and making an appropriation thereof; and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 506, entitled:

An Act to amend section two of an act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing of a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 528, (House Bill No. 412), entitled:

An Act authorizing any county separately or counties interested jointly to lease for a term of years from a bridge

company or corporation any toll bridge spanning a river or stream when such bridge is used solely for highway purposes or jointly for highway railroad or street railway purposes discontinuing tolls on any such bridge during such lease and authorizing counties to appropriate money levy taxes and incur indebtedness for such purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 598, entitled:

An Act authorizing cities of the third class to sell certain real estate, and prescribing the procedure to be followed

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 613, entitled:

An Act amending sections one, two and eleven of an act approved the twenty-third day of April, one thousand nine hundred and three, (P. L. 274), entitled "An act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment and control of dependent, neglected, incorrigible and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised;" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of Juvenile delinquency.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 649, entitled:

An Act to repeal the act approved the sixth day of June, one thousand eight hundred and seventy-three, (1874, P. L. 410), entitled "An act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 653, entitled:

An Act to amend section one thousand four hundred and six, as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 654, entitled:

An Act to amend sections one, two, three, and four of an act approved the eighteenth day of June, one thousand and nine hundred and nineteen, (Pamphlet Laws, four hundred ninety-eight) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 655, entitled:

An Act for the enforcement of the penal and criminal laws of the Commonwealth, expediting the administration thereof, and enlarging and defining the duties and powers of the Attorney General and of his Deputies with respect thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 657, entitled:

An Act empowering School Districts to employ a Police Force.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 663, (House Bill No. 461), entitled:

An Act to better secure all bonds stocks mortgaged or other securities deposited with the State Treasurer by providing for their inspection examination and verification and the verification of the books containing a record of such bonds stocks mortgages or other securities by the Auditor General or his agents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 685, entitled:

An Act to amend sections one, two, three, five and seven, as amended of an act approved the first day of May, one thonsand nine hundred and nine, (P. L. 321), entitled "An act to provide for State registration of nurses, to establish a State Board of Examiners in connection therewith, and to provide penalties for the violation of certain provisions regarding such registration;" by providing for a change in membership of the Board, for a change in salary of the secretary, treasurer, educational director and of the members of the Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 686, entitled:

An Act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of Nurses, and the issuance of a license to practice nursing.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 699, (House Bill No. 857), entitled:

An Act providing for the lapsing of unexpended or unencumbered balances of appropriations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 703, (House Bill No. 87), entitled:

An Act making a deficiency appropriation to carry into effect the provisions of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-five) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 704, (House Bill No. 121), entitled:

An act making a deficiency appropriation to the State Hospital of Coaldale.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 707, (House Bill No. 476), entitled:

An Act creating, regulating and defining the powers of a County Planning Commission and authorizing the creation of a county plan in counties of the second class, requiring the county commissioners to furnish to the commission before passage resolutions relating to county improvements to roads, lands, buildings or means of communications authorizing the commission to report suggestions to the county commissioners concerning improvements and to appear in court with reference thereto authorizing the making of a county map and plan including territory extending three miles beyond the county limits showing proposed improvements in roads, lands, buildings and means of communication.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 711, (House Bill No. 641), entitled:

An act making a deficiency appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 716, (House Bill No. 721), entitled:

An Act to amend section on hundred and two clause (j) article one of the act approved June 3, 1915 (P. L. 797) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry, designating the officers who shall constitute the Bureau their duties and salaries. prescribing penalties for the violation thereof and repealing all laws, general, special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for co-operation with and receipts of contributions from persons, firms, corporations or associations for forest protection.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 717, (House Bill No. 727), entitled:

An act to amend Article X of the act approved the third day of June, 1915, (P. L. 797) entitled "An act to establish a Bureau of Forest Protection with the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general, special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto section one thousand and eight regulating civil actions by and on behalf of persons and the Commonwealth suffering damages from forest fires and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 718, (House Bill No. 728), entitled:

An Act to amend article X of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" adding thereto a section to be section one thousand nine providing a penalty for interfering with notices posted by the Department.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 719, (House Bill No. 729), entitled:

An Act to amend sections one thousand, one thousand two, one thousand three, and one thousand four, Article ten of the act approved June 3, 1915 (P. L. 797) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry, designating the officers who shall constitute the Bureau their duties and salaries, prescribing penalties for the violation thereof and repealing all laws, general, special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden refusing to aid a fire warden hindering a forest protection officer in his duties or non-abatement of a nuisance caused by maintaining a special forest fire hazard.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 722, (House Bill No. 789), entitled:

An Act making a deficiency appropriation to the Pennsylvania Industrial Reformatory at Huntingdon Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 723, (House Bill No. 790), entitled:

An Act making a deficiency appropriation to the Pennsylvania Training School at Morganza, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 746, entitled:

An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the Fourth class, and authorizing the expenditure of a portion of all of said fines for the support and maintenance of a law library in said counties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 764, entitled:

An Act fixing the salary of court criers in counties of the sixth class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 770, entitled:

An Act fixing the salary of sheriffs in counties of the eighth class; providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 776, entitled:

An Act making an appropriation for the restoration of buildings and property at the State Hospital for the Insane of the Southeastern District of Pennsylvania, located at Norristown, Pennsylvania, damaged and destroyed by a Cyclone.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECESS.

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. BALDWIN. Mr. President, I second the motion?

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 10, 1923.

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day it reconvene on Monday evening, April sixteenth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, April sixteenth, at nine o'clock.

In the Senate, April, 10, 1923.

Resolved (if the House of Representatives concur), That Senate bill No. 199, entitled "An act to except certain real estate of certain organizations of war veterans from taxation," be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 199.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, April 10, 1923.

Resolved (if the House of Representatives concur), That Senate bill No. 199, entitled "An act to exempt certain real estate of certain organizations of war veterans from taxation" be recalled from the Governor for the purpose of amendment.

RECESS.

Mr. DAIX. Mr. President, I move that the Senate do now take a recess until one o'clock this afternoon.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

MEMORIAL SERVICES ON THE DEATH OR HONORABLE EDWIN H. VARE, LATE SENATOR FROM THE FIRST DISTRICT.

The Senate met at one o'clock P. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

The PRESIDENT. This being the time fixed by the resolution for holiding the memorial services on the death of Honorable Edwin H. Vare, late Senator from the First District, the Senate will be in order and will be opened with prayer by the Chaplain.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Almighty and everliving God:

In the midst of life's hurrying activities, we pause, that with uncovered head and bowed heart we may render our tribute to the memory of the dead. We are thinking of one who for long years was a leader in this body, and who has now passed on into the great Beyond. He is absent, but he is not forgotten, and at this memorial hour, the thoughts of multitudes are turning toward him.

We thank Thee for his many deeds of kindness and helpfulness as he journeyed through the years; for the darkened hours that he sought to brighten; for the burdened lives that he helped to ease; for the cry of the widow and the orphan to which he gave such generous heed. We pray Thee, O Lord, that we may emulate his example as he went about ministering to the needs of others and seeking to cheer sad and lonely hearts.

Grant Thy comforting grace to the kindred of our departed friend, those who were knit to him by the tenderest of human ties. Sustain them as Thou alone art able to do, in this time of their great trial. Bless the still wider circle of colleagues and friends. At this solemn hour, bring to our remembrance the ancient truth that in the midst of life we are in death. Of whom shall we seek for succor but of Thee, O Lord? May we bring our lives into harmony with Thy life. May we live well, that when the final summons comes, we may die well.

And at last, when our days on earth are spent, may we enter the life more abundant on high, the City that hath foundations, whose builder and maker is God; whose inhabitants never say they are sick, and where all tears shall be wiped away from our eyes; where we shall behold the King in His beauty, and meet the loved ones who have gone hence in the faith, never again to be parted.

All these things we ask in the name of Him who died and rose again, our Lord and Savior, Jesus Christ. Amen.

RESOLUTION ON THE DEATH OF HONORABLE EDWIN H. VARE, LATE SENATOR FROM THE FIRST DISTRICT.

Mr. DAIX offered the following resolution, which was twice read:

Whereas, It has pleased Almighty God to call to his Eternal Home, our friend and colleague, the Honorable

Edwin H. Vare, Senator from the First District of Pennsylvania; and

Whereas, By his loveable character, and many years of public service, as a member of the Senate, calls for this token, in loving remembrance of him; therefore, be it

Resolved, That the Senate of Pennsylvania hereby records its testimony, of our late associate as a citizen, Legislator, and man;

Resolved, That in the death of the Honorable Edwin H. Vare, not only the City of Philadelphia, but the Commonwealth of Pennsylvania has lost one of its foremost citizens, a faithful and never tiring Legislator, and one who helped to make our State the great Commonwealth it is;

Resolved, That we tender to his family, our sincere and heartfelt sympathy, in the great loss they have sustained;

Resolved, That a copy of these Resolutions signed by the President, and attested by the clerk, be sent to the family of the deceased.

G. W. Woodward,
W. D. Craig,
Augustus F. Daix Jr.,
Samuel Salus,
C. W. Sones.

On the question,

Will the Senate agree to the resolution?

The PRESIDENT It is indeed with a sad and heavy heart that I am called upon to preside over this body today, to do honor to our departed friend and colleague. I served for six years as a member of this body with the departed and I learned during those six years to love and regard him. Always courageous, never afraid to express his honest convictions upon any and all subjects, a kind and considerate friend and a generous foe. Senator Vare even though he did not agree with a colleague, was always generous toward that colleague and willing to do a kind turn any time that it was within his power to do so. During the six years I served with Senator Vare in this body, I felt at each term of the Senate, I grew closer to him, and knew him better. He had elements of statemanship that were possessed by few men in this country. His word was one hundred percent good. If Senator Vare passed his word to you you did not have to wonder whether his promise would be carried out. He never failed to make good any promise that he made on the floor of this Senate, and

While he has passed from us never to return to us in the flesh, he has left an impress on this Senate that will live beyond the life of any of us who are members of this body today. This body has a reputation for generosity and fair dealing and no man is more responsible than Senator Vare for the condition that prevails in this body for generosity and fair treatment toward each other as members of this body. Senator Vare was not only a city leader but he was recognized as the undisputed leader of this Senate. When Senator Vare's advice was sought by a member of this body he was always ready and willing to follow the leadership of Senator Vare, and in many instances when it looked as if he had lead a minority of the membership that minority was turned into a majority before the final roll-call was taken on the question under discussion. Not only was that true as far as the leadership of Senator Vare in this Senate was concerned, but his advice was potential in the entire State of Pennsylvania, and it was not confined to the State of Pennsylvania alone, but it reached out toward the National Capitol where his influence was felt. He was a mild-mannered, modest and kindly man and never turned a deaf ear to any person. Many a member was sent from this body enjoying the munificence of his generosity and help in their hour of trouble. He will be missed by this body for all time to come and there never was a time when he was more missed than at the present session of the Legislature. Every day we miss his wise counsel, we miss his kindly spirit. We are fortunate in having one of his own kin to succeed him in the membership of this body but with him we have to secure an acquaintanceship that was of long standing with the one who has departed,

I want to say in conclusion, that I wish I possessed the oratory and vocabulary to express fully my appreciation and love of our departed colleague. I want to further emphasize the fact that for one his impress will remain with me so long as I have life in my body He has taught me lessons that I believe will be everlasting in his frankness and his integrity and in the attribute of which I have just spoken, his word being one hundred per cent good, and I find that the same impress has been left upon the majority of the members of this body. Peace be with him and may we never forget the fragrant memory that he has left with us.

Mr. DAIX. Mr. President, and members of the Senate. On Tuesday morning April 3, 1923. The Senate unanimously agreed to name this time and place for the memorial services about to be held, and as I handed up the Resolution to the Clerk of the Senate, my thoughts traveled back to him we honor today, when he handed up the Resolution which called for the memorial service of my old friend the late Senator James P. McNichol. Services for Senator McNichol were held March 11, 1919; little over four years ago, and the first speaker occasion was the late Senator from the First District.

Have you taken the time to read his remarks, and gather from them the thoughts that were then in his mind. If you have not, then pause with me, while I read to you what he held above all in his estimation of men and of Senator McNichol. Was it political power? Was it money? No. In his own words "Above and beyond everything else, he was a family man."

A man who carries in his thoughts the criterion by which he judges other men, "Is he a family man." Must and does carry in his soul, the noblest and highest ideals of manhood.

Thoughts born at a mother's knee, and held sacred through a life of hand struggle and remembered, speak well for the teaching of his Christian mother.

The late Senator from the first District was born July 19, 1862. Fought the battle of life to success through his own efforts. Not surrounded with the luxuries of life, receiving an elementary public school education, and then faced the world. Step by step he advanced along the pathway of success in business and public life. He served in the House of Representatives for a short time, and in the Senate seven sessions from 1909 to 1921 inclusive, and played his part as good as the best of them. Well do I remember my last conversation with him.

You all recall that August afternoon, when we said our last farewell to Pennsylvania citizen, and Fayette County's beloved son, the late Senator William E. Crow. As we silently mingled our tears with his neighbors, and those who called him Husband and Dad. There came to him whom we are remembering today sweeping into his soul at that time stronger then ever before thoughts of his God and Eternity. As the voices were wafted on the summer air, more than one of us closed our fists a little tighter, and looked through a mist before our eyes. Did he? Yes! More than you can imagine.

Hands unseen by us were reaching out, and the first call had come to him of the life beyond the great divide. Do you ask, how do I know? May I tell you?

The next morning as the train was thundering along on its way East. the man whose name I have not directly

mentioned until this time, the late Senator Edwin H. Vare came into the compartment I occupied, and for a short time two men who had opposed each other in political fights came closer together. He spoke of Senator Crow's funeral, and Senator Vare asked me if I liked the Hymn sung by the Choir, and I answered Yes. Then in the breaking dawn of that early Sabbath morning he hummed and murmered the words of the Hymn.

"We are going down the Valley one by one"
"We are going down towards the setting sun."

To his family we members of the Senate extend our hands and grasp yours in loving remembrance of him.

"To his political and business friends, we echo back your own thoughts," God Bless Ed. Vare.

To Edwin H. Vare, as far as this life goes the sun has set. The glooming has come on swiftly around us, the shadows of night are falling fast, but a great Creator rules above us, and to him we leave our friend. We of this Great Commonwealth and of the Senate of Pennsylvania have paid our last tribute to our old colleague Edwin H. Vare.

Mr. President, I also would like to have the privilege of incorporating as part of the proceedings of this memorial session the address delivered by Bishop Joseph F. Berry of the Methodist Episcopal Church at the funeral services of the late Senator Edwin H. Vare, Thursday, October 19, 1922, Ambler, Pa.

ADDRESS BY BISHOP JOSEPH F. BERRY OF THE METHODIST EPISCOPAL CHURCH AT THE FUNERAL SERVICES OF THE LATE SENATOR EDWIN H. VARE THURSDAY, OCTOBER 19, 1922, AMBLER, PA.

We are standing today in the presence of two stupendous facts.

One is the fact of mortality. Concerning this earthly life it has been said that it is a pendulum between a smile and a tear. It has been called a tale that is soon told. It is only a summer flower which blushes in the morning sun, but 'ere the shades of night prevail it falls in scattered fragments to the earth, mingling its fragrance with the falling dew. It is a passing dream which, while we sleep, fills the mind with visions radiant, but when aroused from slumber, all quickly fades away. Youth is but a sparkling dew-drop quickly exhaled. Beauty is a darling plaything, fading like a flower. Wealth is a gay deceiver, disappointing and fleeting. Power is a gilded bubble, presently turning to dust. Honors are shimmering meteors, dazzling for a moment, then extinct forever. Upon every hand we come face to face with the fact of a limited tenure here, and of the appalling uncertainty of that existence. Voices from within and without warn us that this is not our abiding place. Mortality! The vital word is written upon the firmament in letters of blood. It flames in doleful fires and infectious plagues from the earth. Mortality! It echoes and re-echoes through the vast universe of God!

But the fact of immortality is quite as significant.

My friends, this present life is but a fragment of our whole life. We have only begun. Ours is an endless career. We are to go on forever. Entirely aside from the teaching of the Bible, and apart from any theological dogma, our mental and moral consciousness assures us that we are immortal.

Has Almighty God created any want in all His vast universe without also creating a supply precisely suited to meet that want? Take the law of natural selection. A frail plant put into the earth has the ability to draw from the soil those chemical properties that are necessary to insure its life and growth, and it also has power to reject those elements in the soil which, if absorbed, would prove injurious. The law of natural selection is but another name for the universal law of want and supply.

Take yourself. Have you any physical, mental, social esthetic need for which God has not made adequate provision? Over against every want has He not placed a supply? What is true in these realms of your being is equally true of your moral and spiritual nature. Every normal human soul wants to live forever. In every life grows this flower of eternal hope. No man wants to be snuffed out like a candle or die like a brute. If there be no immortality, then one of two things is apparent, i. e., either the Almighty has made a fateful mistake in failing to give to the immortal spirit what it intuitively craves, or (I speak it reverently) He has deliberately placed a lie in every human soul. God has done neither. But this longing to live forever is met by the beneficent provision of the life immortal.

Now that is not a new thought. Nor is it a very good putting of a very old conception. Away back in the dark days, before the light of the new Gospel was sent streaming over the earth, the pagan poets and philosophers reasoned just that way. There was a pagan whose name was Plato. One day he got thinking of the fact of immortality, and he reasoned with himself long and earnestly. Then upon rude parchment he wrote down his thoughts. Years afterward this parchment fell into the hands of another pagan whose name was Cato. He smoothed out the wrinkled manuscript and read what Plato had written. Then you remember what Cato is represented as saying:

"It must be so.
Plato, thou reasonest well.
Else whence this pleasing hope
And fond desire—
This longing after immortality?
Or whence this secret dread
And inward horror of sinking into naught?
Why shrinks the soul back on itself
And startles at destruction?
'Tis the divinity that stirs within us,
'Tis Heaven itself that points out a hereafter,
And indicates eternity to man."

But we are better off than were Plato or Cato. We have a more sure word. We base our faith in the endless life not only upon a created demand and expectation which have been universal in all the ages of the world, but upon the explicit and authoritative word of Revelation. And there is no truth of the Word which is fraught with such cheer and triumph. "For we know that if our earthly house of this tabernacle were dissolved we have a building of God, an house not made with hands eternal in the heavens." And he is an utterly foolish man who makes sure of achievement and comfort in this little fragment of his existence, and gives no attention to preparation for that vaster life which shall still be in its early morning when the mountains of the earth have crumbled into dust, and when all the shimmering stars in the firmament shall fall into dark and eternal oblivion.

Such reflections as we have just made seem appropriate upon an occasion like this. For in the busy swirl of modern life, with the demands it makes upon our time and energies, we are apt to lose sight of true values, and to neglect altogether the more important concerns which center in eternity.

This extraordinary outpouring of people to-day bears eloquent testimony to the grasp which Senator Vare had upon the hearts of the people of Philadelphia. If this service had been held anywhere in South Philadelphia, where our friend was born and spent his life, and where the people have,

through the years, been his devoted adherents, the voice of no speaker could have reached the multitude. Here are representatives from every walk of professional and business life, and here are sad-faced representatives of the poor and unfortunate whose friend and benefactor he always was.

Senator Vare was a man of striking personality. The type was strong, rugged, dominating, and in a measure unfinished. His manner was frank, emphatic and somewhat brusque. Yet underneath the rugged exterior was a heart of unusual geniality and kindness.

He was a born leader. And his leadership was not maintained by an attitude of arrogance or dictatorship, but by a subtle magnetism which won and held men by literal battalions. I doubt whether any man in the public life of our city has had friends who were more absolute and tenacious in their personal devotion. When any one became a friend of Edwin H. Vare he was a friend for life.

At several periods of his political career it seemed certain that the forces against his policies must triumph and sweep him ruthlessly from his place of leadership. So apparently united and resistless was the movement against himself and the candidates whose cause he had espoused that defeat seemed to be inevitable. But his marvelous political strategy and contagious enthusiasm carried him through victories which reversed all prognostication, and literally astonished the city. I put it down as something very much like a miracle that with the press of the city of both political parties solidly united against him, flooding the community with arguments and appeals to the people to defeat him, it was possible for Mr. Vare to retain for so long a period the control of the Republican party in Philadelphia and in some measure throughout the State. Without discussing at all the particular methods which he employed or the character of the policies for which he has stood, his long series of successes under the conditions he confronted furnish a perfectly marvelous illustration of his personal power, as well as a striking tribute to the skill and force of his political generalship.

It should be remembered that Senator Vare came into practical politics at a time when dominating individual leadership and authoritative party organization had not been seriously challenged. These were regarded as legitimate and necessary. It is not surprising, therefore, that he was slow to accept the political ideals which in later years have manifested themselves in independent and reform movements within and without the party.

The story of the climb of our friend from poverty and obscurity to affluence and prominence reads like a romance. It shows what native ability, courage, industry and a rather extraordinary degree of diplomacy may accomplish in the face of difficulties which would have baffled a weaker man. From a farmer boy peddling vegetables through the streets, or a gatherer of ashes from door to door, to a citizen of large fortune and a recognized leader in the counsels of a great political party was a long step indeed. That such advancement is possible in our day should be an inspiration to every American boy.

I was glad to see emphasized in the news columns of our city press the fact of Senator Vare's rugged honesty. When it was said that he always kept his word with both friend and foe one of the chief reasons for the absolute loyalty of his friends and the respect of his rivals was revealed.

We do not agree that either in the nation, the commonwealth or the municipality it is well for any one man to dominate in party counsels as Senator Vare is said to have done in Philadelphia, yet who is there who would not prefer that if such control is ever permitted it should be in the hands of a leader concerning whom the newspapers, long bitterly hostile, unite in saying that "he always kept his word."

The personal and political friends of Senator Vare have reason to remember with pleasure the record he left behind in the matter of the so-called welfare legislation. In enumerating the laws enacted at Harrisburg in recent years for the special benefit of working men and working women and children he told me one day with no small display of satisfaction that he had worked for and voted for every one of them. These measures included:

It is a matter of history that the Senator's vote was the deciding vote in the ratification of the nineteenth amendment. And it is likewise a matter of history that if it had not been for Senator Vare and his close friends in the Senate and House of Representatives from Philadelphia, the movement to ratify the eighteenth amendment would have failed.

The man whose going away so many mourn to-day was a citizen of unusual generosity. His annual benefactions amounted to many thousands of dollars. He was a friend of the poor, and he was never quite so happy as when he was able to refill an empty coal bin, or to furnish food or nourishment for the hungry or sick. Very seldom did he turn away from anyone who asked help for any worthy cause. I happen to know that he never permitted himself to retain for his own use a penny of his salary as a State Senator. It has been divided for years between three Philadelphia hospitals, the one Jewish, another Roman Catholic, and the other Protestant.

To Senator Vare home was the most cherished place on earth. His affection for his wife and children was a holy passion. His home was his paradise, and the happiness of those in his family circle was his highest delight. Those who for years have known of the devotion of this man to his family are not surprised that there is sorrow almost to suffocation in his home to-day.

The relation of Edwin H. Vare to his Brother William was the relation of David to Jonathan. They have been closely related in business and have transacted business in totals of millions of dollars, but there never has been even a scratch of a pen or any formal understanding between them. One has trusted the other implicitly, and the prosperity of the one has always been the prosperity of the other.

I do not think I have ever known a man who cherished more tender memories of his mother. I seldom met him when he did not make some beautiful reference to her life and influence. Her hand seemed to be ever upon his head. When the Pennsylvania Legislature was about to take up the ratification of the Federal Prohibitory Amendment I called at his office one day to make sure that the Senator would stand squarely for ratification. When I introduced the question he looked straight into my eyes and asked:

"Are you going out to Harrisburg the day we vote?"

"I hope to be there," was my reply.

"Well," said the Senator, "before I cast my vote I am going to look back to see if you are standing behind the brass rail watching me. But I care a great deal more about some one else who will also be standing there watching how I vote. My mother will be there. Do you think I could disappoint my mother?"

And the vote of that day of Senator Vare and the Philadelphia men who were close to him put Pennsylvania in the list of ratifying commonwealths.

Mother Vare was a beautiful soul, plain, transparent, deeply spiritual, and with a perfect passion for Christian service. Her boys grew up in that atmosphere. With the influence of such a mother still upon him it is not surprising that when his prolonged illness came and he had time for quiet thought the Senator's mind went back to his boyhood days, and the spirit of the old home with its prayer and simple devotion came upon him. Though to the end he expected to recover and seemed to have no idea that he was near the end of life, yet nothing appeared to so fascinate him as the religious conversations and prayers of those who ministered to him. He joined eagerly in the prayers that were made for him, and took delight in dwelling upon spiritual themes. His mother's hand was still upon his head. Being dead, yet she spoke to him, and held him steady to the old faith.

Edwin H. Vare was not a perfect man. Are you? Am I? He would be the last person to claim it. He had his faults like other men. His nature was intense, and his strong and aggressive personality brought him into sharp conflict with other men of power. Of course, bitter antagonisms were often engendered. But that is all passed now. I am sure we have already covered with the mantle of charity any imperfections we may have observed in his life, and are looking to-day at the many admirable qualities of his head and heart. His record is made and the book is closed. The record of our life is not yet finished. We are to place still more entries upon its unsoiled pages. What shall we write there? May God grant that when the pages of our life's story are all full, and the volume is closed and sealed, it may be said of us that we lived worthily and well. And that some day we may hear the welcome words of the great Master, "Well done; enter thou into the joy of thy Lord."

Mr. SONES:—Mr. President: Edwin H. Vare, Senator from the First Senatorial District in the General Assembly of the Commonwealth of Pennsylvania, died on the 16th day of October, 1922. Elected first to the Senate in the year 1908, he served thereafter continously as a member of this body until his death, and being at that time equalled by only one of its then members in length of service.

He was born in the year 1862 in the City of Philadelphia he here so long represented. He knew her people intimately, and watched and guarded her interests with an unfailing fidelity. It is needless to recount or restate in detail his services here. Like all legislators, much of his most vital work was rendered in the Committee room, unspectacular and commonly unnoted by the public, but most potent in result. He brought to the floor of the Senate a diligence, courage, strength and weight unsurpassed by any Senator of his day. When he spoke he was always listened to, for he spoke only when there was something to be said, and then said it with extroardinary clarity and directness and complete understanding of the subject under consideration.

Senator Vare was utterly without pretense. His word was inviolate and his promises kept. There was never any duobt where he stood on any question, and his advocacy or opposition was as straightforward as his stand once taken was unshaken. Considerate and tolerant of the views of those who differed wtih him, free from ostentation or selfadvertisement, he held tenaciously to what he conceived to be the right and never departed from certain well defined and fixed principles of public policy. Always plain in speech, and sometimes blunt in manner, all knew that beneath it all there ever beat a kind, loving and forgiving heart. Loyalty was of the very fibre of his being to those of his own kindred, to his followers and to his City, Commonwealth and cause.

He was keenly awake to the needs and changing conditions of our progressive age, and was among the foremost in promoting sound legislation to meet such ends. The shams of the hour, however, never captured him or colored his attitude on public measures. Senator Vare was an American throughout, in thought, in purpose, in ideals, and shared in none of the dogmas of the doctrinaire that would tempt our land to desert the faith in which the Rebublic was founded. His was not the type of mind that deems it constructive to indulge in experimental changes in long settled procedure and seasoned institutions. It was that same type of mind that studies with the utmost care a proposed change before it is made, rather than hastily make and then study it.

Fortune had not favored this man with any especial advantages other than to endow him with his innate rugged strength. He was self made in the truest sence of that term and exemplified in his life the vast possibilities afforded by our institutions to one who has a will to work and a genius for success. It was no ordinary man who could, through the sheer force of his own gifts, climb to the leadership of his Party in its greatest stronghold in the entire Nation, and then hold it with firm and increasing sureness to the last. He sprang from the plain people and never lost touch or contact with them. He understood them, as they unfalteringly trusted and followed him.

Blessed with a home life and domestic happiness of sweet and hallowed beauty, never stronger in commanding place in this Legislative Body, sustained by an increasing following of undiminishing loyalty, in the very meridian of his powers, usefulness and influence, the night fell and the day was done. Around his grave there gathered a great company of the leaders of the State, come to pay tribute to his worth and to one whose battles had been fairly fought and whose victories had been fairly won. Most memorable of all in that outpouring of grief were the mourning thousands composed of all ranks from his beloved City, who had lost a leader, and something yet dearer, a friend, faithful and just, and who knew him so well and loved him so much. He had been a helper or comforter to many in the hour of trouble or woe, and these had not forgotten.

To those in this Senate who were privileged to serve here with Senator Vare, his absence carries a daily sense of loss and personal bereavement. He had done much more than ably assist in fashioning and passing legislation of enduring value to the Commonwealth; he enshrined himself in the affections of his fellow Senators. A faithful public servant and a powerful and brilliant political chieftain has passed, but the hope is here voiced that the precious memory of what he was and the lofty pride in what he did will help soften the sorrow that shadows the fireside from which he has gone, as the records of this Senate will forever testify to his devoted services in our Commonwealth.

Mr. CRAIG. Mr. President, and gentlemen of the Senate: It is with a feeling of much pride and great sorrow that I have this opportunity of bringing my slight tribute of respect to the memory of Senator Vare from the extreme western end of the State. Mr. President, sorrow because we have suffered the loss of our friend and fellow-Senator; pride that we knew him, and that we may express to his friends and relatives who are here to-day our feeling of love for him, our appreciation for the many deeds of kindness we know he has performed and our sense of loss we have at his going away.

An occasion like this, my fellow-Senators, is always indeed a sad one. Death to me has always been a terrible thing.

It has always meant the severing of all the ties of love and friendship that connected us here with our dearest ones and in putting behind us everything that we have learned to love and cherish and the going out into a great uncertainty, and the only thing that relieves that feeling of desolation, that feeling of terror, is the knowledge that we do not go out alone, if what we have done here will entitle us to the companionship that we have on our last long journey.

Mr. President, I do not know why memorial services always come near the end of the session. For twelve times now within those years that I have sat in this Senate Chamber we have held these memorial services. Twelve times out of the membership of fifty in this Senate have we gone to the funerals of our dear friends. I do not know what there is in public service that takes so much out of life. I do not believe it is because so many men come to this body in advanced stages of life, because more than half of these twelve Senators who have gone since I came here have been young men, but there is something that a man must spend, my fellow-Senators, something of his vitality, of his life force that public service takes out of him, and these twelve men who have gone from here since I came were all young men who ought to have been with us for many years to come. It was not age that took them away. It could only have been the cares and the troubles and the responsibilities that came to them as they rendered their public service that took them away at an untimely age.

I have pride in my recollection of Senator Vare. You men who were associated with him in his home city, that city that he loved so well, and that he always talked about, that he boosted to the sky, knew him in a different way than we country fellows from the north and the west knew him. You witnessed his political triumphs, you witnessed his struggles, you saw him victorious in many a bitter fight, you watched his demeanor in times that defeat came to him. You knew him as Ed. Vare, the political leader of your city. You knew him in his official life and in his activities in the civil life of that community. Out west, separated by three hundred miles, we viewed him in a different light and saw him with a different perspective. We were not so intimately acquainted with the things that he did that endeared him to you. His activities that interesed you most have but little effect upon us. We knew him only through our personal contact with him. You can recite his plans, the big things that he did, the many things that he did for his home city, but the thing that impressed us and that made the most impression upon us was he every day homely kindness of the man. Position, grandeur, place of prominence, means nothing to a person who is within the glamoor of that position of prominence or in contact with that place of leadership, but the thing that gets right down under our skins, who do not know him in that way, the thing that appeals to us, the thing that comes closest to our hearts, was Ed. Vare's homely every day kindly consideration for us. There was not anything in the world that Ed. Vare could do for one of his fellows that he was not delighted to do. How many times he said to me "Davey, if you boys from the country want anything that I can help you to get, do not fail to ask me," and when you went to Ed. you always got it, but you got it such a way, my friends, that he made you think that you were doing him a favor by asking him and you always felt that that was just what you were doing. It seemed to give him pleasure to be a help to us, he was always willing to go out of his way, he gave himself without any stint, no sacrifice was too great to help a fellow that he wanted as a friend, and is not after all the thing that counts? My fellow members of the Senate, what is there that comes to any man in public life that is really worth while having? What is there that you will remember after you have gone away from here? We hold these memorial services every session right at the end of our labors here, just with a feeling of sadness and sorrow coming over us anyhow, because we are shaking hands with all the rest of our fellows here and going back home to live it over only in our memories. You will forget after while that Ed. Vare was the leader of the Philadelphia organization. You will forget the place of prominence that he held in public life, of his state and his city, you will forget the place that he held in the business world, but the thing that will stick in your memory forever, and the thing that will come into your minds in after years, when you are old and gone out of the affairs of life and are sitting around and thinking of all the glories of the days that you used to know will be the kind and tender little things that Ed. Vare did for you and did for me, and it did not make a bit of difference whether you were with him or against him politically not a bit, Ed. Vare was always ready and willing to help you if he could, and he asked but little in return, It is just that kindly every day part of the man that is going to mean something to everyone of us and that we are all going to remember long after we have forgotten his many glories and his prominence, and that is the thing that appeals to us away out there on the banks of the Ohio, and that is why we are glad that we can add our little tribute of respect to the things that his fellow citizens of Philadelphia have so well said of him.

I am not going to preach, there is not anything that I could say that would add one little bit to the regard in which his friends hold him. I just have this clipping from a newspaper which I saw while coming over on the train after I had learned that I was to be on this committee.

These few lines might have been written especially for Ed. Vare:

He has gone on, Just as he lived he died.
He left with us the rule he followed when
He daily laid his heavy load aside
To bear the burdens of his fellow men.
"I have done some little here," he said, "and so,
Now that my time for doing good is past,
Let me go out with little pomp and show."
He thought himself unworthy till the last.
'Twas always so with him; he never cared
To claim the credit of his kindliness;
It was enough for him, when he had shared
His shelter or his substance, to possess
A knowledge of his neighbor's happiness.
It must be so today as he now stands
With happy wonder written on his face
That he should gain from God's own gracious hands
So great a glory and so high a place
As his reward. While we who loved him best
And knew the simple goodness of his ways
Must labor on and hornor his bequest
Till we fulfill our given length of days.
And this my prayer through all these days shall be;
O, Master, may I do as much as he!

Mr. SALUS. Mr. President and members of the Senate, I am somewhat at a disadvantage here to-day speaking at these memorial services, because I feel that outside of my immediate family there is no man living who was closer or dearer to me than the late Senator Edwin H. Vare, and as I looked around here I tried to pick out someone whom I could compare with the late Senator Edwin H. Vare, in order that I might, by comparison, picture the man to you, and in all my printing and all my looking around the only one that I could find that in any way compared with the Honorable Edward H. Vare was little Eddie Vare, as God only made one such character, and his duplicate, if ever made,

was never known by me. He came from stock that most of the men of this Senate come from, he was a farmer's son, and from farmers sons have grown the great men of this Commonwealth and the great men of all the world. He started out, humble as it was, but grew to be what? A political leader? A big man in the community? A man of power? No. That is not what he grew to be. He grew to be a wonderful man among the people who knew him. He grew to be a man that people loved. He grew to a position where by some means or other the community looked upon him to lead them and he led because the people in his locality made him lead. He did not seek power. He did not seek leadership. He did not seek authority. It was the will of the people in the immediate neighborhood who knew him that pushed him onward, forward and upward to fight their battles and when he came into that position where he could do them good he became their servant. No man, however humble he might have been, in the locality where he was known, would do as much for you as Edwin H. Vare. The community pushed him to the front and he went around to the rear and became the followers. He was in charge of the political situation in southern Philadelphia and in those thirty years he never knew what defeat meant. No matter what he undertook in his locality he came out victorious because it was the will of the people and not the will of Edwin H. Vare. Why talk of his worth? Why talk of his morality? Why talk of his being a God-fearing man? Those things are so indelibly written on the sands of time that it is unnecessary for us to talk about them. No time, no condition, or no thing will ever rise in the memory of those who knew him that can eradicate a single line or make us forget this man who was one of God's greatest creatures. He had all the things that the Almighty ordained a man should have, he was a God-fearing man, he believed in his God, but had no religion that belonged strictly to himself. Your religion, my religion, every other man's religion, was his religion if he were a God-fearing man. He knew no creed and knew no color. He knew no situation in life excepting he wanted you to be a God-fearing man. His morality and his home life, it was such a beautiful picture, it was such a living piece of scenery. He had a lovely home and family, a devoted wife, and everybody knew how he stood with his family. That was the fundamental thing in his mind at all times. He loved not only his own children, not only his wife, but the devotion of that man as we knew him for his brothers was a wonderful picture. I am told, and I know, that those three brothers in their time have done hundreds of millions of dollars worth of business without the scratch of a pen between them. We might say that is the way it ought to be. That is the way it ought to be, but how often is it done? Those three brothers have occupied the Senate seat from that District for nigh unto thirty years. One by one has the great Ruler called them to the great beyond he other stepped into his place, but by no wish of theirs. By the will of the people, by the devotion of those that they served so well, that they persisted and insisted that this seat in the Senate shall at all times, as long as it possibly can be done, be occupied by a Vare. For thirty or forty years in political life, with the name of Vare attached to every political position, without a single finger ever being pointed to any one who ever wore the name of Vare as to having done an unfair, unkind or dishonest act. That is the record that Senator Vare's family can well be proud of. We know they are proud of it, but they cannot be any prouder of it than we, who knew him, can be. Every piece of humane legislation that has been passed in the last thirty years, covering women, children, laborers, or whatever else it might be, on every piece of that legislation, on the right side, you will find the name of a Vare.

He was also known in our city as a contractor. He was a contractor, but a contractor who built humanity, a contractor who built human souls, a contractor whose contract in life was to elevate his fellowman, and scattered around here in our midst now are some of the monuments that he has built, and they are beautiful monuments. They are monuments that talk, they are monuments that walk and can tell you of the greatness of this man.

At one time I took occasion to talk to Senator Vare about certain things and he said, "The dearest thing I own that I have any control over outside of my immediate family, is the seat in this Senate. I would rather be a Senator from the First Senatorial District of Pennsylvania than be its Governor," and one of the last requests that he made before he died—and that is the reason why I have this little senatorial button on the lapel of my coat now, one of his last requests was that that button should be in the lapel of his coat when he went to his last resting place. Those of you who attended the funeral saw that button there. That was one of his last wishes, showing that his loyalty and devotion never left this place. And while we are speaking on that theme, I do not know how many of you were there, but they were there by the thousands; and who was there? Your Governor was there; your United States Senators were there; the members of the Supreme Court of Pennsylvania were there; the members of the other Courts of Pennsylvania were there; business men of standing in the community were there, merchants of all kinds were there, and every walk in life was represented, Republicans, Democrats, Reformers, no matter in what class you put the people, by the thousands they were there, even down to the poor widowed mother with the orphan child by her hand and the ragamuffin with his bare toes disclosed. I saw one woman with three children with clothing tattered and torn, standing by the coffin and looking at him she said "There goes the last friend I have on this earth." That is the kind of a man we are mourning here to-day. Some one has said that his name and his deeds will be forgotten. Not as long as the memory of people in South Philadelphia remains with them. That name and memory can never be forgotten and among the monuments that we have in South Philadelphia which will at all times shine out and emblazon upon our people the name of Edwin H. Vare is the Boys and Girls Southern High and Manual Training School that he fought so hard to get. It was opposed by many people and by newspapers who claimed that there were other districts that were more entitled to this school than we were. Through his efforts we have that school, the recreation park and the playground. Those are but some of the things.

I do not want to talk longer because I could talk for hours, but might I tell you that not a single penny of the money he collected as State Senator ever went into his pocket. His salary as it was received was divided among charitable hospitals in the city of Philadelphia, of different denominations. Not one penny did he ever keep. But of course the amount there is small in comparison to his many other charities. I could talk on, if I wanted to, for an hour or more, but I have here a few lines that I want to recite to you and I think in these few lines we have Senator Vare's whole life so compact as to cover everything that was said here to-day, or all that he ever accomplished in this life:

He lived for those who loved him,
For those who knew him true,
For the Heaven that bent above him,
And the good that he could do:

For the wrongs that need resistance,
For the cause that lacks assistance,
For the future in the distance,
And the good that he could do.

The PRESIDENT. We are honored and the memory of Senator Vare is honored by having with us this afternoon His Excellency, the Governor of the Commonwealth, who has asked the privilege of saying a few words in commemoration of the memory of Senator Vare. I have the honor and pleasure of presenting the Governor of the Commonwealth, the Honorable Gifford Pinchot.

GOVERNOR GIFFORD PINCHOT. Mr. President and friends: I speak with hesitation before your Honorable body, realizing that I speak in the presence of those who knew the late Senator Vare far better than I did, and yet I should regret to let this opportunity pass without attempting to say a few words of the strong impression that he made upon me while he was alive. I knew him but slightly, but no man could know him without gathering from him that impression of rugged strength which, in my memory, at least, is the characteristic which carries the strongest conviction, rugged power, will power, determination and courage, which seem to me stamped him first of all. But there was another side to his character which appealed to me even more, for as I had followed the career of Senator Vare even before I knew him personally, there stood out of it his consistent championship of all human measures. He was for Workmen's Compensation, he was for good Child Labor laws. Point after point as you followed his career you found him standing on the side of human rights as contrasted with property rights, on the side of those who had little, when the issue arose as against those who had much. It was the progressive tendency of his stand in the Senate which attracted me to him most before I knew him, and indeed I feel that I did not know him until the day of his funeral. I had met him casually here and there, and had talked with him again and again, but the real measure of the man came to me only on the day when he was laid away and ceased to take a part in the active affairs of this world. Then the thing concerning him which I shall never forget, the thing which to me at least is the enduring memory of the man was the outpouring, not so much, as Senator Salus has said, of those who were high in the civic and political life of the Commonwealth, but the multitude of the humble, who felt themselves bereft of a real friend and whose tribute could have had no purpose whatsoever except love of the man. Senator Vare lived a life of struggle, as most real men do, but whatever else may be said of him, or was said of him in the conflict in the midst of which he lived, that tribute determines once and for all the quality of his heart, and we may join, all of us, with those who knew him best in saying "Take him for all and all, he was a man."

And the question recurring,

Will the Senate agree to the resolution?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	Long,	Snyder,
Baldwin,	DeWitt,	MacDade,	Sones,
Barr,	Einstein,	Mansfield,	Sprowls,
Berntheizel,	Harris,	Miller,	Steele,
Betts,	Heaton,	Norton,	Stineman,
Brown,	Homsher,	Patton,	Stites,
Buckman,	Jones,	Quigley,	Vare,
Clark,	Joyce,	Salus,	Weaver,
Craig,	Krause,	Schantz,	Woodward,
Culberston,	Kutz,	Sisson,	Eyre,
Daix,	Lanius,	Smith,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

ADJOURNMENT.

Mr. DIAX. Mr. President, I move that the memorial session of the Senate do now adjourn.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

ADJOURNMENT.

Mr. SMITH. Mr. President, I move that the Senate do now adjourn.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:53 P. M. until Monday evening, April 16, 1923, at 9 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 10, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the followiug prayer:

Infinite and eternal God, we come into Thy presence this morning humbly acknowledging our transgressions and pleading the pardon of our shortcomings. Oh Thou God of our Fathers, who did direct them in the fashioning and framing of this Republic, we pray that Thou wouldst bless the members of this Assembly with a like sense of Thy presence. Grant to them the guidance of the Holy Spirit in all their deliberations. Enable us all, that we may with the best effort of mind and heart make such contributions to the welfare of humanity and Thy glory as Thou shalt give us grace.

We ask it in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Miss GALLAHER, the further reading was dispensed with and the Journal approved.

PETITION

PROTESTING AGAINST AMENDMENTS TO THE FISH CODE.

Mr. McCURDY presented a petition from citizens of Blair County protesting against amendments to the fish code.

Referred to the Committee on Fisheries.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 432. (HOUSE BILL No. 1398).

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen.

Referred to the Committee on Constitutional Reform.

SENATE BILL No. 500. (HOUSE BILL No. 1399).

An Act to amend section one of the act approved the twenty-second day of April, one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixty-seven) entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry fixing their duties and salaries and increasing the salaries of the chief medical inspector, chief of the bureau of statistics and information and the chief clerk" by providing for additional supervising inspectors.

Referred to the Committee on Appropriations.

SENATE BILL No. 513. (HOUSE BILL No. 1400).

An Act to amend section three of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and twelve) entitled, "An Act to regulate the drilling, operating and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act."

Referred to the Committee on Judiciary Special.

SENATE BILL No. 640. (HOUSE BILL No. 1401).

An Act to amend section three of an act approved the twenty-fifth day of July, one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled "An Act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act."

Referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. HEFFERNAN, from the Committee on Ways and Means, reported as committed, House Bill No. 1339, entitled

An Act prescribing the fees for the office of secretary of the Commonwealth.

Mr. ZOOK, from the Committee on Law and Order, reported as committed, House Bill No. 1251, entitled

An Act to prohibit the obstruction of the view of the interior of soft drink places, pool rooms and billiard parlors.

Mr. POST, from the Committee on Ways and Means, reported as committed, House Bill No. 1007, entitled

An Act to amend an act approved the first day of June, one thousand nine hundred and fifteen (P. L. 661) entitled, "An act relating to the maintenance of insane, feeble-minded, and other persons confined in the various institutions of the Commonwealth; fixing liability for their support; providing for the collection of the moneys due the Commonwealth therefor, and for proceedings relating thereto."

Mr. LUDLOW, from the Committee on Law and Order, reported as committed, House Bill No. 1197, entitled

An Act to amend section one of an act approved the twenty-eighth day of April, one thousand eight hundred and eighty-seven (Pamphlet Laws, sixty-three), entitled "An act in relation to the imprisonment, government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon," by changing the name of said institution.

Mr. STARK, from the Committee on Education, reported as committed, House Bill No. 1295, entitled

An Act to amend section one thousand four hundred and six, as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue: and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. LAFFERTY, from the Committee on Ways and Means, reported as committed, House Bill No. 345, entitled

An Act imposing a State license tax upon public slot machines used for vending, weighing, telephone or other service, amusement, entertaining or any other purpose; imposing certain powers and duties upon the Auditor General; prescribing penalties for the violation of the provisions of this act; and providing for the confiscation of certain machines.

Mr. EDMONDS, from the Committee on Judiciary General, reported as committed, House Bill No. 483, (Senate Bill No. 142), entitled

A supplement to the act approved the seventeenth day of June nineteen hundred and fifteen (Pamphlet Laws one thousand and twelve) entitled "An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" as amended by the act of June fourth nineteen hundred and seventy-five) entitled "An Act to amend sections one two and three of an act approved the seventeenth day of June one thousand nine hundred and fifteen (Pamphlet Laws ten hundred and twelve) entitled 'An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rate of interest and charges therefor requiring penalties for the violation of this act'"

Mr. ZOOK, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 1188, entitled

An Act permitting fishing on Sunday with one rod and two hooks; and fixing penalties.

Mr. JOHN G. MARSHALL, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 1109, entitled

An Act authorizing cities, boroughs, towns and townships, to permit the playing of baseball on Sunday, between the hours of three and five o'clock in the afternoon.

Mr. BLUETT, from the Committee on Judiciary General, reported as committed, House Bill No. 837, entitled

An Act to assure to persons within the jurisdiction of every county, the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by the Superior Court; imposing penalties upon the counties and officers thereof for failure to provide proper protection, and upon individuals for interfering with or obstructing the carrying out of the provisions of this act; giving the Superior Court jurisdiction in all prosecutions arising out of this act.

LEAVES OF ABSENCE.

Mr. HETRICK asked and obtained leave of absence for Mr. BAKER.

Mr. DILSHEIMER ask and obtained leave of absence for himself for the balance of the week.

QUESTION OF PERSONAL PRIVILEGE

Mr. DAVID FOWLER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. DAVID FOWLER. Mr. Speaker, in this morning's issue of the Philadelphia North American, they have this to say with regard to my position in the House last night. In part it says, "Mr. Fowler went after the committee in his most vitriolic manner. He said about all the mean things possible to say." Mr. Speaker, those who have known me in the past have never known me to take a stand upon this floor vitrolizing any man. If there is any vitrol spread in the state of Pennsylvania the yellow sheet of the North American is the one that is spreading it. Let me say to you members of the House that this is not the first time that the one who reports the news from this House has taken me to task. I do not care what their opinions are or may be, because the people of the anthracite coal fields do not pay any attention to them anyway. They have never been fair in the interest of organized labor and all they have ever done is to crucify organized labor in this country. If there has been any vitrol, I say that the one who sent in that story must have dipped his pen in a bottle of it. I want to say that while I have no feeling against any member of the committee, I have a feeling against a newspaper that deprives me of the right to stand here and defend myself on the floor of this House. I do not believe in a newspaper which criticises people on a question that they dont't know anything about, and it showed absolutely that they were afraid to permit the full crew bill to go upon the floor of this House because they knew we had arguments with which we could sustain our position. I am not trying to resurrect the full crew measure, that is gone so far as this session goes, but I am going to say this that in one session of the Legislature this yellow sheet came out with a statement that if Dave Fowler was not going to get any more drinks he would vote dry in this house. I had that fellow that wrote that and stood him up and made him retract that statement, and the truth of the matter is that that reporter was standing at the Columbus bar with the rest of the boys at that time and there he talked at the bar, and he was slopping up all the drinks that everybody else was buying. He went and took that position and wrote that story n the North American that they retracted. Let me say that I shall measure swords at any time with the North American. I remember when the treason trial was on a few months ago, their position. I know the position they have taken against the Herrin miners, but they won't come out with the truth. Mr. Speaker and members of the House, I just want to voice my sentiments against the North American, that is all. The members of this House know me well enough to know that I have always taken a licking squarely in this House, and I hold nothing against any member of the Committee or any member of the House for taking their position last night. That is their position, and they are entitled to their opinions in this House.

The SPEAKER. The remarks of the gentleman from Lackawanna under his personal privilege will be noted upon the Journal.

RESOLUTION No. 12.

Mr. RHODES. Mr. Speaker, I desire to call up at this time Resolution 12, file folio. 3803.

The resolution was read by the clerk as follows:

Whereas The procedure of this House of Representatives has been greatly hindered and delayed by the frequent failure of the Department of Printing and Binding to have prepared on time the printing which is necessary for the transaction of the business of this House

And Whereas The apparent inability of the Department of Printing and Binding to get out the necessary printing has been becoming more pronounced with corresponding results upon the deliberations of this House

And Whereas The requirements of this House of Representatives for the printing or its necessary documents are increasing

And Whereas If the present condition is not remedied in the Department of Printing and Binding this House of Representatives will be unable to properly function its members will be greatly embarrassed and handicapped and an extra and unnecessary burden will be placed upon the people of this Commonwealth by the inability of this House to complete its work and adjourn at an early date

Therefore Be It Resolved That the Speaker of this House of Representatives be and hereby is authorized and requested to appoint a committee of five members of this House to make an investigation into the present status of the printing being done for this House to ascertain if possible the cause or causes of the delay in the Department of Printing and Binging and to make its report within ten days to this House of Representatives relative thereto with such recommendations and suggestions as said Committee may deem proper to rectify the present intolerable condition

On the question,

Will the House adopt the resolution?

Mr. RHODES. Mr. Speaker and members of the House, this proposition probably needs no discussion because we have been experiencing the very facts which we seek to rectify by this investigation. For sometime the deliberations of this House have been embarrassed, and the members have been inconvenienced by the delay in getting out the calendar and the other documents necessary. We have, as you know, a history of House bills, this is supposed to be published weekly. It is more like a monthly publication under the present conditions. It is impossible for us to function properly and to do our just duty; it is impossible for us to give the proper consideration to the bills upon the calendar unless the bills are printed, and unless the calendar is properly printed on time. There is no ulterior motive behind this resolution. It is merely for the purpose of ascertaining what the status of the printing relative to this House may be, to ascertain through a committee appointed by the Speaker the means that can be taken to rectify this condition. If something is wrong in the department, it is our duty to know it; if it can be rectified by the investigation which this committee can make, by suggestions which it may make to this House, then it is our duty in my mind to pursue this policy and have an investigation made through a committee of five members, as this resolution provides. There has been much said in the past, both inside of the House and outside, that the state printer was not functioning properly; that he was not attempting to co-operate with the typographical union, which was willing to co-operate with him; that his arbitrary attitude was the real cause of this delay. Therefore, I say in justice to all the people concerned that we should find out the exact truth relative to this matter.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

The SPEAKER. The Chair will appoint the committee at a later time in the day.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 901, as follows:

An Act to amend section one of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and nineteen) entitled "An act to establish a State Village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen" as amended by changing the name of said village

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and nineteen) entitled "An act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purpose aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen" which as amended by the act approved the sixteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and eighty-two) entitled "An act to amend section one three six and ten of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and nineteen) entitled 'An act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purpose aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen' as amended by an act approved the fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws six hundred and ninety-eight) by relieving the Governor of the obligation to approve building plans providing for personal inspection of work by a majority of the building committee jurisdiction in the court of quarter sessions payment of costs of proceedings by the county and maintenance by the State" is hereby further amended to read as follows

Section 1 Be it enacted et cetera That a State village for the care of feeble-minded women is hereby constituted and established the grounds and buildings for which are hereby directed to be selected and constructed which village shall be governed and maintained in the manner hereinafter provided and shall be known as the Laurelton State Village. That this institution shall be entirely and specifically devoted to the reception segregation detention care and training of feeble-minded women and shall be so planned in the beginning and construction as shall provide separate classification of the numerous groups embraced under the terms "idiotic" "imbecile" or "feeble-minded" it is specially determined that the processes of an agricultural training shall be primarily considered in the educational department and that the employment of the inmates in the care and raising of stock and the cultivation of fruits vegetables roots et cetera shall be made tributary to the maintenance of the institution

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albert,	Flinchbaugh,	Lucas,	Schoener,
Alexander,	Fowler, A. I.,	Ludlow,	Schwartz,
Allman,	Frazier,	MacKinney,	Shambach,
Anderson,	Gallaher,	Mangan,	Sheridan,
Armstrong,	Gibbon,	Marcus, J. C.,	Smith, G. A.,
Arthur,	Gilchrist,	Marshall, W. F.	Smith, H. J.,
Asbury,	Glasgow,	McBride,	Smith, H.,
Aston,	Goehring,	McCaig,	Smith, J. W.,
Baldi,	Golder,	McCann,	Soffel,
Beaver,	Gorham,	McClure,	Sowers,
Bell, F. A.,	Goss,	McCurdy,	Speiser,
Bell, W. T.,	Griffith,	McDaniel,	Sprowls,
Bentley,	Grimes,	McDermott,	Stark,
Berger,	Guerin,	McGowan,	Staudenmeier,
Betts,	Gundy,	McKim,	Stavitski,
Bidelspacher,	Haas,	Metcalf,	Steedle,
Blair,	Hall,	Miller,	Sterling,
Bluett,	Haslett,	Minehart,	Stevens, A. J.,
Blumberg,	Haws,	Moffat,	Stevens, A. F.,
Boback,	Heffernan,	Moore,	Stoner,
Brenneman,	Heffran,	Morrison,	Storb,
Brewster,	Henderson,	Munley,	Storer,
Bromley,	Hetrick,	Myers, G. C.,	Thomas, L. D.,
Brown,	Heyburn,	Myers, P. M.,	Thomas, M. G.,
Brownmiller,	Himes,	Nolte,	Thompson,
Burchinal,	Holcombe,	O'Boyle,	Vickerman,
Bush,	Hollis,	Ogle,	Walker,
Chaplin,	Hontz,	Parkinson,	Weamer,
Clutton,	Horne,	Patterson,	Wells,
Coldsmith,	Howell,	Peelor,	Wettach,
Colville,	Huber,	Perry,	Wheeler,
Conner,	Irvin,	Pitts,	Whitehouse,
Craig,	Johnson,	Posey,	Whiteman,
de Young,	Jones, C. B.,	Post,	Williams, G. W.,
Dietz,	Jones, D. J.,	Price,	Williams, J. M.,
Dilsheimer,	Jones, E. P.,	Rhodes,	Woner,
Driggs,	Kennedy,	Richards,	Wood, N.,
Eaches,	Kohler,	Rinn,	Wood, W. P.,
Earley,	Kunkle,	Rippman,	Wright,
Edmonds,	Labar,	Sample,	Zook,
Eshelman,	Lafferty,	Sarig,	Goodnough,
Evans, B. P.,	Lauver,	Sautter,	Speaker.
Evans, J.,	Little,	Schaeffer,	
Fields,	Long,	Schleiter,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING.

The SPEAKER. If there are no objections the Chair will take up the second reading calendar at this time. Are there objections? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 116, as follows:

An Act providing for the appropriation by the court of supervisors in election districts in general municipal primary and special elections upon petition of candidates regulating the method of appointment and prescribing the duties and powers of such supervisors providing for their compensation providing penalties for violation and repealing acts inconsistent herewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That upon the petition of any candidate for nomination or election in any general municipal primary or special election setting forth that he believes it would be in the interest of the enforcement of law in the conduct

of such general municipal primary or special election to have the court appoint two supervisors in the election districts named in said petition the court shall forthwith as of course enter an order appointing for each election district referred to in the petition two electors of the county who need not be residents of such election district who in the opinion of the court are honest intelligent and qualified for the performance of the duties required and who shall have signified their willingness to accept such appointment which appointments however shall be made in open at time fixed after reasonable notice to all candidates affected

Section 2 Such supervisors shall attend at the polling place to which they have been severally appointed at the opening of the polls shall have right to be within the rail and to inspect the conduct of the election by the election board the counting of the ballots the preparation of the returns and the performance of all other duties imposed by law upon the board or any member thereof From the opening of the polls until the final adjournment of the board after the election the two supervisors shall be as nearly as possible within the polling place and neither one shall leave the polling place during the temporary absence of the other The day following the election the two supervisors shall prepare a report addressed to the court reporting upon the conduct of the election and setting forth any violation of law observed by the supervisors This report shall be filed in the office of the prothonotary shall be subject to inspection of any candidate or his duly accredited representative which inspection shall be made in the presence of the prothonotary or an employee of his office deputized by him for that purpose and the said report shall be destroyed by the prothonotary at the expiration of six months from date of filing thereof unless otherwise ordered by the court The said report shall contain a statement that at no time during the period of the election were both of the supervisors absent from the polling place In case such is not the fact then the period of absence shall be stated with an explanation thereof

Section 3 After the filing of the report if it shall appear thereon that at no time were both of the said supervisors absent from the polling place as herein provided or if in the judgment of the court upon inspection of the report the joint absence of the supervisors or either of them was not reasonably avoidable (the opinion of the court in this respect to be endorsed upon the report as to one or both of the supervisors) the supervisors whose performance of duty has not been disapproved by the court in the manner herein provided shall be entitled to receive and shall be paid by the county commissioners from the funds of the county ten ($10.00) dollars each for their services one-half of which shall be paid by the petitioner to the county treasurer before the order of appointment becomes effective

Section 4 Any person who shall violate any of the provisions of this act or shall interfere with any supervisors appointed hereunder in any manner thwarting or hindering them or any of them in the performance of their respective duties or attempting so to do shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not more than one year or by fine of not more than five thousand ($5,000) dollars or by both such fine and imprisonment in the discretion of the court

Section 5 All acts and parts of ats inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 118, entitled:

An Act providing for the assement of occupation or poll tax in cases where the assessor has failed to make such assessment and the collection of the same so that such taxes may be assessed by and paid to the county treasurer or the registration officers for the registration of voters providing a penalty for violation thereof and repealing acts inconsistent therewith

The first, second, third and fourth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every case where the assessor has failed to make an occupation or poll tax assessment against any person liable to such assessment such person may demand of the county treasurer that he make such assessment and in case the name of the person making such demand is not found upon the assessment list of the county treasurer acting as agent for the assessor shall forthwith enter upon the said list the name of the person applying assessing him at the current rate of assessment for such occupation and shall forthwith receive payment of such assessment from the said person so applying and issue to him a tax receipt therefor

Section 2 In case any elector otherwise duly qualified shall apply before any officer or officers having authority to register voters for the purpose of election and shall make affidavit setting forth his full name and residential address how long he has resided at the place named his occupation his place of business if any and further setting forth that he has not been assessed for any state or county taxes for the current year or the year preceding the registration officer or officers in charge of such registration shall enter in the assessment book hereinafter provided for an assessment of poll or occupation tax against such applicant for the current year assessing such applicant at the current rate for his occupation and shall forthwith issue a receipt to the said applicant upon the payment of the tax so assessed and such receipt shall have the same validity for the purpose of registration as any other tax receipt showing payment of taxes assessed and paid as of the date of such such receipt

Section 3 The county commissioners in each county shall provide for each place of registration an assessment book and there shall be printed in the said book a list of the current rates of taxation for each occupation or poll tax

Section 4 There shall also be printed in such book blank forms of affidavits for the purpose set forth in section two of this act, at the foot of each affidavit form a blank space for assessment of taxes and the signature of the assessing officer or officers This book shall be sent by the county commissioners to each place of registration together with other supplies and at the close of each registration shall be returned to the county commissioners who shall keep the same as a public record until again required for registration purposes but records of assessment for a period more than two years old may be destroyed by the county commissioners

The fifth section was read as follows:

Section 5 Each registration officer or officers receiving payment of such taxes shall prepare an itemized statement setting forth name address occupation and amount collected from each and shall within five days of the receipt the same to the county treasurer deducting and retaining ten per centum of the amount so collected as compensation for making such collections

On the question,

Will the House agree to the section?

Mr. VICKERMAN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 5, page 3, line 18, by adding at the end thereof the following: "Provided, however, That registration officers handling funds under this act shall not be required to file a bond or give other security."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth, seventh, eighth sections and title were separately read and agreed to as follows:

Section 6 The county treasurer and the registration officers shall in the matter of assessment as herein provided for act as deputies for the duly constituted assessing officers

Section 7 Any person making a false affidavit under the provisions of section two of this act and any person aiding or abetting in any manner the issuance of a tax receipt in fraud of the provisions of this act or attempting so to do shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment not exceeding one year or by a fine not exceeding five thousand ($5,000) dollars or by both in the discretion of the court

Section 8 All acts or parts of acts inconsistent herewith are hereby repealed

An Act providing for the assessment of occupation or poll tax in cases where the assessor has failed to make such assessment and the collection of the same so that such taxes may be assessed by and paid to the county treasurer or the registration officers for the registration of voters providing a penalty for violation thereof and repealing acts inconsistent therewith.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 136, entitled:

An Act requiring telephone companies operating in the same territory to make connections and to provide for the interchange of messages regulating the rates to be charged for such interchange and conferring certain powers and duties in connection therewith upon the Public Service Commission

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of telephone companies operating in the same territory to make connections with each other and to provide for the interchange o messages between the subscribers of such companies

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 7, by inserting after the word "companies" the following "who are located in non-competitive territory."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 Such connections shall be made and messages exchanged under such rules and regulations as the Public Service Commission of the Commonwealth shall deem necessary to provide In case any telephone company or companies shall neglect or refuse to make any such connections and to provide for the interchange of messages any person may present a complaint to the Public Service Commission and such complaint shall be proceeded with in the same way as in the case of other complaints filed with said Commission and said Commision shall make such order and decree thereupon as to it may seem proper

The third section was read as follows:

Section 3 The Public Service Commission shall have power to regulate the rates to be charged for such interchange of messages but such rate shall in no case exceed the rate charged to persons transmitting messages from pay stations in the territory where the interchange is made to the point where the message is delivered

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 2, line 9, 10, 11, and 12, by striking out all of the words in section 3 following the word "messages" in line 9.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act requiring telephone companies operating in the same territory to make connections and to provide for the interchange of messages regulating the rates to be charged for such interchange and conferring certain powers and duties in connection therewith upon the Public Service Commission

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 671, entitled:

An Act to amend sections one and three of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An Act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the appointment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An Act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State

appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" is hereby amended to read as follows

Section 1 Be it enacted et cetera That in each county of the Commonwealth which by the action of its county commissioners accepts the provisions of this act the Governor shall appoint a board of trustees composed of seven women residents of the county to be called the Board of Trustees of the Mothers' Assistance Fund

Except as herein otherwise provided such trustees shall hold office for a term of six years and until their successors are duly appointed and qualified

Whenever any county shall hereafter accept the provisions of this act the first board of trustees shall be appointed as follows two for two years each two for four years each and three for six years each from the first day of June next succeeding

In all counties which have heretofore accepted the provisions of this act the board of trustees now in office shall continue in office as heretofore unless removed by the Governor but the Governor shall before the first day of June one thousand nine hundred and twenty-three designate two of said trustees to hold office for two years each two for four years each and three for six years each and where such board has less than seven trustees the Governor shall appoint additional trustees so that the total number may be seven and he shall accordingly fix their terms

If the terms of trustees shall expire the Governor shall appoint successors for terms of six years each

Vacancies other than those due to the expiration of a term shall be filled by appointment by the Governor for the unexpired term

All counties which have heretofore availed themselves of the provisions of the acts repealed by this act shall be deemed to have accepted the provisions of this act and shall be entitled to the benefits thereof

On the question,

Will the House agree to the section?

Mr. VICKERMAN. Mr. Speaker, I desire to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 2, line 16, by striking out the word "et cetera" and inserting in lieu thereof "&c."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections and title were separately read and agreed to as follows:

Section 2 That section three of said act is hereby amended to read as follows

Section 3 The State Supervisor shall have general supervision over the boards of trustees of the several counties and shall act as general field organizer she shall be on the staff of the Department of Public Welfare

The State Supervisor shall formulate and issue to the boards of trustees of the various counties rules of procedure by which they shall be governed to the end that uniformity of interpretation and practice shall obtain throughout the Commonwealth and to attain this end she or her assistant shall visit not less than twice each year for conference and counsel each county board organized under this act the State Supervisor shall approve the appointments of qualified paid head workers employed by the county boards

She shall as general field organizer visit the county commissioners of those counties which have not availed themselves of the provisions of this act and shall explain to such commissioners the benefits accruing from the act and the advantages of coming within its provisions and shall assist such county commissioners in the organization of boards of trustees

She shall make a report annually to the Commission of Public Welfare reviewing the work done under the provisions of this act by the trustees of the various counties laying special stress upon educational conditions of the assisted families

An act to amend sections one and three of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of board of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties requiring counties coming under the provisions of the act to appropriate the money and providing penalties."

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 566, as follows:

An Act to amend article one section one of the act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An Act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the Commission its officers counsel and employes prescribing and regulating the practice and procedure before such Commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges

that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the proviso of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" extending the provisions of said act to corporations joint-stock companies or associations domestic or foreign their lessees assignees trustees and receivers and to individuals partnerships and associations engaged in the production sale or distribution of coal and defining and declaring the same to be public service companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article one section one of the act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) known as "The Public Service Company Law" is hereby amended to read as follows

ARTICLE I

Definitions

Section 1 Be it enacted et cetera That this act shall be known and may be cited as "The Public Service Company Law"

The term "Public Service Company" when used in this act includes all railroad corporations canal corporations street railway corporations stage line corporations express corporations baggage transfer corporations pipe line corporations ferry corporations common carriers Pullman car corporations dining car corporations tunnel corporations turnpike corporations bridge corporations wharf corporations incline plane corporations grain elevator corporations telegraph corporations telephone corporations natural gas corporations artificial gas corporations electric corporations water corporations water-power corporations heat corporations refrigerating corporations sewage corporations coal corporations coal producing corporations coal selling corporations coal distributing corporations doing business within this State and also all persons engaged for profit in the same kind of business within this Commonwealth Provided however Such persons and corporations shall not be subject to the provisions of this act with respect to any business transacted or any property owned by them outside of the Commonwealth of Pennsylvania nor shall the provisions of this act be so construed as to extend to any matter or thing which under the Federal Constitution the Congress of the United States has the exclusive power to regulate or which the Congress has under said Constitution in the exercise of its concurrent power of the several States And provided further That none of the provisions of this act shall apply to the generation transmission or distribution of electricity to the manufacture or distribution of gas to the furnishing or distribution of water or to the production delivery or furnishing of steam or any other substance for heat or power by a producer who is not otherwise a public service company for the sole use of such producer or for the use of tenants of such producer and not for sale to others The public service companies herein defined are declared to be public service or utilities companies within the laws of this Commonwealth.

The term "Corporation" as used in this act shall be construed to include all bodies corporate joint-stock companies or associations domestic or foreign their lessees assignees trustees receivers or other successors in interest having any of the powers or privileges of corporations not possessed by individuals or partnerships and shall not include municipal corporations except as otherwise provided in this act

The term "Municipal Corporation" as used in this act shall include all cities boroughs towns townships or counties created or organized under any general or special law of this Commonwealth

The term "Person" as used in this act means all individuals partnerships or associations other than corporations

The term "Railroad Corporation" as used in this act includes every corporation owning leasing operating or managing or controlling any railroad for public use within this Commonwealth

The term "Railroad" as used in this act includes every railroad other than a street railway by whatsoever power operated for public use in the conveyance of passengers or property of both with all bridges ferries tunnels facilities plant and equipment thereof

The term "Street Railway Corporation" as used in this act includes every corporation owning leasing operating or managing or controlling any street railway within this Commonwealth

The term "Street Railway" as used in this act includes every railroad and railway by whatsoever power operated or any extension or extensions thereof for public use in the conveyance of passengers or property or both being mainly or in part located upon over above below across through or along any street avenue road highway bridge or public place including the facilities plant and equipment thereof

The term "Common Carrier" as used in this act includes any and all common carriers whether corporations or persons engaged for profit in the conveyance of passengers or property or both between points within this Commonwealth by through over above or under land or water or both

The term "Conveyance of passengers or property" as used in this act includes any and all service in connection with the receiving transportation elevation transfer in transit ventilation refrigeration icing storage handling and delivering of property baggage or freight as well as any and all service in connection with the transportation or carrying of passengers

The term "Service" is used in this act in its broadest and most inclusive sense and includes any and all acts done rendered or performed and any and all things and commodities furnished or supplied and all and every the facilities used or furnished or supplied by public service companies in the performance of their duties to their patrons employes and the public as well as the interchange of facilities between two or more public service companies

The term "Facilities" as used in this act includes all plant and equipment of a public service company which includes all tangible real and personal property buildings materials easements right of way rights of trackage subways tunnels railroads street railways tracks canals and all animals teams vehicles locomotives apparatus appliances devices instruments appurtenances freight cars coal cars refrigerator cars baggage cars express cars passenger cars drawing-room cars parlor cars sleeping cars dining cars rolling stock carriages cabs hansoms taxicabs vehicles boats ships vessels bridges barges cables conduits converters transformers condensers wires poles structures telegraph lines telephone lines crossbars engines machines dynamos boilers motors storage batteries switch-boards waterfalls water-power stations power stations pumping stations resivors purifiers oil tanks gas tanks holders retorts ducts pipes pipe galleries pipe lines mains meters lamps scrubbers wharves piers docks ferries incline planes side tracks spurs turn outs switches systems stations depots terminals terminal facilities water or gas jet wells coal mines collieries coal storage plants coal distributing plants and any and all other means and instrumentalities in manner owned operated leased licensed used controlled furnished or supplied for by or in connection with the business of any public service company Provided however That no property owned by the Commonwealth of Pennsylvania or municipality thereof at the date when this act becomes effective shall be subject to the Commission or to any of the terms of this act except as elsewhere provided herein

The term "Commission" when used in this act means the Public Service Commission created by this act

The term "Commissioner" when used in this act means one of the members of such Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispense with,

The House proceeded to the second reading and consideration of House Bill No. 785, as follows:

An Act prohibiting the binding out by indenture of minors as apprentices and repealing inconsistent legislation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That shall be unlawful for any parent guardian or next friend of any minor or any poor board or any public or private institution or society having possession of any minor to bind out by indenture such minor as an apprentice or otherwise to any person or persons copartnership association or corporation But nothing in this act shall be construed to prohibit duly authorized agencies and persons who hold a certificate of approval from the Department of Public Welfare from placing children in carefully selected private homes as permitted by law or prohibit any such agencies or persons or any parent from consenting to the adoption of a child pursuant to any decree of court

Section 2 All other acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1001, as follows:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any real estate in this Commonwealth heretofore held by or for any corporation or corporations not having the right to own and hold the same has been conveyed to any citizen of the United States or to any corporation authorized by the laws of this Commonwealth to hold the same such citizens or corporations grantee as aforesaid shall hold and may convey such title and estate indefeasible as to any right of escheat in this Commonwealth by reason of such real estate having been held by or for a coroporation not authorized to hold the same by the laws of this Commonwealth This act shall not apply to escheat cases now in litigation

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1214, entitled:

An Act to amend Section sixteen (a) of the Act approved the Seventh day of June One Thousand Nine Hundred Seventeen (Pamphlet Laws Four Hundred Fifteen) entitled and known as the "Register of Wills Act of one thousand nine hundred and seventeen" changing the time limit within which those interested shall appeal from the Decree of the Register

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section sixteen (a) of the Act approved the Seventh day of June One Thousand Nine Hundred Seventeen (Pamphlet Laws Four Hundred Fifteen) entitled and known as the "Register of Wills Act of one thousand nine hundred and seventeen" is hereby amended to read as follows

Section 16 (a) the probate or refusal of probate by the Register of the proper Court of any Will or any other paper purporting to be a Will or codicil thereto shall be conclusive as to all property real or personal devised or bequeathed by such Will or codicil or other paper unless within One year from the date of such probate or refusal of probate those interested shall appeal from the Decree of the Register as herein provided Provided that all persons who would be sooner barred by this section taking immediate effect shall not be barred before One year from the date hereof

On the question,

Will the House agree to the section?

Mr. BIDELSPACHER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 10, by striking out the word "court" and inserting in lieu thereof: "county"

Amend section 1, page 2, line 2, by striking out the word "One" and inserting in lieu thereof: "one'

Amend section 1, page 2, line 7, by striking out the word "One" and inserting in lieu thereof: "one'

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section sixteen (a) of the Act approved the Seventh day of June One Thousand Nine Hundred Seventeen (Pamphlet Laws Four Hundred Fifteen) entitled and known as the "Register of Wills Act of one thousand nine hundred and seventeen" changing the time limit within which those interested shall appeal from the Decree of the Register

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 832, entitled:

An Act amending an act entitled "An act giving to dependent neglected incorrigible delinquent and other children committed to the care custody or control of any institution or citizen or training school or industrial school or any association willing to receive them or to any other person or persons by any court of this Commonwealth sitting as a juvenile court or any judge sitting as such the right to reviewsand hearings on petition of their parent or parents or next friend requiring the testimony to be made a part of the record and providing for appeals to the Superior Court" Approved the first day of June one thousand nine hundred and fifteen by extending the right to reviewers rehearings revocations and modifications and appeals thereafter to the persons who initiated the proceedings to commit

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An act giving to dependent neglected incorrigible delinquent and other children committed to the care custody or control of any institution or citizen or training school or industrial school or any association willing to receive them or to any other person or persons by any court of this Commonwealth sitting as a juvenile court or any judge sitting as such the right to reviews and rehearings on petition of their parent or parents or next friend requiring the testimony to be made

a part of the record and providing for appeals to the Superior Court" approved the first day of June one thousand nine hundred and fifteen which reads as follows

"Section 1 Be it enacted et cetera That within twenty-one (21) days after the final order or decree of any of the courts of this Commonwealth sitting as a juvenile court or any judge sitting as such committing or placing any dependent neglected incorrigible delinquent or other kind of child or children to any institution reputable citizen or to the care of some training school or an industrial school or to the care of some institution willing to receive it or them or to any other person or persons except to their respective parent or parents such child or children shall as a matter of right by its or their parent or parents or next friend have the right to present to such courts sitting as juvenile courts or judge sitting as such a petition to have its or their case or cases reviewed and reheard if in the estimation of such parent parents or next friend an error of fact or of law or of both has been made in such proceedings or final orders or if the said order has been improvidently or inadvertently made and upon the presentation of such petition the said courts sitting as juvenile courts or judges sitting as such shall grant such review and rehearing as a matter of right and it shall be required that the testimony be taken down at such reviews and rehearings and transcribed by an official court stenographer at the cost of the party requesting such review and rehearing which testimony shall be duly made a part of the record in such cases From the final order or decree of such courts of this Commonwealth sitting as juvenile courts or judge sitting as such court in proceedings for such rehearings and reviews appeals shall lie as a matter or right to the Superior Court of this Commonwealth upon the same terms and with the same regulations as are provided by existing laws in regard to appeals from any definitive sentence or decree of the orphans' court and in hearing such appeals the Superior Court shall consider the testimony as a part of the record" be and the same is hereby amended to read as follows

Section 1 Be it enacted et cetera That within twenty-one (21) days after the final order or decree of any of the courts of this Commonwealth sitting as a juvenile court or any judge sitting as such committing or placing or refusing to commit or place any dependent neglected incorrigible delinquent or other kind of child or children to any institution reputable citizen or to the care of some training school or an industrial school or to the care of some institution willing to receive it or them or to any other person or persons except to their respective parent or parents such child or children shall as a matter of right by its or their parent or parents or next friend have the right to present to such courts sitting as juvenile courts or judge sitting as such a petition to have its or their case or cases reviewed and reheard if in the estimation of such parent parents or next friend an error of fact or of law or of both has been made in such proceedings or final orders or if the said order has been improvidently or inadvertently made and the person or persons who initiated the proceedings to commit or place the said child or children shall have a like right to have the case reviewed and reheard and upon the presentation of such petition the said courts sitting as juvenile courts or judge sitting as such shall grant such review and rehearing as a matter of right and it shall be required that the testimony be taken down at such reviews and rehearings and transcribed by an official court stenographer at the cost of the party requesting such review and rehearing which testimony shall be duly made a part of the record in such cases From the final order or decree of such courts of this Commonwealth sitting as juvenile courts or judge sitting as such court in proceedings for such rehearings and reviews appeals by such child or children by its or their parent or parents or next friend or by the person or persons who initiated the proceedings to commit or place shall lie as a matter of right to the Superior Court of this Commonwealth upon the same terms and with the same regulations as are provided by existing laws in regard to appeals from any definitive sentence or decree of the orphans' court and in hearing such appeals the Superior Court shall consider the testimony as a part of the record

On the question,

Will the House agree to the section?

Mr. STONER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 15, by inserting after "fifteen" the following: "(P. L. 652)."

Amend section 1, page 2, lines 15 and 16, by striking out the words "which reads" and inserting in lieu thereof: "is hereby amended to read."

Amend section 1, page 2, lines 17 to 29, by striking out lines 17 to 29, both inclusive, and eliminating them from the bill.

Amend section 1, page 2, lines 1 to 23, by striking out lines 1 to 23, both inclusive, and eliminating them from the bill.

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 The second section of said act which reads as follows

"Section 2 If at any time after the final order or decree of any of the courts of this Commonwealth sitting as juvenile courts or any judge sitting as such placing or committing any dependent neglected incorrigible delinquent or other child or children to any institution citizen training school industrial school or to the care or some institution willing to receive it or them or to any other person or persons such a change of circumstances should take place that in the estimation of the parent or parents or next friend of such child or children should warrant the revocation or modification of such final orders or decrees such dependent neglected incorrigible delinquent or other child or children hereinabove described shall by its or their parent or parents or next friend have the right to file a petition in such courts sitting as juvenile courts or with aforesaid judges sitting as such asking for a revocation or modification of such final orders or decrees and it shall be the duty of such courts sitting as juvenile courts or judges sitting as such to give a full and proper hearing on such petitions and it shall be required that the testimony at such hearings be taken and transcribed by an official court stenographer at the cost of the party requesting such hearing and such testimony shall be duly made a part of the record in the case From the final order or decree of such courts of the Commonwealth sitting as juvenile courts or judge sitting as such court in proceedings for such hearings mentioned in this paragraph appeals shall lie as a matter of right to the Superior Court of this Commonwealth upon the same terms and with the same regulations as are provided by existing laws in regard to appeals from any definitive sentence or decree of the orphans' court and in hearing such appeals the Superior Court shall consider the testimony as part of the record" be and the same hereby is amended to read as follows

Section 2 If at any time after the final order or decree of any of the courts of this Commonwealth sitting as juvenile courts or any judge sitting as such placing or committing any dependent neglected incorrigible delinquent or other child or children to any institution citizen training school industrial school or to the care of some institution willing to receive it or them or to any other person or persons such a change of circumstances should take place that in the estimation of the parent or parents or next friend of such child or children should warrant the revocation or modification of such final orders or decree such dependent neglected incorrigible delinquent or other child or children hereinabove described shall by its or their parent or parents or next friend have the right to file a petition in such courts sitting as juvenile courts or with aforesaid judges sitting as such asking for a revocation or modification of such final orders or decrees and the person or persons who initiated the proceedings to commit or place the said child or children shall have the same right to petition for a revocation or modification of such final orders or decrees and it shall be the duty of such courts sitting as juvenile courts or judges sitting as such to give a full and proper hearing on such petitions and it shall be required that the testimony at such hearing be taken and transcribed by an official court stenographer at the cost of the party requesting such hearing and such testimony shall

be duly made a part of the record in the case From the final order or decree of such courts of this Commonwealth sitting as juvenile courts or judge sitting as such court in proceedings for such hearings mentioned in this paragraph appeals by such child or children by its or their parent or parents or next friend or by the person or persons who filed the said petition shall lie as a matter of right to the Superior Court of this Commonwealth upon the same terms and with the same regulations as are provided by existing laws in regard to appeals from any definitive sentence or decree of the orphans' court and in hearing such appeals the Superior Court shall consider the testimony as part of the record

On the question,

Will the House agree to the section?

Mr. STONER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 5, line 10, by striking out the words "which read" and inserting in lieu thereof: "is hereby amend to read".

Amend section 2, page 5, lines 12 to 28, by striking out lines 12 to 28, both inclusive, and eliminating them from the bill.

Amend section 2, page 6, lines 1 to 19, by striking out lines 1 to 19, both inclusive, and eliminating them from the bill.

Amend section 2, page 7, line 15, by striking out the word "hearing" and inserting in lieu thereof: "hearings."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act amending an act entitled "An act giving to dependant incorrigible delinquent and other children committed to the care custody or control of any institution or citizen or training school or industrial school or any association willing to receive them or to any other person or persons by any court of this Commonwealth sitting as a juvenile court or any judge sitting as such the right to reviews and rehearings on petition of their parent or parents or next friend requiring the testimony to be made a part of the record providing for appeals to the Superior Court" Approved the first day of June one thousand nine hundred and fifteen by extending the right to reviewers rehearings revocations and modifications and appeals thereafter to the persons who initiated the proceedings to commit

On the question,

Will the House agree to the title?

Mr. STONER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 13, by inserting after "fifteen" the following: "(P. L. 652)"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 987, entitled:

An Act to amend sections one two three and four of an act approved the eleventh day of July Anno Domini one thousand nine hundred seventeen entitled "An act to regulate the importation into this Commonwealth of dependent delinquent or defective children and providing a penalty for the violation thereof"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eleventh day of July Anno Domini one thousand nine hundred seventeen (Pamphlet Laws seven hundred and sixty-nine) entitled "An act to regulate the importation into this Commonwealth of dependent delinquent or defective children and providing a penalty for the violation thereof" is hereby amended to read as follows

Section 1 It shall be unlawful for any person corporation association or institution to bring or send or cause to be brought or sent into the State of Pennsylvania any dependent or delinquent or defective child for the purpose of placing such child in any home in Pennsylvania or procuring the placing of such child in any home in Pennsylvania by indenture adoption or otherwise or to abandon such child after being brought or sent into the State of Pennsylvania without first obtaining a license to be issued by the Department of Public Welfare of the Commonwealth of Pennsylvania and conforming to this act and to such rules and regulations of such Department consistent herewith as such Department may from time to time prescribe Provided however That each and every application for a license as provided in this section must be submitted on the form provided by such Department for the purpose and must be accompanied by a certificate or other available evidence that the applicant has previously obtained a license or the approval of the proper State authority of the State from which the child is to be brought or sent into the State of Pennsylvania

On the question,

Will the House agree to the section?

Mr. CLUTTON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 7, by striking out the words "this Commonwealth" and inserting thereof: "the State of Pennsylvania."

Amend section 1, page 1, line 10, by inserting before "It" the following: "Be it enacted, &c., That"

Amend section 1, page 1, line 10, by striking out the word "It and inserting in lieu thereof: "it"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That Section two of said act is hereby amended to read as follows

Section 2 Such person corporation association or institution before bringing or sending or causing to be brought or sent any such child into this State shall first give an indemnity bond in favor of the State of Pennsylvania in the penal sum of one thousand dollars to be approved by said Department of Public Welfare conditioned as follows That such person corporation association or institution will not send or bring or cause to be brought or sent into this State

any child that is incorrigible or one that is of unsound mind or body Provided That the Department of Public Welfare of the Commonwealth of Pennsylvania in case of dispute shall determine whether or not such child is of unsound mind or body that such person corporation association or institution will at once upon the placement of such child furnish to the Department of Public Welfare its name and a certificate of its birth and the name and legal residence of the person with whom it is placed that if any such child shall before it reaches the age of twenty-one years become a public charge such person corporation association or institution will within thirty days after written notice shall have been given of such fact by the Department of Public Welfare remove such child from the State and if any such dependent child shall be convicted of crime or misdemeanor and imprisoned within three years from the time of its arrival within the State such person corporation association or institution will remove from the State such child immediately upon its being released from such imprisonment and upon failure after thirty days notice and demand to remove any such child who shall have either become a public charge as aforesaid or who shall have been convicted as aforementioned in either event such person corporation association or institution shall at once and thereby forfeit the sum of one thousand dollars as a penalty therefor to be recovered upon such bond by a suit in the name of the State of Pennsylvania that such person corporation association or institution will place or cause to be placed each of such dependent children under written contract which will secure to such child a proper home and will make the person so receiving such child responsible for its proper care education and training that such person corporation association or institution will properly supervise the case and training of each such children and that each of such children shall be visited at least twice a year by a responsible agent of the person corporation or institution so placing or causing to be placed such child as herein provided that such person corporation association or institution will make to the said Department of Public Welfare such reports of their work as said Department from time to time may require

On the question,

Will the House agree to the section?

Mr. CLUTTON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 23, by inserting after "act" the following: as amended by the act approved the seventeenth day of July, one thousand nine hundred and nineteen, (P. L. 1027) entitled, "An act to amend section two of an act, approved the eleventh day of July, Anno Domini, one thousand nine hundred and seventeen, entitled, 'An act to regulate the importation into the State of Pennsylvania of dependent, delinquent, or defective children; and providing a penalty for the violation thereof,' so as to reduce the amount of the indemnity bond in favor of the State of Pennsylvania from ten thousand dollars to one thousand dollars."

Amend section 2, page 4, line 12, by inserting after "each" the word: "of"

Amend section 2, page 4, line 14, by inserting after "corporation" the following: "association"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third and fourth sections were separately read and agreed to as follows:

Section 3 That section three of said act is hereby amended to read as follows

Section 3 The Department of Public Welfare shall have general supervision and management of all matters contained in this act and may make such other and further rules and regulations not inconsistent herewith as it may deem necessary for the proper placing out indenture adoption removal and supervision of such children and for the rejection of incorrigible or unsound children and for the removal of children convicted of crimes or misdemeanors or who may become public charges

Section 4 That section four of said act is hereby amended to read as follows

Section 4 Any person corporation association or institution or any officer or agent thereof herein described who shall violate any of the provisions of this act and any person corporation association or institution in this Commonwealth of Pennsylvania who shall allow a child to be placed in its keeping in violation of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars

The title was read as follows:

An Act to amend section one two three and four of an act approved the eleventh day of July Anno Domini one thousand nine hundred seventeen entitled "An Act to regulate the importation into this Commonwealth of dependent delinquent or defective children and providing a penalty for the violation thereof"

On the question,

Will the House agree to the title?

Mr. CLUTTON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1, by inserting after "two" the following: "as amended"

Amend title, page 1, line 3, by inserting after "seventeen" the following: "(P. L. 769)"

Amend title, page 1, line 4, by striking out the words "this Commonwealth" and inserting in lieu thereof: "the State of Pennsylvania"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1086, entitled:

An Act providing for the public health safety and welfare requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of Hospitals poor houses or other charitable institutions school churches and buildings of municipal or quasi municipal character and providing penalties for the violation of this act

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be the duty of the individual owner operator president director general manager superintendent or other person in charge or of having supervision over any coal mine or mining operation upon and after reasonable notice and demand to furnish and sell at reasonable and current or market rates and prices and at reasonable times such amount of fuel coal as shall be reasonably necessary for the proper heating of any hospital poor house or other charitable institution school building church or place of religious

worship or public building municipal or quasi municipal in character located within the limits of the municipality in which said coal mining operation is conducted or carried on Provided however That said owner or operator of said coal mine or mining operation may demand that said coal so furnished be paid for at the mine or coal pocket where said coal is furnished or relivered

The second section was read as follows:

Section 2 Any individual owner operator president director general manager superintendent or other person in charge of or having supervision over any such coal mining operation wilfully violating the provisions of this act shal be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one thousand dollars or undergo imprisonment for not more than one year both or either at the discretion of the Court

On the question,

Will the House agree to the section?

Mr. O'BOYLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 17, by striking out the words "or either"

Amend section 2, page 2, line 17, by inserting before the word "both" the following: "or."

On the question,

Will the House agreed to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act providing for the public health safety and welfare requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of Hospitals poor houses or other charitable institutions school churches and buildings of municipal or quasi municipal character and providing penalties for the violation of this act

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1229, entitled:

An Act to further amend section one thousand two hundred ten as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred ten of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which as amended by an act approved the tenth day of July one thousand nine hundred nineteen (Pamphlet Laws nine hundred and ten) entitled "An act to further amend section one thousand two hundred ten and to repeal sections one thousand two hundred eleven one thousand two hundred thirteen and two thousand eight hundred and five of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and making an appropriation" and which as amended by an act approved the twenty-eighth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred twenty-eight) entitled "An act to amend section one thousand two hundred ten as amended and section one thousand one hundred three and section five hundred twenty-four as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith and repealing section one thousand two hundred twelve thereof" is hereby further amended to read as follows

Section 1210 One The minimum salaries of all teachers supervisors principals and superintendents in the public schools of the Commonwealth except as otherwise hereinafter provided shall be paid by the several classes of districts in which such persons are employed in accordance with the following schedules

Two Districts of the first class Elementary teachers minimum annual salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increment eight (8) assistant high school teachers minimum annual salary one thousand five hundred dollars ($1,500) minimum annual increment one hundred dollars ($100) minimum number of increments three (3) junior high school teachers and city normal school training teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) high school teachers and city normal school teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred seventy-five dollars ($175) minimum number of increments eight (8) provided that subject to regulations prescribed by the State Board of Education and such additional regulations as the local board of public education may prescribe the minimum maximum salary for high school teachers shall be advanced to at least three thousand six hundred dollars ($3,600) supervisors minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) elementary school principals minimum annual salary two thousand one hundred dollars ($2,100) minimum annual increment two hundred thirty-seven dollars and fifty cents ($237.50) minimum number of increments eight (8) junior high school high school city normal school principals minimum annual salary four thousand dollars ($4,000) minimum annual increment two hundred fifty dollars ($250) minimum number of increments four (4) Vocational industrial manual training continuation school industrial art and similar teachers if classified in the elementary schools shall be entitled to the salary and increments prescribed in the schedule for elementary teachers or if classified in junior high schools they shall be entitled to the salary and increments prescribed in the schedule for junior high school teachers All teachers now holding valid licenses to teach in districts of the first

class shall be deemed to have the minimum qualifications required by this act

Three The principalships in elementary continuation industrial trade junior high and high schools in districts of the first class shall be classified by the board of public education shall fix the number of increments the or rooms in the school or such other facts and conditions as determine the relative importance and value of the service rendered by such principals The board of public education shall fix the number of increments the amount thereof and the maximum salary of each of such principals but no principal shall receive less than the minimum salary prescribed The increments provided in the foregoing schedule for principals apply to those principals only who serve in the schools of the highest classification which classification shall be determined by the board of public education

Four Each person on the teaching or supervisory staff in a school district of the first class on the first Monday of July one thousand nine hundred twenty-one shall be entitled to receive the minimum salary provided for herein and in addition thereto to one annual increment for each year of accredited service or experience not exceeding the number of increments authorized by this act

Five Districts of the second class—Elementary teachers and elementary principals who devote less than one-half their time to supervision and administration minimum annual salary one thousand dollars ($1,000) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) high school teachers and high school principals who devote less than one-half their time to supervision and administration minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) provided that where teachers in junior high schools have the qualifications required by the local school board for teachers of the senior high school they shall be placed upon the high school schedule otherwise they shall be placed upon the elementary school schedule supervisors minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) elementary principals who devote one-half or more of their time to supervision and administration minimum annual salary one thousand six hundred dollars ($1,600) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) high school principals who devote one-half or more of their time to supervision and administration minimum annual salary three thousand dollars ($3,000) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) superintendents minimum annual salary five thousand dollars ($5,000)

Six Districts of the third class—Elementary teachers and elementary principals who devote less than one-half of their time to supervision and administration minimum annual salary one thousand dollars ($1,000) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) high school teachers and high school principals who devote less than one-half of their time to supervision and administration minimum annual salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increments for (4) provided that where teachers in junior high schools have the qualifications required by the local school board for teachers of the senior high school they shall be placed upon the high school schedule otherwise they shall be placed upon the elementary school schedule supervisors minimum salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) elementary principals who devote one-half or more of their time to supervision and administration minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) high school principals who devote one-half or more of their time to supervision and administration minimum annual salary two thousand dollars ($2,000) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments four (4) superintendents minimum ($3,500)

Seven Districts of the fourth class Elementary teachers minimum monthly salary one hundred dollars ($100) high school teachers minimum monthly salary one hundred thirty dollars ($130)

Eight County superintendents of counties having a population of less than twenty thousand (20,000) minimum annual salary two thousand five hundred ($2,500) county superintendents of counties having a population of twenty thousand and more but less than forty-five thousand (45,000) minimum salary three thousand dollars ($3,000) county superintendents of counties having a population of forty-five thousand and more but less than one hundred fifty thousand (150,000) minimum annual salary three thousand five hundred dollars ($3,500) county superintendents of counties having a population of one hundred fifty thousand (150,000) or more minimum annual salary four thousand dollars ($4,000) all assistant county superintendents minimum annual salary two thousand five hundred dollars ($2,500)

Nine The foregoing schedules prescribe a minimum salary in each instance and where increment is prescribed it is also a minimum It is within the power of the boards of education boards of public school directors or county conventions of school directors as the case may be to increase for any person or group or persons included in this schedule the initial salary or the amount of an increment or the number of increments or the minimum qualifications set forth in this act Teachers shall be entitled to the increments as provided for in said schedules who have complied with such requirements as may be prescribed by the State Board of Education except where additional qualifications are required by the local board of public education or board of school directors

Nothing in this act contained shall be construed to interfere with or discontinue any salary schedule now in force in any school district so long as such schedule shall meet the requirements of this section nor to prevent the adoption of any salary schedule in conformity with the provisions of this act

Ten The increments herein provided for are applicable only where the beneficiaries thereof remain in the services of the same school district Where such teachers enter a new district they shall enter at a point in the schedule to be agreed upon between said teacher and the employing districts which agreement shall be made a part of the contract between them

Eleven Teachers who are required because of additional work to devote more than the usual number of periods per day to their duties shall be entitled to a fair increase in compensation to be determined by the board of public education or the board of school directors Teachers who may be employed in giving instruction for only part of a day render such other service for such period of time per day as the board of public education or the board of school directors may direct but if such services cannot be assigned to such teacher by the board of public education or the board of school directors the salary paid to such teacher shall be proportioned to the number of hours of service rendered

Twelve Only those persons holding one of the following certificates shall be qualified to teach in the public schools of this Commonwealth College permanent certificate college provisional certificate normal school diploma normal school certificate special permanent certificate special temporary certificate permanent State certificate certificates which are permanent licenses to teach by virtue of the provisions of section one thousand three hundred eight of this act as amended or such other kinds of certificates as are issued under the rules and regulations of the State Board of Education or State Council of Education The State Board of Education shall also provide for the issuance of certificates by county or district superintendents to meet such emergencies or shortage of teachers as may occur

Thirteen The holders of any of the foregoing certificates shall be entitled to the benefits of the salary schedule where the qualifications required for such certifiactes include not less than graduation from a State normal school of this Commonwealth or equivalent training but all holders of certificates which are permanent licenses to teach in the public schools of the Commonwealth shall be entitled to the benefits of this salary schedule and nothing in this act nor any regulations of the State Board of Education shall invalidate any permanent certificate except as hereinafter provided on account of incompetence cruelty negligence immorality or intemperance Teachers not entitled to the benefits of the salary schedule herein provided shall become entitled to such benefits by meeting the qualifications prescribed in this act and such teachers until so qualified shall receive at least seventy-five ($75) dollars per month Provided That

a teacher holding a professional certificate or a certificate of equivalent value as determined by the State Board of Education shall receive a minimum monthly salary of eighty-five dollars ($85) upon meeting such qualifications as shall be required under the rule of the State Board of Education

Fourteen After the first day of September one thousand nine hundred twenty-seven all persons receiving certificates to teach in the public schools of the Commonwealth except emergency certificates as herein provided for shall have the qualifications required herein of beneficiaries of the salary schedule

Fifteen The State Board of Education shall provide for summer schools in normal schools colleges universities and other educational institutions and for extension courses and correspondence courses for all teachers employed in the public school system of the Commonwealth who wish to acquire the minimum qualifications prescribed herein or such further qualifications as may be desirable

Sixteen The board of public education or board of school directors of each school district shall establish a salary schedule with increments for all members of the teaching and supervisory staff not included in the schedules herein provided

Seventeen All certificates in effect the first Monday of July one thousand nine hundred and twenty-one shall remain valid for the period of time for which they are issued or renewed

Eighteen In school districts of the second third and fourth classes at the beginning of the school year following the approval of this act each teacher supervisor or principal employed in the same school district in which he was employed for the previous school year shall be entitled to the salary provided in the schedule next higher than the salary received by the said teacher during the said previous school year

Nineteen Of the salaries herein provided for teachers supervisors principals and all other members of the teaching and supervisory staff in the public schools of the Commonwealth except part time and night school teachers the Commonwealth shall pay to such school district as complies with the laws governing the public schools of the Commonwealth for each of said persons employed therein as follows In school districts of the first class for each member of the teaching and supervisory staff twenty-five per centum (25%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the second and third class for each member of the teaching and supervisory staff thirty-five per centum (35%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the fourth class for each member of the teaching and supervisory staff fifty per centum (50%) of the annual minimum salary prescribed herein for teachers in such districts Provided That the amount paid by the Commonwealth to a school district in any of the foregoing classes which has a true valuation per teacher of assessable property of fifty thousand dollars ($50,000) or less shall be seventy-five per centum (75%) of the annual minimum salary prescribed herein for elementary teachers in such districts and that the amount paid to a school district in any of the foregoing classes which has a true valuation per teacher of assessable property of not less than fifty thousand dollars ($50,000) nor more than one hundred thousand dollars ($100,000) shall be sixty per centum (60%) of the annual minimum salary prescribed herein for elementary teachers in such districts Provided That where any member of the teaching or supervisory staff receives less salary than the minimum salary prescribed by the foregoing salary schedule for the class of district in which he is teaching there shall be paid to the district a corresponding per centum of the salary paid to such persons And provided further That wherever payment is made upon the salary of any member of the teaching or supervisory staff from Federal or other State funds such amounts shall be to the extent thereof in lieu of the payment provided herein for such person Provided further That the Superintendent of Public Instruction shall annually apportion to each fourth class school district the sum of two hundred dollars ($200) for each school permanently closed or discontinued in such district since nineteen hundred eleven or which may hereafter be permanently closed or discontinued The true valuation per teacher for each district shall be determined by the State Council of Education on data and material submitted by the officers of such district in the annual report to the Superintendent of Public Instruction It shall be found by dividing the true valuation of the district by the number of full time teachers which number shall include all teachers principals supervisors and superintendents employed in the vocational and non-vocational schools of the district for the year covered by such report The true valuation of the taxable property of each school district shall be obtained by dividing the amount of the assessed valuation certified in the annual report of the district for the school year ending June thirtieth one thousand nine hundred and twenty-two and every second year thereafter by the average rate of assessment certified in such annual reports for the three years immediately preceding the date on which such true valuation is determined For the two fiscal years beginning on June first one thousand nine hundred and twenty-three and ending on May thirty-first one thousand nine hundred and twenty-five such true valuation of the district shall be determined during the month of June one thousand nine hundred and twenty-three on the data and material available in the report filed with the Superintendent of Public Instruction on August first one thousand nine hundred and twenty-two The true valuation of each school district for the two fiscal years beginning on June first one thousand nine hundred and twenty-five and ending May thirty-first one thousand nine hundred and twenty-seven and for each biennium thereafter shall be determined during the month of October one thousand nine hundred and twenty-four and in the month of October of every second year thereafter The State Council of Education is hereby given full power and authority to make such investigations to take such action and to institute such proceedings as may be necessary to determine any of the questions that may be raised in the determination and adjustment of the aforesaid true valuations and the decisions which such Council reaches in such questions shall be final and conclusive

Twenty On or before the first day of November of each year each school district of the first and second class and each school district of the third class having a district superintendent shall file a certificate with the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him showing the number of teachers supervisors principals and other members of the teaching and supervisory staffs the certificates held by each and the compensation paid each for the current school year on or before the first day of October of each year each school district of the third class not having a district superintendent and each school districts of fourth class shall forward such a certificate to the county superintendent and if approved by him the county superintendent shall forward the same to the Superintendent of Public Instruction on or before the first day of November of each year

Twenty-one The Superintendent of Public Instruction shall ascertain and determine the amount of funds required to meet each of the four payments to school districts which become due and payable within the two fiscal years beginning June first one thousand nine hundred and twenty-three and ending on May first one thousand nine hundred and twenty-five and each biennium thereafter on the data and materials contained in the certificate which school districts are required by law to file with the said Superintendent on November first immediately preceding the beginning of each biennium and the said Superintendent shall also apportion and allot the same to and among the respective districts

Twenty-two When the amount payable to each school district has been ascertained and determined by the superintendent of Public Instruction he shall certify the same to the State Treasurer and Auditor General who shall place the amounts to the credit of the respective school districts The Superintendent of Public Instruction shall transmit to each county and district superintendent a statement showing the amount which has been apportioned and allotted to each school district under the supervision of such county or district superintendent

Twenty-three The amount apportioned and allotted to each school district shall be divided into equal semi-annual instalments and the Superintendent of Public Instruction shall draw his warrants semiannually upon the State Treasurer in favor of each district for the amount to which it is entitled and payment thereof shall be to fourth class districts during the months of February and August of each year to second and third class districts during the months of March and September of each year and to first class districts during the months of April and October of each year

Twenty-four Boards of school directors of school districts of the second third and fourth classes are hereby authorized and directed to levy a tax on each dollar of the total assessment of all property assessed and certified for taxation therein to pay the minimum salaries and increments of the

teaching and supervisory staff provided for herein Said tax shall not be invalidated or affected by reason of the fact that it may increase the total annual school tax levy of any school district beyond the mileage fixed or limited by law Provided that in districts of the fourth class the tax herein authorized together with all other school taxes levied in the district shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof

On the question,

Will the House agree to the section?

Mr. HORNE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 5, line 5, by striking out "the number of increments the" and inserting in lieu thereof: "on the number of teachers."

Amend section 1, page 9, line 18, by inserting before "render" the word: "shall'

Amend section 1, page 11, line 26, by striking out the word "are" and inserting in lieu thereof: "were"

Amend section 1, page 15, line 27, by inserting before "fourth" the word: "the"

Amend section 1, page 17, line 18, by inserting after "levy" the word: "annually"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to further amend section one thousand two hundred ten as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 880, as follows:

An Act to amend section two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and seven of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand forty-three) entitled "An act to amend section two hundred and seven of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as amended" is hereby further amended to read as follows

Section 207 Any citizen of this Commonwealth having a good moral character being twenty-one (21) years of age or upwards and having been a resident of the district for at least one (1) year prior to the date of his election or appointment shall be eligible to the office of school director therein Provided That any person holding the office of mayor chief burgess county commissioner district attorney city borough or township treasurer city councilman township commissioner road supervisor tax collector any comptroller auditor constable county superintendent or assistant county superintendent supervisor principal teacher or employe of any school district shall not be eligible as a school director in this Commonwealth but this section shall not prevent any district superintendent assistant district superintendent supervisor teacher or employe of any school district from being a school director in a district other than the one in which he is so employed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 532, as follows:

An Act to provide for the registration and protection of artificial assumed trade or association names titles or designations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person firm association society order foundation federation or organization or any corporation of the first class heretofore chartered under the laws of this Commonwealth may register with the Secretary of the Commonwealth the name title or designation under which he they or it are doing business or operating and every such corporation organized after the passage of this act shall register with the Secretary of the Commonwealth its proposed name and address at the time of filing its application for charter and notify him of the granting thereof within thirty days after the same shall have been granted

If such corporation shall fail to notify the Secretary of the Commonwealth within one year from the date of its application for charter of the granting thereof its registration shall be cancelled by the Secretary of the Commonwealth

Section 2 Hereafter no charter shall be granted to any corporation having a name similar to or imitating or so nearly resembling as to be calculated to deceive or using and name title or designation so registered without the consent of the registrant nor shall the name of anv corporation be changed to such a name Provided however That if the person or persons entitled to use the name so registered shall have ceased to use it for the space of one year or in the case of a corporation if such corporation shall be dissolved or merge with another corporation or shall have ceased to do business such prior registration may be cancelled with the consent of the person or persons or corporation entitled to use such name title or designation or may be cancelled by the Court of Common Pleas of Dauphin County in proper proceedings had

Section 3 Each applicant for registration shall state the name and address of the registrant and the name title or designation to be registered

Section 4 The Secretary of the Commonwealth shall keep a properly indexed record of the registrations and cancellations of registration provided for in this act

Section 5 No charter shall be granted to any proposed corporation of the first class unless at the time the petition therefor is filed and before the advertisement thereof there shall be attached to the petition a certificate from the Secretary of the Commonwealth showing that the name adopted by the petitioners for the proposed corporation has been filed and recorded in his office and a further certificate from that officer that the name of the proposed corporation does not conflict with any name registered pursuant hereto or that the name of the proposed corporation does conflict with any such name as the case may be in which latter case the certificate shall state the name or names with which the name of the proposed corporation does conflict in order that the court may determine in its consideration of the petition for charter whether or not the proposed name does conflict with any registered name Upon application of any party interested either for or against the granting of the proposed charter any information desired as to the names recorded in the office of the Secretary of the Commonwealth shall be comprehended in any certificate issued by that officer pursuant to this act

Section 6 The fees of the Secretary of the Commonwealth for registration searches made by him and certificates issued by him pursuant to this act shall be the same as now provided by law for similar services

Section 7 All acts or parts of act inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Commtitee of the Whole being in this case despensed with,

The House proceeded to the second reading and consideration of House Bill No. 830, entitled:

An Act amending section one of an act entitled "An further supplement to an act entitled 'An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" approved the nineteenth day of March one thousand nine hundred and fifteen by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent neglected incorrigible and delinquent children

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof" approved the nineteenth day of March one thousand nine hundred and fifteen which reads as follows

"Section 1 Be it enacted et cetera That in all proceedings concerning dependent delinquent incorrigible or neglected children under the age of sixteen years as defined by existing laws relating thereto the county court of Allegheny county shall have exclusively all the jurisdiction and powers now vested in and exercised by the court of quarter sessions of the peace of said county sitting as a juvenile court or of any judge of said court sitting as a juvenile court judge and all laws relating to such jurisdiction and powers of the court of quarter sessions are hereby made applicable to the said county court Said county court shall also have jurisdiction in all proceedings for the custody of children where the court has acquired jurisdiction in matters relating to their maintenance The judges of said county court shall be ex officio justices of the peace" be and the same is hereby amended to read as follows

Section 1 Be it enacted et cetera That in all proceedings concerning dependent delinquent incorrigible or neglected children under the age of sixteen years as defined by existing laws relating thereto the county court of Allegheny county shall have exclusively all the jurisdiction and powers now vested in and exercised by the court of quarter sessions of the peace of said county sitting as a juvenile court or of any judge of said court sitting as a juvenile court judge and all laws relating to such jurisdiction and powers of the court of quarter sessions are hereby made applicable to the said county court Said county court shall also have jurisdiction in all proceedings for the custody of children where the court has acquired jurisdiction in matters relating to their maintenance Provided however That if said children are dependent neglected incorrigible or delinquent the said court sitting as a juvenile court shall have sole jurisdiction The judges of said county court shall be ex officio justices of the peace

On the question,

Will the House agree to the section?

Mr. STONER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 4, by inserting after the quotation marks before the word "and" the following: "A further supplement to an act entitled,"

Amend section 1, page 2, line 3, by inserting after "thereof" the following; approved the fifth day of May, one thousand nine hundred and eleven, constituting the said court, the juvenile court of said county and prescribing its organization, jurisdiction and powers therein and otherwise.

Amend section 1, page 2, line 4, by inserting after "fifteen" the following: (P. L. 5)

Amend section 1, page 2, line 5, by striking out the words "which reads" and inserting in lieu thereof: is hereby amended to read

Amend section 1, page 2, line 6 to 22, by striking out lines 6 to 22 both inclusive and eliminating them from the bill.

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows

An Act amending section one of an act entitled "A further supplement to an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" approved the nineteenth day of March one thousand nine hundred and fifteen by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of defendent neglected incorrigible and deliquents children

On the question,

Will the House agree to the title?

Mr. STONER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 11, by inserting after "fifteen" the following: (P. L. 5)

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,
Will the House agree to the title as amended?
It was agreed to,

And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 295, as follows:

An Act making a burial permit issued at the place of death valid throughout the Commonwealth
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when any person dies anywhere within the Commonwealth of Pennsylvania and a burial permit has been properly issued by the registrar of the registration district where such death occurred such burial permit shall entitle any undertaker to inter said body or place it in a tomb or vault in any cemetery in this Commonwealth wherein the bodies of the dead are permitted to be buried or placed in a tomb or vault No city borough town or township and no board of health shall charge any fee or require any other permit for the burial or other disposition of such body
Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1256, as entitled:

An Act imposing a State tax on Liquid Fuels as herein defined to be paid by distributors as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words terms and phrases used in this act are for the purpose hereof defined as follows
(a) The term "liquid fuels" shall mean all liquids ordinarily practically and commercially usable in internal combustion engines for the generation of power except kerosene fuel oil and gas oil and shall include all distillates of and condensates from petroleum natural gas coal coal tar and vegetable ferments said distillates and condensates being ordinarily designated as gasoline naphthabenzol benzine and alcohols but not restricted to such designations
(b) The term "Distributor" shall include any and all person and persons firm co-partnership association or corporation who or which imports or causes to be imported into the State of Pennsylvania from any other State Territory or County liquid fuels as herein defined for sale or distribution in and after the same reaches the State of Pennsylvania also any person persons firm co-partnership association or corporation who or which purchases or procures any liquid fuels as herein defined from any person persons firm co-partnership association or corporation located outside the State of Pennsylvania for sale or distribution in and after the same reaches the State of Pennsylvania and also any person persons firm co-partnership association or corporation who or which produces refines manufactures or compounds any liquid fuels as herein defined in the State of Pennsylvania for sale or distribution in such State

On the question,
Will the House agree to the section?
Mr. WELLS. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendments will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend Section 1, page 1, lines 8 and 9, by striking out the words "except kerosene, fuel oil and gas oil"

On the question,
Will the House agree to the amendment?
It was agreed to,
On the question,
Will the House agree to the section as amended?
It was agreed to.

The second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth section were separately read and agreed to as follows:

Section 2 All distributors of liquid fuels in the State of Pennsylvania engaged in business at the time this act shall go into effect shall within thirty days thereafter and all distributors of liquid fuels engaging in the transation of such business hereafter shall prior to the commencement of such business file a duly acknowledge certificate with the Auditor General on a form prescribed prepared and furnished by him which shall set forth the name under which such distributor transacts or intends to transact business within the State of Pennsylvania and the place of business of such distributor and if distributor has more than one place of business within the State the address of the prinicpal place of business within the State if such distributor is a firm co-partnership or association the names and addresses of such persons constituting such firm co-partnership or association and if a corporation the names and addresses of the principal officers thereof No distributor as herein defined shall after the date this act becomes effective sell any liquid fuels until such certificate in filed as required by this act nor shall any distributor engaging in such business subsequent to the passage of this act commence such business without first filing such certificate with the Auditor General and any distributor failing to comply with the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000.)
Section 3 In addition to the taxes now provided for by law each and every distributor as defined in this act who is now engaged or may hereafter engage in his on name or in the name of others in the sale of liquid fuels as herein defined in this State shall pay a tax of one per cent per gallon on all liquid fuels sold within the State and every such distributor as defined in this act liable to pay the tax herein defined shall state the amount of such tax separately from the price of the liquid fuels as herein defined and for the purpose of ascertaining the amount of the tax it shall be the duty of every such distributor to transmit to the Auditor General upon a form prescribed prepared and furnished by him a statement or return under oath or affirmation of the business conducted by such distributor during the preceding three months ending the last days of March June September and December of each year which statement or return shall be filed with the Auditor General on the last days of January April July and October of each year and shall show the number of gallons of such liquid fuels that was sold within the State during the said periods from the respective places of business of such distributors and such further information as the Auditor General shall prescribe If any such distributor shall neglect or refuse to make said statement or return as herein required and provided an addition of ten per centum of the amount of tax shall be added and collected on an account settled as hereinafter provided Provided however That in all cases where any taxes imposed by this act have accrued on credit sales which taxes have been prepaid by the taxpayer and sub-

sequently prove uncollectible such taxes shall be deducted in the next return of the tax payer after such taxes become uncollectible

Section 4 The Auditor General shall settle all accounts for taxes due under the provisions of this act and upon the settlement of each account he shall transmit to the taxpayer a certified copy thereof showing the amount of the tax as found to be due by him he shall also certify to the State Treasurer the amount of the tax as found to be due by him from the several distributors made taxable by the act Every distributor liable to pay the tax imposed by this act shall pay the same to the State Treasurer within sixty (60) days from the date of the settlement of the account by the Auditor General When any tax is settled by the Auditor General as provided herein it shall bear interest at the rate of twelve per centum per annum from sitxy days after the date of the settlement of the account by the Auditor General In the event however of a resettlement of any account by the Auditor General interest shall be charged at the rate of twelve per centum per annum upon the amount found to be due from sixty (60) oays after the date of the original settlement

Section 5 The Auditor General or any agent appointed in writing by him is hereby authorized to examine the books and papers of any distributor pertaining to the business made taxable by this act to verify the accuracy of any statement or return made under the provisions of this act but any information gained by the Auditor General or any other person as a result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000) or to undergo imprisonment of not more than one year or both

Section 6 If the Auditor General is not satisfied with the statement or return made by any distributor under the provisions of this act he is hereby authorized and empowered to settle an account against such distributor based upon the facts contained in the statement or return or upon any information within his possession or that shall come into his possession with the right to the distributor dissatisfied with the settlement so made against him to appeal therefrom in the manner now provided by law If any such distibutor shall neglect or refuse to make the statement or return as required by this act the Auditor General may estimate an assessment against such distributor and settle an account for taxes penalty and interest thereon from which settlement there shall be no right of appeal

Section 7 Any distributor or distributors who shall fail neglect or refuse to make the statements or returns and pay tax as herein prescribed or who shall refuse to permit Auditor General or any agent appointed by him in writing to examine the books or papers of any such distributor pertaining to the business made taxable by this act or who makes any incomplete false or fraudulent statement or return hereunder or who does or who attempts to do anything whatsoever to avoid a full disclosure of the amount of business done or to avoid the payment of the whole or any part of the tax due shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or in the case of an individual to undergo imprisonment not exceeding six months or both Such penalty shall be in addition to the penalty imposed by any other section of the act

Section 8 Fifty per centum of all taxes collected under the provisions of this act shall be credited to the several counties in the same ratio to the total amount of taxes collected in the State for this purpose as the amount paid to each of the respective counties for the year one thousand nine hundred and twenty-two bore to the total amount collected for this purpose in the State during said year one thousand nine hundred and twenty-two and shall be used only for the purpose of the construction reconstruction maintenance and repair of roads and highways and for the payment of the interest on county bonds issued for road purposes and shall be paid over to the counties semi-annually on the first day of April and October of each year

Section 9 It is the purpose of this act to centralize the collection of the tax herein authorized in the hands of those who originally dispose of the liquid fuels as herein described for distribution or consumption within the State but in no case shall there be a duplication of the collection of the tax authorized

Section 10 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not effect or impair any of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 11 That an act approved the twentieth day of May Anno Domini one thousand nine hundred twenty-one (Pamphlet Laws one thousand twenty-one) entitled "An Act imposing a State tax on gasoline and on all other liquids containing any derivative of petroleum or natural gas produced prepared or compounded or usuable for the purpose of generating power by means of internal combustion and sold in this Commonwealth except for the purpose of resale providing for the collection of such tax and for the distribution and use of revenues derived therefrom making an appropriation and fixing penalties" is hereby repealed Provided however That nothing contained shall be taken or construed to relieve any person or persons co-partnership association company or corporation whatsoever from the payment of any tax interest or penalty due or owing to the Comonwealth under any law in force at the time this act becomes effective

Section 12 This act shall become effective on the first day of July Anno Domini one thousand nine hundred twenty-three

The title was read as follows:

An Act imposing a State tax on liquid fuels as herein defined to be paid by distributors as herein defined; providing for the collection of such tax and for the distribution and use of the revenues derived therefrom; providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax; and fixing penalties.

On the question,

Will the House agree to the title?

Mr. WELLS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, line 1 and 2, by striking out the words "as herein defined" and substituting in lieu thereof, after the words "liquid fuels" the following: "including all liquids, ordinarily, practically and commercially usuable in internal combustion engines for the generation of power, and all distillates of and condensates from petroleum, natural gas, coal, coal tar and vegetable ferments"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to,

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 846, entitled:

An Act to amend (e) and (f) of section three hundred and six and clause seven of section three hundred and seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended and providing when the same shall become effective

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That clause (e) of section three hundred and six of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" which was amended by the act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and forty-two) entitled "An act to amend an act approved the second day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder' and providing when the same shall become effective" is hereby further amended to read as follows

(e) From the time the disability begins the employer shall furnish reasonable surgical and medical services medicines and supplies as and when needed unless the employee refuses to allow them to be furnished by the employer Compensation for such medical and surgical services and supplies furnished to the employee shall be paid to the medical doctor or surgeon by the employer regardless of where such services are rendered either at a hospital home or elsewhere Compensation for such medical and surgical services and supplies shall in no case exceed the prevailing charge in any community in which the services are rendered for like medical and surgical services and supplies to other individuals in like circumstances If the employer shall upon application made to him refuse to furnish such services medicines and supplies the employee may procure the same and shall receive from the employer the reasonable cost thereof within the above limitations If the employee refuses to accept the services furnished him by the employer the employee shall be responsible for all medical and surgical services rendered him during the time of such refusal

From the time the disability begins the employer shall furnish reasonable hospital care medicines and supplies when and as needed unless the employee refuses to allow them to be furnished by the employer Compensation for such hospital care medicines and supplies shall in no case exceed the prevailing charge in any community in which the services are rendered and like hospital care medicines and supplies to other individuals in like circumstances Compensation to the hospital shall not include the services of a medical doctor or surgeon but compensation for such services must be paid directly to any medical doctor or surgeon furnishing such medical and surgical services

Resident internes serving in hospitals are denied the right to collect fees for services rendered injured employees under this act

Any medical doctor surgeon hospital or institution treating an injured employee under the Workmen's Compensation Act shall within one week after the beginning of such treatment furnish the employer or his insurance carrier a certificate stating that such medical surgical or hospital service is being rendered

If the employee shall refuse reasonable surgical medical and hospital services medicines and supplies tendered to him by his employer he shall forfeit all right to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal

Any medical doctor or surgeon hospital or institution incorporated or otherwise shall be and have the right of party in interest in any proceedings had or begun under the provisions of this act and shall have the right originally to file a petition for compensation for any such services medicines and supplies furnished under the provisions thereof

Wherever the conditions are such that the employer is unable to furnish medical and surgical services medicines and supplies hospital or institutional care medicines and supplies and the treatment care and supplies be furnished in an emergency wherein the absence of the employer or the condition of the employee make it impossible for such employer to provide such services medicines and supplies or for the employee to procure them for himself said services treatment care medicines and supplies shall be paid for by the employer to the medical doctor or surgeon for such medical treatment and supplies and to the hospital or other institution for such care and supplies at the usual rates in the community for such emergency service

The second section was read as follows:

Section 2 That clause (f) of section three hundred and six of said act is hereby further amended to read as follows

(f) Should the employee die as a result of the injury the period during which compensation shall be payable to his dependents under section three hundred and seven of this article shall be reduced by the period during which compensation was paid to him in his lifetime under this section of this article No reduction shall be made for the amount which may have been paid for medical and surgical services and medicines nor for the expenses of the last sickness and burial Compensation for medical and surgical services medicines and supplies also hospital care medicines and supplies shall be paid for as hereinbefore required under the act irrespective of whether the employee dies within the ten day period or not Should the employee die from some other cause than the injury the liability for compensation shall cease

On the question,

Will the House agree to the section?

Mr. EARLY. Mr. Speaker, I desire to offer the following amendments

The SPEAKER. The amendments will be read by the Clerk.

Amend Sec. 2, page 6, line 1 by inserting before "section 7" the following: That the first paragraph of clause seven of section three hundred and seven of said act is hereby further amended to read as follows:

Amend Sec. 2, page 6, line 1 by striking out the word "Section"

On the question,

Will the House agree to the amendments?

They were agreed to,

Will the House agree to the section as amended?

It was agreed to.

The seventh section and title were separately read and agreed to as follows:

Section 7 Whether or not there be dependents as aforesaid the reasonable expenses of the last sickness and burial (without deduction of any amounts theretofore paid for compensation or for medical expenses) payable to the dependents or if there be no dependents then to the personal representatives of the deceased

An Act to amend clauses (e) and (f) of section three hundred and six, and clause seven of section three hundred and seven of the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An Act defining the liability of an employer to pay damage for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder, as amended; and providing when the same shall become effective.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case despensed with,

The House proceeded to the second reading and consideration of House Bill No. 900, as follows:

A Supplement to the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" requiring notice to the Department of Public Welfare of applications for charters and amendments thereto of hospitals maternity homes and hospitals and certain chari-

table and eleemosynary institutions and societies and further regulating the incorporation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That before an application for a charter articles of incorporation or for an amendment to such charter or articles of incorporation of a hospital maternity home or hospital charitable or eleemosynary institution or society in which indigent persons are treated and maintained or to be treated and maintained or of a society which places or desires to place dependent neglected and delinquent children in private famalies or otherwise to care for such children shall be filed with a court of common pleas the incorporators shall before they advertise their intention in the newspapers as required by the act to which this is a supplement give notice in writing of their intention to apply for a charter to the Department of Public Welfare and shall produce before the court before the charter is granted proof of such notice to the Department of Public Welfare

Section 2 Upon receipt of such notice the Department of Public Welfare shall make the necessary investigation and shall advise the court as to whether in the judgment of the Department the incorporators are reputable and responsible citizens and that the proposed work is needed and the incorporation of such an association is required by the needs of the community where its work is to be carried on

Section 3 The court shall not approve such application unless it shall find that the incorporation of such hospital maternity home or hospital charitable or eleemosynary institution or society or the amendment of its charter is required by the needs of the community wherein its work is to be carried on but the recommendation of the Department of Public Welfare as to such necessity shall not be conclusive upon said court

Section 4 Whenever report is made by the Department of Public Welfare to the court recommending that the charter or amendment to the charter asked for be refused or modified the court shall fix a day for a public hearing At least ten days' notice thereof shall be given to the Department of Public Welfare and to the applicant for the charter articles of incorporation or modification thereof After public hearing held thereon the court shall grant modify or refuse to grant the charter or amendment applied for The applicant the Department of Public Welfare or any other parties interested who have filed objections to the application shall have a right of appeal as now provided by law

Section 5 The act approved the nineteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and twenty) entitled "An act relative to the incorporation of hospitals and charitable or eleemosynary institutions or societies in which indigent persons are treated or to be treated or maintained in whole or in part at public expense and to the amendment of the charters thereof" is hereby repealed

All other acts and parts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1354, as follows:

An Act to prohibit the taking of lands and property by the Commissioners of Valley Forge Park until the damages accruing to owners thereof have been ascertained and paid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commissioners of Valley Forge Park shall in no case have power or authority to take possesion of any property or lands which have been appropriated by law for Valley Forge Park purposes until the damages for the taking of such lands and property have been finally determined in accordance with law and the said damages have been actually paid to the person or persons entitled thereto and so much of any act of assembly as authorized the taking of possession before such damages have been ascertained and actually paid be and the same is hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1228, as follows:

An Act to repeal the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and sixty-one) entitled "An act to provide for the removal or retirement of judges of the Supreme Superior common pleas orphans' municipal and county court permanently disqualified by reason of physical or mental disability to perform their regular judicial functions or duties and providing for the payment of compensation to them during the balance of the term for which they may have been elected and in certain cases for the remainder of their lives after resignation or retirement and for filling the vacancies caused thereby providing for judges who have been retired or who may have retired or resigned under provisions of previous acts or otherwise and repealing certain acts"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and sixty-one) entitled "An act to provide for the removal or retirement of judges of the Supreme Superior common pleas orphans' municipal and county court permanently disqualified by reason of physical or mental disability to perform their regular judicial functions or duties and providing for the payment of compensation to them during the balance of the term for which they may have been elected and in certain cases for the remainder of their lives after resignation or retirement and for filling of vacancies caused thereby providing for judges who have been retired or who may have retired or resigned under provisions of previous acts or otherwise and repealing certain acts" be and the same is hereby repealed

This repeal shall not operate as a revival of any law or laws heretofore repealed or superceded

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. ZOOK. Mr. Speaker, I move that House Bill 1228, file folio 3001, be recommitted to the committee on Counties and Towships for the purpose of a hearing.

Mr. McCURDY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1052, entitled:

An Act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the sixth class the annual

salary of the county treasurer shall be four thousand dollars ($4,000) the annual salary of the clerk of the courts of quarter sessions shall be two thousand five hundred dollars ($2,500) the annual salary of clerk of orphans' court shall be two tnousand five hundred dollars ($2,500) the annual salary of the prothonotary shall be three thousand dollars ($3,000) the annual salary of the recorder of deeds shall be three thousand dollars ($3,000) and the annual salary of the register of wills shall be three thousand dollars ($3,000)

Where any of said officers holds two of said offices he shall receive the highest salary fixed for any of the offices which he holds and the additional salary of one thousand dollars ($1,000) and where any such officers shall hold two or more such offices he shall receive an additional salary of one thousand five hundred dollars ($1,500)

On the question,

Will the House agree to the section?

Mr. ANDERSON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 2, line 3, by striking out the word "two" and inserting in lieu thereof three

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second third fourth and fifth sections were seperately read and agreed to as follows:

Section 2 Each county to which this act applies shall at the cost of the county furnish the office furniture books stationery and supplies required for the use of any such officer and also all needed fuel and the services of a janitor and pay the premium on the bonds of the said officers required for the safe-keeping and return of county money and for the performance of the duties of their respective offices

Section 3 Each of said officers shall appoint and may dismiss the deputies and clerks of his office

Section 4 All the officers whose salaries are fixed by this act and their several deputies and clerk authorized by the salary board shall be paid for their services by fixed and specific salaries which shall be a charge upon the treasury of the county Such salaries shall be paid semi-monthly on the second and fourth Mondays of the month succeeding that in which his services were rendered

Section 5 The salary board in all counties of the sixth class which shall be composed of the county commissioners and the county treasurer shall fix and determine annually the number and the salaries to be paid to the clerks and deputies required for the proper discharge of business in the office of the county officers whose salaries are fixed by this act Any such county officer or taxpayer dissatisfied with the number of deputies and clerks allowed by the salary board may appeal from the action of such board to the court of common pleas of the county which court shall after hearing make an order fixing the number and salaries of such appointees

The sixth section was read as follows:

Section 6 The salaries fixed and provided for by this act shall be in lieu of all moneys fees perquisites mileage expenses and other allowances which are now or may hereafter be received or allowed to such officers except such fees as may be received by them when acting as agents of the Commonwealth All such moneys fees mileage or perquisites received and collected by such officers shall belong to the county and shall be paid into the county treasury and all said officers shall be entitled to receive from the county all necessary traveling expenses incurred in the administration of their office

On the question,

Will the House agree to the section?

Mr. ANDERSON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 6, page 3, line 11, by inserting after the word "perquisites" the following: "shall be"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh section and title were separated, read and agreed to as follows:

Section 7 This act shall take effect on the first Monday of January one thousand nine hundred and twenty-four but shall not be construed to apply to any county officer in office at the date of the approval of this act and all such officers shall continue to receive and collect the fees and salaries now provided by law

Section 8 All acts and parts of acts general local or special inconsistent with this act are hereby repealed

An Act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1286, as follows:

An Act to amend chapter six of the act approved the fourteenth day of May one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" regulating the appointment suspension and discharge of police officers in boroughs and townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That chapter six of the act approved the fourteenth day of May one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" is hereby amended by adding thereto the following sections

Section 359 The term "police officers" as used in sections three hundred and sixty to three hundred and sixty to three hundred and sixty-four inclusive shall include all chiefs of police and their assistants all captains of police lieutenants of police sergeants of police patrolmen and detectives employed by townships of the first class

Section 360 Thereafter no person shall be appointed as a police officer in any township of the first class except in the manner and subject to the terms provided for in this act No person shall be appointed as a police officer wno is not a citizen of the United States or who has been convicted of a crime (unless pardoned) or who cannot read and write understanding in the English language or who has not resided in the Comomnwealth of Pennsylvania for a period of at least three years preceding his appointment or who has not first passed a physical examination as to his fitness and qualifications

Section 361 (a) There is already created in each township of the first class such a civil service board hereinafter designated as "the board" to be composed of three citizens of the said township The members of the board shall be apopinted by the board of township commissioners for terms of four years each and until their successors shall be appointed and qualified One of the mem-

bers of the board shall be a physician one an educator and one a lawyer The members first appointed shall be appointed within six months after the passage of this act One of said members shall be appointed for a term of two years one for a term of three years and one for a term of four years Upon the expiration of the term of any member a successor shall be appointed for a term of four years Any vacancy on the board happening by death resignation removal from the township or otherwise shall be filled by the board of township commissioners for the unexpired term The members of the board shall before entering upon their duties take and subscribe to the oath of office prescribed for township commissioners and shall file the same with the towns secretary No member of the board shall receive a salary but members shall be paid all necessary expenses incurred in the performance of their duties which payments shall be made from the township treasury in the usual manner

(b) Within five days after the first appointment the members so appointed shall organize as a board by the election of a president Annually thereafter the board shall in like manner organize Two members of the board shall constitute a quorum for the transaction of all business The board shall hold meetings from time to time as the public business may require The board may appoint a secretary and prescribe his duties The board of township commissioners shall fix the compensation of the secretary which shall be paid from the township treasury

(c) All stationery and supplies necessary for the transaction of the business of the board shall be furnished by the board of township commissioners at the expense of the township

Section 362 (a) The board shall as soon as convenient prepare and adopt rules and regulations which shall be subject to change and amendment from time to time as the board may require Such rules shall provide for the selection of persons as police officers and shall provide for the examination of candidates for positions as police officers with a view to ascertain and determine their qualifications habits reputation standing experience and education

(b) The board shall conduct examinations from time to time of which adequate notice shall be given in such manner as shall be prescribed by the board in its rules and regulations All examinations shall be practical in their character and shall relate to those matters which shall fairly test the qualifications and fitness of the persons submitting themselves for examination for the position of police officer

(c) The board shall require from all persons desiring to be examined the filing of a formal applcation within a reasonable time prior to the proposed examination Such application shall state (a) the applicant's full name (b) his residence and post office address (c) his citizenship (d) his age the place and date of birth (e) his business or employment during the last three years and (f) such other information as the board may require

(d) The board shall at all times keep separate lists of all persons who have successfully passed any examination arranged according to the several positions existing in the police department of the township Where more than one person takes the examination for the same position those successfully passing the examination shall be entered upon the eligible list in the order of their respective percentage the highest coming first

Section 363 (a) Whenever any vacancy shall occur in the position of police officer in any township the president of the board of township commissioners shall send a written application to the president of the board to certify to the board of township commissioners the first three names on the eligible list for the position to be filled The president of the board shall forthwith certify said names

(b) The office or position in question shall be filled by appointment of one of the three persons whose names are submitted by the president of the board In making appointments to the position of police officer in any township consideration shall first be given to persons employed in the police department whose names are upon such eligible list Thereafter perference shall be given to honorably discharged soldiers sailors and marines who served in the military or naval forces of the United States in times of war All appointments of police officers under the provisions of this act shall be for and during good behavior

(c) The name of any person appointed as a police officer shall be stricken from the eligible list by the board The two remaining names shall remain thereon and be arranged forthwith according to their percentage The name of any applicant who has been rejected three times shall be stricken from the list by the board

(d) All persons holding appointments as police officers in any township at the date of the passage of this act shall remain in office without being required to pass an examination and shall be removed only in accordance with the provisions of this act

(e) No police officer in any township shall be dismissed without his written consent except by the decision of a court either or trial or inquiry certified in writing to the president of the board of township commissioners Such court shall in either case be composed of the board of township commissioners The president of said municipal body shall be the presiding officer of the court

(f) The persons comprising said court shall be sworn by the presiding officer thereof to perform their duties impartially and without fear or favor The presiding officer shall have power to administer oaths to witnesses in the same manner and with the same effect as justices of the peace of this Commonwealth

(g) No police officer in any township shall be tried unless charges in writing with plain specifications are lodged with the president of the board of township commissioners of the township who shall give written notice of said specifications to the accused within three days after receiving the same with notice of the time and place of trial The trial shall be held not less than three or more than five days from the time of the service of notice of such charges upon the accused The accused shall have the right to be present at such trial with his witnesses and if he so desires may be represented by counsel The accused shall have the right to demand either a public or private hearing upon said charges

(h) The charges which may be brought against any police officer may be either (a) disability for service in which case the court shall be one of inquiry whose decision may be for the honorable discharge of the person accused or (b) they may be brought for neglect of duty or violation of law inefficiency intemperance disobedience of orders or becoming official or personal conduct in which case the court shall be one of trial

Section 364 (a) It shall be lawful for the president of the board of township commissioners at his discretion to direct the chief of police of said township to suspend any police officer from duty with or without pay before trial can be had when the court shall determine whether or not the accused shall be entitled to pay for the period of such suspension If the court of trial or inquiry shall exonerate the accused he shall be entitled to full compensation for the time for which he was suspended

(b) If the accused is convicted the finding of the majority of the court of trial or inquiry shall be certified by the presiding officer of said court to the president of the board of township commissioners with recommendations that the accused be officially reprimanded or suspended without pay for a period of not more than sixty days or that the accused be dismissed from the service The president of the board of township commissioners shall within ten days after receiving such certificate either approve or disapprove said finding If the president of the board of township commisioners approves such recommendations or the court of trial or inquiry the board of township commissioners shall enforce the same If the president of the board of township commissioners does not approve such recommendations he shall return the same to the court with his objections thereto and the court shall reconsider the same If after such re-consideration the court shall readopt such recommendations by a two-thirds vote of the entire number of members then the recommendations shall be immediately enforced by the board of township commissioners

(c) It shall be unlawful for any township to change the names of the police officers designated in the first section of this act for the purpose of evading the provisions of this act Whenever such name or designation is changed by the board of township commissioners or by act of assembly the officer under his new name or designation shall remain subject to the provisions of this act

(d) It shall be unlawful for any official or court of trial or inquiry of any township to discharge dismiss or suspend from the service any police officer or cause to be discharged dismissed or suspended from the service any police officer

for on account of any political act in favor of or against any party or candidates for any public office

(e) Any person who violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo a term of imprisonment in the workhouse or jail of the county for not more than one year or both

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1175, entitled:

A Supplement to an act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred ninety-eight) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" further regulating appeals to the common pleas court regulating hearings in desertion and non-support cases the handling of juvenile cases and providing for the designation of two judges for such purposes

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That appeals shall lie from the county court of Allegheny County to the Court of Common Pleas of said county in all civil cases without allowance by either court if taken within ten days after the entry of judgment by said county court in which event the court of common pleas shall have appellate jurisdiction and if a new trial is ordered by the common pleas the case shall be retried in the county court The party appealing shall procure from the county court a transcript duly certified under seal of the court showing the proceedings had in said cases together with a copy of the testimony if any and shall file the same in the office of the prothonotary of the court of common pleas of said county and at the time of filing the same shall also make affidavit that said appeal is not taken for the purpose of delay Either party may issue a writ of certiorari from the common pleas court to the county court without allowance from either court and from the decision of the common pleas court on appeal or certiorari an appeal may be taken to the Superior Court In order to make the appeal or certiorari a supersedeas the appellant shall give bail in a sum and with surety to be approved by the county court for compliance with any judgment that may be finally rendered against him and for payment of all interest and costs likely to accrue

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. STONER. Mr. Speaker, I move that House Bill No. 1175, file folio 3023, be recommitted to the committee on Judiciary General for a hearing.

Mr. GOSS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1311, as follows:

An Act to provide for reimbursement of expenses of the Department of Labor and Industry from and in proportion to the compensation paid by the State Fund insurance casualty or indemnity corporations mutual associations or companies and self-insured employers

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the conclusion of the fiscal year ending March thirty-first one thousand nine hundred and twenty-four and annually thereafter the Department of Labor and Industry shall ascertain the total expenses incurred by the Commonwealth during the preceding fiscal year in the administration and enforcement of an act known as The Workmen's Compensation Act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" and the administration and enforcement of all acts or parts of acts amendatory thereof

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. LUDLOW. Mr. Speaker, I move that House Bill No. 1311, file folio 3027 be recommitted to the Committee on Insurance for the purpose of a hearing.

Mr. STARK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 957, entitled:

An Act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge on said road

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That roads forming or intended to form a continuous highway from one county to another may be laid out or altered or vacated in the manner provided in the case of other roads except that the court of quarter sessions of each county shall appoint three viewers and that a report as aforesaid shall be made to each court respectively and that each court shall otherwise have and exercise concurrent jurisdiction therein

The second section was read as follows:

Section 2 Whenever roads are laid out altered or vacated as referred to in section one of this act over a river creek or rivulet and in such laying out altering or vacating of said road it becomes necessary to vacate an existing bridge and construct a joint county bridge on a different site the same viewers who view the laying out altering or vacating of said road shall have at the same time as the view of the road is made have the authority to locate a new joint county bridge on the route of the road as laid out altered or vacated and the report on the road and the joint county bridge shall be made in the same report and shall be returned to each of the courts as soon as said report is completed Provided however That in the petition for the view of the road there is contained a request for relocation of said joint county bridge provided that before any such road and joint county bridge shall be finally confirmed by the court the same shall be approved by a grand jury in each of the respective

counties and after the approval of such road and joint county bridge by said grand juries the report shall be confirmed "nisi" by the courts of each county which report shall become absolute in ten days unless exceptions thereto be filed in the manner provided by law If exceptions be filed the said courts shall hear said exceptions and make a final decree either confirming said report or setting it aside as is now provided by law in similar cases

On the question,

Will the House agree to the section?

Mr. KUNKLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 6, of the section by striking out the word "have."

Amend section 2, page 2, lines 6 and 7 of the section by striking out the words "as the view of the road is made."

Amend section 2, page 2, line 12 of the section by inserting after the word "provided" the following: "also."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to provide for the laying out, altering and vacating roads lying partly in one county and partly in an adjoining county, forming or intended to form a continuous highway from one county to another, and providing for the location, construction of a joint county bridge on said road.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole bein in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 139, as follows:

An Act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highay Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughes and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsisten herewith and providing that existing contracts are not affected by provisions of this act" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the state to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kinds of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which was amended by an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and two) is hereby further amended to read as follows

Section 10 Anything herein contained or any apportionment of the State into highway districts shall not be construed as including or in any manner interfering with the

roads streets and highways in any of the cities boroughs or incorporated towns of the Commonwealth Provided That where any road street or highway within the limits of any borough or in any incorporated town shall form a part f section of any State Highway as herein described and the constructed according to the standards of the State Highway Department or in a manner equal to said standards by the borough or incorporated town the State Highway Commissioner upon written request of the borough or town councils shall improve or reconstruct such unimproved section or sections of such road street or highway at the expense of the Commonwealth and such improvement or reconstruction of such roads streets or highways in said boroughs or incorporated towns shall be made and performed by the State Highway Department

The maintenance of any road street or highway or of any part or parts thereof improved or reconstructed as a State highway in any borough or incorporated town heretofore improved or reconstructed or which shall be improved or reconstructed under this act and which road forms a part of a State highway in any borough or incorporated town shall be done by the State Highway Department and ten per centum of the cost and expenses of said maintenance shall be paid by the respective borough or incorporated town in which said work is done where any road street or highway or any part or parts thereof in any borough or incorporated town has been heretofore reconstructed as a State-aid road with bricks or materials other than a telfor water-bound macadam road or which may hereafter be reconstructed as a State Highway with bricks or other permanent paving material the said brick or paved road street or highway shall be maintained according to the standards of the State Highway Department by the borough or incorporated town wholly at the cost and expense of the borough or incorporated town in which said road street or highway may lie Provided further That if any borough or incorporated town shall neglect or refuse to maintain any such brickpaved road street or highway forming a part of a State Highway according to the standards aforesaid the State Highway Commissioner is hereby authorized and empowered to maintain and repair said road street or highway at the cost and expense of said borough or incorporated town after giving thirty days' prior notice to the councils of any such borough or incorporated town of the intention to do said work of maintenance and repair Providing further That upon the neglect or refusal of any borough or incorporated town to pay such cost and expenses within sixty days after the completion of such maintenance or repairs the State Highway Commissioner shall take such action as is necessary to collect the same from the said borough or incorporated town refusing to make the required payment And provided further That all improvement reconstruction and maintenance of any road street or highway in boroughs or incorporated towns shall be of the same character as that done in townships

All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1290, as follows:

An Act to amend the act approved the fifth day of April one thousand nine hundred and twenty-one (Pamphlet Laws ninety-four) entitled "An act requiring the county commissioners in all counties of the fifth sixth seventh and eighth class of this Commonwealth to provide an office at the county-seat for the district attorney and his assistants if any and to furnish supplies postage telephone fuel and light required for his and their use" entending the provisions of the act to counties of the fourth class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the fifth day of April one thousand nine hundred and twenty-one (Pamphlet Laws ninety-four) entitled "An act requiring the county commissioners in all counties of the fifth sixth seventh and eighth class of this Commonwealth to provide an office at the county-seat for the district attorney and his assistants if any and to furnish supplies postage telephone fuel and light required for his and their use" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the county commissioners in all counties of the fourth fifth sixth seventh and eighth class of this Commonwealth shall provide an office for the district attorney and his assistants if any in the court-house at the county-seat and in case no such office is available in the court-house they shall at the cost of the county provide an office in a suitable and conveniently located building at the county-seat to be selected by them and shall at the cost of the county furnish the office furniture telephone blank books blanks dockets supplies postage and stationery required for the use of the district attorney and his assistants if any and all needed fuel and light

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1128, entitled:

An Act authorizing the State Highway Commissioner to empower certain other employes of hisy department to perform such official acts as he may designate

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Commissioner is hereby authorized to empower the Assistant Commissioner the Chief Engineer the Township Commissioner the Executive Manager the Principal Assistant Engineer the Maintenance Engineer the Assistant Maintenance Engineer the Registrar of Motor Vehicles and the Secretary to perform such official acts as the State Highway Commissioner may designate Provided That this act shall not be construed to relieve the State Highway Commissioner of responsibility for such acts as may be performed by such employes

On the question,

Will the House agree to the section?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1, page 1, line 7, by inserting after the words "Assistant Engineer" the following: "the office Engineer."

Amend Section 1, page 1, line 8, by inserting after the word "Engineer" the following: "the Construction Engineers."

Amend Section 1, page 1, line 9, by striking out the word "and" after the word "vehicles."

Amend Section 1, page 1, line 9, by inserting after the word "Secretary" the following: "and such other employees."

On the question,

Will the House agreed to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act authorizing the State Highway Commissioner to empower certain other employes of his department to perform such official acts as he may designate

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 316, entitled:

An Act to amend section three hundred and seven of an act aproved the second day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended

The first section weas read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred and seven of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" which as amended by an act approved the twenty-sixth day of June one thousand nine hundred nineteen (Pamphlet Laws six hundred forty-two) entitled "An act to amend an act approved the second day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder' and providing when the same shall become effective" reads as follows

"Section 307 In case of death compensation shall be computed on the following basis and distributed to the following persons

1 To the child or children if there be no widow nor widower entitled to compensation thirty per centum of wages of deceased with ten per centum additional for each child in excess of two with a maximum of sixty per centum to be paid to their guardian

2 To the widow or widower if there be no children forty per centum of wages

3 To the widow or widower if there be one child fifty per centum of wages

4 To the widow or widower if there be two or more children sixty per centum of wages

5 If there be neither widow or widower nor children entitled to compensation then to the father or mother if dependent to any extent upon the employe at the time of the accident twenty per centum of wages Provided however That in the case of a minor child who has been contributing to his parents the dependence of said parents shall be presumed And provided further That if the father or mother was totally dependent upon the deceased employe at the time of the accident the compensation payable to such father or mother shall be forty per centum of wages

6 If there be neither widow widower children nor dependent parents entitled to compensation then to the brothers and sisters if actually dependent to any extend upon the decedent for support at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister with a maximum of twenty-five per centum such compensation to be paid to their guardian

7 Whether or not there be dependents as aforesaid the reasonable expenses of the last sickness and burial not exceeding one hundred dollars (without deduction of any amounts therefore paid for compensation or for medical expenses) payable to the dependents or if there be no dependents then to the personal representatives of the deceased

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother and sister is under the age of sixteen No compensation shall be payable under this section to a widow unless she was living with her deceased husband at the time of his death or was then actually dependent upon him for support No compensation shall be payable under this section to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support The terms "child" and "children" shall include stepchildren and adopted children and children to whom he stood in loco parentis if members of decedent's household at the time of his death and shall include posthumous children Should any dependent of a deceased employe die or remarry or should the widower become capable of self-support the right of such dependent or widower to compensation under this section shall cease Provided however That upon the remarriage of any widow other than a nonresident alien widow the employer shall pay to such widow the then value of the compensation payable to her during one-third of the period during which compensation then remains payable but not exceeding one hundred weeks calculated in accordance with the provisions of section three hundred and sixteen of this article If the compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased

The wages upon which death compensation shall be based shall not in any case be taken to exceed twenty dollars per week nor be less than ten dollars per week

This compensation shall be paid during three hundred weeks and in the case of children entitled to compensation under this section the compensation of each child shall continue after said period of three hundred weeks until such child reaches the age of sixteen at the rate of fifteen per centum of wages if there be but one child with ten per centum additional for each additional child with a maximum of fifty per centum The board may if the best interest of a child or children shall so require at any time order and direct the compensation payable to a widow or widower on account of any child or children to be paid to the guardian of such child or children or if there be no guardian to such other person as the board as hereinafter provided may direct If there be no guardian or committee of any minor dependent or insane employe or dependent on whose account compensation is payable the amount payable on account of such minor dependent or insane employe or dependent may be paid to any surviving parent or to such other person as the board may order and direct and the board may require any person other than a guardian or committee to whom it has directed compensation for a minor dependent or insane employe or dependent to be paid to render as and when it shall so order accounts of the receipts and disbursements of such person and to file with it a satisfactory bond in a sum sufficient to secure the proper application of the moneys received by such person" is hereby further amended to read as follows:

Section 307 In case of death compensation shall be computed on the following basis and distributed to the following persons

1 To the child or children if there be no widow nor widower entitled to compensation thirty per centum of wages of deceased with ten per centum additional for each child excess of two with a maximum of sixty per centum to be paid to their guardian

2 To the widow or widower if there be no children forty per centum of wages

3 To the widow or widower if there be one child fifty per centum of wages

4 To the widow or widower if there be two or more children sixty per centum of wages

5 If there be neither widow widower nor children entitled to compensation then to the father or mother if dependent to any extent upon the employe at the time of the accident twenty per centum of wages Provided however That in the case if a minor child who has been contributing to his parents the dependency of said parents shall be presumed And provided further That if the father or mother was totally dependent upon the deceased employe at the time of the accident the compensation payable to such father or mother shall be forty per centum of wages

6 If there be neither widow widower children nor dependent parent entitled to compensation then to the brothers and sisters if actually dependent to any extent upon the decedent for suport at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister

with a maximum of twenty-five per centum such compensation to be paid to their guardian

7 Whether or not there be dependents as aforesaid the reasonable expense of the last sickness and burial not exceeding one hundred dollars which shall be paid by the employer or insurer directly to the undertaker (without deduction of any amounts theretofore paid for compensation or for medical expenses)

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother and sister is under the age of sixteen No compensation shall be payable under this section to a widow unles she was living with her deceased husband at the time of his death or was then actually dependent upon him for support No compensation shall be payable under this section to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support The terms "child" and "children" shall include step-children and adopted children and children to whom he stood in loco parentis of members of decedent's household at the time of his death and shall include posthumous children Should any dependent of a deceased employe die or remarry or should the widower become capable of self-support the right of such dependent or widower to compensation under this section shall cease Provided however That upon the remarriage of any widow other than a nonresident alien widow the employer shall pay to such widow the then value of the compensation payable to her during one-third of the period during which compensation then remains payable but not exceeeding one hundred weeks calculated in accordance with the provisions of section three hundred and sixteen of this article If the compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased

The wages upon which death compensation shall be based shall not in any case be taken to exceed twenty dollars per week nor be less than ten dollars per week

This compensation shall be paid during three hundred weeks and in the case of children entitled to compensation under this section the compensation of each child shall continue after said period of three hundred weeks until such child reaches the age of sixteen at the rate of fifteen per centum of wages if there be but one child with ten per centum additional for each additional child with a maximum of fifty per centum The board may if the best interest of a child or children shall so require at any time order and direct the compensation payable to a widow or widower on account of any child or children to be paid to the guardian of such child or children or if there be no guardian to such other person as the board as hereinafter provided may direct If there be no guardian or committee of any minor dependent or insane employe or dependent on whose account compensation is payable the amount payable on account of such minor dependent or insane employe or dependent may be paid to any surviving parent or to such other persons as the board may order and direct and the board may require any person other than a guardian or committee to whom it had directed compensation for a minor dependent or insane employe or dependent to be paid to render as and when it shall so order accounts of the receipts and disbursements of such person and to file with it a satisfactory bond in a sum sufficient to secure the proper application of the moneys received by such person

On the question,

Will the House agree to the section?

Mr. SAMPLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 1, by striking out the word "which"

Amend section 1, page 2, line 12, by striking out the word "reads" and inserting in lieu thereof "is hereby amended to read"

Amend section 1, page 2, lines 14 to 29, by striking out lines 14 to 29 both inclusive and eliminating them from the bill.

Amend section 1, page 3, lines 1 to 29, by striking out lines 1 to 29, inclusive and eliminating them from the bill.

Amend section 1, page 4, lines 1 to 29, by striking out lines 1 to 29, both inclusive and eliminating them from the bill.

Amend section 1, page 5, lines 1 to 28, by striking out lines 1 to 28, both inclusive and eliminating them from the bill.

Amend section 1, page 6, line 19, by striking out the word "if" and inserting in lieu thereof "of".

Amend section 1, page 7, line 10, by inserting after "expenses" the following: "payable to the dependents, or, if there be no dependents, then to the personal representatives of the deceased".

On the question,

Will the House agree to the amendments?

They were agreed to,

On the questioin,

Will the House agree to the second section as amended? It was agreed to.

The title was read and agreed to as follows:

An Act to amend section three hundred and seven of an act approved the second day of June, one thousand nine hundred fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1033, as follows:

An Act providing that any person who was engaged in the military or naval service of the United States during any war in which the United States was engaged and having an honorable discharge therefrom shall receive credit for the experience and training derived from such service in civil service examinations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person male or female who was engaged in the military or naval service of the United States during any war in which the United States engaged and has an honorable discharge therefrom and who shall hereafter take any civil service examination in this Commonwealth shall be given credit for the experience and training derived from such service in the following manner

Section 2 When any such person shall take any examination for appointment or promotion in the civil service of any of the various municipal agencies within this Commonwealth as requred by any existing law or any law which may hereafter be enacted such person's examination shall be marked or graded fifteen per centum perfect before the quality or contents of the examination shall be considered When the examination of any such person is completed and graded such grading or percentage as the examination merits shall be added to the aforesaid fifteen per centum and such total mark or grade shall represent the final grade or classification of such person and shall determine his or her order of standing on the eligible list

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 674, as follows:

An Act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering providing for the appointment by the Governor of an examining board defining the powers and duties of such board regulating barber shops barber schools and barber colleges and apprentices and students therein and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to follow the occupation of a barber in this Commonwealth unless he or she shall have first passed an examination and obtained a certificate of registration as provided in this act Nothing contained in this act however shall apply to or affect any person who is now actually engaged in such occupation except as hereinafter provided

Section 2 A board of examiners to consist of five persons is hereby created to carry out the purposes and enforce the provisions of this act The board shall be appointed by the Governor the appointees to be chosen from practical barbers who have for at least ten years prior to their appointment followed the occupation and have been residents of this Commonwealth for a period of five years Each member of the board shall serve for a term of three years and until his successor is appointed and qualified Of the first board appointed two of the appointees shall be for a term of one year two for a term of two years and one for the term of three years Vacancies in the board occuring from any cause whatsoever shall be filled by the Governor for the unexpired portion of the term Each member of the board shall take the oath provided by law for public officers

Section 3 The board may appoint deputies to assist in carrying out the provisions of this act The salary of such deputies shall be fixed by the board in a sum not to exceed eight dollars for each day so employed

Section 4 The board shall elect a president secretary and and treasurer and shall have its headquarters at such place in the Commonwealth as the board may determine The board shall have a common seal and may administer oaths A majority of the board may in meeting duly assembled perform the duties and exercise the powers devolving upon the board under the provisions of this act The secretary of the board shall receive a salary of eighteen hundred dollars annually The members of the board shall receive for their compensation ten dollars per diem and such expenses actually and necessarily incurred

Section 5 The board shall make a report annually to the Governor which shall set forth in full the receipt and disbursements of the board in itemized account and shall contain a full statement of its doings and proceedings and such recommendations as to it may seem proper looking to the better carrying out of the purposes of this act A copy thereof shall be furnished to the Legislature

Section 6 All moneys received by the board from fees or otherwise shall be deposited with the State Treasurer within thirty days from its receipt All disbursements shall be paid on warrants of the Auditor General on the State Treasurer upon the requisition of the board of examiners

Section 7 The board shall hold public examinations on the first Tuesday in March June September and December in the cities of Philadelphia Pittsburgh Scranton Harrisburg and Erie at such hours as the board shall prescribe

Section 8 Every person now engeged in the occupation of a barber shall within ninety days after the board is appointed file with the secretary of the board two affidavits The one shall be made by the applicant and shall set forth his or her name age residence and length of time during which and the place where he or she has practiced said occupation The other shall be made by a practicing physician and shall set forth that the applicant was examined and is free from all contagious and infectious disease The applicant at the time of filing these affidavits shall pay to the secretary of the board the sum of one dollar Thereupon the board shall issue to such applicant a certificate of registration entitling him or her to practice such occupation

Section 9 Any person not holding a license under the provisions of the preceding section and desiring to obtain a license under this act shall make application in such form as the board shall prescribe and shall be verified by the applicant as to the truth of the statement or answers therein made to the board Such application shall be accompanied by an affidavit which shall be made by a practicing physician and shall set forth that the applicant was examined and is free from all contagious and infectuous disease The applicant at the time of filing such application and affidavit shall pay to the secretary of the board an examination fee of five dollars and shall present him or herself at the next regular meeting of said board for examination of applicants The board shall therupon proceed to examine such person If satisfied that he or she is above the age of eighteen years of good moral character free from contagious and infectuous disease and either (a) studied the occupation for a period of three years as apprentice under a qualified and practicing barber or (b) studied the occupation in a properly appointed and conducted barber school under the instruction of a competent barber for a period of at least three years (c) practiced the occupation in another State for a period of at least three years and is possessed of a requisite skill in said occupation to properly perform all the duties thereof including his or her knowledge and ability in the antiseptic preparation of tools shaving hair cutting and all the duties and services incident thereto and is possessed of sufficient knowledge concerning the common diseases of the face and skin to avoid the aggravation and spreading thereof in the practice of said occupation the board shall enter his or her name in the register hereinafter provided for and shall issue a certificate of registration to him or her authorizing him or her to practice such occupation

Section 10 Any person who holds a certificate of registration granted after examination by a board of barber examiners of any other State who shall present credentials showing that he or she is a qualified barber under the laws of that Commonwealth and who shall file an affidavit made by a practicing physician as hereinbefore provided may be granted a certificate of registration by said board without practical examination upon the payment of the registration fee of one dollar

Section 11 Nothing in this act shall prohibit any person from serving as an apprentice in such occupation under a registered barber of this Commonwealth or from serving as a student in any barber school for the training of students in said occupation under the training of a duly registered barber authorized to practice such occupation in this Commonwealth Provided That such apprentice or student shall apply to the board to have his or her name registered with said board in a book which shall be kept by the board for the registering of apprentices or students and secure a permit to practice as an apprentice or student under a duly registered barber such permit to be displayed in from of his or her working chair After having practiced the occupation for three years under a registered barber such apprentice or student shall be eligible to become a registered barber and shall prssent him or herself at the next meeting of the board held nearest to him or her for the examination of applicants and pay the fee as provided for in section nine of this act

Section 12 The board shall furnish to each person to whom a certificate of registration is issued a card bearing the seal and signature of said board certifying that the holder thereof is entitled to practice the occupation of a barber The holder of such card shall paste the same in a conspicuous place in front of his or her working chair where it may be readily seen by all persons whom he or she may serve

Section 13 The card shall be renewed on or before the first day of January in each year and the holders of said certificates of registration shall pay the secretary of said board the sum of one dollar for a renewal card Upon the failue of any holder of a certificate of registration to apply for a renewal of his or her card on or before the first day of January in each year his or her certificate of registration shall be revoked by the board and a new certificate of registration shall not be issued to such person until he or she shall again comply with all the provisions of this act in the same manner as if he or she had never been registered

Section 14 The board may revoke any certificate of registration granted by it under this act for (a) conviction of crime (b) habitual drunknness (c) having or imparting any contagious or infections disease (d) doing work in an unsanitary or filthy manner or (e) gross incompetence Before any certificate shall be revoked for any of the reasons contained in this section the holder thereof shall have notice in writing of the charge or charges against him or her and shall at a day specified in said notice which shall be at least five days after the service thereof be given a public hearing before the board with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her Any person whose certificate of registration has been so revoked may after the expiration of ninety days on application have the same reissued to him or her upon satisfactory showing that the disqualification has ceased except where such certificate was revoked for having or imparting any contagious or infectious disease in which case a new certificate shall not be issued for a period of at least one year and then only after the provisions of this act have been fully complied with by such person in the same manner as if he or she had never been registered

Section 15 The board may adopt reasonable rules and regulations prescribing the sanitary requirements of each barber shop barber school or barber college subject to the approval of the Department of Health and shall cause the rules and regulations so approved to be printed in a suitable form and shall transmit a copy thereof to the proprietor or person operating such barber school or barber college which shall at all times be kept conspicuously displayed in such shop school or college Any member of the board or duly authorized deputy may enter and make reasonable examination of any barber shop barber school or barber college during the business hours for the purpose of ascertaining the sanitary condition thereof Any barber shop barber school or barber college in which tools appliances and furnishings in use therein are kept in an unclean and unsanitary condition as to be a danger to health is hereby declared to be a public nusiance and the proprietor thereof or any persoi operating such barber shop barber school or barber college shall be subject to prosecution and punishment therefor

Section 16 The board shall keep a register in which shall be entered the names of all persons to whom certificates of registration or permits for serving apprenticeship or as students are issued under this act The register shall at all times be open to public inspection

Section 17 In no barber shop shall there be more than one apprentice to two barbers authorized under this act to practice such occupation All barber shops having but one chair shall be entitled to at least one apprentice All barber schools or barber colleges shall have not less than one teacher or instructor for every ten students All barber schools or barber colleges shall keep prominently displayed a sign reading "Barber College" or "Barber School" Any co-partnership corporation or person desiring to operate or conduct a barber school or barber college shall first secure from the board a permit to do so and shall keep the same prominently displayed The board may pass upon the qualifications appointments and course of study in said college which shall be not less than three years

Section 18 To shave or to trim the beard or to cut shampoo or singe the hair or to massage the face or head by either manual or mechanical means or to apply hot cloths to the face of any person for reward received by the person performing such service for any other persons shall be considered as practicing the occupation of a barber within the meaning of this act

Section 19 Any barber apprentice or student who shall practice the occupation of barber while suffering from contagious or infectious disease or who shall knowingly serve any person afflicted with such disease or any person who shall permit himself to be served knowing at the time that he is afflicted with any such contagious or infectious disease shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or undergo an imprisonment not exceeding one year or both at the discretion of the court

Any barber apprentice or student who shall infect any person or who shall impart any contagious or infectious disease by reason of carelessness or negligence in the practice of such occupation shall be guilty of misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding two years or both at the discretion of the court

Any person who shall violate any of the other provisions of this act except as herein otherwise provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or to undergo an imprisonment not exceeding ninety days or both at the discretion of the court

Section 20 This act shall become effective on the first day of July one thousand nine hundred and twenty-three

Section 21 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideratio of House Bill No. 1271, as follows:

An Act making it unlawful for the Public Service Commission of the Commonwealth of Pennsylvania to make fix alter change or modify rates fares charges or other considerations set forth in any contract heretofore or hereafter made between a public service corporation and a municipality

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the approval of this act it shall be unlawful for the Public Service Commission of the Commonwealth of Pennsylvania to make fix alter change or modify rates fares charges or other considerations set forth in any contract heretofore or hereafter made by and between a public service corporation and a municipality

Section 2 Any act or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1174, as follows:

An Act to amend an act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and ninety-eight) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by providing that said court shall consist of six judges

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and ninety-eight) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" is hereby amended to read as follows

Section 1 Be it enacted et cetera That in the county of Allegheny there shall be and hereby is created a court of record to be known as the County Court which shall consist of six judges

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 977, entitled:

An Act to amend an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and ninety-four) entitled "An Act to amend an act approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and fifty) entitled 'An Act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day' by authorizing appropriations to each post of the American Legion Veterans of Foreign Wars and to each Naval Association and each post of the Grand Army of the Republic" to include authorization of appropriations to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto

The first section was read as follows:

Section 1 Be it enacted by the Senate and House or Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and ninety-four) entitled "An Act to amend an act approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and fifty) entitled 'An Act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day' by authorizing appropriations to each post of the American Legion Veterans of Foreign Wars and to each Naval Association and each post of the Grand Army of the Republic" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the respective authorities of the several counties and incorporated towns of this Commonwealth are hereby authorized to appropriate to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each Naval Association and to each post of the Grand Army of the Republic and to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto in the respective counties or towns a sum not to exceed one hundred dollars to aid in defraying the expenses of Memorial Day

On the question,

Will the House agree to the section?

Mr. LORENZO D. THOMAS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 22 by inserting after the word "appropriate," the word "annually."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 894), entitled "An act to amend an act approved the twenty-fifth day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and fifty), entitled 'An act authorizing the several counties, incorporated towns, and boroughs to appropriate annually sums of money to each camp of the United States War Veterans, and the Army of the Philippines, and to each post of the American Veterans of Foreign Service, in the respective counties, boroughs, and towns, to aid in defraying the expenses of Memorial Day,' by authorizing appropriations to each post of the American Legion, Veterans of Foreign Wars, and to each Naval Association, and each post of the Grand Army of the Republic" to include authorization of appropriations to each organization of ex-service men incorporated under the act of April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1313, entitled:

An Act to amend section ten of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" which was amended by the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-three) entitled "An Act amending section ten of an act entitled 'An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) by changing the jurisdiction in civil actions" is hereby further amended to read as follows

Section 10 The said court hereby created shall have jurisdiction in all civil actions at law and in equity where the value of the matter or thing in controversy exclusive of interest and costs does not exceed the sum of two thousand five hundred dollars ($2,500) The amount claimed by the plaintiff where the said claim is for a sum certain shall be conclusive as to the jurisdiction of the court in all actions brought for the recovery of money and in actions at law or in equity not involving any sum certain the plaintiff shall file with his statement a certificate as to the amount of the thing or matter in controversy The said court shall also have jurisdiction in any civil cases transferred to it by order of a majority of the judges of any court of common pleas of Philadelphia County

The said court shall also have authority with the consent of the court of common pleas to transfer to that court all suits wrongfully brought in the municipal court in excess of its jurisdictions

On the question,

Will the House agree to the section?

Mr. BURNS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 21, by striking out the word "sundered" and inserting in lieu thereof the word "hundred"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section ten of the act approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred eleven), entitled "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof, as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 508, as follows:

An Act to validate certain municipal assessments municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings for the collection of such assessments and claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore the council of any incorporated borough of this Commonwealth has required by ordinance and caused to be graded paved curbed or macadamized with brick stone or other suitable material or otherwise improved any public street or thoroughfare or part thereof either cartway or footwalk or has caused sewers to be constructed therein or both pursuant to such ordinance but owing to some defect in the petition action of council notice of publication or other proceeding necessary under existing laws and ordinance to give jurisdiction to such council or because of noncompliance with existing laws as to publication of copies of ordinances and posting of handbills prior to the final passage of such ordinance or because the ordinance itself or the official record book containing the same has been lost mislaid or destroyed or has not been transcribed in the official record book or the time for filing said lien or making said claim has expired or claim has not been filed after notice to do so or for any other reason the cost of such improvement or a portion thereof cannot be legally assessed upon the property bounding or abutting upon the street or part thereof improved or owing to some defect in the statement of claim filed to secure the lien or the failure of the borough solicitor to file the lien in the Court of Common Pleas or to sign the same for the cost of such improvement payment thereof cannot be enforced as was contemplated by the act or acts of the General Assembly under which the improvement was attempted to be made and statement of claim filed now by this act such improvements are made valid and binding and the council of such incorporated borough may cause the property bounding or abutting upon the street or part thereof upon which the improvement has been made or is now being made to be assessed in the manner now provided by law with such a portion of the cost of such improvement as is contemplated by the law under which the improvement was made or attempted to be made or is now being made Such assessment or other assessment heretofore regularly made shall be a lien upon the property assessed The lien shall date from the completion of the improvement for which the assessment is made and shall remain a lien until fully paid and satisfied Provided That a writ of scire facias is issued to revive the same during every period of five years after the lien is filed as hereinafter provided

Section 2 The council of any incorporated borough of this Commonwealth entitled to a lien under this act shall file a lien therefor in the office of the prothonotary of the county within which the property lies within six months after the completion of the work where the improvement is now in progress or within six months after the approval of this act where the improvement is now completed and the same shall be entered upon record as other municipal claims such liens shall state the name of the party claimant which shall be the corporate name of the borough making the improvement name of the owner or reputed owner of the property assessed a reasonable description of the property assessed the amount or sum claimed to be due which shall include interest on the assessment from the completion of the improvement for what improvement the claim is made the date of its completion the date of the assessment for which the lien is filed such lien when so filed shall be prima facie evidence of all matters therein set forth and of the right of the Borough to recover the amount therein claimed to be due together with interest from the date of the lien or completion of the improvement costs and an attorney's commission of five per centum for collecting

Section 3 The claim when so filed shall be proceeded upon for collection by writ of scire facias Provided That this act shall not apply to any proceeding suit or lien wherein a final order or judgment of any court of record has already been made or entered

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1163, as follows:

An Act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person not entitled under the laws or regulations of the United States Government by virtue of which the same were issued to wear the discharge button issued by the United States Government to soldiers sailors marines and war nurses who served in the military or naval forces of the United States during times of war Any person violating the provisions of this act is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars and in default of the payment of such fine and costs shall be committed to the county jail for a period not to exceed sixty days

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 978, entitled:

An Act to amend section one hundred and ninety-six as amended section one hundred and ninety-seven as amended section one hundred and ninety-eight section four hundred and twenty-seven section four hundred and thirty-four as amended and section one thousand and forty of the act approved the fourteenth day of July one thousand nine

hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and ninety-six of the approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" which was amended by the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred sixty-four) entitled "An Act to amend the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled 'An Act concerning townships and revising amending and consolidating the law relating thereto'" is hereby further amended to read as follows

Section 196 The supervisors of townships of the second class commissioners of townships of the first class the auditors of townships of the first and second class and the secretary of the board of township supervisors or commissioners when not a member of the board shall attend such conventions whenever possible Each township supervisor or commissioner or auditor and secretary attending such convention shall receive a certificate signed by the presiding officer and acting secretary of the convention attesting his presence at the convention Such certificate shall entitle him to collect from the treasurer of the board of supervisors or commissioners the sum of three dollars per day for each day's attendance and mileage at the rate of four cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held No township supervisor or commissioner or auditor or secretary shall be paid for more than two days' attendance in any one year

The second section was read as follows:

Section 2 That section one hundred and ninety-seven of said act which was amended by said act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred sixty-four) is hereby further amended to read as follows

Section 197 The officers of the association shall consist of a president two vice presidents a secretary and a treasurer all of whom except the secretary shall be members of the associations and shall hold office for one year or until their successors are chosen If desirable the secretary may be a person not a regular member of the association and may be paid for his services such compensation not exceeding ten dollars per annum as the other officers may determine Every township supervisor commissioner and auditor attending such convention may vote in the election of officers The Mayor of any city the burgess of any borough or their duly appointed representative the county commissioners and the judges of the court in the county the township commissioner of the State Highway Department the assistant engineers of the division of township highways and the superintendent of State Highways in charge of such county shall be eligible to membership to hold office but shall not be entitled to vote

On the question,

Will the House agree to the section?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 3, line 20 by inserting after the word "membership" the word "and"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third, fourth, fifth and sixth sections and title were separately read and agreed to as follows:

Section 3 That section one hundred and ninety-eight of said act is hereby amended to read as follows

Section 198 The county treasurer shall pay to the treasurer of such association from the county funds the necessary expenses incurred for the holding of such annual or semi-annual convention including the necessary expenses of the secretary The total sum thus paid by the treasurer of any county shall not exceed one hundred and twenty-five dollars a year No payment shall be made to the treasurer of such association until he has presented to the county treasurer an itemized statement of such expenses verified by affidavit

Within thirty days after every such convention the treasurer of such association shall file with the county treasurer an itemized statement under oath showing when and where such convention was held the number of township supervisors commissioners auditors and township secretaries present and all the expenses connected with such convention together with proper vouchers for all such expenses

Section 4 That section four hundred and twenty-seven of said act is hereby amended to read as follows

Section 427 The compensation of the tax collector shall be two per centum on all general road taxes collected during the period a discount is allowed and five per centum on all such taxes collected thereafter For the collection of special road taxes and all township taxes other than general road taxes his compensation shall be five per centum of the amount collected

Section 5 That section four hundred and thirty-four of said act which was amended my the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred sixty-four) is hereby further amended to read as follows

Section 434 Rewards shall be granted by the Commonwealth for improvements only of the character herein set forth namely (a) For grading and draining a section of road not less than one-fourth mile in length (b) for graveling or cindering or using other approved materials on a graded and drained road not less than one-fourth mile in length (c) for constructing a road with broken stone base and broken stone slag gravel cinders or other approved material top not less than one-fourth mile in length (d) ror macadamizing a road or for constructing a Telford macadam road of not less than one-fourth mile in length (e) for constructing a concrete brick or bituminous surface road of not less than one-fourth mile in length (f) for the erection and construction of bridges of three feet or more span constructed of concrete or stone or a combination of concrete and stone or a steel bridge with a floor constructed of a material approved by the State Highway Department (g) for the purchase and installation of culvert and drainpipes

Whenever any improvements of the character mentioned in this section have been completed by any township of the second class the State will pay as a reward the following sums namely One For roads of the character set forth in subdivision (a) fifty per centum of the cost of making such improvement not to exceed six hundred dollars per mile Two For roads of the character set forth in subdivision (b) fifty per centum of the cost of making such improvement not to exceed one thousand five hundred dollars per mile Three For roads of the character set forth in subdivision (c) fifty per centum of the cost of making such improvement not to exceed three thousand dollars per mile Four For roads of the character set forth in subdivision (d) fifty per centum of the cost of making such improvement not to exceed four thousand dollars per mile Five For roads of the character set forth in subdivision (e) fifty per centum of the cost of making such improvement not to exceed six thousand dollars per mile Six For bridges constructed under subdivision (f) fifty per centum of the contract price and not in any case to exceed fifty per centum of the actual cost of said bridge when constructed by the supervisors Seven For the purchase and installation of culvert and drain-pipes under subdivision (g) fifty per centum of the purchase price of said culvert or drain pipes when the said pipes have been placed but no payment shall be made under this provision for culverts and drain-pipes installed in grading and drain-

ing a section of road for which payments are made under clause one

The aforesaid rewards shall be based upon roads the improvement of which shall be of a width of not less than sixteen feet and corresponding reduction or addition in the amount of reward shall be made as the width of the improved road is reducted or increased but no reward shall be paid for the improvement of any road of less width than twelve feet

Section 6 That section ten hundred and forty of said act is hereby amended to read as follows

Section 1040 The supervisors of any township of the second class upon the request of any land owner whose land fronts upon a public highway within such township may establish the width and location for a sidewalk along each side of said highway along the lands of such owner The width of the walk on each side of said highway shall not be less than six feet for roads fifty feet in width or less and for roads over fifty feet in width shall be ten feet in width When said sidewalks are so established such land owner shall pay for and keep the same in repair

In case the street or highway is a turn-pike or other road managed and controlled by a corporation incorporated under the laws of this Commonwealth or a State highway or a county road the written consent of the corporation managing and controlling the same the State Highway Commissioner or the county commissioners as the case may be shall first be obtained

An act to amend section one hundred and ninety-six as amended, section one hundred and ninety-seven as amended, section one hundred and ninety-eight, section four hundred and twenty-seven, section four hundred and thirty-four as amended, and section one thousand and forty of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840) entitled, "An act concerning townships; and revising, amending and consolidating the law relating thereto."

And said bill having been read at length the second time and agreed to as amended,

Ordered to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1337, as follows:

An Act providing a method for deciding a tie vote in borough councils

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where by reason of a tie vote the council of any borough in this Commonwealth shall be unable to agree and such disagreement shall continue until the next regular meeting of council it shall be the duty of the burgess of such borough to attend said meeting and cast the deciding vote

Section 2 Any acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 531, as follows:

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class for the establishment of lines and grades for and the grading paving or repaving of said alleys and the grading of private alleys hereafter laid out and for apportioning the cost and for the filing of liens therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assemby met and it is hereby enacted by the authority of the same That in cities of the first class when the board of health shall declare any private alley to be a nuisance by reason of improper grading or defective paving of said alley and shall so certify to the Department of Public Works the said Department of Public Works is hereby empowered to abate said nuisance upon the neglect or refusal of the registered owners of the property abutting on or having the use or actually using such alley to abate said nuisance within ten days after service of notice by the said Department of Public Works upon the said registered owners so to do as hereinafter provided

Section 2 The said Department of Public Works shall grade pave or repave the said alleys in accordance with lines and grades established by the surveyors and regulator of the district in which said alleys are situate and the said surveyor and regulator is hereby empowered to establish such lines and grades

Section 3 Any fence encroaching upon a public or private alley is hereby declared a nuisance and made unlawful and the said Department of Public Works is empowered to remove such fence from within the established lines of said alleys after ten days' notice as set forth in this act It shall be the duty of the registered owner of the premises on which such fence is erected or to which it appertains to remove such encroachment upon being so notified his failure so to do shall constitute a violation of this act

Section 4 No alley having an outlet to any public street public highway public alley or to a private alley which has an outlet to any public street highway or alley shall hereafter be laid out or opened unless it shall be in accordance with lines and grades established by the surveyors and regulator for the district in which said alley will situate

Section 5 The said Department of Public Works is hereby empowered to charge the cost and expense of the grading paving or repaving of said alleys or part or parts of said alleys upon the said owners in proportion to the width of their properties abutting thereon or having the use thereof by deed or otherwise or actually using the alley or in any other proportions as may under the facts and circumstances of the case be deemed just and proper by the said Department of Public Works and also to charge the cost of the removal of any encroaching fence to the owner of the said fence Upon the failure to pay any of the said charges the Department shall cause liens to be filed therefor in the name of the city in the manner and according to the practice prescribed by law with respect to municipal claims

Section 6 Notices requiring compliance with this act shall be served upon the registered owner or his agent or by posting a copy upon the premises which notice shall not be removed or defaced while the condition exists All notices shall be complied with within ten days and upon failure to comply with said Department may contract to have necessary work done and the cost thereof shall be made a lien against the property and collectible as now provided by law Provided however That if there shall be no funds at the disposal of the said Department for the aforesaid purpose then the said Department may contract to have such work done and the lien therefore shall be marked to the use of the contractor doing the work and shall be collectible by the said contractor as is now provided by law in similar cases Said contractor shall have the right to use all the legal processes that cities of the first class now have for the collections of liens but in no case shall they have recourse to the city

Section 7 Any person who shall violate any of the provisions of this act or who shall interfere with any of the employees of the Department of Public Works while enforcing the provisions of this act shall for every offense upon conviction thereof in a summary proceeding before any magistrate of the said city and county in which the offense was committed be subject to a fine of not less than five dollars or more than fifty dollars or by imprisonment for thirty days either or both at the discretion of the court All fines to be paid into the treasury of the city

Section 8 The act entitled "An Act providing for the abatement of nuisances in private alleys in cities of the first class and for the establishing of grades in and the grading paving and repaving of such private alleys where necessary to abate such nuisances and providing for the filing of liens for the cost thereof" approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and forty-four) is hereby repealed All other acts inconsistent herewith are hereby repealed provided that this act shall not affect any pending proceedings but the same may be completed in the same manner as if this act had not been adopted

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 979, as follows:

An Act to amend section two of an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and ninety-seven) entitled "An act authorizing a State association of township supervisors and township commissioners and providing for the payment of the expenses thereof by the respective counties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and ninety-seven) entitled "An act authorizing a State association of township supervisors and township commisssioners and providing for the payment of the expenses thereof by the respective counties" is hereby amended to read as follows

Section 2 Each county association of township supervisors and commissioners shall elect one township supervisor or commissioner for each ten townships or fraction thereof within said county as a delegate to each annual meeting of said State association

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1274, as follows:

An Act to amend an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Law four hundred and seventy-one) entitled "An act providing a system of management and control of the jail or county prison in each county of the fifth class providing for a warden defining his powers and duties providing for other employes and salaries and describing the duties and powers of the county commissioners and the sheriff in connection therewith" authorizing the county commissioners of said counties to use or to contract with townships boroughs and cities for the use by them of prison labor in the construction maintenance and repair of roads streets highways bridges and culverts and to prepare furnish and transport material for the same and to require male prisoners to perform labor for said purposes and providing for the compensation of prisoners performing such labor and the application thereof limiting the liability of the counties for injuries received by prisoners employed and providing penalties for escape or attempt to escape by prisoners

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners in each of the counties of the fifth class of this Commonwealth to which the act entitled "An act providing a system of management and control of the jail or county prison in each county of the fifth class providing for a warden defining his powers and duties providing for other employes and salaries and describing the duties and powers of the county commissioners and the sheriff in connection therewith" approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy) applies may use or may contract with the commissioners or supervisors of the various townships and with the councils of the boroughs and cities within their respective counties for the use of prison labor in the construction maintenance and repair of roads streets and highways and bridges and culverts on roads streets and highways within the respective counties and prepare furnish or transport with prison labor materials for use in the construction maintenance or repair of said roads streets highways bridges or culverts and furnish prison labor for the construction maintenance and repair of said roads streets or highways and for the preparation and transporting of said materials or for any of said purposes

Section 2 For the purposes of this act the said county commissioners under the rules and regulations to be established under section three of this act may compel all able bodied male prisoners sentenced to imprisonment in the respective jails of said counties to work on said roads streets highways bridges and culverts and at the preparation and transportation of said materials each day of their imprisonment excepting on Sundays and legal holidays outside of the limits of said jails and workhouses and within the respective counties and transport said prisoners to and from their place of employment

Section 3 That before requiring any prisoners to perform any labor as authorized in section one of this act the county commissioners of said counties with the advice and approval of the president judge of the court of quarter sessions of the proper county shall adopt and thereafter from time to time change and modify as may seem proper rules regulating the hours of daily employment which shall not exceed those of other men performing similar work in the same vicinity providing for the feeding care guarding and transportation of prisoners employed as aforesaid the application or payment of the amounts credited to such prisoners for their labor as provided in section four of this act and such other matters as may be deemed effective to secure humane treatment of said prisoners and provide continuous healthful and safe employment for them

Section 4 Each of the prisoners performing labor under the provisions of this act shall be credited with the just fair and full value of his labor and the full amount so credited shall be applied or paid in such order of priority or in such proportions as shall be provided by general rules adopted as provided in section two of this act or in the case of prisoners committed for failure to give surety for the performance of an order for the maintenance of a dependent or dependents or for failure to comply with such order by such special order as the court at any time may make in his case (a) to the payment of the expenses incident to his employment (b) to the costs of the proceeding under which he was sentenced or committed (c) to his maintenance while under sentence of imprisonment (d) to the maintenance of his dependents (e) to the payment of his dependents (e) to the payment of any fine imposed in connection with his sentence of imprisonment (f) to the prisoner during his time of imprisonment or upon his discharge

Section 5 The commissioners of said counties may appoint and employ such deputies guards keepers foremen and other officers as may be necessary for the supervision safe-keeping and good conduct of said prisoners while employed without the jails or while going to and from their employment Provided the number of said deputies guards keepers foremen and other officers and their respective wages or salaries shall be approved by the president judge of the court of quarter sessions of the peace of the proper county

Section 6 Every county requiring prioners to perform labor under the provisions of this act shall procure and pay for insurance for the payment of Workmen's Compensation in accordance with the Workmen's Compensation Laws of this Commonwealth relating to other employers of labor and shall not be liable to any prisoner for any injury beyond that which can be covered by said insurance Provided That no prisoner shall receive any compensation for any injury sustained in or by reason of any escape or attempt to escape from his keepers or guards

Section 7 If any prisoner at any time or any where between the time of leaving the jail for the purpose of performing labor under the provisions of this act and at the time of his return to the jail after so leaving it shall make his escape or attempt to escape the prisoner so escaping or attempting to escape shall be deemed and taken to have committed an escape and breach of prison and shall be subject to like penalties as are now provided by law for an escape or breach of prison

Section 8 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1153, as follows:

An Act to relieve life tenants of land from the payment of taxes on the underlying veins of coal which they have no right to operate and providing that such coal shall be assessed to and the taxes thereon paid by the owner of said veins of coal

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where a life tenant has the use of the surface of land but does not have the right to operate the underlying vein or veins of coal and where such vei nor veins of coal in the visinity of said land is separately assessed for taxation purposes the owner or owners of said vein or veins of coal shall be required to pay the taxes heretofore assessed or hereafter to be assessed upon said land up to an amount equal to the taxes on similar acreage of ocal in the same vicinity and the life tenant shall only be required to pay the residue of the taxes assessed on said land after deducting the portion of tax herein required to be paid by the owner of said vein or veins of coal

Section 2 Assessors shall hereafter assess coal and surface separately in cases where the life tenant of land has not the right to operate the coal underlying said surface and the tax on the underlying coal shall be paid by the owner or owners thereof

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1360, entitled:

An Act to amend section six of the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-five) entitled "An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-five) entitled "An Act authorizing the release or probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" is hereby amended to read as follows

Section 6 Whenever any person convicted in any court of this Commonwealth of any crime punishable by imprisonment in a State penitentiary shall be sentenced to imprisonment therefor in any penitentiary or other institution of (the) this State or in any county or municipal institution the court instead of pronouncing upon such convict a definite or fixed term of imprisonment shall pronounce upon such convict a sentence of imprisonment for an indefinite term stating in such sentence the minimum and maximum limits thereof and the maximum limit shall never exceed the maximum time now or hereafter prescribed as a penalty for such offense and the minimum limit shall never exceed one-fourth of the maximum sentence prescribed by any court

Provided That if it appear that any person so convicted in any court of this Commonwealth of any crime other than murder has never before been convicted of a crime punishable by imprisonment in a State penitentiary no minimum limit shall be fixed and the maximum shall not exceed the longest period fixed by law as the maximum penalty for the offense of which such person has been convicted

And provided further That any convict in any penitentiary or other institution of this Commonwealth or in any county or municipal institution who is now serving under any sentence or sentences imposed after the thirtieth day of June one thousand nine hundred and eleven may when he or she shall have served one-fourth of such maximum sentence or sentences or being a person convicted of any crime other than murder who has never before been convicted of a crime punishable by imprisonment in a State penitentiary at any time after his commitment be eligible for parole under the provisions and subject to the conditions of the act to which this is an amendment

Provided further That nothing herein contained shall be construed to derogate from the power of the judges of the courts of quarter sessions and of the courts of oyer and terminer of the several judicial districts of the Commonwealth after due inquiry to release on parole any convict confined in the county jail or workhouse of their respective districts as provided in section one of an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-nine) entitled "An Act extending the powers of judges of courts of quarter sessions and oyer and terminer in relation to releasing prisoners in jails and workhouses on parole" and Provided further That no person sentenced for an indeterminate term shall be entitled to any benefit under the act entitled "An Act providing for the commutation of sentences for good behavior of convicts in prisons penitentiaries workhouses and county jails in this State and regulations governing the same" approved the eleventh day of May Anno Domini one thousand nine hundred and one

On the question,

Will the House agree to the section?

Mr. LUDLOW. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 4, line 1,by striking out the word "benefit" and inserting inlieu thereof "benefits"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend section six of the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-five) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries"

On the question,

Will the House agree to the title?

Mr. LUDLOW. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 10, by inserting after the word "parole" the word "and".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1259, as follows:

An Act providing that certain election to take under or against the will of decedents heretofore required to be filed by surviving husbands or wives shall be presumed to have been made to take under said will

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where the surviving husband or wife of any decedent was required to file an election to take under or against the will of said decedent under the provision of an act of Assembly approved the twenty-first day of April one thousand nine hundred and eleven (Pahphlet Laws seventy-nine) entitled "An act relating to elections by surviving husbands or wives to take under or against the wills of decedents to the recording thereof and of final decrees where parties have failed or refused to elect when required so to do and forbidding paymnts to such parties until they have made and filed their elections" failed or neglected to file such election and has since died or shall hereafter die it shall be conclusively presumed in all proceedings or matters affecting the title to any real estate of such decedent that such surviving husband or wife elected to take under the said will and not against it

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 333, as follows:

An Act authorizing the State Highway Department the Public Service Commission counties cities boroughs townships and railroad and railway corporations to purchase or condemn by the right of eminent domain free and unobstructed view over and across lands at certain highway railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of said highways railroads and railways and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Department the Public Service Commission and any county city borough incorporated town or township and any railroad or street or passenger railway corporation may acquire by purchase or by the right of eminent domain a free and unobstructed view down and across such lands located at or near the intersection of any two highways or a highway and a railroad or railway or any two railroads or railways or any railroad and a railway or at any curve in any highway railroad or railway as may be necessary to assure a free and unobstructed view in all directions at such crossings and to so prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the vision of any person or persons traveling upon any such highway railroad or railway

Section 2 Upon any such condemnation the State Highway Commissioner the Public Service Commission and the proper authorities of any city borough town or township or the railroad or railway corporation having had such view condemned may from time to time abate or remove or cause to be abated or removed any obstruction to such view over and across such lands

Section 3 The proceedings for the condemnation of such view over and across such lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is now provided for the condemnation of land by the State Highway Department for road purposes by the Public Service Commission for the purposes allowed by law by counties boroughs and townships for road purposes and by railroad and railway corporations for the purposes allowed by law

Section 4 Upon the condemnation of a view over and across any lands for the purposes of this act the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at such dangerous crossing or curve and unless specially provided for in such condemnations proceedings such condemnation shall not be construed to prevent the owner thereof from using such land for pasture or the growing of grass oats wheat or other crops which will not obstruct the vision more than wheat

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1305, entitled:

An Act to confer upon the Courts of Quarter sessions of the several Counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds which have or shall become unsightly and unsuitable places for interment

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any private burial ground by reason of the drilling of oil wells or the opening of mines or quarries in the vicinity thereof or from any other cause has become or shall hereafter become unsightly and an unsuitable place for the repose of the dead the Court of Quarter Sessions of the County in which such burial ground is situated on petition of the trustee or trustees having charge thereof or of any person having a relative buried therein shall have jurisdiction and power to authorize and direct the removal of the remains of all dead from such private burial ground to such other suitable ground as shall be provided by the petitioner or petitioners for the reinterment of the bodies Notice of the presentation of a petition for any such order or removal and reinterment shall be given by advertisement once a week for a period of three (3) weeks in at least one newspaper of general circulation published in the County and in such other manner as the Court may direct

On the question,

Will the House agree to the section?

Mr. GOSS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 2, line 3, by striking out the word "bbodies" and inserting in lieu thereof; "bodies."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The second section was read and agreed to as follows:

Section 2 Such removal and reinterment shall be made by the petitioners in a careful manner at their own expense to another suitable burial ground provided by them or if desired by the relatives or friends of such dead to some properly regulated burial ground or cemetery in the immediate vicinity and said Court may enforce by proper process orders and decrees made under this act Provided however That before the removal of the remains of the dead notice of such removal shall be given by advertisement once a week for two successive weeks in two daily newspapers of the County wherein such burial ground is situated And provided further That relatives and friends of such dead shall have the right to remove the remains at their own expense at any time during the proceedings before actual removal under order of Court And further provided That all bodies when so removed shall be placed in separate caskets and graves and the headstones monuments or other marks placed over the remains of said bodies shall be taken by the persons authorized to make such removal and placed as near as can be in the same relative position as before removal

The third section was read as follows:

Section 3 All acts or parts of acts inconsistent herewith be and the same hereby repealed

On the question,
Will the House agree to the section?
Mr. GOSS. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend Sec. 3, page 3, line 3, by striking out the words "be and the same" and inserting in lieu thereof "are".

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An Act to confer upon the courts of Quarter Sessions of the several counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds, which have or shall become unsightly and unsuitable places for interment.

And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 486, entitled:

An Act to amend section two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and eight) entitled "An Act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing" and providing penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and eight) "An Act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing" is hereby amended to read as follows

Section 2 When any public road or highway shall be so closed it shall be the duty of the authorities authorizing the closing to immediately designate or lay out a detour on which they shall erect or cause to be erected and maintained while such detour is in use legible signs at each public road intersection throughout its entire length indicating the direction to the main highway and during the period when such detour is in use it shall be the duty of the authorities closing the main highway to maintain such detour in safe and passable condition and they are hereby authorized to pay for the cost of such maintenance out of such funds as are available for the maintenance of the highways in their charge It shall also be the duty of such authorities to immediately remove all detour signs when the highway originally closed is again opened for traffic

Any person who shall remove or deface or destroy any barricade danger sign detour sign or sign of any other character whatsoever erected or placed under the authority of this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding twenty-five dollars and costs of prosecution and in default of the payment thereof shall be imprisoned one day for each dollar of fine and costs unpaid

On the question,
Will the House agree to the section?
Mr. ALLAN J. STEVENS. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 14, by inserting after the word "shall" the word "wilfully."
Amend bill page 2, by adding at the end thereof the following paragraph: "All fines collected under the provisions of this act shall be paid by the officer receiving the same to the treasurers of the respective cities, boroughs, towns or townships in which the offense was committed."

On the question,
Will the House agree to the amendments?
They were agreed to,
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An Act to amend section two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one, (P. L. 908), entitled, "An Act regulating the closing of public highways, and providing for the locating, marking, and maintenance of detours necessitated by such closing," and providing penalties.

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1078, entitled:

An Act to amend section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" providing for re-hearings in cases where licenses have been suspended or revoked and for the reinstatement of licensees in certain cases

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" which was amended by the act approved the twenty-fourth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and seventy-one) entitled "An Act to further amend an act approved the third day of June one thousand nine hundred and eleven entitled 'An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery, and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts and parts of acts inconsistent therewith' as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled 'An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith 'approved the third day of June one thousand nine hundred and eleven' by providing for further instruction prior to examination for licensure by clarifying sections five (5) and twelve (12)" and the act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and fifty-eight) entitled "An act to further amend an act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred thirty-nine) the title of which as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws twelve hundred twenty) reads 'Relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith' by amending sections three (3) and four (4) and five (5) and six (6) and twelve (12) by providing certain equivalents for preliminary education by omitting certain required published notices by reconstituting a quorum by omitting second year examinations by recasting, and extending terms on which reciprocity may be established and by clarifying the several sections" is hereby further amended to read as follows

Section 12 The Bureau of Medical Education and Licensure shall refuse to grant a license to practice medicine and surgery to an applicant upon the presentation to said Bureau of Medical Education and Licensure of a court record showing the conviction in due course of law of said persons for producing or aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever and further the Bureau of Medical Education and Licensure upon such evidence and proof shall cause the name of any physician licensed to practice medicine and surgery in the Commonwealth of Pennsylvania to be removed from the record in the office of the Superintendent of Public Instruction

The Bureau of Medical Education and Licensure may refuse revoke or suspend for a definite or indefinite time the right to practice medicine and surgery in this State for any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance or any condition which impairs intellect and judgment to such an extent as to incapacitate for the performance of professional duties

Any person who is licensed to practice medicine and surgery or any of its branches in the Commonwealth of Pennsylvan or who is an applicant for examination for licensure to practice medicine and surgery in this State against whom are preferred any of the foregoing charges for causing the revocation or suspension of license or for causing refusal of the right to be examined for licensure shall be furnished by the Bureau of Medical Education and Licensure with a copy of the complaint and shall have a hearing before the Bureau or by attorney and witnesses may be examined by said Bureau respecting the guilt or innocence of said accused

Whenever a revocation or a suspension of a license has heretofore or may hereafter take place for any reason whatsoever the Bureau or a majority thereof in their discretion may grant a hearing in the nature of an appeal from any former action which may have been taken in such and upon such re-hearing a hearing shall be held de novo and hereafter the former action may be modified in part or in whole or rescinded in its entirety and the former licensee whose license was revoked or suspended may be reinstated upon such terms and conditions as may be determined

The revocation or suspension of license of any person licensed to practice medicine and surgery shall be removed when said narcotic or vicious habit hereinbefore specified shall have been adjudged by the said Bureau to be cured or overcome and said suspended licentiate deemed capable of practicing his or her profession In any case where after a suspension or revocation of a license for a period of five years any such former licensee shall show conclusively that he has discontinued the habits or practices which caused the suspension or revocation of his license such former licensee must be reinstated by the bureau Likewise the revocation or suspension of license of any person licensed to practice medicine and surgery shall be removed at such time as the Bureau of Medical Education and Licensure is convinced from the nature of the case causing the revocation or suspension that the case did not in fact involve moral turpitude or that the licentiate whose license has been revoked or suspended has been sufficiently punished and is not likely again to engage in an illegal or improper course of practice Provided however That any action taken in regard to suspension or revocation of license or removal of any suspension or revocation and the reinstatement of any licentiate must be by unanimous vote by the members of the Bureau present at a meeting at which such action is taken except in cases where conclusive proof has been adduced as above provided in which case a majority vote of the whole number shall be sufficient

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 4, lines 22 to 29, by underscoring all the words in said lines.

Amend Sec. 1, page 5, lines 1 to 5, by underscoring all the words in said lines.

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section twelve of the act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith;" providing for re-hearings in cases where licenses have been suspended or revoked and for the reinstatement of licenses in certain cases.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1074, as follows:

An Act supplemental to an act entitled "An Act to establish a Bureau of Housing for the sanitary inspection and control of tenement boarding and lodging houses defining its powers and duties and providing certain penalties" approved July twenty-fourth one thousand nine hundred and thirteen (Pamphlet Laws one thousand and fifteen) and providing for the protection of the health safety and welfare of the people of Pennsylvania by establishing regulations for the lighting ventilation sanitation protection maintenance erection alteration improvement use and occupancy of dwellings and land appurtenant thereto defining the classes of dwellings affected establishing administrative procedure and remedies and prescribing penalties for violation thereof and repealing acts inconsistent herewith

ARTICLE I

General Provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known as the Housing Law of Pennsylvania and may be so quoted and all its provisions shall apply in every city of the second and third classes every borough and incorported town and every township of the first and second classes except to farm buildings in townships and it shall not be lawful to erect alter convert or improve any building dwelling or portion thereof for dwelling purposes except in accordance with the rules regulations and provisions contained herein

Section 2 Definitions Certain words in this act are defined for the purpose thereof as follows Words used in the present tense include the future Words in the masculine gender include the feminie and neuter The singular number includes the plural and the plural the singular The word "person" includes a corporation as well as a natural person

(a) Family A "family" is one individual or a group of individuals living together as a single house-keeping unit but not including more than four roomers or lodgers taken for hire

(b) Dwelling A "dwelling" is any house or building or portion thereof which is occupied in whole or in part as the home residence or sleeping place of one or more human beings either permanently or transiently but shall not include inns and hotels

(c) Classes of Dwellings For the purpose of this act dwellings are divided into the following classes "one family dwellings" "two family dewellings" and "multiple dwellings"

A "one family dwelling" occupied by but one family or a part of a building divided from the rest by a party wall or walls and occupied by but one family

A "two family dwelling" is a dwelling occupied by but two families or a part of a building divided from the rest by a party wall or walls and occupied by but two families

A "multiple dwelling" is a dwelling occupied otherwise than as a one family dwelling or two family dwelling

(d) Classes of Multiple Dwellings All multiple dwellings for the purpose of this act are divided into two classes namely class A and class B

Class A Multiple dwellings of Class A are multiple dwellings occupied more or less permanently for residence purposes by more than two families or by two or more families where a part of the buliding is used for other than dwelling purposes This class includes tenements houses flat houses apartment houses and all other dwellings similarly occupied whether specifically enumerated herein or not and buildings in which a dwelling is combined with another type of occupancy provided a janitor's apartment in a business or office building be excepted

Class B Multiple dwellings of Class B are multiple dwellings other than those of Class A

(e) Yards A "rear yard" is that portion of a lot between the rear line of a building and the rear line of a lot and extending across the width of the lot A "side yard" is that portion of a lot between the side line of the lot and extending the length of the building A "front yard" is that portion of a lot between the street and the street walls of the building and extending the width of the lot

(f) Courts A "court" is an open unoccupied space other than a yard on the same lot with a building one side of which space for its full width and height shall open upon a street public alley or side yard at least ten feet in width or upon a front or rear yard

(g) Public Hallway A "public hallway" is a hallway corridor or passageway not within the exclusive control of one family

(h) Public Stair Hallway A "public stair hallway" is a public hallway and includes the stairs stair landing and those portions of the building through which it is necessary to pass in going between the entrance floor and the roof

(i) Story A "story" is that portion of any building comprised between any floor and the floor or roof next above A cellar shall not be counted as a story

(j) Basement Cellar Attic A "basement" is a story partly under ground but having at least one-half of its height above the mean level of the adjoining ground

Cellar A "cellar" is a space between the ground and the floor or between two floors having more than one-half of its height below the mean level of the adjoining ground

Attic An "attic" is a story immediately under a sloping roof

(k) Height The "height" of a building is the vertical distance measured from the curb level to the highest point of the roof adjacent to the street wall in the case of flat roofs or to the deck line in the case of mansard roofs or to the mean height between eaves and ridge in the case of gabled and gambrel roofs

(l) Curb Level The "curb level" is the mean level of the total length of the curb on all frontages of the building Where no curb level has been established or the building does not adjoin the street the average level of the ground immediately adjacent to the building shall be considered as the equivalent of the curb level

(m) Occupied Spaces Outside stairways fire towers porches and other projections shall be considered as part of the building and not as a part of the yards or courts or unoccupied spaces This provision shall not apply to fire escapes balconies of open metal construction or to unenclosed rear porches not exceeding one story in height provided the rear porch does not extend into the rear yard more than six feet

(n) Fire Resistive Construction "Fire-resistive construction" is that in which all parts of the structual frame that carry loads or resist stresses all exterior and interior partitions stairways enclosing walls of elevator shaft and stairways and all structural floors and roofs are of materials and construction not combustible in the temperature of ordinary fires and which will withstand such fires for at least one hour without serious impairment of their usefulness

(c) Construction of certain words The word "shall" is always mandatory and not directory Wherever the words "ordinances" "regulations" "local health authorities" occur in this act they shall be construed as if followed by the words "of the city borough incorporated town or township of the first class in which the dwelling is situated" Whereever this act is administrative and enforced by a department or board of health the term "local health authority" shall embrace such department or board of health and the executive officials thereof specially charged with the execution of laws and ordinances relating to health Wherever the word "occupied" or "used" is employed in this act such words shall be construed as if followed by the words "or is intended arranged designed built altered converted to be rented leased let or hired out to be occupied or used" Wherever the words "dwelling" "one family dwelling" "two family dwelling" "multiple dwelling" "building" "house" "premises" "land appurtenant thereto" or "lot" are used in this act they shall be construed as if followed by the words "or any part thereof" Wherever the words "water supply" are used in this act they shall be construed as meaning any supply of portable water which can be piped into a dwelling whether such water supply is publicly or privately owned and wherever the words "public sewer" are used in this act they shall be construed as meaning any part of a system of sewers that is used by the public whether or not such part was constructed at the public expense

ARTICLE II

Construction of Dwellings Hereafter Erected

Section 3 Frontage Every building hereafter erected for dwelling purposes and every building hereafter moved from one location to another location to be used for dwelling purposes shall front upon a street and it shall be placed so that no wall is nearer than twenty feet to the center line of said street except that a dwelling may hereafter be erected fronting upon an open space not less than forty feet in width dedicated as a public or private easement for light and air or a public or private right of way for ingress and egress provided that this space opens for its whole width upon a public street and shall be at every point unobstructed from ground to sky and provided further that the depth of said open space be not more than twice its width

Section 4 Height No dwelling hereafter erected shall exceed in height three times the distance from the front wall of the dwelling to the center line of the street on which it fronts

Section 5 Yards Every building hereafter erected for dwelling purposes shall have a rear yard open from the ground to the sky unobstructed No such yard shall be less than fifteen feet in depth The depth of such yards shall be increased at least two feet for every story above two stories of the height of the building For the purpose of measuring the rear yard depth the number of stories at the rear of the building shall be taken

A side yard is not required but where provided no required window area as specified in Section seven shall open upon any side yard unless it is at least three feet six inches wide between the wall of the house and the side lot line in the case of two story buildings four feet wide in the case of three story buildings and in the case of more than three stories increasing at least one foot in width for each additional story No bay windows porches or other projections shall occupy any of the required yard space

If there is no side lot line of record between dwellings erected on a portion of a lot or plot the distance between the side walls of such dwellings if they have required windows opening upon the side yard shall be at least twice that required in the proceeding paragraph and a line drawn at least the required distance from either dwelling at the option of the owner shall be held to be the side lot line

Nothing in this section shall be held to prevent the erection of one family dwelling in pairs back-to-back or in groups three or four about a common center forming one building provided that each separate dwelling shall have attached to it upon the same lot a side yard running the full depth of the house of equal area to that required for rear yards for dwellings or similar height but in no case less than ten feet in width

Section 6 Courts The minimum width between walls of all courts shall not be less than five feet for dwellings two or less stories in height The width of any court shall not be less than one-fourth of its length and shall increase two feet for each additional story in height

Section 7 Windows in Rooms In dwellings hereafter erected every room except bath rooms water closets compartments pantries shall have at least one window with an area between stop beads of not less than twelve square feet and the total window area between stop beads in each room shall not be less than one-eighth of the floor area of the room Required windows shall be made to open in all their parts and upon a street or upon an alley not less than ten feet in width or upon a yard or court of the dimensions given in Sections five and six and located on the same lot as the dwelling or upon the open space permitted by section three No room shall be divided unless each part used for living purposes complies with all provisions of this act

In every dwelling hereafter erected every water closet compartment or bath room shall have at least one window opening directly upon the street or upon an alley not less than ten feet wide or upon a yard or court of the dimensions herein specified and located upon the same lot as the dwelling or upon the open space permitted by section three The window area between stop beads in such compartments or bath rooms shall not be less than four square feet All windows shall be made to open in all their parts A water closet compartment or bath room may have a ventilating sky light of equal area in lieu of a window

In every multiple dwelling hereafter erected there shall be at every floor one window opening in all its parts with an area between stop beads of at least twelve square feet to light and ventilate each public hallway and public stair hallway provided that such windows may be placed at stair landings between floors

Section 8 Rooms Size of In every dwelling hereafter erected no room except bath room water closet compartment kitchen laundry or pantry shall contain less than seventy square feet of floor space In multiple dwellings of class A in each apartment group or suite of rooms there shall be at least one room containing not less than one hundred and forty square feet of floor area Bath rooms water closet compartments kitchens laundries and pantries if they contain less than seventy square feet of floor area must be equipped for their stated purpose

Section 9 Privacy In every dwelling hereafter erected access to every living room and every bed room and to at least one water closet compartment shall be had without passing through a bed room

ARTICLE III

Sanitation of Dwellings Hereafter Erected

Section 10 Cellar or Excavated Space Every building hereafter erected for dwelling purposes shall have beneath it either a cellar or basement with at least six and one-half feet clear head room or a free air space of not less than eighteen inches between the surface of the ground and the bottom of the floor joists except that where the floor is of water proofed masonry construction it may be laid directly on the earth In case a cellar or basement is constructed it shall be made so that it will be dry and shall be adequately lighted and ventilated by windows to the outer air In case a free air space is provided in lieu of a cellar or basement it shall be enclosed but provided with means of ventilation and the ground shall be graded so it will drain properly

Section 11 Water Supply and Drainage In every dwelling hereafter erected wherever public water mains are or become accessible a water supply shal be piped into the building and there shall be a sink with running water within the dwelling and in two family dwellings there shall be a sink with running water in each apartment group or suite of rooms No multiple dwelling shall be erected unless there is accessible a water supply which shall be piped into the building In multiple dwellings of Class A there shall be at least a sink with running water in each apartment group or suite of rooms In multiple dwellings of Class B there shall be one sink or wash bowl with running water for every six occupants or major fraction of six but in no case shall there be less than one sink or wash bowl with running water for every four rooms used for sleeping purposes

Where a public sewer is or becomes accessible the waste pipes from all plumbing fixtures shall be connected thereto Where no public sewer is accessible the waste pipes from all plumbing fixtures shall be connected to a cesspool or other approved means of sewage disposal constructed according to regulations adopted by the Department of Health

Section 12 Water Closet Accommodations In every one and two family dwelling hereafter erected where public sewers and public water supply are or become accessible there shall be within the dwelling a water closet connected with a sewer and placed in a bath room or separate compartment

In multiple dwellings of Class A hereafter erected there shall be at least one water closet in a separate compartment or bath room within each apartment suite or group of two or more rooms If single room apartments have not a water closet appurtenant to each apartment there shall be at least one water closet for each two single room apartments and located on the same floor as the apartments they serve and the only access to such water closets shall be through a public hallway In all multiple dwellings herafter erected the floor of all bath rooms and water closet compartments shall be covered with an impervious water proof material

In multiple dwellings of Class B hereafter erected there shall be one water closet in a separate compartment or bath room for every twelve occupants or fraction of twelve But in no case shall there be less than one water closet for every eight rooms or fraction thereof used for sleeping purposes and located on the same floor or on the floor immediately above or below Each required water closet shall be accessible by at least one entrance independent of a living room

In all dwellings where sewers are not accessible water closets shall be placed within the dwelling and connected with cesspools or other means of sewage disposal constructed according to regulations adopted by the Department of Health provided that where this is impracticable in the opinion of said Department privy vaults may be erected if constructed in accordance with regulations adopted by the Department of Health

No required water closet shall be placed in the cellar of a multiple dwelling

All water closets shall be capable of being flushed at all times and shall be sewer connected where a sewer is or becomes accessible

Section 13 Court Areas and Yards On the land appurtenant to every building hereafter erected for dwelling purposes all court areas and yards shall be graded In the case of multiple dwellings when required by the local health authorities they shall be properly drained and if necessary paved or concreted

Section 14 Rat Proofing In every dwelling hereafter erected the foundation walls and the floor construction immediately above the grade level shall be made rat proof by filling in solid with Portland cement or other hard inorganic material all hollow spaces voids holes or similar openings that may serve as an entrance or breeding place or runway for rats Openings through such walls and floors for the passage of pipes or ducts shall have the space between such pipes or ducts and the wall or floor construction covered with sheets of galvanized iron or heavy galvanized iron wire mesh with openings not greater than one-half inch square Where openings are necessary for drainage purposes such openings shall be covered with heavy galvanized iron wire mesh

Section 15 Fire Protection No building or portion thereof hereafter erected for multiple dwelling purposes shall exceed three stories in height unless it shall be of fire-resistive construction In every such building hereafter erected exceeding two stories in height all public stair hallways shall be of fire-resistive constructive enclosed in fire-resistive walls Every such building exceeding two stories in height shall have at least two separate ways of egress to the ground located as far apart as practicable

ARTICLE IV

Alterations

Section 16 Alterations and Change in Occupancy Any biulding or portion thereof hereafter altered for dwelling purposes shall conform to all of the provisions of this act relative to dwellings hereafter erected of the class to which such building has been altered

Any building or portion thereof occupied for dwelling purposes whose grade of occupancy is hereafter changed shall conform to all of the provisions of this act relative to buildings hereafter erected of the class to which such occupancy has been changed

Section 17 Encroachments No open space surrounding any building shall be diminished below the requirements of this act for dwellings hereafter erected except that a private garage not exceeding one story in height may be placed in the rear yard of a one family dwelling provided it does not diminsh the required open space in front of any window in the dwelling

Section 18 Dwellings Damaged If a dwelling be damaged by fire or other cause to the extent of one-half or more of its cubage exclusive of the basement and cellar such portion of the dwelling so damaged shall not be repaired or rebuilt except in conformity with the provisions of this act relative to dwellings hereafter erected

Section 19 Dwellings Moved If any dwelling or building to be used as a dwelling be hereafter moved from one lot to another it shall thereupon be made to conform to all provision of this act relative to dwellings hereafter erected

ARTICLE V

Improvements

Section 20 Rooms Lighting and Ventilation of No room in a dwelling erected prior to the passage of this act shall be occupied for living purposes unless it shall have a window or windows of an approved lighting area opening to the outer air and one-half of all such windows shall open fully No room shall be divided unless each part used for living purposes complies with all the provisions of this act

Section 21 Public Hallways and Stairs Lighting and Ventilation of In all multiple dwellings erected prior to the passage of this act all public hallways and public stair hallways shall be adequately provided with light and ventilation to the outer air as may be deemed practicable by the local health authorities or the Department of Health as the case may be

Section 22 Privy Vaults Water Flushed Sewer Connected Vaults and Water Closets In all dwellings erected prior or subsequent to this act whenever a connection with a sewer or a public water supply is or becomes accessible all plumbing fixtures shall be connected to said sewer or public water supply system and all privy vaults water flushed sewer connected vaults cesspools or other similar receptacles to receive fecal matter urine or sewage shall within one year from the date of passage of this act or at the time when such sewer or public water supply becomes accessible be completely removed and the place where they were shall be cleaned filled and abandoned No such dwelling accessible to a public sewer and public water main shall be occupied in whole or in part for living purposes unless it shall have a water closet Wherever practicable each water closet required by this section shall be placed within the dwelling and in a separate compartment or bath room lighted and ventilated as required by the provisions of Section seven hereof

In multiple dwellings of Class A erected prior to the passage of this act there shall be at least one such water closet for every two apartments groups or suites of rooms having one or two rooms each accesss to which from each apartment group or suite of rooms shall be had through a public hallway Each apartment group or suite or rooms containing three

or more rooms shall have its own water closet the only access to which shall be had directly from the apartment it serves or through a public hallway Water closets as required by this section in multiple dwellings shall not be placed in the cellar

In multiple dwellings of class B erected prior to the passage of this act there shall be a water closet for every twelve occupants or fraction of twelve but in no case shall there be less than one water closet for every eight rooms or fraction thereof Each required water closet shall be accessible by at east one entrance independent of a living room

In all cases where sewers are not accessible water closets shall be placed within the dwelling and connected with cesspools or other means of sewage disposal constructed according to regulations adopted by the Department of Health provided that where this is impracticable in the opinion of said department privy vaults may be erected if constructed in accordance with regulations adopted by the Department of Health

No required water closet shall be placed in the cellar of a multiple dwelling

All water closets shall be capable of being flushed at all times and shall be sewer connected where accessible

Section 23 Egress Every multiple dwelling exceeding two stories in height erected prior to the passage of this act shall have at least two separate ways of egress as widely separated as practicable at least one of which shall be of fire-resistive material

Section 24 Water Supply and Drainage Wherever public water mains are or become accessible every one family dwelling erected prior to the passage of this act shall have within the dwelling a sink with running water

In every two family multiple dwelling of class A wherever public water mains are or become accessible there shall be a sink with running water in each apartment group or suite of rooms Provided that where apartments groups or suites of rooms in multiple dwellings have less than three rooms there shall be on every floor a sink with running water accessable to each family without passing through another apartment

In every multiple dwelling of class B erected prior to the passage of this act where public water mains are or become accessible there shall be a sink or wash bowl with running water for every six occupants or major fraction of six but in no case shall there be less than one such sink or wash bowl for every four rooms used for sleeping purposes

All sinks and wash bowls shall be connected with a drain that discharges to a public sewer where accessible

Where no public sewer is accessible the drainage system shall be discharged into a cesspool or other approved means of sewage disposal constructed according to regulations adopted by the Department of Health

ARTICLE VI

Occupancy

Section 25 No room in a cellar shall be occupied for living purposes No room in a basement shall be occupied for living purposes it shall have a window area at least equal to that required for rooms in dwellings hereafter erected opening in all parts to the outer air upon an open space unobstructed to the sky except that such window area may open for not more than half of its height upon an area-way not less than the width of the window and projecting two feet Provided no basement shall be used for living purposes unless two adjacent sides are at least eighty (80) per centum above the level of the adjacent ground

Section 26 No horses cattle swine sheep goat or poultry shall be kept or slaughtered in any dwelling or part thereof nor shall any other animal or fowl deemed objectionable by the health department authorities be kept or slaughtered therein

Section 27 If any room in a dwelling is overcrowded the health authorities shall order the number of persons living or sleeping in said room to be reduced so that there shall be not less than seventy square feet of floor space for each person

ARTICLE VII

Administration and Enforcement

Section 28, The Commissioner of Health shall have general supervision over all matters coming within the provisions of this act Where there is a local department or board of health they are hereby authorized and directed to administer and enforce the provisions of this act

If it shall be found that the local health authorities having jurisdiction are not enforcing the provisions of this act the Commissioner of Health may at his discretion assume jurisdiction and in such case the local health authorities shall be relieved of any and all authority under this act and the Commissioner of Health shall administer the provisions of this act in such city of the second or third class borough incorporated town or township of the first class and may continue in charge thereof until the Commissioner of Health shall decide that a competent and efficient department or board of health has been appointed and qualified for such city borough incorporated town or township of the first class and is ready able and willing to assume and carry into effect the duties imposed by this act

All expenses incurred by the Department of Health in accordance with the provisions of this act shall be paid by the city borough incorporated town or township of the first class wherein such duties are performed in the same manner in which other expenses of such city borough incorporated town or township of the first class are paid

Wherever expenses incurred by the Department of Health in the administration of this act in any city borough incorporated town or township of the first class shall remain unpaid by said city borough incorporated town or township of the first class for a period of over three months after a statement of such expenses has been rendered by the said Department to said city borough incorporated town or township of the first class and demand for payment made the Commissioner of Health shall with the approval of the Governor institute in the name of the Commonwealth as plaintiff an action of assumpsit against such city borough incorporated town or township of the first class in the same manner in which debts of like amount are collected by law provided however that upon the trial of any such action of assumpsit the reasonableness of the expenditures made by the Department of Health shall be submitted to the jury for its determination

All expenses incurred by the Department of Health in the administration of this act in any city borough incorporated town or township of the first class when paid to the said Department by such city borough incorporated town or township of the first class or when collected by the said Department shall be returned by the said Department to the State Treasurer who shall credit the amount as received to the appropriation made for this specific purpose

Section 29 Permit to Commence Building Before the commencement of the construction of any building or part thereof to be used for dwelling purposes or before the commencement of any such alteration or conversions of a building or any part thereof for use for dwelling purposes as may be of a character specified by the Department of Health or the local health authorities requiring a permit or before the commencement of the construction or alteration of any building or structure on the same lot with a building used for dwelling purposes the owner or his agent shall file plans for the same in duplicate with the local health authorities by whom they shall be examined within five days exclusive of Sundays and legal holidays If said plans comply with this act and such other laws ordinances rules and regulations as apply they shall be certified as approved and one set of plans shall be returned to the owner or his representatives and one set retained for the files of the local health authorities In case the plans are disapproved by the local health authorities or by the Bureau of Housing as the case may be an appeal may be taken to the Department of Health the judgment of which shall be final Plans when filed with the proper officials shall be accompanied by a plan of the lot showing the dimensions of the same the location of the proposed building and its relation to all other buildings on the lot and a detailed statement made upon blanks or forms prescribed by the Department of Health and furnished by the local health authorities and signed by the owner or his agent giving in full the name and address of the owner or owners and the purpose for which the building or dwelling will be used The health authorities may approve changes in any plans previously approved provided the plans when so changed shall be in conformity with the law Upon the approval of the plans the health authorities shall issue to the owner or his agent a written permit to commence building Until this permit is issued no work shall be done upon the said building or structure

Section 30 Notice of Violation Whenever this act or any of its provisions or any of the rules and regulaitons made in accordance therewith have been violated the Department of Health or the local health authorities shall serve a written notice upon the owner or agent thereof to correct such violation and in case of a violation pertaining to overcrowding or maintenance of insanitary conditions upon the tenant as well specifying the violation or violations and further specifying the time in which such volation or violations must cease Notices may be served either in person or by registered mail upon the owner or his agent or the tenant or both as the case may be and by posting a copy in a conspicuous place on the dwelling In case the name and address of neither the owner nor his agent is registered in the public records accessible to the health authorities posting of said notice on the dwelling shall be sufficient service All such notices shall be complied with within a period not exceeding thirty days as the Department of Health or the local health authorities may determine Upon failure to comply the Department of Health or the local health authorities shall take legal proceedings to force compliance with such notices No legal proceedings herein provided for shall be instituted until the expiration of the time set in such notice

Section 31 Enforcement Proceedings for any violation of this act or of the rules and regulations made in accordance herewith shall be instituted by the duly authorized agents of the health authorities before a magistrate or justice of the peace who shall issue a warrant commanding the person charged with any violation of this act or of the rules and regulations made in accordance herewith to appear within not more than five days Such person or persons found guilty shall be fined a sum of not less than five dollars nor more than twenty-five dollars for the first offense and a sum not less than twenty-five dollars nor more than two hundred dollars for the second or subsequent offense and in default of payment of the fine or fines shall be committed to the county jail for a period of not more than sixty days as the court may direct Such person or persons shall begin work within five days upon such alterations or changes to said property or for the removal of unsanitary conditions or overcrowding as may be necessary to comply with the notice to correct such violation Upon failure to begin such work within five days such person shall be fined not exceeding ten dollars per day for each day in which the premises shall have been used after the expiration of the five days or may be committed to the county jail for a period of not more than sixty days as the court may direct

Section 32 Vacation of Dwellings In case the health authorities consider a dwelling by reason of the conditions in or about the same to be unfit or unsafe for human habitation or if after conviction has been secured for violation of any of the foregoing provisions of this act or of the rules and regulations made in accordance herewith the violation is not removed the health authorities may order the said dwelling vacated and keep it vacant until such time as it has in the opinion of the health authorities been made fit for human habitation or until the violation has been removed It shall be a violation of this act for any person to live in such dwelling subsequent to the date set in said order for the vacation thereof and before the health authorities shall declared such dwelling fit for human habitation and such person shall be liable to prosecution as hereinbefore provided and the owner of such dwelling shall be liable to the penalties as hereinbefore provided

Section 33 Fees The following fee shall be charged for each permit issued For the erection and construction of every building used for dwelling purposes hereafter erected or for every building converted from other uses to dwelling purposes or for alterations hereafter made one dollar for a one family or two family dwelling and one dollar for each apartment or group of six rooms or fraction of six in a multiple dwelling The fees above specified shall be paid into the treasury of the city borough incorporated town or township of the first class when permits are issued by the local health authorities and into the treasury of the Commonwealth of Pennsylvania when permits are issued by the Department of Health Such fees are to be credited to the appropriations to the local health authorities or to the Department of Health as the case may be

Section 34 Other Acts Repealed That all acts or parts of acts inconsistent with this act be and the same are hereby repealed but no such acts or parts of acts shall be considered as inconsistent with this act merely because its provisions or any of them cover or relate to the subject or subjects of this act if it does not conflict with or interfere with the enforcement of any of the provisions of this act If any provisions of this act shall be held by any court to be unconstitutional such judgment shall not be held to invalidate any other provision

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 896, entitled:

An Act to ascertain and appoint the fees to be received by the clerk of quarter sessions and oyer and terminer of counties of the third class and fourth class

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the fees of the clerk of quarter sessions and oyer and terminer for counties of the third class in this Commonwealth shall be as follows to wit

Clerk of Quarter Sessions

Venire for and swearing grand jury to be paid by county	90 cts.
Filing and entering if necessary all papers relating to one prosecution where true bills are found including arraignment of defendant entering pleas and stationery	3.00
The same services where bill is returned ignoramus including discharge by proclamation	1.50
Calling recognizance and entry of forfeiture	.50
Taking recognizance in court each person	.75
Respiting or discharging forfeited recognizance and motion therefor	.50
Every motion and rule	.50
Continuance	.25
Entering retraction or pleas or nolle prosequi	1.00
Entering submission and judgment	.60
Swearing jury witnesses constables and entering verdict and judgment	.60
All services in cases of surety of the peace except subpoenas or attachments or for taking recognizances	.75
Process on indictment docket entry and return	1.00
Copy of rule or order of court with certificate and seal	.60
Filing petition and order therefrom	.20
Filing petition for a view or review of a road or bridge and order under seal	.90
Recording return of viewers and confirmation for every eight words	.02
Order to open road under seal	1.50
Certificate of pay of road or bridge viewers to be paid by the county each case	.75
Constables bond filing	.60
Receiving and entering constable returns filing	.60
Filing and recording returns of boroughs and township elections each person elected to be paid by the county	.50
Issuing subpoenas under seal	.30
Each name after the first (subpoena)	.02
Issuing attachment entering motion therefor and return	.40
Copy of record or of any paper filed every four words	.01
Certificate and seal	.30
Every search where no other service is performed to which any fee is attached	1.00
Taxing cost other than the clerk of the sessions	.50
Re-taxing parties bill of cost and making report	.50
Making return to writ or error	1.00
Entering proceedings of Supreme Court	.40
Issuing Supreme or Superior Court record page	.50
Entering appeals from justices aldermen	.80
Certificate of pay of jurors criers and constables paid by the county	1.00

Issuing notices to defaulting jurors each	.25
Issuing fi fa against defaulting jurors	.50
Filing any paper not relating to any suit pending and not hereinbefore provided for	1.00
All proceedings in tavern or eating house licenses except certificate	1.00
All proceedings on peddlers' license	1.00
Every warrant or seizure and proceedings thereon	1.00
Recording tabulating and entering special elections each district	3.00
Recording entering tabulating elections in boroughs and townships	3.00
Filing election expense accounts over fifty dollars	.50
Filing election expense accounts under fifty dollars	.25
All cases of in Re	3.00
Bail piece executing filing and entering record ..	2.00
Capia non omittas	1.50
Commitment to penitentiary 1.00 Information 1.00	2.00
Commitment to reformatory 1.00 Information 1.00	2.00

On the question,

Will the House agree to the section?

Mr. LORENZO D. THOMAS. Mr. Speaker. I desire to offer the following amendments.

The SPEAKER. The amendments will be ready by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 3, line 12, by striking out the word "or" and inserting in lieu thereof "of."

Amend section 1, page 1, line 6 by inserting after the word "third" the following "and fourth."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Oyer and Terminer

Section 2 The fees to be received by the clerk of the court of oyer and terminer shall be as follows

All services performed in any one execution where a bill is found except for subpoenas attachments or witnesses or process on indictment ..	8.00
When bill is returned ignoramus	2.50

The third section was read as follows:

Section 3 The fees for services of the clerks of quarter sessions and oyer and terminer not herein specifically provided shall be the same as for similar services

Section 4 Section four and five of the act approved the second day of April one thousand eight hundred and sixty-eight (Pamphlet Laws three) entitled "An Act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" are hereby repealed in so far as they relate to counties of the third class

All acts and parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the section?

Mr. LORENZO D. THOMAS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 4, line 23 by inserting after the word "third" the following: "and fourth."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to ascertain and appoint the fees to be received by the clerk of quarter sessions and oyer and terminer of courts of the third class and fourth class

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 881, as follows:

An Act creating the Camp Meade Memorial Commission to select a site and provide for the construction erection and dedication of a movement of a monument or memorial on the site of Camp Meade used during the Spanish-American War and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is hereby authorized to appoint a commission to be known as the Camp Meade Memorial Commission which shall be composed of five citizens of the Commonwealth who are veterans of the Spanish-American War Said commission shall organize by selecting a Chairman and Secretary of the Commission The members of the commission shall serve without compensation but shall receive all necessary traveling hotel and other expenses incurred in the discharge oft heir duties

Section 2 The commission shall have power to elect and to receive by dedication or to purchase a site for a monument or memorial to be erected on the site of Camp Meade near Middletown in Dauphin County which commission shall select and provide for the construction and erection and dedication of a suitable monument or memorial on such site and for such purposes shall have power to enter into all necessary contracts The title to any site selected shall be approved by the Attorney General and any deed shall be taken in the name of the Commonwealth

Section 3 The sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission to carry out the purposes and intent of this act Payments for said appropriation shall be made by warrant of the Auditor General upon the State Treasurer upon requisition of the Chairman of the commission in the usual manner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. HALL. Mr. Speaker, I move that House Bill No. 881, file folio 3193, be recommitted to the Committee on Appropriations, that is the proper committee for this bill as it has been reported out with the understanding that it be recommitted to that committee.

Mr. ASTON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1165, as follows:

An Act authorizing cities boroughs towns and townships to purchase burial plots for certain deceased service men

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city borough town or township may purchase plots of ground in any cemetery or burial-ground within their respective limits for the interment of such deceased service men or shall hereafter die within such municipality or shall die beyond such municipality and shall have a legal residence within such municipality at the time of their death and whose bodies are entitled to be buried by the county under the provisions of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death" or any reenactment thereof Such plots of ground shall be paid for out of the treasury of such municipality

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1075, entitled:

An Act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties

Sections 101, 102 and 103 were separately read and agreed to as follows:

ARTICLE I

Short Title Interpretation and Definition

Section 101 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be called and cited as the mental Health Act of one thousand nine hundred and twenty-three

Section 102 Whenever in this act the singular is used the plural shall be included where the masculine gender is used the feminine and neuter shall be included

Section 103 As used in this act

"Department" shall mean the Department of Public Welfare or any other Department to which the powers and duties of the same Department may at any time be transferred by law

"Mental illness" "mental disease" "mental disorder" shall mean an illness which so lessens the capacity of the person to use his customary self-control judgment and discretion in the conduct of his affairs and social relations as to make it necessary or advisable for him to be under treatment care supervision guidance or control The terms shall be construed to include "lunacy" "unsoundness of mind" and "insanity"

"Mental defective" shall mean a person who is not mentally ill but whose mental development is so retarded that he has not acquired enough self-control judgment and discretion to manage himself and his affairs and for whose own welfare or that of others supervision guidance care or control are necessary or advisable The term shall be construed to include "feebleminded" "idiot" "imbecile"

"Inebriate" shall mean a person habitually so addicted to to the use of alcoholic or other intoxicating or narcotic substances as to be unable without help or unwilling to stop the excessive use of such substances The term shall be held to include "dipsomaniac" "habitual drunkard" "person addicted to the use of alcoholic drink or intoxicating drugs" "person so habitually addicted to the use of alcoholic drink absinthe opium morphine chloral or other intoxicating liquor or drug as to be a proper subject for restraint care and treatment in a hospital or asylum" "person habitually so addicted to the use of alcohol or narcotic drugs as to be a proper subject for restraint care and treatment" But for the purposes of this act the term shall mean only those inebriates who except for their inebriaty are of good character and reputation

"Mental patient" shall mean any person who is or is thought to be mentally ill mentally defective epileptic or inebriate or who is or has been an inmate of any hospital school or place for such persons or for whom admission thereto is being sought

"Mental hospital" shall mean any State semi-state or licensed hospital institution school or place public or private for the care of mental patients

"Hospital for mental diseases" shall mean any State semi-state or licensed hospital house or place for the treatment and care of persons mentally ill

"School" shall mean any hospital institution training school school or place public or private for the care education and training of mental defectives or epileptics

"Village" shall be considered and equivalent term with "School"

"Institution" shall mean any incorporated institution public or private established for the care of mental patients

"Place" shall mean any non-incorporated private house or place in which more than one mental patient receives care for compensation

"Trustees" shall mean the person or group of persons organized to manage and be responsible for an institution or place for the care of mental patients and shall include board of trustees managers board of managers directors or board of directors of such institution or place

"Care" shall include reception detention custody care treatment maintenance support segregation education culture training discipline improvement occupation employment "medical and surgical treatment and nursing" food and clothing

"Qualified physician" shall mean a physician who has been resident in this State for at least three years has been licensed to practice medicine in this State and has been in the actual practice of medicine for at least three years or has had at least one year's experience as physician in a hospital for mental patients

"Prison" shall mean any prison jail gaol lock-up penitentiary reformatory or other institution for correction punishment or detention

"Insane criminal" shall mean any person mentally ill who has been convicted on a criminal charge and the period of whose sentence has not expired or who has a criminal tendency

"Criminal tendency" shall mean a tendency to repeat offenses against the law or to perpetrate new offenses as shown by repeated convictions for such offenses a tendency to habitual delinquency

"Transfer" of a mental patient shall mean his removal from one mental hospital to another mental hospital for the same kind of patients without other procedure for admission than those prescribed by the Department

Section 201 was read as follows:

ARTICLE II.

Institutions and Places for Mental Patients

Section 201 Mental patients in the Commonwealth should be cared for

(a) In the following existing State Hospitals Allentown State Homeopathic Hospital State Hospital Farview State Hospital Harrisburg State Hospital Norristown Hospital Warren State Hospital Torrance State Hospital and Warnersville State Hospital

The Laurelton State Village Pennhurst State School and Polk State School

(b) In the Semi-State institution known as Dixmont Hospital

(c) Such Semi-State county municipal incorporated District or private institution or places shall have procured from the Department licenses as provided for in this act provided that the authorities of general hospitals set apart or establish beds wards or departments for the tem-

porary care of mental patients under such conditions as may be approved by the Department but no mental patient shall be admitted for care to any almshouse poorhouse prison or other place except a general hospital unless such almshouse poorhouse prison or other place shall have a license for such purpose from the Department

(2) It shall be unlawful for the persons in charge of any institution or place within the jurisdiction of the Department whether incorporated or non-incorporated except State institutions to care for any mental patients without having obtained from the Department on or before the first day of January one thousand nine hundred and twenty-four an annually thereafter a license authorizing such institutions or place to care for mental patients provided however that any incorporated institution in existence when this act takes effect shall have the right by petition to appeal to the court of Common Pleas of the County in which the institution is situated from the order of the Department refusing to grant licenses to such corporation and thereupon said courts shall determine whether the order of the Department is reasonable and shall either dismiss the petition or make such order governing the act of the Department in the premises as it shall deem wise

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 201, page 5, line 21 by inserting after the word "hospital" the following "may"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

Sections 301, 302, 303, 304, 305, 306, and 307, were separately read and agreed to as follows:

ARTICLE III.

Admission and Commitment of Mental Patients

Section 301 Any person thought to be mentally ill may make application in writing to the superintendent or any hospital for mental diseases for admission as a patient to such hospital such application shall be signed by the applicant in the presence of at least one witness

If the said superintendent shall be satisfied after examining the applicant that he is in need of hospital treatment and will be benefited and that the mental condition of the applicant is such as to render him competent to make such application said superintendent may receive and care for the applicant in the hospital

Such patient shall not be detained for more than ten days after he shall have given notice in writing to the superintendent of his desire to leave said hospital but if in the opinion of the superintendent it is inadvisable to discharge such patient the said superintendent shall notify the friends or relatives of the patient or other persons liable for his support

Section 302 Whenever it shall appear that any person is mentally ill or in such condition as to be benefited by or need such care as is required by persons mentally ill the superintendent of any hospital for mental diseases may receive and detain such person on the written application of any relative or friend or the legal guardian of such person or any other responsible citizen and on the certificate of two qualified physicians that said person is mentally ill and is in need of treatment and care in a hospital for mental diseases

The application aforesaid shall be in form prescribed by the Department and shall state the name sex and residence of the patient the opinion that said patient is mentally ill and that care in such a hospital is necessary for his benefit and the facts on which the said opinions are based and such other facts or information as may be required by the Department If the facts called for or any of them are unknown to the applicant or applicants is shall be so stated in the application

In the certificate aforesaid the physicans shall each state his residence that he has resided in this State for at least three years that he has been licensed to practice medicine in this State that he has been in the actual practice of medicine for at least three years or has had at least one year's experience as physician in a hospital for mental patients that he is not related by blood or marriage to the patient or to the applicant or any of the applicants that he is not connected in any way as medical attendant or otherwise with the hospital to which application has been made for the admission of the patient that he has examined the patient with care and diligence within one week and that in his opinion the patient is mentally ill and in need of hospital care. He shall further state in said certificate the information relative to the patient given him by others and the facts as to the physical and mental condition and the behavior of the patient which he has himself observed on which he bases his opinion

The aforesaid application and certificate shall be sworn to or affirmed before a judge or magistrate and said judge or magistrate shall certify to the genuineness of the signatures and to the standing and good repute of the signers of the certificate The certificate shall not authorize the admission of the patient unless the patient shall be admitted within two weeks of the date thereof

Section 303 Any person who is mentally ill may be placed and detained in a hospital for mental diseases by order of the court of common pleas of the county in which the said person resides or is or of any law judge of said court upon a sworn or affirmed application by any responsible person addressed to said court or judge which application shall be accompanied by a sworn or affirmed certificate of two qualified physicans Said application and certificate shall conform in all respects to the forms prescribed by the Department and be executed not more than two weeks before the same are presented to the court or judge Such procedure may be held at any place in the discretion of the court or judge who may or may not in his discretion require the presence before him of the said mental patient

A certified copy of the order of the court or judge and copies of the application and of the certificate shall accompany the patient and be given to the superintendent in charge of the hospital in which the patient is ordered to be placed The said application certificate and order shall be kept on file in a special docket in the court

Such order shall not authorize the admission of the patient unless he shall be admitted to the hospital within two weeks from the date thereof The superintendent of said hospital shall receive the said patient and may detain him therein until said patient shall have recovered or shall be removed according to law

Section 304 Whenever an application shall be made to a court of common pleas or judge thereof for an order for the admission of any person thought to be mentally ill to a hospital for mental diseases the court or judge thereof may in its or his discretion immediately appoint a commission to inquire into and report upon the facts in the case Such commission shall be composed of three persons two of whom shall be qualified physicians and the other a lawyer They shall in their inquisition hear such evidence as may be offered or as they may require relating to the mental condition of the person whose admission to a hospital for mental diseases is sought as well as the statements of such person or his counsel and shall make a report in writing to the court or judge thereof setting forth whether or not they find that the person in question is in fact mentally ill and a proper subject for admission to a hospital for mental diseases and setting forth the facts on which their conclusion is based

If such commission finds that the person in question is mentally ill and is a proper subject for admission to a hospital for mental diseases and the court or judge thereof shall approve the report of the said commission said court or judge shall thereupon order the person to be admitted to and detained in the hospital named in the application The court or judge may or may not in its or his discretion require the presence in court of the person thought to be mentally ill and the procedure may be held in any place in the discretion of the court or judge

If the person thought to be mentally ill shall refuse to submit himself to an examination by the aforesaid com-

mission the court or judge thereof may issue a warrant for the bringing of said person before said commission for examination

Section 305 The superintendent of any hospital for mental diseases may receive in the hospital of which he has charge and detain for temporary care as a patient for a period not to exceed ten days any person who is or is thought to be suffering from mental illness on the written application to said superintendent by the legal guardian or relative or friend of such person which application shall be accompanied by a certificate of at least one licensed physician that immediate temporary care in a hospital for mental diseases is necessary for such person by reason of mental illness

Said application and certificate shall be given to the superintendent or other officer of the hospital at the time of the admission of the patient

If after the admission of such patient the superintendent shall be of the opinion that the patient does not require such temporary care the superintendent shall discharge said patient or shall notify the said guardian relative or friend on whose application the patient was admitted to forthwith remove the patient from the hospital whereupon it shall be the duty of said guardian relative or friend to remove him and said guardian relative or friend shall be liable to the hospital for the expenses incurred including those for care maintenance and removal

If the said superintendent shall be of the opinion that the patient requires further care the said guardian relative or friend shall before the expiration of said period of ten days cause the patient to be duly committed according to law unless said patient shall have signed a request to remain as a voluntary patient or shall have been removed from said hospital

When such patient is so further committed the cost of such commitment shall be considered to include the expenses incident to his admission for temporary care

Section 306 The Superintendent of any hospital for mental diseases may receive and detain as a patient for a period not exceeding ten days any person whose case is certified to be one of violent or dangerous mental illness or of other emergency by two qualified physicians in a certificate similar to the certificate required in section three hundred and two of this act except as to being sworn or affirmed to Upon the request of one of the aforesaid physicians or any relative or friend or of the guardian or committee of said patient a sheriff or constable or police officer shall cause the delivery of said patient to the superintendent of said hospital

The person requesting such admisison shall within ten days after the date of admission apply to the judge of the court of common pleas of the county in which the patient is or resides or was apprehended for the commitment of said patient as mentally ill in accordance with the provisions of section three hundred and three of this act The certificate aforesaid may be used as the certificate of mental illness required in said section If within the said ten days no commitment be made or if the patient does not sign a request to remain in the hospiatl as a voluntary patient or if the patient be not removed the applicant aforesaid shall be liable to the hospital for the expenses incurred which may be recovered by the hospital by suit in assumpsit

Section 307 The guardian committee or any relative or friend of a person thought to be mentally ill may make application to the court of commonn pleas, of the county wherein such person resides or is or to any judge thereof for an order for the commitment of such person to a hospital for mental diseases for observation diagnosis and treatment Such application shall be accompanied by the sworn certificate of two qualified physicians setting forth upon a form prescribed by the Department that such person is in such a condition as to require observation in a hospital for mental diseases and giving the information called for by said form Thereupon or in his own discretion without such application the court or judge if satisfied that the condition of such person is such as to make his commitment desirable for his best interests shall commit him for such period and under such limitations as the court or judge may direct to the institution indicated in the application or to such other like institution as the court or judge may designate

The superintendent or other person in charge of the institution to which the said person is committed shall before the expiration of the period of commitment of the patient make written report of said patient's mental condition to the court or judge making the commitment Thereupon the court or judge if satisfied that the patient is not mentally ill shall order his discharge and that the cost of his transportation commitment care and treatment be paid by the person so committed by the applicant for his commitment or by the poor authorities of the county or poor district in which such person is resident as the court or judge shall deem just and proper otherwise the court or judge shall make such order for the further disposition of the patient as may to him seem proper

Section 308, was read as follows:

Section 308 When any person detained in any prison whether waiting trial or undergoing sentence or detained for any other reason (e g as a witness shall in the opinion of the superintendent jail physician warden or other chief executive officer of the institution or other responsible person be insane or in such condition as to make it necessary that he be cared for in a hospital for mental diseases the said superintendent jail physician warden or other chief responsible officer of the institution or otner person shall immediately make application upon a form prescribed by the Department to a law judge of the court having jurisdiction of the charge against said person or under whose order he is detained for commitment of said person to a proper hospital for mental diseases The said judge shall forthwith order an inquiry by two qualified physicians or by a commission as provided in section three hundred and four of this act who shall immediately examine the said person and make written report of their findings to the said judge If in their opinion the person so detained is insane the physicians shall so state in a certificate conforming to the requirements of section three hundred and two or the commission in a report conforming to the requirements of section three hundred and four of this act They shall also report whether in their opinion such person is of criminal tendency The said judge may in his discretion summon other witnesses and secure further evidence If he is then satisfied that the person thought or alleged to be insane is in fact insane he shall order the removal of such person to a hospital for mental diseases If the prisoner is a convict serving sentence or if he is of criminal tendency he shall be removed to a State hospital for insane criminals In any other case the judge shall commit him to some other hospital for mental diseases

If the person found to be insane and removed to a hospital is awaiting indictment or trail or has been arraigned or is being tried proceedngs against him shall be stayed until his recovery Upon his recovery he shall be returned to the prison from which he was removed for the disposition of the charges against him upon proper order of the court If he is a convict serving sentence the time during which he is in the hospital shall be computed as part of the term for which he was sentenced

The expense of examination including the fees of physicians or commissioners and all costs incident to such removal and of maintenance in the hospital previous to the expiration of sentence shall be paid by the county liable for the maintenance of the patient in the prison from which he was removed without resource against any poor district

If the sentence of a person committed to a hopital for mental diseases under the provisions of this section shall expire before his recovery he may be transferred by the authority of the Department to any other hospital for care until his recovery when he shall be discharged as in the case of any non-criminal patient If the person found to be insane and removed to a hospital is a convict and recovers before the expiration of his sentence or is found after observation for a sufficient time not to be insane the superintendent or chief officer of the hospital to which said person has been committed shall properly certify such fact to the court which has committed him and he shall be returned upon order of the said court to the prison from which he was removed The expense of removal shall be paid by the county liable for his maintenance in the prison from which he was removed without resource against any poor district

When on the production or appearance of any person charged with criminal offense or on the production or appearance before the court of such person under any other circumstances it shall appear to the court that such person is insane or in such condition as to make it neces-

sary that he be observed or cared for in a hospital for mental diseases proceedings for the commitment of such person to such a hospital shall be had such as are provided for in section three hundred seven or section three hundred three of this act upon application of some person to be designated by the court

When any person charged with any crime or misdemeanor whatever shall be acquitted on the ground of insanity or having been insane at the time the offense was committed the jury shall set out this fact in their verdict and the court or judge before whom such person is tried may thereupon order such person to be committed to a hospital for mental diseases in the manner provided in section three hundred three three hundred four or three hundred seven of this act

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 308, page 14, line 20 by inserting after the word "witness" the following parenthesis)

Amend sec. 308, page 15, line 14 by striking out the word "pudge" and inserting in lieu thereof judge

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Section 309, 310, 311, 312, 313, 314, 315, 316, 317, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 501, 502, 503, 504, were read separately and agreed to as follows:

Section 309 The superintendent of any State or licensed school for mental defectives may receive and detain any mentally defective person resident of this State under twenty years of age and incapable of being properly educated and trained in the public schools whose condition of mental defect and whose need of and fitness for care in a school for mental defectives shall have been certified to by a qualified physician and whose admission shall be applied for by a parent guardian or relative of such person or by any other responsible person having custody of such mentally defective person or being liable for his support

The said application shall be made on form prescribed by the Department and shall state the name sex age and residence of said mentally defective person and such other facts as may be required by the Department If the facts or any of them are unknown to the applicant it shall be so stated in the application

If the said application is for the admission of a person to a school owned and controlled by the Commonwealth it shall be endorsed by the poor authorities of the county in which the said person resides if there be such authorities in said county otherwise by the directors or overseers of the poor district in which said person resides

But before any person shall be admitted to any school for mental defectives under the provisions of this section the consent of the managers or superintendent thereof to such admission shall have been obtained

The poor authorities of any county or the overseers of the poor district therein in endorsing an application for the admission of a person to said school shall state whether or not such person has an estate of sufficient value or a parent or parents of sufficient financial ability to defray expenses in whole or in part of supporting such person in said school and if there be such means of support in part only then the amount per month which the parents or parent or legal guardian of such person may be able to pay and the person or persons who make the application for such admission shall therein make statement under oath to such means of support Said managers or superintendents in accepting an application for the admission of any person shall fix the amount if any which shall be paid for such support according to the ability of such parents or parent of the person or according to the value of such person's estate if any and shall require payment for such support so far as there may be ability to pay as a condition to the admission or retention of said person Said amount may at any time be changed by said managers or superintendent upon receiving further information concerning such means of support When neither the said person nor his parent or parents are of sufficient financial ability to defray the expenses in whole or in part of his support in said school the ascertainment of the facts shall be as hereinbefore stated and the poor authorities or directors or overseers of the poor endorsing the application shall agree to pay the school for clothing as may be required for the comfort and advantage of said person at an annual rate to be established by the trustees or managers of the school after submission of the same to and approval by the Department All other support at the school shall be provided for by annual appropriations at such per capita rates as shall be appropriated by the General Assembly on the application of the trustees or managers after submission of the same to and approval by the Department

Section 310 The superintendent of any State or licensed school for mental defectives may receive and detain any mentally defective person twenty years of age or who is of such inoffensive habits as to make him a proper subject for classification and discipline in a school for mental defectives the procedure for admitting any such person shall be the same as for the admission of mentally defective persons under the age of twenty years

Section 311 Any person mentally defective may be placed and detained in a proper State or licensed school for mental defectives by order of the court of common pleas or the juvenile court of the county in which such person is or resides upon the sworn or affirmed petition of any parent guardian or other responsible person addressed to the said court praying that the said person may be placed therein the said petition must be accompanied by a sworn or affirmed certificate of a qualified physician that it is his opinion that the said person is mentally defective and a proper subject for commitment to a school for mental defectives in the said certificate the physician shall further state the facts of his own observation and any other information upon which his said opinion is based it shall be in other respects in form similar to that prescribed by the Department for the admission of persons mentally ill to a hospital for mental diseases

The said petition shall be in form prescribed by the Department and shall state the name sex age and residence of the person alleged to be mentally defective the opinion of the petitioner that said person is mentally defective and such other facts as may be required by the Department if the facts or any of them are unknown to the petitioner it shall be so stated in the petition

Thereupon the said court or a judge thereof may in his discretion appoint a day for a hearing of the said petition and if he shall appoint a day for a hearing he shall cause notice thereof to be given to the proper parties in interest and in his discretion he may or may not require the presence of the alleged mentally defective person at said hearing if it shall be made to appear to the said court or judge that the said person is mentally defective and a proper subject for commitment to a school for mental defectives and that the best interests of the said person or the safety and welfare of the public require such commitment the court shall make an order committing such mentally defective person to the school named in the petition and direct his removal thereto by a proper officer or person but before any person shall be admitted under the provisions of this section to any school for mental defectives the consent of the managers trustees or superintendent thereof to such admission shall have been obtained

At the said hearing the said court or judge shall inquire as to the estate of such mentally defective person and if the same be sufficient for the purpose shall make an order directing the payment therefrom of the cost of clothing and other support of such mentally defective person in said school otherwise that such payment be made by the husband or parent of such mentally defective person if it appear that the circumstances of such

husband or parent are such as to make such an order proper and advisable Where the estate of said mentally defectives person is insufficient and the circumstances of said husband or parent are not such as to warrant such an order for the payment of clothing and other support or either of them the expenses of clothing of said mentally defective person shall be paid for by the said county in which such mentally defective person resides and all other support shall be provided for by the Commonwealth at such per capita rates as shall be appropriated by the Legislature on the application of the trustees or managers of the said school after submission of the same to and approval by the Department

When any mentally defective person shall have been committed to any school under the provisions of this section by a juvenile court the managers or superintendent of said school have authority to detain such person after he shall have reached the age of twenty-one years and thereafter in the discretion of said managers or superintendent such person may be discharged or allowed a leave of absence upon order of the court of common pleas or a judge thereof of the county in which the said commitment was made

Section 312 Any person under twenty-one years of age suffering from epilepsy may be admitted to and detained in any institution or place for the care of epileptics upon the written application to the superintendent of such institution or place by the parent guardian or other person liable for the support of such epileptic person and any epileptic person twenty-one years of age or over may be admitted upon his own written application signed in the presence of at least one witness if his mental condition is such as to render him in the opinion of the superintendent or attending physician of such institution or place competent to make such application

No epileptic person admitted upon such written application of parent guardian or other person shall be detained more than ten days after said parent guardian or other person shall have given notice to the said superintendent of his desire or intention to remove such epileptic person and no epileptic person admitted upon his own written request shall be detained more than ten days after he shall have given written notice to the said superintendent of his desire or intention to leave

Section 313 Persons suffering from epilepsy may be admitted to and detained in any institution or place for epileptics or which receives epileptics for care by any of the procedure provided for the admission of mental defectives to schools for mental defectives except that in such cases the application of petition and certificate therein required shall state that the person desired to be admitted is an epileptic and is a fit subject for care in a hospital or institution for epileptics

Section 314 Any person who by reason of epilepsy is dangerous to himself or others may be committed to a hospital for mental diseases or to a State institution for epileptics by the order of the court of common pleas of the county in which such person is or resides or by any law judge thereof in accordance with the procedure provided for the commitment by court or judge of a person mentally ill to a hospital for mental diseases as provided in section three hundred and three of this act except that the application and certificate of physician therein required shall state that the person for whose commitment application is made is an epileptic and by reason of epilepsy is dangerous to himself or others

Section 315 Any inebriate who except for his inebriety is of good character and reputation may be admitted to and detained in any State or licensed hospital for mental diseases or to the psychopatic department or ward of any general hospital maintaining such department or ward by the same procedure as in the case of the voluntary admission of a person thought to be mentally ill as provided in section three hundred and one of this act

He shall not be detained therein for more than ten days after he shall have given written notice to the superintendent thereof of his desire or intention to leave

Section 316 Any inebriate who except for his inebriety is of good character and reputation and who is a proper subject for care in a State or licensed hospital or institution for inebriates or for mental diseases may be placed and detained in such institution by order of the court of common pleas of the county in which such person is or resides upon petition under oath or affirmation of at least two citizens who shall be either the wife husband parent child committee of the estate of an inebriate or next friends of such person praying for the commitment of such person to a proper hospital or institution for detention care and treatment

Said petition shall state the opinion of the petitioners that the said person is an inebriate within the scope of this act and is a fit subject for detention care and treatment in such hospital or institution and shall set forth the facts on which said opinion is based Said petition shall be accompanied by the sworn or affirmed certificate of two qualified physicians based on careful examination by them of the alleged inebriate setting forth the condition of such person their opinion that said person is an inebriate and a fit subject for the detention care and treatment and stating the facts of their own observation and the information given them by others on which said opinion is based

Upon such petition and certificate the said court shall issue its warrant requiring the said inebriate on a day fixed to be brought in court for a hearing If after such hearing the court is satisfied that the alleged inebriate is a proper subject for detention care and treatment the court shall commit said inebriate to the hospital or institution in the petition or other appropriate hospital or institution But before such commitment shall be made the consent of the superintendent thereof to such admission shall have been obtained When so committed the said inebriate shall remain in such hospital or institution until the board of managers or trustees or the superintendent thereof shall certify to the said court that detention care and treatment are no longer benefical or necessary to the inebriate or that he is cured whereupon the court shall order the inebriate to be discharged under such supervision and restriction as the court may impose But no person shall be detained under the provisions of this act for a period of more than one year

Section 317 All commitments under this act shall be revisable under writ of habeas corpus which may be sued out at any time by any person restrained hereby or by any one acting for or on behalf of such person Provided That superintendents and other officers of institutions are not to be held personally liable for the detention of patients when such patients received placed and detained in such institution in compliance with the provisions of this act

ARTICLE IV

Transfer Discharge Leave of Absence Escape Interstate Rendition and Deportation of Mental Patients

Section 401 The Department is hereby authorized and empowered in its discretion and for any reason which to it may seem sufficient to transfer or cause to be transferred any patient from any mental hospital to which such patient has been admitted under any of the provisions of this act to any other like hospital within this Commonwealth but no such transfer shall be made to or from a private hospital except upon the joint application of the superintendent or manager thereof and of the legal or natural guardian or other person liable for the support of the patient and no patient under sentence by any court or committed by any court after having been charged with any crime and acquitted on the ground of insanity may be transferred without an order of such court authorizing such transfer Provided That any voluntary patient may be transferred only if such patient or the person who made the application for such patient's admission has consented in writing to such transfer

Whenever any patient not a convict who has been committed by order of a court is transferred the order of commitment shall be held to apply to the hospital to which such patient is transferred as though said hospital had been the one to which the said order of commitment had originally been made

Section 402 Whenever any patient shall be transferred under the provisions of this article certified copies of the application of the certificate of physicians or report of commission and of the order of court or such of them as there may be and the order of the Department authorizing the transfer shall accompany the patient to the hospital to which he is transferred together with a copy of all clinical records or a full abstract thereof containing all essential particulars including results of mental and physical examinations and laboratory tests relating to such patient

Section 403 Whenever the superintendent of anymental hospital shall find that any patient therein needs care in a mental hospital for patients of a different kind such superintendent shall report the facts relative to such patient

to the Department Thereupon the said Department may order that application be made for the admission of such patient to any proper mental hospital by any of the procedures prescribed by law for admission of patients to such hospital

Section 404 The Board of Trustees of any mental hospital and the superintendent thereof when given general or special authority therefor by such Board of Trustees or the person in charge if there be no Board of trustees shall have the power and authority to discharge any patient from such hospital if in their or his opinion no harm will arise from such action but no insane criminal under sentence and no person charged with any crime and acquitted on the ground of insanity shall be discharged from such hospital without an order of the court in which he was sentenced or acquitted authorizing such discharge No patient who is known to be homicidal or otherwise dangerous to be at large shall be discharged without examination by and the written consent of the Department nor without a sufficient guarantee by the person for said patient's support and care that the safety of the public or any individual shall be safe-guarded No patient whose parent guardian or friend liable for his support shall oppose his discharge shall be discharged without notification to such parent guardian or friend and apportunity given him to state his reasons for wishing the said patient's further detention and no mentally defective person or inebriate who has been committed by an order of court except in the case of a person discharged by lapse of time from leave of absence or escaped and except in case such inebriate has been under hospital care for one year shall be discharged without the recommendation of the chief medical officer in charge and an order from the court

Section 405 The Department shall have power and authority in its discretion to order and compel the discharge from any mental hospital of any mental patient except an insane criminal under sentence or a person charged with any crime or misdemeanor and acquitted on the ground of insanity but before issuing such order the Department shall give due notice to the trustees or superintendent of the hospital wherein such patient is under care and to the person at whose instance the said patient is detained and shall give reasonable opportunity to such trustees or superintendent and person to justify a further detention of the said patient

Section 406 Any proper court shall have the power and authority to order and compel the discharge of any mental patient committed by such court to any mental hospital if upon hearing it shall be made to appear that such discharge is for the best interests of the patient and not incompatible with the public welfare and safety In making any such order if it is not in accordance with the expressed opinion of the physician in charge of the hospital the court shall set forth the reasons for its decision which reasons shall be part of said order and the said order and reasons and the opinion of the physician in charge of the said hospital shall be entered in the clinical record of the patient

Section 407 The superintendent of any mental hospital may in his discretion allow a leave of absence for such period not exceeding twelve months and upon such conditions as he may prescribe but not inconsistent with the provisions for discharge of patients as provided in section four hundred four to any patient whose condition is such as to warrant such action

Such leave of absence may be terminated by such superintendent who may if necessary authorize the apprehension and return of the patient to the hospital by any sheriff constable or police officer who shall thereupon cause such apprehension and return In such case the expenses necessarily incurred by such sheriff or other officer in such return of a patient shall be paid by the person in whose charge the patient was allowed to leave if he is financially able to pay Otherwise such expenses shall be paid by the person or poor authorities liable for the maintenance of such patient in such hospital

Section 408 Any mental patient who excapes from any mental hospital may be apprehended and returned thereto by any sheriff or constable or police officer or by any officer or employe of such hospital at the expense of such hospital

Section 409 The Governor may upon demand deliver to the executive of any other state or territory any person who has escaped from any mental hospital to which he has been admitted under the laws of such state or territory and who may be dangerous to the safety of the public or may upon application appoint an agent to demand of the executive authority of any other state or territory any such person who has escaped from such a hospital in this Commonwealth Such demand or application shall be accompanied by an attested copy of the commitment and sworn evidence of the superintendent of the hospital stating that the person demanded has escaped from such hospital within six months next preceding the date of the application or demand and by such further evidence as the Governor may require

Section 410 If the Governor is satisfied that the demand conforms to law and ought to be complied with he shall issue his warrant under the seal of the Commonwealth to an officer authorized to serve warrants in criminal cases directing him at the expense of the agent who makes the demand at the time designated in the warrant to take and transport such person to the boundary line of this Commonwealth and there deliver him to such agent and for this purpose such officer may require aid as in criminal cases Provided That any person who is arrested upon such warrant shall not be delivered to such agent of a state or territory until he has been notified of the demand for his surrender and has had an opportunity to apply for a writ of habeas corpus if he claims such right of the officer who makes the arrest If such writ is applied for notice thereof and the time and place of hearing shall be given to the Attorney General or District Attorney for the district in which the arrest is made

Any officer who delivers such person in his custody upon such warrant to such agent for extradition without having complied with the provisions of this section shall forfeit not more than one thousand dollars Pending the determination of the court upon the application for such writ the person shall be detained in custody in a suitable mental hospital

Section 411 If the application for the arrest of a patient escaped from any mental hospital in this Commonwealth to another state or territory is granted and an agent is appointed for the purpose of returning such patient to such mental hospital the account of such agent shall be paid by the hospital from which the patient escaped but the Governor may direct the whole or any part of such account to be paid by the Commonwealth

Section 412 Any mental patient except such as has been charged with any crime and acquitted on the ground of insanity or arrainged or convicted who has been absent with or without leave for a period of twelve months continuously from the hospital in which he was under care shall be deemed to be discharged from the said hospital and cannot be readmitted except as provided by law in Article III of this act

Section 413 If upon investigation the Department or any of its agents shall find that any patient supported wholly or in part at the expense of the Commonwealth it not a legal resident of this Commonwealth but has a legal residence in some other state or country it may by a proper order addressed to the trustees or the superintendent of the hospital to which such patient has been admitted cause him to be returned to that state or country in which he has a legal residence or where he belongs

Any patient returned to another state or country under the provisions of this section shall be suitably clothed and unless he is fully competent to travel alone he shall be attended by a person of his own sex who shall exercise due care over him until he has reached the destination agreed upon by the proper authorities of this State and the state or country to which he is returned If competent to travel alone unable to pay the costs of travel he shall be furnished with funds sufficient for sustenance and travel to the destination agreed upon

The actual necessary expense of returning such patient shall be paid from the State Treasury by warrant drawn by the Auditor General on the State Treasurer on an account settled by the Auditor General

Section 414 The Department is hereby authorized and empowered to enter into the agreements with the authorities of other states which shall adopt legislation consistent with this act for the arbitration of disputed questions between such states and this Commonwealth respecting the residence of mental patients and for the return of such persons to their proper residence

ARTICLE V

Cost of Admission Care and Discharge of Mental Patients

Section 501 Whenever any patient who is mentally ill mentally defective epileptic or inebriate is admitted to any mental hospital whether by order of a court or judge or in any other manner authorized by the provisions of this act the cost of such admission or commitment shall be deemed to in-

clude the expenses of removing such patient to the hospital the fees of physicians or commissioners and all other expenses however incurred Such costs shall be chargeable to the estate of such patient or to the person liable for his support Provided That if such estate or person is unable to pay the same the county or poor district liable for the support of such patient shall be liable for such costs

If the patient is committed by order of court the court or judge shall determine at the time of commitment the liability for such costs and shall assess the same as shall seem to him just and proper

Section 502 The expenses of commitment and removal to or from a hospital for mental disease of any person charged with a criminal offense but who is not in custody or who is arraigned or brought before the court under any other circumstances or of any prisoner who before or during trial is found or thought to be insane or in such condition as to make it necessary that he be cared for in a hospital for mental diseases shall be paid by the county in which such person or prisoner is committed

The County may recover such expenses from the estate of the person or prisoner or from the person liable for his support but not from any poor district

Whenever any person convicted of any crime or charged with any crime and acquitted on the ground of insanity is committed to any hospital for mental diseases the expenses of commitment and of removal to or from the hosptal shall be paid by the county in which the crime was committed The county may recover such expenses from the estate of such person or from the person liable for his support but not from any poor district

Section 503 Whenever any mental patient is admitted whether by order of a court or judge or in any other manner authorized by the provisions of this act to any mental hospital maintained wholly or in part by the Commonwealth the cost of care and maintenance including clothing of such patient in such hospital shall be defrayed from the real or personal property of such patient and this liability may be enforced by writ of fieri facias venditioni exponas or attachment execution if he have any such property If he have no such property or is not possessed of sufficient property to defray such expenses then so much of said expenses as shall be in excess of any amount collected from his said property and paid on account of said expenses shall be paid by such person as is liable under existing laws for his support and if there be no such person or if he is financially unable to pay such expenses or any proportion thereof then such expenses or the proportion thereof which cannot be collected from the patient or the person liable for his support shall be paid by the county or poor district or municipality which is liable for his support and by the Commonwealth in the proportion which is now or shall hereafter be fixed by law

Section 504 Whenever any person is maintained as a patient in any mental hospital wholly or in part at the expense of the Commonwealth the Attorney General through any agents authorized by him may investigate the financial ability of such patient or of the person liable for the support of such patient to defray the expenses in whole or in part of his care and maintenance in such hospital

The five hundred and fifth section was read as follows:

Section 505 The court of common pleas of the county in which any mental patient resided prior to his admission to any mental hospital maintained in whole or in part by the Commonwealth shall have power upon the application of the Attorney General to make an order conformable to the provisions of this article for the payment of maintenance to the Commonwealth upon the trustee committee guardian or other person who has charge of the estate of such patient or against the husband father wife mother or child of any patient so maintained in such amounts respectively as the court in its discretion may deem proper taking into consideration the ability of the patient or the person liable for his support to pay for such maintenance and the court may also upon like application direct any trustees committee guardian or other person having charge of any such estate to file with the Attorney General the statement required by the second section of the act approved the first day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws page six hundred and sixty-one) entitled "An Act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of the moneys due the Commonwealth therefor and for proceedings relating thereto"

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 505, page 37, line 13 by striking out the word "page"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The five hundred and sixth, five hundred and seventh, and five hundred and eighth sections were read and agreed to as follows:

Section 506 Whenever any patient shall be transferred under the provisions of section five hundred and one of this act the cost of such transfer or removal shall be paid by the patient or by the person liable for his support if able financially to pay and if the transfer was made at the request of such person otherwise said costs shall be paid out of the appropriations for the care treatment and removal of indigent insane made to the Department After such transfer the municipality poor district or person liable for his support and maintenance to the institution to which said patient has been admitted shall be liable to the institution to which such transfer has been made for support and maintenance

Section 507 The expenses of the care and maintenance including clothing of insane prisoners shall be paid in the same manner as the costs of commitment of such prisoner as provided in section five hundred and two of this act Provided That if the term of sentence of any prisoner shall expire while he is still a patient in any hospital such expenses shall thereupon become chargeable as provided in section five hundred and three of this act

Section 508 The expenses incident to the discharge or removal of any memtal patient from any mental hospital including necessary clothing and travel expenses or his funeral expenses in case of his death shall be chargeable in the same manner as the cost of maintenance of such patient as provided in section five hundred and three of this act

If such patient is in a State hospital and there is no estate of such patient or person liable for his support who is able to pay therefor and the patient is ordered by the Department to be discharged the authorities of such hospital shall pay the traveling expenses of such patient to his home the amount of which payment shall be refunded and paid to such hospital from the appropiations for the indigent insane or mentally ill then current

If such patient is a convict or other prisoner such expenses shall be paid by the county in which the crime was committed or from which the prisoner was committed as the case may be in the same manner as the costs of maintenance as provided in section five hundred and seven of this act

If such patient has no residence in this Commonwealth and is returned to some other state or country the actual necessary expenses of returning such patient shall be paid from the State Treasury by warrant drawn by the Auditor General on the State Treasurer on an account settled by the Auditor General

Section six hundred and one was read as follows:

ARTICLE VI.

Rights of Patients

Section 601 Every mental patient in any institution or place for mental patients within the jurisdiction of the Department shall have the right

(a) To communicate with his counsel and with the Commissioner and to be alone at any interview with his counsel or Commissioner or representative of the Department

(b) To religious freedom and to be visited by any minister of any religious denomination Provided That the religious services rendered by such minister shall be personal to the mental patient desiring the same and shall not interfere with the established order of religious services in such institution or place

(c) To be employed at a useful occupation insofar as the condition of such patient may permit and the institution or place is able to furnish useful employment to the patient

(d) To sell articles the product of his individual skill and labor and the produce of any small individual plot of ground which may be assigned to and cultivated by him and to keep or expend the proceeds thereof or send the same to his family

(e) To be furnished with writing materials and reasonable opportunity in the direction of the physician in charge for communicating under seal with any person or persons outside of such institution or place and such communications shall be stamped and mailed

(f) To a writ of habeas corpus to determine whether or not he is properly detained as a mental patient and the respondent in any such writ shall be required to pay the costs and charges of the proceedings unless the judges shall certify that in his opinion there was sufficient grounds for detaining the patient and putting him to his writ

(g) To be discharged as soon as in the opinion of the medical attendant of such institution or place he shall be restored to reason and competent to manage his own affairs

(h) To be visited and examined at all reasonable hours by any medical practitioner designated by him or by any member of his family or "near friend" with the sanction of a judge of a court of record of the county in which such mental patient resided prior to his commitment to such institution or place and with the consent of the patient and of the physician in charge of such institution or place such medical practitioner may attend such patient for all maladies other than mental illness in the same manner as if the patient were in his own home

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 601, page 40, line 7 by striking out the word "direction" and inserting in lieu thereof: "discretion."

Amend section 601, page 40, line 15 by striking out the word "judges" and inserting in lieu thereof: "judge"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question.

Will the House agree to the section as amended?

It was agreed to .

Section 602 was read and agreed to as follows:

Section 602 Whenever any female mental patient is to be removed to or from her home or any institution or place or any almshouse jail or penitentiary and whenever any such patient is transferred she shall be accompanied by a female attendant unless such patient is accompanied by a member of her family

It shall be the duty of the court committing such patient or if such patient has not been committed by the court of the person persons or authorities liable by law for her support to provide a female attendant for such patient The expenses of such attendance shall be paid in accordance with the provision of Article V of this act

Section 701, 702 and 703 were read as follows

ARTICLE VII

Penalties Exemption and Repealer

Section 701 Any person who shall violate any provision of Article II of this act shall be guilty of a misdemeanor and upon conviction in the proper court be subject to a fine of not more than one hundred dollars

Section 702 If any person shall aid or assist any patient lawfully admitted to any mental hospital to make or attempt to make his escape therefrom or shall connive in any way at such escape or attempt at escape although no escape has actually been made or if any person shall deliver or cause to be delivered or in any way connive at the delivery of any alcoholic or other intoxicating or narcotic substance to any patient in any mental hospital or psychopathic department or ward of a general hospital without the knowledge and consent of the physician in charge thereof such person shall be deemed guilty of a misdemeanor and upon conviction in the proper court be subject to a fine of not more than fifty dollars or imprisonment for not more than three months or both at the discretion of the court

Section 703 No verdict or judgment shall be entered in any action nor shall judgment be entered on any indictment for detention without compliance with the provisions of this act of any person as mentally ill in any institution or place for mental patients as against any person or persons subject to the provisions of this act who shall have complied with its requirments unless the judge after trial and verdict shall certify that there was proof to his satisfaction that the party charged acted with gross negligence or corruptly or that he acted without reasonable or probable cause or was actuated by motives other than the good of the person restrained

Section 704 was read as follows:

Section 704 The following acts and parts of acts and all other acts and parts of acts inconsistent herewith are hereby repealed

Section forty-two of the act approved the fourth day of May Anno Domini one thousand eight hundred fifty-two entitled "An act to provide for the ordinary expenses of government the repair of the public canals and railroads and other general and special appropriations"

The act approved the seventeenth day of February Anno Domini one thousand eight hundred and fifty-four entitled "A further supplement to the act relative to the Pennsylvania State Lunatic Hospital passed the fourteenth day of April one thousand eight hundred and forty-five"

The act approved the twenty-fourth day of March Anno Domini one thousand eight hundred and fifty-eight entitled "A further supplement to the act relative to the Western State Penitentiary"

Section one two three four and six of the act approved the eighth day of April Anno Domini one thousand eight hundred and sixty-one entitled "A supplement to the several acts of Assembly relative to the Pennsylvania State Lunatic Hospital"

Section one to twelve inclusive and section fifteen of the act approved the twenty-second day of April Anno Domini one thousand eight hundred and sixty-three entitled "An act supplementary to an act incorporating the Western Pennsylvania Hospital"

Section two of the act approved the eighteenth day of April Anno Domini one thousand eight hundred and sixty-four entitled "An act supplementary to the act of twenty-second April eighteen hundred and sixty-three relative to the Western Pennsylvania Hospital"

Section one of the act approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-eight entitled "An act to establish an additional State hospital for the insane"

Sections one two four six eight and nine of the act approved the twentieth day of April Anno Domini one thousand eight hundred and sixty-nine entitled "An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom"

Section two of the act approved the ninth day of April Anno Domini one thousand eight hundred and seventy entitled "A supplement to an act entitled 'An act for the regulation and government of the Lehigh County prison' approved the sixth day of April one thousand eight hundred and sixty-nine"

Section five of the act approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three entitled "An act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same"

Section two of the act approved the seventh day of May Anno Domini one thousand eight hundred and seventy-four

entitled "A supplement to the act to create a board of public charities approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine authorizing and empowering said board to appoint visitors and to transfer certain insane persons from county institutions to State hospitals"

The act approved the fourteenth day of May Anno Domini one thousand eight hundred and seventy-four entitled "An act to provide for the custody of insane persons charged with and acquitted or convicted of crime"

Sections one and ten of the act approved the fifth day of May Anno Domini one thousand eight hundred and seventy-six entitled "An act to provide for the selection of a site and the erection of a State hospital for the insane for the city and county of Philadelphia and the counties of Bucks Montgomery Delaware Chester Northampton and Lehigh to be called the State Hospital for the Insane for the Southeastern District of Pennsylvania and for the management of the same"

The act approved the fourth day of June Anno Domini one thousand eight hundred and seventy-nine entitled "An act for the better regulation and treatment of the female insane in the asylums and hospitals of the Commonwealth of Pennsylvania"

Section eight of the act approved the eighth day of June Anno Domini one thousand eight hundred and eighty-one entitled "An act to organize the State hospitals for the insane at Warren Pennsylvania"

The act approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three entitled "An act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention"

The act approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three entitled "An act to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth and State hospitals for the insane"

The act approved the seventh day of May Anno Domini one thousand eight hundred and eighty-nine entitled "A supplement to an act relative to the supervision and control of hospitals and houses in which the insane are placed for treatment or detention approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three"

The act approved the eighth day of May Anno Domini one thousand eight hundred and eighty-nine entitled "A supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An act to provide for the admission of certain classes of the insane into hospital for the insane in this Commonwealth and their discharge therefrom fixing the amount of compensation to be paid to the commisioners appointed under section six of said act and declaring who shall be liable therefor and the costs of proceedings under said section"

The act approved the twenty-third day of May Anno Domini one thousand eight hundred and ninety-one entitled "An act to amend an act entitled 'An act supplementary to an act incorporating the Western Pennsylvania Hospital' so as to include the county of Potter"

Sections eleven and twelve of the act approved the twenty-second day of June Anno Domini one thousand eight hundred and ninety-one entitled "An act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor"

The act approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three entitled "An act to provide for the better protection of female insane patients in transit"

The act approved the tenth day of May Anno Domini one thousand eight hundred and ninety-three entitled "A supplement to an act relative to the supervision and control of hospitals and houses in which the insane are placed for treatment or detention approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three"

Sections eleven to sixteen inclusive of the act approved the third day of June Anno Domini one thousand eight hundred and ninety-three entitled "An Act to provide for the selection of a site and the erection of a State institution for the feeble-minded to be called the Western Pennsylvania State Institution for the Feeble-minded and making an appropriation therefor"

The act approved the twenty-seventh day of May Anno Domini one thousand eight hundred and ninety-seven entitled "An Act approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three entitled 'An act to provide for the better protection of female insane patients in transit' fixing a penalty for the violation of the said act and providing the manner such penalty shall be recovered"

The act approved the twenty-second day of June Anno Domini one thousand eight hundred and ninety-seven entitled "An act providing for the return of paupers and indigent insane persons not having a legal settlement within this Commonwealth to any other state or country to which they may belong"

Section 11 of the act approved the eighteenth day of July Anno Domini one thousand nine hundred and one entitled "An Act to provide for the selection of a site and the erection of a State hospital for the treatment of the insane under homeopathic management to be called the Homeopathic Hospital for the Insane and making an appropriation therefor"

The act approved the nineteenth day of March Anno Domini one thousand nine hundred and three entitled "An act to amend the fifth section of an act entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom' approved the twentieth day of April Anno Domini one thousand eight hundred and sixty-nine providing how the prisoners shall be discharged in case of homicide or attempted homicide"

The act approved the first day of May Anno Domini one thousand nine hundred and seven entitled "An Act authorizing and empowering the Committee on Lunacy to transfer lunatics from one State hospital for the insane to another State hospital for the insane"

The act approved the twenty-eighth day of May Anno Domini one thousand nine hundred and seven entitled "An Act to amend an act entitled 'An Act to authorize and provide for the commitment of persons habitually addicted to the use of alcoholic drink or intoxicating drugs to a proper hospital or asylum for restraint care and treatment' approved April sixteenth Anno Domini one thousand nine hundred and three providing for the commitment of persons habitually addicted to the use of alcoholic drink or intoxicating drugs to a proper hospital or asylum for restraint care and treatment by the court of Quarter Sessions"

Section one of the act approved the tenth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections one four five and seven of an act entitled 'An Act to provide for the selection of a site and the erection of a State hospital for the treatment of the insane under homeopathic management to be called the Homeopathic State Hospital for the Insane and making an appropriation therefor' approved the eighteenth day of July Anno Domini one thousand nine hundred and one by vesting the appointment of the entire commission in the Governor and by requiring the approval of the superintendent of public grounds and buildings to plans and specifications and to expenditures incurred by the commission and by authorizing the commission to turn over to a board of trustees buildings when completed"

Section one and two of the act approved the ninth day of June Anno Domini one thousand nine hundred and eleven entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and for the payment of the expenses of maintaining and treating persons committed thereto"

The act approved the twelfth day of June Anno Domini one thousand nine hundred and thirteen entitled "An Act to amend an act entitled 'An act to provide for the better protection of female insane patients in transit' approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three as amended so far as to extend the provisions thereof to feeble-minded and epileptic persons"

Section three of the act approved the twelfth day of June Anno Domini one thousand nine hundred and thirteen entitled "An Act supplementing and amending an act entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the feeble-minded and epileptics to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing

the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institutions and provide for the method of admission to said institution and the discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled 'An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled "An Act to provide for the selection of a site and the erection of a State institution for the feeble-minded and epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof" approved the twentieth day of June Anno Domini one thousand nine hundred and eleven"

Section nine and ten of the act approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen entitled "An act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen"

Sections one to six inclusive of the act approved the fourteenth day of April Anno Domini one thousand nine hundred and fifteen entitled "An Act relating to persons habitually addicted to the use of alcohol or drugs and providing for the care and treatment of such persons at the expense of the county and State if indigent"

The act approved the sixth day of May Anno Domini one thousand nine hundred and fifteen entitled "An Act to authorize the payment from the general appropriation for the care of the indigent insane of the cost of transferring or removing patients from one insane hospital or asylum or institution to another or elsewhere upon the order of the Board of Public Charities or the Committee on Lunacy"

The act approved the eighth day of June Anno Domini one thousand nine hundred and fifteen entitled "An Act providing for the removal to and return from hospitals for the insane of persons committed to county jails or prisons and awaiting trial charged with criminal offenses not amounting to felony which persons are found to be insane and further providing for the payment of the expense of such removal and return and for the cost of the maintenance and care of such persons in such hospitals"

Section thirteen of the act approved the eighteenth day of June Anno Domini one thousand nine hundred and fifteen entitled "An Act to provide for the selection of a site and the erection of buildings for a State hospital for the insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital"

The act approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seventeen entitled "An Act amending section nineteen of an act entitled 'An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention' approved the eighth day of May one thousand eight hundred and eighty-three so as to permit certificates of physicians as to the insanity of patients to be sworn to or affirmed before a judge or magistrate of any county in the Commonwealth"

The act approved the eighteenth day of May Anno Domini one thousand nine hundred seventeen entitled "An Act providing for the payment by State hospitals for the Insane of the traveling expenses from said hospitals to their homes respectively of indigent inmates of said hospitals discharged by order of the Committee on Lunacy of the Board of Public Charities and for the reimbursement to such hospitals of the amounts so paid"

The act approved the eighteenth day of May Anno Domini one thousand nine hundred seventeen entitled "An act authorizing the Committee on Lunacy of the Board of Public Charities to transfer patients or inmates of hospitals for the insane to such hospitals and providing for maintenance of patients after transfer"

The act approved the fifth day of July Anno Domini one thousand nine hundred seventeen entitled "An Act imposing the cost of commitment and maintenance of criminal insane in institutions on the county where the crime was committed and authorizing the recovery of such costs from the estate of the criminal insane"

The act approved the sixth day of July Anno Domini one thousand nine hundred and seventeen entitled "An Act to amend section one of an act approved the eighth day of June one thousand nine hundred fifteen entitled 'An Act providing for the removal to and return from hospitals for the insane of persons committed to county jails or prisons and awaiting trial charged with criminal offenses not amounting to felony which persons are found to be insane and further providing for the payment of the expense of such removal and return and for the cost of the maintenance and care of such persons in such hospitals' by imposing all costs and expenses on the county"

Section two of the act approved the sixth day of July Anno Domini one thousand nine hundred seventeen entitled "An Act to amend an act entitled 'An Act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital approved the eighteenth day of June one thousand nine hundred fifteen (Pamphlet Laws page ten hundred fifty-five) so as to provide for the admission of patients to the Western State Hospital for the Insane"

Section four of the act approved the sixteenth day of July Anno Domini one thousand nine hundred nineteen entitled "An Act to amend sections one three six and ten of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and nineteen) entitled 'An Act to establish a state village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purpose aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen' as amended by an act approved the fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws six hundred and ninety-eight) by relieving the Governor of the obligation to approve building plans providing for personal inspection of work by a majority of the building committee jurisdiction in the court of quarter sessions payments of costs of proceedings by the county and maintenance by the State"

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 704, page 42, line 27 by inserting after the word "two" the following: (P. L. 542)

Amend sec. 704, page 43, line 2 by inserting after the word "fifty-four" the following: (P. L. 85)

Amend sec. 704, page 43, line 7, by inserting after the word "fifty-eight" the following: (P. L. 151)

Amend sec. 704, page 43, line 12 by inserting after the word "sixty-one" the following (P. L. 248)

Amend sec. 704, page 43, line 17 by inserting after the word "sixty-three" the following (P. L. 539)

Amend sec. 704, page 43, line 23 by inserting after the word "sixty-three" the following **(P. L. 451)**
Amend sec. 704, page 43, line 27 by inserting after the word "sixty-eight" the following (P. L. 90)
Amend sec. 704, page 44, line 8 by inserting after the word "sixty-nine" the following (P. L. 78)
Amend sec. 704, page 44, line 8 by inserting after the word "enty" the following (P. L. 1121)
Amend sec. 704, page 44, line 14 by inserting after the word "seventy-three" the following **(P. L. 54)**
Amend sec. 704, page 44, line 19 by inserting after the word "seventy-four" the following (P. L. 119)
Amend sec. 704, page 44, line 26 by inserting after the word "seventy-four" the following (P. L. 160)
Amend sec. 704, page 45, line 2 by inserting after the word "seventy-six" the following (P. L. 121)
Amend sec. 704, page 45, line 10 by inserting after the word "seventy-nine" the following (P. L. 98)
Amend sec. 704, page 45, line 16 by inserting after the word "one" the following **(P. L. 83)**
Amend sec. 704, page 45, line 19 by inserting after the word "eighty-three" the following (P. L. 21)
Amend sec. 704, page 45, line 24 by inserting after the word "eighty-three" the following (P. L. 92)
Amend sec. 704, page 46, line 1 by inserting after the word "eighty-nine" the following **(P. L. 116)**
Amend sec. 704, page 46, line 8 by inserting after the word "eighty-nine" the following (P. L. 127)
Amend sec. 704, page 46, line 18 by inserting after the word "ninety-one" the following **(P. L. 113)**
Amend sec. 704, page 46, line 24 by inserting after the word "ninety-one" the following (P. L. 379)
Amend sec. 704, page 47, line 1 by inserting after the word "ninety-three" the following (P. L. 20)
Amend sec. 704, page 47, line 5 by inserting after the word "ninety-three" the following (P. L. 39)
Amend sec. 704, page 47, line 13 by inserting after the word "ninety-three" the following (P. L. 289)
Amend sec. 704, page 47, line 18 by inserting after the word "ninety-seven" the following (P. L. 110)
Amend sec. 704, page 47, line 19 by inserting after the word "act" the following to amend an act
Amend sec. 704, page 47, line 26 by inserting after the word "ninety-seven" the following (P. L. 177)
Amend sec. 704, page 48 line 4 by inserting after the word "one" the following (P. L. 737)
Amend sec. 704, page 48, line 11 by inserting after the word "three" the following (P. L. 29)
Amend sec. 704, page 48, line 20 by inserting after the word "seven" the following (P. L. 140)
Amend sec. 704, page 48, line 25 by inserting after the word "seven" the following (P. L. 288)
Amend sec. 704, page 49, line 8 by inserting after the word "eleven" the following (P. L. 205)
Amend sec. 704, page 49, line 25 by inserting after the word "eleven" the following (P. L. 855)
Amend sec. 704, page 50, line 4 by inserting after the word "thirteen" the following (P. L. 493)
Amend sec. 704, page 50, line 13 by inserting after the word "thirteen" the following (P. L. 494)
Amend sec. 704, page 51, line 20 by inserting after the ward "thirteen" the following (P. L. 1319)
Amend sec. 704, page 52, line 5 by inserting after the word "fifteen" **the following (P. L. 120)**
Amend sec. 704, page 52, line 10 by inserting after the word "fifteen" the following (P. L. 259)
Amend sec. 704, page 52, line 18 by inserting after the word "fifteen" the following (P. L. 914)
Amend sec. 704, page 52, line 29 by inserting after the word "fifteen" the following (P. L. 1055)
Amend sec. 704, page 53, line 9 by inserting after the word "seventeen" the following (P. L. 100)
Amend sec. 704, page 53, line 19 by inserting after the word "seventeen" **the following (P. L. 239)**
Amend sec. 704, page 53, line 27 by inserting after the word "seventeen" **the following (P. L. 240)**
Amend sec. 704, page 54, line 5 by inserting after the word "seventeen" the following (P. L. 678)
Amend sec. 704, page 54, line 11 by inserting after the word "seventeen" the following (P. L. 733)
Amend sec. 704, page 54, line 24 by inserting after the word "seventeen" the following (P. L. 749)
Amend sec. 704, page 55, line 10 by inserting after the word "nineteen" the following (P. L. 982)

On the question,
Will the House agree to the amendments?
They were agreed to,
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An Act for the prevention and treatment of mental diseases, mental defect, epilepsy and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition and deportation of mental patients; providing for the payment by individuals, counties or the Commonwealth of the cost of the admission, care and discharge of mental patients; and imposing penalties.

And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for a third reading.

Areeeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1003, as follows:

An Act establishing the office of fire marshal in all counties of the second class defining his powers and duties providing for his compensation and the maintenance of his office giving the courts the power to punish witnesses for contempt of his authority and to review his order and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the court of common pleas of counties of the second class shall as soon as practical after the passing of this act appoint a citizen of said county to serve as fire marshal of said county for the term of four years from that date and until his successor shall be appointed and qualified if he shall so long faithfully perform the duties of his office and he may succeed himself by reappointment by said court The fire marshal shall keep his office and headquarters in the court house of said county which shall be furnished and provided for by the commissioners of such said county together with the necessary equipment stationery printing postage telephone and all such other necessary operating expenses as will be required to properly conduct the duties of the department of fire marshal of said counties The said fire marshal shall devote his entire time to the duties of his office and he or his deputy or assistants shall whenever possible attend all fires in said counties day or night on alarm or on call by telephone from the various chiefs of the various fire departments or mayors or burgesses in said county when in their judgment the fire is serious The said fire marshal shall adopt rules and regulations for the protection of all life limb and property endangered by fire and shall enforce all laws rules and regulations that will protect and prevent fires and reduce fire wastes and hazards He shall receive an annual salary of ($5,000) five thousand dollars payable semi-monthly and in addition shall be paid his actual and necessary expenses incurred in the performance of the duties of his department He shall give bond in the sum of ten thousand ($10,000) dollars for the faithful performance of his duties the cost of said bond to be paid by the county

Section 2 The fire marshal shall have such deputies and assistants clerks stenographers and detectives as may be found necessary not to exceed twenty in number for conducting the office of the fire marshal and they shall be allowed by the county commissioners of the proper county and they shall receive such salaries as fixed by the salary

board of such counties The county commissioners shall also provide an attorney for the fire marshal whose duty shall be to prepare and try all civil and criminal cases required by the fire marshal and to generally advise the fire marshal in all legal matters pertaining to the proper conduct of his office and whose salary shall be fixed by the salary board Such deputies assistants clerk stenographers and detectives shall file such bond as may be required by the county commissioners

The third section was read as follows:

Section 3 It shall be the duty of the said fire marshal to adopt a badge designed for said department designating the office and he his deputies and assistants in the employ of said department shall wear a badge designating their office The fire marshal shall further adopt a card designating his department and he shall give one of said cards under seal to each of the various assistants appointed by him throughout the county which card shall designate their appointment as assistant fire marshals The fire marshal shall have the right to revoke said cards at any time In case of the absence of the fire marshal or his inability for any cause to discharge the duties of his office such duties shall devolve upon the first deputy fire marshal In case of the absence or inability for any cause of both the fire marshal and the deputy fire marshal and their duties shall devolve upon an assistant deputy fire marshal in their order respectively

On the question,

Will the House agree to the section?

Mr. JOSEPH C. MARCUS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 3, page 3, line 28, by striking out the word "and " preceeding the word "their."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read and agreed to as follows:

Section 4 The fire marshal may also appoint as his deputies chiefs or assistants chiefs of the fire department chiefs of police burgess of any borough president or chairof the board of commissioners or supervisors of any township or other municipalities or incorporated district or any individual citizen as his assistants who shall be subject to the duties and obligations aforesaid and under the directions of the fire marshal who are not to be under salary Immediately upon taking office the fire marshal shall prepare instructions to his deputy and all assistants and forms for their use in the reports required by this act and shall cause them to be printed and sent together with a copy of this law to each such officer in said county The deputy assistants and all other employes in said department shall at all times be subject to the orders dictations and control of said fire marshal and may be removed or discharged by him at any time he may see fit to do so for just and sufficient cause and he shall adopt such rules and regulations for the management of said department as he may see fit provided they conform to the provisions of this act

The fifth section was read as follows:

Section 5 It shall be the duty of the chief of the fire department or his assistants in any district of a city borough township or other municipality or incorporated district where a fire department is established or where no such fire department exists the burgess of any borough or president or chairman of the board of commissioners or supervisors of any township or other municipality or other incorporated district shall notify the fire marshal of all serious fires during their progress at once and the fire marshal shall attend if practicable all fires occurring in said county (day or night) and he shall endeavor to save and protect from fire all property in danger therefrom and to protect such property from loss by pillage and theft and from injury and destruction in any manner and he shall have power to take any measure he may deem proper and expedient for that purpose and he shall also have power to call upon any constable police or citizen of any city ward borough or township in said county and to aid and assist him in protecting and saving property as aforesaid and to aid and assist in carrying into execution any measures he may deem proper and expedient as aforesaid and he shall investigate and if possible ascertain the origin and cause of every fire occurring in said county the nature and value of the property injured or destroyed thereby whether said property was insured or not and if insured the amount of such insurance by whom affected for whose benefit and by whom the risk was taken the names and places of residence of the owner or owners and of all parties interested in the property injured or destroyed and the nature and amount of such interest it shall be the duty of the aforesaid deputy fire marshal and assistants to the fire marshal to investigate the origin cause and other circumstances of every fire by which any property or life has been destroyed damaged or endangered occurring within the territorial limits of said respective district in said county and make every effort to determine whether such fires were of incendiary origin or the result of design or careless or accident immediately upon the occurrence of any such fire such assistant shall report the occurrence to the fire marshal and shall begin the investigation thereof and if it appears to the assistant making such investigation to be of such character and origin as shall require thorough and exhaustive investigation he shall immediately notify the fire marshal to that effect and shall under the direction of the fire marshal aid and assist the latter in making such thorough and exhaustive investigation The aforesaid reports of the occurrence of any fire shall be made in writing and in the manner and form prescribed by the blanks furnished by the fire marshal for that purpose such reports shall in every case contain a statement of all the facts relating to the cause of such fire and can be ascertained the extent of the loss and damage to property as well as the loss of life and personal inquiry caused thereby or resulting therefrom including adjacent properties damaged or affected the amount of insurance upon the property destroyed or damaged and such other information as may be required by the fire marshal any of the aforesaid assistants of the fire marshal who shall neglect or refuse to report to the fire marshal or to make reports or investigations of fires as hereinbefore prescribed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred ($100) dollars or to undergo imprisonment not exceeding ten days or both at the discretion of the court

On the question,

Will the House agree to the section?

Mr. JOSEPH C. MARCUS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 5, page 6, line 6 by striking out the word "careless" and inserting in lieu thereof "carelessness."

Amend section 5, page 6, line 20 by striking out the word "and" and inserting in lieu thereof "as."

On the question,

Will the House agree to the amendments?

Theye were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth section was read and agreed to as follows:

Section 6 If in any investigation it shall appear to the fire marshal from the evidence before him that any building or other property in said county has been wilfully set on fire by any person or persons he shall in such case cause information to be made in the usual way against the person or persons offending and shall proceed in the manner

now provided by law to secure a conviction of the offending person on such cases The said fire marshal shall have the same power to entertain prosecutions as a police magistrate or justice of the peace

The seventh section was read as follows:

Section 7 It is the opinion of the fire marshal the evidence shows that any building or property in said county has been wilfully set on fire by any person or persons who planned arranged or assisted or who caused it to be planned arranged the said fire marshal in such case shall have the same power to arrest or issue a warrant and such person or persons shall upon hearing before the fire marshal be held to answer a charge of arson and shall be held for all costs and damages caused by such fires and all expenses incurred in extinguishing such fires

On the question,
Will the House agree to the section?
Mr. JOSEPH C. MARCUS. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend section 7, page 7, line 15 by striking out the words "it is" and inserting in lieu thereof "If in."
Amend section 7, page 7, line 19 by inserting after the word "planned" the word "or."

On the question,
Will the House agree to the amendments?
They were agreed to,
On the question,
Will the House agree to the section as amended?
It was agreed to.

The eighth section was read and agreed to as follows:

Section 8 Any constable policeman fireman watchman or citizen who shall refuse or neglect to obey the orders or directions of the fire marshal his deputy or assistants when called upon by him or them to aid or assist in saving or protecting life or property at any fire or any constable who shall refuse or neglect to execute any warrant of the fire marshal his deputy or assistants directed to him for the arrest of any person or persons on the charge of arson or any person or persons who shall wilfully hinder or obstruct the fire marshal his deputy or assistants in the performance of their duties shall be guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions of said county shall be punished by a fine not exceeding one hundred ($100) dollars and imprisonment in the county jail for a term not exceeding one year or both

The ninth section was read as follows:

Section 9 The fire marshal shall keep his office in said court house open during business hours each day and he shall keep a record of all fires occurring in said county which record shall show the result of his investigations in relation to each fire and complain and he shall keep on file in his office all depositions and notes of testimony taken by him in the discharge of his duties

On the question,
Will the House agree to the Section?
Mr. JOSEPH C. MARCUS. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 9, page 8, line 17, by striking out the words "and complain."

On the question,
Will the House agree to the amendment?
It was agreed to,
On the question,
Will the House agree to the section as amended?
It was agreed to.

The tenth section was read as follows:

Section 10 It shall be the duty and power of the fire marshal to prescribe reasonable rules and regulations governing the storage of benzine benzole dynamite ether fireworks gasoline Greek-fire gunpowder naptha nitro-glycerine or other explosives phosphorus or petroleum or any of its products of greater inflammability than kerosine oil of United States standard
It shall be the duty of the fire marshal and his deputy or assistants to inspect or cause to have inspected all fire apparatus fire extinguishers fire hose fire escapes life saving devices and all such equipments fire hydrants sprinkler system or anything pertaining to fire protection whether public or private within said county and upon finding same in bad condition or dangerous to order same condemned removed repaired or replaced It shall be their duty to see that all parts of said county shall have ample and proper fire protection at all times and cause the various authorities to furnish such protection to life limb and property as is within reason The said fire marshal shall approve or disapprove all permits for building rebuilding remodeling alterations et cetera in conjunction with the building inspector's department in any city borough or township of said county for the safety against fire loss and where no building inspector's department exists the fire marshal of said county through his office shall act in such capacity together with the chief of the fire department of the district wherein such permits are to be issued and when approved by said fire marshal and fire chief the burgess or town clerk of such boroughs shall issue such permits and it shall be the duty of said fire marshal or his deputy or assistants to inspect all works in course of construction and see same is being done according to law for the safety of life and property It shall be the duty of the fire marshal to see that all fire ruins are removed or put in safe condition He shall inquire into the condition of all public and private buildings work shops dance halls schools public or parochial churches theatres hotels rooming houses et cetera with regards to their safety He shall see that all aisles entrances exits doors and stairways are accessible to the fire department at all times and it shall be his duty to prohibit or cause to be prohibited the over-crowding of all public or private places dance halls churches theatres moving picture houses et cetera He shall stop the overselling of tickets of admission to such places and shall be empowered to adopt such rules and regulations as will be for the safety of the public and for the protection of life limb and property as he shall from time to time see fit

On the question,
Will the House agree to the section?
Mr. JOSEPH C. MARCUS. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 10, page 2, line 26, by striking out the word "kerosine" and inserting in lieu thereof "kerosene."

On the question,
Will the House agree to the amendment?
It was agreed to,
On the question,
Will the House agree to the section as amended?
It was agreed to.

The eleventh section was read as follows:

Section 11 The fire marshal Shall on his own motion or upon complaints in writing made by any citizen inspect any buildings or buildings premises or property which in his judgment shall require inspection The deputies or assistants shall when directed by the fire marshal inspect any buildings premises or property within their respective territories which in his judgment may require inspection Whenever the fire marshal or any of the said officers shall

find any buildings premises or property for want of repairs or by reason of age or dilapidated condition defective or shall find poorly installed electric wiring equipment defective chimneys defective gas connection defective heating apparatus or shall find any other cause or reason that any of the same is especially liable to fire or shall find that any building premises or property is so situated as to endanger any other buildings premises or property said fire marshal order such building or buildings premises or property to be repaired or put in a reasonably safe condition and shall order all dangerous conditions remedied within such reasonable time as may be specified in said order If the fire marshal shall find in any building or upon any premises any material rubbish rags waste oils benzine benzole dynamite ether fire works gasoline Greek fire gun-powder naptha nitro-glycerine or other explosives phosphorus or petroleum or any of its products of greater inflammability than kerosine oil of United States standard or any condition whatso ever which endangers the safety as against fire or explosion in such building premises or property he shall order the same removed or the conditions remedied within such reasonable time as may be specified in said order so that the same shall be in a reasonable safe condition as against such danger Whenever the fire marshal shall find any building or part thereof which for any cause or reason constitutes a fire menace which cannot be removed by repairs to said buildings in any other way than by the destruction thereof the said fire marshal shall order said building or any part thereof demolished specifying in said order the reason or reasons thereof and allowing a reasonable time within which the work of tearing down and removing said building shall be commenced and prosecuted to completion All such orders shall be in writing and shall be made and served upon the owner life tenant lessee or bailee of such building premises or property or upon the agent for any of same either (a) By handling a true copy thereof to such owner life tenant lessee or bailee or agent or (b) By posting a copy thereof in a conspicuous place on the said building premises or property and mailing a copy thereof to the owner life tenant lessee bailee or agent whose address is known or can with reasonable diligence be ascertained by said fire marshal making such order In such case address is not known or cannot be ascertained as aforesaid then in lieu of such mailing a copy of said order shall in addition to the above mentioned posting thereof be handled to the responsible occupant or person if any in charge of said building premises or property Any owner life tenant lessee bailee or agent uppn whom any such order may be made or served by aforesaid fire marshal may within five days from the service of said initial order appeal to the fire marshal by petition in writing setting forth distinctly under oath or affirmation the facts and reasons upon which said appeal is based whereupon the fire marshal shall forthwith investigate the facts upon which such order was made and the grounds or reasons for such appeal and make his final order in writing affirming or revoking or modifying the original order which said final order of the fire marshal and any initial order made by him shall be filed in his office and shall be open to the inspection of the appellant or any person against whom the order may have been made If the said initial order be affirmed upon such appeal the same shall be and remain in full force against and in all respects be complied with by the owner life tenant lessee bailee or agent named therein within the time therein specified and in the event that such initial order be modified the same shall remain in full force and be in all respects complied with as modified Any owner life tenant lessee or bailee or agent aggrieved by any initial or final order of the fire marshal may appeal therefrom to the court of common pleas of said county in which the real or personal property in question is situated within ten days after the making and filing of such order of the fire marshal Provided That such owner life tenant lessee bailee or agent shall as a condition precedent to such right of appeal first file notice in writing to said fire marshal of his intention to appeal to said court of common pleas Such notice of intention to appeal shall be given by mailing the same by registered letter to the office of the fire marshal Said appeal to said court of common pleas shall be taken by presenting to and filing in said court a petition in writing verified by the oath or affirmation of the appellant setting forth distinctly the facts and reasons upon which said appeal is based and there shall be filed with said appeal proof of service upon the fire marshal in the manner aforesaid of the said notice of intention to take such appeal a copy of such petition by registered letter to the fire marshal at his office in said county on the same day upon which said petition is presented and filed in said court of common pleas Upon the re-presentation of such petition the court shall proceed summarily to hear and determine at a date as early as possible the reasonableness and lawfulness of said order of the fire marshal On the date so fixed for the said hearing the appellant shall give notice by letter to the fire marshal at his office in said county Upon the representation of said petition the court may at its discretion enter an order superseding the order of the fire marshal appealed from pending the final hearing and judgment of the court upon said appeal upon the appellant filing bond with sureties approved by said court in such amount not less than one hundred ($100) dollars as said court shall direct and on such conditions as the court may dee mproper and direct under the circumstances of the case including however the condition that the appellant shall pay all the costs of such appeal in the event that same be dismissed The appellant at the time of the presentation of said petition shall have the right to demand by writing presented and filed with his appeal a trial by jury and if the order of the fire marshal appealed from shall in effect be of such a character that its enforcement would affect any rights of the petitioner concerning the determination of which trial by jury is secured by the Constitution of the Commonwealth the Court shall direct an issue to be framed to determine such matters as may within such rights of trial by jury and shall advance said case to the head of the next trial list of said court for final determination as speedily as possible Pending such trial by jury and the final judgment thereon the court may enter an order superseding the said order of the fire marshal appealed from in the same manner as is herein provided in cases where no trial by jury is demanded and in the event that trial by jury is not demanded at the time and in the manner aforesaid the court shall proceed summarily to hear and determine said appeal at a date as early as possible The judgment of said court of common pleas upon said appeal affirming modifying or revoking the order of the fire marshal appealed from shall be final and in the event that said judgment is against the appellant or in the event that said appeal be dismissed for any cause judgment for costs shall be entered against the appellant Any owner life tenant lessee or bailee against whom or upon who or against or upon whose agent any initial or final order of the fire marshal or any order of the officers shall have been made and served as aforesaid who shall neglect fail or refuse to comply with the terms of such order within thirty days after service thereof or in the event that an appeal be taken as herein provided then within thirty days after the final order of the fire marshal or the final judgment of the court of common pleas as the case may be shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than ten ($10) dollars nor more than fifty ($50) dollars for each day's neglect or to be imprisoned in the jail of said county for a period not exceeding thirty days or both at the discretion of the court In case any initial or final order shall direct the repair of any building or part thereof or the removal of any building or part thereof and the owner or owners shall fail or refuse to comply with such orders then the fire marshal is authorized and empowered to cause such building to be repaired or demolished and the materials removed as the case may be at the expense of the owner or owners The initial expense of such repairs or removing shall be paid by the fire marshal out of funds appropriated for such purposes and if the owner or owners shall thereafter neglect or refuse to pay the costs and expenses thus incurred to the fire marshal within thirty days from the receipt of notice of the amount thereof said fire marshal shall through the attorney of his department enter suit in the proper county and recover the same as provided by law for the collection of debts including the attorney's commission of five per cent for collection which said five per cent shall be paid into the county treasury

On the question,

Will the House agree to the section?

Mr. JOSEPH C. MARCUS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 11, page 10, line 28 by inserting after the word "marshal" the word "shall."

Amend section 11, page 11, line 9, by striking out the word "kerosine" and inserting in lieu thereof "kerosene."

Amend section 11, page 12, line 6, by striking out the word "such" preceding the word "case," and inserting same after "case."

Amend section 11, page 12, line 9, by striknig out the word "handled" and inserting in lieu thereof "handed."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twelfth, thirteenth, fourteenth, fifteenth and sixteenth sections were separately read and agreed to as follows:

Section 12 The fire marshal in addition to any investigation made may at any time investigate the origin or circumstances of any fire occurring in said county The fire marshal his deputy or assistants shall have the power to summon witnesses and compel them to attend before the fire marshal and to testify in relation to any matter which is by the provisions of this act subject of inquiry and investigation and may require the production of any books papers or documents deemed pertinent or necessary to the inquiry and shall have the power to administer oaths and affirmations to any person appearing as a witness before them such examination may be public or private as the officers conducting the investigation may determine No person shall be excused from attending before said fire marshal when summoned so to attend or producing any books papers or documents before such officer upon any investigation proceeding or inquiry instituted under the provisions of this act If after any such examination the fire marshal is of the opinion that the facts in relation to such fire indicate that a crime has been committed the testimony taken on such examination together with any other data in his or their possession shall be presented to the attorney of this department who shall institute such criminal proceedings as such testimony or data may warrant Each witness who shall appear at any investigation in compliance with a notice to attend shall be entitled to receive from the Commonwealth through the fire marshal such fees and mileage as are allowed by law to witness in courts of record of this Commonwealth If after any examination the fire marshal shall be of the opinion that the facts in relation to such fire indicate that the same has been of incendiary origin the fire marshal his deputy or assistants shall be and are hereby authorized and empowered to arrest without warrant any person or persons whose guilt of arson may be indicated by the evidence in the possession of the fire marshal or his deputy or assistants In event of such an arrest the person or persons so arrested shall be forthwith taken before the fire marshal or a justice of the peace alderman or magistrate of the county in which said crime is alleged to have been committed and any information there made against said person or persons which information shall be proceeded with according to law The fire marshal his deputy or assistants may at all reasonable hours enter any buildings or premises within his or their jurisdiction for the purpose of making any inspection he or they may deem necessary in order to carry into effect the provisions of this act and any owner life tenant or lessee of said premises or any agent or representative of any of the same in possession thereof who shall refuse permission for such inspection shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than ten ($10) dollars or undergo an imprisonment not exceeding thirty days or both at the discretion of the court

Section 13 Any person who shall refuse to obey a summon or notice of the fire marshal his deputy or assistants to appear and testify or who when duly notified shall refuse to produce any books papers or documents touching any matter under investigation or examination shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty ($50) dollars nor more than two hundred ($200) or to undergo an imprisonment in the county jail not exceeding three months or both at the discretion of the court

Section 14 The fire marshal shall keep and preserve in his office a record of all fires occurring in said county and of all facts concerning the same which the fire marshall shall deem pertinent and important including however in all cases statistics showing the extent of such fires and the damage caused thereby and whether such losses were covered by insuranc or not and if so in what amount Such records shall be made daily from the reports made to him by his assistants under the provisions of this act

Section 15 It shall be the duty of the fire marshal to prepare books of instruction for the use in the public and private schools for students of all grades for public institutions workshops and public buildings with regard to the dangers of fire and the prevention of fire wastes It shall be the duty of the Superintendent of Public Instruction and of the principals or other persons in charge of the various schools in said county to provide for the instruction and training of pupils of such schools by means of drills so that they may in sudden emergencies be able to leave the school buildings in the shortest possible time without confusion or panic Such drills shall be held at least once a month when the schools are in session Books of instruction in such quantities as shall be determined by the County Commissioners with regard to the dangers of fire and the prevention of fire waste as above specified shall be published at the expense of the county and shall be distributed in sufficient quantities for the use of the schools as herein provided and the curriculm of such schools shall include some regular and continuous study of such subjects during the entire school year

Section 16 The fire marshal shall make an annual report to the court of common pleas of said county on or before the first day of February of each year setting for the fully the work of his office during the preceding calendar year including such statistics as he may decide to include therein He shall also recommend in his report such additional or other legislation if any as in his judgment may be desirable to more effectually accomplish the purposes of this act A copy of such report shall be sent to the State Fire Marshal of Pennsylvania

The seventeenth section was read as follows:

Section 17 The assistants of the fire marshal of said county not receiving a salary for the performance of public duties shall receive monthly upon audit and certification of the fire marshal for each separate fire reported to the fire marshal under the provisions of this act the following fees In cities of the second class fifty cents for each fire reported In all other cities boroughs towns and townships fifty cents for each fire reported In no case a report of fire or investigation be paid for unless the same shall be made out in the manner and form prescribed by the fire marshal under the proviisons of this act

On the question,

Will the House agree to the section?

Mr. JOSEPH C. MARCUS. Mr. Speaker I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 17, page 20, line 22, by inserting after the word "case" the word "shall"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eighteenth section was read as follows:

Section 18 It shall be the duty of either the owner his agent and of the tenant upon the occurence of a fire to notify the fire marshal the origin thereof and all public or private adjusters adjustment bureaus corporations or associations or others to report all fires of which they are notified

or engaged to adjust to the fire marshal before they proceed to adjust same in order that the fire marshal his deputy or assistant may see the conditions and ruins as they may exist before they are disturbed or removed unless there is danger to life or personal injury and upon the approval of the fire marshal he shall issue a permit for such adjustment which permit shall be returned After said adjustment is made to the fire marshal giving the actual amount involved in said loss value of building insurance on same amount of loss on same value of fixtures insurance on same amount of loss on same value of household furniture and effects insurance on same amount of loss on said insurance company interested in said loss together with date when said insurance was written and the name of agent writing same

On the question,

Will the House agree to the section?

Mr. JOSEPH C. MARCUS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 18, page 20, line 26, by inserting after the word "owner" the word "or"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The nineteenth section was read as follows·

Section 19 Any public or private adjuster adjustment bureau corporation firm or individual wilfully violating any of the provisions of this act shall be liable to a penaltiy of fifty dollars to be recovered at the suit of the fire marshal as debts of like amounts are now by law recoverable and upon a second conviction a fine of one hundred dollars In addition to incurring said penalty they shall forfeit their right to continue the business of fire adjusting in said county

On the question,

Will the House agree to the section?

Mr. JOSEPH. C. MARCUS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 19, page 21, line 22, by striking out the word "life" and inserting in lieu thereof "like"

Amend section 19, page 21, line 23, by striking out the word "convict" and inserting in lieu thereof "conviction"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twentieth and twenty-first sections and title were separately read and agreed to as follows:

Section 20 All penalties fees of forfeitures collected under the provisions of this act shall be paid into the treasury of the county to the credit of the fire marshal's appropriation

Section 21 All acts or parts of acts inconsistent herewith so far as they affect counties of the second class be and the same are hereby repealed

An act establishing the office of fire marshal in all counties of the second class defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his order and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1144, (Senate Bill No. 293), as follows:

An Act to amend section six of the act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" is hereby amended to read as follows

Section 6 That he shall in the month of January in every year make a report verified by oath or affirmation to the court of common pleas of said county of all receipts and expenditures of the county for the preceding year in detail and classified as required in the fifth section of this act together with a full statement of the financial conditions of the county which report shall thereupon be published one time in such newspapers not exceeding three published in said county as the controller may direct the aggregate cost of which shall not exceed fifteen hundred dollars in any one year to be paid for out of the county treasury which publication shall be in lieu of that required by the twenty-seventh section of the act of fifteenth of April Anno Domini one thousand eight hundred and thirty-four

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 860, (Senate Bill No. 16), as follows:

An Act to amend Clause five of Section three of an Act entitled "An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" Approved the thirteenth day of May Anno Domini one thousand nine hundred and nine (Pamphlet Laws five hundred and twenty)

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Paragraph five of Section three of of the act approved the thirteenth day of May Anno Domini ont thousand nine hundred and nine (Pamphlet Laws five hundred and twenty) entitled "An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing

for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" is hereby amended to read as follows

"Fifth If it contains any added sulphurous acid sulphur dioxide or sulphite benzoate acid or benzoates except as hereafter provided or if it contains any added boric acid or borates salicylic acid or salecylates formaldehyde hydrofluoric acid or fluorides fluoborates fluosilicates or other fluorine compounds dulcin glucin saccharin alum compounds of copper betanapthol hydronapthol abrastol asaprol pyroligneous acid or other added ingredients deleterious to health or if in the case of confectionery it contains any of the substances mentioned in this paragraph or any minerv substances or injurious color or flavor alcoholic liquor or any other ingredient not herein mentioned deliterious to health Providing That this act shall not be construed to prohibit the use of harmless colors of any kind in confectionery when used for coloring and not for any fraudulent purpose And provided further That nothing in this act shall be construed to prohibit the use of common salt sugar pure corn syrup pure glucose wine vinegar cider vinegar malt vinegar sugar vinegar glucose vinegar distilled vinegar spices or their essential oils alcohol (except in confectionery) edible oils edible fats wood smoke applied directly as generated or proper refrigeration And provided further That in the manufacture of confectionery the use of alcohol shall be permitted as it may be bound in customary alcoholic tincture or extracts used for flavoring purposes only and as a solvent for glazes and that oil of sweet birch or methyl-salicylic ester may be used as a substitute for oil of wintergreen as a flavor And provided further That in the preparation of dried fruits and molasses sulphur dioxide either free or in simple combination may be used in such quantities as will not render said dried fruits or molasses deleterious to health and that sodium benzoates may be used in the preparation of those articles of food in which it has heretofore been generally used in quantities not exceeding one-tenth (1-10) of one per centum or benzoic acid equivalent thereto And provided further That when any quantity of sodium benzoate is used in any article of food or any quantity of sulphur dioxide is used in the preparation of dried fruits or molasses the fact that sodium benzoates or sulphur dioxide has been used in the preparation thereof shall be plainly stated on each package of such food"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 893, (Senate Bill No. 362), entitled:

An Act regulating the practice of law in Courts not of record

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1140 (Senate Bill No. 130), entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight) entitled 'An act prohibiting under certain conditions the commutation encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" by extending the name to the proceeds and income from policies issued by both domestic and foreign companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 890 (Senate Bill No. 240), entitled:

An Act to amend section six of an act approved the twentieth day of June, one thousand nine hundred and seventeen (Pamphlet Laws, six hundred and eighteen), entitled "An Act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation" as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1357, entitled:

An Act providing for the redemption and cancellation of the bond issued under the act approved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled "An act directing the sale of the bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" and for the investment of the moneys in the fund resulting from such redemption and the payment of the interest therefrom by the Sinking Fund Commission to Pennsylvania State College

The preamble was read and agreed to as follows:

Whereas an act of Congress of the United States approved the second day of July one thousand eight hundred and sixty-two entitled "An act donating lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts" under which certain public lands or land script was apportioned to Pennsylvania the interest or income from the investment or sale of which land or land script to be inviolably appropriated to the endowment support and maintenance of at least one college where the leading object shall be without excluding other scientific and classical studies and including military tactics to teach such branches of learning as are related to agriculture and the mechanic arts

And Whereas Said act of Congress was accepted by the Commonwealth of Pennsylvania by act approved April first one thousand eight hundred and sixty-three (Pamphlet Laws two hundred and thirteen) entitled "An act to accept the grant of public lands by the United States to the several states for the endowment of agricultural colleges"

And Whereas By an act approved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled "An Act directing the sale of the bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" the surveyor general was directed to sell the bonds held in trust for "the Agricultural College land script fund" and pay the proceeds thereof into the State Treasury for the use of the Sinking Fund Commissioners and which act further directed that the Governor Auditor General and State Treasurer issue a registered bond of the Commonwealth for the sum of five hundred thousand dollars payable to

the Agricultural College land script fund of Pennsylvania after fifty years from the first day of February one thousand eight hundred and seventy-two with interest on the same at the rate of six per cent. per annum to be paid semi-annually on the first of February and August of each year and deliver the said bond to the State Treasurer for the uses and purposes declared by law which bond was issued as herein directed

And Whereas Said bond matured on the first day of February one thousand nine hundred and twenty-two now therefore

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Sinking Fund Commissioners of the Commonwealth of Pensylvania are hereby authorized and directed to redeem from the moneys in the Sinking Fund said bond issued under the authority of the act aproved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled "An act directing the sale of the bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" by depositing in the State Treasury in a fund known as the Agricultural College Land Script Fund said sum of five hundred thousand dollars which bond shall then be cancelled by said Commission

On the question,

Will the House agree to the section?

Mr. BEAVER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend bill, page 2, line 1, by striking out "interst" and inserting in lieu thereof "interest"

Amend page 3, line 1, by striking out "abe" and inserting in lieu thereof "able"

Amend WHEREAS clause on page 3, line 8, by striking out the word "herein" and inserting in lieu thereof"therein"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 The Sinking Fund Commissioners are hereby authorized and directed to invest the said five hundred thousand dollars in said fund in such securities as the said Sinking Fund Commissioners are authorized to invest the funds of the Commonwealth and pay the interest or income therefrom semi-annually on the first day of February and August of each year to Pennsylvania State College said Pennsylvania State College being such an agricultural college as meets the requirements of the act of Congress of eight hundred and sixty-two under which this appropriation was made to the State of Pennsylvania by the United States Government Provided nevertheless that any difference between the amount of the interest or income realized by the said sinking fund commision on such investments and the sum of twenty-five thousand dollars the latter being five per cent. of the total amount of such fund which Pennsylvania guaranteed said fund shall yield annually shall be paid by the Commonwealth of Pennsylvania from appropriations made for this purpose from time to time

On the question,

Will the House agree to the section?

Mr. BEAVER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 4, lines 8 and 9, by striking out the words "an agricultural" and inserting in lieu thereof the article a

Amend section 2, page 4, line 10, by striking out the word "eight" and inserting in lieu thereof "eighteen"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act providing for the redemption and cancellation of the bond issued under the act aproved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled "An act directing the sale of the bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" and for the investment of the moneys in the fund resulting from such redemption and the payment of the interest therefrom by the Sinking Fund Commission to Pennsylvania State College

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 681, entitled

An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of a supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by an act approved the twelfth day of April one thousand nine hundred and seventeen (Pamphlet Laws seventy-two) entitled "An act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine entitled 'A supplement to an act to provided for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three' as amended by fixing the maximum amount for maintenance weekly per capita" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the expense of the care and treatment of the indigent insane in the State and semi-State hospitals for the insane is hereby fixed at the uniform rate of (two dollars and fifty cents) three dollars per week for each person including clothing chargeable to the respective counties or poor districts from which such

insane shall come and the excess over said (two dollars and fifty cents) three dollars shall be paid by the State (but in no case shall said excess exceed two dollars and fifty cents per week for each indigent insane person Provided-however That during the period beginning June first one thousand nine hundred and twenty-one and ending May thirty-first one thousand nine hundred and twenty-three the rates aforesaid shall be increased to the sum of three dollars per week) to the several State and Semi-State hospitals on requisition of the Commissioner of Public Welfare

On the question,
Will the House agree to the section?

Mr. DAVID J. JONES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 2, line 13, by inserting after the word "capita" the following: "which was last amended by an act approved the thirteenth day of April, one thousand nine hundred and twenty-one, (P. L. 132), entitled "An act to amend the supplement to an act, approved the twenty-first day of May, one thousand eight hundred eighty-nine (Pamphlet Laws, two hundred fifty-eight), entitled 'A supplement to an act "to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth, in State hospitals for the insane," approved the thirteenth day of June, Anno Domini one thousand eight hundred and eighty-three,' as amended, by fixing the maximum amount for the maintenance weekly, per capita."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An Act to amend the supplement to an act, approved the twenty-first day of May, one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight,) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth, in State hospitals for the insane,' approved the thirteenth day of June, Anno Domini, one thousand eight hundred and eighty-three," as amended, by fixing the maximum amount for maintenance weekly, per capita.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 882, entitled:

An Act to amend section thirteen of the act approved the thirteenth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A Further Supplement to the act regulating elections in this Commonwealth" as amended by authorizing the members of the board for receiving computing and certifying election returns to act when a majority of the members thereof are not qualified

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A Further Supplement to the act regulating elections in this Commonwealth" which was last amended by section one of the act approved the sixth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and twenty-five) entitled "An Act to amend section thirteen of an act entitled 'A Further Supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one housand eight hundred and seventy-four as amended by the act of April twenty-eight one thousand eight hundred and ninety-nine so as to reduce rrom three to two the minimum number of judges to be designated in the counties of Philadelphia and Allegheny to receive compute and certify the election returns required by said section to be presented by the prothonotary to the courts of common pleas thus assimilating the practice of said counties to that in the other counties of the Commonwealth" is hereby further amended to read as follows

Section 13 As soon as the polls shall close the officers of electinon shal proceed to count all the votes cast for each candidate voted for and make a full return of the same in triplicate with a return sheet in addition in all of which the votes received by each candidate shall be given after his or her name first in words and again in figures and shall be signed by all of said officers and certified by overseers if any or if not so certified the overseers and any officer refusing to sign or certify or either of them shall write upon each of the returns his or their reasons for not signing or certifying them The vote as soon as counted shall also be publicly and fully declared from the window to the citizens present and a brief statement showing the votes received by each candidate shall be made and signed by the election officers as soon as the vote is counted and the same shall be immediately posted upon the door of the election house for information of the public The triplicate returns shall be enclosed in envelopes and sealed in presence of the officers and one envelope with the unsealed return sheet given to the judge which shall contain one list of voters tally paper and oaths of officers and another of said envelopes shall be given to the minority inspector All judges living within twelve miles of the prothonotary's office or within twenty-four miles if their residence be in a town village or city upon the line of a railroad leading to the county-seat shall before two o'clock post meridian of the day after the election and all other judges shall before twelve o'clock meridian of the second day after the election deliver said return together with return sheet to the prothonotarv of the court of common pleas of the county which said return sheet shall be filed and the day and hour of filing marked thereon and shall be preserved by the prothonotary for public inspection At twelve o'clock on the said second day following any election the prothontary of the court of common pleas shall present the said returns to the said court In counties where there is no resident president judge the associate judges shall perform the duties imposed upon the court of common pleas which shall convene for said purpose the returns presented by the prothonotary shall be opened by said court and computed by such of its officers and such sworn assistants as the court shall appoint in the presence of the judge or judges of said court and the returns certified and certificates of election issued under the seal of the court as is now required to be done by return judges and the vote as so computed and certified shall be made a matter of record in said court The sessions of the said court shall be open to the public and in case the returns of any election district shall be missing when the returns are presented or in case of complaint of a qualified elector under oath charging fraud or mistake and particularly specifying the alleged fraud or mistake or where fraud or mistake is apparent on the return the court shall examine the return and if in the judgment of the court it shall be necessary to a just return said court shall isue summary process against the election officers and overseers if any of the election district complained of to bring them forthwith into court with all election papers in their possesion and if palpable mistake or fraud shall be discovered it shall upon such hearing as may be deemed necessary to enlighten the court be corrected by the court and so certified but all allegations of palpable fraud or mistake shall be decided by the said court within three days after the day the returns are brought into court for computation and the said injury shall be directed only to palable fraud or mistake and shall not be deemed a judicial adjudication to conclude any contest now or hereafter to be provided by law and the other of said triplicate returns shall be placed in the box and sealed up with the ballots Nothing in this act shall require the return of election of township or borough officers to be made to the court as directed in this section but all returns of he

election of township and borough officers shall be enclosed in a sealed cover directed to the prothonotary of the court of common pleas of the proper county and shall be some one of them be delivered into his office within three days after such election and filed therein In counties where there are three or more judges of said court learned in the law at least two judges shall sit to compute and certify returns unless unavoidably prevented If any of the said judges shall be a candidate for any office at any election he shall not sit with the court or act in counting the returns of such election and in such cases the other judges if any shall act and if in any county there shall be no judge qualifiel to hold the said court under the provisions of this act present and able to act then and in every such case the register of wills the sheriff and the county commissioners of the preper county shall be and constitute a board who or a majority of whom shall have and exercise all the powers and perform all the duties vested in or required to be performed by the court of common pleas of such county by and under the provisions of this section but none of the said officers shall act as a member of such board when himself a candidate for any officee at the election the returns of which the said board is required to count under the provisions of this section If in any such case a majority of such officers are candidates for office at such election then the officer or officers members of said board who are not candidates shall have and exercise the powers and perform the duties herein delegated to the said board The returns required by this act to be presented by the prothonotary of the courts of common pleas of Philadelphia and Allegheny respectively shall be presented to such two or more of the judges of the several courts of common pleas of said counties respectively as the judges of said courts or a majority of them may designate to perform the duty of receiving computing and certifying said returns When two or more counties or parts of two or more counties are connected for the election of any officer the courts of such counties or parts of counties comprising the district shall each appoint a return judge resident within such district to meet within seven days after the day of election of such officer at such place as is required by law or if no place of meeting is designated by law at such place within such district where the returns of the election of such officer shall by law be directed to be filed to compute and certify the vote of such district and it shall be the duty of the return judges in such cases to transmit to the person elected as such officer's certificate of his election within five days after the day of making up such return All officers provided for by this act shall be compensated as like officers are paid by existing laws Whenever a place has been or shall be provided by the authorities of any city county township or borough for the safe-keeping of ballot boxes the judge and minority inspector shall after the election shall be finished and the ballot box or boxes containing the tickets list of voters and other papers have been securely bound with tape and sealed and the signatures of the judges and inspectors affixed thereto forthwith deliver the same together with the remaining boxes to the mayor and recorder of such city or in counties townships or boroughs to such person or persons as the court of common pleas of the proper county may designate at the place provided as aforesaid who shall then deposit the said boxes and keep the same to answer the call of any court or tribunal authorized to try the merits of such election Whenever the election officers of any election district shall require the election boxes of such district to hold any election which by law they are or shall be required to hold they shall keep the same securely in their possession without opening until the morning of such election and until they shall severally be sworn or affirmed not to disclose how any elector shall have voted and after being so sworn or affirmed they shall open the said boxes and burn and totally destroy all the ballots and other papers which they shall find therein before proceeding to hold such election

On the question,

Will the House agree to the section?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 4, line 22 by striking out the word "injury" and inserting in lieu thereof the word "inquiry."

On the question,

Will the House agree to the amendment.

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section thirteen of the act approved the thirtieth day of January, one thousand eight hundred and seventy-four (P. L. 31) entitled, "A Further Supplement to the act regulating elections in this Commonwealth," as amended; by authorizing the members of the board of receiving, computing and certifying election returns, to act when a majority of the members thereof are not qualified.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 686, as follows:

An Act authorizing probation officers of the various counties to attend the annual State Association of Conference of Probation and Parole and providing for the payment of their expenses and membership dues by counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the probation officers of the several counties of the Commonwealth are hereby authorized as a part of their official duties to attend the annual meeting of the State Association of Conference of Probation and Parole for the purpose of discussing the various questions arising in connection with the work of their official positions and ascertaining uniform and economical methods of administering their work

Section 2 The actual expenses of the said probation officers in attending the said annual meeting including traveling and hotel expenses actually paid by them together with a membership subscription in said association or conference said subscription not exceeding five dollars per annum shall be paid by the county treasurer upon warrant of the county commissioners in the same manner as is provided for the payment of the compensation and expenses of such officers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1173, entitled:

An Act providing that the address of holders of second mortgages shall be noted in the margin of the record of first mortgages and that notice of foreclosure proceedings shall be given to such holders of second mortgages

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the time or recording of any second mortgage the recorder shall note on the margin of the record of the first mortgage the name and address of the holder of said second mortgage In the event of any foreclosure proceedings on said first mortgage notice of such proceedings shall be given to the holder of the second mortgage

Personal service on the second mortgage or mailing of a registered letter to the address on file as aforesaid shall be deemed compliance with the requirements of this act as to notice

On the question,
Will the House agree to the section?

Mr. SOWERS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 1, line 4, by striking out the word "or" and inserting in lieu thereof the word "of"

On the question,
Will the House agree to the amendment.
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An Act providing that the address of holders of second mortgages shall be noted in the margin of the record of first mortgages, and that notice of foreclosure proceedings shall be given to such holders of second mortgages.

And said bill having been read at length the second time and agreedto as amended.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SOWERS. Mr. Speaker, I move that House Bill No. 1173, file folio 3355, be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

Mr. JOSEPH MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1066, as follows:

An Act to amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred and sixey-eight) entitled "An act to enable the county commissioners of the several counties to sell any real estate which they may acquire and make deeds therefor" excepting from the provisions of said act real estate acquired at tax sales

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred sixty-eight) entitled "An Act to enable the county commissioners of the several counties to sell any real estate which they may acquire and make deeds therefor" is amended to read as follows

Section 1 Be it enacted et cetera That whenever the several counties of the Commonwealth or any of them shall become possessed of any real estate and shall acquire or shall have acquired title thereto in any manner other than real estate which has been acquired at a tax sale if at any time the county commissioners of the respective county or counties owning the same desire to sell such real estate they shall have power to do so and make a deed under their hands and seals as commissioners with the seal of the respective county or counties attached and the same shall be and be deemed and taken to be good and lawful conveyance in fee simple

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 994, as follows:

A Supplement to an act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and thirty-eight) entitled "An act requiring counties having a population of over one million and less than one million five hundred thousand to establish a pension fund for the employes of such counties and providing for the administration of such fund and payments therefrom" by restricting the provisions of said act so that the same shall hereafter be applicable to counties of the second class only and by extending the provisions of said act so that the same shall apply to all county employes working for wages on a per diem basis or any other basis and providing that all county employes shall have full credit hereafter for all services heretofore or hereafter rendered on a per diem or other basis in calculating the total period of their employment for any of the purposes mentioned in said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the provisions of the act of Assembly to which this is a supplement shall hereafter be restricted and shall be applicable to counties of the second class only and the provisions of said act are hereby extended so that the same shall apply to all county employes of any such county whether such employes are working for wages on a per diem basis or any other basis All county employes of any such county shall be given full credit for all services heretofore or hereafter rendered to any such county whether such services were or are rendered for wages on a per diem basis or any other basis in calculating the period of service of such employe for any such county under the terms and provisions of said act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 883, as follows:

An Act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourth paraghaph of section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An act regulating certain

political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" which was amended by section one of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and sixty-nine) entitled "An act to further amend section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled 'An Act regulating certain political parties providing for and regulating the nomination of candidates for such political parties for certain public offices the election of delegates and alternate delegates to the national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' as amended" is hereby further amended to read as follows

The minority inspector shall retain one complete set of tally papers and one of the triplicate return sheets for each party and one set of the affidavits of voters and other persons except oaths of election officers made pursuant to the provisions of this act at such primary and carefullv preserve the same for the period of at least one year The remaining tally papers triplicate return sheets and affidavits of voters and others including oaths of election officers shall be placed in separate envelopes to be provided for the same and sealed as soon as the count is finally completed All of such envelopes and the other numbered list of voters previously sealed as aforesaid shall be entrusted to the judge of election and shall on or before noon of the Thursday following be deposited by him in person or by registered mail with the county commissioners who shall on the succeeding day at noon publicly commence the computation and canvassing of the returns and continue the same from day to day until completed in the manner hereinafter provided except that if any of the county commissioners of any county shall be a candidate for any nomination at any primary he shall not act as a member of the return board for computing or canvassing any returns of such primary but the other two commissioners if both are qualified shall act and in case in any county there are not at least two commissioners so qualified two judges of the court of common pleas of such county shall be designated by said court to act as a return board provided that neither of them are candidates for any nomination at such primary either on a party or a non-partisan ballot and if there shall be only one judge of such court in such county or if less than two judges are qualified and able to act in such county any judge who is qualified may act alone and if there be none qualified the prothonotary of such county shall act as the return board and if the prothonotary shall be a candidate at the primary then the sheriff of the county shall act as the return board

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 694, entitled:

An Act to amend an act approved the twenty-eighth day of March one thousand eight hundred seventy-nine (Pamphlet Laws fourteen) entitled "An Act enabling wives of lunatics to release their right of dower in the real estate of their husbands" extending the provisions of said act to include wives and husbands of habitual drunkards and wives or husbands of epileptics insane weak-minded or feeble-minded persons

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-eighth day of March one thousand eight hundred and seventy-nine (Pamphlet Laws fourteen) entitled "An Act enabling wives of lunatics to release their right of dower in the real estate of their husbands" is hereby amended to read as follows

Section 1 Be it enacted et cetera That in all cases where deeds conveying titles to real estate situate within this Commonwealth have been or shall hereafter be executed by a committee in lunacy or by the committee of an habitual drunkard or by the guardian of the estate of an epileptic or an insane or a weak-minded or feeble-minded person under an order of any court having jurisdiction of the same it shall be competent for the wife or husband of such lunatic habitual drunkard epileptic insane weak-minded or feeble-minded person to release or divest her dower or his authority right of dower or authority or interest under the intestate laws in such real estate in the same manner as if she or he were a widow or widower and not under coverture or marriage Provided That such release shall have been executed prior to a decree declaring that such lunatic has been restored to a sound state of mind or that such insane epileptic weak-minded or feeble-minded person has regained his or her ability to care for his or her own property

On the question,

Will the House agree to the section?

Mr. WILLIAM T. BELL. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1, page 2, line 9 by underscoring the words "or husband"

Amend Section 1, page 2, line 11 by underscoring the words "or his authority"

Amend Section 1, page 2, line 14 by underscoring the words "or he"

Amend Section 1, page 2, line 14 by underscoring the words "or widower"

Amend Section 1, page 2, line 15 by underscoring the words "or marriage"

Amend Section 1, page 2, line 20 by underscoring the words "own property"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend an act approved the twenty-eighth day of March one thousand eight hundred seventy-nine, (P. L. 14), entitled, "An Act enabling wives of lunatics to release their right of dower in the real estate of their husbands," extending the provisions of said act to include wives and husbands of habitual drunkards and wives or husbands of epileptics, insane, weak-minded or feeble-minded persons.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 556, entitled:

An Act requiring counties of the third and fourth classes to establish a pension fund for the employes of such counties and providing for the administration of such fund and payments therefrom

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a county employe for the purposes of this act is any person employed by the county at a wage or salary payable at stated intervals that is to say semimonthly monthly quarterly or annually The term does not include any person elected by the vote of the people

Section 2 Each county of the third and fourth class shall provide a pension system for such county and shall establish and regulate a pension fund in connection therewith

Section 3 The pension system shall be under the sole direction of a Pension Board hereinafter designated the Board which shall consist of the county commissioners the treasurer and the controller of the county

The fourth section was read as follows:

Section 4 The county treasurer shall be the treasurer of the Board and shall give such bond for the proper performance of his duties as is required by the Board The premium on said bond shall be paid from the pension fund on warrants of the Board The treasurer shall receive for his services the sum of one hundred dollars ($100.00) per annum from the pension fund payable on warrants of the Board

On the question,

Will the House agree to the section?

Mr. McDANIEL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 4, page 2, line 16, by striking out the word "carring" and inserting in lieu thereof the word "carrying."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth sections and title were separately read and agreed to as follows:

Section 5 The Board shall keep a register of employes containing the names ages residence nature of employment time of entering the employ of the county and such other information as the Board deems necessary in the performance of its duties The Board may adopt amend revise and abolish in its discretion such regulations not inconsistent with law as it deems necessary in carring out the intent of this act

Section 6 The head of each department or office of the county shall as soon as practicable after the passage of this act file with the Board a list of all employes of such department or office with the amount of the salary or wage received by each the age of the employe time of entering the county employ and such other information relative to such employes as is required by the Board From time to time and whenever requested by the Board all dismissals appointments resignations transfers changes in salaries or in employment and other information relative to employes shall be furnished to the Board by the head of each such department or office

Section 7 The county commissioners shall annually in January appropriate and pay into the pension fund not less than one-half of one per centum and not more than two per centum of all available moneys received by the county as taxes during the preceeding calendar year All moneys in any pension fund heretobefore established shall be transferred to the pension fund created under this act

Section 8 Each county employe shall each month pay into the pension fund one per centum of the amount received by him as a salary or wages from the county during the preceding calendar month Such amounts shall be collected by the county treasurer and by him paid into the pension fund Such monthly payments by an employe shall cease when such employe is entitled to receive a pension under this act No employe shall be entitled to a pension who does not make the monthly payment herein required

Section 9 The board may in its discretion invest the moneys of the pension fund or any part thereof in obligations of the United States or of this State or of any political division of this State or it may deposit such moneys or any part hereof in one or more banks or trust companies of the county selected by the Board The banks or trust companies offering to pay the highest rate of interest and that have a paid-in capital and surplus of not less than three hundred thousand dollars shall be selected A contract with a depositary shall be for a period covering the term of the county treasurer No moneys shall be paid to a depositary until it shall have executed to the board a bond for the proper safe-guarding of the funds so deposited The bonds shall have such surety as is approved by the court of common pleas No moneys exceeding in the aggregate the amount of the bond shall be paid to any depositary

Section 10 Every person now or hereafter in the employ of the county who has reached the age of sixty years or upwards and who shall have been in the employe of the county during a period of not less than twenty years shall upon application to the Board be retired from service and shall thereafter receive during life a pension under the provisions of this act The time spent in the employ of the county need not necessarily have been continuous

Section 11 Any employe who has been in the county employ for a period of not less than ten years shall be entitled to a pension if he or she becomes totally and permantly disabled even though such employe has not reached the age of fifty years Proof of total and permanant disability shall be by sworn statement of three practicing physicians of the county designated by the Board to the effect that such employe is totally and permanently disabled from performing the duties of his or her position or office

Section 12 The pension paid under the provisions of this act shall equal annually fifty per centum of the average annual amount received by the employe as salary or wages during the two years immediately preceding the date of retirement of the employe receiving the pension No pension shall exceed the sum of one hundred dollars per month Pensions shall be paid in monthly instalments on warrants on the board

Section 13 If any employe after twenty years in the county employ is dismissed or retires voluntarily or is in any other manner deprived of his or her employment before attaining the age of fifty years such employe if he continues to contribute to the pension fund monthly a sum equal to the last monthly contribution paid while in the county employ shall when he or she reaches the age of fifty years be entitled to a pension under this act

Section 14 If any county employe contributing monthly to the pension fund shall for any cause cease to be an employe of the county before the expiration of the twenty year period the total amount of the contributions paid into the pension fund by such employe shall upon demand in writing be repaid to him or her or to his or her personal representative out of the fund

Section 15 Should any county employe who has withdrawn his contributions paid into the pension fund desire to be reinstated and again becomes a beneficiary he or she may do so by the payment in full of the amount withdrawn and by paying the assessments provided for in section eight of this act

Section 16 Any pension herein provided for shall not be subject to execution or to attachment shall be payable only to the beneficiary provided by this act and shall not be subject to assignment or transfer

Section 17 All acts and parts of acts inconsistent with this act are hereby repealed

An Act requiring counties of the third and fourth classes to establish a pension fund for the employes of such counties, and providing for the administration of such fund and payments therefrom.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1269, as follows:

An Act to amend section three of an act approved the tenth day of April one thousand eight hundred and sixty-seven (Pamphlet Laws sixty-two) entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" by requiring the drawing of jury panels from the wheel to take place publicly in the court room and in the presence of one of the judges of the court of common pleas

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That section three of an act approved the tenth day of April one thousand eight hundred and sixty-seven (Pamphlet Laws sixty-two) entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" is hereby amended to read as follows

Section 3 That said jury commissioners and the sheriff of the respective county or any two of them shall draw from the proper jury wheel panels of jurors as grand jurors of the proper county and as petit and traverse jurors for the trial of issues in fact which may be taken in any action in any of the courts civil and criminal of the several counties aforesaid in the manner now practised and allowed but before the said jury commisioners and sheriff shall proceed to select or draw jurors in the manner aforesaid they shall serverally take the oath or affirmation now prescribed by law to be taken by the sheriff and county commissioners before selecting and drawing jurors The drawing from the jury wheel as herein provided shall in every instance take place publicly in the court room and in the presence of at least one of the judges of the court of common pleas of the proper county

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in the Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1294, as follows

An Act authorizing executors and administrators to bring suit and recover judgments against the Commonwealth of Pennsylvania in the counties of which the decedents whose estates they administer were resident for the recovery of overpayments of direct and collateral inheritance transfer taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That executors and administrators who through error or otherwise have paid to the Commonwealth of Pennsylvania on account of the direct inheritance transfer tax or the collateral inheritance transfer tax more than the amount legally due said Commonwealth of Pennsylvania on account of said tax or taxes be and the said executioners and administrators are hereby authorized to bring suit to recover the amount of such overpayment against the said Commonwealth of Pennsylvania in the court of common pleas of the county of which the decedent whose estate is being administered was a resident In the event of a decision that said tax or taxes were overpaid judgment shall be entered against the Comonwealth of Pennsylvania for the amount of said overpayment interest and costs of suit and the same shall be collectible as such judgments are now by law collected The right to bring suit hereby given shall not preclude the said Commonwealth from raising any defense available to it in the suit or suits hereby authorized and the same shall be subject to the same rules of pleadings and evidence as other cases between individuals

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1335, as follows:

An Act relating to certain county officers in counties of the fifth class providing for their salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on the county commissioners county controllers and county auditors requiring the payment into the respective county treasury of the fees of such county officers and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of the fifth class all fees commissions and emoluments limited and appointed by law to be received by each and every county officer whose salary is fixed by this act whether elected by the qualified voters of their respective counties or appointed according to law which they shall be legally authorized required or entitled to charge or receive shall belong to the county in and for which they are severally elected or appointed and it shall be the duty of each of said officers to exact collect and receive all such fees commissions and emoluments to and for the use of their respective counties except such taxes and fees as are levied for the Commonwealth which shall be to and for the use of the Commonwealth and none of said officers shall receive for his own use or for any use or purpose whatever except for the use of the proper county or for the Commonwealth as the case may be any fees commissions or emoluments for any official services whatsoever

Section 2 Each of said officers shall keep a special account book the forms of which shall be prescribed by the controller or county auditors in which entry shall be made of all moneys received for fees commissions and emoluments of all moneys earned and of all moneys chargeable upon any person or persons or upon the county specifying the day and date the title of the case if any for what service and from whom received or due and on the first Monday of each month each of said officers shall pay to the treasurer of the proper county all fees commissions and emoluments so received or so charged during the preceeding month taking duplicate receipts thereof one of which he shall deposit with the county controller or the county auditors together with a transcript in detail of his fee account book or books for the preceding month to which he shall make oath or affirmation before the county controller or the county auditors that the said transcript contains a true and correct list of all the fees commissions emoluments and moneys received or earned and outstanding or chargeable upon the county or against any person or persons for services rendered in his office either by himself deputies or clerks during the preceding month that the said fees were severally charged at legal rates that he has not received and is not to receive from any person or persons whatsoever for any official service or duty any other fees than those so entered on said transcript And it shall be the duty of the county controller or the county auditors on such first Monday of each month to receive such returns to audit and verify the same and to do such other matters and things as may be required in the premises to file said receipt and transcript in their office and to charge the county treasurer with the money for fees so paid in When fees are paid to one office which are for services rendered or to be rendered by another the officer receiving the same shall specify the same on his account book and on his transcript as of the office to which they properly belong

The county controller or county auditors shall have power to examine under oath all officers whose accounts are filed pursuant to this act their deputies clerks and any other persons in relation to any matter touching or concerning the said accounts or any item therein contained and shall have

power to issue subpoenas to compel the attendance of any such officers deputies clerks or other person or persons whom it may be necessary to examine as witnesses

Section 3 If any officer included in this act shall receive or stipulate to receive from any deputies or clerks appointed by him or from any person or persons awarded any contract any sum or sums of money as compensation for making any of the said appointments or contracts or shall neglect to render the accounts required as aforesaid or to pay over the moneys received for fees required by this act or shall wilfully neglect to make any proper entry in the book or books required to be kept or shall wilfully neglect to charge for any official services the fees allowed by law or shall appropriate to his own use any such fees or fail to comply with any of the provisions of this act or neglect to discharge any of the duties herein imposed the same shall be deemed a misdemeanor in office and in addition to the other penalties for such offenses he shall upon conviction thereof refund the said sum or sums of moneys thus unlawfully received or appropriated to his own use or which he wilfully neglected to charge and shall be deemed incapable of holding longer the said office

Section 4 Any officer included in this act or any other person who shall wilfully swear or affirm falsely as to the accuracy of any account transcript or bill required in this act or in making any affidavit in reference thereto shall be deemed guilty of perjury and upon conviction thereof shall be liable to the punishment prescribed by the laws of this Commonwealth for perjury and any person who shall procure any other person to swear or affirm falsely in verifying any such account transcript or bill or in making any affidavit in reference thereto shall be deemed guilty of subordination of perjury and upon conviction thereof shall be liable to the punishment prescribed by law for that offense

Section 5 All county officers within the counties to which this act applies whose salaries are fixed by this act whether elected by the people or appointed according to law and their several deputies and clerks authorized and their respective salaries designated by the salary board shall be paid for their services by fixed and specific salaries which shall be a charge upon the treasury of the county to which each such officer shall respectively belong Said salaries shall be paid semi-monthly on the second and fourth Mondays of the month succeding that in which his services were rendered but no warrant shall be drawn for the payment of any of the said officers his deputies or clerks who shall not have filed the receipt and transcript for that month as provided for in this act

Section 6 Each county officer whose salary is fixed by this act shall appoint and may dismiss the deputies or clerks of his office

Section 7 The county commissioners and county controller or county auditors in all the respective counties coming under the provisions of this act are hereby constituted a salary board for their several counties respectively whose duty it shall be to meet together on the first Monday of January in each year and from time to time as they may be required by any of the county officers whose salaries are established by this act and ascertained and determine the number of depuites or clerks required for the proper dispatch of business by each of such officers and fix the salary of said clerks and deputies Whenever said board is assembled to consider the case of any one of said officers such officer shall sit as a member of the board so long as his case is under consideraton and no longer and a decision of the majority shall govern But if after such decision is made any officer or taxpayer shall think that the number of clerks or deputies is too few or too great or the compensation fixed for either is too small or too large as the case may have been determined by the Board he may appeal from the action thereof to the court of common pleas of the county in which he is an officer or taxpayer which court shall hear and determine such appeal as promptly as possible and its decision therein shall be final Each of said boards shall keep a correct minute book of its proceedings in all cases heard and determined by it which shall be a public record

Section 8 All deputies and clerks for county officers whose salaries are fixed by this act receiving a salary shall make oath or affirmation before the county controller or county auditors or president of the board of county commissioners that they have duly rendered services for which they claim a salary Said salary shall be paid direct to the person entitled to receive the same but not until the deputy or clerk has made oath or affirmation that at no time since his appointment has he paid directly or indirectly nor has he at any time promised to pay at any time any money or other thing of value because of such appointment to the county officer who appoints or retains such deputy or clerk

Section 9 All books records papers and accounts kept by any of the officers named or included in this act shall be public records and open to the inspection of the county controller or county auditors the county commissioners or any taxpayer

Section 10 Each county to which this act applies shall at the cost of the county furnish the office furniture books stationery and supplies required for the use of any of the officers included in this act or of any other county officer and also all needed fuel and services of a janitor and pay the premium on the bonds of all officers affected by this act required for the safe-keeping and return of county money

Section 11 In such counties the annual salaries of the following county officers shall be as follows namely

Of the prothonotary three thousand dollars

Of the clerk of orphans' court two thousand dollars

Of the clerk of quarter sessions and over and terminer two thousand dollars

Of the register of wills three thousand dollars

Of the recorder of deeds three thousand dollars

Of the county commissioners twenty-five hundred dollars each and where such county commissioners are also directors of the poor then thirty-five hundred dollars each

Of the county auditors where such office exists each two hundred fifty dollars

Of the jury commissioners each two hundred and fifty dollars

Where the office of prothonotary clerk of the court of general quarter sessions and clerk of the court of oyer and terminer are held by the same person such officer shall receive a salary of four thousand dollars only

Where the office of prothonotary clerk of the court of general quarter sessions clerk of the court of oyer and terminer and clerk of the orphans' court are held by the same person such officer shall receive a salary of four thousand dollars only

Where the office of the clerk of the court of general quarter sessions clerk of the court of oyer and terminer and clerk of the orphans' court are held by the same person such officer shall receive a salary of four thousand dollars only

Where the office of register of wills and recorder of deeds are held by the same person such officer shall receive a salary of four thousand dollars only

Where the office of register of wills recorder of deeds and clerk of the orphans' court are held by the same person such officer shall receive a salary of four thousand dollars only

Where the office prothonotary and recorder of deeds are held by the same person such officer shall receive a salary of four thousand dollars only

Where the office of register of wills clerk of the court of general quarter sessions clerk of the court of oyer and terminer and clerk of the orphans' court are held by the same person such officer shall receive a salary of four thousand dollars only

Section 12 The salaries fixed and provided by the foregoing section shall be in lieu of all or any moneys fees perquisites or mileage expenses and other allowances which are now or may hereafter be received or allowed to any such officer and all said moneys fees mileage or perquisites received by any of them as compensation fees or perquisites from any source whatsoever shall in all cases belong to the county and shall be paid into the county treasury (except where required to be paid to the Commonwealth) as provided in this act but the necessary traveling expenses of the officers incurred in the administration of their offices shall be paid by the county

Section 13 All rights of action and all other remedies heretofore granted or extended to said officers for the collection of their respective fees are hereby extended and shall insure to the benefit of the several counties affected by this act for the collection of all fees and costs that may hereafter accrue to said counties under the provisions of this act

Section 14 This act shall take effect on the first Monday of January one thousand nine hundred and twenty-four but shall not be construed to apply to any officer in office at the date of the approval of this act but all such officers shall be entitled to receive and collect the fees and salaries now provided by law for such office

All laws or parts of laws general local or special inconsistent with this act are hereby repealed but shall remain in full force and virtue as to all actions and remedies at law begun or accruing prior to that date

And said bill having been read at length the second time

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 668, as follows:

An Act to amend section eight of an act approved the seventh day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and sixty-eight) entitled "An Act to restrain and regulate the use of billiard-tables pool-tables and bagatelle-boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth providing for the granting of licenses and providing for punishments for the violations of the provisions of this act" by providing for the revocation of the licenses therein provided for when the place licensed shall in the opinion of the Director of the Department of Public Safety be so conducted as to be detrimental to the immediate neighborhood or when the licensee is not a person of good moral character or a fit person to hold such license or when said place is frequented by immoral persons or managed in an improper or disorderly manner

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of an act approved the seventh day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and sixty-eight) entitled "An Act to restrain and regulate the use of billiard-tables pool-tables and bagatelle-boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth providing for the granting of licenses and providing for punishments for the violations of the provisions of this act" is hereby amended to read as follows

Section 8 The Superintendent or Chief of Police shall once every three months make a return to the Department of Public Safety of all premises being used for the purpose of allowing the general public for hire or reward to play billiards pool or bagatelle giving the location of the premises and the number of tables so used That upon this return the Director of Public Safety shall compare it with the original petitions and if there has been any change either as to premises or an increase of tables without the provisions of this act having been complied with or if at any time in the opinion of the said Director the place licensed is so conducted as to be detrimental to the immediate neighborhood or in his opinion the licensee is not a person of good moral character or a fit person to hold such license or the said place is frequented by disorderly or immoral persons or managed in an unlawful improper or disorderly manner it shall be his duty to immediately and forthwith serve notice on the licensee to show cause on a date fixed not exceeding ten days why the said license should not be revoked and after hearing to revoke such license for any of the foregoing causes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 975, entitled:

An Act to amend section six as amended and section eight of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and sixty-five) entitled "An Act defining commodities regulating the sale thereof and providing penalties for violations hereof" changing the legal weight of certain commodities and providing for the disposition of certain fines

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and sixty-five) entitled "An Act defining commodities regulating the sale thereof and providing penalties for violation hereof" which as amended by the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and fifty-three) entitled "An Act to amend section six of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred sixty-five) entitled 'An Act defining commodities regulating the sale thereof and providing penalties for violation hereof' as amended" reads as follows

"Section 6 Whenever any commodity named in this section shall be sold by the bushel the bushel shall consist of the number of pounds herein stated and wherever sold in the subdivisions of the bushel the number of pounds shall consist of the fractional part of the number of pounds as are herein set forth for the bushel namely

Alfalfa seed sixty pounds
Apples forty-five pounds
Apples dried twenty-five pounds
Barley forty-seven pounds
Beans dried sixty pounds
Beans castor (shelled) forty-six pounds
Beets fifty-six pounds
Blue-grass seed fourteen pounds
Bran twenty pounds
Broom-corn seed fifty pounds
Buckwheat forty-eight pounds
Cabbage fifty pounds
Carrots fifty pounds
Cement one hundred pounds
Charcoal twenty pounds
Cherries with stems fifty-six pounds
Cherries stemmed sixty-four pounds
Chestnuts hulled fifty pounds
Clover-seed sixty pounds
Coal anthracite seventy-five pounds
Coal bituminous seventy-six pounds
Coal stone eighty pounds
Coke forty pounds
Corn shelled fifty-six pounds
Corn ear (husked) seventy pounds
Corn-meal fifty pounds
Cranberries forty pounds
Cucumbers fifty pounds
Currants forty pounds
Flaxseed fifty-six pounds
Gooseberries forty pounds
Grapes forty-eight pounds
Hair (plastering) eight pounds
Hemp-seed forty-four pounds
Herd's grass forty-five pounds
Hickory-nuts fifty pounds
Hominy sixty pounds
Horseradish fifty pounds
Hungarian grass seed fifty pounds
Kaffir-corn fifty-six pounds
Lentils sixty pounds
Lime eighty pounds
Linseed fifty-six pounds
Malt thirty-eight pounds
Millet fifty pounds
Oats thirty-two pounds
Onions fifty pounds
Onion sets twenty-eight pounds
Orchard grass seed fourteen pounds
Parsnips fifty pounds
Peaches forty-eight pounds
Peaches dried (peeled) thirty-eight pounds
Peaches dried (unpealed) thirty-three pounds
Peanuts twenty-two pounds
Pears fifty pounds
Peas green (unshelled) fifty-six pounds
Peas dried sixty pounds
Plums sixty-four pounds

Potatoes sixty pounds
Potatoes sweet fifty-four pounds
Quinces forty-eight pounds
Rape-seed fifty pound
Raspberries forty-eight pounds
Redtop grass seed fourteen pounds
Rice rough forty-five pounds
Rutabagas sixty pounds
Rye fifty-six pounds
Rye-meal fifty pounds
Salt (coarse) eighty-five pounds
Salt (ground) sixty-two pounds
Sand one hundred pounds
Shorts twenty pounds
Sorghum-seed fifty pounds
Spelt forty pounds
Strawberries forty-eight pounds
Timothy-grass seed forty-five pounds
Tomatoes sixty pounds
Turnips sixty pounds
Walnuts (common) fifty pounds
Wheat sixty pounds

Provided That when any fruit or vegetables named in this section are sold in Pennsylvania standard containers which are the original packages and are filled in accordance with good commercial practices such fruits and vegetagles shall be exempt from the provisions of this section" is hereby further amended to read as follows

Section 6 Whenever any commodity named in this section shall be sold by the bushel the bushel shall consist of the number of pounds herein stated and wherever sold in the subdivisions of the bushel the number of pounds shall consist of the fractional part of the number of pounds as are herein set forth for the bushel namely

Alfalfa seed sixty pounds
Apples forty-eight pounds
Apples dried twenty-five pounds
Barley forty-eight pounds
Beans dried sixty pounds
Beans castor (shelled) forty-six pounds
Beets fifty-six pounds
Blue-grass seed fourteen pounds
Bran twenty pounds
Broom-corn seed fifty pounds
Buckwheat forty-eight pounds
Cabbage fifty pounds
Carrots fifty pounds
Cement one hundred pounds
Charcoal twenty pounds
Cherries with stems fifty-six pounds
Cherries stemmed sixty-four pounds
Chestnuts hulled fifty pounds
Clover-seed sixty pounds
Coal anthracite seventy-five pounds
Coal bituminous seventy-six pounds
Coal stone eighty pounds
Coke forty pounds
Corn shelled fifty-six pounds
Corn ear (husked) seventy pounds
Corn-meal fifty pounds
Cranberries thirty-two pounds
Cucumbers forty-eight pounds
Currants forty pounds
Flaxseed fifty-six pounds
Gooseberries forty pounds
Grapes forty-eight pounds
Hair (plastering) eight pounds
Hemp-seed forty-four pounds
Herd's grass forty-five pounds
Hickory-nuts fifty pounds
Hominy sixty pounds
Horseradish fifty pounds
Hungarian grass seed fifty pounds
Kaffir corn fifty-six pounds
Lentils sixty pounds
Lime eighty pounds
Linseed fifty-six pounds
Malt thirty-eight pounds
Millet fifty pounds
Oats thirty-two pounds
Onions fifty-seven pounds
Onion sets twenty-eight pounds
Orchard grass seed fourteen pounds
Parsnips fifty pounds
Peaches forty-eight pounds
Peaches dried (peeled) thirty-eight pounds
Peaches dried (unpeeled) thirty-three pounds
Peanuts twenty-two pounds
Pears fifty pounds
Peas green (unshelled) twenty-eight pounds
Peas dried sixty pounds
Plums sixty-four pounds
Potatoes sixty pounds
Potatoes sweet fifty-four pounds
Quinces forty-eight pounds
Rape-seed fifty pounds
Raspberries forty-eight pounds
Redtop grass seed fourteen pounds
Rice rough forty-five pounds
Rutabagas sixty pounds
Rye fifty-six pounds
Rye-meal fifty pounds
Salt (course) eighty-five pounds
Salt (ground) sixty-two pounds
Sand one hundred pounds
Shorts twenty pounds
Sorghum-seed fifty pounds
Spelt forty pounds
Spinach twelve pounds
Strawberries forty-eight pounds
Timothy-grass seed forty-five pounds
Tomatoes fifty-six pounds
Turnips fifty-six pounds
Walnuts (common) fifty pounds
Wheat sixty pounds

Provided That when any fruits or vegetables named in this section are sold in Pennsylvania standard containers which are the original packages and are filled in accordance with good commercial practices such fruits and vegetables shall be exempt from the provisions of the section

On the question,

Will the House agree to the section?

Mr. McCAIG. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 8, by striking out the word "as" and inserting in lieu thereof "was"

Amend section 1, page 2, line 5, by striking beginning with the words "read as follows" and ending page 5, line 11, with the word "section"

Amend section 1, page 5, line 20, by inserting after the word "apples" the following: "(forty-five)."

Amend section 1, page 5, line 22, by inserting after the word "barley" the following: "(forty-seven)."

Amend section 1, page 6, line 17, by inserting after the word "cranberries" the following: "(forty)."

Amend section 1, page 6, line 18, by inserting after the word "cucumbers" the following: "(fifty)."

Amend section 1, page 7, line 8, by inserting after the word "onions" the following: "(fifty)."

Amend section 1, page 7, line 17, by inserting after the word "(unshelled)" the following: "(fifty-six)."

Amend section 1, page 8, line 10, by inserting after the word "tomatoes" the following: "(sixty)."

Amend section 1, page 8, line 11, by inserting after the word "turnips" the following: "(sixty)."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as ffolows:

Section 2 That section eight of said act which reads as follows

"Section 8 Each person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper

county for first offense shall be fined not more than twenty-five dollars upon conviction for the second offense such person firm or corporation shall be fined not less than twenty-five dollars nor more than one hundred dollars and upon conviction for the third and each subsequent offense such person firm or corporation shall be fined not less than one hundred dollars nor more than two hundred and fifty dollars" is hereby amended to read as follows

Section 8 Each person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper county for first offense shall be fined not more than twenty-five dollars upon conviction for the second offense such person firm or corporation shall be fined not less than twenty-five dollars nor more than one hundred dollars and upon conviction for the third and each subsequent offense such person firm or corporation shall be fined not less than one hundred dollars nor more than two hundred and fifty dollars All fines collected under the provisions of this act shall be for the use of and shall be paid to the treasurer of the respective city or county in which the offense was committed

On the question,

Will the House agree to the section?

Mr. McCAIG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the clerk as follows:

Amend section 2, page 8, line 20, by striking out beginning with the word "which" and ending page 9, line 4, with the word "dollars."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section six, as amended, and section eight of the act approved the twenty-fourth day of July, one thousand nine hundred and thirteen, (P. L. 965), entitled "An Act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," changing the legal weight of certain commodities, and providing for the disposition of certain fines

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 820, as follows:

An Act authorizing the sale of real estate held by entireties by husband and wife when an order of support has been secured against the husband who has neglected to comply with the same or whose whereabouts is unknown or who has absented himself from this Commonwealth prescribing the procedure to be followed permitting husband and wife to testify providing for the disposition of the proceeds of such sale and granting a divorced woman the same rights under this act as a wife

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever a husband and wife shall hold real estate by entireties and the wife has heretofore secured or shall hereafter secure a sentence order or decree of court against the husband for the support of herself and a child or children of her said husband or either or any of them and a copy of such sentence order or decree has been certified to any court of common pleas of any county in this Commonwealth in which the real estate so held by entireties is situated the said order decree or judgment shall be entered in the said court of common pleas as a judgment therein with like force and effect as if the same had been recovered therein as a judgment of the latter court and it shall be lawful to issue execution on such judgment against such real estate so held by entireties and to sell the same in the manner provided by law for the sale of real estate on execution issued on a judgment but in any such writs of execution thereon the defendant therein shall not be entitled to the benfit of any exemption laws and said real estate may be sold without inquisition The sale of any such real estate under the provisions of this act shall convey to the purchaser or purchasers thereof a good and valid title to such real estate and shall vest in him or them the entire title of both the husband and wife in the same manner and to the same effect as if both husband and wife had joined in the conveyance of same

Section 2 The wife shall be entitled out of the proceeds of such sale to such sum of money as represents her share in such property based on the proportionate part of the original purchase money furnished by her for the purchase of such property She may petition the court of common pleas of the county where such real estate is situate either before or after the sale of such property by execution setting forth her claim and the said court shall fix a day to hear the same Service upon the defendant in such case shall be made personally or in the manner provided in the act of General Assembly approved the sixth day of April one thousand eight hundred and fifty-nine (Pamphlet Laws three hundred and eighty-seven) entitled "An act to authorize execution of process in certain cases in equity concerning property within the jurisdiction of the court and on defendants not resident or found therein" Service having been made as aforesaid the court shall upon hearing the claim make such decree as shall be proper In such hearing both husband and wife shall be competent witnesses If such hearing is held before the sale of the property on the judgment the court shall determine the proportionate part of the real estate that belongs to the wife

Section 3 The court of common pleas shall at the time of the hearing or thereafter appoint a trustee who shall receive from the sheriff the proceeds of the sale of such property after the costs have been paid Such trustee shall out of such funds pay to the aforesaid wife such amount of money as the court may have decreed to her as her share in the property sold or if such decree has been made prior to the sale then such proportionate part of the said proceeds as the court has found the wife to have contributed towards the purchase of the property and also such sums of money and interest thereon from the time the respective items making up the same became due and payable which are then due and payable by virtue of the order of support herein mentioned and the trustee shall also pay to her such further sums as she may be entitled to under any order of court for the support of herself or of the children of her said husband

Section 4 Should the wife become the purchaser at said execution sale she shall be entitled to a credit on the purchase price thereof for such sums as may have been found by the court to represent her share in such property and also for such sum or sums of money as may be due her from the defendant under the order of support upon which the execution was issued at the time of the said sale together with interest on said sums due her for support from the time the respective sums became due Such credit shall be allowed her by the sheriff or she may assign the several sums due her as aforesaid to the purchaser of said property whereupon credit shall be given the purchaser by the sheriff for the amount so assigned

Section 5 Upon and after the divorce of any women who is tenant by entireties of real estate with her former husband such divorced woman shall be entitled to all the rights and remedies provided in this act for the collection of any sums of money ordered and directed by any competent court of this Commonwealth to be paid to her for the support of the children of such former husband as fully as if she had not been divorced from such person Upon the sale of said real estate for the collection of any money due her under any order or decree of any court she

shall be entitled to receive therefrom such sum of money as represents her share of such property based on the proportionate part of the original purchase money furnished by her as decreed by the court under the provisions of section two herein together with such sums as may be due to her under and by virtue of an order or decree of support against the defendant

Section 6 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 46, entitled:

An Act to amend section two hundred and seventy-one of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and seventy-one of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" which reads as follows

"Section 271 The township treasurer shall receive for his duties as treasurer and tax collector for the township a sum equal to five per centum of all township taxes received or collected by him and in addition thereto a sum equal to one per centum on all other moneys received or collected by him for the township unless a different rate be fixed by ordinance of the township commissioners passed thirty days prior to his election" is hereby amended to read as follows

Section 271 The township treasurer shall receive for his duties as treasurer and tax collector for the township a sum equal to three per centum of all township taxes received or collected by him and in addition thereto a sum equal to one per centum on all other moneys received or collected by him for the township unless a different rate be fixed by ordinance of the township commissioners passed thirty days prior to his election

The compensation herein provided shall not be construed to change or decrease the compensation of any township treasurer in office at the date of the approval of this act

On the question,

Will the House agree to the section?

Mr. WONER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1, page 1, line 8 to page 2, line 5, by striking out the words beginning with "which" and ending page 2, line 5, with "election."

Amend Section 1, page 2, line 8, by inserting before the word "three" the following: "(five)."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section two hundred and seventy-one of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 849, as follows:

An Act to amend section one of an act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and ninety-two) entitled "An Act to provide Revenue by Taxation"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that section one of an act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and ninety-two) entitled "An Act to provide Revenue by taxation" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every Bank or Savings Institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the last day of February in each and every year make to the Auditor General a report in writing verified by the oath or affirmation of the president cashier or treasurer setting forth the full number of shares of the capital stock subscribed for or issued by such Bank or Savings Institution and the actual value thereof as of December 31st preceding which shall be ascertained as hereinafter provided whereupon it shall be the duty of the Auditor General to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares The Auditor General shall have the power and it shall be his duty in case he shall not be satisfied with the correctness of the report as made by the officers of any Bank or Savings Institution to summon the officers of said Bank or Savings Institution to appear before him upon notice to do so on a day to be fixed by him and to bring with them the books of said Bank or Savings Institution for his examination and he shall have the right to have further evidence to satisfy himself as to the correctness of the report made to him on the question of the value of the shares of stock of such Bank or Savings Institution according to the rule hereinbefore stated After the Auditor General shall have fixed the value of the shares of stock in any Bank or Savings Institution by the method hereinbefore provided and settled an account according to law he shall thereupon transmit to the president cashier or treasurer of such Bank or Savings Institution a copy of such settlement showing the valuation and assessment so made by him and the amount of tax due the Commonwealth on all such shares And it shall be the duty of the president cashier or treasurer of any such Bank or Savings Institution immediately upon the receipt of said settlement to post the same in a conspicuous place in such Bank or Savings Institutions so as to give notice to the shareholders of such valuation and it shall be the duty of the Auditor General to hear any shareholder upon the subject of the valuation of such shares of stock at the Auditor General's office within a period of thirty days from the date of said settlement It shall be the duty of every Bank or Savings Institution within a period of sixty days after the date of such settlement by the Auditor General at its option to pay the amount of said tax to the State Treasurer from its general fund or collect the same from its shareholders and pay over to the State Treasurer Provided That if any such Bank or Savings Institution shall fail or refuse to make such

report or to pay such tax at the time herein specified or shall make any false statement in such report or shall fail or refuse by its officers to appear before the Auditor General upon notice as aforesaid or shall fail or refuse to produce its books for examination when required to do so by the Auditor General he shall after having ascertained the actual value of each share of the capital stock of such Bank or Savings Institution from the best information he can obtain add thereto ten percentum as a penalty assess the tax as aforesaid and proceed according to law to collect the same from such Bank or Savings Institution Provided further That if the president cashier or treasurer of any such Bank or Savings Institution shall neglect or refuse to post the copy of the settlement in a conspicuous place in such Bank or Savings Institution immediately upon the receipt of the same so as to give notice to the shareholders such president or cashier or treasurer shall be adjudged to be in default and as a penalty for such default such Bank or Savings Institution shall be responsible to the Commonwealth for the amount of the tax assessed against the shareholders of such Bank or Savings Institution And provided further That in case any Bank or Savings Institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of four mills on the dollar upon the actual value of all the shares of stock of said Bank or Savings Institution according to the rule hereinbefore stated that have been subscribed for or issued and pay the same into the State Treasury as hereinbefore provided the shares and so much of the capital and profits of such Bank or Savings Institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such Bank or Savings Institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon and the shares of such Bank or Savings Institution and so much of the capital and profits of such Bank or Savings Institution as shall not be invested in real estate shall be exempted from local taxation under the laws of this Commonwealth

And said bill having been read at length the second time and agree to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 851, entitled:

An Act to amend an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven (Pamphlet Laws six hundred and forty) entitled "An Act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled "An Act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven (Pamphlet Laws six hundred and forty) entitled "An Act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An Act to provide for the incorporation and regulation of certain corporation" approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled "An Act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements for the insurance of owners of real estate mortgages and others interested in real estate from the loss by reason of defective titles liens and incumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An Act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies shall on or before the last day of February in each and every year make to the Auditor General a report in writing verified by the oath or affirmation of the president secretary or treasurer setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Auditor General to assess such shares for taxation at the rate of five mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits without making any deductions or allowances for any investments in the shares of stock of other corporations or investments of any other kind whatsoever and dividing this amount by the number of shares The Auditor General shall have the power and it shall be his duty in case he shall not be satisfied with the correctness of the report as made by the officers of any such company to summon the officers of said company to appear before him upon notice to do so on a day to be fixed by him and to bring with them the books of said company for his examination and he shall have the right to have further evidence to satisfy himself of the correctness of the report made to him on the question of the value of the shares of stock of such company according to the rule hereinbefore stated After the Auditor General shall have fixed the value of the shares of stock in any such company by the method hereinbefore provided and settled an account according to law he shall thereupon transmit to the president secretary or treasurer of such company a copy of such settlement showing the valuation and assessment so made by him and the amount of tax due the Commonwealth on all such shares And it shall be the duty of the president secretary or treasurer of any such company immediately upon the receipt of said settlement to post the same in a conspicuous place in such company's place of business so as to give notice to the shareholders of such valuation and it shall be

the duty of the Auditor General to hear any shareholder upon the subject of the valuation of such shares of stock at the Auditor General's office within a period of thirty days from the date of said settlement It shall be the duty of every such company within a period of sixty days after the date of such settlement by the Auditor General at its option to pay the amount of said tax to the State Treasurer from its general fund or collect the same from its shareholders and pay over to the State Treasurer Provided That if any such company shall fail or refuse to make such report or to pay such tax at the time hereinbefore specified or shall make any false statement in such report or shall fail or refuse by its officers to appear before the Auditor General upon notice as aforesaid or shall fail or refuse to produce its books for examination when required to do so by the Auditor General he shall after having ascertained the actual value of each share of the capital stock of such company from the best information he can obtain add thereto ten per centum as a penalty assess the tax as aforesaid and proceed according to law to collect the same from such company Provided further That if the president secretary or treasurer of any such company shall neglect or refuse to post a copy of the settlement in a conspicuous place in such company's place of business immediately upon the receipt of the same so as to give notice to the shareholders such president secretary or treasurer shall be adjudged to be in default and as a penalty for such default such company shall be responsible to the Commonwealth for the amount of the tax assessed against the shareholders of such company And provided further That in case any such company shall collect annually from the shareholders thereof or from the general fund of said company said tax of five mills on the dollar upon the value of all the shares of stock of said company the value of each share of stock to be ascertained and fixed as hereinbefore provided and pay said tax into the State Treasury as hereinbefore provided the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all taxation for county or other local purposes under the laws of this Commonwealth-

On the question,

Will the House agree to the section?

Mr. DAVID J. JONES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 4, line 17 by underscoring beginning with "without" and ending line 20 with the word "soever."

Amend Sec. 1, page 6, line 15 by underscoring the word "secretary."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven (Pamphlet Laws six hundred and forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1012, as follows:

An Act validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways and validating municipal liens therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever in any borough in this Commonwealth prior to the passage of this act a highway or part thereof has been improved by being paved graded or paved and curbed with brick or other paving and curbing material in the pursuance of authority of an act of Assembly and an ordinance passed and enacted in pursuance thereof and the costs and expenses or part thereof of the improvement assessed on the abutting property owners as provided by the ordinance and Act of Assembly authorizing and directing such improvement and a municipal claim or lien has been filed against the property therefor but owing to some defect in the ordinance assessment or for any other reason the ordinance or proceeding by the council authorizing and directing the improvement and making the assessment therefor or the proceeding in the filing of any municipal claim or lien therefor are for any reason defective or invalid or where by reason of the fact that the interest of the person or corporation named in the lien as owner or reputed owner is an estate in the mineral only whether as tenant or as owner thereof it might or could be contended that the land described in the lien is not bound thereby and especially in any case in which the borough solicitor has failed to file said lien in the prothonotary's office witnin the time provided by law such ordinance and proceedings authorizing the improvement and making the assessment therefore and any municipal claim or lien filed therefor are hereby validated and made binding for the amount justly and equitable due and payable on account of such grading paving and curbing Provided That this act shall not apply to any proceeding suit or lien wherein a final order or judgment of any court of record has already been made or entered

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 10, as follows:

An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings and imposing certain costs therein upon the Commonwealth of Pennsylvania and the various counties thereof

General Summary

Title 1—of proceedings to detect the commission of crimes and of fugitives from justice

Section 1 Writs of arrest et cetera

Section 2 Escapes into another county

Section 3 Arrest out of jurisdiction of justice granting warrant

Section 4 Warrant for arrest of fugitive from another state

Section 5 Proceedings and hearing on arrest of fugitive from another state
Section 6 Taking from state without requisition and hearing
Section 7 Violation of above sections by sheriff
Section 8 Arrest of fugitive on information of offense and warrant
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Section 10 Character and description of bail and how it is to be taken
Section 11 Power of magistrates to admit to bail
Section 12 Power of clerk of court in absence of judge
Section 13 Bail piece allowed all sureties and surrender of bail
Section 14 Power of court to empower district attorney to approve sureties
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Section 16 Duty of officer to issue certificate stating offense and bail demanded
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Section 19 Discharge and assessment of costs
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Section 21 Nolle prosequi
Section 22 Surety of the peace
Section 23 Justice to hold hearing in surety of the peace
Section 24 Discharge of defendant costs
Section 25 Duty of justice to suggest compromise
Section 26 Return of surety of the peace cases time of hearing
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Section 60 Indictment for perjury
Section 61 Indictment for murder and manslaughter
Section 62 Repugnancy
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Section 64 Defects variances and amendments thereof
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Section 66 Prosecutor's name to be endorsed on indictment
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Section 73 Jurisdiction when death occurs in one county and cause of death in another
Section 74 Jurisdiction of treason committed out of jurisdiction of Commonwealth
Section 75 Offenses near county line
Section 76 Offenses committed during journeys
Section 77 Escape of prisoners and convicts
Section 78 Change of venue for what cause granted
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Section 81 Disposition of defendant and witnesses upon
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Section 85 Persons indicted for treason to have copy of indictment and list of jurors and witnesses
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Section 100 Appeal to issue from prothonotary's office of proper district orders decrees judgments etc to be entered there
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Section 105 Costs on appeal by destitute defendant in murder case
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Section 110 If evidence sufficient rule to be made absolute
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Section 113 Payment of costs by prosecutor defendant or county in cases of misdemeanor
Section 114 Defendant's bill of costs where prosecutor is directed to pay costs or costs are divided
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Section 150 Imprisonment for one year or more either in Penitentiary county prison or workhouse
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Section 155 Prison boards to determine amount of commutation
Section 156 Discretion of Governor in commutation
Section 157 Provisions of act to be read to prisoners
Section 158 Governor to act upon paroles and commutations on recommendation only
Section 159 Suspension of sentence probation
Section 160 Payment of fines in installments
Section 161 Probation officers appointment and salary
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Section 181 Where defendant is found insane when called upon to plead
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Section 186 Limitation of prosecutions
Section 187 Short title
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Title I—Of Proceedings to Detect the Commission of Crimes and of Fugitives from Justice

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the judges of the supreme court of the courts of oyer and terminer and general jail delivery of the courts of quarter sessions of the peace or other courts of record having jurisdiction or any of them are empowered to direct their writs and precepts to the sheriffs and coroners of the several counties within this Commonwealth when need shall be to take persons indicted for any offense before them who may be found in another county and it shall be lawful for the said judges or any of them to issue subpoenas into any county of the Commonwealth for summoning any person to give evidence in any matter or cause before the court and to compel obedience to such writ precepts or subpoenas by attachment or otherwise and under such pains and penalties as other writs or subpoenas are by law granted and awarded and that it shall be lawful for said judges or any of them to direct such writ precept summons subpoena or attachment to be executed by the sheriff of the county in which the same is awarded which said writ precept summons or subpoena shall be the sufficient warrant of such sheriff for executing the same throughout this Commonwealth as fully and effectually as if directed to and executed by the sheriff of the proper county where issued Provided that the reasonable expenses of executing such process when issued on behalf of the Commonwealth shall be paid out of the funds of the county where issued and the expenses of removing any person charged with having committed any offense in one county into another county or of transporting any person charged with having committed any offense in this State from another state into this state for trial or for conveying any person after conviction to the place of imprisonment shall be paid out of the treasury of the county where the offense is charged to have been committed

Section 2 Where any person charged with having committed any crime in any county of this Commonwealth shall go or escape into any other county thereof it shall be lawful for the president or any judge of the court of common pleas or other court of record having jurisdiction in the county where the said person may be found to issue his warrant authorizing and requiring the sheriff of the said county to take the said person and conduct him to the proper county where the said crime is alleged to have been committed the expenses of which shall be paid to the said sheriff by the county to which the said person is conducted

Section 3 A warrant of arrest issued by any judge or alderman of any city or justice of the peace of any county for any offense there committed may be lawfully executed by the officer or person to whom it is directed or the person having the warrant for execution by taking the person named therein whether found in the county where the warrant issued or in any other county of the Commonwealth If the warrant is executed in a county other than that in which it was issued it shall be the duty of the officer or person executing the warrant to carry the de-

fendant before any alderman justice or justices in the city or county where the arrest was made and in case the offense for which the defendant was apprehended in bailable in law by an alderman or justice of the peace and the defendant is willing and ready to give bail for his appearance at the next session of general jail delivery or quarter sessions or other court of record having jurisdiction to be held in and for the county where the offense was committed such alderman justice or justices in the county where the arrest was made may take such bail for the appearance of the defendant in the same manner as the alderman or justice issuing the warrant might have done In the event that the alderman or justice of the peace takes cash bail as hereinafter provided it shall be his duty to furnish the defendant a statement thereof in the manner hereinafter provided and to forthwith transmit at the expense of the defendent the said cash bail by a money order of the Government of the United States certified check of a State or national bank or cashier's or treasurer's check thereof to the clerk of courts of the county in which the offense was committed who shall hold the same in the manner hereinafter provided for the holding of cash bail and subject to the same conditions The said alderman justice or justices so taking bail shall deliver or transmit any recognizance taken and other proceedings to the clerk of the court of general jail delivery or quarter sessions where the defendant is required to appear by virtue of such recognizance and such recognizance and other proceedings shall be as good and effectual in law as if the same had been entered into taken and acknowledged in the county where the offense was committed and the same proceedings may be had thereon and in case the defense for which the defendant shall be apprehended in such other county shall not be bailable in law by an alderman or justice of the peace or such offender shall not give bail for his appearance as hereinbefore provided then the officer or other person so apprehending such defendant shall convey him before the alderman or justice of the peace who issued the warrant there to be dealt with according to law Provided that the warrant so issued as aforesaid shall be stamped with the official seal of the officer issuing the same which seal shall contain his name and official title and the state and county of his residence

Section 4 It shall be the duty of the Governor of this Commonwealth in all cases where demand is made by the executive authority of another state or territory by requisition accompanied by a certified copy of an indictment or information charging the commission of a crime in such other state or territory for the arrest as a fugitive from justice of any citizen inhabitant or temporary resident of this Commonwealth to issue and transmit a warrant of arrest for such purpose to the sheriff or other officer authorized by law to execute warrants in the county in which the requisition describes the person to be residing or domiciled and the sheriff deputy sheriff or other officer aforesaid of the county alone shall have authority to exécute said warrant

Section 5 It shall be the duty of any person making an arrest by virtue of a warrant issued under the last preceding section of this act before delivering the person arrested to the officer named in the requisition as the agent of the demanding State to take the prisoner before a judge of a court of record in open court if the court be in session otherwise at chambers who shall inform the prisoner of the nature of the process under which he was arrested and the charge against him in the State where the alleged crime was committed and inform him that if he claims that he is not the person charged by the demanding State with the commission of the alleged crime he has a legal right to a writ of habeas corpus upon making affidavit that he is not the person named in the requisition Provided however that the prisoner may waive in writing his right to be taken before said court Any hearing and inquiry upon any writ of habeas corpus in said matter shall be limited to the question of identification only and shall not extend to the merits of the charge If after hearing on such writ the court shall find the prisoner to be the person named in the requisition it shall direct the sheriff or other officer to deliver the prisoner into the custody of the agent of the demanding State otherwise it shall direct his discharge from custody

Section 6 It shall be unlawful for any person or officer to take any person out of this Commonwealth upon the ground that the said person consents to go or by reason of his willingness to waive the proceedings above described and any person who shall arrest or procure the arrest of any person in this Commonwealth for the purpose of taking or sending him to another State without a requisition first had and obtained accompanied by an exemplified copy of the indictment or information and without a warrant issued by or under the direction of the Governor of this Commonwealth served by the sheriff or his deputy and without first taking him before a judge of a court of record as aforesaid shall be guilty of the offense defined in section one hundred and ninety-four of the Penal Code of one thousand nine hundred and twenty-three

Section 7 Any sheriff deputy sheriff or other officer violating any of the provisions of this act relating to the arrest detention or return of fugitives from justice except as otherwise herein provided shall be deemed guilty of a misdemeanor in office

Section 8 Nothing in this act shall be construed to prevent the sheriff of any county chief of police of any city or other person from causing the arrest as a fugitive from justice of any person upon information that such person committed a crime or misdemeanor in another state and that a warrant has there been issued for his arrest or that an indictment has been found there against him Provided That the officers of any town city or county or proper authorities of such other state or territory shall procure a requisition and have it presented to the Governor of this Commonwealth within thirty days after such arrest shall have been made and the prisoner upon being arrested or detained shall be brought before a court or judge in the manner and for the purpose provided in Section 5 of this Act and no person so arrested shall be committed or held to bail for a longer period than thirty days exclusive of the day of his arrest unless such requisition shall have been presented to the Governor of this Commonwealth within such period

Title II—of Bail and Hearing

Section 9 In all cases the person accused on oath or affirmation of any crime shall be admitted to bail in the form hereinafter provided by any judge justice mayor recorder or alderman where the offense charged has been committed except such persons as are precluded from being bailed by the Constitution of this Commonwealth Provided also That persons accused as aforesaid of murder or manslaughter shall be admitted to bail by the Supreme Court or one of the judges thereof or by the president or associate law judge of a Court of commonpleas and by no other authority Persons accused as aforesaid of arson rape robbery sodomy burglary kidnapping with intent to extort money or other property treason sedition blackmail abortion pandering entering a building of another with intent to commit a felony by the use of gunpowder nitroglycerine or other explosive or injuring or stopping or attempting to injure or stop or conspiring to injure or stop any moving railroad train with intent to commit any felony thereon shall be bailable by the Supreme Court the Court of Common Pleas or other court of record having jurisdiction or by one of the judges thereof or a mayor or recorder of a city and by no other authority

Section 10 Bail may be either one or more sufficient sureties to be taken before the court judge magistrate mayor or recorder in the last preceding section of this act named or it may be cash bail given in lieu of the sureties above named

In prosecutions where magistrates and justices of the peace have the right and authority to take bail for hearing or continued hearing before them the defendant may deposit with the committing magistrate in current funds of the government of the United States the amount of the bail of recognizance fixed and entered his own recognizance for his appearance at the time and place required In the event of the non-appearance of the defendant at the time and place required the said bail shall be deemed forfeited and shall be forthwith returned by the said magistrate to the clerk of courts of the County together with a statement in writing of the name of the defendant the name of the prosecutor and the crime charged whereupon the said sum shall be subject to the same disposition as the proceeds of any other forfeited recognizance

When a defendant shall be bound over to the Court of Oyer and Terminer or Quarter Sessions of the Peace or other court of record having jurisdiction and the charge is one in which the committing magistrate is permitted to take bail and the defendant desires to give cash bail the magistrate shall accept the same in the amount fixed by him upon the defendant entering into his recognizance for appearance at the time and place fixed and the magistrate shall give the defendant a written statement showing the amount of the said bail and the case in which it was given and he shall forthwith return the amount of the said bail to the clerks

of courts of the County together with a statement in writing of the name of the defendant the name of the prosecutor and the crime charged and in the event that the defendant fails to appear at the time and place required by his recognizance the amount of said cash bail shall be deemed forfeited and shall be subject to the same disposition as the proceeds of any other forfeited recognizance

Where the amount of the bail is fixed by a judge of a court of record or by the mayor or recorder of a city and the defendant desires to give cash bail he shall deposit the amount thereof as fixed by the proper authority with the clerk of courts of the County in which the proceeding lies who shall give him a receipt therefor and certify the fact of such deposit to the clerk of the proper court whereupon the defendant shall enter into his recognizance in the office of the Clerk of Courts for his appearance at the time and place fixed and the amount of said cash bail shall be deemed forfeited in the event of the failure of the defendant to appear at the time and place fixed and shall be subject to the same disposition as the proceeds of any other forfeited recognizance

In case there is no breach or forfeiture of the condition of the bail or recognizance and the proceeding is terminated then upon order of the court the clerk of courts shall pay to the defendant the amount of the bail deposited less a commission of one-half of one percentum of the amount of the bail which the said clerk of courts shall retain for the use of the County

Section 11 Any magistrate or justice of the peace shall have jurisdiction to release on bail any person committed for a hearing by any other magistrate or justice of the peace in the same county upon presentation to him of a properly signed certificate in the form set forth in Section 16 hereof stating the offense charged and the bail demanded signed by the magistrate or justice of the peace who issued the warrant or the officer who has the defendant in custody

Section 12 The clerks of the courts of quarter sessions and oyer and terminer of this Commonwealth shall have authority in all cases except in the case of a defendant charged with treason felonious homicide or voluntary manslaughter to take bail and recognizances and approve such bonds as may be required by law whenever the law judge or judges or associate judges if there be associate judges shall be absent from the county seat or shall be unable on account of sickness or other cause to attend to the duties of their office

Section 13 All sureties mainpernors and bail in criminal cases shall be entitled to have a bail piece duly certified by the proper officer or person before whom or in whose office the recognition of such surety mainpernors or bail shall be or remain and upon such bail piece by themselves or their agents to arrest and detain and surrender their principals with the like effect as in cases of bail in civil actions and such bail piece shall be sufficient warrant or authority for the proper sheriff or jailer to receive the said principal and have him forthcoming to answer the matter or matters alleged against him Provided That nothing herein contained shall prevent the person thus arrested and detained from giving new bail or sureties for his appearance who shall have the same right of surrender hereinbefore provided

Section 14 The several courts of oyer and terminer and quarter sessions of the peace or other court of record having jurisdiction are hereby empowered to authorize the district attorneys of the several counties to fix the amount of the bail required of defendants in all cases where the committing magistrates are without power to fix bail except cases of felonious homicide and to approve the sufficiency of the sureties on any bond or recognizance given to secure the appearance of a defendant in any of the said courts with the same effect as though the said court or one of the judges thereof acted thereon In all cases the justification of surety shall be sworn to or affirmed before the Clerk of Courts or his duly authorized deputy or clerk and the recognizance shall be filed in his office

Section 15 All bonds and recognizances given to secure the appearance of a defendant in any criminal case before a magistrate or before any court of criminal jurisdiction of this Commonwealth shall be judgment bonds and shall contain provisions authorizing and empowering the district attorney of the proper county to appear for the defendant and the surety or sureties in bond after any default in the condition thereof and without any declaration filed to confess judgment in favor of the Commonwealth of Pennsylvania and against the principal and sureties as of any term for the amount of the bond together with costs of suit waiver of inquisition and condemnation of any property that may be levied upon by virtue of any execution and waiving and releasing all errors in said proceedings together with stay of exemption from execution or extension of time of payment given by any act of assembly

Section 16 Upon the arrest of any person with or without a warrant upon any charge of crime against the laws of this Commonwealth in order to protect the right to bail and to facilitate the entry thereof it shall by the duty of the sheriff coroner constable or other officer making the arrest or having charge of the prisoner upon application made therefor by counsel or any citizen to issue without cost to the applicant a certificate stating the name or names of the prisoner or prisoners and the charge upon which the arrest was made and the amount of bail demanded if the bail has been fixed

Section 18 In all cases of prosecution for misdemeanor of assault or wilful and malicious bodily injury to another the committing magistrate before whom such case is instituted before he binds over any person so charged to the court of quarter sessions or other court of record having jurisdiction shall enter into a full hearing and investigation of the charge and shall bind the defendant over to the said court only when he is clearly satisfied from all the evidence that the prosecution is well founded but it shall be unnecessary to set forth the character of such hearing in the transcript of the record of the committing magistrate

Section 19 In all such cases when the evidence shows that the prosecution is not well founded the alderman justice of the peace or magistrate shall discharge the defendant and determine by whom the costs shall be paid In so determining he may order that the prosecutor pay all or any part thereof or he may put the costs on the county or if he orders the prosecutor to pay part thereof he may put the other part of the costs upon the county In default of payment of the costs so imposed the prosecutor so defaulting may be committed to the county jail one day for each dollar of such costs or until the costs are paid or until such person is discharged according to law and in such cases the costs shall be paid by the county

Title III—Settlement of cases nolle prosequi and surety of the peace

Section 20 In all cases where a person shall on the complaint of another be bound by recognizance to appear or shall for want of security be committed or shall be indicted for an assault for wilful and malicious bodily injury or disfigurment to another or other misdemeanor to the injury and damage of the party complaining and not charged to have been done with intent to commit a felony or not being an infamous crime and for which there shall also be a remedy by action if the party complaining shall appear before the magistrate who may have taken the recognizance or made the committment or before the court in which the indictment shall be and acknowledge to have received satisfaction for such injury and damage it shall be lawful for the magistrate in his discretion to discharge the recognizance which may have been taken for the appearance of the defendant or in case of committal to discharge the prisoner or for the court also where such proceeding has been returned to the court in their discretion to order a nolle prosequi to be entered on the indictment as the case may require upon payment of costs Provided That this section shall not extend to any misdemeanor committed by or on any officer or minister of justice

Section 21 No district attorney shall in any criminal case whatsoever enter a nolle prosequi either before or after bill found within the consent of the proper court in writing first had and obtained

Section 22 If any person shall threaten the person of another to wound kill or destroy him or to do him any harm in body or estate and the person threatened shall appear before a justice of the peace and attest on oath or affirmation that he believes that by such threatening he is in danger of being hurt in body or estate such person so threatening as aforesaid shall be bound over with one sufficient surety to appear forthwith before the Court of Quarter Sessions of the peace or other court of record having jurisdiction according to law and in the meantime to be of his good behavior and keep the peace toward all citizens of this Commonwealth If any person not being an officer on duty in the military or naval service of the State or of the United States shall go armed with a dirk dagger sword or pistol or other offensive or dangerous weapon without reasonable cause to fear an assault or other injury or violence

to his family person or property he may on complaint of any person having reasonable cause to fear a breach of the peace therefrom be required to find surety of the peace as aforesaid

Section 23 In all cases of surety of the peace the justice of the peace or magistrate before whom such case is instituted before he binds anyone over to Court of Quarter Sessions or other court of record having jurisdiction and in the meantime to keep the peace upon the oath of another as hereinbefore provided shall enter into a full hearing and investigation of the facts and shall bind over the defendant only when the evidence shows to the satisfaction of the justice or magistrate that the prosecutor's danger of being hurt in body or estate is actual and that the threats were made by the defendant maliciously and with intent to do actual harm

Section 24 In all cases in which the evidence does not show that the threats were maliciously made by the defendant and with intent to do harm and that the prosecutor is actually in danger of being hurt in body or estate it shall be the duty of the justice of the peace to discharge the defendant and to determine how and by whom the costs shall be paid and in determining the question of the payment of the costs he may find that the prosecutor pay them all that the defendant pay them all or that the prosecutor and defendant pay them in equal or unequal proportions and in default of payment may commit the person or persons adjudged to pay the costs to the county jail until they are paid or until such person is discharged according to law

Section 25 It shall be the duty of the justice or the peace or magistrate who has entertained a complaint in a surety of the peace case to afford an opportunity and to suggest to the parties the propriety of compromising their differences before entering into a hearing

Section 26 Where a magistrate alderman or justice of the peace hearing any surety of the peace or desertion case shall determine to return the same to the proper court such return if to the Court of Quarter Sessions of the peace or other court of record having jurisdiction shall be filed immediately with the clerk thereof and the judges of said court whenever the court is in session and it is convenient may dispose of the said complaint

Section 27 All recognizance for the appearance of defendants in surety of the peace cases shall be made forthwith and it shall be the duty of the justice of the peace to make his return to the Court of Quarter Sessions of the peace or other court of record having jurisdiction immediately by sending it to the clerk thereof and the recognizance shall be forfeited if the defendant does not appear upon notice to him and to his surety by mail of the time and place of hearing

TITLE IV—OF INDICTMENTS AND PLEADINGS

Section 28 The commencement of the indictment shall be in substantially the following form

In the court of oyer and terminer and general jail delivery (or quarter sessions of the peace or other court of record having jurisdiction) for the County of (name county) Pennsylvania of .....sessions 19....

The grand jury of the Commonwealth now inquiring in and for the County of (name county) do present

AB is charged with the following offense (offences)

The indictment need not contain no formal conclusion except the conclusion required by the Constitution of this Commonwealth

Section 29 Any defect error or omission in the caption or commencement of an indictment may be amended but if not amended is cured by a verdict

Section 30 It is unnecessary to allege that the grand jurors were impanelled sworn or charged or that they present the indictment upon their oath or affirmations

Section 31 Every indictment is valid and sufficient which charges the offense in one or more of the following ways

(1) By using the specific name given to the offense by the common law or by a statute or

(2) By stating so much of the definition of the offense either in terms or the common law or of the statute defining the offense or in terms of substantially the same meaning as is sufficient to give the accused notice of what offense is intended and which in either case contains such particulars of the offense as are reasonably necessary to identify the transaction The particulars of the offense shall be set out in ordinary language in which the use of technical terms shall not be necessary

Every indictment which charges an offense as herein provided shall be construed to allege that every condition required by law to constitute the offense charged was fulfilled in the particular case

The words and phrases used in an indictment to charge an offense shall be deemed to have been used in the sense attached to them by law under which the offense is punishable

Section 32 (a) Every objection to any indictment for any formal defect apparent on the face thereof shall be taken by demurrer or on motion to quash such indictment before the entry of plea and not thereafter

(b) An indictment substantially following the forms prescribed in this act is valid and sufficient notwithstanding any rule of law or practice heretofore existing No indictment which charges an offense under section thirty-one hereof shall be quashed nor shall a demurrer thereto be sustained on the ground that a more particular description of the nature and cause of the accusation is necessary for a defense upon the merits but the accused shall in such cases be entitled to a bill of particulars in accordance with the provisions of section thirty-five

Section 33 The section of the statute prohibiting the offense and prescribing the punishment may be referred to in an indictment and in determining the validity thereof under the rules herein set forth the reference to the section of the act shall be taken into account by the court

FORMS OF BODY OF INDICTMENT

Section 34 The following forms or forms conforming thereto as nearly as may be may be used in the cases to which they are applicable and in other cases forms to the like effect or conforming thereto as nearly as may be may be used the statement of the offense and particulars thereof being varied according to the circumstances in each case but any other forms authorized by this or any other law may also be used

1

Statement of Offense

Muder under section 172 of the Penal Code of 1923

Particulars of Offense

A B on the .....day of ..... 19..... murdered C D

2

Statement of Offense

Accessory after the fact to murder under section 172 and section 324 of the Penal Code of 1923

Particulars of Offense

E F well knowing that one A B did on the..... day of ..... 19..... murder C D did thereafter on the ..... day of ..... 19 ..... receive comfort harbor assist and maintain the said A B

3

Statement of Offense

Manslaughter under section 176 of the Penal Code of 1923

Particulars of Offense

A B on the ..... day of ..... 19..... unlawfully killed C D

4

Statement of Offense

Rape under section 188 of the Penal Code of 1923

Particulars of Offense

A B on the .....day of ..... 19..... had carnal knowledge of E F without her consent or (had carnal knowledge of E F an idiot) or (had carnal knowledge of E F a woman by impersonating her husband) or (A B on the ..... day of ..... 19..... being over the age of sixteen years had carnal knowledge of E F a woman child under the age of sixteen years)

5

Statement of Offense

Aggravated battery under section 178 of the Penal Code of 1923

Particulars of Offense

A B on the ..... day of ..... 19..... wilfully and maliciously maimed and did serious bodily injury or disfigurement to C D

Second Count

Statement of Offense

Assault and battery under section 179 of the Penal Code of 1923

Particulars of Offense

A B on the ..... day of ..... 19..... caused bodily injury or disfigurement to C D under such circumstances that if C D had died as a result thereof A B would be guilty of involuntary manslaughter

6

Statement of Offense

Abortion under section 181 of the Penal Code of 1923

Particulars of Offense

A B on the .....day of ..... 19.....unlawfully committed and attempted to commit an abortion upon C D

7

Statement of Offense

Abortion under section 182 of the Penal Code of 1923

Particulars of Offense

A B on the ..... day of ..... 19.... unlawfully administered to or advised or prescribed for C D a woman believed to be but not pregnant a certain drug poison or other substance and unlawfully advised or prescribed a certain other means the exact nature whereof is to the Grand Jury unknown to procure the miscarriage of C D with intent to procure such miscarriage

8

Statement of Offense

Misdemeanor under section 186 of the Penal Code of 1923

Particulars of Offense

A B on the .....day of ..... 19.... wilfully and without lawful excuse separated himself from C D his wife or (from E F his child under the age of sixteen) or wilfully and without lawful excuse refused or neglected to maintain his said wife (or his said child) such wife (or such child) being destitute or being dependent wholly or in part on her earnings for adequate support

9

Statement of Offense

Stealing contrary to section 197 of the Penal Code of 1923

Particulars of Offense

A B on the ..... day of ..... 19.... stole from C D ten yards of cloth of the value of more than ten dollars

10

Statement of Offense

Robbery under section 193 of the Penal Code of 1923

Particulars of Offense

A B on the ..... day of ..... 19.... robbed C D of a watch

11

Statement of Offense

Robbery being armed or with accomplice under section 194 of the Penal Code of 1923

Particulars of Offense

A B on the ..... day of ..... 19.... being armed with an offensive weapon or (being aided by X an accomplice actually present) robbed C D of a watch

12

Statement of Offense

Robbery with violence under section 194 of the Penal Code of 1923

Particulars of Offense

A B on the .....day of ..... 19.... robbed C D of a watch and in the commission of said robbery or immediately before or thereafter inflicted bodily harm on the said C D

13

Statement of Offense

Burglary under section 246 of the Penal Code of 1923

Particulars of Offense

A B on the ..... day of ..... 19.... in the night time entered the dwelling house of C D with intent to steal therein and did steal therein one watch the property of C D the said watch being of value of more than ten dollars

14

Statement of Offense

Entering building with intent to commit a felony by use of explosive under section 247 of the Penal Code of 1923

Particulars of Offense

A B on the ..... day of ..... 19.... entered the storeroom and other building of C D with intent to steal therein by the use of gunpowder dynamite nitro-glycerine or other explosive

15

Statement of Offense

Halting or injuring a train under Section 249 of the Penal Code of 1923

Particulars of Offense

A B on the ..... day of ..... 19.... injured or stopped or attempted to injure or stop a moving railroad train operated on the Baltimore & Ohio Railroad Company tracks with intent to steal thereon

16

Statement of Offense

Arson under section 251 of the Penal Code of 1923

Particulars of Offense

A B on the ..... day of ..... 19.... at night intentionally and unlawfully burned or set on fire the dwelling house of C D or (a building a parcel of the dwelling house of said C D or adjoining or appurtenant thereto or a certain other building to wit a stable of said C D by means whereof the dwelling house of the said C D wa burned)

17

Statement of Offense

Conspiracy to indict under section 12 of the Penal Code of 1923

Particulars of Offense

A B and C D conspired to charge or indict E F of or for the crime of stealing or procured or attempted to procure the arrest or indictment of the said E F for said offense they the said A B and C D not believing such person to be guitly thereof

18

Statement of Offense

Forgery under section 302 of the Penal Code of 1923

Particulars of Offense

A B on the ..... day of ..... 19.... with intent to defraud forged a certain will purporting to be the will of C D and uttered the said forged will knowing the same to be forged

19

Statement of Offense

Perjury under section 33 of the Penal Code of 1923

Particulars of Offense

A B on the ..... day of ..... 19..... being a witness in an action of trespass in the Court of Common Pleas of Philadelphia County in which one X was plaintiff and one Z was defendant knowingly falsely sworn that he saw one E F at the corner of Broad and Chestnut Streets in the City of Philadelphia on the .....day of.....19..

Section 35 (a) Where a more particular description of the nature and cause of the accusation than that contained in the indictment is necessary for the defense of the accused upon the merits of the case the court shall order the district attorney at the request of the accused to file a bill of particulars as may be necessary to give the accused such additional information as the nature and cause of the accusation against him

(b) When information not set out in the indictment or in any previous bill of particulars or not given to the accused in the course of the proceedings against him is desirable for the defense of the accused upon the merits of the case the district attorney may of his own motion or on re-

quest of the accused and shall upon being ordered by the court which may so order of its own motion or on motion of the accused file a bill of particulars of such matters In determining whether further information and if so what information is desirable for the defense of the accused upon the merits of the case the court shall consider the whole record of the case and the entire course of the proceedings against the accused

(c) Any application by the accused for a bill of particulars shall be made at a reasonable time before trial to be fixed by rule of court

(d) Supplemental bills of particulars may be filed under conditions above stated

(e) Each bill of particulars furnished shall amend the indictment and each and every previous bill in all matters alleged therein in order to identify the transaction in which an inconsistency repugnancy or more detailed allegation appears

(f) When any bill of particulars as aforesaid is delivered to the court it shall be filed with the indictment and a copy thereof given to the accused upon his request

(g) When any bill of particulars as aforesaid is delivered the trial shall proceed in all respects as if the indictment had been amended in confomity with such bill of particulars

Section 36 If the statement of the particulars in any bill of particulars furnished under the provisions hereof is inconsistent with the commission of the offense charged in the indictment or shows on its face that an indictment for such offense is barred by the Statute of Limitations the court may quash the indictment unless the prosecuting officer shall file another bill of particulars which so states the transaction as to show that the transaction constitutes the offense charged in the indicment and that it is not barred by the Statute of Limitations

Section 37 In any indictment or bill of particulars it is sufficient for the purpose of identifying the accused to state his true name to state the name appellation or nickname by which he has been or is known to state a fictitous name or to describe him as a person whose name is unknown or to describe him in any other manner In stating the two names or the name by which the accused has been or is known or a fictitious name it is sufficient to state a surname a surname and one or more Christian name or names or a surname and one or more abbreviations or initials of a Christian name or names

If the accused be a corporation it is sufficient to state the true corporate name or any name or designation by which it has been or is known This is a sufficient averment that the corporation is a corporation and that it was duly incorporated according to law

If the court before which the prisoner is arraigned or called upon to plead is satisfied by affidavit and hearing thereof or by other means that the person arraigned or called upon to plead is not the person intended to be indicted it shall discharge such person from custody under such indictment

If in the course of the proceeding the true name of a person indicted otherwise than by his true name is disclosed by the accused or by the evidence the court shall upon motion of the accused or of the prosecuting officer and may without such motion insert the true name of the accused wherever his name appears otherwise in the indictment and record and the proceedings shall be continued against him in his true name

No indictment or bill of particulars need state the addition degree estate mystery occupation title or residence of the accused

In no case is it necessary to aver or prove that the true name of the accused is unknown to the grand jury

Section 38 The time of the commission of the crime may be alleged either as a day certain or on or about a given day and either of said allegations shall uness otherwise stated be considered as an allegation that the act was committed before the finding of the indictment after it became a crime and within the period of limitations and the Commonwealth shall be permitted to prove that the act was done on any day after it became a crime before the finding of the indictment and within the Statute of Limitations If the offense is a continuing offense it may be alleged that the crime was committed or that certain acts were done within a certain period of time and this shall be sufficient allegation that the crime alleged was committed or that the acts alleged were done on divers days and times within that period

Section 39 The place of the commission of the offense need not be alleged unless it is an essential element thereof The allegation of the indictment that the accused committed the offense shall in all cases be considered an allegation that the offense was committed within the territorial jurisdiction of the court All allegations of the indictment and bill of particulars shall unless properly stated otherwise be considered to refer to the same place

Section 40 The means by which an offense was committed need not be alleged in the indictment unless an essential element of the crime

Section 41 The value or price of property need not be stated unless an essential element of the offense If the nature degree punishment or legal indictments of an offense depend upon the fact that the property exceeds or does not exceed a certain value or price it may be described as the case may be of more than that value or not more than that value The facts which give the property such value need not be alleged

Section 42 If an indictment for a crime involving the commission or attempted commission of an injury to property describes the property with sufficient certainty in the other respects to identify the act it need not allege the name of the owner

In all cases in which an allegation of ownership of any property in an indictment or bill or particulars is supported by proof of a right of possession of such property any statement in the indictment or bill of particulars which implies possession of such property by such person is a sufficient allegation of ownership

Section 43 If an intent to injure or defraud is an essential element of the crime an intent to injure or defraud may be alleged generally without naming the person corporation government or subdivision thereof intended to be injured or defraud Proof of an intent to injure or defraud any person or body corporate shall be competent to support the allegation

Section 44 The indictment need not allege that the offense was committed or the act done "feloniously" or "traitorously" or "unlawfully" or "with force and arms" or "with a strong hand" nor need it use any phrase of like kind otherwise to character the offense no need it allege that the offense was committed or the act done "wilfully" "knowingly" "maliciously" "negligently" nor need it otherwise characterize the manner of the commission of the offense unless such description is an essential element of the crime charged

The indictment need not contain the words "as appears by the record" or any other words of similar import

The indictment need not allege any matters not required to be proved

Section 45 In an indictment in which it is necessary for the purpose of charging the offense under the provisions hereof to describe any person place or thing it is sufficient to describe such person place or thing by any term which in common understanding embrace such person place or thing and in common understanding does not include persons places or things which are not by law the subject of or connected with the offense

Section 46 In any indictment it is sufficient for the purpose of identifying any person other than the accused to state his true name to state the name appellation or nickname by which he has been or is known to state a fictitious name to state the name of an office or position held by him to describe him in any manner or to describe him as "a certain person" or by words of similar import In stating the true name of such person or the name by whch such person has been or is known it is sufficient to state a surname or a surname and one or more Christian name or names or a surname and one or more abbreviations or initials of a Christian name or names

It is sufficient for the purpose of identifying any group or association of persons not incorporated to state the proper name of such group or association (if such there be) to state any name or designation by which the group or association has been known to state the names of all the persons in such group or association or of one or more of them or to state the name or names of one or more persons in such group or association referring to the other or others as "another" or "others"

It is sufficient for the purpose of identifying a corporation to state the corporate name of such corporation or any name or designation by which such corporation has been or is known

It is not necessary for the purpose of identifying any group or association of persons or any corporation to state the legal form of such group or association of persons or of such corporation

In no case is it necessary to aver or prove that the true name of any person group or association of persons or corporations is unknown to the grand jury

If in the course of the trial the true name of any person group or association of persons or corporation identified otherwise than by the true name is disclosed by the evidence the court shall on motion of the accused and may without such motion insert the true name in the indictment or bill of particulars wherever the name appears otherwise

Section 47 In an indictment for stealing robbery obtaining signature to a written instrument by false pretenses receiving stolen property or for any other criminal conversion or misappropriation of property where the offense relates to currency treasury notes certificates banknotes and other securities intended to circulate as money and promissory notes checks dratts bills of exchange postal orders and all other negotiable securities for debt or evidence of debt or any of them it is sufficient to describe the same or any of them as money without specifying the particular character number denomination kind species or nature thereof

Section 48 In an indictment or bill of particulars for stealing robbery obtaining signature to a written instrument by false pretense receiving stolen property or for any other criminal conversion or misappropriation of property where the offense relates to certificates of stock stocks bonds bills of lading mortgages and all other non-negotiable securities for debt or evidence of debt or property or any of them it is sufficient to describe the same or any of them as funds without specifying the particular character number denomination kind species or nature thereof

Section 49 Whenever in an indictment an allegation relative to any instrument which consists wholly or in part of writing or figures pictures or designs is necessary it is sufficient to describe such instrument by any name or description by which it is usually known or by its purport without setting forth a copy or fac-simile of the whole or any part thereof

Section 50 Whenever in an indictment an averment relating to any spoken or written word or to any picture is necessary it is sufficient to set forth such spoken or written words by their general purport or to such picture generally without setting forth a copy or fac-simile of such written words or such picture

Section 51 The words and phrases used in an indictment or bill of particulars are to be construed according to their acceptation except words and phrases which have been defined by law or which have acquired a legal signification which words and phrases are to be construed according to their legal signification and shall be sufficient to convey such meaning

Section 52 Whenever it is necessary to allege a prior conviction of the accused in an indictment it is sufficient to allege that the accused was at a certain stated time in a certain state court convicted of a certain offense giving the name of the offense if it have one or stating substantial elements thereof

Section 53 In pleading a private statute or a right derived therefrom it is sufficient to refer to the statute by its title and the day of its passage or in any other manner which identifies the statute and the court must thereupon take judicial notice thereof

Section 54 In pleading a judgment or other determination of or a proceeding before any court or officer civil or military it is unnecessary to allege the facts conferring jurisdiction on such court or officer but it is sufficient to allege generally that such judgment or determination was duly given or made or such proceedings had

Section 55 No indictment for any offense created or defined by statute shall be deemed objectionable for the reason that it fails to negative any exception excuse or proviso contained in the statute creating or defining the offense

The fact that the charge is made shall be considered as an allegation that no legal excuse for the doing of the act exists in the particular case

Section 56 In an indictment or bill of particulars for an offense which is constituted of one or more of several acts or which may be committed by one or more of several means or with one or more of several intentions or in one or more of different capacities or which may produce one or more of several results two or more of such acts means intentions capacities or results may be charged in the alternative

Section 57 No indictment or bill of particulars is invalid or insufficient for the reason merely that it alleges indirectly and by inference instead of directly any matters facts and circumstances connected with or constituting the offense provided that the nature and cause of the accusation can be understood by a person of common understanding

Section 58 The term stealing when used in an indictment shall have the following signification The criminal taking obtaining or converting of personal property including larceny and the act of anyone who having in his possession custody or control any property of another shall with intent to deprive the owner thereof fraudently convert or secrete such property In an indictment for stealing it is sufficient to allege that the accused stole the property which is the subject of the offense and such indictment shall be supported by proof that the accused committed larceny of said property or that having it in his posession custody or control with intent to deprive the owner thereof he fraudently converted or secreted such property or in any other manner criminally obtained or converted it

Section 59 An indictment for libel need not set forth any extrinsic facts for the purpose of showing the application to the party libelled of the defamatory matter on which the indictment is founded but it is sufficient to state generally that the same was published concerning him

Section 60 An indictment for perjury or for subornation of solicitation conspiracy or attempt to commit perjury is sufficient which charges the offense for which the accused is prosecuted the nature of the controversy in respect of which the offense was committed and before what court or officer the oath was taken or was to have been taken without setting forth any part of the records or proceedings with which the oath was connected and without stating the commission or authority of the court or other authority before whom the perjury was committed or was to have been committed or the form of the oath or affirmation or the manner of administering the same and it shall be sufficient to aver that the defendant knowingly swore falsely as to the matter alleged without setting forth wherein the testimony was false

Section 61 In an indictment for murder it is sufficient to charge that the accused murdered the deceased and in an indictment for manslaughter it is sufficient to charge that the accused killed the deceased

Section 62 No indictment is invalid by reason of any repugnant allegation therein provided that the indictment is sufficient under Section 31 hereof

Section 63 Any allegation herein stated to be unnecessary may if contained in any indictment be rejected as surplusage

Section 64 No indictment is invalid because of any defect or imperfection in or omission of any matter of form only nor because of any miswriting misspelling or false or improper English nor because of the use of foreign words or signs symbols or abbreviations nor because of any other defect imperfection or omission in the manner of charging the offense or describing the transaction provided that the indictment is sufficient under Section 31 hereof

A defendant shall not be acquitted on the ground of variance between the allegations and proof if the essential elements of the crime are correctly stated unless he is thereby prejudiced in his defense He shall not be acquitted by reason of any immaterial misnomer of a person named in the indictment any immaterial mistake in the description of property or in the ownership thereof failure to prove unnecessary allegations in the commission of the crime or any other immaterial mistake in the indictment

The court may at any time amend the indictment or bill of particulars in respect to any such defect imperfection or omission as above stated and may at any time amend the indictment or bill of particulars as to any such variance as above stated to conform to the evidence

If the court is of the opinion that the accused has been actually misled and prejudiced in his defense upon the merits by any such defect imperfection or omission or by any such variance the court may of its own motion unless the accused objects or on motion of the accused postpone the trial to be had before the same or another jury upon such terms as the court sees fit In determining whether the accused has been misled and prejudiced in his defense upon the merits the court shall consider all the circumstances of the case and the entire course of the prosecution

No motion made after verdict nor writ of error nor appeal based upon any such defect imperfection or omission or

based upon such any such variance shall be substained unless it be affirmatively shown that the accused was in fact prejudicted in his defense upon the merits and a failure of justice has resulted

Section 65 Charges for any offenses whether felonies or misdemeanors may be joined in the same indictment if those charges are founded on the same facts or form or are a part of a series of offenses of the same or a similar character

No indictment shall be quashed set aside or dismissed nor shall any demurrer thereto be sustained for any one or more of the following defects merely (First) That there is a misjoinder of the parties accused (Second) That there is a misjoinder of the offenses chargea in the indictment or duplicity therein (Third) That any uncertainty or multiplicity therein

If the court be of the opinion that the first and second defects or either of them exists in any indictment it may sever such indictment into seperate indictments or into seperate counts as shall be proper

If the court be of the opinion that the third defect exists in any indictment it may order that a bill of particulars be filed in accordance with Section 35

No motion made after verdict nor writ of error nor appeal based on the defects enumerated in this section shall be granted or sustained unless it be affirmatively shown that the accused was in fact prejudiced in his defense upon the merits and a failure of justice has resulted

Section 66 No person shall be required to answer to any indictment for any offense whatsoever unless the prosecutor's name if any there be is endorsed thereon and if no person shall avow himself the prosecutor the court may hear witnesses and determine whether there is such a private prosecutor and if they shall be of opinion that there is such a prosecutor then direct his name to be endorsed on such indictment

Section 67 The names of all witnesses who are called and testify before the grand jury in support of any bill of indictment shall be endorsed on the bill but the failure to endorse the name of any witness shall not render an indictment defective but the court may require the Commonwealth in the manner set forth in Section 35 to furnish the defendant the name or names of any witnesses who were called and testified and whose names are not set forth on the bill

Section 67a In all cases except murder the defendant shall not be arraigned but shall be required to plead orally or by writing endorsed on the indictment In the trial of an indictment charging murder the defendant shall be arraigned in accordance with the method at present in use under existing law

Section 67b If the prisoner shall upon arraignment or when called upon to plead stand mute or not answer directly or shall peremptorily challenge above the number of persons summoned as jurors for his trial to which he is by law entitled the plea of not guilty shall be entered for him on the record the supernumerary challenges shall be disregarded and the trial shall proceed in the same manner as if he had pleaded not guilty and for his trial had put himself upon the country

Section 67c If any plea of autrefois acquit or autrefois convict it shall be sufficient for any defendant to state that he has been lawfully convicted or acquitted as the case may be of the offense charged in the indictment

Section 67d Whenever hereafter any person charged with the commission of any crime is willing to enter a plea of guilty and shall notify the district attorney to that effect no bill of indictment charging such offense shall be sent to a grand jury but the district attorney shall at once prepare a bill of indictment in the usual form and the plea of guilty shall at the request of the said defendant or defendant's counsel be entered thereon and the court of the proper county at any session thereof shall thereupon forthwith impose sentence for the offense set forth therein provided however That nothing herein shall be construed to relate to or change the proceedings in homicide cases in this Commonwealth and provided further That the defendant may withdraw his plea of guilty at any time before sentence by leave of the court

Section 68 The accused and the prosecuting officer are entitled upon motion made by either after verdict and before sentence or discharge to have the indictment amended so as to state the facts and circumstances of the offense and the names or descriptions of persons places and things connected therewith and the time and place of the commission of the offense as proved by the evidence in such a manner that the indictment shall without evidence aliunde be such evidence of the prosecution as to bar a subsequent prosecution for the same offense

Section 69 Nothing in this title shall affect the law or practice relating to the jurisdiction of the court or the place where an accused person can be tried nor prejudice or diminish in any respect the obligation to establish by evidence according to law any facts ommissions or intentions which are legally necessary to constitute the offense with which the person accused is charged nor otherwise affect the laws of evidence in criminal cases

TITLE V GRAND JURY COURTS JURISDICTION VENUE AND CHANGE OF VENUE

Section 70 The foreman of the grand jury or any member thereof is hereby authorized and empowered to administer the requisite oaths or affirmations to any witness summoned or appearing before the grand jury for the purpose of testifying on any indictment pending before the grand jury or during the course of any investigation or hearing there lawfully pending

Section 71 The courts of oyer and terminer and general jail delivery shall have power

(1) To inquire by oaths and affirmations of good and lawful men of the county of all crimes committed or triable in such county

(2) To hear determine and punish the same and to deliver the jails of such county of all prisoners therein according to law

(3) To try indictments found in the quarter sessions and certified according to law

(4) The said court shall have exclusive jurisdiction and power to try and punish all persons charged with any of the crimes herein enumerated which shall be committed within the respective county to-wit

1 All persons charged with any murder or manslaughter

2 All persons charged with treason against the Commonwealth or sedition

3 All persons charged with sodomy rape or robbery

4 All persons charged with arson or with the crime of intentionally and unlawfully burning or setting on fire any dwelling house of another or building a parcel thereof or adjoining or appurtenant thereto or any other building by means whereof a dwelling house is burned

5 All persons charged with burglary

6 All persons charged with entering any builidng of another with intent to commit a felony therein by the use of gunpowder dynamite nitro-glycerine or other explosive

7 Every person who shall be charged with having endeavored to conceal the birth of any child by any disposition of the dead body of such child whether the child died during or after its birth

8 All persons charged with the offense of pandering as defined by Section 75 of the Penal Code of 1923

9 All persons charged with the offense of abortion

10 All persons charged with injuring or stopping or attempting to injure or stop or entering into a conspiracy to injure or stop any moving railroad train with the intent to commit any felony thereon

11 All persons charged with blackmail as defined by section 198 of the Penal Code of 1923

12 All persons charged with the second or any subsequent offense the maximum punishment whereof exceeds the term fifteen years

13 All persons charged with kidnapping with intent to extort any money or other property

14 All principals in the second degree and accessories to any of the above-mentioned crimes

Nothing herein contained shall alter affect or impair the jurisdiction of the Municipal Court of the county of Philadelphia

Section 72 The courts of quarter sessions of the peace shall have jurisdiction and power within the respective counties

1 To inquire by the oaths or affirmations of good and lawful men of the county of all crimes misdemeanors and offense whatsoever against the laws of this Commonwealth which shall be triable in the respective county

2 To inquire of hear determine and punish in due form of law all such crimes and misdemeanors and offenses whereof exclusive jurisdiction is not given as aforesaid to the courts of oyer and terminer of such county

3 To take in the name of the Commonwealth all manner of recognizances and obligations heretofore taken and allow-

ed to be taken by any justice of the peace and they shall certify such as shall be taken in relation to any crime triable therein to the next court of oyer and terminer having power to take cognizance thereof

4 To continue or discharge the recognizances and obligations of persons bound to keep the peace or to be of good behavior taken as aforesaid or certified into such court by any justice of the peace of such county and to inquire of hear and determine in the manner herein provided all complaints which shall be found thereon

5 The courts of quarter sessions shall also have jurisdiction in cases of fines penalties or punishments imposed by any act of assembly for offenses misdemeanors or delinquences except where it shall be otherwise expressly provided and enacted

6 The said courts shall also have and exercise such other jurisdiction and powers not herein enumerated as may have been heretofore given to them by law

Whenever any indictment shall be found in any court of quarter sessions for any crime or offense not triable therein it shall be the duty of said court to certify the same into the court of oyer and terminer next to be holden in such county there to be heard and determined in due course of law

The judges of the county courts of oyer and terminer and quarter sessions and every of them shall have power to direct their writs or precepts to all or any of the sheriffs or other officers of any of the counties cities boroughs or towns corporate of this Commonwealth to arrest and bring before them persons indicted for felonies and other offenses and amenable to the respective court each of said courts shall have power to award process to levy and recover such fines forfeitures and amercements as shall be imposed taxed or adjudged by them respectively each of the said courts shall have full power and authority to establish such rules for regulating the practice thereof respectively and for expediting the detemination of suits causes and proceedings therein as in their discretion they shall judge necessary or proper Provided That such rules shall not be inconsistent with the constitution and laws of this Commonwealth each of the said courts is empowered to issue writs of subpoena under their official seal into any county of this Commonwealth to summon and bring before the respective court any person to give tetimony in any cause or matter depending before them under the penalties hitherto appointed and allowed in any such case by the laws of this Commonwealth

Nothing herein contained shall alter affect or impair the jurisdiction of the Municipal Court of the county of Philadelphia

Section 73 (a) If a mortal wound is given or if other violence or injury is inflicted or if poison is administered in one county by means whereof death ensues in another county the homicide may prosecuted and punished in either county

(b) If a mortal wound is given or if other violence or injury is inflicted or if poison is administered on the high seas or without the Commonwealth by means whereof death ensues in any county thereof the homicide may be prosecuted and punished in the county where death occurs

(c) If a mortal wound is given or if other violence or injury is inflicted in any county of the Commonwealth by means whereof death ensues without the Commonwealth the homicide may be prosecuted and punished in the county where the act was committed

Section 74 The trial of all treason against the Commonwealth committed out of the jurisdiction of the state shall be in the county where the offender is apprehended or into which he shall first be brought

Section 75 In order to obviate the difficulty of proof as to all offenses committed near the boundaries of counties in any indictment for an offense committed on the boundary or boundaries of two or more counties or within the distance of five hundred yards of any such boundary or boundaries it shall be sufficient to allege that such offense was committed in any of the said counties and every such offense may be inquired of tried determined and punished in the county within which the same shall be so alleged to have been committed in the same manner as if it had been actually committed therein

Section 76 That in order to obviate the difficulty of proof as to offenses committed during journeys from place to place in any indictment for any offense committed on any person or any property upon any stage coach stage wagon railway car automobile or other such carriage whatever employed in any journey it shall be sufficient to allege that such offense was committed within any county or place through any part whereof such coach wagon cart car automobile or other carriage shall have passed in the course of the journey during which such offense shall have been committed and in all cases where the center or other part of any highway shall constitute the boundaries of any two counties it shall be sufficient to allege that the offense was committed in either of the said counties through or adjoining to or by the boundaries of any part whereof such coach wagon cart car automobile or other carriage shall have passed in the course of the journey during which such offense shall have been committed and in any indictment for any offense committed on any person or on any property on board any vessel whatsoever employed in any voyage or journey on any navigable river canal or inland navigation it shall be sufficient to allege that such offense was committed in any county or place through any part whereof such vessel shall have passed in the course of the voyage or journey during which such offense shall have been committed and in all cases where the side or bank of any navigable river or creek canal or inland navigation or the center or other part thereof shall constitute the boundary of any two counties it shall be sufficient to allege that such offense was committed in either of the said counties through or adjoining to or by the boundary of any part whereof such vessel shall have passed in the course of the voyage or journey during which such offense shall have been committed and every such offense committed in any of the cases aforesaid shall and may be inquired of tried determined and punished in the county or place within which the same shall be so alleged to have been committed in the same manner as if it had actually been committed therein

Section 77 Hereafter any and all persons or convicts escaping or attempting to escape from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania or from the lands jurisdiction and control of the officers of said penal institutions shall be tried in the counties where said escapes shall have been committed

Section 78 In criminal prosecutions the venue may be changed on application of the defendant or defendants in the following cases

First When the judge who by law is required to try the same is a near relative of the prosecutor or of the defendant or of the person injured or has acknowledge of facts which make it necessary that he should be a witness in the case

Second When upon the application of a defendant in a felony it is made to appear to the satisfaction of the court that from undue excitement against the prisoner in the county where the offense was committed a fair trial cannot be had or that there exists in that county so great a prejudice against him that he cannot obtain a fair trial or that there is a combination against him instigated by influential persons by reason of which he cannot obtain a fair trial

Third When upon the trial of any criminal case an unsuccessful effort has been made to procure and impanel a jury for the trial of the defendant and it shall be made to appear to the court by the written affidavit of some credibile witness that a fair trial cannot be had

Fourth When upon the second trial of any felonious homicide the evidence on the former trial thereof shall have been published within the county in which the same is being tried and the regular panel of jurors shall be exhausted without obtaining a jury

Section 79 All applications for change of venue shall be made to the court in which the indictment shall be pending in such manner as the said court shall direct and before the jury shall be sworn therein and if the said court shall be satisfied of the propriety of such change of venue and that the causes assigned therefor are true and are within the provisions of the law it shall be ordered that the venue thereof shall be changed to some adjoining or convenient county where the causes alleged for a change do not exist

Section 80 When an order for a change of venue shall be made the clerk of the court shall make out a full and complete transcript of the record and proceedings in said cause and transmit the same together with the indictment and all the other papers on file to the clerk of the court to which the venue is changed which transcript shall be entered on the minutes of said court and the trial of said case shall be conducted in the court to which it shall be removed in all respects as if the indictment had been found in the county to which the venue is changed and the costs accruing from a

change of venue shall be paid by the county in which the offensive was committed

Section 81 Where the court has ordered a change of venue it shall require the accused if the offense is bailable to furnish bail to be approved by the court or judge in such sum as the court may direct conditioned for his appearance in the court to which the venue is changed at the first day of the next term thereof and to abide the order of such court and in default of such bail or if the offense is not bailable a warrant shall be issued direct to the sheriff commanding him to convey safely the prisoner to the jail of the county where he is to be tried there to be kept safely by the jailor thereof until discharged by due course of law and the court shall bind the witnesses on the part of the Commonwealth to appear before the court in which the prisoner is to be tried

Section 82 If any person shall become an accessory before the fact to any felony whether the same be a felony at common law or by virtue of any act of assembly now in force or hereafter to be in force such person may be indicted tried convicted and punished in all respects is if he were a principal felon

Section 83 If any person shall become an accessory after the fact to any felony whether the same be a felony at common law or by virtue of any act of assembly now in force or that may be hereafter in force he may be indicted and convicted as an accessory after the fact to the principal felony together with the principal felon or after the conviction of the principal felon or may be indicted and convicted of a substantive felony whether the principal felon shall or shall not have been previously convicted or shall not be amenable to justice and may thereupon be punished in like manner as any accessory after the fact to the same felony if convicted as an accessory may be punished and the offense of such person howsoever indicted may be inquired of tried determined and punished by any court which shall have jurisdiction to try the principal felon in the same manner as if the act by reason of which such person shall have become accessory had been committed at the same place as the principal felony Provided always That no person who shall be once duly tried for any such offense whether as an accessory after the fact or as for a sustantive felony shall be liable to be again indicted or tried for the same offense

TITLE VI—OF THE TRIAL

Section 84 No person who shall be bound by recognizance or bail to appear and abide by the judgment of the court shall be placed within the prisoner's bar to plead to an indictment or be confined therein during his trial and all persons shall have an opportunity of full and free communication with their counsel

Section 85 Every person indicted for treason shall have a copy of the indictment and a list of the jury and the witnesses to be produced on the trial for proving such indictment mentioning the names and places of abode of such jurors and witnesses delivered to him three whole days before the trial

Section 86 No right to stand aside jurors shall exist in any criminal case in this Commonwealth

The Commonwealth and the defendent shall have the right to challenge for cause as many jurors as either can show legal cause therefor

In addition to the challenges for cause the Commonwealth and the defendent shall each be entitled to peremptory challenges as follows

In all trials for misdemeanors six challenges

In all trials for felonies except those trials exclusively in the courts of oyer and terminer and general jail delivery eight challenges

In all trials for felonies triable exclusively in the courts of oyer and terminer and general jail delivery twenty challenges

Section 87 All challenges shall be conducted as follows The Commonwealth shall challenge one person and then the defendent shall challenge one person and so alternately until all the challenges shall be made but in all cases other than those triable exclusively in the courts of oyer and jail delivery the court in which a case is called for trial may by general rule fix a different manner for exercising peremptory challenges in empanelling a jury

Section 88 When a challenge for cause assigned shall be made in any criminal proceeding the truth of such cause shall be inquired of and determined by the court

Section 89 In all cases in which two or more persons are jointly indicted for any offense it shall be in the discretion of the court to try them jointly or severally except that in cases of felonious homicide the persons charged shall have the right to demand separate trials and in all cases of joint trials the accused shall have the right to the same number of peremptory challenges to which either would be entitled if separately tried and no more

Section 90 If any person shall be committed for any indictable offense and shall not be indicted and tried some time in the next term or session of oyer and terminer and general jail delivery or other court where the offense is properly cognizable after such commitment the judges or justices thereof shall on the last day of the term sessions or court set at liberty the said prisoner upon bail unless it shall appear to them upon oath or affirmation that the witnesses for the Commonwealth mentioning their names could not then be produced and if such prisoner shall not be indicted and tried the second term session or court after his commitment unless the delay happen on the application or with the assent of the defendent or upon trial he shall be acquitted he shall be discharged from imprisonment Provided always That nothing in this act shall extend to discharge out of prison any person charged with treason felony or other high misdemeanor in any other state and by the Constitution of the United States ought to be delivered up to the executive power of such state nor any person charged with a breach or violation of the law of nations and provided further that where by any law or by rule of court promulgated by authority of any law the terms of court are of less duration than three months the word "term" contained in this section shall be construed to mean a period of time of tnree calendar months

Section 91 If on the trial of any person charged with any offense it shall appear to the jury upon the evidence that the defendent did not complete the offense charged but was guilty only of an attempt to commit the same such person shall not by reason therof be entitled to be acquitted but the jury shall be at liberty to return as their verdict that the defendent is not guilty of the offense charged but is guilty of an attempt to commit the same and thereupon such person shall be liable to be punished in the same manner as if he had been convicted upon an indictment for attempting to commit the particular offense charged in the indictment and no person so tried as herein lastly mentioned shall be liable to be afterward prosecuted for an attempt to commit the offense for which he was so tried

Section 92 If upon the trial of any person for any misdemeanor it shall appear that the facts given in evidence amount in law to a felony such person shall not by reason thereof be entitled to be acquitted of such misdemeanor and no person tried for such misdemeanor shall be liable to be afterwards prosecuted for felony on the same facts unless the court before whom such trial may be had shall think fit in its discretion to discharge the jury from giving any verdict upon such trial and direct such person to be indicted for felony in which case such person may be dealt with in all respects as if he had not been put upon his trial for such misdemeanor

Section 93 No verdict in any criminal court shall be set aside nor shall any judgment be arrested or reversed nor sentence delayed for any defect or error in the precept issued from any court or in the venire issued for the summoning and returning of jurors or for any defect or error in drawing summoning or returning any juor or panel of jurors but a trial or an agreement to try on the merits or pleading guilty or the general issue in any case shall be a waiver of all errors and defects in or relative or appertaining to the said precept venire drawing summoning and returning of jurors

Section 94 No witness in any case who enters his or her recognizance in such sums as the magistrate may demand to appear and testify in such prosecutions as require his testimony shall be committed to prison by the judge alderman or magistrate before whom any criminal charge may be preferred Provided however That in all cases triable exclusively in the oyer and terminer where a positive oath is made reduced to writing and signed by the deponent setting forth sufficient reasons or facts to induce the firm belief on the part of the judge magistrate or alderman that any witness will abscond elope or refuse to appear upon the trial the judge magistrate or alderman may exact bail of said witness to testify

Section 95 Any witness in any case who shall be committed in default of bail to prison by any judge alderman magistrate justice of the peace or coroner to appear and

testify in behalf of the Commonwealth shall be paid out of the treasury of the proper county the sum of one dollar and fifty cents for each day or part of a day such witness shall be detained in prison

Section 96 Whenever any person being under indictment charged with murder shall make and file with the clerk of the court of quarter sessions an affidavit setting forth that he is wholly destitute of means to employ counsel and prepare for a defense the judge sitting in the court of oyer and terminer to whom such affidavit is presented shall assign to such person counsel not exceeding two to represent and defend such person at the trial of the case and when services are rendered by counsel pursuant to such assignment the judge sitting at the trial of the case may allow such counsel all personal and incidental expenses upon a sworn statement thereof being filed with the said clerk and also reasonable compensation for services rendered not exceeding two hundred dollars for each counseel which allowance of expenses and compensation shall be a charge upon the county in which the indictment was found to be paid by the county treasurer or in cities co-extensive with counties by the city treasurer upon the certificate of the judge presiding at the trial of the case Provided That in order to be entitled to such expenses and compensation counsel so assigned must file with the judge sitting at the trial of the case an affidavit that he has not directly or indirectly received nor entered into a contract to receive any compensation for such services from any source other than herein provided

Section 96a No alien shall in any criminal case whatsoever be entitled to a jury de mediate linguae or partly as stangers

Section 96b All courts of criminal jurisdiction of this Commonwealth shall be and are hereby authorized and required when occasion shall render the same necessary to order a tales de circumstatibus either for the grand or petit jury and all talesmen shall be liable to the same challenges fines and penalties as the principal jurors

TITLE VII—OF APPEALS AND NEW TRIALS ON THE GROUND OF AFTER-DISCOVERED EVIDENCE

Section 97 Every person indicted in any court of quarter sessions of the peace or in any county court of oyer and terminer and general jail delivery or other court of record having jurisdiction may remove by an appeal the indictment and all proceedings thereon or transcript thereof into the supreme or superior court as the case may in accordance with the law now existing or which may hereafter be adopted

Section 98 Upon the trial of any indictment in the court of quarter sessions of the peace or in the court of oyer and terminer and gentral jail delivery or other court of record having jurisdiction it shall be lawful for the defendant to except to any decision of the court upon any point of evidence or law which exception shall be noted by the court in such manner as to become a part of the record as in civil cases and an appeal may be taken to the supreme or superior courts as the case may be after conviction or sentence

Section 99 During the trial upon any indictment if the court shall be requested by the defendant to give an opinion upon any point submitted and stated in writing it shall be the duty of the court to answer the same fully and file the point and answer with the record of the case and the action of the court thereon may be reviewed on appeal by the defendant

Section 100 The appeal shall issue from the prothonotary's office of the proper district and all orders decrees and judgments in the case shall also be entered of record there but the application and final hearing may be made and had before the supreme or superior court while sitting in any other district

Section 101 All appeals in criminal cases shall be taken within thirty days from the date of sentence in the court below

Section 102 No appeal from the judgment and sentence in any criminal case shall operate as a supersedeas unless so ordered by the court below or by the appellate court or by a judge thereof either by a general rule or special order and upon such terms as may be required by the court or judge granting the order of supersedeas

Section 103 An appeal taken in a criminal case shall be returnable in the supreme or superior court as the case may be The return day and time of argument of appeals taken in criminal cases to the supreme or superior court shall be fixed by said courts respectively by general rules promulgated from time to time

Section 104 If the appeallant shall file in the office of the prothonotary of the appellate court and in the office of the clerk of courts of the proper county at the time the appeal is taken an affidavit that he is destitute and without sufficient funds to print the evidence taken upon the trial of the case it shall be the duty of the clerk of courts to transmit within ten days thereafter to the prothonotary of the appellate court a true and correct copy of the reporter's transcript of the evidence from the notes taken by him duly certified by said reporter and the trial judge or by one of the judges of the trial court to the prothonotary of the supreme or superior court as the case may be In any such case it shall be unnecessary for the appellant to print the evidence but he may refer to the said testimony by the page number shown in said transcript

Section 105 When any person indicted for murder to whom cousel has been assigned hereunder has been convicted of murder in the first degree and such counsel shall deem it necessary to appeal to the Supreme Court a statement of the costs of such appeal including the cost of printing the paper book sworn to by such counsel shall be filed in the office of the Clerk of the Court of Quarter Sessions of the proper county and such costs shall be paid by the Treasurer of such county or where any city is co-extensive with such county by the Treasurer of such city Such costs shall not be paid unless such statement be accompanied by a certificate of the trial judge setting forth the fact of such appointment of counsel and the fact that such appeal was taken

Section 106 In capital offenses an appeal shall stay execution of sentence and upon such appeal it shall be the duty of the Supreme Court to review both the law and the evidence and to determine whether the ingredients necessary to constitute murder in the first degree shall have been proven to exist and if not so proved then shall reverse the judgment and remit the record for a new trial or shall enter such judgment as the laws of this Commonwealth require

Section 107 Upon the affirmance by the Supreme or Superior Court of the judgment in any case the same shall be enforced pursuant to the directions of the judgment so affirmed and the said court may make any further order requisite for carrying the same into effect and if the Supreme or Superior Court shall reverse any judgment they shall remand the record with their opinion setting forth the causes of reversal to the proper court for further proceeding or enter such judgment as the law requires

Section 108 Whenever by petition supported by after-discovered evidence it shall be made to appear to the Supreme Court that there is ground for substantial doubt as to the guilt of any prisoner convicted of murder of the first degree the said court shall have power to authorize the Court of Oyer and Terminer in which such prisoner has been convicted to grant a rule for new trial nunc pro tunc notwithstanding the expiration of the term in which such prisoner was convicted and sentenced and thereupon the said Court of Oyer and Terminer may in its discretion grant and proceed to hear such rule as in other cases

Section 109 Upon the termination of the hearing of such rule if the Court of Oyer and Terminer shall not deem the grounds sufficient it shall thereupon discharge said rule and the proceedings shall terminate and the judgement and sentence theretofore entered of record shall remain unaffected

Section 110 But if said Court of Oyer and Terminer shall be of opinion that of right and justice a new trial should be granted it shall set forth its opinion to that effect and thereupon the prisoner may bring the opinion together with the evidence before the Supreme Court as if upon appeal and if the Supreme Court shall after hearing concur with the Court of Oyer and Terminer that of right and justice a new trial should be had it shall have power to authorize the Court of Oyer and Terminer to make the rule for new trial absolute and thereupon the case shall proceed in said court as if a new trial had been granted in due course at the instance of the prisoner during the term

TITLE VIII—COSTS

Section 111 Where any person is brought before a justice of the peace or other magistrate on a charge of having committed a crime and such charge upon examina-

tion shall appear to be unfounded no costs shall be charged against or paid by such innocent person but the same shall be charged against and paid by the county

Section 112 The costs of prosecution accruing on all bills of indictment except as hereinafter provided charging a person with felony returned ignoramous by the grand jury shall be paid by the county and the costs of prosecution accruing on bills of indictment except as hereinafter provided charging a person with felony shall if such person be acquitted by the petit jury on the traverse of the same be paid by the county and in all cases of conviction of any felony all costs shall be paid forthwith by the county unless the person convicted shall pay the same and in all cases in which the county pays the costs it shall have the power to levy and collect the same from the person convicted as costs in similar cases are now collected and in cases of surety of the peace the costs shall be paid by the prosecutor or by the defendant or jointly between them or by the county as the court hearing the case may direct

Section 113 In all prosecutions cases of felony excepted if the bill of indictment shall be returned ignoramus the grand jury returning the same shall decide and certify on such bill whether the county or the prosecutor shall pay the costs of prosecution and in all cases of acquittal by the petit jury on indictments for the offenses aforesaid the jury trying the same shall determine by their verdict whether the county or the prosecutor or the defendant shall pay the costs or whether the same shall be apportioned between the prosecutor and the defendant and in what proportions and the jury grand or petit so determining in case they direct the prosecutor to pay the costs or any portion thereof shall so state in their return or verdict and whenever the jury shall determine as aforesaid that the prosecutor or defendant shall pay the costs the court in which the said determination shall be made shall forthwith pass sentence to that effect and order him to be committed to the jail of the county until the costs are paid unless he give security to pay the same within ten days Upon the termination of any such prosecution by the bill of indictment being ignored by the grand jury or by the verdict of the traverse jury and sentence of the court thereon the costs of prosecution shall be immediately chargeable to and paid by the proper county Provided that the county shall be liable only for the costs of such witnesses as the district attorney shall certify were subpoenaed by his order and were in attendance and necessary to the trial of the case

Section 114 In all prosecutions where the petit jury trying the case shall acquit the defendant and shall determine by the verdict that the costs shall be apportioned between the prosecutor and the defendant the defendant's bill for his subpoenas serving the same and attendance of his material and necessary witnesses shall be included in the costs

Section 115 In all prosecutions for stealing if the bill of indictment shall be returned ignoramus and the grand jury returning the same shall decide and certify on such bill that the value of the goods and chattels alleged to have been stolen was less than ten dollars they shall further decide and certify whether the county or the prosecutor shall pay the costs of prosecution and in all cases of acquittal by the petit jury on indictments for stealing if the jury trying the case shall determine by their verdict that the value of the goods alleged to have been stolen is less than ten dollars they shall have power to further determine whether the county or the prosecutor or the defendant shall pay the costs or whether the same shall be apportioned between the prosecutor and the defendant and in what proportions and the grand jury returning and the petit jury trying the aforesaid cases shall be the judges of the value of the goods so alleged to have been stolen

Section 116 In all prosecutions where the charge is that the person accused unlawfully and maliciously maimed or did serious bodily injury or disfigurement to another or attempted to commit the crime of murder or committed any assault which under the law constitutes a felony if the bill of indictment shall be returned ignoramus the grand jury returning the same if they believe from the evidence that the prosecutor had no reasonable ground for making the charge of felony shall decide and certify on such bill whether the prosecutor or the county shall pay the costs of prosecution and in all cases of acquittal by the petit jury on such indictments where a felony is charged the jury trying the same if they shall believe from the evidence that the prosecutor had no reasonable ground for making the charge of felony shall determine by their verdict whether the county or prosecutor or the defendant shall pay the costs or whether the same shall be apportioned between the prosecutor and the defendant and in what proportion

Section 117 The costs of the trial for escape or breaking away of convicts and prisoners from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania or the violation by said convicts and prisoners of each instance be bourne and paid by the respective counties any or all of the penal statutes relating to escape shall in of the Commonwealth from whose courts the said convicts shall have been committed to the said penitentiaries or reformatories In case of conviction and sentence of said escaping convicts and prisoners the cost of maintenance of said convicts and prisoners under such new sentence shall be borne be the county from which said convict or prisoner shall have been originally committed

Section 118 Where any recognizance has heretofore been or shall hereafter be taken by any competent authority for the appearance of any person or persons charged with any criminal or other offense before any court judge justice of the peace or other magistrate to answer such charge or offense or to appear before any court judge justice of the peace or other magistrate for further hearing and such recognizance shall be forfeited on account of the persons failing to comply with the condition therein and the same shall be recovered in any manner whatsoever and paid to the proper authorities as required by law the proper county shall pay all costs which have accrued or shall accrue in any criminal action or other proceedings in which such recognizance has heretofore or shall be given Provided howthe amount recovered in such recognizance and paid to such ever that in no case shall the amount of costs so paid exceed county

Section 119 Whenever a nolle prosequi shall be entered directing the county to pay the costs already made in such in any criminal proceedings the court may make an order proceeding and which order shall be sufficient authority for the payment of the same by the county Provided that the provisions of this section shall not apply to costs for the attendance of subpoenaing of defendant's witnesses nor to any proceeding where the costs could not be charged upon the county by verdict of the jury

Section 120 Whenever the verdict of a jury imposing costs upon the prosecutor or defendant in any criminal proceedings shall be set aside by the court it shall be lawful for the court to make an order directing the county to pay the same which order shall be sufficient authority for the payment of the same by the county Provided That the provisions of this section shall not apply to costs for the attend ance or subpoenaing of defendant's witnesses

Section 121 When the record in any criminal case shall have been removed by writ of certiorari or otherwise to the Supreme or Superior Court for review and shall have been therein disposed of the necessary expenses of the District Attorney in connection therewith including the costs of printing traveling and incidental expenses shall be paid by the proper county upon the approval of the same by the district attorney thereof

Section 122 In all criminal cases where a defendant or prospector is adjudged to pay the costs of prosecution he shall unless the grand or petit jury direct otherwise pay with the other costs of prosecution the sum of four dollars for the use of the county to be taxed in the bill of costs

Section 123 The costs of the officers including the costs of the justice of the peace and constable in all cases of wife desertion and surety of the peace shall be chargeable to and paid by the proper county as soon as the case is disposed of by the the order of the court and it shall be the duty of the District Attorney and County Commissioners to use all due diligence to collect such costs from the party made liable therefore by the sentence or order of the court and to pay the same into the county treasury

Section 124 The County Commissioners upon the order of the Court of Quarter Sessions or other courts of record having jurisdiction or in vacation by a law judge thereof in the exercise of its or his discretion and upon such terms as the court or judge may impose may discharge from prison without the delay and expense of any proceedings under the insolvent laws of this Commonwealth every convict who shall have served his term of imprisonment or who shall have been committed for non-payment of costs only or any person who shall have failed to comply with the order of the said court

upon conviction of either fornication or bastardy or both and has been confined for a period of more than three months notwithstanding that such person has not paid the costs of prosecution fine made restitution paid the value of stolen goods or property or failed to comply with the court's order or both Provided That in the opinion of said commissioners such person is unable to comply with the said order or orders and provided that such discharge shall not prevent the Commonwealth or any person interested in such payment or restitution from recovering the same from the property of such person by proper action but no such person shall be so discharged until he shall have made under oath or affirmation schedules in duplicate of all his property real personal or mixed and shall have filed one copy thereof among the papers of the prison wherein he is confined and the other with the clerk of the courts of quarter sessions

Section 125 In all cases where two or more persons have committed an indictable offense the names of all concerned (if prosecution shall be commenced) shall be contained in one bill of indictment for which no more costs shall be allowed than if the name of one person only was contained therein

Section 126 In instituting criminal prosecutions against any person charged with the commission of a criminal offense or offenses committed at one and the same time or growing out of one and the same prosecution where one complainant or information is legally sufficient to serve and promote the due administration of justice it shall be unlawful to duplicate the complaints informations warrants and subpoenas and where such duplication occurs costs shall be taxed upon one complainant information and subpoena only

Section 127 In all cases where any matter of general public import shall as authorized by law be given in charge to a grand jury for investigation by any Court of Quarter Sessions of the Peace of any county within this Commonwealth all costs which may accrue for subpoenas the service thereof upon witnesses and the per diem fees and mileage of witnesses required by the court to attend or testify before any such grand jury shall be paid by the proper county or taxed and paid as other costs on the part of the Commonwealth in any criminal prosecution which may arise out of such investigation where the testimony of the witness is material in the support of the charge contained in the indictment therein as the District Attorney subject to the approval of the court may authorize and direct

TITLE IX—SENTENCES AND JUDGMENTS

Section 128 Every person his aiders abettors and counsellors hereafter convicted of the crime of murder of the first degree shall be sentenced to suffer death in the manner herein provided and not otherwise Such punishment in every case must be inflicted by causing to pass through the body of the convict a current of electricity of intensity sufficient to cause death and the application of such current must be continued until such convict is dead The said punishment shall be inflicted by the warden or deputy warden of the Western Penitentiary or by such person as the warden shall designate and shall be inflicted in a building on the land owned by the Commonwealth in Centre County whereon the buildings of the Western Penitentiary are built

Section 129 Whenever any person shall have been convicted and sentenced to death the clerk of the court where such conviction shall have taken pdace shall transmit to the Governor of the Commonwealth a full and complete transcript of the record of such trial and conviction within thirty days after sentence or in the event of an appeal within twenty days after the final disposal of the cause upon such appeal

Section 130 After the receipt of the said record the Governor of the Commonwealth shall issue his warrant directed to the warden of the Western Penitentiary commanding said warden to cause such convict to be executed in said penitentiary within the week to be named in said warrant and in the manner prescribed by law

Section 131 Upon the receipt of such warrant the said warden shall by a written notice under his hand and seal duly notify the officer having the custody of such convict to deliver such convict to the custody of such warden and it shall be the duty of such officer to forthwith cause such delivery to be made Thereupon and until the penalty of death shall be inflicted or until lawfully discharged from such custody said convict shall be kept in solitary confinement in said penitentiary During such confinement no person except the officers of such penitentiary the counsel of such convict and a spiritual adviser selected by such convict or the members of the immediate family of such convict shall be allowed access to such convict without an order of said court or a judge thereof

Section 132 No person except the following shall witness any execution under the provisions of this act—the warden of the penitentiary where such execution takes place a qualified physician six reputable adult citizens selected by such warden one spiritual adviser when requested and selected by the convict not more than six duly accredited representatives of the daily newspapers and such officers of said penitentiary as may be selected by said warden

Section 133 After such execution the warden of the Western Penitentiary shall certify in writing under oath or affirmation to the court of oyer and terminer of the county wherein such convict has been sentenced to death that such convict was duly executed at the place and in the manner prescribed in this act at the time designated in the death warrant of the Governor Such certificate shall be filed in the office of the clerk of such court

Section 134 Immediately after execution a post-mortem examination of the body of the convict shall be made by the physician present at the execution and his report in writing stating the nature of the examination so made by him shall be annexed to the certificate hereinbefore named and filed herewith After such post-mortem examination the body unless claimed by some relative or relatives of the person so executed shall be delivered to the duly authorized agent of the State Anatomical Board

Section 135 The cost and expense incident to any such execution and such post-mortem examination shall be paid from the contingent fund of the Western Penitentiary

Section 136 The Board of Inspectors of the Western Penitentiary shall have power to erect and repair appropriate buildings located at such place on the grounds of the new Western Penitentiary in Centre County as they shall select and they shall have power to construct and repair in said buildings such electrical apparatus machinery and appliances as may be suitable and sufficient to execute condemned criminals in the manner prescribed herein

Section 137 Whenever any person convicted in any court of this Commonwealth of any crime shall be sentenced to imprisonment in any pententiary of the State the court instead of pronouncing upon such convict a definite or fixed term of imprisonment shall pronounce upon such convicts a sentence of imprisonment for an indefinite term stating in such sentence the minimum and maximum limits thereof and the maximum limit shall never exceed the maximum time now or hereafter prescribed as a penalty for such offense Provided That no person sentenced for an indeterminate term shall be entitled to any benefits of commutation of sentence herein provided for

Section 138 The clerks of the several courts of quarter sessions and oyer and terminer of this Commonwealth shall not later than the twentieth day of each month forward to the wardens of the State penitentiaries a list of all convicts whom the courts have committed to those institutions on the indeterminate plan the previous month stating maximum and minimum sentence of each The following information shall also be added the full name of the convict together with any alias which such convict may be known to have the name of the county wherein the conviction was had a brief description of the crime of which the convict was convicted the name of the court in which the conviction was had the name of the trial judge the date of commitment and the name of the penitentiary to which committed the number of times if any that the convict has been in prison the location of the said prison and for what offenses provided that in every case in which stenographic notes of testimony were taken at the time of the trial a copy of such notes of testimony shall likewise accompany such record

Section 139 The board of inspectors of each state penitentiary shall meet once each month at its respective penitentiary At each meeting of the said boards held as aforesaid every prisoner confined in such penitentiary upon an indeterminate sentence whose minimum term of sentence will expire within three months shall be given an opportunity to appear before such board and apply for his release on parole as hereinafter provided

Section 140 If it shall appear to the Board of Inspectors of any penitentiary in which a convict is imprisoned upon an application by a convict for release on parole that there is a reasonable probability that such applicant will live and remain at liberty without violating the law then said board shall recommend to the governor that such convict be re-

leased on parole subject to such rules and regulations for such convict as said board may prescribe until the expiration of the maximum limit of the sentence imposed on such convict and shall send to the governor a report of such convict which report shall contain the following namely the full name of the convict together with any alias which such convict may be known to have the name of the county where such conviction was had a brief history of the crime for which convict was sentenced the name of the court in which the conviction was had the name of the judge who sentenced the convict with the sentence and the date thereof the date of the reception of the convict a recommendation as to the commutation together with the date for release from the penitentiary if allowed

Section 141 If any convict released on parole shall during the period of parole be convicted of any crime punishable by imprisonment under the laws of this Commonwealth and sentenced to any place of confinement other than a penitentiary such convict shall in addition to the penalty imposed for such crime committed during the said period and after expiration of the same be compelled by detainer and remand as for an escape to serve in the penitentiary to which said convict had been originally committed the remainder of the term (without commutation) which such convict would have been compelled to serve but for the commutation anthorizing said parole and if not in conflict with the terms and conditions of the same as granted by the governor but if sentenced to a penitentiary then the service of the remainder of the said term originally imposed shall precede the commencement of the term imposed for said crime

Section 142 In any case where a board of prison inspectors does not recommend the release on parole of a convict at the termination of the minimum term for which such convict may have been sentenced such board shall report in writing to the governor its reasons in detail for not having made such recommendations

Section 143 Each said board of inspectors shall appoint one or more officers to be known as parole officers for its respective penitentiary who shall carefully look after the welfare of all persons who have been paroled from said penitentiary and report to the said boards respectively upon the conduct of such persons at such times and in such manner as may be required by said boards Provided That no convict shall be under the charge management or supervision of a probation officer of the opposite sex The salaries of the said parole officers together with the expenses actually incurred by them in the discharge of their duties shall be paid out of the appropriations to the said penitentiary with which they are connected

Section 144 If it shall appear to the Board of Inspectors of any penitentiary from which a convict has been released on parole that there is a reasonable probability that such convict will live and remain at liberty without violating the law and that it will be to the advantage of such convict that he be released from the terms of his parole then upon the application of such convict released upon parole it shall be the duty of the said board to recommend to the Governor that such convict be pardoned absolutely

Section 145 Whenever it shall appear to the Board of Inspectors of a penitentiary that a person released on parole has violated the terms of his parole the secretary of said Board of Inspectors may issue a warrant for the arrest of said person in the same manner as in the case of an escaped convict Upon said convict being returned to the penitentiary he shall be given an opportunity to appear before its Board of Inspectors and if said board shall find that said parole has not been broken the prisoner shall be released and continue subject to the terms of said parole but if it be found that said parole has been broken said board shall declare such convict delinquent after which a full report of the said case shall be forwarded immediately to the Governor who thereupon may issue his mandate reciting the date of commutation for the recommitment of such convict for breach of parole to the penitentiary of original commitment to be imprisoned in said penitentiary for the remainder of a period equal to the unexpired maximum term of such prisoner as originally sentenced (computing the same from the date of arrest for breach of parole) unless sooner released on parole or pardoned but if the governor shall disapprove the finding of the board of inspectors the said prisoner shall be released upon the conditions of his original parole

Section 146 Authority is hereby conferred upon the boards of inspectors of all state penitentiaries to establish all the rules and regulations necessary to carry the provisions of this title into effect Provided That no rule or regulation shall be established or adopted relating to the discharge of a convict on parole who has just served the minimum sentence for his or her first offense that will compel him to file any bond for the fulfillment of the requirements of his discharge upon parole other than his own recognizance or to secure any sponsor for his behavior To secure uniformity in these rules and regulations the said boards shall be convened by the governor in joint session from time to time when deemed necessary

Section 147 Any convict in the state penitentiaries who is now serving under a sentnce or sentences imposed prior to the first day of July one thousand nine hundred and eleven may when he shall have served one-third of such sentence or sentences be eligible to parole under the provisions and subject to the conditions of this act

Section 148 Whenever a person shall be sentenced to imprisonment for a period of less than one year the imprisonment shall be had and performed in the county jail where the conviction shall take place or in a suitable prison in said county where suitable prisons have been provided for such imprisonment Provided however that where existing laws applying to any county permit the imprisonment of persons there convicted in a suitable prison in some other county of the state the imprisonment may be there performed if the court shall so direct

Section 149 All persons sentenced to imprisonment in the county jails for any period of time may be required to perform such labor in the custody of the sheriff about the county buildings and upon the ground and property of the county as the commissioners of the county in which the prisoners are confined may specify and the commissioners are authorized to allow and pay from the moneys of the county to the sheriff for his services in guarding such prisoners while so employed compensation not to exceed twenty-five cents per hour

Section 150 Whenever any person shall be sentenced to imprisonment for a period of one year or more the sentence shall be either an indeterminate sentence to the penitentiary of the proper district as hereinbefore provided or a definite sentence to a county prison or county workhouse authorized by existing laws to receive such convict and the court shall have power in the latter case to fix the term of said imprisonment not to exceed the term fixed by statute for said offense provided however that persons convicted of murder of the second degree and voluntary manslaughter shall not be sentenced to the said county prisons or workhouses

Section 151 Every convict confined in any county prison workhouse or county jail in this state on a conviction of crime where the term or terms equals or exceeds one year exclusive of life imprisonment or any term which may be imposed by the court or by statute as an alternative to the payment of a fine may if the governor shall so direct and with the approval of the Board of Inspectors or managers earn for himself a commutation or dimunition of his sentence or sentences as follows namely two (2) months for the first year three (3) months for the second year four (4) months each for the third and fourth years and five (5) months for each subsequent year and for every fractional part of a year the said convict may earn the same rate of commutation as is provided for the year in which said fractional part occurs Provided however That this section shall not include sentences for an indeterminate term as hereinbefore provided

Section 152 When any convict in any county prison workhouse or county jail in this state is held under more than one conviction the several terms of imprisonment imposed thereunder shall be construed as one continuing term for the purpose of estimating the amount of commutation to which he may be entitled hereunder.

Section 153 On any day not later than the twentieth day of each month the board of inspectors or managers or the warden superintendent or keeper of each of the county prisons workhouses or jails of this state shall forward to the governor a report of any convict or convicts who may be discharged the following month by reason of the commutation of his sentence or sentences which shall contain the following information namely the full name of the convict together with any alias which he may be known to have the name of the county where the conviction was had a brief description of the crime of which the convict was

convicted the name of the court in which the conviction was had the name of the presiding judge the date of the sentence the date of the reception in the prison the term and fine the amount of commutation recommended and the date for discharge from the prison workhouse or jail if allowed

Section 154 The governor shall in commuting the sentences of convicts annex a condition to the effect that if any convict so commuted shall during the period between the date of his discharge by reason of such commutation and the date of the expiration of the full term for which he was sentenced be convicted of any felony he shall in addition to the penalty which may be imposed for such felony committed in the interval as aforesaid be compelled to serve the prison or workhouse in which he may be confined for the felony for which he is convicted the remainder of the term without communtation which he would have been compelled to serve but for the commutation of his sentence hereinbefore provided for

Section 155 The boards of inspectors or managers of the county prisons workhouses and county jails in this state shall meet once every month before the date fixed for the transmission of their report to the governor as hereinbefore provided and proceed to determine the amount of commutation which they shall recommend to be allowed to any convict which shall not in any case exceed the amount fixed by tnis act they shall have full discretion to recommend the withholding of the allowance of commutation for good conduct or of a part thereof as a punishment for offenses against the discipline of the prison workhouse or county jail or for any attempt to escape therefrom

Section 156 In all cases however where the board shall recommend the withholding of the allowance of the whole or any part of the commutation for good conduct they shall forward with their report to the governor their reasons in writing for such disallowance and the governor may in his discretion decrease or increase the amount of commutation by the said board but he shall not increase the same beyond the amount fixed herein

Section 157 Upon the receipt of any convict in any prison or county jail in this state who shall be entitled to the benefits of commutation hereunder the provisions of the same shall be read to him and the meaning of the same shall be fully explained to him by the clerk of the prison workhouse or jail

Section 158 The governor shall not except in cases where only the payment of a fine is imposed as the penalty upon conviction execute any of the powers herein granted unto him to release on parole from a penitentiary or to grant commutation of sentence in a jail prison or workhouse until the lieutenant governor secretary of the Commonwealth attorney general and the secretary of internal affairs or any three of them after full hearing upon due public notice and in open session according to such rules as they shall provide shall have recommended the said commutations of sentences

Section 159 Whenever any person shall be convicted in any court of this Commonwealth of any crime except murder administering poison kidnapping incest sodomy sedition pandering rape attempted rape arson robbery or burglary and it does not appear to the said court that the defendant has ever before been imprisoned for crime either in this state or elsewhere (but detention in an institution for juvenile delinquents shall not be considered imprisonment) and where the said court believes that the character of the defendant and the circumstances of the case such that he is not likely again to engage in an offensive course of conduct and that the public good does not demand or require that the defendant should suffer the penalty imposed by law the said court shall have power to suspend the imposing of the sentence and place the defendant on probation for a definite period on such terms and conditions as it may deem right and proper said terms and conditions to be duly entered of record as a part of the judgment of the court in such case

Section 160 In any case where a fine only is imposed and the defendant might be imprisoned until such fine be paid the court may direct as one of the terms of the probation that such fines shall be paid in certain instalments at certain times Provided however That upon payment of the fine judgment shall be satisfied and probation cease

Section 161 Whenever the court may deem it necessary and desirable it may appoint a discreet person to serve as probation officer and such assistants to the probation officer as the court may deem necessary for the performance of such duties as the court shall direct The salary of such probation officer shall be determined by the court and together with the necessary expenses incurred while in actual performance of duty shall be paid by the county upon vouchers approved by the court and county commissioners In no case however shall a defendant be committed in the custody of a probation officer of the opposite sex

Section 162 Whenever a person placed on probation as aforesaid shall violate the terms of his probation he shall be subject to arrest in the same manner as in the case of an escaped convict and shall be brought before the court which released him on probation which court may thereupon pronouce upon such defendent such sentence as may be prescribed by law to begin at such time as the court may direct

Section 163 Whenever it is the judgment of the court that a person on probation has satisfactorily met the conditions of his probation the court shall discharge such defendant and cause record thereof to be made Provided That the length of such period of probation shall not be more than the maximum term for which the defendant might have been imprisoned

Section 164 The judges of the courts of quarter sessions and the courts of oyer and terminer or other courts of record having juridiction of the several judicial districts of the Commonwealth are authorized after hearing in open court after notice to the district attorney to release on parole any convict confined in the county prison jail or workhouse of their respective districts and place him in charge of and under the supervision of a designated probation officer and shall have the power to recommit to prison jail workhouse or house of detention on cause shown by such probation officer that such convict has violated his parole and to reparole if in the judgment of the said judge there is reasonable probability that the convict will be benefited by again according liberty to him and also to again recommit for violation of such parole This power shall not extend beyond the limit of the sentence which shall been first imposed upon the prisoner

Section 165 Where any person has been or shall be convicted of any felony not punishable with death or any misdemeanor punishable with imprisonment at labor and has endured or shall endure the punishment to which such offender has been or shall be adjudged for the same the punishment so endured shall have the like effects and consequences as a pardon by the Governor as to the felony or misdemeanor whereof such person was so convicted Provided That nothing herein continued nor the enduring of such punishment shall prevent or mitigate any punishment which the offender might otherwise be lawfully sentenced on a subsequent conviction for any other felony or misdemeanor and that the provisions of this section shall not extend to the case of a party convicted of wilful and corrupt perjury

Section 166 On all convictions for robbery burglary or stealing of any goods chattels or other property made the subject of stealing by the laws of this Commonwealth or for otherwise unlawfully and fraudulently taking or obtaining the same or of receiving such goods chattels or other property knowing the same to be stolen the defendant shall in addition to the punishment heretofore prescribed for such offenses be adjudged to restore to the owner the property taken or to pay the value of the same or so much thereof as may not be restored And on all convictions on any indictment for forgery for uttering publishing or passing any forged or counterfeit coin bank notes check or writing or any indictment for fraudulently by menas of false pretenses obtaining the signature of another to any written instrument with intent to defraud the defendant in addition to the punishment hereinbefore prescribed for such offenses shall be adjudged to make similar restitution or other compensation as in the case of larceny to the persons defrauded Provided That nothing herein shall be so construed as to prevent the party aggrieved and to whom restitution is to be awarded from being a competent witness on the trial of the offender

Section 167 In all cases of felony hertofore committed or which may hereafter be committed it shall and may be lawful for any person injured or aggrieved by such felony to have and maintain his action against the person or persons guilty of such felony in the like manner as if the offense committed had not been feloniously done and in no case whatever shall the action of the party injured be deemed taken or adjudged to be merged in the felony or in any manner affected thereby

Section 168 The imprisonment awarded as part of the punishment of any offender shall not stop or avoid the

awarding or taking out of execution to levy such respective sums recovered against them as such offenders refuse or neglect to pay when such writs are taken out which executions shall be directed to the sheriff or coroner of the proper county requiring him to levy the sums due upon such recoveries as aforesaid of the lands and tenements goods and chattels of such offenders returnable to the next term or sessions of the court where such conviction was had which shall be executed accordingly and the lands goods and chattels thereby seized shall be sold and conveyed by the said officers and such sales shall be as available and effectual in law as any other sales of land taken and sold for the payment of debts by virtue of writs of execution awarded out of the courts of common pleas or other courts of record having jurisdiction in the respective counties

Section 169 Where any court of criminal jurisdiction of this Commonwealth has heretofore made or entered or shall hereafter make or enter any order sentence decree or judgment for the payment of any moneys whatsoever in any matter or thing within the jurisdiction of the said court a copy of the said order sentence decree or judgment may be certified to any court of record of civil jurisdiction of the same county and be entered and indexed in said court as a judgment with like force and effect as if the same had been recovered therein as a judgment of the latter court

Section 170 When said order sentence decree or judgment is entered as a judgment in the court of record of civil jurisdiction aforesaid the same may be revived by scire facias et quare executionem non and be collectible by writs of fieri facias venditioni exponas to other counties to sell real and personal estate and by alias pluries and such other writs of execution as shall be necesary to collect said judgment which writs aforesaid shall issue in the same manner and be of like force and effect for the sale of personal and real estate as if the said judgment had been originally recorded in the said court except that the defendant in any such writs shall not be entitled to the benefit of any exemption laws

Section 171 When any person shall have been convicted of fornication and bastardy and sentenced by any court of quarter session to pay to the mother of any bastard child any sum or sums of money for the support of such child it shall be lawful for the mother of such child to file in a court of record of civil jurisdiction of the county in which such conviction shall have been had a copy of such sentence certified by the clerks of the proper court of criminal jurisdiction and under the seal thereof upon which copy so filed the prothonotary of a court of record of civil jurisdiction shall enter judgment in favor of the mother and against the defendant for the full amount of the said sentence payable in the instalments therein provided with interest thereon from the time they shall respectively become due and costs of suit

Section 172 If default be made in the payment of any such instalments and continue for five days a writ of fieri facias may issue for the collection of all past due instalments and no exemption of property from levy and sale shall be allowed

Section 173 In addition to the writ of fieri facias above provided an attachment execution may be issued and in addition to such rights and credits as are now attachable wages and salaries may also be attached there and no exemption of any money rights or credits attached there shall be allowed

Section 174 The said writs either or both may be issued as often as default occurs until the whole judgment be paid

Section 175 The defendant shall be liable for all costs on any of said writs when properly issued

Section 176 All fines imposed upon any party by any court of criminal jurisdiction shall be decreed to be paid to the Commonwealth but the same shall be collected and received for the use of the respective counties in which such fines shall have been imposed as aforesaid as is now directed by law

Section 177 It shall be the duty of the wardens or keepers of the state penitentiaries of this Commonwealth to receive into the prison under their charge on the order or warrant of the governor any person convicted of any crime punishable with death whose sentence shall have been commuted by the governor on condition of being confined for life in one of the state penitentiaries and to keep and confine such persons safely as is by law provided for the keeping and confinement of convicts sentenced to imprisonment in the penitentiaries of this Commonwealth and subject to the laws and regulations providing therefore and it shall be the duty of the sheriff of the county in which such person was condemned on the receipt of such order or warrant of the governor to immediately convey such person to the state penitentiary at the cost of such county and deliver said order or warrant to the warden or keeper of said penitenary Provided That the persons convicted in any of the counties composing the eastern district and whose sentences may be commuted shall be confined in the state penitentiary of said district and those convicted in any of the counties composing the western district and whose sentences may be commuteed shall be confined in the state penitentiary of district

Section 178 Whenever any person duly convicted of crime in the Commonwealth has been or shall be sentenced under the provisions of a law declared unconstitutional the court declaring said law unconstitutional shall not discharge said convict but shall remand said convict to the court before which said convict was tried for sentence under the provisions of the law in force at the time of the commission of the crime which said convict stands convicted

Section 179 When any person shall be accused before a magistrate upon oath or affirmation of the crime of burglary robbery or stealing and the said magistrate shall have issued his warrant to apprehend such person or persons or to search for goods such as have been described on oath or affirmation to have been stolen goods if any shall be found in the custody or possession of such person or persons or in the custody or possession of any other person or persons for his use and there is probable cause supported by oath or affirmation to suspect that other goods which may be discovered on such search are stolen it shall and may be lawful for the said magistrate to direct the said goods to be seized and to secure the same in his own custody unless the person in whose possession the same were found shall give sufficient surety to produce the same at the time of his trial and the said magistrate shall forthwith cause an inventory to be taken of the said goods and shall file the same with the clerk of that court in which the accused person is intended to be prosecuted and shall give public notice in the newspapers or otherwise by advertising the same in three or more public places in the city or county where the offense is charged to have been committed before the time of trial noting in such advertisement the said inventory the person charged and time of trial and if on such trial the accused party shall be acquitted and no other claimant shall appear or suit be commenced then at the expiration of three months such goods shall be delivered to the party accused and he shall be discharged and the county be liable to the costs of prosecution but if he be convicted of stealing only and after restitution made to the owner and the sentence of the court being fully complied with shall claim a right in the residue of the said goods and no other shall appear or claim the said goods or any part of them then it shall be lawful notwithstanding the claim of the said party accused to detain such goods for the term of nine months to the end that all persons having any claim therto may have full opportunity to come and to the satisfaction of the court prove their property in them on which proof the said owner or owners respectively shall receive the said goods or the value thereof if from their perishable nature it shall have been found necessary to make sale thereof upon paying the reasonable charges incurred by the securing of the said goods and establishing their property in the same but if no such claim shall be brought and duly supported then the person so convicted shall be entitled to the remainder of the said goods or the value thereof in case the same shall have been sold agreeably to the original inventory but if upon an attainder of burglary or robbery the court shall after due inquiry be of opinion that the said goods were not the property of such burglar or robber they shall be delivered together with a certified copy of the said inventory to the commissioners of the county who shall endorse a reciept thereof on the original inventory register the said inventory in a book and also cause the same to be publicly advertised giving notice to all persons claiming the said goods to prove their property therein to the said commissioners and unless such proof shall be made within three months from the date of such advertisement the said goods shall be publicly sold and the net moneys arising from such sale shall be paid into the county treasury for the use of the Commonwealth Provided always That if any claimant shall

appear within one year and prove his property in the said goods to the satisfaction of the commissioners or in the case of dispute shall obtain the verdict of a jury in favor of such claim the said claimant shall be entitled to recover and receive from the said commissioners or treasurer the net amount of the moneys paid as aforesaid into the hands of the said commissioners or by them paid into the treasury of this Commonwealth

TITLE X—GENERAL PROVISIONS

Section 180 In every case in which it shall be given in evidence upon the trial of any person charged with any crime or misdemeanor that such person was insane at the time of the commission of such offense and he shall be acquitted the jury shall be required to find specially whether such person was insane at the time of the commission of such offense and to declare whether he was acquitted by them on the ground of such insanity and if they shall so find and declare the court before whom the trial is had shall have power to order him to be kept in strict custody in such place and in such manner as to the said court shall seem fit at the expense of the county in which the trial is had so long as such person shall continue to be of unsound mind

Section 181 The same proceedings may be had if any person indicted for an offense shall when called upon to plead be found to be a lunatic by a jury lawfully empanelled for the purpose or if upon the trial of any person so indicted such person shall appear to the jury charged with such indictment to be a lunatic the court shall direct such finding to be recorded and may proceed as aforesaid

Section 182 In every case in which any person charged with any offense shall be brought before the court to be discharged for want of prosecution and shall by the oath or affirmation of one or more credible persons appear to be insane the court shall order the district attorney to send before the grand jury a written allegation of such insanity in the nature of a bill of indictment and thereupon the said grand jury shall make inquiry into the case as in cases of crimes and make presentment of their finding to said court thereon and thereupon the court shall order a jury to be empanelled to try the insanity of such person but before a trial thereof be ordered the court shall direct notice thereof to be given to the next of kin of such person by publication or otherwise as the case requires and if the jury shall find such person to be insane the like proceedings may be had as aforesaid

Section 183 If the kindred or friends of any person who may have been acquitted as aforesaid on the ground of insanity or in the refault of such the guardians overseers or supervisors of any county township or place shall give security in such amount as shall be satisfactory to the court with condition that such lunatic shall be restrained from the commission of any offense by seclusion or otherwise it shall be lawful for the court to make an order for the enlargement of such lunatic and his delivery to his kindred or friends or as the case may be to such guardians overseers or supervisors

Section 184 The estate and effects of every such lunatic shall in all cases be liable to the county for the reimbursement of all costs and expenses paid by such county in pursuance of such order but if any person acquitted on the grounds of insanity shall have no estate or effects the county township or place to which such lunatic may be chargeable under the laws of this Commonwealth relating to the support and employment of the poor shall after notice of his detention aforesaid be liable for all costs and expenses as aforesaid in like manner as if he had become a charge upon any township not liable for his support under the laws aforesaid

Section 185 All process of outlawry is hereby abolished in the State of Pennsylvania

Section 186 All indictements which shall hereafter be brought or exhibited for any crime or misdemeanor murder and voluntary manslaughter execepted shall be brought or exhibited within the time and limitation hereafter expressed and not thereafter that is to say

All indictments and prosecutions for treason arson sodomy robbery burglary perjury counterfeiting forgery uttering or publishing any banknote check or draft knowing same to be counterfeited or forged shall be brought or exhibited within five years next after the offense shall have been committed and all indictments and prosecutions for other felonies not named or excepted theretofore in this section and for all misdemeanor shall be brought or exhibited within two years next after such felony or misdemeanor shall have been committed Provided however That indictments for crimes committed by any officer director receiver superintendent manager broker attorney agent employee or member of any bank body corporate public company municipal or quasi municipal corporation in their capacity as such may be commenced and prosecuted at any time within four years from the time the alleged crime shall have been committed and all indictments for crimes committed by administrators executors guardians and trustees as such may be brought or exhibited at any time within five years from the final decree of the court adjudicating the final accounts of said fiduciaries and provided further that if the person against whom such indictment shall be brought or exhibited shall not have been an inhabitant of this state or usual resident therein within said respective terms for which he shall be subject and liable to prosecution as aforesaid then such indictment may be brought as exhibited against such person at any period within a similar space of time during which he shall be an inhabitant of or usual resident within this state

Section 187 This act may be cited as the criminal procedure act of 1923

Section 188 In this act in any indictment for any offense provided against in this act the following terms shall be construed as defined in this section except where a different intent is plainly declared in the provisions to be construed or is plainly apparent from the context thereof

(1) The terms "offense" and "crime" mean any act or ommission punishable either on indictment or information whether such act be treason felony or misdemeanor

(2) The singular number includes the plural and the plural number includes the singular

(3) The terms "person" "any person" "any one" "the person" "every person" "such person' "other" "another" and the relative pronoun "he" referring to any of the above terms unless the contrary is expressed or clearly to be implied from the context includes a natural person a corporation partnership limited partnership and joint stock company and extends to more persons than one and to femals as well as males

(4) Terms denoting the masculine gender includes the feminine

(5) The term "sub-division of this Commonwealth" includes a county city borough township municipality and incorporated district

(6) The term "act" or "doing of an act" includes omission to act

(7) The word "property" includes any matter or thing upon or in respect to which an offense may be committed

(8) The word "indictment" includes presentment and any other formal written accusation as well as indictment

(9) The word "indictment" unless a contrary intention appears includes any count thereof

(10 The words "writing" "written" and any term of like import includes words printed painted engraved lithographed photographed or otherwise copied traced or made visible to the eye

((11) The term "court" unless contrary intention appears means the court before which the trial is had

(12) The term "the offense" means the specific offense constituted by the acts or omission of the accused as distinguished from the term "the transaction" which means the particular acts facts and circumstances which distinguish the offense committed from other offenses of the same nature Thus robbery murder and larceny are different "offenses" and the robery of C. D. and the robbery of E. F. are different "transactions"

(13) The terms alderman magistrate or justice of the peace wherever used in this act shall be taken deemed and understood to include all committing magistrates having power to issue warrants for the arrest and apprehension of offenders and wherever one or more of said terms is used it shall be taken to include all committing magistrates having power to issue warrants under the laws of this Commonwealth

Section 189 The following acts of assembly and all parts thereof and all other parts of the laws of this Commonwealth relating to criminal proceedings and pleadings in so far as the same are altered and supplied by this act be and the same are hereby repealed The repeal of the first section of an act shall not repeal the enacting clause thereof.

Act of March thirty-first one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled "An act to consolidate revise and amend the laws of this Commonwealth relating to criminal proceedings and pleadings" The repeal of this Act shall not operate to revive any law or laws by it repealed

Section 13 of the Act of September twenty-third one thousand seven hundred and ninety-one 3 Smith's Laws 37 entitled "A supplement to the Penal Laws of this State"

Act of March twentieth one thousand eight hundred and eighteen 7 Smith's Laws 86 entitled "A further supplement to an Act entitled 'An act to regulate the payment of costs of indictment' "

Act of November six one thousand eight hundred and fifty-six (Pamphlet Laws (1857) seven hundred ninety-five) entitled "An act allowing bills of exception and writs of error in criminal cases"

Section 4 of the Act of January seventh one thousand eight hundred and sixty-seven (Pamphlet Laws one thousand three hundred sixty-nine) entitled "A supplement to an act to revise consolidate and amend the penal laws of this Commonwealth so as to punish frauds upon the National currency as well as that of the State forging or uttering forged instruments"

Act of February fifteenth one thousand eight hundred and seventy (Pamphlet Laws fifteen) entitled "An act to allow writs of error in cases of murder and voluntary manslaughter"

Act of February twenty-third one thousand eight hundred and seventy (Pamphlet Laws two hundred twenty-seven) entitled "An act to authorize justices of the peace to take recognizances of bail in certain cases in Crawford County

Act of April twenty-eighth one thousand eight hundred and seventy-one (Pamphlet Laws two hundred forty-four) entitled "A supplement to an Act entitled 'An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty"

Act of April ninth one thousand eight hundred and seventy-three (Pamphlet Laws sixty-seven) entitled "A act relative to criminal procedure and to provide for payment of defendant's costs"

Act of April twenty-ninth eighteen hundred seventy-four (Pamphlet Laws one hundred sixteen) entitled "An act to provided for the imprisonment of persons where sentences shall be commuted by the governor"

Act of May eleven eighteen hundred seventy-four (Pamphlet Laws one hundred thirty-two) entitled "An act relating to payment of costs in cases of felony"

Act of March eighteen eighteen hundred seventy-five (Pamphlet Laws thirty) entitled "An act to authorize changes of venue in criminal cases"

Act of March fourteen eighteen hundred seventy-seven (Pamphlet Laws three "An act to authorize the clerks of the various courts of quarter sessions and oyer and terminer to take recognizances and bail and approve bonds in certain cases"

Section 1 of the Act of March twenty-three eighteen hundred seventy-seven (Pamphlet Laws twenty-six) entitled "An act defining the limitation in prosecutions for forgery"

Act of May twenty-four eighteen hundred seventy-eight (Pamphlet Laws one hundred thirty-seven) entitled "An act to regulate proceedings under requisitions upon the governor of this Commonwealth for the apprehension of fugitives from justice"

Act to June twelve eighteen hundred seventy-eight (Pamphlet Laws one hundred eighty-one) entitled "An act relating to commitments by the courts of quarter sessions to county work-houses"

Section 6 of the Act of June twelve eighteen hundred seventy-eight (Pamphlet Laws one hundred ninety-six entitled "An act supplementary to an act entitled 'An act to consolidate revise and amend the penal laws of his Commonwealth' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty"

Act of June four eighteen hundred seventy-nine (Pamphlet Laws ninety-five) entitled "An act to amend the second and fifth sections of an Act entitled 'An act to regulate proceedings under requisition upon the governor of this Commonwealth for the apprehension of fugitives from justice' approved May twenty-fourth Anno Domini one thousand eight hundred and seventy-eight"

Act of June eleventh one thousand eight hundred and eighty-five Pamphlet Laws one hundred and ten entitled "An act fixing the time for returns in cases of felony by alderman justice of the peace and committing magistrates and requiring criminal cases to be docketed"

Act of May six eighteen hundred eighty-seven (Pamphlet Laws eighty-six) entitled "An act to authorize the commissioners of the several counties of this Commonwealth to discharge from prison all persons confined in jail without proceedings under the insolvent laws"

Act of May nineteen eighteen hundred eighty-seven (Pamphlet Laws one hundred thirty-eight) entitled "An act providing for payment of costs in criminal cases by the proper county"

Section 1 of the Act of April twenty-three eighteen hundred eighty-nine (Pamphlet Laws forty-eight) entitled "An act fixing the limitation of criminal prosecutions for embezzlement by administrators executors guardians and trustees"

Act of May eight one thousand eight hundred eighty-nine (Pamphlet Laws one hundred thirty-five) entitled "An act to amend the forty-sixth section of an act entitled 'An act to consolidate revise and amend the laws of his Commonwealth relating to penal proceedings and pleadings' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty providing in what county homicide shall be tried"

Act of May fifteen one thousand eight hundred ninety-five (Pamphlet Laws seventy-one) entitled "An act to abolish arraignments in courts of oyer and terminer except where the charge is murder"

Act of June twenty-sixth one thousand eight hundred ninety-five (Pamphlet Laws three hundred seventy-four) entitled "An act to amend the seventy-fifth section of an act entitled 'An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty providing for the employment of persons sentenced to simple imprisonment in the county jails of the several counties of this Commonwealth"

Act of May twenty-fifth one thousand eight hundred ninety-seven (Pamphlet Laws eighty-nine) entitled "An act authorizing and requiring grand and petit juries to dispose of the costs in criminal prosecutions for larceny where the value of the goods alleged to be stolen is less than ten dollars and in prosecutions for assault or assault and battery here felony is charged and in which the prosecutor had no reasonable ground for making the charge of felony"

The Act of May second one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred seventy-three entitled "An act to amend section three of an act entitled 'An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty so as to dispense with the endorsing or backing of warrants by aldermen and justices of the peace out of the jurisdiction of the aldermen or justice granting the warrant and to require aldermen and justices to keep an official seal and stamp all warrants granted with said seal"

Act of May second one thousand nine hundred and one (Pamphlet Laws one hundred twenty-seven) entitled "An act to provide for the payment by the proper county of costs in criminal and other cases where recognizances have been or shall be taken and such recognizances shall be forfeited recovered and paid to the proper authorities"

Act of May eighth one thousand nine hundred and one (Pamphlet Laws one hundred forty-three) entitled "An act providing that where any court of quarter sessions of the peace or court of oyer and terminer in this Commonwealth has heretofore made or entered or shall hereafter make or enter any order sentence decree or judgment for the payment of any moneys whatsoever in any matter or thing within its jurisdiction a copy of said order sentence decree or judgment may be certified to any court of common pleas of the same county and be entered and indexed therein as a judgment and collected with like force and effect as if the same had been recovered as a judgment in the latter court"

Act of May eleven one thousand nine hundred and one (Pamphlet Laws one hundred sixty-six) entitled "An act providing for the commutation of sentences for good behavior of convicts in prisons penitentiaries work houses and county jails of this state and regulations governing the same"

Act of March sixth one thousand nine hundred and one (Pamphlet Laws sixteen) entitled "An act making it unlawful for district attorneys to stand aside jurors in empaneling any jury in the trial of any indictment charging a felony or a misdemeanor in any court of this Common-

wealth and regulating the challenging of jurors by the Commonwealth and the defendant in such cases"

Act of July ninth one thousand nine hundred and one (Pamphlet Laws six hundred twenty-nine) entitled "An Act to amend an act entitled 'An Act making it unlawful for district attorneys to stand aside jurors in empaneling any jury in the trial of any indictment charging a felony or a misdemeanor in any court of this Commonwealth and regulating the challenging of jurors by the Commonwealth and the defendant in such cases' approved March sixth one thousand nine hundred and one providing for an increased number of challenges in the trial of persons charged with certain misdemeanors"

Act of April twenty-two one thousand nine hundred and three (Pamphlet Laws two hundred forty-five) entitled "An Act relating to new trials in cases of murder"

Act of February twenty-eighth one thousand nine hundred and five (Pamphlet Laws twenty-five) entitled "An Act amending the seventy-fourth section of an act entitled 'An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings' approved the thirty-first day of March one thousand eight hundred and sixty by repealing the proviso thereof which prohibits the imposing of sentences to expire between the fifteenth day of November and the fifteenth of February of any year"

Act of March tenth one thousand nine hundred and five (Pamphlet Laws thirty-five) entitled "An Act relating to the institution prosecution and taxation of costs in criminal cases"

Act of April fourteenth one thousand nine hundred and five (Pamphlet Laws one hundred fifty-two) entitled "An Act authorizing the payment of costs by the county in certain criminal proceedings where a nolle prosequi shall be entered or the verdict of the jury set aside"

Act of April fourteenth one thousand nine hundred and five (Pamphlet Laws one hundred fifty-three) entitled "A Supplement to an act entitled 'An Act to consolidate revise and amend the laws of this Commonwealth relating to the penal proceedings and pleadings' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty"

Act of March twenty-second one thousand nine hundred and seven (Pamphlet laws thirty-one) entitled "An Act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases"

Act of April fifteen nineteen hundred and seven (Pamphlet Laws sixty-two) entitled "An Act providing that in certain cases defendants may enter pleas of guilty and be sentenced forthwith without a bill of indictment being presented to a grand jury"

Act of May seven nineteen hundred and seven (Pamphlet Laws one hundred and sixty-six) entitled "An Act relating to the cost where matters are given in charge to a grand jury for investigation and providing for the payment of the same in certain cases by the proper county"

Act of June seven nineteen hundred and seven (Pamphlet Laws four hundred and twenty-nine) entitled "An Act relating to the collection of any sums of money that a defendant in a prosecution for fornication and bastardy may be sentenced by the court of quarter sessions to pay to the mother of a bastard child"

Act of March eighteen nineteen hundred and nine (Pamphlet Laws forty-two) entitled "An Act relating to surety of the peace and defining the procedure in such cases"

Act of April twenty-seven nineteen hundred and nine (Pamphlet Laws two hundred and sixty) entitled "An Act providing for the return of all surety of the peace and desertion cases and also providing that the court of quarter sessions may hear and decide such cases whenever convenient and also providing that bail in such cases shall be taken for an appearance forthwith"

Act of June three nineteen hundred and eleven (Pamphlet Laws six hundred and twenty-seven) entitled "An Act providing for the payment by the proper county or by the treasurer of a city co-extensive with a county of the costs of appeal including printing of paper book in murder cases where counsel have been assigned to the defense of the prisoner"

Act of June nineteen nineteen hundred and eleven (Pamphlet Laws ten hundred and fifty-five) entitled "An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parol and their re-arrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries"

Act of June nineteen nineteen hundred and eleven (Pamphlet Laws ten hundred and fifty-nine) entitled "An Act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole"

Act of February twenty-eight nineteen hundred and thirteen (Pamphlet Laws two) entitled "An Act providing for the resentencing of convicts who have been or shall be sentenced under a law declared to be unconstitutional"

Act of April seventeen nineteen hundred and thirteen (Pamphlt Laws seventy-nine) entitled "An Act to amend section one of the act of March thirty nineteen hundred and eleven (Pamphlet Laws twenty-eight) entitled 'An Act to provide for the payment by the proper county of witnesses committed and held in default of bail to appear and testify on behalf of the Commonwealth'"

Act of May twenty-eight nineteen hundred and thirteen (Pamphlet Laws three hundred and sixty-three) entitled "An Act regulating the discharge of prisoners on parole from the penal institutions of the Commonwealth"

Act of June nineteen nineteen hundred and thirteen (Pamphlet Laws five hundred and twenty-eight) entitled "An Act fixing the penalty for murder of the first degree regulating the procedure incident to the infliction thereof prescribing and providing for a place and manner of inflicting said penalty on the grounds of the new Western Penitentiary of this Commonwealth in Centre County making an appropriation therefor repealing inconsistent legislation and providing that neither this Act nor said repeal shall apply to any case in which it shall appear that said crime was committed prior to the date of the approval of this act"

Act of June nineteen nineteen hundred and thirteen (Pamphlet Laws five hundred and thirty-two) entitled "A Supplement to an Act approved the nineteenth day of June nineteen hundred and eleven entitled 'An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the maner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their re-arrest and re-conviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries"

Act of July twenty-second one thousand nine hundred thirteen (Pamphlet Laws nine hundred twelve) entitled "An Act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping or attempting to escape from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania by the respective counties from whose courts the said escaping convicts or prisoners have been committed and providing for the maintenance of such convicts under sentence for escape et cetera"

Act of April ninth one thousand nine hundred fifteen (Pamphlet Laws seventy-six) entitled "An Act to further protect the rights and liberty of the people of this Commonwealth when under arrest upon a bailable criminal charge making its infraction a misdemeanor and providing punishment therefor"

Act of April twenty one thousand nine hundred fifteen (Pamphlet Laws one hundred forty-five) entitled "An Act relative to the powers of magistrates in cities of the first class"

Act of May six one thousand nine hundred fifteen (Pamphlet Laws two hundred sixty-six) entitled "An Act to amend an act approved the sixth day of May one thousand eight hundred and eighty-seven entitled 'An Act to authorize the commissioners of the several counties of this Commonwealth to discharge from prison all persons confined in jans without proceedings under the insolvent laws'"

Act of June third one thousand nine hundred fifteen (Pamphlet Laws seven hundred eighty-eight) entitled "An Act to amend the tenth and fourteenth sections of an Act entitled 'An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries' approved the nineteenth day of June Anno Domini

one thousand nine hundred eleven so that a convict sentenced to a penitentiary for a crime committed during his period of parole shall begin to serve the said sentence after having first served the remainder of the term which such convict would have been compelled to serve but for the commutation authorizing said parole and so that a convict violating his or her parole may be arrested and confined by authority of the Board of Inspectors of the penitentiary from which such convict shall have been released on parole and investigation and report upon said case made by said board before the governor shall issue his mandate for the recommitment of such convict"

Act of May first one thousand nine hundred nineteen (Pamphlet Laws one hundred two) entitled "An Act providing for a cash deposit in lieu of bail in cases of arrest and prescribing the fees of the sheriff in case of forfeiture" in so far as the same relates to bail in criminal cases

Act of May twenty-seven one thousand nine hundred nineteen (Pamphlet Laws three hundred six) entitled "An Act relating to criminal procedure before alderman justice of the peace and magistrates in cases of assault and assault and battery and providing for the assessment of costs in such cases upon the prosecutor defendant or county and the commitment of the prosecutor or defendant in case of default"

Act of June twenty one one thousand nine hundred nineteen (Pamphlet Laws five hundred sixty-nine) entitled "An Act to amend the third section of an Act entitled 'An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries' approved the nineteenth day of June Anno Domini one thousand nine hundred and eleven to empower the court to appoint assistants to the probation officer"

Act of April seven one thousand nine hundred and twenty-one (Pamphlet Laws one hundred eighteen) entitled "An act providing for the depositing of money with magistrates justices of the peace and alderman in lieu of bail or recognizances with surety or sureties in criminal prosecutions desertion and non-support and surety of the peace"

Act of May twelve one thousand nine hundred and twenty-one (Pamphlet Laws five hundred forty-eight) entitled "An act providing for the depositing of money with the clerk of the several courts of quarter sessions and oyer and terminer or other courts of record having jurisdiction in this Commonwealth in lieu of bail and recognizances with surety or sureties in criminal or quasi criminal prosecutions desertion or non-support and surety of the peace cases pending in said courts and fixing the fees of the said clerk of the courts"

The acts of assembly and parts thereof hereinbefore repealed shall be and the same are hereby continued in force and effect anything to the contrary notwithstanding as to all crimes and offenses committed before this act Provided That all suits indictments and prosecutions for such crimes and offenses shall be brought within a time limited or prescribed by this act and nothing in this act shall alter or affect the validity of any proceeding heretofore commenced or any indictment heretofore found or alter the procedure therein or the punishment therefor

Nothing herein contained shall alter or affect the power of any criminal court to sentence to the Huntingdon Reformatory as now provided by law

Nothing in this act contained shall alter or repeal any of the laws of this Commonwealth relating to the trial conviction detention sentence and punishment of juvenile delinquents

Nothing in this act contained shall alter or repeal the act of June twelve one thousand nine hundred and thirteen (Pamphlet Laws seven hundred eleven) "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" or any of its supplements or amendments or alter the jurisdiction of said court Nothing in this act contained relating to tales de circumstantibus shall alter or repeal the provisions of an act passed April twentieth one thousand eight hundred fifty-eight entitled "An act establishing a mode of drawing and selecting jurors in and for the city and county of Philadelphia"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. LUDLOW. Mr. Speaker, I move that House Bill No. 10, file folio 3453, be recommitted to the Committee on Judiciary General for the purpose of hearing and amendment.

Mr. STORB. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 11, as follows:

An Act to Consolidate Revise and Amend the Penal Laws of This Commonwealth

GENERAL SUMMARY

Title I—Offenses against the government of the Commonwealth

Section	1	Treason
Section	2	Misprision of treason
Section	3	Conspiracy to commit treason
Section	4	Sedition
Section	5	Mutilation and et cetera of flag
Section	6	Advertising on flag
Section	7	Bribery of public officers
Section	8	Solicitation of bribes by public officers
Section	9	Bribery of and threats to electors
Section	10	Solicitation of bribes by electors
Section	11	Witness refusing to attend and testify before general assembly

Title II—Offenses against public justice and administration

Section	12	Conspiracy to indict
Section	13	Prison breach
Section	14	Furnishing weapon to convict
Section	15	Voluntary escape
Section	16	Negligent escape
Section	17	Refusal or neglect of officer to execute process
Section	18	Refusal or neglect of officer to perform duty
Section	19	Refusal of officer to issue certificate
Section	20	Forcibly obstructing officer in execution of legal process et cetera
Section	21	Assaulting officer in discharge of duty
Section	22	Barratry
Section	23	Compounding offenses
Section	24	Dissuading witness
Section	25	Persuading witness to abscond or secrete himself
Section	26	Witness absconding or secreting himself
Section	27	Extortion in taking illegal fees
Section	28	Embracery and influencing officer unlawfully
Section	29	Bribery of certain officers jurors et cetera
Section	30	Soliciting and accepting bribes by certain officers jurors et cetera
Section	31	Witness testifying exempt from prosecution
Section	32	Perjury
Section	33	False entries abstraction and destruction of public records
Section	34	Detaining public records seals and papers
Section	35	False acknowledgment of deeds
Section	36	Offering false instrument for recording
Section	37	False personation of officer

Title III—Offenses against the public peace

Section	38	Riots routs assemblies and affrays
Section	39	Riotous resistance to officer
Section	40	Riotous destruction of property

Section 41 Forcible entry and detainer
Section 42 Disturbance of assembly
Section 43 Disturbance of public
Section 44 Discharge of weapon in public place
Section 45 Discharge of weapon at serenade or wedding
Section 46 Threatening communications
Section 47 Libels
Section 48 Furnishing libellous matter
Section 49 Limitation on prosecution for libel
Section 50 Anonymous communications
Section 51 Libels on candidates
Section 52 False statements as to banks et cetera
Section 53 Challenges to duel
Section 54 Concealing challenge
Section 55 Carrying dangerous weapons
Section 56 Carrying bombs and explosives

Title IV—Offenses against public morals and decency

Section 57 Sodomy
Section 58 Bigamy
Section 59 Unmarried person marrying wife or husband of another
Section 60 Adultery
Section 61 Fornication and bastardy
Section 62 Place of trial
Section 63 Incest
Section 64 Possession et cetera of obscene matter
Section 65 Possession et cetera of article et cetera to prevent conception or cause abortion
Section 66 Issuance of warrant
Section 67 Posting indecent matter
Section 68 Participating in or allowing obscene exhibitions
Section 69 Advertising cures for secret diseases
Section 70 Seduction
Section 71 Taking indecent liberties with minor
Section 72 Taking minors for sexual intercourse
Section 73 Keeping disorderly house
Section 74 Keeping bawdy house
Section 75 Pandering
Section 76 Accepting property from prostitutes
Section 77 Detaining females in disorderly house
Section 78 Transporting females for purpose of prostitution
Section 79 Venue
Section 80 Sending minor to immoral place
Sectino 81 Loitering about bawdy house
Section 82 Public indecency
Section 83 Exhibition of idiot
Section 84 Violation of sepulture

Title V—Offenses against public policy economy and health

Section 85 Lottery a nuisance
Section 86 Conducting lottery
Section 87 Selling ticket policy et cetera in lottery
Section 88 Gambling
Section 89 Common gamblers
Section 90 Enticing person to gamble
Section 91 Witness
Section 92 Seizure of gambling instruments
Section 93 Pool selling
Section 94 Conducting opium joint
Section 95 Smoking opium in opium joint
Section 96 Enticing person into opium joint
Section 97 Seizure of instrument for smoking opium
Section 98 Prize fighting
Section 99 Promoting et cetera excessive sport
Section 100 Vagrant
Section 101 Vagrant entering dwelling apprehension of vagrant
Section 102 Loan of public money by officer
Section 103 Deposit of public money by officer
Section 104 Payment of public money without authority of law
Section 105 Misapplication of public money
Section 106 Buying public claim
Section 107 Increasing debt of municipality
Section 108 Increasing debt of municipality procedure
Section 109 Use or disposal of public property
Section 110 Public officer and officer of institution interested in public contract
Section 111 Bank cashier engaging in other business
Section 112 Public officer becoming surety
Section 113 Malversation by corporation officer
Section 114 Corporation officer issuing certificate as currency
Section 115 Foreign corporation transacting business
Section 116 Manufacture sale et cetera of unwholesome or adulterated food
Section 117 Importing dressed carcass
Section 118 Disposing of infected cattle
Section 119 Manufacture sale et cetera of adulterated drugs
Section 120 Sale of drugs and poisons
Section 121 Sale et cetera of article containing methyl alcohol
Section 122 Illegal sale or manufacture of ethyl alcohol
Section 123 Exposure of poison
Section 124 Branding liquor
Section 125 Polluting drinking water
Section 126 Plugging oil and gas well
Section 127 Importing criminals
Section 128 Conveying drug liquor et cetera into prison
Section 129 Conveying article in and out of prison
Section 130 Furnishing tobacco or snuff to minor
Section 131 Sale of weapon to minor
Section 132 Employing minor to operate elevator
Section 133 Sale et cetera of fireworks
Section 134 Sale et cetera of balloon
Section 135 Keeping boarding house for infant
Section 136 Maintaining home for insane
Section 137 Dealing in human beings
Section 138 Regulation of billiard room
Section 139 Certain employment of children prohibited
Section 140 Divulging contents of telegraph or telephone message
Section 141 Purchasing et cetera military supplies
Section 142 Discrimination on account of race color or uniform
Section 143 Discrimination between policy holders
Section 144 Public nuisance
Section 145 Distribution of candy drugs et cetera
Section 146 Throwing waste matter on street
Section 147 Carrying and shipping explosives on train et cetera
Section 148 Conductor to arrest
Section 149 Shipping exposives under false invoice
Section 150 Anchoring vessel on range of range lights
Section 151 Driving and riding while intoxicated and operating vehicle of another under false number et cetera
Section 152 Driving and riding animal while intoxicated
Section 153 Hunting while intoxicated
Section 154 Driving vehicle over bridge
Section 155 Marrying intoxicated person
Section 156 Political assessment
Section 157 Demanding property from employee
Section 158 False alarm of fire
Section 159 Appointment of special policeman
Section 160 Withholding papers of soldiers et cetera
Section 161 Railroad employee abandoning train
Section 162 Railroad employee refusing to move car
Section 163 Interference with employee of railroad
Section 164 Unlawful sale of railroad ticket
Section 165 Illegal practice of profession
Section 166 Sale of diploma
Section 167 False statement in application for permit
Section 168 Illegal transaction of business of insurance
Section 169 Offering money for proxies
Section 170 Advertising as agent of foreign or fictitious insurance company
Section 171 Illegal sale of tickets
Section 172 Illegal transaction of business of detective
Section 173 Conducting business under assumed name
Section 174 Bribing in athletic contest

Title VI—Offenses against the person

Section 175 Murder
Section 176 Punishment for murder of the first degree
Section 177 Punishment for murder of the second degree
Section 178 Petit treason abolished
Section 179 Voluntary manslaughter
Section 180 Involuntary manslaughter
Section 181 Aggravated battery
Section 182 Assault and battery
Section 183 Pointing or discharging firearm
Section 184 Administering drugs et cetera with intent

Section 185 Abortion
Section 186 Administering drugs et cetera with intent to commit abortion
Section 187 Concealing death of child
Section 188 Abandonment of child
Section 189 Neglect of child
Section 190 Desertion and neglect of wife or child
Section 191 Refusal to support bastard child
Section 192 Rape
Section 193 Kidnapping with intent to extort
Section 194 Other kidnapping
Section 195 Neglect of injured person

Title VII—Offenses against personal property and fraudulent dealing therewith

Section 196 Robbery
Section 197 Robbery with accomplice or being armed
Section 198 Blackmail
Section 199 Stealing
Section 200 Stealing from the person
Section 201 Stealing by public officer
Section 202 Bringing stolen property into the Commonwealth
Section 203 Fraudulent pledging of property by factors
Section 204 Fraudulent pledging of property by bailee
Section 205 Interest in property no defense in stealing
Section 206 No exemption from testifying
Section 207 Obtaining signature by false pretense
Section 208 Receiving stolen property
Section 209 Trial of receivers
Section 210 False entries by officers of associations
Section 211 Fraudulent accounts by officers of associations
Section 212 Altering destroying et cetera books of associations
Section 213 False statemens by officers of associations
Section 214 Fraudulent pledging of property
Section 215 Receipt of deposits by officers of insolvent banks
Section 216 Fraudulent pledging of name of association
Section 217 Fraud on insurance companies
Section 218 Fraud on railroad companies
Section 219 Making et cetera check without sufficient fund
Section 220 Obtaining employment by false pretense
Section 221 Publishing deceptive advertisement
Section 222 Professional thieves
Section 223 Possession of false electric meters
Section 224 Possession of false gas meters
Section 225 Omitting distinctive words on notes given for patent rights
Section 226 Fortune telling
Section 227 Fraud on hotel keepers
Section 228 Fraudulent marking of gold
Section 229 Fraudulent marking of gold
Section 230 Fraudulent marking of gold
Section 231 Fraudulent marking of gold
Section 232 Fraudulent marking of silver
Section 233 Fraudulent marking of silver
Section 234 Fraudulent marking of silver
Section 235 Fraudulent marking of silver
Section 236 Presenting unpublished play or music
Section 237 Buying junk
Section 238 Using milk container of another
Section 239 Removing et cetera name of owner from milk container
Section 240 Refilling bottles of another
Section 241 False registration of animals
Section 242 Fraudulent entry of horse in race
Section 243 Fraudulent obtaining of property from bailee
Section 244 Refusal to surrender records
Section 245 Fraudulent destruction of deeds et cetera
Section 246 Frauds on creditors
Section 247 Frauds on certain associations
Section 248 Frauds on other associations

Title VIII—Offenses against real property and malicious mischief

Section 249 Burglary
Section 250 Breaking and entering building or entering building with intent to commit felony
Section 251 Halting injuring et cetera train
Section 252 Making mending or having burglar's tools
Section 253 Burning of building hay motor et cetera
Section 254 Arson
Section 255 Burning woodlands kindling fire in forest reservation
Section 256 Burning with intent to defraud insurer
Section 257 Effect of tenancy and coverture
Section 258 Placing explosive near building
Section 259 Injuring or obstructing highway bridges et cetera
Section 260 Injuring or obstructing artificial navigation
Section 261 Opening or shutting locks et cetera
Section 262 Injuring bank or wall of stream
Section 263 Injuring mines
Section 264 Injuring oil gas and water wells
Section 265 Obstructing stream
Section 266 Injuring et cetera buoy beacon et cetera
Section 267 Injuring railroad
Section 268 Injuring or taking possession of railroad property
Section 269 Malicious injury to railroad property
Section 270 Malicious injury et cetera to wires cables et cetera
Section 271 Injuring property of electrical company
Section 272 Injuring or defacing buildings and fixtures
Section 273 Injuring trees vines timber produce fences et cetera
Section 274 Injuring fire apparatus
Section 275 Injuring et cetera fire alarm
Section 276 Defacing direction signs
Section 277 Breaking or entering school houses or injuring property therein
Section 278 Injuring property in libraries museums et cetera
Section 279 Injuring defacing et cetera monument
Section 280 Injurying property at exhibition
Section 281 Injuring arsenal armory or property therein
Section 282 Injuring baggage
Section 283 Injuring property by bailee thereof
Section 284 Defacing et cetera advertisement
Section 285 Posting advertisement on property of another
Section 286 Killing et cetera animal of another
Section 287 Unlawful entry of game preserve
Section 288 Cruelty to animals
Section 289 Cock-fighting bull fighting et cetera
Section 290 Seizure or animal used in fighting
Section 291 Injuring ice on pond et cetera

Title IX—Offenses against the coin and forgery

Section 292 Counterfeiting gold and silver coin
Section 293 Multilating gold and silver coin
Section 294 Buying selling and importing counterfeit gold and silver coin
Section 295 Uttering counterfeit gold and silver coin
Section 296 Counterfeiting minor coin
Section 297 Buying selling and importing minor coin
Section 298 Uttering counterfeit minor coin
Section 299 Making possession et cetera coining tools
Section 300 Proof of forgery
Section 301 Counterfeiting uttering and possessing securities
Section 302 Counterfeiting forging bank notes and checks and uttering same
Section 303 Forgery and uttering of forged instruments
Section 304 Connecting parts of notes
Section 305 Uttering note of fictitious bank
Section 306 Making possessing et cetera plates possessing counterfeit notes bonds paper et cetera
Section 307 Printing advertisement of counterfeit money
Section 308 Using fictitious name in advertising counterfeit money
Section 309 Forgery of seal and uttering instruments impressed with same
Section 310 Forging defacing et cetera of records
Section 311 Forgery of letters telegrams et cetera
Section 312 Forgery of bills of lading warehouse receipts et cetera
Section 313 Counterfeiting public brands
Section 314 Counterfeiting trade marks
Section 315 Removing marks from property
Section 316 Possessing dies plates et cetera of trade marks
Section 317 Vending goods fraudulently marked

Section 318 Counterfeiting et cetera mark of trade unions and vending goods marked with same
Section 319 Falsely branding goods and offering same for sale
Section 320 Falsely representing food to be kosher

Title X—General provisions

Section 321 Offenses not provided against to be punished as heretofore
Section 322 Civil rights and remedies preserved
Section 323 Civil penalties not affected
Section 324 Restitution of property
Section 325 Principals in the second degree and accessories
Section 326 Conspiracy
Section 327 Attempts
Section 328 Solicitation
Section 329 Offenders to be competent as witnesses
Section 330 Second offenders
Section 331 Effect of repeal amendment or modification of existing laws
Section 332 Effect of unconstitutionality of single sections of act
Section 333 Manner of citing act
Section 334 Definitions
1 Offense
2 Person any person any one the person every person such person other another and relative pronoun he
3 Terms denoting gender
4 Sub-divisions of this Commonwealth
5 Flag standard color ensign shield
6 Public officer
7 A bribe
8 Public election
9 Prison
10 Imprisoned
11 Prisoner
12 Escape
13 Day or day-time
14 Night or night-time
15 Dwelling or dwelling house
16 Building
17 Writing written
18 Obligation or other security of the United States
19 Lottery
20 Property
21 Food
22 Credit
23 Child
24 Ship
25 Trustee
26 Woodland
27 Injure
28 Wantonly
29 Wilfully
30 Unlawfully
31 Maliciously
Section 335 Acts repealed.

TITLE I.—OFFENSES AGAINST THE GOVERNMENT OF THE COMMONWEALTH

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person who levies war against the Commonwealth of Pennsylvania or adheres to its enemies giving them aid and comfort within the State or elsewhere is guilty of treason and if convicted thereof on confession in open court or on the testimony of two witnesses to the same overt act of the treason of which he is indicted shall be imprisoned for a term of years not exceeding the life of offender or fined not exceding ten thousand dollars or both

Section 2. Any person having knowledge of the commission of any treason against the Commonwealth of Pennsylvania who conceals and does not as soon as may be disclose and make known the same to the governor or attorney general of the Commonwealth or to some one of the judges justices or district attorneys thereof is guilty of misprision of treason and shall be imprisoned not exceeding six years or fined not exceeding three thousand dollars or both

Section 3 Any person who conspires to overthrow put down or destroy by force the government of the Commonwealth of Pennsylvania or to levy war against it or to oppose by force the authority thereof or by force to prevent hinder or delay the execution of any law of this Commonwealth or by force to take or possess any property of this Commonwealth contrary to the authority thereof is guilty of a felony and shall be imprisoned not exceeding twenty years or fined not exceeding ten thousand dollars or both

Section 4 Any person who makes any writing publication printing cut cartoon or utterance with intent to make or cause to be made any outbreak or demonstration of violence against this State or against the United States or to encourage any person or persons to take any measures or engage in any conduct with a view of overthrowing or destroying or attempting to overthrow or destroy by any force or show or threat of force the government of this State or of the United States or to incite or encourage any person or persons to commit any overt act with a view to bringing the government of this State or of the United States into hatred or contempt and any person who makes any writing publication printing cut cartoon or utterance which advocates or teaches the duty necessity or propriety of engaging in crime violence or any form of terrorism as a means of accomplishing political reform or change in government or who knowingly sells gives or distributes any print publication book paper document or written matter in any form which advocates or furthers any of the things above provided against or who organizes or becomes a member of an assembly society or group which advocates or furthers any of the things above provided against is guilty of sedition a felony and shall be imprisoned not exceeding twenty years or fined not exceeding ten thousand dollars or both

Section 5 Any person who publicly mutilates defaces defiles tramples upon or by word or act casts contempt upon any flag standard color ensign or shield of the United States of America or of this Commonwealth or authorized by any law of the United States of America or of this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 6 Any person who places any word figure mark picture design drawing or advertisement of any nature upon any flag standard color ensign or shield of the United States of America or of this Commonwealth or authorized by any law of the United States of America or of this Commonwealth or exposes to public view any such flag standard color ensign or shield upon which is printed painted or otherwise placed or to which is attached appended affixed or annexed any such word figure mark picture design drawing or advertisement or exposes to public view manufactures sells exposes for sale gives or has in possession for sale for gift or for use for any purpose any substance being an article of merchandise or receptacle or thing for holding or carrying merchandise upon or to which is printed painted attached or otherwise placed any such flag standard color ensign or shield in order to call attention to decorate mark or distinguish such substance or receptacle is guilty of a misdemeaner and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both Provided That the provisions of section five and six of this act shall not apply to any act permitted by the statutes of the United States of America or of this Commonwealth or by the United States Army and Navy Regulations nor shall they apply to any printed or written document or production stationery ornament picture badge or jewelry whereon shall be depicted said flag standard color ensign or shield disconnected from any advertisement for the purpose of sale barter or trade

Section 7 Any person who offers or gives a bribe to any public officer or employee of this Commonwealth or any sub-division thereof the offer to bribe whom or the bribery of whom is not specifically provided against in this act or who threatens or intimidates any such officer or employee with intent to influence his action as such officer or employee is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both Provided That any open address upon or explanation of any measure or question before either house of the General Assembly or any committee or member thereof or before any municipal council or board or committee thereof or before any public officer shall not be deemed an offense within the meaning of this section

Section 8 Any public officer or employee of this Commonwealth or any subdivision thereof by whom the solicitation of consent to receive or acceptance of a bribe is not specifically provided against in this act who solicits consents to receive or accepts a bribe is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both and forfeits his office and is forever disqualified to hold any office of trust honor or profit under the constitution or laws of this Commonwealth or any subdivision thereof

Section 9 Any person who offers or gives a bribe to any elector authorized to vote at any public election or who dismisses or threatens such elector with dismissal from any office place appointment or employment public or private with intent to influence the vote of such elector at such election is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 10 Any elector authorized to vote at any public election who solicits consents to receive or accepts a bribe to influence his vote at such election is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 11 Any person who being duly summoned to attend as a witness before either branch of the General Assembly of this Commonwealth or any committee thereof authorized to summon witnesses refuses or neglects without lawful excuse to attend or to testify pursuant to such summons or to produce upon reasonable notice any material and proper book paper or document in his possession custody or control is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

TITLE II—OFFENSES AGAINST PUBLIC JUSTICE AND ADMINISTRATION

Section 12 Any person who conspires to charge or indict any person of or for any offense or procures or attempts to procure the arrest or indictment of any person for any offense not believing such person to be guilty thereof is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 13 Any prisoner who breaks prison or escapes from prison or from lawful custody is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 14 Any person who sells gives or furnishes to any convict any weapon or other implement which may be used to injure any person or to aid a convict to escape or who brings or sends any such weapon into any prison or building appurtenant thereto or on any land employed for the use or benefit of prisioners is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 15 Any sheriff coroner warden jailer guard keeper constable or other person having in his lawful custody any person lawfully arrested for or convicted of any offense who voluntarily permits such person to escape and go at large or connives at or assists such escape is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both and forfeits his office and is forever disqualified to hold any office or place of trust honor or profit under the constitution or laws of this Commonwealth

Section 16 Any sheriff coroner warden jailer guard keeper constable or other person who by failing to perform any legal duty permits a person in his lawful custody to escape therefrom is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 17 Any sheriff corner warden jailer keeper constable or other person who in violation of a duty imposed upon him by law wilfully refuses omits or delays to execute any lawful process directed to him requiring the apprehension or confinment of any person charged with or convicted of a criminal offense whereby such person shall escape is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 18 Any public officer of this Commonwealth upon whom any duty is or shall be enjoined by law who wilfully neglects or refuses to perform such duty or who wilfully disobeys any provision of law regulating his official conduct where no special provision shall have been made for such neglect or refusal is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 19 Upon arrest of any person charged with an offense it shall be the duty of the sheriff coroner constable police or other official making the arrest or having charge of the prisoner upon application made therefor either by counsel or a citizen to issue without cost to the applicant a certificate stating the name of the prisoner and the charge upon which he has been arrested and imprisoned and the amount of bail demanded if the same has been fixed so that the bail may be entered as authorized by law Any sheriff coroner constable police or other official who made such arrest or has such prisoner in charge or any mayor or director of public safety or subordinate of either of them of any municipal corporation of this Commonwealth by whose order or direction said prisoner is held who fails omits neglects or refuses to issue such certificate immediately upon demand thereof is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 20 Any person who wilfully resists obstructs or opposes or delays any public officer in the discharge of or the attempt to discharge any duty of his office or who forcibly resists obstructs or opposes any person duly authorized in serving or executing or attempting to serve or execute any legal process or who being commanded to aid any public officer in executing any legal process or in the preservation of the peace or in lawfully arresting any person or in retaking any person who has escaped or is attempting to escape from legal custody refuses so to do is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 21 Any person who assaults or strikes any public officer while such officer is engaged in the lawful discharge of or the attempt to lawfully discharge any duty of his office or who assualts or strikes any person engaged in lawfully serving or executing or lawfully attempting to serve or execute any legal process or in making any lawful arrest or capture or who rescues another in legal custody is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 22 Any person who vexes others with unjust or groundless judicial proceedings is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 23 Any person who accepts any property or promise thereof upon any agreement or understanding to compound or conceal any offense herein or hereafter provided against or to abstain from discontinue or delay a prosecution therefor or to withhold any evidence thereof except in a case where such agreement is allowed by law shall be punished as follows If the offense he thus agrees to compound or conceal or to delay or discontinue or abstain from the prosecution of or to withhold evidence of is punishable by death or imprisonment for life he shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both if the offense is punishable by a lesser period or imprisonment than imprisonment for life he shall be imprisoned not exceeding one-third of the longest term or fined not exceeding one-third of the largest sum prescribed for the commission of the offense or by both such imprisonment and fine

Section 24 Any person who wilfully prevents hinders or dissuades any person who has been lawfully summoned as a witness in any trial hearing or other proceeding before any court or officer authorized by law to hear evidence or take testimony from attending or testifying pursuant to the summons is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 25 Any person who with intent to hinder delay or obstruct the ends of justice induces another who has knowledge of any fact tending to show the guilt or innocence of any person suspected of or charged with an offense to leave the Commonwealth or secrete himself so that he connot be produced as a witness at any legal examination into such offense or at any legal examination or trial of the person suspected of or charged with such offense is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 26 Any person having been lawfully summoned or subpoenaed as a witness in any trial hearing or other proceeding before any court officer or other person authorized by law to hear evidence or take testimony who with intent to hinder delay or obstruct the ends of justice leaves this Commonwealth or absents himself therefrom or secretes himself and refuses to appear or testify in pursuance of such summons is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 27 Any officer of this Commonwealth or of any sub-division thereof who fraudulently solicits or receives or agrees to receive a fee or other compensation other than such as is allowed by law for his official service is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dolars or both and forfeits his office and shall be forever disqualified from holding any office or trust honor or profit under the constitution or laws of this Commonwealth or any sub-division thereof

Section 28 Any person who wilfully and unlawfully influences a juror or one drawn or summoned as a juror or a judge justice magistrate master examiner referee arbitrator commissioner appraiser assessor or other person authorized by law to hear or determine any matter in respect to his verdict report judgment award or decision in any matter or cause pending or about to be brought before him is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 29 Any person who offers or gives a bribe to any juror or one drawn or summoned as a juror any witness judge justice magistrate examiner referee arbitrator commissioner appraiser assessor or other person authorized by law to hear or determine any matter is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 30 Any juror or person drawn or summoned as a juror any witness judge justice magistrate master examiner referee arbitrator appraiser assessor or other person authorized by law to hear or determine any matter who solicits or receives or agrees to receive a bribe is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both and if he be a judge justice or magistrate forfeits his office and is forever disqualified to hold any office of trust honor or profit under the constitution or laws of this Commonwealth

Section 31 No witness shall be excused from testifying in any criminal proceeding or in any investigation or inquiry before either branch of the General Assembly or any committee thereof touching his knowledge of the crimes provided for in sections seven eight twenty-eight twenty-nine and thirty of this act under any pretense or allegation whatsoever but the evidence so given or the facts divulged by him shall not be used against him in any prosecution under any of the said sections of this act provided that the accused shall not be convicted on the testimony of an accomplice unless the same be corroborated by other evidence or the circumstances of the case

Section 32 Any person who having taken an oath or affirmation legally administered before any officer tribunal body or person authorized by law to require or administer such oath or affirmation wilfully and corruptly swears or affirms falsely in a matter relative to which such oath or affirmation was taken is guilty of perjury a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both and shall forever be disqualified from being a witness in any matter in controversy in which an oath or affirmation is authorized by law to be administered On an indictment under this section it shall be no defense that the false statement was not material to the issue or that the oath was administered in an irregular manner or that the defendant was not a competent witness or that his testimony was not competent or that his testimony was true if he believed it to be false An unqualified statement of that which the defendant did not know to be true is equivalent to a statement of that which he knew to be false

Section 33 Any person who wilfully makes a false entry in falsifies erases alters secretes withdraws avoids carries away destroys or defaces any record filed or deposited by authority of law in a public office or with any public office of this Commonwealth or any subdivision thereof unless authorized thereto by law is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both and if such person be an officer of the Commonwealth or any sub-division thereof he shall in addition to the penalty above prescribed forfeit his office and be forever disqualified to hold any office of trust honor or profit under the constitution or laws of this Commonwealth

Section 34 Any person who wilfully detains from any person duly commissioned to have any office or appointment in this Commonwealth or any sub-division thereof any seal record book paper or other property appertaining or belonging to such office after the same has been duly demanded of him by the person entitled to possession thereof is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 35 Any person who fraudulently acknowledges any deed recognizance or judgment in the name of any other person not privy thereto or consenting to the same is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both

Section 36 Any person who knowingly offers any false or forged instrument to be acknowledged filed registered or recorded in any public office which instrument if genuine might be acknowledged filed registered or recorded by virtue of any law of this Commonwealth or of the United States is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both

Section 37 Any person who falsely represents himself to be a public officer or who not being a public officer assumes to act as one is guilty of a misdemeanor and shall be imprisoned not exceeding one year nor fined not exceeding five hundred dollars or both

TITLE III—OFFENSES AGAINST THE PUBLIC PEACE

Section 38 Any person who participates in a riot rout unlawful assembly or affray is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 39 Any person who participates in any riot rout or unlawful assembly whose purpose or the purpose of which is to resist the enforcement of a law of this Commonwealth or of the United States or to obstruct any public officer of this Commonwealth or of the United States in the performance of his duty and any person who being disguised or being armed with a dangerous weapon participates in any riot rout or unlawful assembly is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 40 Any person who while participating in any riot rout or unlawful assembly demolishes destroys pulls down or injures any property of another is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 41 Any person who through force threats or menaces enters upon or into any building land or tenements or who after entering peaceably on any building land or tenements detains possession from or turns out by force or threats or menacing conduct the party in possession is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 42 Any person who maliciously disturbs any lawful assembly meeting parade or procession is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding fifty dollars or both

Section 43 Any person who wilfully makes any loud boisterous and unseemly noise or uses obscene profane or blasphemous language to the annoyance or disturbance of the public shall on summary conviction be sentenced to pay a fine not exceeding ten dollars and pay the costs of prosecution and in default in the payment of such fine and costs be imprisoned not exceeding thirty days

Section 44 Any person who discharges in any street alley court or park or public square any implement which impels with force a metal pellet is guilty of a misdemeanor and shall be imprisoned not exceeding thirty days or fined not exceeding fifty dollars or both

Section 45 Any person who discharges any cannon gun revolver or other explosive device at any serenade or other celebration of any wedding is guilty of a misdemeanor and shall be imprisoned not exceeding two months or fined not exceeding one hundred dollars or both

Section 46 Any person who by an oral or by a written communication knowing the contents thereof accuses or threatens to accuse either the person to whom such communication is made or any other person of any offense or threatens to expose the fact that any person has or has had a disease or deformity or has done a disgraceful act or impute to any person any disease deformity or disgrace or threatens to kidnap or to imprison unlawfully any person or to injure unlawfully any person or property with intent in any of the said cases to extort any property from any person is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 47 Any person who maliciously publishes or exhibits any writing picture effigy sign or any other publication tending either to blacken the memory of one who is dead or the reputation of one who is alive thereby exposing him to hatred contempt or ridicule or which tends to injure any person corporation or association of persons in his or their business or occupation is guilty of libel a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 48 Any person who wilfully makes delivers or transmits for publication to any manager editor publisher reporter or other employee of a publisher of any newspaper magazine publication periodical or serial any statement concerning any person which if published therein would be a libel is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 49 No person shall be indicted in more than one county in the Commonwealth for the publication exhibition making delivery or transmission of the same libel upon the same person

Section 50 Any person who without appending his proper signature thereto sends to another any libellous defamatory scurrilous or opprobious writing is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 51 Any person who publishes or exhibits any writing which is designed to or tends to injure or defeat any candidate for nomination or election to public office by reflecting upon his personal character or political action unless the same be published in a publication avowedly responsible therefor or unless there appears upon such writing in a conspicuous place either the names of the chairman and secretary or the names of two officers of the organization issuing the same or the name of some duly registered elector with description of his election district as responsible therefor is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and if the statements in such writing be untrue the offender shall be guilty of libel

Section 52 Any person who makes utters circulates or transmits to another any statement untrue in fact derogatory to the financial condition of any bank banking house banking company trust company surety company guarantee company title insurance company or other financial institution in this Commonwealth with intent to injure any such financial institution is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 53 Any person who challanges another to an encounter with deadly weapons and any person who being so challenged accepts such challenge is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 54 Any person who knows of any challenge to an encounter with deadly weapons given or received or who is a witness to the fact of such challenge duel or fighting not being a second thereat or a party criminal therein and conceals the same and does not inform an officer of the law thereof is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 55 Any person who carries any slungshot metal knuckles handy-billy sand bag sand club dagger dirk-knife or stilletto concealed about his person or who with intent to use the same unlawfully against another carries any firearms knife razor or other deadly weapon is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and the jury trying the case may infer such intent from the fact that the defendant carried such weapon on conviction any weapon mentioned in this section found in the possession of the defendant shall be destroyed by the district attorney

Section 56 Any person who without authority of law carries a bomb or who with intent to use the same unlawfully against the person or property of another carries or possesses any explosive substance is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

TITLE IV—OFFENSES AGAINST PUBLIC MORALS AND DECENCY

Section 57 Any person who carnally knows in any manner any animal or bird or carnally knows any male or female person by the anus or by or with the mouth or tongue or voluntarily submits to such carnal knowledge is guilty of sodomy a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both any sexual penetration as above described consummates the offense of sodomy as in this section defined

Section 58 Any person who having a husband or wife living participates as a principal in a form of marriage with another person which form of marriage would constitute a valid marriage but for the fact that the offender or the offender and the other party has a husband or wife living whether the parties to the second form of marriage cohabit together or not is guilty of bigamy a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both Provided That if any husband or wife upon any rumor in appearance well founded and believe to be true by such husband or wife of the death of the other (when such other has been absent for two years) shall marry again he or she shall not be liable to the penalty imposed by this section

Provided further That the prosecution be instituted within five years from date of the second form of marriage Provided also That upon a conviction under this section the second marriage shall be declared null and void and a certificate declaring said marriage null and void shall be given to the injured party by the trial judge

Section 59 Any person who being unmarried knowingly participates as a principal in a form of marriage with a married person which form of marriage would constitute a valid marriage but for the fact that the said other person has a husband or wife living whether the parties to the second form of marriage cohabit together or not is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both Provided That the prosecution be instituted within five years from the date of the second marriage

Section 60 Any married man who knowing himself to be the husband of one woman has sexual intercourse with any other woman and any married woman who knowing herself to be the wife of one man has sexual intercourse with any other man is guilty of adultery a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 61 Any person who commits fornication shall be sentenced to pay a fine not exceeding one hundred dollars to the guardians directors or overseers of the poor of the city or county or township where the offense was committed for the use of the poor of such city county or township and any single or unmarried woman having a child born of her body the same shall be sufficient to convict such single or unmarried woman of fornication and the man by such woman charged to be the father of such bastard child shall be the reputed father and she persisting in the said charge in the time of her extremity of labor or afterwards in open court upon the trial of such person so charged the same shall be given in evidence in order to convict such person of fornication and such person being thereof convicted shall be sentenced in addition to the fine aforesaid to pay the expenses incurred at the birth of such child and to give security by one or more sureties and in such sum as the court shall direct to the guardians directors or overseers of the poor of the city county or township where such child was born to perform such order for the maintenance of the said child as the court before which such conviction is had shall direct and appoint

Section 62 If a bastard child is begotten out of the State and born within the State or begotten within one of the counties of this State and born in another in the latter case the prosecution of the reputed father shall be in the county

where the bastard child shall be born and the like sentence shall be passed as if the bastard child had been begotten within the same county and in the former case namely of a bastard begotten without the State and born within it the like sentence shall be passed except in the imposition of a fine which part of the sentence shall be ommitted

Section 63 Any man who marries or carnally knows any of the following persons when the same is related to him by consanguinity namely his mother his aunt his sister his daughter the daughter of his son or daughter or any of the following persons when the same is related to him by affinity namely his father's wife his son's wife his son's daughter his wife's daughter or the daughter of his wife's son or daughter knowing at the time of such relationship and any woman who marries or carnally knows any of the following persons when the same is related to her by consanguinity namely her father her uncle her brother her son the son of the son or daughter or any of the following persons when the same is related to her by affinity namely her mother's husband her daughter's husband her husband's son or the son of her husband's son or daughter knowing at the time of such relationship is guilty of incest a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both and any such marriage is hereby declared void

Section 64 Any person who sells lends gives away or shows or offers to sell lend give away or show or has in his possession with intent to sell lend give away or show or advertise in any manner any obscene lewd lascivious filthy indecent or disgusting book magazine pamphlet newspaper storypaper paper writing picture drawing post-card photograph figure image or written or printed matter or any article or instrument of indecent or immoral use or purporting to be for indecent or immoral use or who designs copies draws photographs prints utters publishes or in any manner manufactures or prepares any such book picture drawing post-card magazine pamphlet newspaper storypaper paper writing figure image matter article or thing or who writes prints publishes or utters or causes to be written printed published or uttered any advertisement or notice of any kind giving information or gives information orally directly or indirectly or stating or purporting to do so where how of whom or by what means any or what purports to be any obscene lewd lascivious filthy indecedent or disgusting book or other matter article or thing named in this section can be seen purchased obtained or had or who prints utters publishes sells lends gives away or shows or has in his possession with intent to lend sell give away or show any book pamphlet magazine postcard newspaper or other printed paper devoted to the publication of and principally made up of criminal news police reports or accounts of criminal deeds pictures or stories of deeds of bloodshed lust or crime is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 65 Any person who sells lends gives away or in any manner exhibits or offers to sell lend or give away or has in his possession with intent to sell lend or give away or advertises for sale loan or distribution any instrument or article or any receipt drug or medicine for the prevention of conception or for causing unlawful abortion or purporting to be for the prevention of conception or for causing unlawful abortion or advertises or holds out representations that it can be so used or applied or any such description as will be calculated to lead another to so use or apply any such article recipe drug medicine or instrument or who writes or prints a card circular pamphlet advertisement or notice of any kind or gives information orally stating when where how of whom or by what means such instrument article recipe drug or medicine can be purchased or obtained or who manufactures any such instrument article recipe drug or medicine is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both Provided That nothing in this section shall apply to teaching in regular chartered medical schools or to the publication of standard medical books or to sales made to licensed medical practitioners

Section 66 A magistrate having jurisdiction to issue warrants in criminal cases upon complaint supported by oath or affirmation that any person within his jurisdiction is offending against the provisions of sections sixty-four or sixty-five of this act shall upon probable cause issue a warrant directed to the sheriff or to be a constable marshal or police officer within the county directing him to search for seize and take possession of any of the articles specified in said sections of this act in the possessions of the person against whom complaint is made The magistrate must immediately transmit every article seized by virtue of the warrant to the district attorney of the county who must upon the conviction of the person from whose possession the same was taken cause it to be destroyed and the fact of such destruction to be entered upon the records of the court in which the conviction is had

Section 67 Any person who advertises by circulars posters or otherwise any indecent lewd or immoral show play or representation or who in a public place or on a fence or wall or other surface contiguous to the public street or highway or in or on any hotel inn or tarvern court house church school station house depot for freight or passengers or other building devoted or open to other or like public uses or on the wall of any outbuilding or other structure pertaining thereto makes or exposes places displays posts up or exhibits any obscene lewd indecent or immoral drawing picture writing or print liable to be seen by others passing or coming near the same or who knowingly permits the same to be made exposed placed displayed posted or exhibited on property owned or controlled by him is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 68 Any owner lessee or occupier or person in control of any building tent or premises lot park or common who permits within said building or tent or on said premises lot park or common any dramatic theatrical operatic vaudeville fixed or moving pictures or other exhibition of a lascivious sacreligious obscene indecent or immoral character or such as tend to corrupt morals and any person who gives or participates in any such exhibition is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 69 Any person who prints publishes delivers distributes posts or displays or permits to be posted or displayed or to remain on or in any building premises windows or other surfaces owned or controlled by him any advertisement advertising himself or another as treating or being engaged in the business or profession of treating diseases of the generative organs or who prints publishes delivers or distributes any advertisement concerning a veneral disease lost manhood lost vitality impotency sexual weakness seminal emissions varicocele selfabuse sexual indulgence or a disease peculiar to females or of any medicine drug nostrum or apparatus for the alleviation or cure of a veneral disease lost manhood lost vitality impotency sexual weakness seminal emissions varicocele self-abuse excessive indulgence or diseases peculiar to females is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both Provided That this section shall not apply to advertisements or notices issued by an incorporated hospital of this Commonwealth or by a licensed dispensary or by a municipal board or department of health or by a recognized agency of government or by a reputable medical authority in a medical journal

Section 70 Any person who under promise of marriage or by means of a fraudulent representation that he is married to her seduces and carnally knows any unmarried female of good repute is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both Provided That the promise of marriage shall not be deemed to be established unless the testimony of the female seduced is corroborated by other evidence Provided further That the subsequent intermarriage of the parties or the lapse of two years after the commission of the offense before the finding of an indictment shall be a bar to prosecution under this section

Section 71 Any person over sixteen years of age who takes indecent liberties with a child under the age of sixteen years with or without its consent is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 72 Any person who takes receives employs or harbors a female under the age of sixteen years for the purpose of prostitution or sexual intercourse or without the consent of her father mother guardian or other person having legal custody of the person takes or receives such female for the purpose of marriage or who inveigles or entices such minor female into a house of illfame or of assignation or elsewhere for the purpose of prostitution or sexual intercourse is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 73 Any person who keeps or maintains a common ill-governed and disorderly house to the encouragement of idleness gaming drinking or other misbehavior to the common nuisance and disturbance of the neighborhood or of orderly citizens or who being the landlord lessor tenant occupier or person in control of any house knowingly permits such house or any part thereof to be let or used as such disorderly house is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 74 Any person who keeps or maintains a bawdy house or place for the practice of fornication or Knowingly lets or demises a house or part thereof to be so kept or who being the landlord tenant occupier or person in control of any house knowlingly permits such house or any part thereof to be used as a bawdy house or place for the practics of fornication is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 75 Any person who procures a female inmate for a house of prostitution or who induces persuades encourages inveigles or entices a female person to become a prostitute or who by promises threats violence or by any device or scheme causes induces persuades encourages takes places harbors inveigles or entices a female person to become an inmate of a house of prostitution or assignation place or any place where prostitution is practiced encouraged or allowed or who by promises threats violence or by any device or scheme causes induces persuades encourages inveigles or entices an inmate of a house of prostitution or a place of assignation to remain therein as such inmate or who by threats violence or by any device or scheme by fraud or artifice or by duress of person or goods or by abuse of any position of confidence or authority or having legal charge takes places harbors inveigles entices or procures any female person to enter any place in which prostitution is practiced encouraged or allowed for the purpose of prostitution or who by force fraud intimidation or threats places or leaves or procures any other person to place or leave his wife in a house of prostitution or who inveigles entices or procures any female person to come into this Commonwealth or to leave this Commonwealth for the purpose of prostitution or who takes or detains a female with the intent to compel her by force threats menace or duress to marry him or to marry any other person or who receives or gives or agrees to receive or gives any money or thing of value for procuring or attempting to procure any female person to become a prostitute or to come into this Commonwealth or to leave this Commonwealth for the purpose of prostitution is guilty of pandering a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 76 Any person who knowingly demands accepts receives levies or appropriates any money or property without legal consideration from the proceeds of the earnings of any woman engaged in prostitution is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both Any such acceptance receipt levy or appropriation of such property shall upon any proceeding or trial for violation of this section be evidence of lack of consideration

Section 77 Any person who attempts to detain any female person in a disorderly house or house of prostitution because of any debt she has contracted or is said to have contracted while living in said house is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 78 Any person who knowingly transports or obtains transportation for by any means of conveyance into through or across this Commonwealth any female person for the purpose of prostitution or with the intent and purpose to induce entice or compel such female person to become a prostitute is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Any person who commits the offense in this section provided against may be prosecuted indicted tried and convicted in any county in or through which he shall so transport or attempt to transport any female person as aforesaid Provided That no person shall be convicted in more than one county for the same act of transportation

Section 79 It shall not be a defense to a prosecution for any of the acts prohibited in sections seventy-five and seventy-eight of this act that any part of such act was committed outside of this Commonwealth and the offense shall in such case be deemed and alleged to have been committed and the offender may be tried and punished in any county in which the prostitution was intended to be practiced or in which the offense was consummated or in which any overt act in furtherance of the offense was committed Provided That no person shall be convicted in more than one county for the same act

Section 80 Any person having authority over a minor who for any purpose other than those specified in sections seventy-five seventy-seven and seventy-eight of this act knowingly takes or sends or causes or permits such minor to be taken or sent to or to be or to remain in any house of prostitution or assignation or reputed house of prostitution or assignation or other immoral place of resort or amusement or in any place where opium or any preparation thereof is smoked is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Any provision of law prohibiting the disclosure of confidential communications between husband and wife shall not apply to prosecution for offenses provided against in sectons seventy-five and eighty of this section both inclusive and in the trial of all such offense the wife shall be a competent witness against her husband

Section 81 Any male person having no apparent trade occupation or business or being without any means of subsistence who stays frequents or loiters in or about any bawdy house is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 82 Any person who in a public place wilfully does any act of lewdness or indecency which has a tendency to debauch the morals or manners of the people is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 83 Any person who exhibits for a pecuniary consideration any insane idiotic imbecile or deformed person is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 84 Any person who unlawfully opens any tomb vault grave mausoleum or other place of burial and removes therefrom the body or remains or part thereof of any human being or who unlawfully removes the dead body or remains or part thereof of any human being from any place where the same has been deposited awaiting burial or who unlawfully sells or buys or has in his possession with intent to sell the dead body or remains or part thereof of any human being is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

TITLE V OFFENSES AGAINST PUBLIC POLICY ECONOMY AND HEALTH

Section 85 A lottery is hereby declared to be a common nuisance and any grant bargain sale conveyance or transfer of any property made in pursuance of any lottery is hereby declared to be void

Section 86 Any person who erects sets up opens makes or draws any lottery or is in any way concerned in managing conducting or carrying on the same or who being the owner landlord tenant occupier or person in control of any building or premises knowingly allows such building or premises to be used for the purpose of managing conducting or carrying on a lottery is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 87 Any person who sells or offers or exposes for sale or barters or exchanges or gives away or advertises for sale barter exchange or gift any lottery or share or any part thereof or any lottery policy or any writing certificate bill token or other device purporting or intending to entitle or represented as entitling the holder or bearer or any other person to any prize to be drawn in any lottery or any part of such prize or any interest therein whether such lottery be promoted managed or drawn in this or any other State or country and whether such lottery be lawful in the State or country in which it is drawn or not or who in any newspaper magazine or periodical owned or controlled by him publishes any advertisement of any lottery ticket share policy writing certificate bill token or device aforesaid or of any lottery drawing or lottery scheme or any prospectus scheme

or advisement of any company association corporation partnership individual conducting managing or controlling any lottery or acting as agent therefor is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

The purchaser of such ticket policy or device shall not be liable to any prosecution or penalty by virtue of this or any other law of the Commonwealth and shall in all respects be competent witness to prove the offense

Section 88 Any person who keeps or exhibits sets up establishes or maintains any game gaming table device or apparatus for gambling or who being the owner landlord lessee tenant occupant or person in control of any building or premises knowingly allows to be set up established or maintained any such game device or apparatus in such building or on such premises or knowingly allows any person to gamble at such a game or with such device or apparatus in such building or on such premises or leases hires or rents such building or premises to be used for gambling at such game or with such device or apparatus or who having knowledge that such game device or apparatus is being maintained in such building or on premises so leased hired or rented by him does not immediately report that fact to the proper authority is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 89 Any person who engages in gambling for a livelihood or who being without any fixed residence is in the habit or practice of gambling is a common gambler and guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 90 Any person who through solicitation invitation or induces another to visit any building or place kept for gambling is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and in addition shall be civilly responsible and liable to repay to any person induced by him to enter such gambling place any property the latter may have lost therein

Section 91 No witness shall be excused under any allegation or pretense whatsoever in any prosecution or proceeding for gambling from giving his testimony touching the same but no evidence given or facts divulged by him shall be used or employed against him in any criminal prosecution

Section 92 If an affidavit be made and filed before any magistrate before whom complaint has been made of the commission of any of the crimes provided against in sections eighty-six to ninety both inclusive of this act setting forth that the affiant has reason to believe and does believe that the person charged in such complaint has upon his person or at any other place named in said affidavit any gaming table device or apparatus the discovery of which might lead to establish the truth of such charge the said magistrate shall by his warrant command the officer who is authorized to arrest the person so charged to make diligent search for such tables device or apparatus and if found to bring the same before such magistrate and the officer so seizing shall deliver the same to the magistrate before whom he takes the prisoner who shall retain possession and be responsible therefor until the discharge commitment or letting to bail of the person so charged after which such officer shall retain such table device or apparatus subject to the order of the court before which such offender may be required to appear until his discharge or conviction and in case of the conviction of such person the gamblng table device or apparatus shall by the direction of the court be destroyed and it shall and may be lawful for any constable sheriff or other officer of justice with or without warrant to seize upon secure and remove any device or machine of any kind character or description whatsoever used or employed for the purposes of unlawful gaming as aforesaid and to arrest with or without warrant any person setting up the same and it shall be the duty of such sheriff constable or other officer to make return in writing to the next court of quarter sessions of the proper county setting forth the nature and description of the device or machine so seized and the time place and circumstance under which such seizure was made and the said court upon hearing the parties if they should appear if satisfied that such device or machine was employed and used for the purpose of unlawful gaming as aforesaid shall adjudge the same forfeited and order it to be publicly destroyed and at the same time order reasonable costs and charges to the seizing officer to be paid by the owner or possessor of such device or machine or in case of his default or in case he cannot be found to be paid as costs are now by law paid on indictment and such adjudication shall be conclusive evidence to establish the legality of such seizure in any court of this Commonwealth in any cause in which the question of its legality shall arise no writ of replevin shall issue for any device or machine seized as aforesaid nor shall any action be instituted for or on account of such seizure until the court shall have first adjudicated upon the premises but such writ or action shall forthwith on motion be quashed and abated by the court in which it shall be sued or brought

Section 93 Any person who engages in pool selling or book-making or who occupies any building or place with books apparatus or paraphernalia for the purpose of recording or registering bets or wagers or sells pools upon the result of any political nomination appointment or election or who being the owner or lessee occupant or person in control of any buildings knowingly permits the same to be used or occupied for any of these purposes or therein keeps exhibits or employs any device or apparatus for the purpose of recording or registering such bets or wagers or the selling of such pools or becomes the custodian or depositary for gain hire or reward of any property staked wagered or pledged or to be wagered or pledged upon any such result or who receives registers records forwards or purports or pretends to forward to or for any race course any property bet or wager of money thing or consideration offered for the purpose of being bet or wagered upon the speed or endurance of any man or beast or occupies any place or building with books papers apparatus or paraphernalia for the purpose of receiving or pretending to receive or for recording or registering or for forwarding or pretending or attempting to forward in any manner whatever any property bet or wagered or to be bet or wagered for any person or receives or offers to receive any property bet or to be bet at any race track or who assists or abets in any manner in any of the acts forbidden by this section is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 94 Any person who sets up establishes or maintains or has in his possession with intent to use any apparatus or device whereby opium or any preparation thereof may be smoked or otherwise used or who being the owner landlord lessee tenant occupant or person in control of any building or premises knowingly allows to be set up established or maintained any such apparatus or device in such building or on such premises or knowingly allows persons to collect in such building or on such premises for the purpose of smoking or otherwise using opium or any preparation thereof or leases hires or rents such building or premises to be used for the purpose of smoking or of otherwise using opium or any preparation thereof or who having knowledge that opium or a preparation thereof is being so smoked or otherwise used in such building or on such premises so leased hired or rented by him does not immediately report that fact to the proper authority is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 95 Any person who is found smoking or otherwise using opium or any preparation thereof in any building or place set up or established for the purpose of smoking or otherwise using opium or any preparation thereof is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 96 Any person who invites or induces another to visit any building or place kept for the purpose of smoking or otherwise using opium or any preparation thereof is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 97 If an affidavit be made and filed before any magistrate before whom complaint has been made of the commission of any of the offenses provided against in sections ninety-four ninety-five and ninety-six of this act setting forth that the affiant has reason to believe and does believe that the person charged in such complaint has upon his person or at any other place named in said affidavit any opium device apparatus or instrument the discovery of which might lead to establish the truth of such charge the said magistrate shall by his warrant command the officer who is authorized to arrest the person so charged to make diligent search for such opium device apparatus or instrument and if found to bring the same before such magistrate and the officer so seizing shall deliver the same to the magistrate before whom

he takes the prisoner who shall retain possession and be responsible therefor until the discharge commitment or letting to bail of the person so charged after which such officer shall retain such opium device apparatus or instrument subject to the order of the court before which such offender may be required to appear until his discharge or conviction and in case of the conviction of such person the opium device apparatus or instrument shall by the direction of the court be destroyed It shall and may be lawful for any sheriff constable or other officer of justice with or without warrant to seize upon secure and remove any opium device apparatus or instrument of any kind character or description whatsoever used and employed for the purpose of the unlawful smoking of opium or any preparation thereof or of the unlawful use of opium or any preparation thereof as aforesaid and to arrest with or without warrant any person using or employing the same and the said court upon hearing the parties if they should appear if satisfied that such opium device apparatus or instrument was employed and used for the purpose of the unlawful smoking of opium or any preparation thereof or of the unlawful use of opium or any preparation thereof as aforesaid shall adjudge the same forfeited and order it to be publicly destroyed and at the same time order reasonable costs and charges to the seizing officer to be paid by the owner or possessor of such opium device apparatus or instrument or in case of his default or in case he cannot be found to be paid as costs are now by law paid on indictment and such adjudication shall be conclusive evidence to establish the legality of such seizure in any court of this Commonwealth in any cause in which the question of its legality shall arise no writ of replevin shall issue for any opium device apparatus or instrument seized as aforesaid nor shall any action be instituted for or on account of such seizure until the court shall have first adjudicated upon the premises but such writ or action shall forthwith on motion be quashed and abated by the court in which it shall be sued or brought provided that sections ninety-four ninety-five and ninety-six of this act shall not apply to druggists or physicians or others engaged in the legitimate use or sale of opium

Section 98 Any person who engages or participates in any prize fight or any fight or pugilistic contest on the result of which any property is wagered or who is present at such fight or lays any bet or wager on the result thereof whether present or not is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 99 Any person who shall promote manage or participate in any athletic contest or exhibition in which a contestant shall take part for more than twelve hours in one calendar day is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 100 Any person who makes a practice of going about from place to place begging asking or subsisting upon charity for the purpose of acquiring money or a living and who shall have no fixed place of residence or lawful occupation in the county or city in which he does such begging is a tramp and guilty of a misdemeanor and shall be imprisoned not exceeding one year

Section 101 Any tramp who shall enter any dwelling house against the will or without the permission of the owner or occupant thereof such entry not amounting to an offense under any other section of this act or shall kindle any fire in the highway or on the land of another or of the Commonwealth without the owner's consent or shall do or threaten to do any injury to any person or to the real or personal estate of another such threat or injury not being otherwise provided against in this act is guilty of a misdemeanor and shall be imprisoned not exceeding three years. Any act of begging or vagrancy by any person described by section one hundred of this act shall be prima facie evidence that the person committing the same is a tramp within the meaning of this act Any person upon view of any offense described in sections one hundred and one hundred and one of this act may apprehend the offender and take him before a justice of the peace or alderman whose duty it shall be after hearing the evidence to discharge or to commit the prisoner for trial as in the case of other misdemeanors Sections one hundred and one hundred and one of this act shall not apply to any minor under the age of sixteen years nor to any blind deaf or dumb person nor shall it be applicable to any maimed or crippled person who is unable to perform manual labor

Section 102 Any officer of this Commonwealth or of any sub-division thereof who shall loan out otherwise than is provided for by law with or without interest or return therefor any money or valuable security received by him or which may be in his possession or under his control by virtue of his office is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both and if still in office be abjudged thereafter incapable of exercising the same and the said office shall be forthwith declared vacant by the court passing sentence

Section 103 Any officer of this Commonwealth or of any sub-division thereof who enters into any contract or agreement with any bank corporation or individual or association of individuals by which said officer is to derive any benefit gain or advantage from the deposit with such bank corporation or individual or association of any money or valuable security held by him or which may be in his possession or under his control by virtue of his said office is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both and if still in office be adjudged thereafter incapable of exercising the same and said office shall forthwith be declared vacant by the court passing sentence

Section 104 Any officer of this Commonwealth who authorizes the payment of any money by warrant or otherwise out of the State Traesury or any State Treasurer who pays any money out of the State Treasury except in accordance with the provisions of some Act of Assembly setting forth the amount to be expended and the purpose of the expenditure and any officer of this Commonwealth who authorizes the payment of any money by warrant or otherwise out of the State Treasury or any State Treasurer who pays any money out of the State Treasury in excess of the amount thus specificially appropriated is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both Provided however That the provisions of this section shall not be construed to prohibit the Auditor General and State Treasurer of this Commonwealth from returning to any county thereof any money authorized by law to be returned to said counties or the Auditor General and State Treasurer of this Commonwealth from returning to any city borough or township any money received from foreign fire insurance companies authorized by law to be returned to said municipalities

Section 105 Any public officer of this Commonwealth or of any sub-division thereof who has under his control as such officer any moneys collected by law for a special purpose who applies such moneys to any other purpose than that for which such moneys were collected is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 106 Any public officer of this Commonwealth or of any sub-division thereof who purchases or is interested in the purchase of for any sum less than the amount specified in such warrant order or claim any warrant order or claim on the Commonwealth or on any subdivision thereof is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 107 Whenever the debt of any sub-division of this Commonwealth shall have reached the limit provided for by law it shall be unlawful to increase the same and all such increase shall be void and any obligation issued for such increase or part thereof shall be of no binding force upon such sub-division and each of the officers thereof wilfully authorizing such increase or wilfully executing any obligation therefor is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 108 Before issuing any such obligation or security mentioned in section one hundred and seven of this act it shall be the duty of the principal officer or officers of such sub-division to comply with all the requirements of any statute in force at the time governing the issuance of such obligation or security

Section 109 Any public officer agent or employee of the Commonwealth or of any sub-division thereof who for private gain uses sells or disposes of any property of the Commonwealth or of any sub-division thereof or who wilfully uses injures sells or disposes of any such property without lawful authority or who is interested either directly or indirectly either personally or as a member or officer of any firm company or corporation contracting with the Commonwealth or any sub-division thereof or any department of such subdivision for the use lease occupation or enjoyment of

any of the works material or property of the Commonwealth or any sub-division thereof is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and forfeits his office or employment and is forever disqualified to hold any office or place of trust honor or profit under the constitution or laws of this Commonwealth or under any sub-division of this Commonwealth

Section 110 Any public officer of this Commonwealth or of any sub-division thereof or any officer trustee or member of the board of managers of any public institution receiving appropriations of money from the Commonwealth who shall be in any wise interested as principal or agent in or receive any gratuity in connection with any contract for the sale or furnishing of any property to or for the use of or the construction of or alternations or improvement to any property of the Commonwealth (if he be an officer of the Commonwealth) or of any sub-division thereof (if he be an officer of such sub-division) or of any public institution receiving appropriations of money from the Commonwealth (if he be an officer or member of the board of managers of such institution) is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and shall forfeit the office trusteeship or membership held by him

Section 111 Any cashier of any bank who engages directly or indirectly in the purchase or sale of stock or in any profession occupation or calling other than that of his duty as cashier is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both Provided That nothing in this section shall prevent such chashier from managing his own real estate or other private property if such private property be not invested in mercantile mechanical or manufacturing operations

Section 112 Any public officer of this Commonwealth who becomes the surety of any other public officer of this Commonwealth or of any agent of or contractor with the Commonwealth and any public officer of any sub-division of this Commonwealth who becomes the surety of any other public officer of the same sub-division there-of or of any agent of or contractor with such sub-division is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 113 Any director officer agent or employee of any canal railroad other public service company who shall be in any wise interested as principal or agent in or receive any gratuity in connection with any contract for the sale or furnishing of any property to or for the use of or construction of or alteration or improvement to any property of such company of which he is a director officer agent or employee is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 114 Any officer of any municipal or other corporation who not being thereunto authorized by law is instrumental in consents to or connives at the making or issuing of any note bill check ticket or order intended to be used as currency is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 115 Any agent officer or employee of any foreign corporation or any other person who transacts any business within this Commonwealth for any foreign corporation unless the requirements of the acts of assembly in force at the time governing the transaction of business for foreign corporations in this Commonwealth shall have first been complied with is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 116 Any person who manufactures for sale or sells or offers or exposes for sale or has in his possession with intent to sell as food or drink any impure misbranded or unwholesome article of food or drink or any article of food or drink which is adulterated or deleterious within the meaning ot any act of assembly of this Commonwealth in force at the time knowing the said article of food or drink to be so adulterated or deleterious is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 117 Any person who imports or sells any dressed carcasses of lamb or sheep without first removing from each and every carcass all hoofs is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 118 Any person owning any cattle or sheep affected by any contagious or infectious disease who sells or otherwise disposes of such cattle or sheep either alive or slaughtered from the premises where such disease is known to exist or for a period of two months after such disease shall have disappeared from said premises is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 119 Any person who manufactures for sale or sells or offers or exposes for sale or has in his possession with intent to sell any drug which is adulterated within the meaning of any act of assembly of this Commonwealth in force at the time is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 120 Any person who has in his possession custody or controu or deals in dispenses sells delivers distributes prescribes traffics in or gives away any poinson or drug without complying with the requirements of the acts of assembly of this Commonwealth in force at the time governing the selling or dispensing of such poison or drug is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 121 Any person who sells or offers or exposes for sale or has in his possession with intent to distribute or sell any food drug preparation or mixture of any kind intended for internal use which contains methyl or wood alcohol or who sells or offers or exposes for sale or has in his possession with intent to distribute or sell or use upon or apply to the body of another any drug hair tonic bay rum or similar preparation intended for external use which contains methyl or wood alcohol is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both Provided That the provisions of this section shall not apply to a person selling offering or exposing for sale or having in his possession with intent to sell or distribute any medicated liniments used for external use or any veterinary remedy containing methyl or wood alcohol when such remedy is plainly and distinctly labeled in such manner as to indicate that it is intended solely for external use on animals

Section 122 Any person who engages in the manufacture or distillation and sale of ethyl alcohol without having first complied with the provisions of the acts of assembly of this Commonwealth in force at the time governing the manufacture or distillation and sale of such alcohol is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 123 Any person who exposes in any public place or on the land of another or on his own land outside of a building any poison or admixture thereof with intent that the same shall be taken or swallowed by any animal or bird is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 124 Any person who is engaged in the manufacture and sale of intoxicating malt or alcoholic liquors or in rectifying or preparing the same who fails to brand on each barrel cask or other vessel containing the same the name of the person manufacturing rectifying or preparing the same and the words "containing no deleterious drugs or added poison" and who fails to certify over his name to the purchaser the same facts is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 125 Any person who wilfully poisons or polutes any spring well stream or reservoir of water is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Any person is hereby authorized to arrest on view any person engaged in any of the acts provided against in this section The use of any land within one mile of any city for the burial of the dead the drainage from which land passes into any stream furnishing drinking water to any city shall be deemed a pollution of such stream within the meaning of this section Provided That the provisions of this section shall not apply in the case of land now devoted to burial purposes in which there shall have heretofore been burials and sale of burial lots

Section 126 Any person operating or being interested in the operation of any gas or oil well who upon abandoning or ceasing to operate such well shall fail to plug the same so as to completely shut off and prevent the escape of any water therefrom which may be impregnated with salt or other substance rendering such water unfit for domestic steam-making or manufacturing purposes and in such manner as to prevent the water from such well injuring or polluting any spring water well or stream which is or may be used for any of the purposes aforesaid is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 127 Any master or commander of any ship arriving from any foreign country place or port at any port harbor or place within this Commonwealth who knowingly brings in such ship any person either as a passenger working hand or otherwise who has been convicted in any foreign country or place of any offense which if committed within this Commonwealth would be felony with intent to land such person or permit him to land is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 128 Any person who sells or gives away any spirituous or fermented liquor drug medicine poison opium or other narcotic to any convict or in any prison on or in any building appurtenant thereto or on any land employed for the use or benefit of prisoners or who brings or sends into any prison or building appurtenant thereto or on any land employed for the use or benefit of prisoners any spirituous or fermented liquor drug medicine poison opium or other narcotic except the ordinary hospital supply of the prison without a written permit signed by the physician of such prison specifying the name of the prisoner or employee for whom and the time when the same may be furnished and the quantity and quality of the liquor or narcotic to be furnished is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 129 Any person who not being authorized thereto by law brings into or conveys out of the prison without the consent of the sheriff warden superintendent keeper or other person having charge thereof any money letter or other article or thing prohibited by law or by the rules of the authorities having charge of such prison is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 130 Any person who shall by gift sale or otherwise furnish cigars tobacco snuff cigarettes or cigarette papers to any person under the age of twenty-one years shall on summary conviction be sentenced to pay a fine not exceeding two hundred dollars

Seection 131 Any person who sells to any person under the age of twenty-one years any cannon gun pistol revolver or other such deadly weapon is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 132 Any person who shall employ or permit any person under the age of sixteen years to have the care custody or management of or to operate any elevator or automobile shall on summary conviction be sentenced to pay a fine not exceeding two hundred dollars

Section 133 Any person who manufactures sells or offers or exposes for sale or gives away or has in his possession with intent to sell any firecracker or fire work containing picric acid or picrates dynamite or other high explosives or manufactures sells or offers or exposes for sale or gives away or has in his possession with intent to sell any toy cannon gun pistol revolver or any other such deadly toy weapon or who manufactures sells or offers or exposes for sale or gives away or has in his possession with intent to sell any explosive cane using blank cartridge any blank cartridge pistol any blank cartridge pellet or tablet composed of dynamite or other high explosive for use in pistols hollow canes or any toy for explosive purposes or who manufactures sells or offers or exposes for sale or gives away or has in his possession with intent to sell any fire cracker over six inches in length containing gunpowder or any other explosive material or any fire cracker over three and one-half inches in length which is more than three-quarters of an inch in diameter or any fire cracker over three and one-half inches in length which is more than one inch in diameter is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and any person who sets off fires or makes use of for the purpose of explosion any of the articles the manufacture of which is provided against in this section shall on summary conviction be sentenced to pay a fine not exceeding one hundred dollars or shall be imprisoned not exceeding two months or both

Section 134 Any person who manufactures sells or offers or exposes for sale or gives away or has in his possession with intent to sell any balloon made or intended to contain in or about it fire for the purpose of ascension shall on summary conviction be sentenced to pay a fine not exceeding five hundred dollars and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars and any person who causes to ascend any such balloon shall on summary conviction be sentenced to pay a fine not exceeding one hundred dollars or both Provided The provisions of this section shall not apply to a balloon in which a human being ascends

Section 135 Any person other than an institution duly incorporated for the purpose who shall engage in the business of receiving boarding or keeping children under the age of three years for hire or reward or who shall take or receive for such purpose more than two such children unaccompanied by an adult caretaker without legal commitment or without first having obtained a written license so to do from the mayor or director of the department of public health and charities or the director of the department of public welfare of the city or town or a justice of the peace or magistrate of the locality wherein such child is to be received boarded or kept shall on summary conviction be sentenced to pay a fine not exceeding one hundred dollars

Section 136 Any person who keeps or maintains a building or place for the reception or custody of persons of unsound mind except as authorized by law or who confines or detains or is concerned in the confinement or detention of such person in any other manner or in any other place than as authorized by law or who is guilty of harsh cruel or unkind treatment of or neglect of duty toward any such person under confinement whether the confinement be lawful or unlawful is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 137 Any person who deals in human beings by trading bartering buying or selling such human beings is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars

Section 138 Any keeper proprietor owner or superintendent of any public pool room billiard room bowling or tenpin alley who keeps such pool room billiard room bowling or tenpin alley open between the hours of one o'clock ante meridian and six o'clock ante meridian of any morning or on the first day of the week commonly called the Sabbath Day or who knowingly allows or permits any person under the age of eighteen years to be present therein shall on summary conviction be sentenced to pay not exceeding one hundred dollars

Section 139 Any person whether parent relative guardian employer or other having in his care custody or control lawful or unlawful any minor under the age of eighteen years who apprentices gives away lets out trains exhibits hires or otherwise disposes of such minor to any person for the purpose of singing playing on musical instruments begging or for any mendicant business whatsoever in the streets roads or other highways of this Commonwealth and any person who takes receives hires employs uses or has in his custody any such minor for the vocation occupation calling service or purpose of singing playing upon musical instruments or begging upon the streets roads or highways of this Commonwealth or for any mendicant business whatever shall upon summary conviction be sentenced to pay a fine not exceeding five hundred dollars or shall be imprisoned not exceeding one year or both

Section 140 Any officer operator messenger agent or other person connected with any telegraph or telephone company who use or divulges the contents or the purport of the contents of any message or conversation which may be sent by filed for transmission with or received by such company for transmission without the consent either of the party sending or filing such message or conversation or of the party to whom such message or conversation was sent or who intentionally suppresses alters adds to or unreason-

ably delays the transmission or delivery of such message or conversation is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both Proveded That the provisions of this section shall not apply to the publication at any point of any dispatch of a public nature sent with a view to general publicity

Section 141 Any person who knowingly purchases or receives in pawn or pledge any arm accoutrement equipment article of military clothing tent or fly or any quartermaster medical engineer or signal property or ordnance or ordnance stores the property of the Commonwealth of Pennsylvania or of the United States in use by the Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 142 Any person being the owner lessee manager employee or person in control of any theatre or other public place of entertainment or amusement or of any hotel restaurant railroad street railway or omnibus line who refuses to admit to or accommodate in or ejects from such theatre or other place of amusement hotel or restaurant or refuses to convey or accommodate on or ejects from such railroad street railway or omnibus line any person on account of race or color or because he wears the uniform of the United States is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 143 Any life insurance company doing business in this Commonwealth or any agent of such company who makes or permits any distinction or discrimination in favor of individuals between insurants of the same class and equal expectations of life in the amount or payment of premiums or rates charged for policies of life or endowment insurance or in the dividends or other benefits payable thereon or in any other of the terms and conditions of the contracts it makes and any such company or its agent who makes any contract of insurance or agreement as to such contract other than as plainly expressed in the policy issued thereon or pays or allows or offers to pay or allows as inducements to insurance any rebate of premium payable on the policy or any special favor or advantage in the dividends or other benefit to accrue thereon or any valuable consideration or inducement whatever not specified in the policy contract of insurance and any insurant who receives as an inducement to insurance any rebate of premium payable on the policy or any special favor or advantage in the dividend or other benefit to accrue thereon or any valuable consideration or inducement whatever not specified in the policy contract of insurance is guilty of a misdemeanor and shall be fined not exceeding five hundred dollars for each and every violation of this section where the amount of insurance is twenty-five thousand dollars or less and for every additional twenty-five thousand dollars insurance or less shall be fined an additional penalty not exceeding five hundred dollars and the offender if an agent shall be disqualified from acting as life insurance agent for the period of three years thereafter

Section 144 Any person who erects sets up establishes maintains keeps up on continues any public or common nuisance is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and where the said nuisance shall be in existence at the time of the conviction and sentence it shall be lawful for the court in its discretion to direct either the defendant or the sheriff of the proper county at the expense of the defendant to abate the same Provided That all obstructions to private roads laid out according to law shall be nuisances which would be nuisances in case of obstructions to public roads or highways

Section 145 Any person who distributes any free or trial sample or parcel of candy medicine drug chemical or chemical compound in or upon any building or in or upon any yard lawn land street sidewalk letter box or public highway or in any other manner that a child may get possession of the same from such place or who mails the same to any person or persons without first having received the written order thereof shall on summary conviction be sentenced to pay a fine not exceeding one hundred dollars or shall be imprisoned not exceeding three months or both

Section 146 Any person who throws waste paper sweepings ashes household waste glass nails rubbish of any kind into any street in any city borough or township or who interferes with scatters or disturbs the contents of any receptacle containing ashes garbage household waste or rubbish placed upon any of said paved streets or sidewalks for the collection of the contents thereof shall on summary conviction be sentenced to pay a fine not exceeding ten dollars or shall be imprisoned not exceeding ten day or both

Section 147 Any person who enters into or upon any railroad train street car or other conveyance used to carry freight or passengers having in his possession custody or about his person any nitroglycerin dynamite or other high explosive or carries or causes to be carried other than as freight regularly shipped as such such substance upon any railroad train street car or other conveyance is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 148 The conductor or person having charge and control of any railroad train street car or other conveyance for the carriage of freight or passengers shall have power to arrest any person found violating the provisions of section one hundred and forty-seven of this act and to detain such person until reaching some place where such person may be delivered to a constable or other police authority and it shall be lawful to prosecute such offenders in any county which said public conveyance passes without reference to the place where such offender was arrested

Section 149 Any person who knowingly delivers for transportation to any canal railroad steamboat express or other transportation company or to any person engaged in the business of transportation any nitroglycerin dualin dynamite gunpowder mining or blasting powder guncotton phosphorus or other explosive material dangerous to life or limb under any false or deceptive invoice or description or without informing such company or person in writing at or before the time when such delivery is made of the true nature of such explosive material and without having the keg barrel can or package containing the same plainly marked with the name of the explosive material therein contained together with the word "dangerous article" is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and shall be responsible for all damages to persons and property directly or indirectly resulting from the explosion or combustion of any such article

Section 150 The master of any vessel who anchors his vessel on the range line of any range lights established by the authority of the United States in this Commonwealth is guilty of a misdemeanor and shall be fined not exceeding fifty dollars

Section 151 Any person operating a motor vehicle under any number other than that of its registration or operating any such vehicle without the consent of the owner thereof or operating any such vehicle the registration of which has been revoked or suspended or who being under the influence of intoxicating liquor or drugs operates any motor vehicle on any public highway shall on summary conviction be sentenced to pay a fine not exceeding fifty dollars or shall be imprisoned not exceeding one year or both

Section 152 Any person who being under the influence of intoxicating liquor or drugs rides or drives or handles any animal on the public highway shall on summary conviction be sentenced to pay a fine not exceeding one hundred dollars or shall be imprisoned not exceeding three months or both

Section 153 Any person who being under the influence of intoxicating liquor or drugs engages in hunting with gun pistol rifle or other firearm any bird or animal is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 154 Any person who drives on or over any public bridge of this Commonwealth any power driven vehicle with a gross weight of four tons or more at a greater rate of speed than six miles per hour is guilty of a misdemeanor and shall be imprisoned not exceeding one month or fined not exceeding fifty dollars or both

Section 155 Any person who performs the marriage ceremony between parties when to the knowledge or belief of such person either of the said parties is intoxicated or is insane or is an idiot or a lunatic or is under the age of consent or under a legal impediment to marry is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined exceeding five hundred dollars or both

Section 156 Any person who directly or indirectly demands or solicits from any public officer or employee of

this Commonwealth or of any sub-division thereof any assessment upon the salary of such officer for any political or party purpose and any officer of this Commonwealth or of any sub-division thereof who knowingly permits any assessment to be made on the salary f any officer appointed by or holding office under him or knowingly permits any demand or solicitation by such officer for the payment or gift of money or property for any political or party purpose is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 157 Any officer agent or employee of any employer of labor who solicits demands or receives directly or indirectly from any person any money or property for the purpose actual or alleged of either obtaining for the latter employment in the service of said employer or of the continuing by the party so paying or solicited in said employment is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 158 Any person who gives any commonly recognized alarm of fire knowing the same to be false is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding five hundred dollars or both

Section 159 Any public officer of this Commonwealth or of any sub-division thereof or any other person association company or corporation who shall employ or appoint as a special deputy marshal or policeman to preserve the public peace or prevent or quell disturbances a person who is not at the time of such employment or appointment a citizen of this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both Provided That if any company or association be convicted under this section it shall be sentenced to pay a fine not exceeding five thousand dollars Provided further That the provisions of this section shall not apply to the employment or appointment of policemen constables or specials employed or appointed by municipalities for municipal purposes

Section 160 Any person having the possession custody or control of the commission or discharge paper of any person who is or was an officer soldier sailor or marine of the United States army or navy who withholds such paper from the party named in such commission or discharge after demand thereof by such party or who wilfully destroys or mutilates such commission or discharge to the prejudice of the owner thereof or delivers the same to any person other than the party named therein without the written request of such party or on the death of such party to any person other than the widow or legal representative of such party is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 161 Any locomotive engineer or other railroad employee upon any railroad within this Commonwealth who being engaged in any strike or who with intent to incite others to a strike or who in furtherance of any combination or preconcerted arrangement with any other person to bring about or maintain a strike abandons the locomotive engine in his charge when such engine is attached to either a passenger or freight train at any place other than the schedule or otherwise appointed destination of such train or refuses or neglects to continue to discharge his duty or to proceed with said train to the place of destination as aforesaid is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 162 Any railroad employee within this Commonwealth who with intent to further the object of or to lend aid to any strike organized or attempted to be maintained on any other railroad either within or without this Commonwealth refuses or neglects in the course of his employment to aid in the movement over the tracks of the company employing him of the cars of such other railroad company received therefrom in the course of transit is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 163 Any person who in aid or furtherance of the object of any strike upon any railroad interferes with molests or obstructs any railroad employee engaged in the discharge of his duty as such employee is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 164 Any person not being authorized by law to sell tickets or other evidence of the holder's right to travel on a common carrier who sells barters or transfers for any consideration the whole or any part of any ticket pass or other evidence of the holder's title or right to travel on any common carrier whether the same be situated operated or owned within or without the limits of this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 165 Any person who enters upon the practice of medicine surgery osteopathy dentistry architecture or other profession without having first been licensed to enter upon the practice if the profession upon which he enters when such license is required by an act of assembly of the Commonwealth in force at the time is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 166 Any person who signs a diploma or other written instrument puporting to confer or to be evidence of the conferring of an academic degree honorary or other by any university college or other institution incorporated under the laws of this Commonwealth knowing that the consideration for the conferring of such degree is the payment or promise of payment by any person of any money or other property is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 167 Any person who wilfully makes any false statement in an application for a permit or license to do any act or engage in any business or occupation or in the practice of any profession where a permit or license is required by law to entitle such person to do the act or engage in the business or occupation or practice the profession is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 168 Any person company or corporation negotiating or soliciting in this Commonwealth any contract of insurance or effecting an insurance or pretending to effect the same or receiving and transmitting any offer of insurance or receiving or delivering any policy of insurance or in any manner transacting or aiding in the transaction of the business of insurance without having first complied with the provisions of the acts of assembly of this Commonwealth in force at the time regulating the transaction of the business of the character of insurance so transacted is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 169 Any person who offers or gives any money or property to the owner or holder of capital stock of any insurance company or to a member of any mutual insurance company incorporated under the laws of this Commonwealth with intent to secure the voting proxy of any share of such capital stock or of any member is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and no proxy so obtained shall be voted at any stockholders or members meeting of any insurance company incorporated under the laws of this Commonwealth

Section 170 Any person who represents or advertises himself as the agent of any fictitious or spurious insurance company or of any insurance company domiciled in any other State or Country which company has not complied with the laws of this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceedig five hundred dollars or both

Section 171 Any person who engages in the sale of steamship tickets or orders for transportation or advertises or holds himself out as authorized or entitled to sell such tickets or orders without having first complied with the provisions of the act of assembly of this Commonwealth in force at the time regulating the selling of such tickets or orders is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 172 Any person who engages in the business of a detective for hire or reward or who advertises his business to be that of a detective or of conducting a detective agency without having first complied with the provisions of the acts of assembly of this Commonwealth in force at the time is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 173 Any person who conducts any business under an assumed or fictitious name style or designation without having first complied with the provisions of the acts of as-

sembly of this Commonwealth in force at the time governing the conduct of business under an assumed or fictitious name style or designation is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 174 Any person who offers or gives a bribe to any participant in any athletic contest game or event to so conduct himself as to bring about or assist in bringing about his defeat or the defeat of his team in such contest game or event and any person who influences or attempts to influence any participant in any athletic contest game or event to so conduct himself as to bring about or assist in bringing about his defeat or the defeat of his team is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

TITLE VI—OFFENSES AGAINST THE PERSON

Section 175 Any person who commits murder by means of poison or by lying in wait or by any other kind of wilful deliberate and premeditated killing or who commits murder in the perpetration of or attempt to perpetrate any arson rape robbery or burglary or who causes the death of another by any of the acts provided against in section two hundred and sixty-seven of this act when done with any of the intents mentioned in said section is guilty of murder of the first degree and any person who commits any other kind of murder is guilty of murder of the second degree and the jury before whom any person indicted for murder is tried shall if they find such person guilty thereof ascertain in their verdict whether it be murder of the first or second degree but if such person is convicted by confession the court shall proceed by examination of witnesses to determine the degree of the crime and to give sentence accordingly

Section 176 Any person convicted of the offense of murder of the first degree is guilty of a felony and shall be sentenced to suffer death by electrocution and it shall be the duty of the clerk of the court wherein such conviction takes place and he is hereby required to transmit to the Governor of the Commonwealth and the Board of Pardons of the Commonwealth a full and complete transcript of the record of such trial and conviction within thirty days after sentence or in the event of an appeal within twenty days after the final disposal of the cause upon such appeal

Section 177 Any person convicted of the offense of murder of the second degree is guilty of a felony and shall for the first offense be imprisoned not exceeding twenty years and fined not exceeding ten thousand dollars and for the second offense shall be imprisoned for life

Section 178 The offense formerly known as petit treason is hereby declared to be murder

Section 179 Any person who commits voluntary manslaughter is guilty of a felony and shall be imprisoned not exceeding twelve years and fined not exceeding six thousand dollars

Section 180 Any person who commits involuntary manslaughter is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 181 Any person who wilfully and maliciously maims or does grievous bodily injury or disfigurement to another is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 182 Any person who assults another or who wilfully and maliciously does bodily injury or disfigurement to another is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 183 Any person who wantonly or playfully points or discharges a gun pistol or other firearm at any other person is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 184 Any person who administers to another any stupefying or overpowering drug narcotic or anaesthetic agent with intent to enable such offender or any other person to commit or with intent to assist such offender or other person in committing any felony is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 185 Any person who unlawfully commits or attempts to commit an abortion is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both

Section 186 Any person who unlawfully administers to or advises or prescribes for any woman believed to be but not pregnant any drug poison or other substance or unlawfully uses or advises or prescribes the use of any instrument or other means to procure the miscarriage of such woman with intent to procure such miscarriage is guilty of misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 187 Any person who endeavors to conceal the birth of a child by any disposition of the dead body of such child whether the child died before during or after its birth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 188 Any parent or other person having the care or custody of any child under the age of seven years who deserts such child in any place with intent wholly to abandon it is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 189 Any parent or other person charged with the care or custody for nurture or education of any child under the age of sixteen years who abandons such child in destitute circumstances or wilfully omits to furnish necessary and proper food clothing shelter and care for such child is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both and any provision of law prohibiting the disclosure of confidential communications between husband and wife shall not apply in prosecutions under this section

Section 170 Any person who willfully and without lawful excuse separates himself from his wife or from his child if child be under the age of sixteen years or willfully and without lawful excuse refuses or neglects to maintain such wife or child such wife or child being destitute or being dependent wholly or in part on their earnings or the earnings of either of them for adequate support and any person of full age who wilfuly and without lawful excuse neglects to maintain his parent said parent unable to maintain himself is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both such fine to be applied in whole or in part to the support of the wife child or parent as the court may direct

Section 191 Any parent of a bastard child whether such child was begotten or born within or without this Commonwealth who wilfully neglects or refuses to maintain such child is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 192 Any person who has unlawful carnal knowledge of a woman forcibly and against her will or who has unlawful carnal knowledge of an idot or of a woman so imbecile insane drugged or intoxicated as not to become conscious of the nature of the act that is done to her or who has unlawful carnal knowledge of a woman by personating her husband or who being over the age of sixteen years has unlawful carnal knowledge of any woman child under the age of sixteen years with or without her consent is guilty of rape a felony and shall be imprisoned not exceeding fifteen years or fined not exceeding seven thousand dollars or both carnal knowledge shall be deemed complete upon proof of penetration Provided That upon the trial of any person charged with unlawful carnal knowledge of a woman child under the age of sixteen years if the jury shall find that such woman child was not of good repute and that the carnal knowledge was with her consent the defendant shall be acquitted of rape and convicted of fornication

Section 193 Any person who takes or carries away or decoys or entices away or secretes or harbors or detains any person with the intent to extort any money or other property or to aid another in extorting any money or other property for the restoration of such person is guilty of a felony and shall be imprisoned for life or for any term of years or fined not exceeding ten thousand dollars or both

Section 194 Any person who unlawfully takes or carries away or decoys or entices away or secretes or detains any other person against his will or if such other person be a child under the age of ten years or a fugitive from the justices of another State or county arrested in this Commonwealth for extradition with or without his voluntary consent with any interest other than that specified in Section 193 of this act is guilty of felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 195 Any person who while driving or operating any vehicle injuries another person and knowing such injury to have been inflicted does not forthwith stop said vehicle and render such aid to the person injured as may be necessary and possible under the circumstances is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Title VII—Offences Against Personal Property and Fraudulent Dealing Therewith

Section 196 Any person who commits robbery is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 197 Any person who being armed with an offensive weapon or being aided by an accomplice actually present commits robbery or who in the commission of robbery or immediately before or thereafter inflicts bodily harm on the person robbed is guilty of a felony and shall be imprisoned not exceeding twenty years or fined not exceeding ten thousand dollars or both

Section 198 Any person who obtains any property from another or procures the doing of any act by another person against such other person's will by any oral threat or by any written communication knowing the contents thereof containing a threat that either the defendant or another will accuse the person to whom the threat or communication is made or any other person of an offense or will impute to any such person any disease deformity or disgrace or will kidnap or imprison any such person unlawfully or will unlawfully injure the person property reputation or business of any such person is guilty of a felony and shall be imprisoned not exceeding fifteen years or fined not exceeding seven thousand dollars or both

Section 199 Any person who commits larceny of any property or who having in his possession custody or control any property of another shall with intent to deprive the owner thereof fraudulently convert or secrete such property is guilty of stealing a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both

Section 199a Any person who by any false pretense obtains the signature of any person to any land or instrument or obtains from any other person any chattel money or valuable security with intent to cheat and defraud any person of the same is guilty of a misdemeanor and shall be imprisoned not exceeding three years and fined not exceeding five hundred dollars Provided however That upon the trial of any person indicted for such midemeanor it shall be proved that he obtained the property in question in such manner as to amount to larceny she shall not be released thereof by indictment to be acquitted of such misdemeanor and no person indicted for such misdemeanor shall be liable to be prosecuted for larceny upon the same facts

Section 200 Any person who steals any property from the person of another is guilty of a felony and shall be imprisoned not exceeding eight years or fined not exceeding four thousand dollars or both

Section 201 Any public officer of this Commonwealth or of any sub-division thereof who steals any propery of the Commonwealth or of any sub-division thereof in his possession or custody or under his control as such officer or who with intent to steal such property fails to deliver possession thereof when thereunto legally required by the proper officer of the Commonwealth or any sub-division thereof or by the person authorized to demand and receive the same is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 202 Any Person who has converted any property without this Commonwealth under such circumstances that if the conversion had been made by him within this Commonwealth such conversion would have constituted stealing who brings such property into this Commonwealth is guilty of stealing and shall be punished as provided in Section 199 of this act

Section 203 Any person who having the possession of property of another with authority to sell or otherwise dispose of the same or having possession of any bill of lading permit certificate receipt or order for the delivery of merchandise with the like authority deposits or pledges such property or document consigned or entrusted to him as aforesaid as a security for any money borrowed or negotiable instrument received by such person and applies or disposes of the same to his own use in violation of good faith with intent to defraud the owner of such property and such person who with like fraudulent intent applies or disposes of to his own use any money or negotiable instrument raised or acquired by the sale or other disposition of such property and any person who being entrusted with any power of attorney for the sale or transfer fraudulently sells or transfers or otherwise converts such property is guilty of stealing and shall be punished as provided in Section 199 of this act

Section 204 Any person who being a bailee of any property of another pledges such property without the consent of the owner with intent to defraud the owner is guilty of stealing the said property and shall be punished as provided in section 199 of this act Provided That this section shall not apply to any person pledging property which he has purchased in whole or in part with his own money or credit for another and for which he has not been wholly reimbursed by the person for whom it was purchased

ection 205 On the trial of an indictment for stealing it shall not be a defense that the defendant hand an interest as partner joint tenant or tenant in common in the property converted

Section 206 No trustee banker merchant broker attorney agent director officer or other person who steals any property entrusted to him is entitled to refuse to make a full and complete discovery by answer to any bill in equity or to answer any question or interrogatory in any civil proceeding in any court of law or equity but no answer to any such bill question or interrogatory shall be admissible in evidence against such person charged with such offense

Section 207 Any person who by any false pretense made with intent to defraud obtains the signature of any person to any written instrument is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both

Section 208 Any person who buys or receives any property which shall have been so appropriated whether within or without this Commonwealth as to constitute stealing under this act knowing or having reasonable grounds to believe such property to have been so appropriated or who corruptly for any money or other property or promise or agreement for any money or property conceals or withholds any property so appropriated knowing or having reasonable grounds to believe such property to have been so appropriated is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both

Section 209 It shall be lawful to prosecute and punish all buyers and receivers of stolen property as well before as after the principal felon shall be taken and convicted and whether the principal felon be amenable to justice or not which prosecution conviction and sentence of said receivers shall exempt them from being prosecuted as accessories after the fact in case the principal felon shall be afterwards convicted

Section 210 Any officer director trustee manager employee or agent of any mutual bank savings bank savings bank bank of discount and deposit trust company title insurance company surety company or safe deposit company incorporated under the laws of this Commonwealth or of any private bank of unicorporated association receiving deposits of money or of any building and loan association incorporated under the laws of this Commonwealth or authorized to do business therein who wilfully misapplies any of the moneys funds or credits of any such institution of which he is an officer director trustee manager employee or agent or who with intent to defraud such institution or any other company body politic or corporate or any individual person or to deceive any officer of such institution or any bank examiner or other person legally authorized to examine the affairs of any such institution issues or puts forth any certificate of deposit draws any order or bill of exchange makes any acceptance assigns any note bond draft bill of exchange mortgage judgment or other instrument in writing makes or subscribes to any false entry or false statement of fact exhibits or subscribes to any false papers fails to make any entry he should make in any book report or statement of such institution is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Whenever the Commissioner of Banking shall have knowledge of any violation of this section it shall be his duty to institute prosecutions against all persons violating any of the provisions thereof

Section 211 Any person being a director trustee officer manager agent superintendent receiver attorney broker member or employee of any corporation partnership firm or association or of any municipal or quasi-municipal corporation who as such receives or possesses himself of any property of such corporation partnership firm or association or municipal or quasi-municipal corporation otherwise than in payment to him of a just debt or demand and with intent to defraud omits to make or to cause or direct to be made a full and true entry thereof in the books and accounts of such corporation partnership firm or association or municipal or quasi-municipal corporation or makes or concurs in the making of any material false entry in relation thereto in the books and accounts of such corporation partnership firm or association or municipal or quasi-municipal corporation is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 212 Any person being a director trustee officer manager agent superintendent receiver attorney broker member or employee of any corporation partnership firm or association or of any municipal or quasi-municipal corporation who with intent to defraud destroys alters mutilates or falsifies any book paper writing or security belonging to or in the possession or custody of such corporation partnership firm association or municipal or quasi-municipal corporation or makes or concurs in the making of any false entry or any material ommission in any book of account or other document of such corporation firm association municipal or quasi-municipal corporation is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 213 Any person being a director trustee officer manager agent superintendent receiver attorney broker membe or employee of any body corporate public company or municipal or quasi-municipal corporation who shall make circulate or publish or concur in making circulating or publishing any written statement or account of or concerning such corporation or company its personnel business finance or affairs or prospects which he shall know to be false in any particular with intent to deceive or defraud any person or with intent to induce any person to become a shareholder or partner therein or to entrust or advance any property thereto or to enter into any security for the benefit thereof is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined exceeding one thousand dollars or both

Section 214 Any person who repledges or rehypothecates any stock bond or other security received by him for money lent and borrowed during the continuance of the contract of hypothecation or pledging of such security without the consent of the person pledging or hypothecating the same is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both Provided that this section shall not be construed to prevent persons from pledging or hypothecating stocks or other securities which they have purchased in whole or in part with their own money or credit for others and for which they have not been wholly reimbursed by the parties for whom such stocks or other securities have been purchased

Section 215 Any banker broker officer or employee of any trust or savings institution national State or private bank or of any association under the supervision of the Banking Department who receives any money for deposit knowing that such banker broker trust or savings institution or bank or association is insolvent is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 216 Any person who being a member of a partnership corporation or association fraudulently uses or pledges the name of the partnership corporation or association for any purpose other than the bona-fide use of said partnership corporation or association is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 217 Any person who knowingly makes any misrepresentation for the purpose of securing from any life insurance company or association a policy of insurance or certificate of membership upon his own life or the life of any other person is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 218 Any person in the employ of any railroad company who fraudulently and in neglect of his duty fails to cancel or return to the proper officer agent or company any coupon or other railroad ticket with intent to permit the same to be used in fraud of any such company or who fraudulently stamps prints or signs any such ticket or fraudulently sells or puts in circulation any such ticket is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding three thousand dollars or both

Section 219 Any person who with intent to defraud makes draws utters or delivers any check draft or order for payment of money upon any bank banking institution trust company or other depository knowing at the time of such making drawing uttering or delivering that the maker or drawer has not sufficient funds in or credit with such bank banking institution trust company or other depository for the payment of such check draft or order is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

In any prosecution under this section proof of the making drawing uttering or delivering of a check draft or order together with proof that the person making or drawing such check draft or order had not sufficient funds in or credit with the drawee for the payment of such check draft or order shall be prima facie evidence of intent to defraud and of knowledge of sufficient funds in or credit with such bank banking institution trust company or other depository unless such maker or drawer shall have paid the drawee thereof the amount due thereon together with interest and protest fees within ten days after receiving written notice that such check draft or order has not been paid to the drawee

Section 220 Any person who obtains employment or appointment to any office or place of trust by color or aid of any false or forged letter or certificate of recommendation or of any false statement in writing as to his name residence previous employment or qualification is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 221 Any person who with intent to sell or dispose of any property or service to the public or to increase the consumption thereof or to induce the public to enter into any obligation relating thereto or to acquire any interest therein makes publishes disseminates circuates or places before the public an advertisement concerning such property or service which advertisement contains any assertion representation or statement of fact which is untrue deceptive or misleading and which is known or which by the exercise of reasonable care should be known to be untrue deceptive or misleading within the meaning of any statute of this Commonwealth in force at this time is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 222 Any person who is charged on oath or affirmation before a magistrate justice of the peace alderman mayor or burgess in this Commonwealth with being a professional thief burglar or pickpocket and who has been arrested by any police officer detective constable sworn peace officer or watchman at any steamboat landing railroad depot or station ferryhouse on the platform or inside of any street passenger railway car in any church or the vestibule or corridor thereof in any building occupied as a banking institution trust company saving fund or broker's office elevator used to carry passengers in any park or place of public amusement or recreation or the approaches thereto auction stores or crowded thoroughfares public or private and against whom it shall be proven to the satisfaction of the said magistrate justice of the peace alderman mayor or burgess by sufficient testimony that he was frequently or attending such place for an unlawful purpose shall be committed to prison for a term not exceeding ninety days or in the discretion of said mayor magistrate justice of the peace alderman or burgess be required to enter security for his good behavior for a period not exceeding one year Provided however That the defendant may within five days after such conviction appeal to the court of quarter sessions of the county in which such justice of the peace alderman mayor or burgess shall reside upon allowance of said court of quarter sessions or any judge thereof upon cause shown

Section 223 Any person who with intent to defraud has has in his possession custody or control any electric meter which has been tampered with or prevented from duly registering the quantity of electricity supplied or consumed or who with such intent interferes with the proper action and just registration of any electric meter or who with such intent diverts or otherwise uses any electric current manufactured or supplied by another is

guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 224 Any person who wilfully and unlawfully opens closes or in any manner adjusts or tampers with any valve regulator gauge gate disc curb-cock stop-cock meter or other regulating operating or measuring device or appliance in or attached to any well tank conduit pipe-line main service pipe house-pipe of display pipe or other distributing pipe of any person furnishing gas to consumers or who wilfully and lawfully enlarges or alters or removes from its connection any mixer furnished or approved by such furnisher of gas or who without express permission first obtained from such furnisher of gas puts on any mixer or consumes the gas of such furnisher of gas or who without such permission taps severs or opens any gas main or pipe or connects with such main or pipe any other main or pipe is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 225 Any person who takes sells or transfers any promissory note or other negotiable instrument not having the words "given for a patent right" written or printed legibly and prominently on the face of such note or instrument above the signature thereto knowing the consideration of such note or instrument to consist in whole or in part of the right to make use or vend any patent invention claimed to be patented is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 226 Any person who pretends for gain or lucre to predict future events by cards tokens the inspection of the head or hands of any person or by any one's age or by consulting the movements of the heavenly bodies or who for gain or lucre pretends to effect any purpose by spells charms necromancy or incantation or who advises the taking or administering of what are commonly called love powders or potions or prepares the same to be taken or administered or who pretends for lucre or gain to enable any one to get or recover stolen property or to tell where lost property is or to stop bad luck or to give good luck or to put bad luck on any person or property or to stop or injure the business or injure the health of any person or to give success in business enterprise speculation lottery lottery numbers or games of chance or win the affections of any person whatever for marriage or seduction or to make one person marry another or to induce any person to alter or make a will in favor of or against any one or tell the place where treasure property money or valuable are hid or to tell the place where to dig or search for gold metals hidden treasure or any other article or to make one person dispose of property business or any valuable thing in favor of another is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 227 Any person who at any hotel inn or boarding house receives or causes to be furnished any food or accomodations with intent to defraud the owner or proprietor of such hotel inn or boarding house out of the value or price of such food or accomodation any any person who obtains credit at any hotel inn or boarding house by depositing at such hotel inn or boarding house any baggage or property of value less than the amount of such credit or of the bill by such person incurred with such fraudulent intent any person who after obtaining credit or accomodation at any hotel inn or boarding house absconds from such hotel inn or boarding house and surreptitiously removes his baggage or property therefrom is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 228 Any person who marks stamps labels or brands with the word "gold" or the words "solid gold" or who sells offers or exposes for sale or has in his possesion with intent to sell any article of merchandise marked stamped labelled or branded with the word "gold" or the words "solid gold" containing less than ten karats of pure gold is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceding one hundred dollars or both

Section 229 Any person who marks stamps labels or brands as being of any number of karat not less than ten in fineness or sells offers or exposes for sale or has in his possession with intent to sell any article of merchandise marked stamped labelled or branded as being of any number of karat of gold not less than ten in finess or wrapped incased or enclosed in any box package cover wrapper or other thing in or by which the said article is packed wrapped incased enclosed or otherwise prepared for distribution having thereupon any engraving label stamps imprint or mark indicating or denoting that such article is of any number of karat of gold not less than ten in fineness unless the component parts of which said article is made are in the following ratio If marked eighteen karat there must be eighteen parts of pure gold and six parts of alloy if fourteen karat there must be fourteen parts of pure gold and ten parts alloy if ten karat there must be ten parts of pure gold and fourteen parts alloy and other qualities in the same proportion with twenty-four karat as the standard of pure gold by which the article is marked is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 230 Any person who sells or offers or exposes for sale or has in his possession with intent to sell any article of merchandise to which is attached a metal mounting addition or ornament marked stamped or branded with the word "gold" or the words "solid gold" unless such mounting addition or ornament contain not less than ten karats of pure gold is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 231 Any person who sells or offers or exposes for sale any article of merchandise to which is attached a metal mounting addition or ornament marked stamped or branded as being of any number of karat of gold not less than ten in fineness unless the component parts of which such mounting addition or ornament is made are in the ratio prescribed by section two hundred and twenty-nine of this act is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 232 Any person who marks stamps labels or brands with the words "sterling" or the words "sterling silver" or who sells or offers or exposes for sale or has in his possession with intent to sell any article of merchandise marked stamped labelled or branded with the word "sterling" or the words "sterling silver" or wrapped incased or enclosed in any box package cover wrapper or any other thing in or by which the said article is packed wrapped enclosed incased or otherwise prepared for sale or distribution having thereon any engraving label stamp imprint or mark indicating or denoting that such article is silver or sterling silver unless nine hundred and twenty-five one-thousandths of the component parts of the metal of which the said article is made is pure silver is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fiend not exceeding one hundred dollars or both

Section 233 Any person who marks stamps labels or brands with the word "coin" or the words "coin silver" or who sells or offers or exposes for sale or has in his possession with intent to sell any article of merchandise marked stamped labelled or branded with the word "coin" or the words "coin silver" or wrapped incased or enclosed in any box package cover wrapper or other thing in or by which the said article is packed wrapped incased enclosed or otherwise prepared for sale or distribution having thereupon any engraving label stamp imprint or mark indicating or denoting that such article is coin or coin silver unless nine hundred one-thousandths of the component parts of the metal of which the said article is made is pure silver is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 234 Any person who sells or offers or exposes for sale or has in his possession with intent to sell any article of merchandise to which is attached a metal mounting addition or ornament marked stamped or branded with the word "sterling" or the words "sterling silver" unless such mounting addition or ornament contain not less than nine hundred and twenty-five one-thousandths parts of pure silver is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 235 Any person who sells or offers or exposes for sale or has in his possession with intent to sell any article of merchandise to which is attached a metal mounting addition or ornament marked stamped or branded with the word

"coin" or the words "coin silver" unless such mounting addition or ornament contain not less than nine hundred one-thousandths parts of pure silver is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 236 Any person who publicly presents for profit any unpublished dramatic play or musical composition without the consent of the author or authors thereof is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 237 Any person who buys or receives from a minor knowing him to be such or from any person unknown to such person buying or receiving or from any person pursuing no trade labor or employment for a livlihood any junk rope iron brass lead copper or other metal is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 238 Any person who in the sale delivery or exchange of any milk or cream or the products of milk or cream uses any bottle jar can tub box vessel or other container of another upon which is stamped blown engraved or otherwise marked the name title mark or address of the owner shall on summary conviction be sentenced to pay a fine not exceeding one hundred dollars or shall be imprisoned not exceeding three months or both

Section 239 Any person who without the consent of the owner wilfuly and unlawfuly removes obliterates or mutilates the name title mark or address of anotner stamped blown engraved or otherwise on any bottle jar can tub box vessel or other container used in the sale or transportation of milk or cream or the products of milk or cream shall upon summary conviction be sentenced to pay a fine not exceeding one hundred dollars or shall be imprisoned not exceeding three months or both

Section 240 Any person who without the consent of the owner thereof refills for the purpose of sale with any article of merchandise any bottle upon which is stamped blown engraved or otherwise marked the name title or mark of another which shall have been registered according to law or who buys sells deals or traffics in any such bottle without the consent in writing of the owner thereof shall on summary conviction be sentenced to pay a fine not exceeding two hundred dollars or shall be imprisoned not exceeding six months or both the fact that any person other than the righful owner thereof refills any such bottle or uses such bottle for the sale therein of any article of merchandise or has in his possession such bottle for the purpose of dealing or trafficing therein is prima facie proof of the unlawful dealing or trafficing in such bottle

Section 241 Any person who by any false representation knowing the same to be false obtains from any club association society or company for improving the breed of animals the registration of any animal in the register of any such club association society or company or a transfer of any such registration is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 242 Any person who enters for competition for any purse prize premium stake or sweepstake offered or given by any person club association society or company any animal under an assumed name or out of its proper class when such prize purse premium stake or sweepstake is to be decided by a contest in racing is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 243 Any person being the bailor of any property who with intent to defraud his bailee obtains possession of such property from the bailee without permission of such bailee his agent or servant with intent to defraud such bailee or who obtains possession of such property the bailee by any representation known by him to be false is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 244 Any officer agent or member of any association the formation of which is provided for by any act of assembly of this Commonwealth who wilfully keeps secretes mutilates or destroys or refuses to surrender to his successor duly elected or appointed or to the proper authority as provided by the constitution or by-laws thereof any seal minute book record ledger voucher or other book or paper or any article of property belonging or appertaining to the affairs of such association is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and shall be sentenced to surrender such article to the proper authority

Section 245 Any person who fraudulently or maliciously tears burns or in any other way destroys any deed lease will bond mortgage or any bill or note check draft or other security for the payment of money or the delivery of goods or any certificate of loan or other public security of this Commonwealth or of the United States or of any of them or of any foreign country or any certificate of the stock or debt of any bank corporation or society either of this Commonwealth or the United States or either of them or of any foreign country or any receipt acquittance release or discharge of any debt suit or other demand or any transfer or assurance of money stocks goods chattels or other property or any letter of attorney or other power or any day book or other book of accounts or any agreement or contract whatever with intent in any of the said cases to defraud prejudice or injure any person is guilty of a misdemaanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 246 Any person who confesses or authorizes the confession of a judgment against himself or against any partnership corporation or association represented by him in favor of one not a bona fide creditor with intent to defraud a creditor who removes any of his property or the property of any other person out of any county with intent to prevent the same from being levied upon by virtue of any execution or to prevent the said property from being sold by virtue of any said execution after levy has been made thereon or who secretes assigns conveys or otherwise disposes of any of his property or the property of any other person with intent to defraud any creditor orto prevent such property from being levied upon by virtue of any execution or to prevent such property from being sold by virtue of any execution after levy has been made thereon or to prevent such property from being made liable for the payment of his debts or the debts of any other person and any person who receives such property with such intent or who with like intent colludes with any debtor or other person for the concealment or removal of such property or for giving a false color thereto or conceals any grant sale lease bond or other instrument or proceeding either in writing or by parol or becomes a grantee purchaser lessee obligee or other like party in any such instrument or proceeding with the like fraudulent intent or acts as broker scrivener agent or witness in regard to such instrument or proceeding with like intent is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 247 Any person who fraudulently or with intent to deceive wears any insignia badge button shield or official decoration of any association of veterans or of any fraternal organization or of any trade or labor union or of any other society or association or uses any of the same to obtain aid or assistance unless he be entitled to wear or use the same under the constitution and by-laws rules and regulations of such organization is guilty of a misdemeanor and shall be imprisoned not exceeding two months or fined not exceeding one hundred dollars or both

Section 248 Any person who fraudulently or with intent to deceive uses the name or title of any secret fraternal association society order or organization which has had a grand lodge having judisdiction in this Commonwealth for ten years or who imitates such name or title or any name or title so nearly resembling it as to be calculated to deceive or who fraudulently or with intent to deceive wears or uses any emblem badge button shield device or signia of any such organiation or who without the authority of the grand lodge aforesaid publishes sells lends gives away or circulates any letter or written or printed matter or device advertising for or soliciting members or applications for membership in such organization or in any alleged or pretended organization using or disignated or claiming to be designated by such title or imitation or resemblance thereof or who offers to sell confer communicate or give information as to where how of whom or by what means any alleged or pretended degree or secret or secret work of any such organization or any alleged or pretended organization designated or claiming to be known by such title or imitation or resemblance thereof may be obtained

conferred or communicated is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both and any such letter or written or printed matter or device shall be presumptive proof of an intent to violate this section

TITLE VIII—OFFENSE AGAINST REAL PROPERTY AND MALICIOUS MISCHIEF

Section 249 Any person who in the night time breaks and enters any dwelling house of another or building a parcel thereof or adjoining or appurtenant thereto with in tent to commit a felony or who enters any building of another with intent to commit a felony therein by the use of gun-powder dynamite nitroglycerin or other explosive is guilty of burglary a felony and shall be imprisoned not exceeding twenty years or fined not exceeding ten thousand dollars or both

Section 250 Any person who in the day time breaks and enters any building of another or who at any time enters any building of another with intent to commit a felony therein is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 251 Any person who injures or stops or attempts to injure or stop or enters into a conspiracy to injure or stop any moving railroad train with intent to commit any felony thereon is guilty of a felony and shall be imprisoned not exceeding fifteen years or fined not exceeding seven thousand dollars or both

Section 252 Any person who makes or mends or has in his possession any tool false key pick-lock bit nippers fuse force-screw punch drill jimmy or any material implement or other mechanical device designed or commonly used for breaking into any vault safe or building with intent to use such tool or implement in the commission of an offense or knowing that the same is intended to be so used is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceedeing one thousand dollars or both

Section 253 Any person who wilfully and maliciously burns or sets on fire any building barrack rick or stack of grain hay fodder bark wood boards or other lumber or motor vehicle of another or any bridge is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 254 Any person who wilfully and maliciously or wantonly burns or sets on fire the factory mill or dwelling house of another or building a parcel of such dwelling house or adjoining or appurtenant thereto or any other building by means whereof a dwelling house is burnt or who wilfully and maliciously burns any building in which there is to the knowledge of the offender any human being not exceeding twenty years or fined not exceeding ten thousand dollars or both

Section 255 Any person who wantonly maliciouly or negligently sets on fire any woodlands of another or of the people of the Commonwealth or without the consent of the owner causes fire to burn therein or who wantonly maliciously or negligently sets fire upon adjacent land which fire is communicated to such woodlands or who wilfully kindles any fire upon any forestry reservation except in accordance with such rules as may be prescribed by the Department of Forestry is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 256 Any person who wilfully burns or sets on fire any building or other property owned by him which is at the time insured against loss or damage by fire with intent to defraud or prejudice the insurer thereof is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both

Section 257 The fact that the offended was the husband or wife of the owner of the property burned or was in possession as tenant or otherwise at the time of the commission of the offense provided against in section two hundred and fifty-four of this act does not exempt him or her from the provisions of the said section

Section 258 Any person who places or throws in upon under against or near any building any gunpowder dynamite nitroglycerin or other explosive substance under such circumstances as to endanger human life or safety is guilty of a felony and shall be imprisoned not exceeding twelve years or fined not exceeding six thousand dollars or both

Section 259 Any person who wilfully and unlawfully removes or injures any part of a public highway or bridge or a private way or bridge maintained by authority of law or who wilfully injures obstructs or places or throws in or upon any public path street sidewalk alley road or other public way or place any article or substance which might cause injury to any person animal or vehicle is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 260 Any person who wilfully and unlawfully injures throws down or levels any lock sluice floodgate bank waste-weir dam aqueduct culvert bridge feeder guard wall towing path or berme bank belonging to or used in any artificial navigation or obstructs any such feeder waste-weir aqueduct or culvert is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 261 Any person who wantonly or maliciously opens or shuts any lock safety gate wicket paddle or culvert gate or any waste feeder or sluice gate or who drives any nail spike pin or wedge into any such gate or fixtures thereof or who takes any other means to prevent the perfect and free use of the same or who wantonly or maliciously breaks throws down or injures any fence wall or timber work on or used in connection with any canal pool feeder or other part of any artificial navigation or who wantonly or maliciously obstructs the navigation of any canal or pool is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 262 Any person who wantonly or maliciously breaks down or cuts down or damages any river or meadow bank or mill dam or the bank or wall of any canal or marsh is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 263 Any person who causes any water to be conveyed into any mine or into any subterraneous passage communicating therewith with intent thereby to damage such mine or to hinder or delay the working thereof or who with like intent wilfully and unlawfully pulls down fills up or obstructs any airway waterway drain pit level or shaft of or belonging to any mine or otherwise wilfully and unlawfully injures any mine is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 264 Any person who wilfully and unlawfully injures any well sunk for the production of oil gas or water or any reservoir stand-pipe or tank used or intended for the storage of oil gas or water or any pumping station valve pipe or pipe line or conduit used or intended for the transportation of oil gas or water or any gas post burner or reflector appliance works or machinery used in connection with such well reservoir stand-pipe tank pumping station valve pipe or pipe line is guilty of a misdemeanor and shall be imprisoned not exceeding three years of fined not exceeding one thousand dollars or both

Section 265 Any person who wantonly or maliciously causes to fall into any navigable stream used for the purpose of floating running or manufacturing lumber or into any tributary of such stream any slabs edging driftwood brush stump log or tree is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 266 Any person who moors any vessel or raft or hangs on with any vessel or raft to any signal or mark used for purposes of navigation and erected by lawful authority in the waters of this Commonwealth or wilfully and unlawfully removes injures or damages such signal or mark erected in or near any stream by lawful authority or who having through accident run down dragged or in any way injured any such signal or mark fails to give notice as soon as practicable of having so done to the light-house inspector of the district in which said signal or mark is located or to the board of wardens for the port of Philadelphia is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 267 Any person who places or throws any obstruction upon or across any railroad whether such railroadbe operated by steam electricity or other motive power or loosens removes displaces or injures any rail sleeper

bridge viaduct culvert embankment or other thing or structure attached appertaining to or connected with any railroad or turns moves diverts or injures any switch machinery or other appliance appertaining to any such railroad or makes or shows hides or removes or injures any signal or light appertaining to any such railroad or removes any waste brasses or packing from any journal-box of any locomotive engine tender carriage coach car caboose or truck used or operted upon any railroad or removes displaces or injures any air appliance wire insulator pole dynamo or motor attached appertaining to or connected with any such railroad or injures any engine tender carriage car or truck upon any such railroad or discharges a firearm or throws or causes to fall or strike against into or upon any engine tender carriage car or truck upon any such railroad any wood stone or other matter or thing with intent in any of the cases aforesaid to obstruct upset overthrow derail or injure any engine tender carriage car or truck used on any such railroad or to endanger the safety of any person traveling or working or being upon any such railroad is guilty of a felony and shall if no person is killed thereby be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both and if any person is killed thereby be punished as provided for in section one hundred and seventy-six of this act

Section 268 Any person who wilfully and unlawfully but without any of the intents mentioned in section two hundred and sixty-seven of this act does any of the acts mentioned in the said section or who wilfully and unlawfully takes possession of or removes any of the property mentioned therein or wilfully and unlawfully prevents or attempts to prevent the use thereof by any railroad company or its employees is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 269 Any person who wilfully and unlawfully breaks or injures any locomotive or stationary engine inclined plane engine house station or depot bridge culvert trestle work or other building or structure belonging to any railroad or any other part of such railroad or wantonly or maliciously deranges or displaces the fixtures or machinery of any locomotive or stationary engine used or employed on any railroad or wantonly or maliciously injures any fence or wall or cross-road passing over or under such railroad is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 270 Any person who wilfully and unlawfully displaces removes or injures or interferes with any line of telegraph or telephone posts wire or cable pier or abutment or any material or property appertaining thereto or who wilfully and unlawfully cuts breaks taps or makes connection with any telegraph or telephone line wire cable or instrument or who not being authorized thereto reads or copies any message or communication passing over the same or who wilfully and unlawfully prevents obstructs or delays the sending transmission conveyance or delivery of any authorized message or communication by or through any telegraph or telephone line wire or cable under the control of any telegraph or telephone company is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Sectoin 271 Any person who wilfully and unlawfully injures any power house sub-station cable meter pipe conduit wire line pole lamp motor generator or other appliance or apparatus or machinery owned or used by any company using or being engaged in the manufacture or sale or transporation of electricity for the purpose of light heat or power and any person not being duly authorized thereto who wilfully and unlawfully connects or disconnects any electrical conductor owned by any such company or makes any connection with any such electrical conductor with intent to use or waste the electric current or anywise tampers with any meter used to register electric current consumed or interferes with the operation of any dynamo or other electric appliance or apparatus of such company or tampers with or interferes with any meter pipe conduit wire line pole lamp motor generator or other appliance or apparatus used by such company is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 272 Any person who wantonly or maliciously injures or defaces any building or any fixture thereto is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 273 Any person who wantonly or maliciously breaks or cuts down or otherwise injures any tree shrub bush plant trellis arbor hotbed hothouse greenhouse or vine being standing or growing on the land of another or of the people of the Commonwealth or who wilfully violates any rule made for the government of the state forest reserves or injures or defaces or removes any notice posted by the department of forestry or wantonly or maliciously breaks or cuts or otherwise injures any wood or timber being on the land of another or of the people of the Commonwealth or who wantonly or maliciously breaks or cuts severs from or breaks cuts or injures on the land of another or of the people of the Commonwealth any grain grass vegetables or other growing crop or any other produce thereof or anything attached thereto or who wantonly or maliciously breaks cuts down or otherwise injuries or defaces any wall fence or enclosure of another or of the people of the Commonwealth or any tree rock post or other monument which has been either erected or marked for the purpose of designing a point in the boundary of the Commonwealth or of any sub-division thereof or of any farm tract or lot of land or alters destroys defaces adds to or changes any mark or inscription thereon is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 274 Any person who wilfully and unlawfully injures any hose or engine or any apparatus appertaining to the same belonging to the Commonwealth or any sub-division thereof or to any fire engine or hose company is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 275 Any person who wantonly or maliciously injures or interferes with or interrupts the working of any fire alarm telegraph or telephone box fire alarm signal box or any pole post wire or other appurtenance thereto is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 276 Any person who wantonly or maliciously removes injures or defaces any sign or index board lawfully erected upon or near any public street road or bridge for the direction guidance or safety of travelers whether the same be erected on public or private property is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 277 Any person who wilfully and unlawfully breaks or enters any building used for public school purposes or any outhouse used in connection therewith or who wantonly or maliciouly injures or defaces any furniture book paper map chart or apparatus in any such building is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 278 Any person wantonly or maliciously injures or defaces soils obliterates or destroys any book volume chart map magazine newspaper picture painting engraving statuary coin model apparatus specimen or other article in any public library gallery museum collection fair or exhibition or in any library gallery museum collection or exhibition which is either at all times or from time to time open for the admission of the public or any considerable number of persons either by the permission of the owner thereof or by the payment of money for entrance to the same or of any college or university or of any other incorporated institution devoted to educational scientific literary artistic historical or charitable purposes is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 279 Any person who wilfully and unlawfully injures or defaces any statue or monument or wilfully and unlawfully destroys or alters defaces adds to or changes any inscription upon any such statute or monument is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 280 Any person who wantonly or maliciously injures defaces or soils any property of exhibitors visitors or leesees at any fair or exhibition is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 281 Any person who wilfully and unlawfully injures any arsenal or armory or any uniform arm equipment or other property therein is guilty of a misdemeanor and

shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 282 Any person whose duty it is to handle remove or care for the baggage of passengers on any common carrier who wiltully and unlawfully injures any box package parcel or other such baggage while loading transporting unloading delivering or storing the same is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 283 Any person who being bailee for hire of any property of another wilfully and unlawfully injures such property is guilty of a misdemeanor and shall be imprisoned not exceeding tnree months or fined not exceeding one hundred dollars or both

Section 284 Any person who wantonly or maliciously destroys mutilates defaces or removes any show bill placard programme or other advertisement lawfully erected posted or being upon any rail fence billboard or other structure is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 285 Any person who wilfully and unlawfully paints writes places or affixes any placard notice sign or advertisement upon any property of another without the consent of the owner of said property is guity of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 286 Any person who wilfully and unlawfully kills wounds injures or disfigures any cattle horse mule dog or other domestic animal of another or who wilfully unlawfully administers any poison to any such animal is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both Provided That the provision of this section shall not apply to the killing of any animal taken or found in the act of destroying any other domestic animal

Section 287 Any person who enteres an enclosed private game preserve of another with intent to wantonly or maliciously injure destroy or capture any animal or fish or to injure or destroy other thing therein is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 288 Any person who cruelly ill-treats over-drives over-rides over-loads beats or tortures torments or otherwise abuses any animal whether wild or tame or whether belonging to himself or another or who being the owner or having possession or custody of any animal deprives such animal of necessary food drink shelter or protection or neglects or refuses to furnish it with such food or drink snelter or protection or cruelly drives rides or works it when unfit for labor or cruelty abandons it or carries it in or upon any vehicle or otherwise in a cruel manner or knowingly and wilfully authorizes or permits it to be subjectd to unnecessary torture suffering or cruelty of any kind or abandons it to die in any public place shall upon summary conviction be sentenced to pay a fine not exceeding five hundred dollars or shall be imprisoned not exceeding one year or both

Section 289 Any person who causes to fight any cock bull bear dog or other creature for money or other property or who keeps uses or is in any way connected with or interested in the management of or receives money for the admission of any person to any place kept or used for the purpose of fighting or baiting any cock bull bear dog or other creature shall upon summary conviction be sentenced to pay a fine not exceeding five hundred dollars or shall be imprisoned not exceeding one year or both

Section 290 Any agent of the Pennsylvania society or of any other society for the prevention of cruelty to animals is hereby authorized and empowered to seize any bull bear dog cock or other creature kept used or intended to be used for the purpose of fighting or baiting and to sell the same for the benefit of said society Provided when the seizure is made the animal so seized shall not be deemed absolutely forfeited but shall be held by the officer seizing it until a conviction of some person is first obtained under section two hundred and eighty-nine of this act for keeping or using or being connected with or interested in the management of any place used for fighting or baiting animals and it shall have been found that the animal seized was found on the premises which are the subject of the complaint And further provided That the agent making such seizure shall make due return to the magistrate or alderman before whom the complaint is heard of the number and kind of animals or creatures so seized by him and it shall be the duty of the magistrate or alderman hearing the complaint in case of a conviction to make the forfeiture of such animal or creatures seized a part of the sentence

Section 291 Any person who wilfully and unlawfully injures or defiles any ice forming formed or being upon any water of another from which ice is taken as an article of merchandise or for domestic consumption is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

TITLE IX OFFENSES AGAINST THE COIN AND FORGERY

Section 292 Any person who falsely makes forges or counterfits any coin resembling or apparently intended to resemble any gold or silver coin which is or shall be current or in actual use or circulation as money within this Commonwealth is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 293 Any person who fraudently defaces mutilates impairs diminishes falsifies or scales any gold or silver coin which is or shall be current or in actual use or circulation as money in this Commonwealth is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 294 Any person who buys sells receives pays or puts off or offers so to do any false forged or counterfit coin resembling or apparently intended to resemble or pass for any gold or silver coin which is or shall be current or in actual use or circulation as money within this Commonweath at or for a lower rate or value than the same by its denomination imports or was coined forged or counterfeited for knowing the same to be false forged or counterfeit or who brings into this Commonwealth any false forged or counterfeit coin resembling or apparently intended to resemble any gold or silver coin which is or shall be current or in actual use or circulation as money within this Commonwealth knowing the same to be false forged or counterfeit is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 295 Any person who tenders utters passes or puts off any false forged or counterfeit coin resembling or apparently intended to resemble any gold or silver coin which is or shall be current or in actual use or circulation in this Commonweath knowing the same to be false forged or counterfeit or who has in his possession any such false forged or counterfeit gold or silver coin knowing the same to be false forged or counterfeit with intent to utter pass or put off the same is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 296 Any person who falsely makes forges or counterfeits any coin resembling or apparently intended to resemble any copper nickel bronze or other minor coin which is or shall be current or in actual use or circulation as money within this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 297 Any person who pays sells receives pays puts off or offers so to do any false forged or counterfeit coin resembling or apparently intended to resemble any copper nickel bronze or other minor coin which is or shall be current or in actual use or circulation as money within this Commonwealth at or for a lower rate or value than the same by its denomination imports or was coined forged or counterfeited for knowing the same to be false forged or counterfeit or who brings into this Commonwealth any false forged or counterfeit coin resembling or intended to resemble any copper nickel bronze or other minor coin wnich is or shall be current or in actual use or circulation as money within this Commonwealth knowing the same to be false forged or counterfeit is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 298 Any person who tenders utters passes or puts off any false forged or counterfeit coin resembling or apparently intended to resembly any copper nickel bronze or other minor coin which is or shall be current or in actual use or circulation as money within this Commonwealth knowing the same to be false forged or counterfeit or who has in his possession custody or control any such false forged or counterfeit minor coin knowing the same to be false or counterfeit with intent to utter pass or put off the same is guilty of a misdemeanor and shall be imprisoned not exceed-

ing three years or fined not exceeding one thousand dollars or both

Section 299 Any person who makes mends buys sells conceals or has in his possession custody or control any puncheon matrix die hub stamp mould edger or cutting engine or part thereof used or designed for coining forging or counterfeiting any coin which is or shall be current or in actual use or in circulation as money within this Commonwealth or with intent to use such tool or instrument for fraudulent purpose aforesaid is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 300 Where upon the trial of any person charged with any of the offenses enumerated in sections two hundred and ninety-two two hundred and ninety-four two hundred and ninety-five two hundred and ninety-six two hundred and ninety-seven and two hundred and ninety-eight of this act it shall be necessary to prove any coin produced in evidence against such person to be false forged or counterfeit it shall not be necessary to prove the same to be false forged or counterfeit by the evidence of any officer of the United States mint but it shall be sufficient to prove the same false forged or counterfeit by the evidence of any other credible witness

Section 301 Any person who falsely makes forges counterfeits or alters any obligation or other security of the United States or knowingly utters publishes or puts off any such falsely forged counterfeited or altered obligation knowing the same to be false forged counterfeit or altered or has in his possession custody or control any such falsely made forged counterfeited or altered obligation knowing the same to be forged counterfeited or altered with intent to utter publish or put off such obligation is guilty of a felony and shall be imprisoned not exceeding fifteen years or fined not exceeding seven thousand dollars or both

Section 302 Any person who falsely makes forges or counterfeits any bill or note in imitation of or purporting to be a bill or note issued by any bank incorporated under the laws of this Commonwealth or under the laws of any of the States or territories of the Union or of the District of Columbia or any order check or draft on any such bank or any cashier of the same or who passes utters or publishes any false forged or counterfeit bill or note as and for a true note isued by any such bank or any false forged or counterfeit order check or draft upon any such bank or any cashier thereof knowing the same to be falsely made forged or counterfeited or who passes or utters or publishes any forged or counterfeit note or bill in imitation of or purporting to be a bill or note issued by any such bank knowing the same to be false forged imprisoned not exceeding fifteen years or fined not exceeding seven thousand dollars or both

Section 303 Any person who commits forgery of any written instrument the forging of which is not otherwise specially provided against in this act or who utters any such forged instrument knowing the same to be forged is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 304 Any person who fraudulently places together or connects different parts of two or more notes bills or other instruments in such manner as to produce one or more notes or instruments with intent to pass or utter all or any thereof as genuine and any person who utters publishes or passes the same or either of them with intent to defraud is guilty of a felony and in either case such person shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 305 Any person who fraudulently utters or passes any note or bill purporting to be the note or bill of a bank company or association which never in fact legally existed knowing that the bank company or association purporting to have issued the same never legally existed is guilty of a felony and shall be imprisoned not exceeding fifteen years or fined not exceeding seven thousand dollars or both

Section 306 Any person who makes engraves or prepares or has in his possession custody or control any plate or substance made engraved or prepared after the similitude of any plate or substance from which any note or bill issued by any bank incorporated under the laws of the United States or of this Commonwealth or under the laws of any of the States or territories of the Union or of the District of Columbia shall have been taken or printed or whereupon or by means whereof any note or bill may be made printed or prepared after the similitude of any note or bill issued by any such bank or made or prepared after the similitude of any plate or substance from which any obligation or other security of the United States or any bond note coupon or other instrument issued by this Commonwealth or any other State or territory of the Union or by any corporation company or individual shall have been taken or printed or wherefrom or by means whereof any obligation or other security of the United States or any bond note coupon or other instrument for the payment of money may be printed or prepared after the silmilitude of such obligation or other security or of such bond note coupon or other instrument issued as aforesaid with intent to use such plate or substance or cause or suffer the same to be used in forging or counterfeiting any of the instruments aforesaid or passes utters or publishes any such forged or counterfeit note bill coupon or other instrument knowing the same to be false forged or counterfeit or has in his possession custody or control any note bill bond coupon or other instrument aforesaid made printed engraved or otherwise prepared after the similitude of any note bill bond coupon or other instrument issued by the United States or by this Commonwealth or by any of the States or territories of the Union or by any corporation company or individual with intent to pass utter or publish such simulated note or who has in his possession custody or control any paper adapted to the making of any such bill note bond coupon or other instrument aforesaid and similar to the paper on which said obligations or evidences of debt shall have been issued with intent to use such paper or suffer the same to be used in forging or counterfeiting any such instrument is guilty of a felony and shall be imprisoned not exceeding fifteen years or fined not exceeding seven thousand dollars or both

Section 307 Any person who prints writes utters publishes sells lends gives away circulates or distributes or has in his possession with intent to publish sell lend give away circulate or distribute any letter writing circular paper pamphlet hand bill or any other written or printed matter advertising offering or purporting to advertise or offer for sale loan exchange gift or distribution or to furnish procure or distribute any counterfeit coin paper money internal revenue stamp postage stamp or any other token of value or what purports to be counterfeit coin paper money internal revenue stamp postage stamp or any other token of value or giving or purporting to give information where how or whom or by what means any counterfeit coin paper money internal revenue stamp or postage stamp or token of value can be procured or had or what purports to be counterfeit coin paper money internal revenue stamp postage stamp or other token of value can be procured or had whether called "green articles" "queer coin" "paper goods" "bills" "spurious treasury notes" "United States goods" "green paper goods" "business that is not legitimate" "cigars" "green cigars" or by any other name or title or any other device is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 308 Any person who for executing operating promoting carrying on or in the aiding assisting or abetting in the promoting operating or carrying on or executing of any scheme or device whatsoever to defraud by use of means of any paper writings letters circulars or written or printed matters concerning the offering for sale loan gift distribution or exchange of counterfeit coin paper money internal revenue stamp postage stamp or other token of value as provided in section three hundred and seven of this act shall use any fictitious false or assumed name or address other than his own right proper and lawful name or whoever in the executing operating promoting carrying on aiding assisting or abetting in the execution promoting or carrying on of any scheme or device offering for sale loan gift or distribution or giving or purporting to give information where how of whom or by what means any conunterfeit coin paper money internal revenue stamp postage stamp or other token of value can be had knowingly receives or takes from the mails of the United States any letter or package addressed to any such fictitious false or assumed name or address or name other than his own right proper or lawful name is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both Any letter circular writing or paper offering or purporting to offer for sale loan gift or distribution or giving or purporting to give information directly or indirectly where how of whom or by what means any counterfeit coin paper money internal revenue stamp postage stamp or token of value may be obtained or had or concerning any

similar scheme or device to defraud the public whether such article matter or thing is called "green articles" "bills" "business that is not legitimate" "spurious treasury notes" "United States goods" "green paper goods" "cigars" "green cigars" or by any name device or title of a similar character shall be deemed presumptive proof of the fraudulent character of such scheme

Section 309 Any person who falsely and fraudulently makes forges or counterfeits the great or less seal of the Commonwealth the seal of any court office county or corporation or any other seal authorized by the law of the United States or this Commonwealth or of any other State or any territory of the United States or who falsely and fraudulenly utters or publishes any instrument or writing impressed with such forged or counterfeit seal knowing the same to be forged or counterfeit is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both

Section 310 Any person who forges or fraudulently defaces alters corrupts withdraws carries away falsifies discharges secrets or avoids any record charter gift grant conveyance contract fine forfeited recognizance or other forfeiture or any registry acknowledgment or certificates or any minute document book or any proceeding filed or deposited by authority of law in any public office or with any public officer of this Commonwealth or any sub-division thereof is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both and if such person be a public officer of this Commonwealth or any sub division thereof he shall in addition to the penalty above prescribed forfeit his office and be forever disqualified from holding any office of trust honor or profit under the constitution or laws of this Commonwealth

Section 311 Any person who with intent to injure or defraud falsely makes forges or alters any telegram letter or other written communication paper or instrument by which making forging or altering any other person is injured in his good name standing position or general reputation is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 312 Any person who issues or delivers any bill of lading receipt or other paper by which it appears that any goods wares or merchandise have been delivered on board any vessel or stored in any elevator or in any place designated by law for the storage of any goods wares or merchandise or delivered to any carrier or warehouseman wharfinger or other bailee unless the same has been so delivered and is at the time actually under the control of such carrier warehouseman wharfinger or bailee and any person who issues or delivers any second or duplicate bill of lading receipt or other paper while any former bill or lading receipt or other paper representing any goods wares or merchandise shall be outstanding and uncalled without writing across the face of the same the word "duplicate" and any person who sells encumbers ships transfers of removes beyond his immediate control any goods wares or merchandise for which a bill of lading receipt or other such paper aforesaid has been given by him unless such bill of lading receipt or other such paper bears on its face the words "not negotiable" or unless it is surrendered to be cancelled at the time of such sale encumbrance transfer or removal or unless in the case of a partial delivery a memorandum thereof is endosed upon such paper is guilty of felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 313 Any person who counterfeits or fraudulently impresses or makes the brand mark or any number or other mark of any public inspector or a mark or number in imitation thereof upon any article subject by law to inspection upon any cask vessel or container containing such article or upon any plug of such cask vessel or container or fraudulently puts any stamped plug into any cask vessel or container or fraudulently alters defaces conceals or erases any such inspection mark duly made and any person who counterfeits or fraudulently impresses or makes upon any article subject by law to inspection or upon any cask vessel or container containing such article the brand mark or any number or other mark of any miller manufacurer packer or other person or fraudulently alters defaces or erases any such mark or fraudulently impresses or makes the brand mark or any number or other mark of any person upon such article cask vessel or container is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 314 Any person who forges or counterfeits any private stamp mark wrapper label resembling or apparently intended to resemble the private stamp mark wrapper or label usually affixed by any other person to or used by any other person on or in the sale of any goods wares or merchandise with intent to deceive or defraud such other person or the purchaser of any goods wares or merchandise is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred or both

Section 315 Any person wilfully and unlawfully defaces obliterates or removes any mark letter wor brand from any saw-log board shingle bolt or lumber of any kind floating in or lodged upon the bank of any river or stream is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 316 Any person who has in his possession custody or control any engraving or printed stamp wrapper or label or any other representation likeness copy or imitation of the private stamp mark or wrapper or label usually affixed by any other person to or used b yany other person on or in the sale of any goods wares or merchandise or any die or plate from which such engraving stamp wrapper label or other representation may be made with intent to use or sell the said dieplate engraving stamp wrapper or label in aiding in vending any goods wares or merchandise in imitation of or intended to resemble or to be sold for the goods wares or merchandise of such other person is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 317 Any person who vends any goods wares or merchandise having theron any forged or counterfeit stamp mark wrapper or label of another knowing the same to bear such forged or counterfeit stamp mark wrapper or label without disclosing the fact to the purchaser thereof is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 318 Any person who forges counterfeits or imitates any duly registered trade-mark label symbol or private stamp of any association or union of persons authorized by law to register a trade-mark label symbol or private stamp or uses displays sells or offers for sale any counterfeit or imitation of any such trade-mark label symbol or stamp or uses any original or bona fide trade-mark label symbol or stamp without authority from the association or union owning controlling or having jurisdiction over the same or after the license or authority to use the same has been rescinded or revoked by the association or union owning controlling or having jurisdiction over the same or has in his possession custody or control any such counterfeit trade-mark label symbol or stamp with intent to use or sell the same in aiding in vending any goods wares or merchandise and any person who knowingly uses any such trade-mark label symbol or stamp of such association or union by placing the same on any goods wares or merchandise which is not the product of members of such association or union and any person who knowingly sells or offers for sale any goods wares or merchandise on which such trade-mark label symbol or stamp is so wrongly placed is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 319 Any person who with intent to defraud puts upon any article of merchandise or upon any cask vessel container stopper case cover wrapper package band ticket label or other thing covering or attached to such article or with such article is intended to be sold or is sold any false description or other indication of or respecting the kind quantity weight or measure of such article or any part thereof or the place or country where it was manufactured made or produced or the quality or grade of any such article if the quality or grade thereof is required by law to be marked branded or otherwise indicated on or with such article or sells or offers for sale or has in his possession custody or control with intent to sell any article which to his knowledge is falsely described or indicated in any of the ways aforesaid or is otherwise misbranded within the meaning of the word misbranded as defined by an act of assembly of this Commonwealth in force at the time is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 320 Any person who knowingly falsely represents any article of food sold or offered or exposed for sale to be Kosher or as having been prepared under and of a product sanctioned by the orthodox Hebrew religious requirements or who knowingly falsely represents any such article to be so constituted or prepared by inscribing or permitting to be inscribed thereon or on the container thereof the word "Kosher" in any language or who falsely represents any such article to be so constituted by having the word "Kosher" inscribed in any language on his business establishment is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

TITLE X—GENERAL PROVISIONS

Section 321 Every offense now punishable either by the statute or common law of this Comomwnealth and not specially provided for in this act shall continue to be an offense and to be punishable as heretofore

Section 322 The provisions of this act shall not affect any civil rights or remedies now existing by virtue of the common law or of any statute

Section 323 The omission to specify or affirm in this act any liability to any damages penalty forfeiture or other remedy imposed by law and allowed to be recovered or enforced in any civil actior or proceeding for any act or commission declared punishable herein does not affect any right to recover or enforce the same

Section 324 On conviction of any person for stealing or for robbery or burglary in which it shall appear that the defendant also committed stealing or for any other offense in which it shall appear that the defendant unlawfully and fraudulently took or obtained property or received property knowing the same to have been stolen or unlawfully and fraudulently taken the defendant shall in addition to the penalty hereinbefore prescribed for any such offense be adjudged to restore to the owner the property taken or received or to pay to him the value of the same or so much thereof as may not be restored and on conviction of any person for forgery uttering or publishing any forged or counterfeit coin bank note bill check obligation security or other writing the defendant shall in addition to the imprisonment hereinbefore prescribed for any such offense be judged to make similar restitution or other compensation as in the case of stealing to the person defrauded provided that nothing herein shall prevent the party aggreived and to whom restitution is to be awarded from being a competent witness on the trial of the offender

Section 325 Every principal in the second degree and every accessory before the fact to any felony for whom no punishment is or shall be specially prescribed by law is subject to the same punishment as the principal in the first degree to such felony and every person who counsels aids or abets the commission of any misdemeanor for whom no punishment is or shall be specially prescribed by law is liable to be proceeded against and punished as the principal offender and every accessory after the fact to that felony for whom no punishment is or shall be specially prescribed by law shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 326 Any person who conspires with another to commit an offense the conspiracy to commit such offense not being otherwise specially provided against by an act of assembly of this Commonwealth in force at the time is if he conspire to commit an offense which is punishable by imprisonment for a term greater than ten years guilty of a felony if he conspire to commit an offense which is punishable by imprisonment for a term less than ten years he is guilty of a misdemeanor and shall be punished as follows if he conspire to commit an offense which is punishable by death or by imprisonment for life he shall be imprisoned not exceeding twenty years or fined not exceeding ten thousand dollars or both if he conspire to commit an offense which is punishable by a lesser period of imprisonment than imprisonment for life he shall be imprisoned not exceeding one-half of the longest term or fined not exceeding one-half of the largest sum prescribed for the commission of the offense he conspired to commit or by both such imprisonment and fine

Section 327 Any person who attempts to commit an offense the attempt to commit such offense not being otherwise specially provided against by an act of assembly of this Commonwealth in force at the time is if he attempts to commit an offense which is punishable by imprisonment for a term greater than ten years guilty of a felony if he attempt to commit an offense which is punishable by imprisonment for a term less than ten years he is guilty of a misdemeanor and shall be punished as follows if he attempt to commit an offense which is punishable by death or by imprisonment for life he shall be imprisoned not exceeding twenty years or fined not exceeding ten thousand dollars or both if he attempt to commit an offense which is punishable by a lesser period of imprisonment than imprisonment for life he shall be imprisoned not exceeding one-half of the longest term or fined not exceeding one-half of the largest sum prescribed for the commission of the offense he attempted to commit or both such imprisonment and fine

Section 328 Any person who solicits another to commit an offense the solicitation to commit such offense not being otherwise specially provided against by an act of assembly of this Commonwealth in force at the time is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both the term of imprisonment and the fine in any case not to exceed the term of imprisonment and fine prescribed by law for the offense solicited

Section 329 Any person convicted of any offense other than perjury is notwithstanding such conviction a competent witness in any cause or proceeding civil or criminal but the conviction of such person may be proved for the purpose of affecting the weight of his testimony

Section 330 Except in the case of one convicted for a second time of murder in the second degree any person convicted of an offense punishable with imprisonment for a term less than the life of the offender who after such conviction is convicted of an offense subjecting him to imprisonment for a term less than life shall be imprisoned not exceeding double the whole period of time which is or shall be prescribed for the offense of which he is last convicted

Section 331 The repeal of existing laws or modifications thereof embraced in this act shall not affect any act done or any right accruing or accrued or any suit or proceeding had or commenced in any civil cause prior to said repeal or modifications but liabilities under said laws shall continue and may be enforced in the same manner as if said repeal or modifications had not been made

All offenses committed and all penalties forfeitures or liabilities incurred prior to the taking effect hereof under any law embraced in or changed modified or repealed by this act may be prosecuted and punished in the same manner and with the same effect as if this act had not been passed

Section 332 The unconstitutionality of any section or sections of this act shall not affect the validity of any other sections of the act or of the act as a whole

Section 333 This act may be cited as "The Penal Code of 1923"

Section 334 In this act and in any indictment for any offense provided against in this act the following terms shall be construed as defined in this section except where a different intent is plainly declared in the provision to be construed or is plainly apparent from the context thereof

1 The term "offense" means any act or omission punishable either on indictment or information whether such act be treason felony or misdemeanor

2 The terms "person" "any person" "any one" "the person" "every person" "such person" "other" "another" and the relative-pronoun "he" referring to any of the above terms unless the contrary is expressed or clearly to be implied from the context includes a natural person a corporation partnership limited partnership and joint stock company and extends to more persons than one and to females as well as males

3 Terms denoting the masculine gender include the feminine and terms denoting the singular number include the plural

4 The term "sub-division of this Commonwealth" includes a county city borough township municipality and incorporated district

5 The term "flag standard color ensign shield" as used in sections five and six of this act means any flag standard color ensign or shield or copy picture or representation thereof made of any substance or represented or produced on any substance and of any size evidently purporting to be such flag standard color ensign or shield of the United States of America or this Commonwealth or a copy picture or representation thereof

6 The term "public officer" means any person elected or appointed to discharge a public duty has qualified for such duty

7 The term "a bribe" as used in this act means any money goods right in action property thing of value benefit or advantage testimonial privilege appointment office or position present or prospective or any promise or undertaking to give any such asked or accepted with intent to influence unlawfully the person to whom it is given or by whom it is asked or accepted or another at his instance in his action vote or opinion in any public or official capacity or in any election provided for by the law of this Commonwealth

8 The term "public election" includes the taking of a vote to select a person for public office or to be a candidate for public office or to be a delegate to select such person and also includes the taking of a vote on a proposed amendment to the constitution a vote to select delegates to a constitutional convention and a vote upon any other question submitted by law to the electors of the Commonwealth

9 The term "prison" means any building or place designated by law for the keeping or detention of persons in custody under process of law or under any lawful arrest

10 The term "imprisoned" means confined in a prison

11 The term "prisoner" means any person held or detained in custody under process of law or under any lawful arrest

12 The term "escape" means the act of a prisoner in gaining his liberty before he is delivered in due course of law

13 The term "day" or "day-time" means the period of time between sunrise and sunset

14 The term "night" or "night-time" means the period of time between sunset and sunrise

15 The term "dwelling" or "dwelling house" means a building any part of which is usually occupied by a person lodging therein at night and any building within the curtilage of such house

16 The term "building" includes a railway car ship booth tent shop or other erection or part thereof

17 The term "writing" or "written" includes words printed carved painted engraved lithographed photograped or otherwise copied traced or made visible to the eye and also includes any picture

18 The term "obligation or other security of the United States" means all bonds certificates of indebtedness national bank currency coupons United States notes Treasury notes gold certificates silver certificates frational notes certificates of deposit bills checks or drafts for money drawn by or upon authorized officers of the United States stamps and other representatives of value of whatever denomination which have been or may be issued under any act of Congress

19 The term "lottery" means any scheme for the disposal or distribution of property by chance among persons who have paid or have promised to pay a valuable consideration for the chance of obtaining such property or a portion of it or for any share or interest in such property upon any agreement understanding or expectation that it is to be distributed or disposed of by lot or chance

20 The term "property" as used in sections one hundred and ninety--nine two hundred two hundred and one two hundred and two two hundred and three two hundred and four two hundred and six two hundred and eight two hundred and nine includes every kind of property other than real property and includes real property and fixtures thereto when served from the land whether the severance was by the hand of the thief or of another and whether the asportation followed immediately on the taking or not it includes all deeds and instruments relating to or evidencing the title or right to any property real or personal or giving a right to recover or receive any money or goods and all other choses in action it also includes any release acquittance voucher receipt or ticket policy of insurance or certificate of membership in any insurance company

21 The term "food" includes all articles used for food or drink by man whether simple mixed or compound

22 The term "credit" as used in section two hundred and nineteen means any arrangement or understanding with the bank banking institution trust company or depository for the paymet of the check draft or order mentioned in said section

23 The term "child" as used in section one hundred and ninety is limited to mean a child under sixteen years of age and such child over sixteen years of age by reason of infirmity is incapable of supporting himself

24 The term "ship" means any boat ship vessel or structure of any size adapted to be navigated from place to place for the transportation of persons or merchandise

25 The term "trustee' means a trustee on some express trust created by deed will or instrument in writing and also includes the heir devisee and personal representative of any such trustee and all executors administrators and assignees and any guardian appointed by any court

26 The term "woodland" includes wood farmers" wood lots marshes brush barrens brush-lands moors and wild unseeded uncultivated lands

27 The term "injure" includes destroy

28 The term "wantonly" means without regard to propriety or the rights or safety of others or careless of consequences yet without settled malice it requires intent to do the act it characterizes and excludes a lawful justification or excuse it includes "wilfully"

29 The term "Willfully" means intentionally as distinguished from accidentally or thoughtlessly or negligently

30 The term "unlawfully" means contrary to law or illegal or not permitted by either criminal or civil law if an act subjects the doer either to a penalty or to damages it is unlawful

31 The term "maliciously" as used in sections of this act relating to injury to property means with ill will or malevolence or grudge or spite or enmity or anger either to the owner of the property or to the property itself it includes "wilfully"

Section 335 The following acts of assembly and parts thereof and all other parts of the penal laws of this Commonwealth in so far as the same are altered and supplied by this act are and the same are hereby repealed the repeal of the first section of an act shall not repeal the enacting clause thereof

Section twenty-eight of an act entitled "An Act for establishing a health office and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases and for other purposes" approved January twenty-ninth one thousand eight hundred and eighteen

Section one of an act entitled "An further supplement to the act entitled 'An Act for the prevention of vice and immorality and of unlawful gaming and restraining disorderly sports and dissipation passed twenty-second April seventeen hundred and ninety-four" approved March twelfth one thousand eight hundred and thirty

Section one of an act entitled "A resolution providing for the resumption of specie payments by the banks and for other purposes" approved April third one thousand eight hundred and forty

Section two of an act entitled "An Act relating to investigation into the affairs of banks or savings institutions applying to the legislature for re-charter" approved January twenty-sixth one thousand eight hundred and forty-nine

Section three of an act entitled "An supplement to the act entitled 'An Act regulating turnpike and plank road companies' approved January the twenty-sixth Anno Domini one thousand eight hundred and forty-nine" approved April seventh one thousand eight hundred and forty-nine

Section five of an act entitled "A supplement to the road laws of this Commonwealth and to incorporate the Mutual fire insurance company of Lawrence County" approved April twenty-sixth one thousand eight hundred and fifty

Section four of an act entitled "An Act to protect certain domestic and private rights and prevent abuses in the sale and use of intoxicating drinks" approved May eighth one thousand eight hundred and fifty-four

Section one of an act entitled "An Act relating to city county and township treasurers" approved May sixteenth one thousand eight hundred and fifty-seven

Act of 1860 March 31 entitled 'An Act to consolidate revise and demand the penal laws of this Commonwealth"

An act entitled "An Act for the suppression of fortune telling and similar purposes" approved April eighth one thousand eight hundred and sixty-one

Sections one and two of an act entitled "An Act supplementary to an act entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth approved March thirty-first one thousand eight hundred and sixty" approved April eighteenth one thousand eight hundred sixty-one

An act entitled "An Act supplementary to an act to consolidate revise and amend the penal laws of this Com-

monwealth passed the thirty-first day of March Anno Domini one thousand eight hundrede and sixty" approved May first one thousand eight hundred and sixty-one

Section thirty-six of an act entitled "Supplement to an act to establish a system of free banking in Pennsylvania and to secure the public against loss from insolvent banks approved March thirty-first one thousand eight hundred and sixty" approved May first one thousand eight hundred and sixty-one

Section four of an act entitled "A further supplement to an act to establish a board of wardens for the port of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned passed twenty-ninth of March Anno Domini one thousand eight hundred and three" approved May fourteenth one thousand eight hundred and sixty-one

Section seventeen of an act entitled "A further supplement to an act entitled 'An Act for the regulation and continuance of a system of education by common schools' approved the eighth day May one thousand eight hundred and fifty-four" approved April eleventh one thousand eight hundred and sixty-two

Section one of act entitled "A supplement to an act to provide for the incorporation of insurance companies approved the second day of April Anno Dominin one thousand eight hundred and fifty-six" approved April eleventh one thousand eight hundred and sixty-two

Section one and two of an act entitled "A supplement to the act to consolidate revise and amend the penal laws of this Commonwealth approved the thirty-first day of March one thousand eight hundred and sixty" approved April twenty-second one thousand eight hundred and sixty-three

Section one of an act entitled "An Act to punish the fraudulent receiving of money on deposit" approved April twenty-second one thousand eight hundred and sixty-three

Section three of an act entitled "An Act to prevent fraud upon travelers" approved May sixth one thousand eight hundred and sixty-three

Section one of an act entitled "An Act to punish the recruiting of men for the volunteer service of other states approved March eleventh one thousand eight hundred and sixty-four

Section three of an act entitled "An Act to promote the establishment of district and school libraries" approved May fifth one thousand eight hundred and sixty-four

Section one of an act entitled "A further supplement to an act to incorporate the city of Philadelphia relating to fire alarm and police telegraph" approved February twenty-eighth one thousand eight hundred and sixty-five

An act entitled "An Act to promote the safety of travelers on railroads and to punish negligent and careless employees thereof" approved March twenty-second one thousand eight hundred and sixty-five

Section three of an act entitled "An Act to provide for the payment of gratuities and annuities to the soldiers of the war of one thousand eight hundred and twelve and to their widows" approved March thirtieth one thousand eight hundred and sixty-six

Sections one and three of an act entitled "An Act to prevent the extension of disease among cattle" approved April twelfth one thousand eight hundred and sixty-six

Sections one two and three of an act entitled "A supplement to an act to revise consolidate and amend the penal laws of this Commonwealth so as to punish frauds upon the national currency as well as that of the state and forging or uttering forged instruments" approved January seventh one thousand eight hundred and sixty-seven

Section two of an act entitled "An act making it an offense for railroad corporations within this Commonwealth to make any distinction with their passengers on account of race or color and punishing said corporations and their agents and employees for the commission of such offense" approved March twenty-second one thousand eight hundred and sixty-seven

An act entitled "An Act to prevent and punish prize fighting" approved March twenty-second one thousand eight hundred and sixty-seven

An act entitled "An Act for the punishment of cruelty to animals in this Commonwealth" approved March twenty ninth one thousand eight hundred and sixty-nine

An act entitled "An Act for the prevention of the mutilation and destruction of show bills placards posters programmes announcements et cetera and for the protection of the proprietors of places of amusement merchants manufacturers and others in the city of Philadelphia and county of Centre" approved April second one thousand eight hundred and sixty-nine

Section one of an act entitled "An Act to prevent the injury or destruction of baggage within the limits of the state of Pennsylvania" approved February twelfth one thousand eight hundred and seventy

An act entitled "A further supplement to the act entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' approved March thirty-first one thousand eight hundred and sixty" approved February twenty-fourth one thousand eight hundred and seventy

An act entitled "An Act to prevent and punish publication of obscene advertisements and the sale of noxious medicines" approved March sixteenth one thousand eight hundred and seventy

An act entitled "An Act supplementary to an act entitled 'An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty" approved April second one thousand eight hundred and seventy

Section nine of an act entitled "A further supplement to the act relating to elections in this Commonwealth" approved April sixth one thousand eight hundred and seventy

An Act entitled "An Act to punish the sale and transfer of mineral water bottles and other bottles and for the protection of bottlers and vendors of mineral water and other beverages in this Commonwealth" aproved April ninth one thousand eight hundred and seventy

An Act entitled "An Act to prohibit the sale of academic degrees" approved May nineteenth one thousand eight hundred and seventy-one

An Act entitled "An Act amendatory to an act entitled 'An Act for the punishment of cruelty to animals in this Commonwealth' approved March twenty-ninth one thousand eight hundred and sixty-nine" approved June second one thousand eight hundred and seventy-one

An Act entitled "An Act to punish witnesses who refuse or neglect to appear and testify before legislative committees" approved March fourteenth one thousand eight hundred and seventy-two

An Act entitled "A Further Supplement to an Act entitled 'An Act for the punishment of cruelty to animals in this Commonwealth' approved March twenty-ninth one thousand eight hundred and sixty-nine" approved April third one thousand eight hundred and seventy-two

Section two of an act entitled "An Act to regulate the execution and transfer of notes given for patent rights" approved April twelfth one thousand eight hundred and seventy-two

An Act entitled "An Act defining the offense of corrupt solicitation of members of assembly state county election municipal or other public officers and prescribing the punishment therefor" approved April twenty-ninth one thousand eight hundred and seventy-four

Section thirty-four clause six of an act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four

An Act entitled "An Act to prevent traffic in children" approved May fifteenth one thousand eight hundred and seventy-four

Section eight nine and twelve of an act entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of cities of the third class" approved May twenty-third one thousand eight hundred and seventy-four

An act entitled "A Supplement to the act approved March thirty-first one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' further defining the offense of kidnapping and affixing additional penalties thereto" approved February twenty-fifth one thousand eight hundred and seventy-five

An act entitled "An Act to punish persons for carrying concealed weapons within this Commonwealth" approved March eighteenth one thousand eight hundred and seventy-five

Section four of an act entitled "An Act to carry into effect section five of article fourteen of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" approved March thirty-first one thousand eight hundred and seventy-six

Section one of an act entitled "An Act to prevent fraud and fraudulent practices upon or by hotel keepers inn keepers and boarding house keepers" approved April twenteth one thousand eight hundred and seventy-six

An act entitled "An Act regulating the selling of baled hay et cetera in this Commonwealth" approved May eighth one thousand eight hundred and seventy-six

An Act entitled "An Act to prevent the defiling of ice upon ponds streams rivers creek and canals owned or leased for the production of ice for sale" approved May eighth one thousand eight hundred and seventy-six

An Act entitled "A Further Supplement to an act to consolidate revise and amend the penal laws of this Commonwealth approved March thirty-first one thousand eight hundred and sixty defining and providing for the punishment of the offenses of unlawfully obtaining the key or means used to open any bank vault safe or other depository" approved May eighth one thousand eight hundred and seventy-six

An Act entitled "An Act to punish persons for pointing or discharging firearms at other persons within this Commonwealth" approved May eighth one thousand eight hundred and seventy-six

Section nineteen of an act entitled "An Act for the incorporation and regulation of banks of discount and deposit" approved May thirteenth one thousand eight hundred and seventy-six

An Act entitled "An Act to provide for the better protection of passangers upon railroads and to insure the prompt transportation and delivery of freights" approved March twenty-second one thousand eight hundred and seventy-seven

An Act entitled "An Act to provide for the arrest and punishment of persons carrying dangerous substances upon public conveyances" approved May twenty-third one thousand eight hundred and seventy-eight

An Act entitled "An Act to prevent the wanton use of poisons" approved May twenty-third one thousand eight hundred and seventy-eight

Sections one two three four and five of an act entitled "An Act supplementary to an act entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty" approved June twelfth one thousand eight hundred and seventy-eight

An act entitled "An Act extending protection to foreign and domestic insurance companies from fraudulent agents" approved June seventeenth one thousand eight hundred and seventy-eight

An act entitled "An Act to define and punish tramps" approved April thirtieth one thousand eight hundred and seventy-nine

Sections one and two of an act entitled "An Act for the protection of the aids to navigation established by the authority of the United States lighthouse board within the State of Pennsylvania" approved May thirteenth one thousand eight hundred and seventy-nine

An act entitled "A Supplement to section sixty-eight of an act entitled 'An Act to consolidate revise and amend the penal laws of the Commonwealth of Pennsylvania' passed March Anno Domini one thousand eight hundred and sixty in relation to the violation of sepulchres in this Commonwealth" approved May nineteenth one thousand eight hundred and seventy-nine

An act entitled "An Act to define the terms sodomy and buggery as used in the laws of this Commonwealth" approved June eleventh one thousand eight hundred and seventy-nine

Section one of an act entitled "An Act to prevent the burning of the woods in any of the counties of this Commonwealth" approved June eleventh one thousand eight hundred and seventy-nine

An Act entitled "An Act to protect fruit gardens growing crops et cetera and punish trespass" approved June eighth one thousand eight hundred and eighty-one

An Act entitled "An Act to prohibit the defacing of walls fences and trees by painting posting or otherwise and providing a penalty therefor" approved June eighth one thousand eight hundred and eighty-one

An act entitled "An Act to punish frauds upon life insurance companies by agents physicians and others" approved June tenth one thousand eight hundred and eighty-one

An act entitled "An Act to prohibit sale to any person under sixteen years of age of deadly weapons gunpowder and explosive substances in the Commonwealth of Pennsylvania" approved June tenth one thousand eight hundred and eighty-one

An act entitled "An Act declaring that the possession as tenant or otherwise at the time of the commission of the offense shall not exempt him from conviction and punishment for arson" approved June tenth one thousand eight hundred and eighty-one

Section nine of an act entitled "An Act to abolish the office of the collector of all outstanding or delinquent taxes to authorize and empower the receiver of taxes to collect the delinquent taxes and to provide for the more efficient collection of said delinquent taxes in cities of the first class" approved April nineteenth one thousand eight hundred and eighty-three

Section three of an act entitled "An act to enforce the provisions of the seventeenth article of the constitution relative to railroads and canals" approved June fourth one thousand eight hundred and eighty-three

An act entitled "An act to prevent the obstruction of the navigable streams of this Commonwealth" approved June thirteenth one thousand eight hundred and eighty-three

An act entitled "An act to prohibit political parties committees or members thereof from assessing upon or demanding from public officials contributions for political purposes in the several counties of this Commonwealth" approved June thirteenth one thousand eight hundred and eighty-three

An act entitled "An act to enable officers soldiers sailors and marines of the United States army or navy to recover possession of their commissions or discharges and providing a fine and punishment for withholding the same from the owners thereof" approved April thirtieth one thousand eight hundred and eighty-five

Section one and two of an act entitled "An act supplementary to an act entitled 'An act to protect children from neglect and curelty and relating to their employment protection and adoption' approved the eleventh day of June one thousand eight hundred and seventy-nine providing for the further protection of minors and regulating the boarding and maintaining of infant children for hire" approved May twenty-eighth one thousand eight hundred and eighty-five

Section eighteen of an act entitled "An act to provide for the incorporation and regulation of natural gas companies" approved May twenty-ninth one thousand eight hundred and eighty-five

An act enttiled "An act to punish co-partners for fraudulently appropriating the property or using the name of the co-parntership corporation or association" approved June third one thousand eight hundred and eighty-five

An act entitled "An act to punish defaulting tax collectors" approved June third one thousand eight hundred and eighty-five

An act entitled "An act to make it a misdemeanor for any member of a co-partnership firm or association to keep fraudulent accounts or destroy or mutilate the books of the co-partnership firm or association approved June fourth one thousand eight hundred and eighty-five

An act entitled "An act to prevent the establishment of joints booths or other places for the smoking or other use of opium" approved June tenth one thousand eight hundred and eighty-five

An act entitled "An act to prohibit the manufacture and sale of toy deadly weapons in the Commonwealth of Pennsylvania approved June eleventh one thousand eight hundred and eighty-five

An act entitled "A supplment to an act to consolidate revise and amend the penal laws of the Commonwealth approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty" approved June twenty-third one thousand eight hundred and eighty-five

An act entitled "An act to prevent the wilfully cutting mutilating or otherwise injuring any book volume map chart magazine newspaper painting engraving or statuary in public libraries museums or galleries" approved

June twenty-third one thousand eight hundred and eighty-five

Section one of an act entitled "An act to protect oil gas and water wells tanks pipes and machinery connected therewith and to prevent wilful and malicious injury thereto" approved June twenty-third one thousand eight hundred and eighty-seven

An act entitled "An act for the protection of livery stable keepers" approved March twenty-second one thousand eight hundred and eighty-seven

Section fifty-three of an act entitled "An act to provide for the organization discipline and regulation of the National Guard of Pennsylvania" approved April thirteenth one thousand eight hundred and eighty-seven

An act entitled "An act to prevent and punish the making and dissemination of obsene literature and other immoral and indecent matter" approved May sixth one thousand eight hundred and eighty-seven

An act entitled "An Act to prevent the mutilation destruction tearing down or removing of any show bills placard programme poster or other advertisement" approved May sixth one thousand eight hundred and eighty-seven

An act entitled "A supplement to an act entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March one thousand eight hundred and sixty amending the ninety-first section thereof defining rape and carnal knowledge of female children and prescribing the penalty therefor" approved May nineteenth one thousand eight hundred and eighty-seven

An act entitled "An act to provide civil rights for all people regardless of race or color" approved May nineteenth one thousand eight hundred and eighty-seven

An act entitled "An act to punish false pretenses in obtaining registration of cattle and other animals and to punish giving false pedigrees" approved May nineteenth one thousand eight hundred and eighty-seven

An act entitled "An act to amend an act entitled 'An act to prevent the wilfully cutting marking mutilating or otherwise injuring any book volume map chart newspaper painting engraving or statuary in public libraries museums or galleries approved June twenty-third one thousand eight hundred and eighty-five extending the provisions thereof to libraries museums or galleries attached to or controlled by institutions incorporated under the laws of this Commonwealth" approved May nineteenth eight hundred and eighty-seven

An act entitled "An act relating to saw logs and lumber floating in or lodged upon the banks of rivers and streams of this Commonwealth" approved May twenty-third one thousand eight hundred and eighty-seven

An act entitled "A supplement to an act entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first of March one thousand eight hundred and sixty relating to breaking or entering cars or locomotives and providing penalties therefor" approved May twenty-third one thousand eight hundred and eighty-seven

Section four of an act entitled "An act to authorize the councils of cities of the first class of the Commonwealth to appropriate annually a sum not exceeding five hundred dollars for the support and maintenance of each company of the National Guard using or occupying an armory building room or quarters within said cities in addition to the annual appropriation by the legislature" approved May twenty-fourth one thousand eight hundred and eighty-seven

Section five of an act entitled "An act to authorize the Adjutant General to supply the posts of the Grand Army of the Republic and the camps of the Sons of Veterans United States America located within the state with such arms and accourtrements as may belong to the state and not be necessary for the equipment of the National Guard" approved June first one thousand eight hundred and eighty-seven

Section three of an act entitled "An act for the encouragement of forest culture and providing penalties for the injury and destruction of forests" approved June first one thousand eight hundred and eighty-seven

Section nineteen of an act entitled "An act to encourage and authorize the formation of co-operative associations productive and distributive by farmers mechanics laborers and other persons" approved June seventh one thousand eight hundred and eighty seven

An act entitled "An act to prevent persons from unlawfully using or wearing the insigna or rosette of the military order of the Loyal Legion of the United States or the badge or button of the Grand Army of the Republic or the badge or shield of the Union Veteran Legion" approved March eighth one thousand eight hundred and eighty-nine

Sections one three and five of an act entitled "An act to prevent and punish the wrongful use or detention or misappropriation of milk cans butter tubs and market boxes from the owners thereof and the mutilation or obliteration of the name or residence of the owner on such cans tubs or boxes" approved May fourth one thousand eight hundred and eighty-nine

An act entitled "An act to prohibit the sale of cigarettes to persons under the age of sixteen years and prescribing the punishment for the same" approved May seventh one thousand eight hundred and eighty-nine

An act entitled "An act prohibiting the printing or circulating of publications offering for sale et cetera counterfeit coin paper money et cetera" approved May eighth one thousand eight hundred and eighty-nine

An act entitled "An act forbidding the refilling of or dealing or trafficking in registered bottles by persons other than the owners thereof without the written permission of the owner declaring it to be a misdemeanor so to do imposing a penalty therefor and providing what shall be prima facie proof thereof" approved May eighth one thousand eight hundred and eighty-nine

An act entitled "An act relating to the receiving of deposits by insolvent bankers brokers or any officer of a bank national state or private defining the offense and providing a punishment therefor" approved May ninth one thousand eight hundred and eighty-nine

An act entitled "An act to provide for the punishment of persons injuring or defacing statues and monuments erected by authority of or within the Commonwealth altering defacing or adding to the inscriptions thereon" approved May ninth one thousand eight hundred and eighty-nine

Sections six and seven of an act entitled "An act to authorize the chartering of associations of employees and to provide punishment for the fraudulent appropriation or use of their money" approved May thirteenth one thousand eight hundred and eighty-nine

Section eight nine eleven twelve and fourteen of article four of an act entitled "An act providing for the incorporation and government of cities of the third class" approved May twenty-third one thousand eight hundred and eighty-nine

An act entitled "An act defining the offense of taking a human life through the wilful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth" approved May twenty-sixth one thousand eight hundred and ninety-one

An act entitled "An act amending section seventy-six of an act to consolidate revise and amend the penal laws of this Commonwealth approved March thirty-first one thousand eight hundred and sixty increasing the maximum punishment for the first conviction of murder in the second degree to twenty years" approved April fourteenth one thousand eight hundred and ninety-three

An act entitled "An act to prohibit the employment of any minor under the age of fourteen years in or about elevators" approved May twenty-fourth one thousand eight hundred and ninety-three

An act entitled "An act relative to the appointing of special deputies marshals or policemen by sheriffs mayors or the persons authorized by law to make such appointments and by individuals associations or corporations incorporated under the laws of this State or any other State of the United States making it a misdemeanor for persons to exercise the functions of such officers without authority" approved May twenty-ninth one thousand eight hundred and ninety-three

An act entitled "An act to provide for the punishment of persons wilfully procuring the publication of false statements" approved June third one thousand eight hundred and ninety-three

An act entitled "An act to amend the one hunderd and eightieth section of an act entitled "An act to consolidate revise and amend the penal laws of this Commonwealth approved the thirty-first day of March one thousand eight

hundred and sixty so as to make the said section applicable to all penal laws of this Commonwealth" approved June third one thousand eight hundred and ninety-three

An act entitled "An act to prevent entering of trotting or pacing horses out of their classes" approved June sixth one thousand eight hundred and ninety-three

An act entitled "An act to punish pool-selling receiving and transmitting bets or aiding in pool-selling or betting" approved May twenty-second one thousand eight hundred and ninety-five

An act entitled "An act to prohibit giving and raising a false alarm of fire in the Commonwealth of Pennsylvania" approved May twenty-second one thousand eight hundred and ninety-five

An act entitled "An act to amend an act entitled 'An act to protect fruit gardens growing crops grass et cetera and punish trespass' approved the eighth day of June Anno Domini one thousand eight hundred and eighty-one so as to protect berries and nuts by punishing trespass" approved June eighteenth one thousand eight hundred and ninety-five

An act entitled "An act to prohibit the illicit conveyance of articles into and from the Pennsylvania Industrial Reformatory approved June twenty-fourth one thousand eight hundred and ninety-five

An act entitled "An act declaring it to be a misdemeanor to trespass on certain enclosed land of a water company and providing that any watchman of a water company or any constable or policeman duly authorized to make arrests may arrest without warrant" approved June twenty-fourth one thousand eight hundred and ninety-five

An act entitled "An act to prevent the pollution of the waters of streams supplying centers of population by the use of land for burial purposes within prescribed limits" approved June twenty-fourth one thousand eight hundred and ninety-five

An act entitled "An act to amend an act entitled 'An act to prevent persons from unlawfully using or wearing the insignia or rosette of the military order of the Loyal Legion of the United States or the badge or button of the Grand Army of the Republic or the badge or shield of the Union Veteran Legion and providing for the summary conviction of offenders under the same' " approved June twenty-fifth one thousand eight hundred and ninety-five

An act entitled "An act for the protection of railroad travellers defining the crime of train robbery and punishing the same" approved June twenty-fifth one thousand eight hundred and ninety-five

An act entitled "An act to prohibit exhibitions of physical or mental deformities in certain public places" approved June twenty-fifth one thousand eight hundred and ninety-five

An act entitled "An act to prevent the interference of unauthorized persons with electrical conductors and electrical appliances and machinery of companies using generating or supplying electricity for light heat or power" approved June twenty-fifth one thousand eight hundred and ninety-five

An act entitled "An act to protect the property of natural gas companies and other furnishers of gas and the interest of consumers of gas" approved June twenty-sixth one thousand eight hundred and ninety-five

An act entitled "An act punishing the printing posting and distributing and libelous circulars or poster or other written or printed paper" approved June twenty-sixth one thousand eight hundred and ninety-five

An act entitled "An act to amend an act entitled 'An act to prevent any life insurance company or agent thereof doing business in Pennsylvania from making or permitting any distinction or discrimination in favor of individuals between insurants of the same class and equal expectation of life in the amount or payment of premiums or rates charged for policies of life or endowment insurance and providing a penalty for violation thereof' approved the seventh day of May Anno Domini one thousand eight hundred and eighty-nine extending its provisions so as to include insurants and enlarging the penalty for the violation thereof" approved July second one thousand eight hundred and ninety-five

An act entitled "An act to protect the American flag from insult and degradation" approved April twenty-ninth one thousand eight hundred and ninety-seven

An act entitled "An act to prohibit any person from falsely representing himself to be or falsely assuming to act as a detective or any elective or appointed officer within the Commonwealth of Pennsylvania and prescribing the penalty therefor" approved May fifth one thousand eight hundred and ninety-seven

An act entitled "An act to prevent and punish the loan gift sale or distribution of indecent and immoral writings printings pictures photographs or representations of all matter of an indecent or immoral character and of all articles drugs recipes et cetera to prevent conception or to produce unlawful abortion or intended or purporting to be used for such purposes or either of them and also to prevent the advertisement exhibition or publication of the same and to authorize the seizure and destruction of all such matters" approved May twelfth one thousand eight hundred and ninety-seven

An act entitled "An act for the protection of public school houses and other buildings used and occupied for public school purposes out-buildings thereof and public school property" approved May nineteenth one thousand eight hundred and ninety-seven

An act entitled "An act punishing the sending of anonymous communications of a libelous defamatory scurrilous or opprodrious nature" approve May twenty-fifth one thousand eight hundred and ninety-seven

An tce entitled "An Act to amend an act making it a misdemeanor to levy blackmail or extort money or other valuable thing by threats charges or accusations and fixing the penalty therefor" approved May twenty-seventh one thousand eight hundred and ninety-seven

An act entitled "An act to protect employees of corporations in their right to form join or belong to labor organizations by prescribing penalties for any interference therewith" approved June fourth one thousand eight hundred and ninety-seven

An act entitled "An act to prevent the wearing of the badge or button of any labor or fraternal organization by others than members and fixing a penalty for the same" approved June tenth one thousand eight hundred ninety-seven

An act entitled "An act for the better protection of employees in and abou the coal mines by preventing mine superintendents mine foremen and assistants from receiving or soliciting any sums of money or other valuable consideration from men while in their employ and providing a penalty for violation of the same" approved June fifteenth one thousand eight hundred and ninety-seven

An act entitled "An act to regulate the sale of goods marked 'gold' or 'solid gold' " approved June fifteenth one thousand eight hundred and ninety-seven

An act entitled "An act to regulate the sale of goods marked 'sterling' or 'sterling silver' or 'coin' or 'coin silver' " approved June twenty-second one thousand eight hundred and ninety-seven

An act entitled "An act making it a misdemeanor for persons to obtain or attempt to obtain positions of trust or solicit alms by fraud or misrepresentation and providing a penalty for the same" approved June twenty-second one thousand eight hundred and ninety-seven

An act entitled "An act making unlawful the wilful injury to or destruction of side paths in this Commonwealth declaring such injury to be a misdemeanor and providing for the punishment thereof" approved April twenty-eighth one thousand eight hundred and ninety-nine

An act entitled "An act to punish the buying or receiving of junk rope scrap iron brass or other metals from minors unknown or irresponsible parties" approved May fifth one thousand eight hundred and ninety-nine

Section two of an act entitled "An act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of forestry reservations by the Department of Forestry" approved February twenty-fifth one thousand nine hundred and one

An act entitled "An act amending the second section of an act entitled 'A supplement to an act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March one thousand eight hundred and sixty approved the twenty-second day of April one thousand eight hundred and sixty-three increasing the penalty thereof" approved March thirteenth one thousand nine hundred and one

Section one and four of an act entitled 'An act relating to criminal prosecutions and civil suits for libel and repealing the act entitled 'An act relating to libel and its punishment' approved July first one thousand eight hundred and ninety-

seven" approved April eleventh one thousand nine hundred and one

An act entitled "An act to punish kidnappers their aiders assistors and abettors" approved April fourth one thousand nine hundred and one

An act entitled "An Act to define and punish the crime of giving or administering any drug narcotic or anaesthetic agent to persons by mixing the same with any food or drink with felonious intent" approved April twenty-fourth one thousand nine hundred and one

An act entitled "An act to protect children and making it a misdemeanor to place free or trial samples of medicine dyes ink coloring or polishing compounds in any form where chidren can secure the same" approved May second one thousand nine hundred and one

An act entitled "An act to prevent burgesses and councilmen of teh several boroughs within this Commonwealth from soliciting or receiving bribes and to punish any person who may offer to bribe the same" approved May second one thousand nine hundred and one

An act entitled "An act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five 'Creating and defining offense of disorderly conduct by persons on the public highways roads streets lanes alleys parks squares or commons of the Commonwealth or near thereto and fixing penalties for committing such offense' so as to provide for the right of appeal" approved May second one thousand nine hundred and one

An act entiled "An act prohibiting the public presentation for profit of unpublished dramatic plays and musical compositions with out consent of the authors thereof and providing punishment for violation of the provisions of this Act" approved May twenty-ninth one thousand nine hundred and one

An act entitled "An act relating to the arrest and punishment of professional thieves burglars and pick-pockets" approved June seventh one thousand nine hundred and one

An act entitled "An act to prohibit the manufacture and sale of fire crackers containing dynamite" approved June nineteenth one thousand nine hundred and one

An act entitled "An act to prevent the importation and selling in the Commonwealth of Pennsylvania of dressed carcasses of lamb and sheep with the hoofs on" approved June twentieth one thousand nine hundred and one

An act entitled "An act making it a misdemeanor for any person connected with any line of telegraph or telephone within this State to use or cause to be used or make known or cause to be made known or in any manner divulge the contents of any telegraphic or telephonic dispatch and prescribing the punishment therefor" approved July tenth one thousand nine hundred and one

An act entitled "An act to prevent bigamous marriages defining same and declaring some midemeanors fixing the punishment declaring certain marriages void exempting certain persons from the penalties marking out limits of time within which the prosecution must be brought and repealing inconsistent acts" approved March twenty-seventh one thousand nine hundred and three

An act entitled "An act making it a misdemeanor for persons to unlawfully use or wear any insignia or button of any association society or trades union" approved March twenty-seventh one thousand nine hundred and three

Section three of an act entitled "An act to amend section two and three of an act entiled 'An act to provide for the adoption of trades marks labels symbols or private stamps by an incorporated or unincorporated association or union of working men and to regulate the same' approved March twenty-one Anno Domini one thousand eight hundred and ninety-five amended by an act approved May second Anno Domini one thousand nine hundred and one" approved April third one thousand nine hundred and three

An act entitled "An act for the protection of the health of persons addicted to the smoking of cigarettes and imposing a fine for the violation of its provisions" approved April fourth one thousand nine hundred and three

An act entitled "An act prohibiting athletic exhibitions of longer duration than twelve hours in every calendar day" approved April eleventh one thousand nine hundred and three

An act entitled "An act to prohibit the discharge of flobert rifles air guns spring guns in cities and boroughs of this Commonwealth" approved April fifteen one thousand nine hundred and three

An act entitled "An act to amend an act approved the twenty-eighth day of June one thousand eight hundred and eighty-five entitled 'A supplement to an act ti consolidate revise and amend the penal laws of this Comomnwealth' approved the thirty-first day of March one thousand eight hundred and sixty prohibiting the disposing of proerty to defraud creditors and prohibiting the removing of any property out of any county to prevent the same from being levied upon or sold on execution" approved April twenty-second one thousand nine hundred and three

An act entitled "An act to prevent officers or members of boards of managers of institutions receiving appropriations of State money from selling supplies to such institution or acting as agent for the sale of the same" approved April twenty-third one thousand nine hundred and three

An act entitled "An Act to amend Section one hundred and fifty-four of the Act of March twenty-one one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' " approved April twenty-fourth one thousand nine hundred and three

An act entitled "An Act to prevent and punish the stealing of wire forming part of a line for the transmission of electricity" approved March eighth one thousand nine hundred and five

An act entitled "An Act making it a misdemeanor for persons to have in their possession certain mechanical devices or tools commonly called 'burglar tools' and prescribing the punishment thereof" approved March fourteenth one thousand nine hundred and five

An act entitled "An Act to amend an act entitled 'An Act for the protection of the health of persons addicted to the smoking of cigaretts and imposing a fine for the violation of its provisions' approved April fourth Anno Domini one thousand nine hundred and three" approved March sixteenth one thousand nine hundred and five

An act entitled "An Act to prohibit the sale or use of certain fireworks firecrackers pistols explosive canes and ammunition and providing penalties for violations thereof" approved March twenty-fourth one thousand nine hundred and five

An act entitled "An Act providing for the punishment of male persons frequenting bawdy houses or taking money or other valuable things from the proprietress or inmate thereof" approved April eighteenth one thousand nine hundred and five

An act entitled "An Act to prevent the buying and selling of infant children and providing for the punishment therefor" approved April eighteenth one thousand nine hundred and five

An act entitled "An Act to prohibit the throwing of waste paper sweepings ashes household waste nails or rubbish of any kind into the street in any city borough or township in this Commonwealth or to disturb the contents of any receptacle placed upon any street or sidewalk for collection" approved April twentieth one thousand nine hundred and five

An act entitled "An Act to amend an act entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March one thousand eight hundred and sixty and supplement thereto providing for the punishment of persons committing or attemping to commit a felony with explosives" approved April twenty-second one thousand nine hundred and five

An Act entitled "An Act to prohibit the fraudulent use of the name or title of secret fraternities societies orders or organizations also prohibiting the fraudulent wearing or using of any emblem badge button or insignia of such secret fraternal orgaization and fixing the penalty for violation of this act" approved March twenty-eighth one thousand nine hundred and seven

An act entitled "An Act making false statements reports entries in books and exhibiting false papers of any bank trust company or building and loan association a misdemeanor" approved May eighth one thousand nine hundred and seven

An act entitled "An Act to prohibit the depositing casting throwing or placing of packages parcels or samples of medicines or candies in the houses buildings porches verandas or on the lawns lands streets or public highways within this

Commonwealth and prescribing penalties for the violation thereof" approved May eighth one thousand nine hundred and seven

An act entitled "An Act to prevent and punish the desecration of the flag of the United States and of this State" approved May twenty-third one thousand nine hundred and seven

Sections two and three of an act entitled "An Act to provide for the better protection of children under the age of sixteen years and providing punishment for the violation thereof" approved May twenty-ninth one thousand nine hundred and seven

An act entitled "An Act providing for the protection of minor children and providing penalties for the violation thereof" approved March twenty-fourth one thousand nine hundred and nine

An act entitled "An Act prohibiting the buying having or receiving of stolen property in the Commonwealth of Pennsylvania and providing for the punishment thereof" approved April twenty-third one thousand nine hundred and nine

An act entitled "An Act making it a misdemeanor for any president vice-president cashier treasurer secretary teller bookkeeper clerk employee or agent of any mutual savings bank savings bank bank of discount and deposit trust company title insurance company surety company or safe deposit company incorporated under the laws of this Commonwealth or of any private bank or unincorporated association receiving deposits of money or of any building and loan association incorporated under the laws of this Commonwealth or authorized to do bpsiness therein his or their aiders and abettors to embezzle abstract or wilfully misapply any of the moneys funds credits of such institution or to issue certificates of deposit draw any order or bill of exchange make any acceptance assign any note bond draft bill of exchange mortgage judgment or other instrument in writing without authority from the directors of such institution with intent to deceive or defraud or to make a false entry in the books reports or statements thereof with like intent prescribing penalties and authorizing the Banking Commissioner to institute prosecutions" approved April twenty-third one thousand nine hundred and nine

An act entitled "An Act making it a misdemeanor for any person to make utter circulate or transmit false or derogatory statements affecting the solvency or financial standing of any bank banking house banking company trust company surety company guaranty company title insurance company or other financial institution in this Commonwealth and providing penalties for violation of this act" approved April twenty-third one thousand nine hundred and nine

An act entitled "An Act making it a misdemeanor to destroy remove or deface any sign erected on or near by a highway for the guidance of the public and providing for the punishment of violations of this act" approved April twenty-third one thousand nine hundred and nine

An act entitled "An Act for the protection of livery stable keepers and fixing a penalty for any violation thereof" approved April twenty-seventh one thousand nine hundred and nine

An act entitled "An Act to prevent the inducing enticing or procuring or attempting to induce entice or procure into the Commonwealth of Pennsylvania any woman or girl for immoral purposes and providing a punishment for the violation thereof" aproved May first one thousand nine hundred and nine

An act entitled "An Act making it a misdemeanor for any officer of this Commonwealth to authorize to be paid or for the State Treasurer to pay any money out of the State Treasury except in accordance with the provisions of an act of Assembly specifying the amount and purpose of the expenditure or for any officer of this Commonwealth to authorize to be paid or for the State Treasurer to pay any money out of the State Treasury in excess of the amount of such specific appropriation and providing penalties for the violation thereof" approved May eleventh one thousand nine hundred and nine

An act entitled "An Act to regulate the amusement and places of public amusement in this Commonwealth by prohibiting any dramatic theatrical operatic or vaudeville exhibition or the exhibition of any fixed or moving picture of a lascivious sacrilegious obscene indecent or immoral nature or character and providing penalties for the violation thereof" approved April thirteenth one thousand nine hundred and eleven

An act entitled "An Act to protect the dignity and honor of the uniform of the United States in the State of Pennsylvania and providing a penalty for any violation thereof" approved May fifth one thousand nine hundred and eleven

An act entitled "An Act to protect the State Forest Reserves and providing punishment for the violation thereof" approved May fifth one thousand nine hundred and eleven

An Act entitled "An Act to prohibit the bringing into prisons of all weapons or other implements which may be used to injure any convict or person or in assisting any convict to escape punishment or the selling or furnishing of same to convicts to prohibit the bringing into prisons of all spirituous or fermented liquors drugs medicines poisons opium morphine or any other kind or character of narcotics or the giving selling or furnishing of spiritous or fermented liquor drugs medicines poison opium morphine or any other kind or character of narcotics or bringing into or taking out letters notes money or contraband goods of any kind whatsoever and providing a penalty for the violation thereof" approved May eleventh one thousand nine hundred and eleven

An Act entitled "An Act to regulate the use of fire crackers fire works blank cartridges pellets tablets et cetera in any county in this Commonwealth and providing penalties for the violation thereof" approved June first one thousand nine hundred and eleven

An Act entitled "An Act defining what shall constitute the offense of malicious injury to railroads providing the punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing Sections 142 and 143 of the act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled 'An Act defining the offense of the taking of human life through the wilful and malicious wrecking of cars and locomotives upon the railroads in this Commonwealth" approved June first one thousand nine hundred and eleven

An act entitled "An Act to restrain and regulate the sale and manufacture of certain fire crackers fireworks and certain explosive materials used in canes cannons pistols or any toy and providing penalties for the violation thereof" approved June first one thousand nine hundred and eleven

An act entitled "An act to amend an act entitled 'An act making the wilful and malicious taking or removal of the waste or packing from out any journal box or boxes of any locomotive engine tender carriage coach car caboose or truck used or operated upon any railroad whether the same be operated by steam or electricity a felony and providing penalties therefor' approved the tenth day of June Anno Domini one thousand nine hundred and one so as to include brasses or the air-appliances" approved June first one thousand nine hundred and eleven

An act entitled "An act for the protection of shade and fruit trees growing on or along any highway street or road" approved June seventh one thousand nine hundred and eleven

An act entitled "An act defining and prohibiting pandering providing penalties for violation thereof and regulating competency of certain evidence at the trial thereof" approved June seventh one thousand nine hundred and eleven

An act entitled "An act to punish the interference or the permitting of interference of unauthorized persons with the electrical conductors electrical appliances and machinery electric meters and other apparatus of companies using generating or supplying electricity for light heat or power and to furnish any consumer of electricity for knowingly having in his possession or under his control any electric meter that has been tampered with or prevented from duly registering and providing penalties therefor" approved June eighth one thousand nine hundred and eleven

An act entitled "An act making it a misdemeanor for an officer or employee of any employer of labor in Pennsylvania to solicit demand or receive directly or indirectly from any person any moneys or other valuable thing for the purpose actual or alleged of either obtaining for the latter employment in the service of the said employer or continued in said employment and providing for the punishment thereof on conviction" approved June ninth one thousand nine hundred and eleven

An act entitled "An act making it a misdemeanor to intimidate levy blackmail or extort money or other valuable thing or to attempt so to do from any person and providing punishment therefor" approved June ninth one thousand nine hundred and eleven

An Act entitled "An Act to protect trees and woodlands and providing punishment for the violation thereof" approved June ninth one thousand nine hundred and eleven

An act entitled "An act providing for the protection of owners of animals or vehicles and providing penalties for the violation thereof" approved June thirteenth one thousand nine hundred and eleven

An act entitled "An act to amend an act approved the first day of June one thousand nine hundred and eleven entitled 'An act defining what constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life a result of such offense and repealing Sections one hundred and forty-two and one hundred and forty-three of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth" and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled "An act defining the offense of taking human life through the wilful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth' approved May ninth one thousand nine hundred and thirteen

An act entitled "An act relating to extortion and attempting extortion by threats and fixing a penalty therefor" approved May nineteenth one thousand nine hundred and thirteen

An act entitled "An act to amend Section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled 'An act creating and defining the offenses of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offenses' and imposing duties on conductors" approved May nineteenth one thousand nine hundred and thirteen

An act entitled "An act for the protection of keepers of garages or automobile shops and providing a penalty for the removal of automobiles from the said garage or shop with intent to defraud the keepers or owners" approved June fifth one thousand nine hundred and thirteen

An act entitled "An act to further protect the rights and liberty of the people of this Commonwealth when under arrest upon a bailable criminal charge making its infraction a misdemeanor and providing punishment therefor" approved April ninth one thousand nine hundred and fifteen

Section fifty-eight of an act entitled "An act providing for the organization discipline and maintenance and regulation of the militia of the Commonwealth" approved April ninth one thousand nine hundred and fifteen

An act entitled "An act relating to balloons and imposing a penalty" approved May sixth one thousand nine hundred and fifteen

An act entitled "An act to prohibit the unauthorized use of certain containers in the sale exchange or delivery of milk cream or their products or any other products and prescribing penalties" approved May seventeenth one thousand nine hundred and seventeen

An act entitled "An act making the fraudulent conversion of property or the proceeds of property a misdemeanor prescribing the penalties therefor and regulating the procedure therein" approved May eighteenth one thousand nine hundred and seventeen

An act entitled "An act regulating the conduct and prescribing the duties of drivers or operators of automobiles motorcycles or other vehicles on public highways who shall injure any person or persons by so driving on said highway and providing for violations of this act" approved May twenty-fourth one thousand nine hundred and seventeen

Section thirty-two of an act entitled "An act providing for the organization government discipline maintenance and regulation of an additional armed land force for the defense of the Commonwealth of Pennsylvania during any war in which the United States may become engaged" approved June twenty-second one thousand nine hundred and seventeen

An act entitled "An Act regulating the speed of power drawn vehicles run on or over the public bridges of this Commonwealth and providing the punishment for violation thereof" approved June twenty-eighth one thousand nine hundred and seventeen

An act entitled "An Act making it a misdemeanor to make remove steal or destroy any seed or plants after the same have been sown or planted" approved June twenty-eighth one thousand nine hundred and seventeen

An act entitled "An Act amending section one of the act of June twenty-third one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and forty-five) entitled 'An Act to protect oil gas and water wells tanks pipes and machinery connected therewith and to prevent wilful and malicious injury thereto' extending the provisions thereof to reservoirs stand pipes pumping stations power houses and other buildings or appliances used for the supply of water or electric current" approved July sixth one thousand nine hundred and seventeen

An act entitled "An Act to prohibit the use of cannon guns revolvers or other explosive devices at wedding ceremonies and providing a penalty" approved July eleventh one thousand nine hundred and seventeen

An act entitled "An Act defining sodomy and prescribing penalties for the commission of sodomy assault with the intent to commit sodomy and solicitation to commit solomy" approved July sixteenth one thousand nine hundred and seventeen

An act entitled "An Act to amend the first section of an act approved the eighteenth day of April Anno Domini one thousand nine hundred and five entitled 'An Act for the better regulation of public pool-rooms billiard-rooms bowling and tenpin alleys in the Commonwealth of Pennsylvania' and to regulate the time for closing the same" approved July seventeenth one thousand nine hundred and seventeen

An act entitled "An Act to amend section one hundred of an act approved the thrity-first day of March on thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' " approved April eighteenth one thousand nine hundred and nineteen

An act entitled "An Act declaring it a misdemeanor for any maker or drawer with intent to defraud to make or draw or utter or deliver any check draft or order when such person has not sufficient funds in or credit with the depository upon which the same is drawn" approved April eighteenth one thousand nine hundred and nineteen

An act entitled "An Act to prevent the felonious taking and stealing of motor vehicles and the receiving and purchasing of stolen motor vehicles" approved May first one thousand nine hundred and nineteen

Sections seven and eight of an act entitled "An Act to amend and revise an act entitled 'An Act providing for the incorporation regulation and government of cities of the third class regulating the nomination and election of municipal officers therein and repealing cancelling and extending existing laws in relation thereto' approved the twenty-seventh day of June Anno Domini one thousand nine hundred and thirteen enlarging changing modifying and defining certain of the powers of cities of the third class" approved May twenty-seventh one thousand nine hundred and nineteen

An act entitled "An Act making it a felony to receive or bring or assist in receiving or bringing into the Commonwealth of Pennsylvana any stolen property and fixing a penalty" approved June twentieth one thousand nine hundred and nineteen

An act entitled "An Act defining sedition and prescribing the punishment therefor" approved June twenty-sixth one thousand nine hundred and nineteen

An act entitled "An Act declaring it a felony to wilfully and maliciously burn or cause to be burned or to set fire to or attempt to set fire to any motor vehicle" approved July seventh one thousand nine hundred and nineteen

An act entitled "An Act prohibiting false labels and misrepresentation in the sale of certain food products and providing penalties for the violations thereof" approved July twenty-first one thousand nine hundred and nineteen

Section five of an act entitled "An Act to provide for the manufacture or distillation and sale of ethyl alcohol for medicinal scientific mechanical commercial and other lawful purposes and the issuance of licenses therefor and providing a penalty for the violation of the provisions hereof" approved July twenty-first one thousand nine hundred and nineteen

An act entitled "An Act prohibiting advertisement relating to the treatment of diseases of the generative organs and prescribing penalties" approved July twenty-first one thousand nine hundred and nineteen

An act entitled "An Act making it a misdemeanor for persons to unlawfully use or wear the insignia or button of the American Legion or the official decorations of said organization" approved March thirty-first one thousand nine hundred and twenty-one

An act entitled "An act making it unlawful to accept or offer inducements to procure a defeat in any athletic contest" approved April thirteenth one thousand nine hundred and twenty-one

An act entitled "An Act making it unlawful to turn in or sound false alarms of fire and to meddle or interfere with or break or destroy any fire alarm telegraph system" approved April thirteenth one thousand nine hundred and twenty-one

An act entitled "An Act prohibiting advertisements of cures or medicines relating to veneral diseases and certain sexual disorders and prescribing the penalties" approved April twenty-first one thousand nine hundred and twenty-one

An act entitled "An Act making it unlawful to give or offer money to secure proxies for use at meetings of insurance companies" approved May fifth one thousand nine hundred and twenty-one

Section three of an act entitled "An Act to supplement an act entitled 'An Act authorizing the erection and construction by counties of memorial halls in memory of soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county approved the seventeenth day of March one thousand nine hundred and twenty-one by providing for the planting of memorial trees and prescribing penalties" approved May fifth one thousand nine hundred and twenty-one

An act entitled "An Act to amend section one of the act approved the twenty-sixth day of June one thousand nine hundred and nineteen entitled 'An Act defining sedition and precribing the punishment therefor' " approved May tenth one thousand nine hundred and twenty-one

Section two three and four of an act entitled "An Act defining a private game preserve and making it a misdemeanor to enter such preserve for certain purposes or to break injure or destroy the enclosure of the same and fixing penalties" approved May tenth one thousand nine hundred and twenty-one

Section thirty-nine of an act entitled "An Act providing for the organization government discipline maintenance and regulation of the armed land force of this Commonwealth" approved May seventeenth one thousand nine hundred and twenty-one

An act entitled "An Act to amend an act approved the ninth day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred and ninety-eight) entitled 'An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act' providing for the punishment of first and second offenses by summary conviction and fine" approved May seventeenth one thousand nine hundred and twenty-one

An act entitled "An Act giving additional protection to human beings in this Commonwealth and imposing penalties upon those who may shoot at or wound or kill a human being in mistake for either game or other wild creatures" approved May twentieth one thousand nine hundred and twenty-one

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. LUDLOW. Mr. Speaker, I move that House Bill No. 11, file folio 3587, be recommitted to the Committee on Judiciary General for the purpose of hearing and amendment.

Mr. STORB. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 868, entitled:

An Act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and prescribing penalties

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, and twenty-sixth sections were separately read and agreed to as follows:

Section 1 STATE ATHLETIC COMMISSION ESTABLISHED TERMS SALARIES OFFICES Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor shall with the advice and consent of the Senate appoint three persons who shall constitute a State Athletic Commission One of such commissioners shall hold office for a term to expire January first one thousand nine hundred and twenty-five one for a term to expire January first one thousand nine hundred and twenty-six and one for a term to expire January first one thousand nine hundred and twenty-seven Their successors shall be appointed for a term of two years Each member of the commission shall receive an annual salary of five thousand dollars and his actual and necessary traveling and other expenses incurred by him in the performance of his official duties The commission shall maintain in the City of Harrisburg general offices for the transaction of its business

Section 2 ORGANIZATION QUORUM The members of the commission shall at their first meeting after their appointment elect one of their number chairman of the commission shall adopt a seal for the commission and shall make and adopt such rules and regulations for the administration of their office not inconsistent herewith as they may deem expedient and they may thereafter amend or abrogate such rules and regulations Two of the members of the commission shall constitute a quorum to do business and the concurrence of at least two commissioners shall be necessary to render a detemination by the commission

Section 3 DEPUTIES SECRETARY SALARIES AND EXPENSES CLERKS BIENNIAL REPORT The commission may appoint and at pleasure remove not to exceed three deputies who shall be paid a per diem compensation not to exceed ten dollars for each day engaged in the discharge of their duties and all necessary traveling and hotel expenses expended outside the City of Harrisburg The commission shall when it deems the same advisable direct a deputy to be present at any place where sparring boxing or wrestling matches or exhibitions are to be held pursuant to the provisions of this act Such deputy shall ascertain the exact conditions surrounding such match or exhibition and make a written report of the same in the manner and form prescribed by the commission The commission may appoint and at pleasure remove a secretary to the commission whose duty it shall be to keep a full and true record of all its proceedings preserve at its general office all its books documents and papers prepare for service such notices and other papers as may be required of him by the commission and perform such other duties as the commission may prescribe The commission may employ only such clerical employees as may be actually necessary and fix their salaries within the amount appropriated therefor by the Legislature The secretary of the commission shall receive an annual salary to be fixed by the commission and not to exceed three thousand dollars The salaries traveling and other necessary expenses of the members of the commission and the salary of its deputies and secretary shall be paid semi-monthly by the State Treasurer on warrant of the Auditor General and upon requisition of the chairman of the commission out of the money appropriated to be used therefor The commission shall biennially make a full report of its proceedings to the Gen-

eral Assembly and may submit with such report such recommendations pertaining to its affairs as it shall deem desirable

Section 4 BOXING AND WRESTLING EXHIBITIONS AUTHORIZED JURISDICTION OF COMMISSION PERMITS TO PERSONS AND CORPORATIONS Boxing sparring and wrestling matches or exhibitions for purses or where an admission fee is received are hereby allowed except on Sundays The commission shall have and hereby is vested with the sole direction management control and jurisdiction over all such boxing sparring and wrestling matches or exhibitions to be conducted held or given within this Commonwealth and it is hereby authorized to issue licenses therefor No such boxing sparring or wrestling match or exhibition shall be conducted held or given within the Commonwealth except in accordance with the provisions of this act The commission shall issue under its hand and seal annual permits in writing for holding such boxing sparring or wrestling matches or exhibitions but only to persons or corporations duly licensed as hereinafter provided by said commission which permits may be revoked upon violation of any of the provisions of this act or any rule regulation or order of the commission The commission is hereby further given the sole control authority and jurisdiction over all licenses to hold boxing sparring or wrestling matches or exhibitions for purses or where any admission fee is received and over all licenses to any and all persons who participate in such boxing sparring or wrestling matches or exhibitions as hereinafter provided

Section 5 LICENSE TO PERSON AND CORPORATIONS The commission may in its discretion issue a license to conduct hold or give boxing sparring or wrestling matches or exhibitions subject to the provisions of this act to any corporation duly incorporated under the laws of this Commonwealth or to any person or persons but not otherwise Such corporation person or persons must hold a lease of a term of at least three months for the premises in which such match or exhibition is to be held

Section 6 CORPORATIONS AND PERSONS REQUIRED TO PROCURE LICENSES DEFINITIONS All corporations or persons physicians referees judges timekeepers professional boxers professional wrestlers their managers trainers and seconds shall be licensed by the said commission and no such corporation or person shall be permitted to participate either directly or indirectly in any such boxing sparring or wrestling match or exhibition or the holding thereof unless such corporation and all such persons shall have first procured a license from the commission For the purpose of this act a "professional boxer" or a "professional wrestler" is deemed to be one who competes for money or teaches or pursues or assists in the practice of boxing or wrestling as a means of obtaining a livelihood or pecuniary gain and any contest conforming to the rules regulations and requirements of this act shall be deemed to be a boxing match and no a prize fight

Section 7 APPLICATION FOR LICENSE Every application for a license shall be in writing shall be addressed to the commission shall be verified by the applicant and shall set forth such facts as the provisions of this act and the rules and regulations of the commission may require The commission shall keep proper records with the names and addresses of all persons and corporations receiving licenses

Section 8 SUBPOENAS BY COMMISSIONS OATHS The commission shall have the authority to issue under the hand of its chairman and the seal of the commission subpoenas for the attendance of witnesses and the production of books papers and documents before the commission If any person shall refuse to obey any such subpoena or to testify or to produce any books papers and documents then any member of the commission may apply to the court of common pleas of the county in which he or the commission may be sitting and thereupon the court shall issue its subpoena requiring such person to appear and to testify or to produce such books papers and documents Any person failing or refusing to obey a subpoena of the court shall be held for contempt Any member of the commission shall have power to administer oaths Any person who shall swear falsely to any matter before the Commission shall be guilty of perjury and be punished accordingly

Section 9 BUILDINGS FOR EXHIBITIONS All buildings or structures used or intended to be used for the purpose of holding or giving therein boxing sparring or wrestiling matches or exhibitions shall be properly ventilated and provided with fire exits and escapes Where such match or exhibition is authorized to be held in State or municipal armory the provisions of the military law in respect thereto must be complied with No such match or exhibition be held in a building partly used for dwelling purposes or for religious services except that a keeper or caretaker and his family may reside in such building

Section 10 REGULATIONS OF CONDUCT OF MATCHES OR EXHIBITIONS No boxing or sparring match or exhibition shall be of more than ten rounds in length nor shall such rounds be more than three minutes each No boxer shall be allowed to participate in more than ten rounds within twenty-four consecutive hours The commission may in respect to any bout or in respect to and class of contestants limit the number of rounds of a bout within the maximum of ten rounds At each boxing or sparring match or exhibition there shall be in attendance at the expense of the corporation or person a duly licensed referee who shall direct and control the same Before starting such contest the referee shall ascertain from each contestant the name of his chief second and shall hold such chief second responsible for the conduct of his assistant seconds during the progress of the contest The referee shall have power in his discretion to declare forfeited any remuneration or purse or any part thereof belonging to the contestants or one of them if in his judgment such contestants are not honestly competing There also be in attendance at the expense of the corporation or person two duly licensed judges who shall at the termination of each such boxing or sparring match or exhibition render their decisions If they are unable to agree to the decision shall be rendered by the referee Each contestant shall wear during such contest gloves weighing not less than five ounces if such contestant is a light weight or in a class of less weight and six ounces if such contestant is in a class heavier than the light weight class

Section 11 PHYSICIAN TO BE IN ATTENDANCE It shall be the duty of every corporation or person at its own expense to have in attendance at every boxing sparring or wrestling match or exhibition a physician who has had not less than three years' medical practice whose duty it shall be to observe the physical condition of the boxers and wreslers and advise the referee or judges with regard thereto All boxers and wrestlers must be examined by such physician within three hours before entering the ring and any boxer or wrestler who is in the opinion of the physician physically unfit to enter such match or exhibition shall be excluded from such match or exhibition Every corporation or person shall file with the commission a report of medical examinations not later than twenty-four hours after termination of a match or exhibition

Section 12 AGE OF PARTICIPANT AND SPECTATORS No person under the age of eighteen years shall participate in any boxing sparring or wrestling match or exhibition and no children under sixteen years of age shall be permitted to attend as spectators

Section 13 FINANCIAL INTEREST IN BOXER PROHIBITED No corporation or person shall have either directly or indirectly any financial interest in any boxer or wrestler competing on premises owned or leased by the corporation or person or in which such corporation or person is otherwise interested

Section 14 SHAM OR COLLUSIVE EXHIBITIONS Every corporation and the officers thereof and any person or persons physician referee judge timekeeper professional boxer manager trainer and second who shall conduct give or participate in any sham or collusive boxing sparring or wrestling match or exhibition shall be deprived of his license by the commission

Section 15 REVOCATION OR SUSPENSION OF LICENSES Any license herein provided for may be revoked or suspended by the commission for the reason therein stated that the licensee has in the judgment of the said commission been guilty of an act detrimental to the interests of boxing or wrestling

Section 16 BOND Before a license shall be granted to a corporation or person such corporation or person shall execute and file the commission a bond in the sum of one thousand dollars to be approved as to form and sufficiency of sureties thereupon by said commission conditioned for the faithful performance by said corporation or of the provisions of this act and the rules and regulations of the commission No such license shall be issued until such bond is approved and filed In case of default in the performance of any conditions prescribed by this act by the rules and regulations of the commission the commission shall impose

upon the delinquent corporation or person a penalty in the sum of not more than one thousand dollars for each offense which shall be recovered by the Attorney General in the name of the Commonwealth in the same manner as other penalties are recovered by law Any amount so recovered shall paid by the State Treasurer

Section 17 LICENSE FEES Each applicant for a license shall before a license is issued by the commission and annually thereafter during the life of such license pay to the commission a license fee as follows corporations or persons in cities of the first class two hundred and fifty dollars in cities of the second class one hundred dollars in cities of the third class and elsewhere twenty-five dollars physicians ten dollars referees twenty-five dollars judges five dollars timekeepers five dollars professional boxers five dollars professional wrestlers five dollars managers twenty-five dollars trainers five dollars seconds five dollars

Section 18 WEIGHTS CLASSES AND RULES The weights and classes of boxers and the rules and regulations of boxing shall be determined by the boxing commission

Section 19 LIMITATIONS ON DIFFERENCE IN WEIGHT No contest shall be allowed in which the difference in weight of the respective contestants shall exceed ten pounds This provision shall not apply to boxers in the heavy and light-heavy weight classes as determined by the commission

Section 20 PAYMENTS REGULATED No contestant shall be paid for services before the contest and should it be determined by the judges and referee that such contestant did not give an honest exhibition of his skill such services shall not be paid for

Section 21 PAYMENTS TO STATE Every corporation or person holding any boxing sparring or wrestling match or exhibition under this act for which an admission is charged and received shall pay to the State Treasury five per centum of the total gross receipts exclusive of any Federal taxes paid thereon Such payment shall be made within seventy-two hours after the holding of the contest All monies from such taxes shall be set aside in a separate fund in the State Treasury and shall be used for the payment of the cost of the erection and construction of monuments and memorials on the battle field of France and Belgium in accordance with the law authorizing such erection and construction and for such purposes said monies are hereby appropriated to the commission authorized by law to provide for the erection and construction thereof After such monuments and memorials have been erected and constructed and the cost thereof has been fully paid the monies received from said taxes shall be paid into the general fund of the State Treasury

Section 22 TICKETS TO INDICATE PURCHASE PRICE ADMISSION NOT TO EXCEED SEATING CAPACITY All tickets of admission to any such boxing sparring or wrestling match or exhibition shall bear upon the face thereof the purchase price of same and no such tickets shall be sold for more than such price as printed thereon It shall be unlawful for any such corporation or person to admit to such contest a number of people greater than the seating capacity of the place where such contest is held

Section 23 PENALTY Any person or persons association or corporation directly or indirectly holding any boxing sparring or wrestling match or exhibition except where all contestants are amateurs without first having procured a license as hereinbefore prescribed shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five thousand dollars

Section 24 PENALTY-BETTING Whosoever shall bet or wager any money or valuable thing on the result of any such boxing sparring or wrestling match or exhibition shall be guilty of a misdemeanor and on conviction thereof shall be fined in a sum not exceeding one thousand dollars and imprisoned in the penitentiary or the jail of the proper county for a period not exceeding two years or either or both at the discretion of the court

Section 25 SPECIAL FUND APPROPRIATION All license fees collected under the provisions of this act shall be paid monthly by the secretary of the commission to the State Treasurer who shall keep the moneys thus collected as a fund separate and apart from the payment under the supervision of the commission of the salaries and actual and necessary expenses of the officers and employes of the commission All moneys in such fund from time to time are hereby specifically appropriated for the use of the commission provided that no expense shall be created to exceed the income of fees as herein provided The secretary of the commission shall give a surety bond to this Commonwealth in such sum as the commission may determine The premium on such bond shall be regarded as a proper and necessary expense of the commission and shall be paid out of the fund herein created

Section 26 REPEALS CERTAIN PROVISIONS OF PENAL LAW INAPPLICABLE The provisions of the act approved the twenty-second day of March one thousand eight hundred and sixty-seven (Pamphlet Laws thirty-nine) entitled "An Act to prevent and punish prize fighting" are repealed as to any boxing sparring or wrestling match or exhibition conducted held or given pursuant to the provisions of this act and as to any boxing or sparring match or exhibition in which all the contestants are amateurs

All other acts and parts of acts inconsistent with this act are repealed

The title was read as follows:

An Act allowing and regulating boxing sparring and wrestling matches and exhibitions eestablishing a State Athletic Commission making an appropriation therefor and prescribing penalties

On the question,

Will the House agree to the title?

Mr. McBRIDE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 3, by inserting after the word "therefor" the following: "and appropriating taxes received for monument and memorial purposes".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1373 (Senate Bill No. 5), entitled:

An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1385 (Senate Bill No. 438), entitled:

An Act making a deficiency appropriation to the Commissioners of Fairmount Park

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1367 (Senate Bill No. 502), as follows:

An Act prohibiting the location by cities of the third class of city prisons or lock-ups close to public school buildings

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any city of the third class to erect or construct a city prison or lock-up or to use any existing building or lock-up for the first time which will be or is located within five hundred feet of any public school building

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1397, (Senate Bill No. 321), entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class" which reads as follows

ARTICLE I

"Section 1 In cities of the second class the executive power shall be vested in a city recorder and in the departments authorized by this act The office of mayor in said cities is hereby abolished

"The city recorder shall be the chief executive officer of the city and shall be at least twenty-five years of age and have been a citizen and inhabitant of the State five years and an inhabitant of the city for which he may be elected city recorder five years next before his said election unless absent on public business of the United States or of this State and shall reside in said city during his term of service The city recorder whether appointed or elected shall have all the powers and jurisdiction of justices of the peace under existing laws of this Commonwealth He shall give bond in such sum as shall be determined by councils

"The city recorder shall be chosen by plurality of the votes cast at the municipal election and shall hold his office for the term of three years from the first Monday of April next ensuing his election and serve until his successor is duly elected and qualified but he shall not be eligible to the office of city recorder for the next succeeding term or to any other office or position in the city during the period of two years next succeeding the expiration of his term of office

"If two or more candidates be equal and highest in votes one of them shall be chosen city recorder by a vote of the majority of all the members of the incoming councils in joint convention assembled immediately upon their organization

"When a vacancy shall take place in the office of the city recorder a successor shall be elected for the unexpired term at the next municipal election occurring more than thirty days after the commencement of such vacancy unless such election should occur in the last year of said term in which case a city recorder pro tempore shall be chosen by councils in joint convention by the votes of the majority of members elected and the person elected city recorder shall hold office until the expiration of said term and until his successor shall be duly elected and qualified and it shall be the duty of the president of the select council to issue a proclamation for such joint convention to be held not less than ten nor more than twenty days after such vacancy shall take place

"Until the vacancy is filled the president of select council shall act as city recorder

"It shall be the duty of the city recorder

"1 To cause the ordinances of the city and the laws of the State to be executed and enforced

"2 To communicate to councils at least once a year a statement of the finances and general condition of the affairs of the city and also such information in relation to the same as either branch of council may from time to time require

"3 To recommend by message in writing to the councils all such measures connected with the affairs of the city and the protection and improvement of its government and finances as he shall deem expedient

"4 To call special meetings of councils or either of them when required by public necessity

"5 To perform such duties as may be prescribed by law or ordinance and he shall be responsible for the good order and efficient government of the city

"The city recorder shall call together the heads of departments for consultation and advice upon the affairs of the city at least once a month and at such meetings he may call on the heads of departments for such reports as to the subject matters under their control and management as he may deem proper which it shall be their duty to prepare and submit at once to the city recorder Records shall be kept of such meetings and rules and regulations shall be adopted for the administration of the affairs of the city departments not inconsistent with any law or ordinance which regulations shall prescribe a common and systematic method of ascertaining the comparative fitness of applicants for office position and promotion and of selecting appointing and promoting those found to be the best fitted" is hereby amended to read as follows

ARTICLE I

Section 1 In cities of the second class the executive power shall be vested in the mayor and in the departments authorized by this act

The mayor shall be the chief executive officer of the city and shall be at least twenty-five years of age and have been a citizen and inhabitant of the State five years and an inhabitant of the city for which he may be elected mayor five years next before his election unless absent on the public business of the United States or of this State and shall reside in said city during his term of service The mayor whether appointed or elected shall have all the powers and jurisdiction of justices of the peace under existing law of the Commonwealth He shall give bond in such sum as shall be determined by council

The mayor shall be chosen by a plurality of the votes cast at the municipal election and shall hold his office for the term of four years from the first Monday of January next ensuing his election and serve until his successor is duly elected and qualified Election to said office of mayor shall not subsequently render anyone ineligible to that or any other office or position in said cities any general local or special law to the contrary notwithstanding

If two or more candidates be equal and highest in votes one of them shall be chosen mayor by a vote of the majority of all the members of the incoming council in joint convention assembly immediately upon their organization

When a vacancy shall take place in the office of the mayor a successor shall be elected for the unexpired term at the next municipal election occurring more than thirty days after the commencement of such vacancy unless such election shall occur in the last year of said term in which case a mayor pro tempore shall be chosen by council in convention by votes of the majority of members elected and the person elected mayor shall hold office until the expiration of said term and until his successor shall be duly elected and qualified and it shall be the duty of the president of the council to issue a proclamation for such convention to be held not less than ten days nor more than twenty days after such vacancy shall take place

Until the vacancy is filled the president of council shall act as mayor

It shall be the duty of the mayor

I To cause the ordinances of the city and the laws of the State to be executed and enforced

II To communicate to council at least once a year a statement of the finances and general condition of the affairs of the city and also such information in relation to the same as either branch of council may from time to time require

III To recommend by message in writing to the council all such measures connected with the affairs of the city and the protection and improvement of its general government and finances as he shall deem expedient

IV To call special meetings of council when required by public necessity

V To perform such duties as may be prescribed by law or ordinance and he shall be responsible for the good order and sufficient government of the city

The mayor shall call together the heads of departments for consultation and advice upon the affairs of the city at least once a month and at such meetings he may call on the heads of departments for such reports as to the subject-matters under their control and management as he may deem proper which it shall be their duty to prepare and submit at once to the mayor Records shall be kept of such meetings and rules and regulations shall be adopted thereat for the administration of the affairs of the city departments not inconsistent with any law or ordinance which regulations shall prescribe a common and systematic method of ascertaining the comparative fitness of applicants for office position and promotion and of selecting appointing and promoting those found to be the best fitted

On the question,

Will the House agree to the section?

Mr. DAVID J. JONES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, line 7, by striking out the words "which reads" and inserting in lieu thereof: "is hereby amended to read."

Amend Sec. 1, page 1, lines 8 to 15, by striking out lines 8 to 15 both inclusive and eliminating them from the bill.

Amend Sec. 1, page 2, lines 1 to 29, by striking out lines 1 to 29 both inclusive and eliminating them from the bill.

Amend Sec. 1, page 3, lines 1 to 28, by striking out lines 1 to 28 both inclusive and eliminating them from the bill.

Amend Sec. 1, page 4, lines 1 to 16, by striking out lines 1 to 16 both inclusive and eliminating them from the bill.

Amend Sec. 1, page 4, line 19, by inserting before "the mayor" the following: "a city recorder"

Amend Sec. 1, page 4, line 19, by underscoring the words: "the mayor"

Amend Sec. 1, page 4, line 20, by inserting after "act" the following: "the office of mayor in said cities is hereby abolished"

Amend Sec. 1, page 4, line 21, by inserting after "mayor" the following: "city recorder"

Amend Sec. 1, page 4, line 21, by underscoring the word "mayor"

Amend Sec. 1, page 4, line 25, by inserting before "mayor" the following: "city recorder"

Amend Sec. 1, page 4, line 25, by underscoring the word "mayor"

Amend Sec. 1, page 4, line 28, by inserting before "mayor" the words "city recorders"

Amend Sec. 1, page 4, line 28, by underscoring the word "mayor"

Amend Sec. 1, page 5, line 4 by inserting before "mayor" the words: "city recorders"

Amend Sec. 1, page 5, line 4, by underscoring the word "mayor"

Amend Sec. 1, page 5, line 6, by inserting before the word "four" the word "three"

Amend Sec. 1, page 5, line 6, by underscoring the word "four"

Amend Sec. 1, page 5, line 7, by inserting before the word "January" the word "April"

Amend Sec. 1, page 5, line 7, by underscoring the word "January"

Amend Sec. 1, page 5, line 8, by inserting before "election" the following: "(but he shall not be eligible to the office of city recorder for the next succeeding term, or to any other office or position in the city, during the period of two years next succeeding the expiration of his term of office)"

Amend Sec. 1, page 5, line 8, by underscoring the words: "election to"

Amend Sec. 1, page 5, lines 9, 10, 11 nd 12, by underscoring the words in said lines.

Amend Sec. 1, page 5, line 14, by inserting before "mayor" the words "(city recorder)"

Amend Sec. 1, page 5, line 14, by underscoring the word "mayor"

Amend Sec. 1, page 5, line 16, by striking out the word "assembly" and inserting in lieu thereof: "assembled"

Amend Sec. 1, page 5, line 19, by inserting before "mayor" the words "(city recorder)"

Amend Sec. 1, page 3, line 19, by underscoring the word "mayor"

Amend Sec. 1, page 5, line 23, by inserting before "mayor" the words "(city recorder)"

Amend Sec. 1, page 5, line 23, by underscoring the word "mayor"

Amend Sec. 1, page 5, line 25, by insertng before "mayor" the words "(city recorder)"

Amend Sec. 1, page 5, line 25, by underscoring the word "mayor"

Amend Sec. 1, page 5, line 28, by inserting before the word "council" the word "(select)"

Amend Sec. 1. page 6, line 1, by inserting before "convention" the word "joint"

Amend Sec.1, page 6, line 2, by underscoring the word "days" after the word "ten"

Amend Sec. 1, page 6, line 5, by inserting before "mayor" the words "(city recorder)"

Amend Sec. 1, page 6, line 5, by underscoring the word "mayor"

Amend Sec. 1, page 6, line 6, by inserting before "mayor" the words "(city recorder)"

Amend Sec. 1, page 6, line 6, by underscoring the word "mayor"

Amend Sec. 1, page 6, line 9, by inserting before the word "council" the word "(councils)"

Amend Sec. 1, page 6, line 12, by inclosing "either branch of" in parenthesis.

Amend Sec. 1, page 6, line 14, by inserting before "coun-" the word "(councils)"

Amend Sec. 1, page 6, line 16, by underscoring the word "general"

Amend Sec. 1, page 6, line 18, by inserting before "council" the following: "(councils)"

Amend Sec. 1, page 6, line 18, by inserting after "council" the following: "(or either of them)"

Amend Sec. 1, page 6, line 23, by inserting before "mayor" the words "(city recorder)"

Amend Sec. 1, page 6, line 23, by underscoring the word "mayor"

Amend Sec. 1, page 6, line 29, by inserting before "mayor" the words "(city recorder)"

Amend Sec. 1, page 6, line 29, by underscoring the word "mayor"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Commitee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1387, (Senate Bill No. 449), as follows:

An Act to amend so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphet Laws four hundred and fifty-five) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty five) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" is hereby amended to read as follows

The County of Chester shall elect three members and shall be divided into two districts as follows

The city of Coatesville the boroughs of Atglen Avondale Oxford Parkesburg and Westgrove and the townships of East Fallowfield East Nottingham Elk Franklin Highland London Britain London Grove Londonderry Lower Oxford New Garden New London Penn Upper Oxford West Fallowfield West Marlboro and West Nottngham snall constitute the first district and elect one member

The borougns of Downingtown Elverson Honeybrook Kennett Square Malvern Phoenixville Spring City and West Chester and the townships of Birmingham Caln Charlestown East Bradford East Brandywine East Caln East Coventry East Goshen East Marlboro East Nantmeal East Pikeland East Vincent East Whiteland Easttown Honeybrook Kennett Newlin North Coventry Pennsburry Pocopson Sadasbury Schuylkill South Coventry Thornby Tredyffryn Upper Uwchan Uwchian Valley Wallace Warwick West Bradford West Brandywine West Caln West Goshen West Nantmeal West Pikeland West Sadsbury West Whiteland Westtown and Willistown shall constitute the second district and elect two members

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 10, 1923.

Resolved (if the House of Representatives concur), That Senate Bill No. 199, entitled "An Act to exempt certain real estate of certain organizations of war veterans from taxation." be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

TIME OF NEXT MEETING.

In the Senate, April 10, 1923.

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day it reconvene on Monday evening, April sixteenth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, April sixteenth at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 33.

An Act to amend section seven of the act approved the tenth day of June, 1893, (P. L. 419), entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended.

SENATE BILL No. 31.

An Act authorizing the Governor to appoint a Commission to provide for the construction erection and dedication in the city of Chester of a monument to the memory of John Morton and making an appropriation.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 654, as follows:

An Act providing that in all cases of prosecutions for any crime or misdemeanor where the defendant has been discharged by any justice of the peace alderman burgess mayor or other committing magistrate and in all cases of summary proceedings before said officers the county shall not be liable for the costs unless the same are approved by the county controller in counties having a county controller or by the county solicitor in counties having no county controller or by the solicitor in counties not having a county controller

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where prosecutions for any crime or misdemeanor are started before any justice of the peace alderman burgess mayor or other committing magistrate and the defendant is discharged by said justice of the peace alderman burgess mayor or other committing magistrate and in all cases of summary proceedings before said officers the county shall not be liable for costs to any justice of the peace alderman burgess mayor or other committing magistrate or constable or police officer unless said costs are approved by the county controller in all counties where there is a county controller or by the county solicitor in all counties where there is not a county controller

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. MOFFATT. Mr. Speaker, I move that House Bill No. 654, file folio 2973, be placed on the postponed calendar.

Mr. D. J. JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 848, as follows:

An Act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and Juvenile Courts and imposing certain expenses upon counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That crippled children whose parents or guardians fail or are financially unable to provide suitable medical and surgical aid treatment and education when necessary may with the consent of the parents or guardian of such child be committed to a crippled children's home or orthopaedic hospital or other institution which has been certified to the court by the Department of Public Welfare Application for such care treatment and education shall first be made to the juvenile court by a parent guardian or some interested person If such court is of the opinion that such child is in need of treatment and education and finds that the parent or guardian fails to provide it he may make an order committing the child to an institution as above specified and shall at once forward a copy of the decree and a statement of the facts to the Department of Public Welfare and shall provide for the child's conveyance in charge of a suitable person to the place designated for treatment The expenses for maintenance treatment conveyance and education of such crippled child shall be first paid by the county of its residence and then may be charged to the parent or guardian if able to pay in whole or in part as the court may direct Such committance shall be temporary and shall be only for the period necesary for the treatment of such child

Section 2 Whenever it appears that a crippled child has been successfully treated or that it cannot be further benefitted by such treatment the Department of Public Welfare and the committing court shall be notified and the child shall be returned to its own people

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constiution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albert,	Flinchbaugh,	Little,	Sautter,
Alexander,	Flynn,	Long,	Schaeffer,
Allman,	Fowler, A. I.,	Lucas,	Schilling,
Armstrong,	Fowler, D.,	Ludlow,	Schleiter,
Arthur,	Frazier,	Lynch,	Schoener,
Aston,	Gallaher,	MacKinney,	Schwartz,
Baker,	Gelder,	Mangan,	Sheridan,
Baldi,	Gibbon,	Marcus, J. C.,	Smith, G. A.,
Beaver,	Glasgow,	Marshall, J. G.,	Smith, H. J.,
Behney,	Goehring,	Marshall, W. F.,	Smith, H.,
Bell, F. A.,	Golder,	McBride,	Smith, J. W.,
Bell, W. T.,	Gorham,	McCaig,	Sowers,
Bentley,	Goss,	McCann,	Sprowls,
Berger,	Greeby,	McClure,	Stark,
Betts,	Griffith,	McCurdy,	Stavitski,
Bidelspacher,	Grimes,	McDaniel,	Stevens, A. J.,
Blair,	Gundy,	McDermott,	Stevens, A. F.,
Blumberg,	Hall,	Millar,	Stofflet,
Brenneman,	Harter,	Miller,	Stoner,
Brewster,	Haslett,	Minehart,	Storb,
Bromley,	Haws,	Moffatt,	Storer,
Brown,	Heffernan,	Moore,	Thomas, L. D.,
Brownmiller,	Henderson,	Morrison,	Thomas, M. G.,
Burchinal,	Hetrick,	Munley,	Thompson,
Burns,	Himes,	Myers, G. C.,	Van Alen,
Clutton,	Holcombe,	Myers, P. M.,	Vickerman,
Coldsmith,	Hoover,	O'Boyle,	Weamer,
Colville,	Horne,	Ogle,	Wettach,
Conner,	Howell,	Orr,	Wheeler,
Craig,	Huber,	Parkinson,	Whitehouse,
de Young,	Irvin,	Patterson,	Williams, G. W.
Diehm,	Jones, C. B.,	Perry,	Williams, J. M.,
Dilsheimer,	Jones, D. J.,	Posey,	Wood, N.,
Driggs,	Jones, E. P.,	Post,	Wood, W. P.,
Eaches,	Keene,	Raymond,	Wright,
Earley,	Kennedy,	Rhodes,	Zook,
Edmonds,	Korns,	Richards,	Goodnough,
Eshelman,	Kunkle,	Rinn,	Speaker.
Evans, B. P.,	Labar,	Rippman,	
Evans, J.,	Lauver,	Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 639, as follows:

An Act authorizing the sale assignment disposition transfer and conveyance of the franchises and of the property real personal and mixed of any water or power water companies organized prior to the first day of April one thousand nine hundred and five to another water or water power company also organized prior to the first day of April one thousand nine hundred and five and providing the manner in which said sale and purchase shall be affected

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any water or water power company organized prior to the first day of April one thousand nine hundred and five under the provisions of any general or special act of Assembly authorizing the formation of any corporation or corporations to sell its corporate rights franchises powers and privileges to any other water or water power company or companies transacting the same or a similar line of business organized prior to the first day of April one thousand nine hundred and five so that all the property rights powers franchises and privileges then by law vested in the selling corporation shall be transferred to and vested in the corporation making such purchase

Section 2 That the said sale and purchase shall be effected in the manner provided by an act entitled "A Supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations" approved the seventeenth day of April one thousand eight hundred and seventy-six (Pamphlet Laws thirty) provided that the said corporations parties thereto or the stockholders thereof shall not be required to accept the provisions of the act approved April thirteenth one thousand nine hundred and five (Pamphlet Laws one hundred and fifty-two) entitled "An Act providing that the right of eminent domain as respects the appropriation of streams rivers or waters or the land covered thereby shall not be exercised by water companies incorporated under the law"

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. JOSEPH C. MARCUS. Mr. Speaker, in the absence of the sponsor of House Bill No. 639, file folio 2799, I move that this bill be placed on the postponed calendar.

Will the House agree to the bill on third reading?

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 813, as follows:

An Act to amend section one of an act approved the eighth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and twenty-seven) entitled "A supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom fixing the amount of com-

pensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" by imposing certain duties on the lawyer member of the commission and fixing his compensation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and twenty-seven) entitled "A supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom' fixing the amount of compensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" is hereby amended to read as follows

Section 1 Be it enacted et cetera That each member of the commission provided for by section six of the act to which this is a supplement shall be entitled to receive the sum of five dollars for each day necessarily employed in the duty of his appointment

The lawyer member of the commission shall be chairman of the commission and shall prepare and file all necessary notices reports and other papers he shall be entitled to receive an additional sum of five dollars for such services

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Albert,	Flinchbaugh,	Lafferty,	Schwartz,
Alexander,	Fowler, A. I.,	Little,	Shambach,
Allman,	Fowler, D.,	Long,	Smith, G. A.,
Anderson,	Frazier,	Lucas,	Smith, H. J.,
Arthur,	Gallaher,	Ludlow,	Smith, H.,
Aston,	Gelder,	Lynch,	Smith, J. W.,
Baker,	Gibbon,	Malie,	Sowers,
Baldi,	Gilchrist,	Marcus, J.,	Spangler,
Beaver,	Glasgow,	Marcus, J. C.,	Sprowls,
Behney,	Goehring	Marshall, W. F.,	Stark,
Bell, F. A.,	Golder,	Mathay,	Staudenmeier,
Bell, W. T.,	Gorham,	McBride,	Stavitski,
Bentley,	Goss,	McCaig,	Steedle,
Berger,	Greeby,	McCann,	Stevens, A. J.,
Betts,	Griffith,	McClure,	Stevens, A. F.,
Bidelspacher,	Grimes,	McCurdy,	Stoner,
Blair,	Guerin,	McDaniel,	Storb,
Bluett,	Hall,	McVicar,	Storer,
Blumberg,	Harer,	Metcalf,	Thomas, L. D.,
Boback,	Harter,	Miller,	Thomas, M. G.,
Brenneman,	Haslett,	Moffatt,	Thompson,
Brewster,	Haws,	Morrison,	Vickerman,
Bromley,	Heffernan,	Myers, P. M.,	Walker,
Brown,	Heffran,	O'Boyle,	Weamer,
Burchinal,	Henderson,	Ogle,	Wells,
Burns,	Hetrick,	Orr,	Wettach,
Bush,	Heyburn,	Parkinson,	Wheeler,
Chaplin,	Himes,	Patterson,	Whitehouse,
Clutton,	Horne,	Peelor,	Whiteman,
Coldsmith,	Huber,	Perry,	Williams, G. W.
Conner,	Irvin,	Posey,	Williams, J. M.
Craig,	Johnson,	Price,	Woner,
Diehm,	Jones, C. B.,	Raymond,	Wood, N.,
Dietz,	Jones, D. J.,	Rhodes,	Wood, W. P.,
Dilsheimer,	Jones, E. P.,	Richards,	Wright,
Driggs,	Keene,	Rippman,	Zook,
Eaches,	Kelly,	Sample,	Goodnough,
Earley,	Kennedy,	Sarig,	Speaker.
Edmonds,	Kohler,	Sautter,	
Evans, B. P.,	Kunkle,	Schaeffer,	
Evans, J.,		Schleiter,	

NAYS—5

Haas,	Minehart,	Myers, G. C.,	Post,
Hollis,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 925, as follows:

An Act to amend section nine of an act approved the fifteenth day of May one thousand nine hundred and three (Pamphlet Laws four hundred and forty-six) entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" as amended changing the name of said institution

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of an act approved the fifteenth day of May one thousand nine hundred and three (Pamphlet Laws four hundred and forty-six) entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" as amended by an act approved the twelfth day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred and ninety-four) entitled "An Act supplementing and amending an act entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feebleminded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth section of said act and repealing section two of an act entitled 'An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof' approved the twentieth day of June Anno Domini one thousand nine hundred and eleven" Is hereby amended to read as follows

Section 9 The said commissioners upon the completion of the said institution shall surrender their trust to a board of trustees to consist of nine members who shall serve without compensation and be appointed by the Governor by and with the advice and consent of the Senate Said trustees shall be a body politic or corporate of the name and style of the Pennhurst State School They shall manage control and direct all the affairs of the institution make all necessary regulations not herein otherwise specifically provided and not contrary to the Constitution and laws of this Commonwealth for the detention care treatment maintenance employment subsistence training and education of the inmates of the institution assign such duties as they may deem proper to the several officers and employes and exercise such other powers as are elsewhere conferred upon them by this act Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of said trustee

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Albert,	Flynn,	Lafferty,	Sample,
Alexander,	Fowler, A. I.,	Little,	Sautter,
Allman,	Fowler, D.,	Long,	Schaeffer,
Anderson,	Frazier,	Lucas,	Schleiter,
Arthur,	Gallaher,	Ludlow,	Schwartz,
Aston,	Gelder,	Lynch,	Shambach,
Baker,	Gibbon,	Mack,	Sheridan,
Baldi,	Glasgow,	MacKinney,	Smith, G. A.,
Beaver,	Goehring,	Malie,	Smith, H. J.,
Bell, F. A.,	Golder,	Mangan,	Smith, H.,
Bell, W. T.,	Gorham,	Marcus, J. C.,	Smith, J. W.,
Bentley,	Goss,	Marshall, J. G.,	Sowers,
Berger,	Greeby,	McBride,	Sprowls,
Bidelspacher,	Griffith,	McCaig,	Staudenmeier,
Bluett,	Grimes,	McCann,	Stavitski,
Blumberg,	Gundy,	McClure,	Steedle,
Brenneman,	Hall,	McCurdy,	Sterling,
Bromley,	Harer,	McDermott,	Stevens, A. J.,
Brown,	Haslett,	McVicar,	Stevens, A. F.,
Brownmiller,	Heffernan,	Millar,	Stofflet,
Burchinal,	Heffran,	Miller,	Stoner,
Burns,	Henderson,	Moffatt,	Storb,
Bush,	Hetrick,	Moore,	Storer,
Chaplin,	Heyburn,	Morrison,	Thomas, L. D.,
Clutton,	Holcombe,	Munley,	Thomas, M. G.,
Coldsmith,	Hollis,	Myers, G. C.,	Thompson,
Conner,	Hoover,	Myers, P. M.,	Vickerman,
Craig,	Horne,	Nolte,	Walker,
de Young,	Howell,	O'Boyle,	Weamer,
Diehm,	Huber,	Ogle,	Wettach,
Dilsheimer,	Johnson,	Parkinson,	Whitehouse,
Driggs,	Jones, C. B.,	Patterson,	Whiteman,
Eaches,	Jones, D. J.,	Peelor,	Williams, J. M.,
Earley,	Jones, E. P.,	Perry,	Wood, N.,
Edmonds,	Keene,	Posey,	Wright,
Eshelman,	Kelly,	Post,	Zook,
Evans, B. P.,	Kennedy,	Price,	Goodnough,
Evans, J.,	Kohler,	Rhodes,	Speaker.
Fields,	Korns,	Richards,	
Flinchbaugh,	Kunkle,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS.

The SPEAKER. If there are no objections, the Chair will declare a recess until 8:00 o'clock this evening.

Whereupon, at 1:05 o'clock P. M., the House took a recess until 8:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 8:00 o'clock P. M.

The SPEAKER, (C. J. Goodnough) in the Chair.

REPORT FROM COMMITTEE

Mr. BLUETT, from the Committee on Judiciary General, reported as committed House Bill No. 1079, entitled:

An Act relating to the satisfaction of mortgages, the determination of the amount due and unpaid on the same and to whom payable in certain cases; Including all cases where a mortgage is given to secure a bond or bonds, and the mortgage is claimed by one claimant and the bond or bonds by another; all cases where a mortgage is made to a trustee without naming or designating the cestui que trust or imposing any duties on the trustee to be performed on behalf of the bond holder or bond holders, and the bonds or the judgments confessed on the same are assigned to a claimant or claimants other than the trustee; and all cases where there is a dispute as to what bond or bonds are secured by such mortgage; providing procedure for determining the issues involved in such cases, and the satisfaction of such mortgages, the payment of costs in such cases, with the right of appeal, without affecting the validity of the bonds as personal obligations or as liens on land other than as they claim priority as the bonds secured by such mortgages, and providing for scire facias, execution and sale on such mortgage.

Mr. PEELOR, from the Committee on Judiciary General, reported as committed House Bill No. 1025, entitled:

An Act to provide a method of relieving real estate of the charge of a life interest imposed thereon by an order judgment or decree of any court in this Commonwealth, n any partition proceedings.

Mrs. de YOUNG, from the Committee on Education, reported as amended House Bill No. 715, entitled:

An Act to amend section eighteen of an act approved the sevententh day of June, Anno Domini, one thousand nine hundred and fifteen, entitled, "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled, 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violation of this act", by requiring that parents be notified of the registration of birth certificates.

Mr. FRAZIER, from the Committee on Judiciary Local, reported as committed, House Bill No. 1230, entitled:

An act to amend section one of the act approved the twenty-seventh day of March, one thousand eight hundred and seventy-three, (P. L. 54), entitled "an act to organize the State Hospital for the Insane at Danville, and provide for the government and management of the same;" as amended by changing the corporate name of the said hospital.

Mr. KENNEDY, from the Committee on Judiciary General, reported as committed, House Bill No. 985, entitled:

An Act providing that mortgages shall cease to be a lien upon the real estate described in the mortgage from and after the expiration of fifty years from the date the principal becomes due unless such mortgages are re-recorded or a declaration recorded that the principal or some part thereof remains unpaid and providing further that every mortgage the principal of which is overdue more than fifty years at the time of the approval of this act, shall not lose its lien under the provisions of this act if within five years after the approval of this act such mortgage shall be recorded or a declaration recorded that the principal or some part thereof remains unpaid.

Mr. PRICE, from the Committee on Judiciary Special, reported as amended, House Bill No. 366, entitled:

An Act to amend section two of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and seventy-nine) entitled "An Act relating to the time and manner of taking exception in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case."

Mr. HASLETT, from the Committee on Judiciary Local, reported with a negative recommendation, House Bill No. 1035, entitled:

An Act to amend section one of the act approved the first day of June one thousand nine hundred and seven (Pamphlet Laws three hundred and sixty-four) entitled "An Act to increase the pay of jurors and witnesses in this Commonwealth" as amended.

Mr. JEFFERSON W. SMITH, from the Committee on Railroads, reported as committed House Bill No. 229, entitled:

An Act to amend section twelve of Article five of the act approved the twenty-sixth day of July, one thousand nine hundred and thirteen (P. L. 1374), entitled, "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their power, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,'" approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations', approved the twenty-ninth day of April, one thousand eight hundred and seventy four, and all other legislation inconsistent with or supplied by this act," as amended.

Mr. KUNKLE, from the Committee on Law and Order, reported as committed House Bill No. 187, entitled:

An Act relating to pistols and revolvers; regulating the sale, possession and use thereof; defining "pistol or revolver"; imposing additional penalties for crimes committed while unlawfully armed; prohibiting the ownership or possession of a pistol or revolver by any unnaturalized foreign-born person and by persons convicted of certain felonies; providing for licenses to carry and licenses to sell pistols and revolvers; prohibiting the disposing thereof to minors or to persons not entitled to own or possess the same; and prescribing penalties.

Mr. DAVID J. JONES, from the Committee on Judiciary Local, reported as committed House Bill No. 922, entitled:

An Act providing for the regulation and supervision and for the approval by the Department of Public Welfare of certain maternity homes and maternity hospitals; and providing penalties.

Mr. MATHAY, from the Committee on Judiciary General, reported as committed House Bill No. 1395 (Senate Bill No. 297), entitled

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has formerly been held or conveyed by to or for corporations not authorized by law to hold the same.

Miss MacKINNEY, from the Committee on Judiciary General, reported as committed House Bill No. 1394 (Senate Bill No. 296), entitled:

An Act to amend section two of the act approved the twentieth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, nine hundred and forty-four), entitled "An Act authorizing the establishments by counties of hospitals for the treatment of persons afflicted with tuberculosis; providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor," by empowering the county commissioners and county controller where such office exists to take by eminent domain proceedings land necessary for the establishment of such hospitals; giving the board of trustees powers concurrent with the county commissioners and county controller in reference to the planning and construction of such hospitals.

Miss MacKINNEY, from the Committee on Constitutional Reform, reported as committed, House Bill No. 115, entitled:

A Joint Resolution proposing an amendment to article four of the Constitution of Pennsylvania, by adding hereto section twenty-three.

Mr. MILLAR, from the Committee on Judiciary General, re-reported committed, House Bill No. 350, entitled:

An Act to repeal an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An Act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proprotionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such Commission and upon appeal and judicial review of its orders and determination by the courts of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases

and of all injuctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and section one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" and its amendments.

Mr. DAVID J. JONES, from the Committee on Judiciary Local, re-reported as amended, House Bill No. 756, entitled:

An Act to amend sections one and two of the act approved the eighth day of April one thousand eight hundred and sixty-one (Pamphlet Laws two hundred and seventy) entitled "An Act for the Suppression of Fortune Telling and similar purposes."

BILL ON FIRST READING.

Miss MacKINNEY asked and obtained unanimous consent to have House Bill No. 115 read for the first time,

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 115, entitled:

A Joint Resolution proposing an amendment to article four of the Constitution of Pennsylvania by adding hereto section twenty-three

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 695, as follows:

An Act to amend clause (a) section two and section seven of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws three hundred and eighty-eight) entitled "An act relating to the jurisdiction and procedure of the orphans' court and the court of common pleas as to sales mortgages conveyances on ground-rent leases extinguishment of ground rents partition exchange squaring and adjusting of liens between adjoining owners consolidation and combination of mining lands and the leasing thereof the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and for such purpose the laying out or dedication of roads streets and alleys or the vacation of such as have not been accepted by the public authorities where the court shall be of opinion that such decree will be to the interest and advantage of all those interested and where the legal title is held by minors lunatics habitual drunkards or weak-minded persons a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association by any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law by a corporation or individual or individuals and is subject to a trust of any description whatever by any person as to whom a presumption of death may have arisen or any interest wherein is held by any person under legal disability to dispose thereof where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders executory devises or remainders to a class some or all of whom may not be in being or ascertained where estates shall have been devised or granted for special or limited purposes where there is a power of sale but the time may not have arrived for its exercise any preliminary act may not have been done to bring it into exercise the time limited for its exercise may have expired or any one or more persons required to consent or join in its exercise may be non compos mentis have removed out of the State have died refused to act unreasonably withhold consent or be absent and unheard of where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm and to the effects of such decree" extending the provisions of said act to cases where real estate or ground rent issuing thereout is held by an epileptic insane feeble-minded or weak-minded person or by a wife whose husband is an habitual drunkard or an epileptic insane feeble-minded or weak-minded person declaring the effect of decrees as to barring dower courtesy and interest of a surviving spouse under the intestate laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (a) section two of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws three hundred and eighty-eight) entitled "An act relating to the jurisdiction powers and procedure of the orphans' court and the court of common pleas as to sales mortgages conveyances on ground-rents leases extinguishment of ground rents partition exchange squaring and adjusting of lines between adjoining owners consolidation and combination of mining lands and the leasing thereof the joining by owners of undivided interests in making and taking coveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and for such purpose the laying out or dedication of roads streets and alleys or the vacation of such as have not been accepted by the public authorities where the court shall be of opinion that such decree will be to the interest and advantage of all those interested and where the legal title is held by minors lunatics habitual drunkards or weak-minded persons a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association by religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law by a corporation or individual or individuals and is subject to a trust of any description whatever by any person as to whom a presumption of death may have arisen or any interest wherein is held by any person under legal disability to dispose thereof where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders executory devices or remainders to a class some or all of whom may not be in being or ascertained where estates shall have been devised or granted for special or limited purposes where there is a power of sale but the time may not have arrived for its exercise any preliminary act may not have been done to bring it into exercise the time limited for its exercise may have expired or any one or more persons

required to consent or join in its exercise may be non compos mentis have removed out of the State have died refuse to act unreasonably withhold consent or be absent and unheard of where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm and to the effects of such decree" which was amended by the act approved the second day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and eleven) entitled "An act to amend clause (a) section two of an act approved the seventh day of June one thousand nine hundred and seventeen (Papmhlet Laws three hundred and eighty-eight) entitled 'An act relating to the jurisdiction powers and procedure of the orphans' court and the court of common pleas as to sales mortgages conveyances on ground-rent leases extinguishment of ground-rents partition exchange soauring and adjusting of lines between adjoining owners consolidation and combination of mining lands and the leasing thereof the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the sub-division of premises so as to command the highest price or greatest rents and for such purpose the laying out or dedication of roads streets and alleys or the vacation of such as have not been accepted by the public authorities where the court shall be of opinion that such decree wil be to the interest and advantage of all those interested and where the legal title is held by minors lunatics habitual drunkards or weak-minded persons a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absen and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association by any religious beneficial or charitable society or asociation incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law by a corporation or individual or individuals and is subject to a trust of any description whatever by any person as to whom a presumption of death may have arisen or any interest wherein is held by any person under legal disability to dispose thereof where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders executory devices or remainders to a class some or all of whom may not be in being or ascertained where estates shall have been devised or granted for special or limited purposes where there is a power of sale but the time may not have arrived for its exercise any preliminary act may not have been done to bring it into exercise the time limited for its exercise may have expired or any one or more persons required to consent or join in its exercise may be non compos mentis have removed out of the State have died refused to act unreasonable withhold consent or be absent unheard of where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm and to the effects of such decrees' extending the provisions of said act to cases where real estate or ground-rent issuing thereout is held by a wife whose husband is a minor or by a married minor whose spouse is a minor" is hereby further amended to read as follows

(a) Where the legal title is held (1) By minors lunatics or habitual drunkards so duly found by inquisition or by epileptics insane feeble-minded or by weak-minded persons for whom guardians or other fiduciaries have been appointed (2) By a wife whose husband is a minor or by a married minor who spouse is a minor or by a married woman or married man whose spouse is a lunatic or an habitual drunkard so duly found by inquisition or an epileptic insane feeble-minded or weak-minded person for whom a guardian has been appointed or has abandoned him or her for one year or has been absent and unheard of for seven years (3) By corporations of any kind having no capacity to convey or by any unincorporated association (4) By any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or now or hereafter prescribed by law (5) By a corporation of any kind or individual or individuals and is subject to a trust of any description whatever (6) By any person who may have been absent and unheard from for seven years under those circumstances from which the law would presume his or her decease (7) Or any interest therein is held by any person under legal disability to dispose thereof

Section 2 That section seven of said act is hereby amended to read as follows

Section 7 Every such decree made by the court shall have the effect as to the title authorized to be transferred (a) Of a common recovery to bar an estate tail or a remainder whether contingent or to class (b) Of barring executory devises (c) Of defeating the right of the Commonwealth to forfeit real estate that may have been held by or for any corporation in excess of the amount now or hereafter duly authorized by law only however in the case where no proceedings to procure a forfeiture shall have been commenced before the filing of the petition (d) Of discharging the lien of decedents' debt not of record (e) Of barring any estate or claim of dower or right of dower tenancy by the courtesy or interest of a surviving spouse under the intestate laws

In all cases where the proceedings shall be for the purpose of freeing the title of any of the limitiations or defeasibility described in this section that purpose shall be set forth in the petition in addition to the explanation of the title

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Allman,	Frazier,	Lucas,	Schaeffer,
Anderson,	Gallaher,	Mack,	Schilling,
Arthur,	Gelder,	Malle,	Schwartz,
Baker.	Gibbon,	Mangan,	Shambach,
Beaver,	Glasgow,	Marcus, J.,	Smith, G. A.,
Bell, F. A.,	Goehring,	Marcus, J. C.,	Smith, H. J.,
Bell, W. T.,	Golder,	Marshall, W. F.,	Smith, H.,
Bentley,	Gorham,	Mathay,	Smith, J. W.,
Berger,	Greeby,	McBride,	Soffel,
Blair,	Gundy,	McCaig,	Spangler,
Bluett,	Harer,	McCann,	Speiser,
Blumberg,	Harter,	McDaniel,	Sprowls,
Brenneman,	Haslett,	McDermott,	Stark,
Brewster,	Heffernan,	McVicar,	Staudenmeier,
Bromley,	Henderson,	Metcalf,	Stavitski,
Brown,	Hetrick,	Minehart,	Steedle,
Brownmiller,	Heyburn,	Moffatt,	Stevens, A. J.,
Burns,	Himes,	Morrison,	Stoffiet,
Coldsmith,	Hollis,	Munley,	Stoner,
Colville,	Hontz,	Myers, G. C.,	Thomas, L. D.,
Conner,	Hoover,	Nolte,	Thomas, M. G.,
Coyne,	Howell,	O'Boyle,	Van Alen,
de Young,	Irvin,	Ogle,	Vickerman,
Diehm,	Jones, C. B.,	Parkinson,	Walker,
Driggs,	Jones, D. J.,	Patterson,	Weamer,
Dunn,	Jones, E. P.,	Peelor,	Wettach,
Eaches,	Keene,	Pitts,	Wheeler,
Earley,	Kennedy,	Post,	Whiteman,
Eshelman,	Korns,	Raymond,	Williams, G. W.,
Evans, J.,	Kunkle,	Rhodes,	Williams, J. M.
Fields,	Labar,	Rinn,	Wood, N.,
Flinchbaugh,	Lafferty,	Rippman,	Wright,
Flynn,	Little,	Sample,	Zook,
Fowler, D.,	Long,	Sarig,	Goodnough,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 873, as follows:

An Act to amend section nine of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled "An Act to Consolidate Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled "An Act to Consolidate Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings" is hereby amended to read as follows

Section 9 In all cases where a person shall on the complaint of another be bound by recognizance to appear or shall for want of security be committee or shall be indicted for an assault and battery or other misdemeanor to the injury and damage of the party complaining and not charged to have been done with intent to commit a felony or not being an infamous crime and for which there shall also be a remedy by action if the party complaining shall appear before the magistrate who may have taken recognizance or made the commitment or before the court in which the indictment shall be and acknowledge to have received satisfaction for such injury and damage it shall be lawful for the magistrate in his discretion to discharge the recognizance which may have been taken for the appearance of the defendant or in case of committal to discharge the prisoner or for the court also where such proceeding has been returned to the court in their discretion to order a nolle prosequi to be entered on the indictment as the case may require upon payment of costs and it shall be lawful also for the court in case where any person shall be charged with any crime except murder common law rape robbery burglery arson and kidnapping and the proceeding has been returned to court either before or after indictment found to order a nolle prosequi to be entered therein upon payment of costs whenever in the opinion of the court on account of the age of the defendant or the nature of the offense the entry of said nolle prosequi would not be against public policy and the court in case of conviction or the entering of a plea of guilty or nolle contendre would have suspended sentence

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Allman,	Gallaher,	Ludlow,	Sautter,
Anderson,	Gibbon,	Lynch,	Schwartz,
Arthur,	Gilchrist,	Mack,	Shambach,
Asbury,	Goehring,	Malle,	Smith, G. A.,
Baker,	Gorham,	Mangan,	Smith, H. J.,
Beaver,	Greeby,	Marcus, J.,	Smith, H.,
Behney,	Griffith,	Marcus, J. C.,	Smith, J. W.,
Bell, F. A.,	Grimes,	Mathay,	Sowers,
Bentley,	Guerin,	McBride,	Speiser,
Berger,	Haas,	McCaig,	Stark,
Betts,	Hall,	McCann,	Staudenmeier,
Blair,	Harter,	McDaniel,	Stavitski,
Bluett,	Haslett,	McDermott,	Steedle,
Blumberg,	Haws,	McGowan,	Sterling,
Brenneman,	Heffernan,	McVicar,	Stevens, A. F.,
Brewster,	Heffran,	Metcalf,	Steyens, A. J.,
Bromley,	Henderson,	Miller,	Stoner,
Brown,	Hetrick,	Minehart,	Storb,
Burchinal,	Heyburn,	Moore,	Storer,
Bush,	Himes,	Morrison,	Thomas, L. D.,
Colville,	Hollis,	Munley,	Thomas, M. G.,
Conner,	Hontz,	Myers, G. C.,	Van Alen,
Craig,	Hoover,	Myers, P. M.,	Walker,
de Young,	Howell,	Nolte,	Weaner,
Diehm,	Huber,	O'Boyle,	Wells,
Dietz,	Irvin,	Ogle,	Wettach,
Dilsheimer,	Johnson,	Orr,	Wheeler,
Driggs,	Jones, C. B.,	Parkinson,	Whitehouse,
Eaches,	Jones, D. J.,	Patterson,	Whiteman,
Earley,	Jones, E. P.,	Peelor,	Williams, G. W.,
Evans, B. P.,	Keene,	Perry,	Williams, J. M.,
Evans, J.,	Kelly,	Pitts,	Wood, N.,
Fields,	Kohler,	Post,	Wood, W. P.,
Flinchbaugh,	Labar,	Raymond,	Wright,
Flynn,	Lafferty,	Rhodes,	Zook,
Fowler, A. I.,	Little,	Richards,	Goodnough,
Fowler, D.,	Long,	Rippman,	Speaker.
Frazier,	Lucas,	Sample,	

NAYS—1.

Price,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 460, entitled:

A Supplement to the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and sixty-two) entitled "An Act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by subscribers to be misdemeanors and providing penalties for the violation thereof" providing for the auditing of the State Workmen's Insurance Fund and the payment of the costs thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. BREWSTER. Mr. Speaker, I desire to interrogate the proponent of this bill, Mr. Golder,—but I do not believe he is in the hall of the House,—before this bill is voted upon.

Mr. CONNER. Mr. Speaker?

The SPEAKER. Will the gentleman from Huntingdon county, Mr. Brewster, yield the floor to the gentleman from Philadelphia, Mr. Conner?

Mr. BREWSTER. Yes, sir.

Mr. CONNER. In the absence of the sponsor of this bill, I move that it be postponed.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

It was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 712, as follows:

An Act to amend section six of an act approved the twenty sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and twenty-seven) entitled "An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources" as amended by prescribing additional requirements for institutions conferring degrees making certain exceptions therefrom and imposing certain duties on the State Council of Education

Section 1 Be it enacted by the Senate and the House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the twenty-sixth day of June one thousand eight hundred and ninety -five (Pamphlet Laws three hundred and twenty-seven) entitled "An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources" which was amended by the act approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and six) entitled "An act to amend section six of an act entitled 'An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources' so as to empower colleges devoted to a specific subject in art archaeology literature or science (medical and law schools excepted) to work with a faculty of but three regular professors and two instructors or fellows without prejudice to their right to confer degrees" is further amended to read as follows

Section 6 No institution shall be chartered with the power to confer degrees unless it has a minimum productive endowment of at least five hundred thousand dollars ($500,000) beyond all indebtedness and assets invested in buildings and apparatus for the exclusive purpose of promoting instruction and unless the faculty consists of at least eight regular professors who devote all their time to the instruction of its college or university classes nor shall any baccalaureate degree in art science philosophy or literature be conferred upon any student who has not completed a college or university course covering four years The standard of admission to these four years courses or to advanced classes in these courses shall be not less than four years of academic or high school preparation or its equivalent and shall be subject to the approval of the said State Council of Education In administering entrance requirements exceptions shall be few and made only for reasons of great weight A college year shall include for each student not less than thirty-four weeks of academic work or the equivalent Members of the teaching staff in regular charge of classes shall have had not less than one year of graduate study and a majority of them shall have had training equivalent to that presupposed by the degree of Doctor of Philosophy In all cases efficiency in teaching as well as the amount of research shall be taken into account A preponderance of the teachers who have independent charge of classes should be of professional rank The number of periods per week of teaching for each instructor should not exceed sixteen Salaries paid the members of the teaching staff shall be adequate The minimum shall depend upon the local cost of living as well as upon other factors The curriculum shall provide both for breadth of study and for concentration The curriculum shall have justifiable relation to the resources of the institution There shall be library and laboratory facilities adequate to the work which the institution announces and shall be kept up to their full efficiency by means of adequate annual expenditures The records of the graduates of the college in graduate and professional schools shall be satisfactory The State Council of Education shall determine the qualifications of the individual institution with due regard to the fact that an institution falling below any of the standards hereinbefore specified in certain particulars may more than make good such lack by excellence in others Provided however That in colleges incorporated under this act and devoted to a specific subject in art archaeology literature or science (medical and law schools excepted) the faculty need not consist of more than three regular professors who devote all their time to the instruction in the special branch for which the college is established and that two or more instructors or fellows in the particular branch shall be provided to assist in the instruction to be given to students to the promotion of original investigation and in the development and growth of the special branch of science to which such college may be devoted Provided further That in the case of tax supported institutions or those maintained by religious or other organizations financial support or contributed services equivalent in value to the endowment herein specified may be substituted therefor And provided further That the State Council of Education may confer upon educational institutions owned by the State the power to confer degrees even though they do not have the property required by this section and even though they are not chartered by the court or by act of Assembly provided that such institutions shall have educational standards equivalent to accredited institutions conferring similar degrees

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, in the absence of the gentleman from Cambria, Mr. Horne, the sponsor of this bill, I move that it be placed on the postponed calendar.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 793, as follows:

An Act to amend section seven of the act approved the twenty-second day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred and sixty-one) entitled "An act for the protection of shad and game fish in the river Delaware"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of the act approved the twenty-second day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred and sixty-one) entitled "An act for the protection of shad and game fish in the river Delaware" is hereby amended to read as follows

Section 7 No person shall catch or kill in the Delaware river any black bass less than ten inches in size or wall-eyed pike less than twelve inches in length or any rock bass under six inches in length but should any such fish be taken of a less size than the above it shall be the duty of any one taking or capturing the same to return the fish immediately to the water from whence taken Any violation of this law shall subject the offender to a penalty of ten dollars and costs for each and every fish so caught

On the question,

Will the House agree to the bill on third reading?

Mr. LABAR. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend sec. 1 page 2 line 12 by inserting after the word "caught" the following: "and not returned to the water"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.,

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 902, entitled:

An Act to amend section ten hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145.

Alexander,	Evans, B. P.,	Lauver,	Sheridan,
Allman,	Evans, J.,	Little,	Smith, H. J.,
Anderson,	Fields,	Ludlow,	Smith, H.,
Armstrong,	Fowler, A. I.,	Lynch,	Sowers,
Arthur,	Fowler, D.,	MacKinney,	Spangler,
Asbury,	Frazier,	Mangan,	Speiser,
Aston,	Gallaher,	Marcus, J. C.,	Sprowls,
Baker,	Gibbon,	Marshall, W. F.,	Stark,
Baldi,	Glasgow,	Mathay,	Staudenmeier,
Beaver,	Goehring,	McBride,	Stavitski,
Behney,	Golder,	McClure,	Sterling,
Bell, F. A.,	Goss,	Miller,	Storb,
Bell, W. T.,	Greeby,	Minehart,	Storer,
Bentley,	Griffith,	Moffatt,	Thomas, L. D.,
Berger,	Grimes,	Moore,	Thomas, M. G.,
Betts,	Guerin,	Morrison,	Thompson,
Bidelspacher,	Haas,	Myers, G. C.,	Van Alen,
Blair,	Haines,	Myers, P. M.,	Vickerman,
Bluett,	Hall,	Nolte,	Weamer,
Brenneman,	Harer,	Ogle,	Walker,
Brewster,	Haslett,	Orr,	Wells,
Bromley,	Haws,	Parkinson,	Wettach,
Brown,	Heffernan,	Patterson.	Wheeler,
Brownmiller,	Heffran,	Peelor,	Whitehouse,
Burns,	Henderson,	Perry,	Whiteman,
Clutton,	Hetrick,	Pitts,	Williams, G. W.,
Coldsmith,	Heyburn,	Post,	Williams, J. M.,
Conner,	Holcombe,	Price,	Woner,
Craig,	Hollis,	Raymond,	Wood, N.,
de Young,	Huber,	Richards,	Wood, W. P.,
Diehm,	Irvin,	Rinn,	Wright,
Dietz,	Jones, D. J.,	Sample,	Zook,
Donahue	Jones, E. P.,	Sarig,	Goodnough,
Driggs,	Keene,	Sautter,	Speaker.
Eaches,	Kelly,	Schaeffer,	
Earley,	Kunkle,	Schwartz,	
Edmonds,	Lafferty,	Shambach,	

NAYS—3.

Hoover,	Johnson,	Munley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 773, entitled:

An Act making a deficiency appropriation to the Commission of the Soldiers' Orphans Industrial School at Scotland

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146.

Albert,	Fowler, D.,	Lafferty,	Sautter,
Alexander,	Fratt,	Little,	Schilling,
Anderson,	Frazier,	Long,	Schleiter,
Arthur,	Gallaher,	Lucas,	Schoener,
Aston,	Gelder,	Ludlow,	Schwartz,
Baker,	Gibbon,	Lynch,	Shambach,
Behney,	Glasgow,	MacKinney,	Sheridan,
Bell, F. A.,	Goehring,	Mangan,	Smith, H. J.,
Bentley,	Golder,	Marcus, J.,	Smith, J. W.,
Betts,	Gorham,	Marcus, J. C.,	Soffel,
Blair,	Goss,	Marshall, W. F.	Sowers,
Blumberg,	Greeby,	Mathay,	Spangler,
Brenneman,	Griffith,	McBride,	Sprowls,
Brewster,	Grimes,	McCaig,	Stark,
Bromley,	Guerin,	McCurdy,	Staudenmeier,
Brownmiller,	Gundy,	McDermott,	Stavitski,
Burns,	Haas,	McVicar,	Steedle,
Bush,	Haines,	Millar,	Sterling,
Chaplin,	Harer,	Miller,	Stofflet,
Clutton,	Haslett,	Moffat,	Stoner,
Coldsmith,	Heffernan,	Moore,	Storb,
Colville,	Heffran,	Morrison,	Thomas, L. D.,
Conner,	Henderson,	Munley,	Thomas, M. G.,
Craig,	Heyburn,	Myers, G. C.,	Van Alen,
de Young,	Holcombe,	Myers, P. M.,	Weamer,
Diehm,	Hontz,	Nolte,	Wells,
Dietz,	Horne,	O'Boyle,	Wheeler,
Donahue	Huber,	Ogle,	Whitehouse,
Driggs,	Irvin,	Parkinson,	Williams, G. W.,
Eaches,	Johnson,	Peelor,	Williams, J. M.,
Earley,	Jones, D. J.,	Perry,	Woner,
Edmonds,	Jones, E. P.,	Pitts,	Wood, N.,
Evans, B. P.,	Keene,	Posey,	Wood, W. P.,
Evans, J.,	Kennedy,	Raymond,	Wright,
Flinchbaugh,	Kohler,	Rhodes,	Zook,
Flynn,	Korns,	Rinn,	Goodnough,
Fowler, A. I.,	Kunkle,	Sample,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 783, entitled

An Act making a deficiency appropriation to the Home for Training in Speech of Deaf Children before They are of School Age at Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Albert,	Flinchbaugh,	Kohler,	Rhodes,
Alexander,	Flynn,	Korns,	Rinn,
Anderson,	Fowler, A. I.,	Labar,	Sample,
Armstrong,	Fowler, D.,	Lafferty,	Sarig,
Arthur,	Frazier,	Little,	Schaeffer,
Aston,	Gallaher,	Long,	Schilling,
Baker,	Gibbon,	Ludlow,	Schleiter,
Baldi,	Gilchrist,	Lynch,	Schwartz,
Behney,	Glasgow,	MacKinney,	Shambach,
Bell, F. A.,	Goehring,	Malie,	Sheridan,
Bentley,	Golder,	Mangan,	Smith, G. A.,
Berger,	Gorham,	Marcus, J. C.,	Smith, H.,
Betts,	Goss,	Marshall, J. G.,	Soffel,
Blair,	Greeby,	Marshall, W. F.	Sowers,
Blumberg,	Griffith,	Mathay,	Speiser,
Brenneman,	Grimes,	McCann,	Sprowls,
Brewster,	Gundy,	McCaig,	Stark,
Bromley,	Haines,	McCurdy,	Stavitski,
Brownmiller,	Harer,	McDaniel,	Steedle,
Burns,	Haslett,	McGowan,	Sterling,
Bush,	Haws,	McVicar,	Stevens, A. F.,
Chaplin,	Heffernan,	Metcalf,	Stoner,
Coldsmith,	Heffran,	Millar,	Storb,

Colville,	Hetrick,	Minehart,	Thomas, L. D.,
Conner,	Heyburn,	Moore,	Thompson,
Craig,	Holcombe,	Morrison,	Vickerman,
de Young,	Hollis,	Munley,	Weamer,
Diehm,	Hoover,	Myers, G. C.,	Wettach,
Dietz,	Horne,	Myers, P. M.,	Wheeler,
Driggs,	Huber,	Nolte,	Whiteman,
Drinkhouse,	Johnson,	O'Boyle,	Williams, G. W.,
Dunn,	Jones, C. B.,	Orr,	Woner,
Earley,	Jones, D. J.,	Parkinson,	Wood, N.,
Eshelman,	Jones, E. P.,	Patterson,	Wright,
Evans, B. P.,	Keene,	Peelor,	Zook,
Evans, J.,	Kelly,	Perry,	Goodnough,
Fields,	Kennedy,	Posey,	Speaker.
	Kunkle,	Price,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 784, entitled

An Act making a deficiency appropriation to the Eastern State Penitentiary

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Albert,	Fowler, A. I.,	Long,	Sample,
Alexander,	Fowler, D.,	Lucas,	Sarig,
Allman,	Frazier,	Ludlow,	Schilling,
Anderson,	Gallaher,	Lynch,	Schleiter,
Armstrong,	Gibbon,	Mack,	Schwartz,
Arthur,	Gilchrist,	MacKinney,	Shambach,
Baker,	Glasgow,	Marcus, J.,	Smith, G. A.,
Baldi,	Goehring,	Marcus, J. C.,	Smith, H. J.,
Beaver,	Golder,	Marshall, W. F.,	Smith, H.,
Behney,	Goss,	McBride,	Sowers,
Bell, F. A.,	Greeby,	McCaig,	Spangler,
Bell, W. T.,	Griffith,	McCann,	Speiser,
Bentley,	Grimes,	McClure,	Stark,
Berger,	Guerin,	McCurdy,	Staudenmeier,
Betts,	Gundy,	McDermott,	Stavitski,
Bidelspacher,	Haas,	McGowan,	Steedle,
Bluett,	Haines,	McVicar,	Sterling,
Blumberg,	Harer,	Metcalf,	Stevens, A. F.,
Brenneman,	Haslett,	Millar,	Stevens, A. J.,
Brewster,	Haws,	Miller,	Stoner,
Bromley,	Heffernan,	Minehart,	Storb,
Brown,	Heffran,	Moffatt,	Storer,
Burchinal,	Henderson,	Moore,	Thomas, L. D.,
Burns,	Hetrick,	Morrison,	Thomas, M. G.,
Bush,	Heyburn,	Munley,	Thompson,
Clutton,	Hollis,	Myers, G. C.,	Van Alen,
Coldsmith,	Hontz,	Myers, P. M.,	Walker,
Conner,	Hoover,	Nolte,	Weamer,
Craig,	Horne,	O'Boyle,	Wells.
de Young,	Howell,	Ogle,	Wettach,
Diehm,	Huber,	Orr,	Wheeler,
Dietz,	Irvin,	Parkinson,	Whitehouse,
Dilsheimer,	Johnson,	Patterson,	Whiteman,
Donahue,	Jones, C. B.,	Peelor,	Williams, G. W.,
Driggs,	Jones, D. J.,	Perry,	Williams, J. M.,
Eaches,	Jones, E. P.,	Pitts,	Woner,
Earley,	Kelly,	Posey,	Wood, N.,
Eshelman,	Kennedy,	Price,	Wood, W. P.,
Evans, B. P.,	Kunkle,	Raymond,	Wright,
Evans, J.,	Labar,	Richards,	Zook,
Fields,	Lafferty,	Rinn,	Goodnough,
Flinchbaugh,	Little,	Rippman,	Speaker.
Flynn,			

NAYS—0.

The majority required by the Constitution having in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 788, entitled

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania located at Blossburg Pennsylvania to cover a deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred twenty-three

And said bill having been read at length the third time, considered and agreed to.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

On the question,

Shall the bill pass finally?

YEAS—150.

Albert,	Gibbon,	Ludlow,	Schaeffer,
Anderson,	Gilchrist,	Lynch,	Schleiter,
Arthur,	Goehring,	Mack,	Schoener,
Aston,	Golder,	MacKinney,	Schwartz,
Baker,	Goss,	Mangan,	Shambach,
Baldi,	Greeby,	Marcus, J.,	Sheridan,
Beaver,	Griffith,	Marcus, J. C.,	Smith, G. A.,
Bell, F. A.,	Grimes,	Marshall, W. F.	Smith, H.,
Bell, W. T.,	Guerin,	Mathay,	Soffel,
Bentley,	Gundy,	McBride,	Sowers,
Betts,	Haas,	McCaig,	Speiser,
Bidelspacher,	Hall,	McCann,	Stark,
Bluett,	Harer,	McCurdy,	Staudenmeier,
Blumberg,	Harter,	McDaniel,	Stavitski,
Brenneman,	Haws,	McDermott,	Steedle,
Brewster,	Heffernan,	McKim,	Stevens, A. F.,
Bromley,	Heffran,	McVicar,	Stevens, A. J.,
Brownmiller,	Henderson,	Millar,	Stoner,
Burchinal,	Heyburn,	Minehart,	Storb,
Burns,	Holcombe,	Moore,	Storer,
Clutton,	Hontz,	Morrison,	Thomas, L. D.,
Coldsmith,	Hoover,	Munley,	Thomas, M. G.,
Conner,	Howell,	Myers, G. C.,	Thompson,
Craig,	Huber,	Myers, P. M.,	Van Alen,
de Young,	Irvin,	O'Boyle,	Vickerman,
Dietz,	Johnson,	Ogle,	Weamer,
Donahue,	Jones, C. B.,	Orr,	Wettach,
Drinkhouse,	Jones, D. J.,	Parkinson,	Wheeler,
Eaches,	Jones, E. P.,	Peelor,	Whitehouse,
Eshelman,	Keene,	Perry,	Whiteman,
Evans, B. P.,	Kelly,	Posey,	Williams, J. M.,
Evans, J.,	Kennedy,	Post,	Woner,
Flinchbaugh,	Korns,	Price,	Wood, N.,
Flynn,	Kunkle,	Raymond,	Wright,
Fowler, A. I.,	Labar,	Richards,	Zook,
Fowler, D.,	Lauver,	Rippman,	Goodnough,
Frazier,	Little,	Sarig,	Speaker.
Gallaher,	Long,	Sautter,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 579, entitled

An Act providing for the location construction operation maintenance and vacation of public roads or highways bridges tunnels subways and under ground roads within second class counties of this Commonwealth either wholly or partly within the territorial limits of cities boroughs and townships thereof and the taking over by the county of such improvements from townships making such improvements county improvements establishing procedure for undertaking or vacating of improvements by the county commissioners and the mode of taking exceptions thereto providing for the entry upon and appropriation of property for the purpose of planning and making improvements the compensation to be paid therefor and the payment of damages and the assessment of benefits resulting from such

improvements and the manner in which such damages and benefits may be determined providing for the filing reviving and collecting of liens arising from any assessment of benefits thereunder providing for the payments of the costs and expenses of such construction and improvement and the maintenance and operation thereafter providing for the letting of contracts for such improvements or maintenance and for the making of such improvements or the maintenance thereof by the county commissioners themselves defining the duties of the county commissioners with reference to such county improvements authorizing them to employ the necessary persons and maintain the necessary equipment to perform their duties providing for the contracting by counties of the second class with railway or transportation companies for the concurrent use of county improvements authorizing the levy of a tax and the issuance of bonds by counties of the second class to provide funds for said purposes providing for the entry upon and appropriation by said counties of highways streets and properties of cities and boroughs necessary for such improvement and for the maintenance and control of said highways streets and properties by said counties after said entry and appropriation requiring the county commissioners of said counties to prepare a county road plan and prohibiting the award of damages for the taking of improvements made by persons within the lines located on said plan after its adoption and requiring the removal by the owner of improvements made within the lines of relocated highways on said plan authorizing the county commisioners of said counties to appoint persons to inspect repair and control county roads with power to enforce laws and authorizing the county commissioners of said counties to establish regulations for the use of county roads including penalties for violations

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Albert,	Fowler, A. I.,	Long,	Sarig,
Alexander,	Fowler, D.,	Lucas,	Schaeffer,
Allman,	Frazier,	Ludlow,	Schilling,
Anderson,	Gallaher,	Lynch,	Schoener,
Armstrong,	Gibbon,	Mack,	Schwartz,
Arthur,	Gilchrist,	MacKinney,	Shambach,
Aston,	Glasgow,	Mangan,	Smith, G. A.,
Baldi,	Goehring,	Marcus, J.,	Smith, H. J.,
Beaver,	Golder,	Marcus, J. C.,	Smith, H.,
Behney,	Goss,	Marshall, W. F.,	Soffel,
Bell, F. A.,	Greeby,	Mathay,	Sowers,
Bell, W. T.,	Griffith,	McBride,	Spangler,
Bentley,	Grimes,	McCaig,	Speiser,
Berger,	Guerin,	McCann,	Stark,
Betts,	Haas,	McClure,	Staudenmeier,
Bidelspacher,	Haines,	McCurdy,	Stavitski,
Blair,	Hall,	McDaniel,	Steedle,
Bluett,	Harer,	McGowan,	Sterling,
Boback,	Harter,	McKim,	Stevens, A. F.,
Brenneman,	Haslett,	McVicar,	Stoner,
Brewster,	Haws,	Metcalf,	Storb,
Bromley,	Heffernan,	Millar,	Storer,
Brown,	Heffran,	Miller,	Thomas, L. D.,
Brownmiller,	Henderson,	Minehart,	Thomas, M. G.,
Burchinal,	Hetrick,	Moffatt,	Thompson,
Bush,	Heyburn,	Moore,	Van Alen,
Clutton,	Himes,	Morrison,	Vickerman,
Coldsmith,	Holcombe,	Munley,	Walker,
Conner,	Hontz,	Myers, G. C.,	Weamer,
Coyne,	Hoover,	Myers, P. M.,	Wells,
Craig,	Horne,	Nolte,	Wettach,
de Young,	Howell,	O'Boyle,	Whitehouse,
Diehm,	Huber,	Orr,	Whiteman,
Dietz,	Irvin,	Ogle,	Williams, G. W.,
Dilsheimer,	Johnson,	Parkinson,	Williams, J. M.,
Donahue	Jones, C. B.,	Patterson,	Woner,
Driggs,	Jones, D. J.,	Perry,	Wood, N.,
Faches,	Jones, E. P.,	Pitts,	Wood, W. P.,
Earley,	Keene,	Post,	Wright,
Edmonds,	Kelly,	Raymond,	Zook,
Eshelman,	Kennedy,	Rhodes,	Goodnough,
Evans, B. P.,	Kohler,	Rippman,	Speaker.
Evans, J.,	Lafferty,	Sample,	
Fields,	Lauver,	Richards,	
Flynn,	Little,	Rinn,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 160, entitled

An Act concerning counties and county officers and revising amending consolidating and changing the law relating thereto.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, May I interrogate the sponsor of this bill?

The SPEAKER. Will the gentleman from Schuylkill county, Mr. Whitehouse, permit himself to be interrogated?

Mr. WHITEHOUSE. Yes, sir.

The SPEAKER. The gentlemen will proceed.

Mr. EDMONDS. I should like to ask whether House Bill No. 160, which is what I understand is called the County Code, is merely a codification of the existing laws, or does it change the existing law in any way?

Mr. WHITEHOUSE. It is really a codification with very few changes.

Mr. EDMONDS. Are these changes in the line of increasing or decreasing the expenses of government?

Mr. WHITEHOUSE. In some instances decreasing, and in three instances increasing.

Mr. EDMONDS. May I ask the gentleman also whether he will explain whether it is the intent that this bill should apply to counties of the first class?

Mr. WHITEHOUSE. It is.

Mr. EDMONDS. Does it affect all the county officers in counties of the first class?

Mr. WHITEHOUSE. Not those that are affected by special legislation.

Mr. EDMONDS. Such as what?

Mr. WHITEHOUSE. I suppose you are just as well acquainted with them as I am.

Mr. EDMONDS. May I ask the gentleman if he will tell us just what are the antecedents of this bill and by whom it was framed?

Mr. WHITEHOUSE. Mr. Speaker, this bill is the creature of the County Commissioner's Association and the actual work was done by the Legislature Reference Bureau. It has taken two years to complete. It has been in the committee of Judiciary General for the past two months and the sub-committee has worked faithfully on it for the last two months.

Mr. EDMONDS. Thank you very much. Let me say, Mr. Speaker, that I have some doubt in trying to work out the relationship of this county code to the city of Philadelphia, but I realize that a very hard and earnest piece of work has been done by a very large number of gentlemen, those being mentioned by the gentleman, and personally I am going to vote for the bill on faith, although I confess that it seems to me that a special provision should have been put in there in reference to the counties of the first class, which are not always harmonious; and it seems to me it would be well if those who are interested in this legislation would convey to those who have doubt of it, this opportunity to have them clarified in the Senate.

Mr. McCURDY. Mr. Speaker, some few years ago, there was a desire on the part of the Administration to clarify the Statutes, and in so doing, they took up several subjects and codified the same. Now, we have passed several codes in previous sessions, and we have several considered at this session, but on previous sessions, there was an understanding when a bill was prepared in the shape of a code, there would be nothing incorporated in that bill except those of live acts or acts that are in force, and the repeal of conflicting acts and obsolete acts, and an understanding was made so that the members of the House would go along with this proposition without necessitating a long and tedious and careful study of the bill. Now, this bill, known as the county code, does more than that. It has injected into the several amendments which does not carry with it good faith on the part of those who have attempted to codify the acts relative to counties. I will refer to a clause or a section on page 73, section 245, which attempts to change the salary of the County Commissioners of the counties of the fifth class, and those are the counties which I represent. It makes an increase of $500.00 per year for each commissioner. It also makes a provision for the increase of deputy district attorneys of from one to two. Now, I think that this is not the right way to introduce legislation in this House. We like to have faith in all pieces of legislation, or at least when the sponsor says that there is not new matter injected into a bill as large as this, that has over five hundred pages. It is almost inexhaustive, and it is beyond reason to expect any member of this Legislature to carefully read and digest and act intelligently upon a bill of this character if it is going to carry with it a lot of amendments, and I think it is not the proper way to enact legislation at this time. It is more in the form of a blanket bill, attempting to make certain amendments, that ought to appear before this House in separate bills, and therefore I will be obliged to vote against this bill.

Mr. WHITEHOUSE. Mr. Speaker, I am not going to talk much on this bill, because it would take two weeks to go through this and explain it, but I do say that it repeals close onto four hundred fifty Acts of Assembly, and if for no other reason, it ought to pass. The gentleman had two months to make an objection on his $500.00 raise and he had his second hearing to make it on, and now he comes at this late date with it, and in fairness to the people back of the bill I am going to ask you to vote for it. If there are amendments to be made to the bill, let them be made in the Senate.

Mr. McCURDY. Mr. Speaker, I question whether there is a member in the House that has read this entire bill, and as I have already stated, I believed that this code had nothing foreign injected into it from that which is already on the statute books, therefore, I had taken this bill in good faith, and I was apprised of the fact of these amendments being there, and therefore I object to the passage of this bill on that account.

On the question, recurring

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—127.

Albert,	Driggs,	Howell,	Perry,
Alexander,	Eaches,	Huber,	Pitts,
Allman,	Edmonds,	Jones, C. B.,	Posey,
Anderson,	Eshelman,	Jones, D. J.,	Raymond,
Armstrong,	Evans, B. P.,	Jones, E. P.,	Rippman,
Arthur,	Evans, J.,	Keene,	Sample,
Aston,	Fields,	Kelly,	Sautter,
Baldi,	Flynn,	Kohler,	Schaeffer,
Behney,	Fowler, A. I.,	Lafferty,	Schilling,
Bell, F. A.,	Fowler, D.,	Long,	Schoener,
Bentley,	Fratt,	Lucas,	Schwartz,
Berger,	Frazier,	Ludlow,	Smith, H.,
Betts,	Gallaher,	Mack,	Smith, J. W.,
Bidelspacher,	Gibbon,	MacKinney,	Sowers,
Blair,	Glasgow,	Malie,	Spangler,
Bluett,	Goehring,	Marcus, J.,	Speiser,
Blumberg,	Golder,	Marshall, J. G.,	Stark,
Boback,	Goss,	Marshall, W. F.,	Staudenmeier,
Brewster,	Greeby,	Mathay,	Stavitski,
Bromley,	Griffith,	McClure,	Sterling,
Brown,	Grimes,	McGowan,	Stevens, A. F.,
Brownmiller,	Guerin,	McVicar,	Storer,
Burchinal,	Gundy,	Metcalf,	Thomas, L. D.,
Burns,	Haas,	Miller.	Thomas, M. G.,
Bush,	Hall,	Moffatt,	Vickerman,
Clutton,	Harer,	Morrison,	Wells,
Coldsmith,	Harter,	Munley,	Whitehouse,
Colville,	Haslett,	Myers, P. M.,	Williams, G. W.,
Conner,	Heffernan,	Nolte,	Woner,
Craig,	Hetrick,	O'Boyle,	Wood, N.,
de Young,	Holcombe,	Ogle,	Goodnough,
Diehm,	Hoover,	Parkinson,	Speaker.
Donahue,			

NAYS—38.

Brenneman,	Labar,	Minehart,	Stoner,
Coyne,	Little,	Moore,	Storer,
Heffran,	Lynch,	Patterson,	Walker,
Heyburn,	Mangan,	Peelor,	Wettach,
Hollis,	Marcus, J. C.,	Post,	Wheeler,
Horne,	McBride,	Price,	Williams, J. M.,
Irvin,	McCaig,	Schleiter,	Wood, W. P.,
Johnson,	McCann,	Shambach,	Wright,
Kennedy,	McCurdy,	Smith, G. A.,	Zook,
Kunkle,	McDermott,	Steedle,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No.924, entitled:

An Act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representatives districts as provided by the Constitution"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Albert,	Eshelman,	Kunkle,	Sarig,
Alexander,	Evans, J.,	Labar,	Sautter,
Allman,	Fields,	Lafferty,	Schaeffer,
Anderson,	Flinchbaugh,	Lauver,	Schilling,
Armstrong,	Flynn,	Little,	
Arthur,	Fowler, A. I.,	Long,	Schoener,
Aston,	Fratt,	Lucas,	Schwartz,
Baker,	Gallaher,	Lynch,	Shambach,
Baldi,	Gelder,	MacKinney,	Sheridan,
Beaver,	Gibbon,	Mangan,	Smith, G. A.,
Behney,	Glasgow,	Marcus, J. C.,	Smith, H.,
Bell, F. A.,	Goehring,	Marshall, J. G.,	Smith, J. W.,
Bentley,	Golder,	Marshall, W. F.,	Sowers,
Berger,	Goss,	Mathay,	Spangler,
Betts,	Greeby,	McCaig,	Speiser,
Bidelspacher,	Griffith,	McCurdy,	Sprowls,
Blair,	Grimes,	McDermott,	Staudenmeier,
Bluett,	Guerin,	McGowan,	Stavitski,
Blumberg,	Gundy,	McVicar,	Steedle,
Boback,	Haas,	Metcalf,	Sterling,
Brenneman,	Hall,	Millar,	Stevens, A. F.,
Brewster,	Harer,	Minehart,	Storb,
Bromley,	Harter,	Moore,	Thomas, L. D.,
Brown,	Haslett,	Morrison,	Thomas, M. G.,
Brownmiller,	Haws,	Munley,	Van Alen,
Burns,	Heffernan,	Myers, G. C.,	Vickerman,
Chaplin,	Henderson,	Myers, P. M.,	Walker,

Clutton,	Hetrick,	Nolte,	Weamer,
Coldsmith,	Heyburn,	O'Boyle,	Wettach,
Colville,	Holcombe,	Ogle,	Whitehouse,
Conner,	Hontz,	Orr,	Whiteman,
Coyne,	Howell,	Patterson,	Williams, G. W.,
Craig,	Irvin,	Peelor,	Williams, J. M.
de Young,	Jones, C. B.,	Perry,	Wood, N.,
Dietz,	Jones, D. J.,	Pitts,	Wood, W. P.,
Donahue,	Jones, E. P.,	Posey,	Wright,
Driggs,	Keene,	Post,	Zook,
Eaches,	Kennedy,	Raymond,	Goodnough,
Earley,	Kohler,	Rhodes,	Speaker.
Edmonds,	Korns,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. VICKERMAN,

The House resumed the consideration on third reading of House Bill No. 170, entitled:

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of amendment.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. VICKERMAN,

The House resumed the consideration on third reading of House Bill No. 246, entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of amendment.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. VICKERMAN,

The House resumed the consideration on third reading of House Bill No. 244, entitled:

A Joint Resolution proposing an amendment to section fourteen of article eight of the Constitution of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of amendment.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. VICKERMAN,

The House resumed the consideration on third reading of House Bill No. 245, entitled:

A Joint Resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of amendment.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. SPANGLER. Mr. Speaker, I move that the vote by which House Bill No. 1274, file folio 3283, entitled:

An Act to an act approved the tenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, four hundred seventy-one), entitled "An act providing a system of management and control of the jail or county prison in each county of the fifth class; providing for a warden; defining his powers and duties; providing for other employes and salaries; and describing the duties and powers of the county commissioners and the sheriff in connection therewith," authorizing the county commissioners of said counties to use or to contract with townships, boroughs and cities for the use by them of prison labor in the construction, maintenance and repair of roads, streets, highways bridges and culverts and to prepare, furnish and transport material for the same, and to require male prisoners to perform labor for said purposes, and providing for the compensation of prisoners performing such labor and the application thereof, limiting the liability of the counties for injuries received by prisoners emoloyed, and providing penalties for escape or attempt to escape by prisoners.

was ordered transcribed for third reading, be reconsidered.

Mr. BIDELSPACHER. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. SPANGLER. Mr. Speaker, I move that the vote by which House Bill 1274, file folio 3283, passed on second reading be reconsidered.

Mr. BIDELSPACHER. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. SPANGLER. Mr. Speaker, I move that the vote by which the title to House Bill 1274, file folio 3283, was agreed to on second reading be reconsidered.

Mr. BIDELSPACHER. Mr. Speaker, I second the motion.

The motion was agreed to.

The title was read by the Clerk as follows:

A supplement to an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred seventy-one) entitled "An Act providing a system of management and control of the jail or county prison in each county of the fifth class providing for a warden defining his powers and duties providing for other em-

ployes and salaries and describing the duties and powers of the county commissioners and the sheriff in connection therewith" authorizing the county commissioners of said counties to use or to contract with townships boroughs and cities for the use by them of prison labor in the construction maintenance and repair of roads streets highways bridges and culverts and to prepare furnish and transport material for the same and to require male prisoners to perform labor for said purposes and providing for the compensation of prisoners performing such labor and the application thereof limiting the liability of the counties for injuries received by prisoners employed and providing penalties for escape or attempt to escape by prisoners

On the question,
Will the House agree to the title?

Mr. SPANGLER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk as follows.

Amend title page 1 by striking out the words "AN ACT" and inserting in lieu thereof the words.

A SUPPLEMENT.

Amend title, page 1, line 3 by striking out the word "seventy-one" and inserting in lieu thereof the word seventy

On the question,
Will the House agree to the amendments?
They were agreed to,
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read the second time at length and agreed to, as amended.

Ordered, To be transcribed for third reading.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Gorham.

The House resumed the consideration on third reading of House Bill No. 485 (Senate Bill No. 159), entitled:

An Act to amend section one hundred of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. JOHN G. MARSHALL. Mr. Speaker and members of the House, this is the same bill that was on third reading calendar a few evenings ago, at which time when it was called up, I called your attention to a few of its provisions, and the sponsor agreed to postpone it, or a member of the House requested that the bill be postponed, because of the fact that it was a Senate bill. I am very sorry to have to take this position on this bill. I was advised that the member of the Senate, or the Senator who introduced the bill by request, and those who are interested in the measure would make some provision for taking care of the unfortunate situation which this bill will create if it is enacted into law. As I say, unfortunately, nothing along this line has been done. It was put on the postponed list, and is now called up for final passage. This bill amends section 100 of the county code. Section 100 as originally approved provides that no person shall be eligible to an office in any township of the first class unless he is an elector of the township for which he is chosen. Now, that provision, ladies and gentlemen, is all right, but this amendment that is added to it provides, "No person shall be eligible to any office in any township of the first class unless he is an elector of the township for which he is chosen, nor shall any employee of the township or any officer or employee of the school district of such township be eligible to the office of township commissioner." I hope you will bear in mind and get the distinction of the things that this bill provides, for it is very important when we have a mere fifty first class townships in this State, if this bill is enacted into law it will make it impossible for any member of a school board in any first class township, or any man who may be employed in the minor position of janitor, or principal of schools, or anything of that kind in connection with that school district in that township from serving as a township commissioner. All over this state we have these various municipalities, or divisions of municipalities, interlocking. We will have a township commissioner who is serving on the school board of the first class township and there is absolutely no reason under the sun that he should not be qualified to do that. I am betraying no confidence when I say that this bill was introduced by request, and I say to you further that this bill is special legislation, passed for the purpose of meeting one situation in the state, and there is no reason why almost all of the fifty first class townships should have their municipal affairs disorganized in order to remedy a supposed situation in one county, and disarrange the municipal affairs of 46 other townships in this state. In my mind, if this bill is passed it will rip out of office some of the men who are serving in one position as an employee of the school board, and serving at the same time as township commissioner on the township board of commissioners. These offices are absolutely distinct and separate municipal positions; do not interlock in any way that they should be incompatible. For that reason I ask you to not support this bill because of the bad effect that it has on the 46 other first class townships throughout this state.

On the question, recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—55

Albert,	Goehring,	Lynch,	Sautter,
Arthur,	Golder,	Mack,	Schilling,
Aston,	Gorham,	Mangan,	Sheridan,
Baldi,	Goss,	Marcus, J. C.,	Smith, H.,
Boback,	Greeby,	McClure,	Smith, J. W.,
Bromley,	Grimes,	McDermott,	Sowers,
Donahue,	Heffernan,	Miller,	Staudenmeier,
Driggs,	Heffran,	Munley,	Stevens, A. F.,
Earley,	Huber,	Myers, G. C.,	Stoner,
Fields,	Jones, E. P.,	Myers, P. M.,	Storer,
Fowler, A. I.,	Keene,	Nolte,	Wettach,
Fowler, D.,	Kennedy,	O'Boyle,	Wheeler,
Gibbon,	Lauver,	Perry,	Williams, J. M.,
Glasgow,	Little,	Price,	

NAYS—115

Alexander,	Evans, J.,	Kunkle,	Rinn,
Allman,	Flinchbaugh,	Labar,	Rippman,
Anderson,	Fratt,	Long,	Schleiter,
Armstrong,	Frazier,	Lucas,	Schoener,
Behney,	Gallaher,	Ludlow,	Schwartz,
Bell, F. A.,	Gelder,	MacKinney,	Shambach,
Betts,	Griffith,	Marcus, J.,	Smith, G. A.,
Bidelspacher,	Gundy,	Marshall, J. G.,	Smith, H. J.,
Blair,	Haas,	Marshall, W. F.,	Sprowls,
Bluett,	Haines,	Mathay,	Stark,
Brenneman,	Hall,	McCann,	Stavitski,

Brewster,	Harer,	McCurdy,	Sterling,
Brown,	Haslett,	Metcalf,	Storb,
Brownmiller,	Henderson,	Millar,	Thomas, M. G.,
Burchinal,	Hetrick,	Minehart,	Thompson,
Burns,	Heyburn,	Moffatt,	Walker,
Bush,	Himes,	Moore,	Wells,
Chaplin,	Holcombe,	Morrison,	Whitehouse,
Clutton,	Hontz,	Ogle,	Woner,
Coldsmith,	Hoover,	Orr,	Wood, N.,
Colville,	Horne,	Parkinson,	Wood, W. P.,
Conner,	Howell,	Patterson,	Wright,
Craig,	Johnson,	Posey,	Zook,
Eaches,	Jones, C. B.,	Post,	Goodnough,
Edmonds,	Jones, D. J.,	Raymond,	Speaker.
Eshelman,	Kelly,	Rhodes,	
Evans, B. P.,	Kohler,	Richards,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. MINEHART.

The House resumed the consideration on third reading of House Bill No. 959, entitled

An Act to repeal the act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and eighteen) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employes and on city councils of cities of the first and second class and providing penalties" and section thirty-nine of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof

And the said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. WALKER. Mr. Speaker, I ask for a verification of the roll.

The roll was verified as follows:

YEAS—135

Albert,	Eshelman,	Irvin,	Rhodes,
Alexander,	Evans, B. P.,	Johnson,	Richards,
Anderson,	Evans, J.,	Jones, C. B.,	Rinn,
Armstrong,	Flinchbaugh,	Jones, D. J.,	Sample,
Arthur,	Flynn,	Jones, E. P.,	Sautter,
Aston,	Frazier,	Keene,	Schilling,
Beaver,	Gallaher,	Kelly,	Schleiter,
Behney,	Gelder,	Kennedy,	Schoener,
Bell, F. A.,	Gibbon,	Kohler,	Shambach,
Bell, W. T.,	Gilchrist,	Kunkle,	Sheridan,
Bentley,	Goehring,	Lafferty,	Smith, G. A.,
Betts,	Gorham,	Lauver,	Sprowls,
Bidelspacher,	Goss,	Long,	Stark,
Blair,	Greeby,	Lucas,	Staudenmeier,
Blumberg,	Griffith,	Ludlow,	Storb,
Brenneman,	Grimes,	Lynch,	Thomas, L. D.,
Brewster,	Guerin,	Mack,	Thomas, M. G.,
Bromley,	Gundy,	MacKinney,	Thompson,
Brown,	Haas,	Marshall, J. G.,	Vickerman,
Brownmiller,	Haines,	Marshall, W. F.,	Walker,
Bush,	Harter,	McCurdy,	Wells,
Chaplin,	Haslett,	McDermott,	Wheeler,
Clutton,	Haws,	Minehart,	Whitehouse,
Coldsmith,	Heffran,	Moffatt,	Whiteman,
Coyne,	Henderson,	Morrison,	Williams, G. W.
Craig,	Hetrick,	Myers, G. C.,	Williams, J. M.,
De Young,	Heyburn,	Nolte,	Woner,
Diehm,	Himes,	O'Boyle,	Wood, N.,
Dietz,	Holcombe,	Ogle,	Wood, W. P.,
Donahue,	Hollis,	Orr,	Wright,
Driggs,	Hontz,	Parkinson,	Zook,
Eaches,	Hoover,	Peelor,	Goodnough,
Earley,	Horne,	Post,	Speaker.
Edmonds,	Howell,	Raymond,	

NAYS—27

Allman,	Fowler, D.,	Marcus, J.,	Rippman,
Baldi,	Glasgow,	Marcus, J. C.,	Smith, H.,
Bluett,	Golder,	McCann,	Smith, J. W.,
Burns,	Heffernan,	Miller,	Sowers,
Conner,	Huber,	Myers, P. M.,	Stoner,
Fields,	Little,	Pitts,	Wettach,
Fowler, A. I.,	Mangan,	Price,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 928, entitled

An Act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents reports bulletins and other publications for the use of the Commonwealth the several departments boards commissions and other agencies engaged in the legislative judicial and administrative work of the State government the sale of waste paper the appointment of a Director and other employes and repealing inconsistent and conflicting legislation

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOSS. Mr. Speaker, with your permission, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Chester, Mr. Long, permit himself to be interrogated?

Mr. LONG. Yes, sir.

Mr. GOSS. Will the gentleman please tell to the members of the House what change this bill makes from those conditions now in existence.

Mr. LONG. Mr. Speaker and members of the House, this bill would seek to repeal an antedeluvian act which has caused the State to expend a vast amount of money in excess of actual printing costs, which has caused a great deal of useless matter to have been printed and to have cluttered up your waste basket and which only as recently as today has practically exhausted your patience. Under the old act there are but two printing contracts, one for the Legislative Journal, which is a relatively small bit of work; the other for every bit of printing and binding in connection with the Commonwealth. The manner in which this printing and binding is let is such that practically all of it would have to go

either to a printer living in Harrisburg or to a man who would move here and establish a printing plant. At present the one printer has both contracts. The bidding on this printing under the act, which we hope to repeal, is simply a gamble. A certain maximum price is fixed from which price the man who receives the contract as State Printer bids a certain percentage of. These prices having been made some years ago are relatively low, yet at the same time makes it possible for the state printer to put in a very large part of the printing as special and charge for that at rates which he pleases. The printing of the Commonwealth, and that means the printing and binding alone, because the state buys its own paper, cost during the biennium, I am told, $1,400,000. Under the new act which would create what is believed to be an up-to-date business method of handling this work. It provides for the Director of Publications, who shall have five years experience in editorial work, and who shall be a practical printer. A Board consisting of this Director, the Governor of the State, the State Treasurer and the Auditor General, shall have charge of all of these schedules, and the alloting of the contract. Instead of the contract simply going to one printer, and where it must go now to a printer living in the city of Harrisburg, or who will move to the city of Harrisburg. With the exception of printing the calendar which is emergency matter like the Legislative Journal, and a few other miscellaneous items, this printing can go to any establishment in the state. The doors are thrown wide open for competitive bidding. Your fine printing establishments in Philadelphia, Pittsburgh, Scranton, Wilkes-Barre, and even in the smaller cities of the State have an opportunity to bid for this printing. The schedules must be prepared by this Board and advertised in the newspapers of Pittsburg, Philadelphia, Harrisburg, and in five other newspapers in the state. You can readily see with competition that under these conditions you will get what is a fair rate for this work. I am told by the present Superintendent of Public Printing that, in his opinion, this will save at least one-half a million dollars in a biennium, and one half million dollars is not to be ignored in this present effort toward economy.

Insofar as the Departments are concerned, instead of a Department simply going ahead and printing whatever it may please, and you know the tremenduous amount of useless matter that has cluttered up your mails, the Director of Publications and the Governor must pass judgment before this matter is printed.

So far as the House is concerned, the officers of the House, the Director of Publications and the Governor will be the Board. In the Senate, their officers, the Director and the Governor will be the Board, and so in the Supreme Court.

Every effort is made to eliminate wasteful and useless printing.

So far as I can find the only opposition to this bill lies in the fact that we have a strike at the present time in the state printery which has lasted about 22 months, and which resulted in the Legislative Journal not appearing for nearly one year after the session of 1921 had ended, and which was the cause of this House practically doing no work last Wednesday. While I believe that union labor will have to be considered, union labor will have ample opportunity to secure this work instead of it all going to one shop. It will go to union shops and to open shops, and I see no reason why this bill should be sniped at for this cause. The new bill makes the salary of the Director of Publications, $7000. The salary of the present Superintendent of Public Printing is $5000, but the present job of the Superintendent of Public Printing is simply that of a rubber stamp clerk. As director of this new department he must be an editor of five years experience, and he must be a practical printer, and he will have a business field as large as that of the average metropolitan newspaper. You will readily agree with me that the man who occupies the position of an editor and business manager of such a newspaper as this man is both, could not be obtained for twice the salary, consequently I feel that this is not a salary raiser, it is a new department. To you gentlemen who are opposing the bill, believing that you are opposed to the Administration code on general principles, I want to say that this bill has nothing whatever to do with the code. It will merge with the code or it will stand alone without the code. It is a bill, which in my opinion, as a newspaper editor and publisher for over twenty-five years, would cover the situation as thoroughly as it could be covered. It is not a perfect bill, but it is as nearly perfect as can be had, and I am absolutely confident and I am sure after reading and looking over all its provisions you will agree that it will save the State a great amount of money. We will have our printing diversified so that we can never get into the snarl that we have been in this past year or more due to a printer's strike, and I hope you will vote for the bill—not as an administration bill, but as a straight out-and-out business proposition.

Mr. GOSS. Will you explain to the members of the House the necessity of passing this bill at this particular session, when the present contract with the State Printer does not expire until June 30, 1925, after the 1925 session adjourns.

Mr. LONG. I will do that with pleasure. It is true that the present contract does not expire until July 1, 1925, but under this old law, which we would repeal, it is provided specifically that the schedules must be prepared and let in February preceding that July, and I leave it to you gentlemen if it would not be a physical impossibility to prepare and pass a bill of that kind in February, this session practically starting the latter part of January. Futhermore, the contract, the present contract, could be terminated for cause, and we have really had in a very recent few weeks a good reason for terminating it. If this bill should pass, it might be entirely possible to terminate this contract and get back to a business basis, but aside from that, which I don't think it is likely to occur, it would be physically impossible for the Legislature of 1925 to prepare and pass a bill early in February by which time the law says a bill must be passed and the matter must be advertised to take effect on July 1, 1925.

Mr. GOSS. Mr. Long, will you kindly inform the members of the House what the salary was that was received by the Superintendent of Printing in 1919?

Mr. LONG. I was not a member of this House in 1919. I do not know. I know that the present salary is $5,000.00.

Mr. GOSS. This bill calls for an increase of $2000.00.

Mr. LONG. I say it is not an increase; it is an entirely new and different department, creating a man's-sized business job, instead of a rubber stamp job where a man has no authority whatsoever, or we wouldn't be in the condition we are at present.

Mr. GOSS. Mr. Long, do you think as a publisher that it is good business policy to disregard the schedules as now existing in the present law to place it in the hands of the director of this particular department?

Mr. LONG. The schedules are not placed in the hands of this particular department. The schedules are placed in the hands of the director, the State Treasurer, the Auditor General and the Governor, and I think that is good business.

Mr. GOSS. Mr. Speaker, and members of this House, I don't desire to be placed in a position of being one of the

members as being beligerent, but if ever there was a bill presented to this House for your serious consideration that is in a blanket form, unbusinesslike and with absolutely no merit, the bill that you have under consideration is that one bill. In the first place, it is absolutely a salary raiser of $2000.00. When you take into consideration that previous to 1917, the Superintendent of Printing received $3000.00 in the session of 1919, he was raised to $5000, and in the session of 1923 they come into this House and ask the members of this House to raise the salary to $7000.00. The reason I consider that this bill has been introduced at this session is nothing more than to give Mr. Detrich an increased salary of 2,000.00, which takes effect thirty days after the passage of this bill, providing it meets with your approval. The other portion of this bill does not take effect until June or July, 1925, so you can see the inconsistency of the bill. I have no personal grudge against Mr. Detrich. He accepted the position tendered to him by the Governor of this State in January, and four months after he comes here and makes application for a $2000.00 increase. The other objectionable features to this bill that I have in mind, a particularly obnoxious feature of this bill that I have in mind at this particular time, is doing away with the safeguard of the schedule fixed by the law at the present time and placing it into the hand of the director. If Mr. Detrich, or whoever framed this bill were sincere, absolutely sincere, and thoroughly understood his business as a printer, as a business man, he would have had those schedules incorporated into this bill in order to give us some idea as to what he desires. The third feature, or rather, I want to say, in connection with this schedule proposition, it will be one of the greatest weapons for collusion and dishonesty that you have ever anticipated.

The third provision of this bill, particularly in section four, which permits the printing, binding and various classifications of this bill. This portion of the bill, ladies and gentlemen is one of a very serious nature. It is placing in the hands of the master printers not only of the city of Harrisburg, but the adjacent territory, absolute control of the work to be done by the State Government. There is nothing to prevent the master printers from coming to a gentlemen's understanding, sit around a round table, and by this classification, John will take that portion of it, Bill the other portion, Harry the other portion, and the consequence is, no printer could absolutely compete with them when it comes down to specializing under certain classes of work and there is nothing under this bill that will prevent it, and that in itself is a very serious objection, in my mind.

The fourth objection that I have is that it gives the power to the directors,—of course, the balance of this board, as my friend, Mr. Long, referred to, the Governor, the Treasurer, and the Auditor General will be advised, no doubt, by the director of this particular department. This bill, ladies and gentlemen of this House, gives this particular individual absolute authority to appoint as many employees as he desires. It not only does that, but it gives him absolute authority to place the amount of money that they are to receive in compensation for performing this duty. It is creating a political situation that is worse than any that ever existed in this State, and if we came here as members of this House to clean up a mess and a department head of the Administration will introduce such a bill as that, I want to tell you and go on record very emphatically that you are getting into a worse mess than we are trying to extricate ourselves from at the present time.

Mr. WHITEMAN. Mr. Speaker, I should like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Chester, Mr. Long, permit himself to be interrogated?

Mr. LONG. I will, Mr. Speaker.

Mr. WHITEMAN. I should like to ask the sponsor of the bill, that while it may be true that the schedules run until 1925, if it is not also true that by this bill the State Printing Department will be given authority whereby the department can restrict the publication of many useless pamphlets and documents now being gotten out, and therefore, saving to the state a great amount of money now being practically wasted?

Mr. LONG. The gentleman from Westmoreland is absolutely correct in that matter. Under the present helter skelter method of printing, the license department of the automobile division printed in pamphlet form, which is sent out to every member of this House, every justice of the peace and practically every man of consequence in the state, a big book several times a month containing the license numbers which was used entirely for commercial purposes; for advertisers to write to people who had automobiles and attempting to sell them all kind of accessories, and that pamphlet was always so frightfully late that it was of no use whatsoever for the purpose for which it was printed, which was to take care of the violators of the law. This is only one instance; there are hundreds of instances of this kind, and it will save a tremendous amount of money.

Mr. WHITEMAN. I feel certain, Mr. Speaker, that if the members of this House could have been present at the hearing before the Committee on Appropriations when the Superintendent of Printing appeared before us, and when he frankly told to that committee many of the abuses which had crept into the Department, many of the ways in which the law as it now stands fails to meet the situation as the present day demands it, I am sure that they would all be glad that the State Superintendent of Printing has gone ahead and introduced this bill. He has prepared it with care, and it has been prepared by a practical man of experience in the printing business. It has received the endorsement of those who know something about printing. It meets the needs, as he explained to the Appropriations Committee, and it seems to me that we all ought to be for this bill because we all know of our own knowledge that in hundreds of cases the state is paying for waste printing, printing which eventually finds its way into the waste basket and which in the interim serves no good purpose. As a practical printer and publisher, I want to say, Mr. Speaker, that the schedules under which the printing department is operating at the present time constitutes a mere gamble and nothing more. Hundreds of legitimate bidders would not attempt to bid under the schedules as they now exist, and that is the situation that the State Superintendent of Printing wishes to abolish and the sooner we can abolish that the better it will be for the state of Pennsylvania.

Mr. RHODES. Mr. Speaker, as a general proposition, I concur in what the gentleman from Allegheny, Mr. Goss, has said, but I would like to point out specifically one item in this bill, and that is section 3 which is especially obnoxious. I would like to see any act to improve the printing situation, but it seems to me that this bill has gone a considerable distance in so far as section 3 is concerned, where it provides that the Governor and the Director of Publications can hire any number of men that they see fit, and they can set the salaries at any amount that they may desire. It seems to me that that is going too far, in giving power to a director, with the approval of the Governor, in the creation of new offices, and it certainly is an office creator and a salary raiser in my opinion. And then if you will turn to

section 15, you will see that the qualifications are so termed that undoubtedly they are for some particular individual possibly the gentleman who has prepared this bill, and therefore, I say as it now stands it should be defeated.

Mr. LONG. Mr. Speaker, I should like to interrogate the gentleman from Allegheny, Mr. Goss.

The SPEAKER. Will the gentleman from Allegheny, Mr. Goss, permit himself to be interrogated?

Mr. GOSS. Yes, sir, Mr. Speaker.

Mr. LONG. Is the gentleman from Allegheny a practical printer?

Mr. GOSS. Yes, I am.

Mr. LONG. Does the gentleman from Allegheny have charge of a printing shop?

Mr. GOSS. Yes sir, I do.

Mr. LONG. Is the gentleman from Allegheny also an editor?

Mr. GOSS. I have been in years gone by, yes.

Mr. LONG. Didn't the gentleman from Allegheny raise to me, as one of his objections to this bill, that if the bill eliminated the qualification that a man be an editor he would be for the bill?

Mr. GOSS. I told you also, Mr. Long, that I did'nt think it was fair, if you understood me correctly, I didn't think it was fair for Mr. Detrich or anyone else to put in this bill such qualifiactions as that, for it has been my experience for the past 35 years that a qualified or competent printer will never accept editorial work for the simple reason that the competent printer is an exceptionally good proof reader, and a good editor in most respects, and receives from five to twenty dollars a week more than the editorial writers, or those employed in the editorial rooms, and as a consequence I gave my conclusion that this man Detrich, or whoever may be his successor, tried to protect themselves in this certain position and made it obligatory in this bill to have a gentleman with editorial experience for five years and disregarded the ability of one who can read proof and also do a little editing.

Mr. EDMONDS. Mr. Speaker, I have listened to the gentleman from Allegheny with a great deal of careful attention because ordinarily what he says carries weight, but I am bound to say that now it does not do so for two or three reasons. The first is that Mr. Detrich appeared before the Committee on Appropriations, and I think I am safe in saying that there was not a member of that Committee who did not feel that the past conducting of this department constituted one of the abuses that ought to be corrected Mr. Detrich presented to us at that time some clear cut reasons for the new plan which is embodied in this legislation. What were the abuses in the past? First, a tremendous lot of printing which is simply wasted, that is to say lots of this printing, which was small reports, was so late that by the time the printer was done with it the use for it was passed, and then after a few years they are just sold for waste paper; that is one abuse. And what is the second abuse? The method of letting bids for the printing which is required by existing legislation, whereby there is just one bid for one style and forms of printing, some of which printing may be in the form of a brief report, some may be in form of a book, some may be illustrated, some may be plain, and all kinds of work. It is the kind of work that requires an appeal to the resources of different plants, and that cannot be done under existing legislation. Now, to my mind it is a good thing to have as the head of the department a man who is both an editor and a printer, for the duties that are put on him by the law are first of all the duty of preparing and editing the reports, and then secondly, to see that the printing is done. To my mind, it is a good thing also that the head of the department is under the supervision of the elective officials, the State Treasurer and the Auditor General, and that he should have the right to divide that work into as many contracts as seems expedient, and at the same time to bring in the resources of a number of plants. To my mind it is a very good thing that there should be some supervision over the great quantity of reports that are issued.

Now, Mr. Speaker, this is the first of the bills that have come before this House that have for their object the reduction or the minimizing of expenditures of the State Government. We have been told in the Appropriations Committee that it would be possible to save $300,000 in this department if this elasticity was given in the form of the bids. I ask you, Mr. Speaker, when we have this proposition put before us by experienced men, that by a change in our legislation we can save this money for the people of the State, with what good grace can we ourselves appeal to our constituents when we refuse to save the money? To my mind it is perfectly clear that when we have a department that is abused at the present time, when we have evils that we know exist, it is the duty of those who desire the government of Pennsylvania to be established on a sound business-like basis, it is their duty to support legislation that will give us a chance to put these economies into operation.

Mr. MILLER. Mr. Speaker, I have listened to the argument for and against the bill. While the parties in favor of this bill are telling us that it is a revenue saver, at the same time, the bill calls for additional salary, and I cannot see the consistency. They are talking about cleaning up the mess. If we listen to a half dozen members in this House, who would make us believe that every member of this House is dishonest but themselves, we will never get anywhere, therefore, Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Whitehouse, Heyburn, Alexander, Craig, Edmonds, Fratt, Orr, Conner, Jefferson W. Smith, Burns, Colville, Fields, Weamer, Horne, Long, McCurdy, Holcombe, Diehm and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Alexander,	Frazier,	MacKinney,	Sowers,
Allman,	Gallaher,	Marcus, J.,	Spangler,
Anderson,	Gelder,	Marshall, J. G.,	Speiser,
Armstrong,	Gibbon,	Marshall, W. F.,	Stark,
Arthur,	Gilchrist,	Mathay,	Staudenmeier,
Aston,	Goehring,	McCurdy,	Sterling,
Baldi,	Golder,	McKim,	Stevens, A. F.,
Beaver,	Griffith,	McVicar,	Stofflet,
Behney,	Gundy,	Metcalf,	Stoner,
Bell, F. A.,	Haines,	Millar,	Storb,
Bentley,	Harer,	Moffatt,	Storer,
Berger,	Haslett,	Moore,	Thomas, L. D.,
Bidelspacher,	Haws,	Morrison,	Thomas, M. G.,
Blair,	Heffernan,	Myers, P. M.,	Thompson,
Bluett,	Henderson,	Nolte,	Van Alen,
Brewster,	Heyburn,	Ogle,	Vickerman,
Bromley,	Himes,	Orr,	Weamer,
Brown,	Holcombe,	Peelor,	Walker,
Burchinal,	Hollis,	Perry,	Wells,
Burns,	Hoover,	Pitts,	Wheeler,
Bush,	Horne,	Posey,	Whitehouse,
Clutton,	Howell,	Post,	Whiteman,
Coldsmith,	Irvin,	Price,	Williams, G. W.
Colville,	Jones, C. B.,	Raymond,	Woner,
Conner,	Jones, D. J.,	Richards,	Wood, N.,

Craig,	Jones, E. P.,	Sample,	Wood, W. P.,
de Young,	Keene,	Sautter,	Wright,
Diehm,	Kelly,	Schaeffer,	Zook,
Edmonds,	Kennedy,	Schleiter,	Goodnough,
Evans, B. P.,	Kunkle,	Shambach,	Speaker.
Evans, J.,	Long,	Smith, G. A.,	
Fields,	Lucas,	Smith, H.,	
Fratt,	Ludlow,	Smith, J. W.,	

NAYS—62.

Albert,	Glasgow,	Little,	Parkinson,
Baker,	Gorham,	Lynch,	Patterson,
Betts,	Goss,	Mack,	Rhodes,
Boback,	Greeby,	Malie,	Rinn,
Brenneman,	Grimes,	Mangan,	Rippman,
Brownmiller,	Haas,	Marcus, J. C.,	Sarig,
Chaplin,	Hall,	McBride,	Schilling,
Coyne,	Harter,	McCaig,	Schoener,
Dietz,	Heffran,	McCann,	Sheridan,
Donahue,	Hetrick,	McClure,	Soffel,
Driggs,	Hontz,	McDermott,	Sprowls,
Eaches,	Huber,	Miller,	Stavitski,
Earley,	Johnson,	Minehart,	Steedle,
Eshelman,	Kohler,	Munley,	Wettach,
Flinchbaugh,	Labar,	Myers, G. C.,	Williams, J. M.,
Fowler, D.,	Lauver,	O'Boyle,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 874, entitled:

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—135.

Alexander,	Fowler, A. I.,	Ludlow,	Sarig,
Allman,	Frazier,	Lynch,	Sautter,
Anderson,	Gallaher,	MacKinney,	Schaeffer,
Arthur,	Gibbon,	Malie,	Schleiter,
Aston,	Goehring,	Mangan,	Schoener,
Baker,	Greeby,	Marshall, W. F.,	Shambach,
Beaver,	Griffith,	Mathay,	Sheridan,
Behney,	Grimes,	McBride,	Smith, G. A.,
Bell, F. A.,	Guerin,	McCann,	Smith, H.,
Bentley,	Gundy,	McClure,	Smith, J. W.,
Berger,	Haas,	McCurdy,	Speiser,
Betts,	Haines,	McDermott,	Sprowls,
Bidelspacher,	Hall,	McKim,	Stark,
Blair,	Harter,	Metcalf,	Stavitski,
Bluett,	Haslett,	Miller,	Sterling,
Bromley,	Heffernan,	Minehart,	Stevens, A. F.,
Brown,	Heffran,	Moore,	Stoner,
Brownmiller,	Henderson,	Morrison,	Storb,
Burns,	Hetrick,	Munley,	Thomas, L. D.,
Bush,	Heyburn,	Myers, G. C.,	Thomas, M. G.,
Chaplin,	Himes,	Myers, P. M.,	Thompson,
Clutton,	Holcombe,	Nolte,	Wells,
Coldsmith,	Hoover,	O'Boyle,	Wettach,
Craig,	Horne,	Parkinson,	Wheeler,
de Young,	Howell,	Patterson,	Whitehouse,
Diehm,	Huber,	Peelor,	Whiteman,
Driggs,	Irvin,	Pitts,	Williams, G. W.
Eaches,	Jones, C. B.,	Posey,	Williams, J. M.,
Earley,	Jones, D. J.,	Post,	Woner,
Edmonds,	Kelly,	Price,	Wood, N.,
Eshelman,	Kohler,	Raymond,	Wood, W. P.,
Evans, J.,	Kunkle,	Richards,	Zook,
Fields,	Lafferty,	Rippman,	Goodnough,
Flinchbaugh,	Lucas,	Sample,	Speaker.

NAYS—1.

Albert,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 920, as follows:

An Act to amend Section one of the act approved the fourteenth day of April one thousand nine hundred five (Pamphlet Laws one hundred and sixty-nine) entitled "An act making it unlawful to trespass upon land posted as private property and providing the penalty therefor"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the fourteenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and sixty-nine) entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this it shall be unlawful for any person wilfully to enter upon any land within the limits of this Commonwealth where the owner or owners of said land has caused to be prominently posted upon said land printed notices that the said land is private property and warning all persons from trespassing thereon under the penalties provided in this act Provided That the provisions of this act shall be contrued to include State institutions and land apurtenant thereto

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Albert,	Gelder,	Mangan,	Shambach,
Alexander,	Gibbon,	Marshall, W. F.,	Sheridan,
Allman,	Goehring,	Mathay,	Smith, G. A.,
Anderson,	Goss,	McBride,	Smith, H. J.,
Armstrong,	Greeby,	McCann,	Smith, H.,
Aston,	Griffith,	McClure,	Sowers,
Baker,	Guerin,	McCurdy,	Spangler,
Beaver,	Gundy,	McDaniel,	Speiser,
Behney,	Haas,	McDermott,	Sprowls,
Bell, F. A.,	Hall,	Metcalf,	Stark,
Bentley,	Harter,	Minehart,	Staudenmeier,
Berger,	Haslett,	Moffatt,	Stavitski,
Betts,	Heffernan,	Moore,	Sterling,
Bidelspacher,	Heffran,	Morrison,	Stevens, A. F.,
Blair,	Henderson,	Munley,	Stoner,
Bluett,	Hetrick,	Myers, G. C.,	Storb,
Bromley,	Heyburn,	Myers, P. M.,	Storer,
Brown,	Himes,	Nolte,	Thomas, L. D.,
Brownmiller,	Holcombe,	O'Boyle,	Thomas, M. G.,
Burchinal,	Hontz,	Ogle,	Walker,
Burns,	Hoover,	Orr,	Weamer,
Bush,	Horne,	Parkinson,	Wells,
Coldsmith,	Howell,	Patterson,	Wettach,
Conner,	Irvin,	Peelor,	Whitehouse,
Craig,	Johnson,	Pitts,	Whiteman,
de Young,	Jones, C. B.,	Posey,	Williams, G. W.,
Diehm,	Jones, D. J.,	Post,	Williams, J. M.,
Dietz,	Kelly,	Price,	Woner,
Earley,	Kennedy,	Raymond,	Wood, N.,
Edmonds,	Kohler,	Rhodes,	Wood, W. P.,
Evans, B. P.,	Kunkle,	Richards,	Wright,
Evans, J.,	Labar,	Rippman,	Zook,

	Fields,		Goodnough, Speaker.
Flinchbaugh,	Lucas,	Sarig,	
Fowler, A. I.,	Ludlow,	Schilling,	
Frazier,	Mack,	Schleiter,	
Gallaher,	MacKinney,	Schwartz,	

NAYS—1.

Gorham,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 984, entitled:

An Act providing for the taxation modification remission and collection of all fees received by the several prothonotaries and the several clerks of the courts of this Commonwealth

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Bluett, permit himself to be interrogated?

Mr. BLUETT. Mr. Speaker, I will.

Mr. ALEXANDER. Mr. Speaker, I would like the gentleman to expain the purpose of the bill.

Mr. BLUETT. Mr. Speaker and members of the House, the purpose of this bill is simply to permit the courts of the Commonwealth, upon cause being shown, to have the power to remit or modify the costs in cases involving not more than one hundred dollars. The primary purpose of it is so that in the city of Philadelphia, particularly, and I presume it might apply to other counties as well, especially to the county of Allegheny, we have a number of small cases that are brought before the court, especially before our municipal courts, involving less than one hundred dollars, and it means in many cases that people have to pay the regular amount of costs, especially where there are poor people, and it is the thought of this bill that the court, upon cause being shown, may modify the costs. In other words, it gives the court the right to reduce the costs, the regular costs of suits, or to remove them altogether, if proper cause is shown to the court. There is nothing obligatory on the court and I venture to say in very few instances will it be acted upon, that is a reduction of the cost by the court, because it is my experience that the court wants all the costs it can get. It is the thought that we should have a poor man's court in the city of Philadelphia, as well as anywhere else that they might want to apply it.

Mr. ALEXANDER. Does the municipal court of Philadelphia have original jurisdiction in sums of less than one hundred dollars?

Mr. BLUETT. It does now.

Mr. ALEXANDER. In other words, you don't start your suits for one hundred dollars before a magistrate.

Mr. BLUETT. No.

Mr. ALEXANDER. Mr. Speaker, you can very readily see from this bill that it applies to no court except the municipal court and the county court of Allegheny and Philadelphia. Outside of that, the original jurisdiction is in the justice of the peace office, as suits of one hundred dollars or less are not brought within the Common Pleas Court throughout the country. I cannot see for the life of me any reason for a bill of this kind. If a man appeals from the justice of the peace, he goes into court, and there should be no reason why there should be any less cost or why a litigant that loses should not pay the full costs. I do not see why we should encumber our statute books with Acts of Assembly of this kind.

Mr. BLUETT. Mr. Speaker, I only want to reiterate again that there are many instances in Philadelphia, especially, where it would be advantageous to have an act of this kind where it would give the judge a right, upon proper cause being shown to him, to either modify the fee or remove them altogether. It is true in outside counties that suits of this character, especially suits in action of trespass or assumpsit are brought before the justice of the peace, but we will find in Philadelphia, and I think you no doubt find it in Allegheny and other places, that it is not very advantageous to proceed before a magistrate for the collection of claims, and so, by reason of the fact that our municipal courts have original jurisdiction in actions involving these small sums, it is with that idea that the court may fix their court charges different from those in other cases.

Mr. SOWERS. Mr. Speaker, the bill before you is the bill known as the bill creating the poor man's court in Philadelphia. For ten years past our municipal co judges have endeavored to establish a poor man's court small claim collections. If a laborer is employed and his wages amount to from ten to twelve dollars a week, he gets a lawyer or a magistrate and it costs him $3.50 for a summons, and then if he takes a transcript, he pays 75 cem for that and 75 cents for filing it, and then a docket fee of $3.00, and so all along the line, so, in Philadelphia, where we have poor men who have small caims from $10.00 to $15.00 or $20.00, they really get no justice, they cannot go to any court to collect it. Judge Brown is endeavoring to establish a small claims court. He has a clerk who listens to the claimants, writes up their claims without cost, and then the summons goes out. The prothonotary charges $2.25, the sheriff $2.30 or $2.50, and if the man has not got work, he goes without the opportunity to collect his wages. The thought of Judge Brown in this bill is to enable a man to pay as low as 25 cents for a summons, if that is all he has got. The thought in back of the bill is to enable these men to get justice, and I would ask you to vote on the bill and help Judge Brown along in this laudable cause.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—122.

Albert,	Earley,	Huber,	Post,
Allman,	Edmonds,	Irvin,	Price,
son,	Eshelman,	Jones, C. B.,	Raymond,
Armstrong,	Evans, B. P.,	Jones, E. P.,	Richards,
Aston,	Fields,	Keene,	Rippman,
Baker,	Flinchbaugh,	Kelly,	Sample,
Baldi,	Fowler, A. I.,	Kohler,	Sautter,
Beaver,	Fratt,	Kunkle,	Schaeffer,
Behney,	Frazier,	Lauver,	Schilling,
Bell, F. A.,	Gallaher,	Long,	Schoener,
Bentley,	Gelder,	Lucas,	Shambach,
Berger,	Gibbon,	Ludlow,	Sheridan,
Bidelspacher,	Gilchrist,	Mack,	Spangler,
Blair,	Glasgow,	Malie,	Speiser,
Bluett,	Goehring,	Mangan,	Sprowls,
Brenneman,	Golder,	Marshall, W. F.,	Stark,
Brewster,	Greeby,	Mathay,	Staudenmeier,
Bromley,	Griffith,	McBride,	Stavitski,
Brown,	Grimes,	McClure,	Storb,
Brownmiller,	Gundy,	McDermott,	Storer,
Burns,	Haas,	Miller,	Thomas, M. G.,

Bush,	Hall,	Moore,	Van Alen,
Clutton,	Haslett,	Munley,	Walker,
Coldsmith,	Heffernan,	Myers, G. C.,	Weamer,
Conner,	Heffran,	Myers, P. M.,	Wells,
Craig,	Henderson,	Nolte,	Wheeler,
de Young,	Hetrick,	O'Boyle,	Whitehouse,
Diehm,	Heyburn,	Ogle,	Williams, G. W.,
Dietz,	Hollis,	Orr,	Wood, W. P.,
Donahue	Hoover,	Parkinson,	Goodnough,
Driggs,	Horne,	Patterson,	Speaker.
Eaches,	Howell,	Pitts,	

NAYS—12.

Alexander,	Jones, D. J.,	Moffatt,	Stoner,
Gorham,	Kennedy,	Peelor,	Wettach,
Holcombe,	Marshall, J. G.,	Rhodes,	Williams, J. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 633, as follows:

An Act to amend section one of the act aproved the twelfth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-nine) entitled "An act to provide for the election of one person to fill the office of prothonotary one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds in counties containing forty thousand inhabitants and hereafter created separate judicial districts under the Constitution" providing that said act shall be in effect only upon the acceptance thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twelfth day of June one thousand nine hundred and one (Pamphlet Laws five hundred fifty-nine) "An act to provide for the election of one person to fill the office of prothonotary one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of record of deeds in counties containing forty thousand inhabitants and hereafter created separate judicial districts under the Constitution" is hereby amended to read as follows

Section 1 Be it enacted et cetera That in each of the counties of the Commonwealth containing forty thousand inhabitants accepting the provisions of this act which heretofore have been or hereafter may be created separate and independent judicial districts under section five article five of the Coustitution there shall be elected one person to fill the office of prothonotary one person to fill the office of the clerk of the courts of general and quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the aorphans' court and one person to fill the office of recorder of deeds at the expiration of the terms of the persons then filling and exercising such offices in such counties and the persons so elected shall hold such offices for the time and under the terms provided by existing laws therefor

Such acceptance of the provisions of this act shall be exercised by a decree of the court of common pleas of the county accepting the provisions thereof upon petition of the county commissioners of such county which petition and decree shall be recorded in the office of the recorder of deeds of the county and in the office of the Secretary of the Commonwealth Any county which now elects the said county officers in accordance with the provisions of this act shall be presumed to have accepted the provisions thereof and in such counties no actual acceptance of the provisions hereof shall be necessary

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Albert,	Fields,	Lucas,	Sautter,
Alexander,	Flinchbaugh,	Ludlow,	Schaeffer,
Allman,	Fratt,	Mack,	Schilling,
Anderson,	Frazier,	MacKinney,	Schoener,
Armstrong,	Gallaher,	Malie,	Schwartz,
Baker,	Gibbon,	Marshall, W. F.,	Shambach,
Beaver,	Goehring,	Mathay,	Smith, H. J.,
Behney,	Gorham,	McBride,	Smith, H.,
Bell, F. A.,	Greeby,	McClure,	Speiser,
Bentley,	Griffith,	McCurdy,	Stark,
Berger,	Grimes,	Metcalf,	Staudenmeier,
Bluett,	Gundy,	Miller,	Stavitski,
Boback,	Haas,	Minehart,	Sterling,
Brewster,	Hall,	Moffatt,	Stoner,
Bromley,	Harter,	Moore,	Storb,
Brown,	Haslett,	Morrison,	Storer,
Brownmiller,	Haws,	Munley,	Thomas, L. D.,
Burchinal,	Heffran,	Myers, G. C.,	Thomas, M. G.,
Burns,	Henderson,	Myers, P. M.,	Van Alen,
Bush,	Hetrick,	Nolte,	Walker,
Chaplin,	Heyburn,	O'Boyle,	Weamer,
Clutton,	Himes,	Ogle,	Wells,
Coldsmith,	Hoover,	Orr,	Wettach,
Colville,	Horne,	Parkinson,	Wheeler,
Conner,	Howell,	Patterson,	Whitehouse,
Craig,	Irvin,	Peelor,	Whiteman,
de Young,	Jones, C. B.,	Perry,	Williams, G. W.,
Diehm,	Jones, D. J.,	Pitts,	Williams, J. M.,
Dietz,	Jones, E. P.,	Posey,	Woner,
Donahue	Keene,	Post,	Wood, N.,
Driggs,	Kelly,	Price,	Wood, W. P.,
Earley,	Kohler,	Rhodes,	Wright,
Edmonds,	Kunkle,	Richards,	Zook,
Eshelman,	Lauver,	Rippman,	Goodnough,
Evans, B. P.,	Long,	Sample,	Speaker.

NAYS—1.

Kennedy,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 745 (Senate Bill No. 98), entitled:

An Act to repeal an act approved the ninth day of April one thousand eight hundred and sixty-eight (Pamphlet Laws seventy-three) entitled " A supplement to an act relating to counties and townships and county and township officers approved April fifteenth one thousand eight hundred and thirty-four relating to public buildings"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, I would like to inquire if there is anyone in the House who can explain this bill.

Mr. JOHN G. MARSHALL. Mr. Speaker, in reply to the question of the gentleman from Delaware I would say that the purpose of the bill is to repeal the act of April 8th, 1868, P. L. 73; the reason for the repeal is that the Supreme Court in Wayne County Commissioners Appeal, 4 W. N. C. 414, held that it was not repealed by the General Act of 1874. By the terms of the act of 1868, where a county builds a new courthouse or erects an addition to an existing courthouse and there is not sufficient money in the treasury to pay for the improvement, then the county can borrow sufficient money to make the improvement, but they can only issue bonds payable in ten years. Short terms

bonds will not sell nearly so well as long term bonds. Every security required by the act of 1868 is completely given by the act of 1874, and it should therefore be repealed. This bill was introduced by Senator Craig, and in his county, which is also my own county, Beaver county, they are building an addition to the courthouse which will entail a bond issue of possibly $100,000. Because of this particular act we cannot sell these bonds for a longer period than ten years, and it will mean a great loss to the county. There is no reason why they should not sold under the same terms and conditions as other bonds. For that reason I would ask you to support this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146.

Albert,	Gelder,	Ludlow,	Sarig,
Alexander,	Gibbon,	Lynch,	Sautter,
Anderson,	Gilchrist,	Mack,	Schaeffer,
Armstrong,	Glasgow,	MacKinney,	Schilling,
Baker,	Goehring,	Marcus, J. C.,	Schleiter,
Beaver,	Golder,	Marshall, W. F.,	Schwartz,
Behney,	Goss,	Mathay,	Shambach,
Bell, F. A.,	Greeby,	McCaig,	Smith, G. A.,
Bentley,	Griffith,	McCann,	Smith, H. J.,
Berger,	Grimes,	McClure,	Smith, H.,
Betts,	Haas,	McCurdy,	Smith, J. W.,
Bidelspacher,	Hall,	McDaniel,	Speiser,
Blair,	Haslett,	McGowan,	Stark,
Bluett,	Haws,	Miller,	Staudenmeier,
Brenneman,	Heffernan,	Minehart,	Stavitski,
Bromley,	Heffran,	Moffatt,	Storb,
Brown,	Henderson,	Moore,	Storer,
Brownmiller,	Hetrick,	Morrison,	Thomas, L. D.,
Burchinal,	Heyburn,	Munley,	Thomas, M. G.,
Bush,	Himes,	Myers, G. C.,	Van Alen,
Chaplin,	Holcombe,	Myers, P. M.,	Vickerman,
Clutton,	Hollis,	Nolte,	Walker,
Coldsmith,	Hoover,	O'Boyle,	Wells,
Colville,	Horne,	Ogle,	Wettach,
Conner,	Howell,	Orr,	Wheeler,
Craig,	Irvin,	Parkinson,	Whitehouse,
de Young,	Jones, C. B.,	Patterson,	Whiteman,
Diehm,	Jones, D. J.,	Peelor,	Williams, G. W.,
Eaches,	Jones, E. P.,	Perry,	Williams, J. M.,
Earley,	Kelly,	Pitts,	Woner,
Edmonds,	Kennedy,	Posey,	Wood, N.,
Evans, B. P.,	Kohler,	Post,	Wood, W. P.,
Fields,	Kunkle,	Price,	Wright,
Flinchbaugh,	Lafferty,	Rhodes,	Zook,
Fowler, A. I.,	Lauver,	Richards,	Goodnough,
Frazier,	Long,	Rippman,	Speaker.
Gallaher,	Lucas,	Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 752 (Senate Bill. 129), entitled:

An Act to amend sections five hundred and forty, and five hundred and forty-one as amended, of an act, approved May 18, 1911 (P. L. 309) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Alexander,	Gibbon,	Marshall, W. F.,	Schoener,
Allman,	Gilchrist,	Mathay,	Schwartz,
Anderson,	Goehring,	McBride,	Shambach,
Armstrong,	Golder,	McCaig,	Sheridan,
Arthur,	Gorham,	McCann,	Smith, G. A.,
Baker,	Goss,	McCurdy,	Smith, H. J.,
Baldi,	Greeby,	McDaniel,	Smith, H.,
Beaver,	Griffith,	McDermott,	Smith, J. W.,
Behney,	Grimes,	McGowan,	Spangler,
Bell, F. A.,	Guerin,	McVicar,	Speiser,
Bentley,	Haas,	Metcalf,	Stark,
Betts,	Haines,	Millar,	Staudenmeier,
Bidelspacher,	Hall,	Miller,	Stavitski,
Bluett,	Haslett,	Minehart,	Steedle,
Boback,	Haws,	Moffatt,	Sterling,
Brewster,	Heffran,	Moore,	Storer,
Bromley,	Hetrick,	Morrison,	Thomas, L. D.,
Brownmiller,	Heyburn,	Munley,	Thomas, M. G.,
Burchinal,	Himes,	Myers, G. C.,	Thompson,
Burns,	Hollis,	Myers, P. M.,	Van Alen,
Bush,	Hontz,	Nolte,	Vickerman,
Clutton,	Horne,	O'Boyle,	Walker,
Coldsmith,	Howell,	Orr,	Weamer,
Colville,	Huber,	Parkinson,	Wells,
Conner,	Irvin,	Patterson,	Wettach,
Craig,	Johnson,	Peelor,	Wheeler,
de Young,	Jones, C. B.,	Perry,	Whitehouse,
Diehm,	Jones, D. J.,	Pitts,	Whiteman,
Dietz,	Kennedy,	Posey,	Williams, G. W.,
Driggs,	Kohler,	Price,	Williams, J. M.,
Earley,	Kohler,	Raymond,	Woner,
Edmonds,	Little,	Rhodes,	Wood, N.,
Evans, B. P.,	Long,	Richards,	Wood, W. P.,
Evans, J.,	Lucas,	Sample,	Wright,
Flinchbaugh,	Ludlow,	Sautter,	Zook,
Frazier,	Mack,	Schilling,	Goodnough,
Gallaher,	MacKinney,	Schleiter,	Speaker.
Gelder,	Mangan,		
	Marcus, J. C.,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1142 (Senate Bill No. 291), entitled:

An Act to amend section one of the act approved the twenty-third day of May, one thousand nine hundred and seven, (P. L. 225), entitled "An Act providing for the payment of the premiums on bonds of county, city, borough, school-district, and township employes;" extending the provisions thereof to officers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137.

Alexander,	Gilchrist,	McClure,	Smith, H. J.,
Armstrong,	Golder,	McCurdy,	Smith, H.,
Arthur,	Gorham,	McDermott,	Speiser,
Beaver,	Goss,	McGowan,	Sprowls,
Bell, F. A.,	Greeby,	McVicar,	Stark,
Bentley,	Griffith,	Metcalf,	Staudenmeier,
Betts,	Grimes,	Millar,	Stavitski,
Bidelspacher,	Guerin,	Miller,	Steedle,
Bluett,	Haas,	Minehart,	Sterling,
Blumberg,	Hall,	Moffatt,	Stoner,
Boback,	Haslett,	Moore,	Storb,

Brewster,	Heffernan,	Morrison,	Storer,
Brown,	Heffran,	Munley,	Thomas, L. D.,
Brownmiller,	Henderson,	Myers, G. C.,	Thomas, M. G.,
Burchinal,	Hetrick,	Myers, P. M.,	Thompson,
Bush,	Heyburn,	Nolte,	Van Alen,
Chaplin,	Horne,	O'Boyle,	Vickerman,
Clutton,	Howell,	Ogle,	Walker,
Coldsmith,	Irvin,	Orr,	Weamer,
Colville,	Johnson,	Parkinson,	Wells,
Conner,	Jones, D. J.,	Patterson,	Wettach,
Craig,	Jones, E. P.,	Peelor,	Wheeler,
de Young,	Kelly,	Pitts,	Whitehouse,
Dietz,	Kohler,	Posey,	Whiteman,
Driggs,	Kunkle,	Post,	Williams, G. W.,
Eaches,	Long,	Rhodes,	Williams, J. M.,
Earley,	Lucas,	Richards,	Woner,
Edmonds,	Ludlow,	Rippman,	Wood, N.,
Evans, B. P.,	Mack,	Sample,	Wood, W. P.,
Evans, J.,	MacKinney,	Sautter,	Wright,
Fields,	Marcus, J. C.,	Schaeffer,	Zook,
Flinchbaugh,	Marshall, W. F.,	Schilling,	Goodnough,
Fowler, A. I.,	McBride,	Schleiter,	Speaker.
Gallaher,	McCaig,	Schwartz,	
Gibbon,	McCann,	Shambach,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1143 (Senate Bill No. 292), entitled:

An Act to amend section ten of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker and members of the House, I want to call your attention to the fact that this bill is practically the same as the House Bill which was defeated in this House about a week ago. It changes contracts from one hundred to three hundred dollars. In other words the old law provides that commissioners making expenditures exceeding one hundred dollars shall have it in writing. This raises it to three hundred dollars. As was said before the best advice any lawyer can give anybody, whether it be a corporation or an individual, is to have all contracts in writing I cannot understand why these contracts cannot all be in writing especially when it is for the protection of the public, the protection of the county, and the protection of the commissioners even themselves. All that is needed is a letter making a bid and an answer back accepting that bid, that is your contract in writing. Why they want to change it I cannot understand. As I say, this bill in the House was defeated about a week ago and now it comes over from the Senate.

Mr. GIBBON. Mr. Speaker and members of the House, as I understand this measure, it simply provides that the county commissioners shall not be obliged to advertise for anything less than three hundred dollars. It seems to be a rather small question to compel the commissioners to advertise when the cost is as little as one hundred dollars. We certainly ought to have sufficient confidence in our commissioners to permit them to buy something for the sm ll sum of one hundred dollars or two hundred and fifty dollars without being obliged to advertise it. I think this bill has merit on its face.

Mr. ALEXANDER. I would like to call the attention of the House to what the gentleman has said, to the fact that while it is true that the latter part of this act does relieve from advertising, they have also stuck into the bill that was defeated in this House not long ago, that is, that a contract for less than three hundred dollars need not be in writing. That part of the bill we defeated, but now they have connected that with a bill covering advertising. The advertising might be proper but to say that they don't have to have in writing a contract I don't think is proper.

BILL POSTPONED

Mr. GIBBON. Mr. Speaker, in order that this bill may be given a little further consideration I move that it be placed on the postponed calendar.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1151, (Senate Bill No. 411), entitled:

An act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and forty-nine) entitled "An act to fix the number of Senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future elected Senators"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Albert,	Fields,	Lucas,	Sautter,
Alexander,	Flinchbaugh,	Ludlow,	Schaeffer,
Anderson,	Fowler, A. I.,	Mack,	Schleiter,
Armstrong,	Frazier,	MacKinney,	Schoener,
Arthur,	Gallagher,	Malie,	Schwartz,
Baker,	Gilchrist,	Marcus, J. C.,	Shambach,
Baldi,	Goehring,	Marshall, W. F.,	Sheridan,
Bell, F. A.,	Gorham,	McBride,	Smith, G. A.,
Bentley,	Greeby,	McClure,	Smith, J. W.,
Betts,	Griffith,	McCurdy,	Speiser,
Bidelspacher,	Grimes,	McDermott,	Stark,
Blair,	Gundy,	McGowan,	Staudenmeier,
Bluett,	Hall,	McKim,	Stoner,
Boback,	Heffran,	Metcalf,	Storb,
Brenneman,	Henderson,	Miller,	Thomas, L. D.,
Brewster,	Hetrick,	Minehart,	Thomas, M. G.,
Brown,	Heyburn,	Moffat,	Thompson,
Brownmiller,	Himes,	Moore,	Vickerman,
Bush,	Holcombe,	Morrison	Walker,
Chaplin,	Hontz,	Munley,	Weamer,
Clutton,	Hoover,	Myers, G. C.,	Wells,
Coldsmith,	Horne,	Myers, P. M.,	Wettach,
Colville,	Howell,	O'Boyle,	Wheeler,
Conner,	Huber,	Orr,	Whitehouse,
Craig,	Irvin,	Parkinson,	Whiteman,
de Young,	Jones, C. B.,	Peelor,	Williams, J. M.,
Dietz,	Jones, D. J.,	Perry,	Woner,
Driggs,	Jones, E. P.,	Pitts,	Wood, N.,
Eaches,	Kelly,	Posey,	Wood, W. P.,
Earley,	Kohler,	Price,	Wright,
Edmonds,	Kunkle,	Raymond,	Zook,
Eshelman,	Labar,	Richards,	Goodnough,
Evans, B. P.,	Little,	Rippman,	Speaker.
Evans, J.,	Long,	Sample,	

NAYS—1.

Behney,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 612, as follows:

An Act authorizing the election of a solicitor of townships by supervisors of second class townships in county convention assembled defining the duties of said solicitor of townships regulating the salary and the manner of payment thereof to the solicitor of townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every county in this Commonwealth the township supervisors of second class townships at any annual convention held in accordance with existing law may elect by a vote of a majority of the supervisors present one person learned in the law who shall be styled the solicitor of townships and who shall serve for the term of two years from the date of his election.

Section 2 The law matters of the various townships shall be under the superintendence discretion and control of the solicitor of townships He shall whenever required furnish the supervisors of any township within the county with his opinion in writing upon any question of law which may be submitted by any of them in their official capacities

Section 3 The annual salary of the solicitor of townships elected under the provisions of this act shall be not less than five hundred dollars nor more than two thousand dollars per annum and shall be paid in all cases by the townships in such proportions among them as the majority of the supervisors in convention assembled may decide The salary of the solicitor of townships shall be paid every six months

Section 4 All laws or parts of law inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SCHLEITER. Mr. Speaker, and members of the House, this bill provides for new jobs in second-class townships or counties of the second class, the supervisors are empowered to elect a solicitor known as a solicitor of townships of second class counties. The salary, the minimum is placed at $500.00 per annum, and the maximum at $2,000.00. The solicitor is elected for two years. It is true the bill provides that the solicitor shall be learned in the law, but unfortunately, the men who are well learned in the law rarely seek these positions. It seems to be unethical for good lawyers, or any lawyer for that matter, to make application for a position of that kind. Therefore, in most cases, instead of the best talent securing these positions it is those of mediocre or, in many cases, very inferior talent that are selected as solicitors for boroughs, and in many cases even for counties. Now, suppose that a man is selected who is incompetent, and the townships, one or more of them, may have litigation on their hands that requires the best legal talent, these townships are compelled to employ this inferior lawyer, or in the event that they have no faith in his ability that he can carry their troubles through to a successful conclusion, then they must, in sheer self-defense, employ a lawyer of reputation to conduct or to be the chief in that litigation, so that instead of paying $500.00 or $1,000.00, or $2,000.00, they may pay a much greater sum than that, and in the event that there is no litigation of any kind, the townships generally get along pretty well together, the retaining fee would be no less than $500.00, and as I said before, not more than $2,000.00, and what is to prevent the tax-payers of those townships in that particular county from being compelled to pay $2,000.00 for services not rendered? Fellow members, I don't believe in creating any useless jobs. We have too many of them now. The people are already burdened with a load of taxation, and why saddle more on them? Why provide some lawyer with a soft snap?

Mr. BIDELSPACHER. Mr. Speaker and members of the House, in the first place, this bill does not mean a job. This bill simply points out the way by which supervisors in second-class townships in annual convention assembled may, if they so desire,—there is nothing mandatory in it,—they may, if they so desire, by a majority vote elect a person as solicitor of townships, joining together as solicitors of townships at a salary of not less than $500.00 nor more than $2,000.00. That is all there is to it. No lawyer is seeking a job. As a matter of fact, I have introduced this bill at the request of supervisors of the second-class townships of the county of Lycoming, from which I come. The supervisors of second-class townships under law, are authorized to meet in annual convention at the county seat. That is only permissible. It is not mandatory. In most of the counties, throughout the Commonwealth, they avail themselves of that opportunity. They come together in annual convention, and discuss matters pertaining to the welfare of the duties of their office, and have men there, usually, from the Highway Department with a number of subjects pertaining to road building, and it is in that convention that these supervisors, if they so desire, may join together and elect a solicitor who will represent them in legal matters as a number of townships instead of as individual townships. The thought back of the whole bill is this: Almost every township at some time or other during the year necessarily must get some solicitor anyway, get some legal advice on some questions pertaining to the duties of their office. It so happens that the smaller townships, the ones who can ill afford to pay a lawyer for those services, have the most work for a lawyer to do; and this would enable these smaller townships and these poorer townships to join with the richer townships and hire a man at a salary that is worth while, that he could give them plenty of time, and they will get in that way the opinion and the services of a man who is more or less expert on matters pertaining to those annual duties of the county supervisors.

Mr. BREWSTER. Mr. Speaker, I can't see the necessity for the passage of this bill. Can the townships, as the law stands now, employ their solicitors and pay them whatever salary they want to pay them?

Mr. BIDELSPACHER. The townships can, that is true, but not in annual conventions, and this simply clarifies the method by which the solicitor may be appointed by majority votes of the supervisors in annual convention assembled.

Mr. BREWSTER. Well, I can't see anything that will prevent of the townships from employing a solicitor as the law stands now. I can't see the reason of an act of Assembly, whether it is in convention or whether it is done as a township.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112.

Alexander,	Edmonds,	MacKinney,	Schilling,
Allman,	Eshelman,	Malie,	Schoener,

Anderson,	Fields,	Marcus, J. C.,	Schwartz,
Armstrong,	Fowler, A. I.,	Marshall, J. G.,	Smith, J. W.,
Arthur,	Fratt,	Marshall, W. F.	Sowers,
Behney,	Frazier,	Mathay,	Speiser,
Bell, F. A.,	Gelder,	McBride,	Stark,
Bentley,	Gibbon,	McClure,	Staudenmeier,
Bidelspacher,	Goehring,	McCurdy,	Stoner,
Blair,	Gorham,	McKim,	Storer,
Bluett,	Goss,	McVicar,	Thomas, L. D.,
Blumberg,	Greeby,	Metcalf,	Thomas, M. G.,
Bromley,	Grimes,	Millar,	Van Alen,
Brown,	Gundy,	Miller,	Vickerman,
Brownmiller,	Hall,	Moffat,	Walker,
Burchinal,	Harer,	Munley,	Weamer,
Burns,	Haslett,	Myers, G. C.,	Wheeler,
Clutton,	Haws,	Myers, P. M.,	Whitehouse,
Coldsmith,	Heffernan,	Nolte,	Whiteman,
Colville,	Hetrick,	Orr,	Williams, J. M.,
Conner,	Himes,	Parkinson,	Woner,
Craig,	Holcombe,	Patterson,	Wood, N.,
de Young,	Jones, D. J.,	Perry,	Wood, W. P.,
Diehm,	Keene,	Pitts,	Zook,
Dietz,	Kelly,	Posey,	Goodnough,
Driggs,	Kohler,	Richards,	Speaker.
Eaches,	Kunkle,	Sarig,	
Earley,	Lucas,	Sautter,	
Evans, B. P.,	Mack,	Schaeffer,	

NAYS—33.

Albert,	Hontz,	Ludlow,	Sample,
Betts,	Horne,	Lynch,	Smith, G. A.,
Brenneman,	Howell,	McDermott,	Stavitski,
Brewster,	Irvin,	Morrison,	Storb,
Flinchbaugh,	Johnson,	Ogle,	Thompson,
Gallaher,	Jones, C. B.,	Peelor,	Wright,
Griffith,	Kennedy,	Post,	
Harter,	Labar,	Price,	
Hollis,	Lauver,	Rhodes,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY THE SENATE

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

HOUSE BILL No. 325.

An Act to require counties to cause the graves of honorably discharged soldiers sailors and marines to be decorated with flags on Memorial Day

HOUSE BILL No. 447.

An Act to amend section five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service men' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

HOUSE BILL No. 560.

An Act to repeal the act approved the twenty-third day of February one thousand eight hundred and seventy (Pamphlet Laws two hundred and twenty-three) entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county" and the act approved the nineteenth day of May one thousand eight hundred and seventy-one (Pamphlet Laws nine hundred eighty-three) entitled "A Supplement to an act entitled 'An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county' passed the twenty-third day of February Anno Domini one thousand eight hundred and seventy"

HOUSE BILL No. 635.

An Act to amend section six of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated "as deceased service men" defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

HOUSE BILL NO. 697.

An Act making it unlawful for any county borough or incorporated town to prohibit the wearing of certain military insignia by its employees upon their uniforms

HOUSE BILL NO. 760.

An Act to amend section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have legal residence at the time of their death"

HOUSE BILL NO. 362.

An Act to empower and authorize any school or college or institution of optometry incorporated under the laws of Pennsylvania organized operated and conducted not for profit which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE.

AMENDED HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to House Bill No. 471.

An Act to amend sections one, two as amended and three of an act approved April 24, 1885, (P. L. 9), entitled "An Act to amend an act entitled 'An Act to provide for the destruction and to prevent the spread of Canada thistles' approved the twenty-second day of March, A. D., one thousand eight hundred and sixty-two" extending the provisions of said act to cichorium intybus the weed commonly known as chickory or succory, or blue daisy.

ADJOURNMENT.

Mr. HETRICK. Mr. Speaker I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to, (and at 11:45 P. M.) the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 11, 1923.

The House met at 11:00 o'clock A. M.
The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Rev. L. D. Thomas, a member of the House, offered the following prayer:

Our Father in Heaven, we come before Thee at this time in the attitude of dutiful children. We recognize our need of Thy help, and we know that our infirmities and our failures are obvious and apparent unto Thee. We know our needs are just this this morning, that unless we can be conscious of Thy presence, we will not be able to do that that will be for the best interests of our State. Help us, then, Lord, to remember Thee and Thy willingness to help and grant that everything we do may redound to Thy honor and to the glory of Thy name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Miss MARTHA G. THOMAS, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 258. (HOUSE BILL No. 1402).

An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty), entitled, "An Act concerning townships, and revising, amending and consolidating the law relating thereto," fixing the compensation of township auditors.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 203. (HOUSE BILL No. 1403).

A Joint Resolution proposing an amendment to Article Three, Section six of the constitution of the Commonwealth of Pennsylvania so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title.

Referred to the Committee on Judiciary General.

SENATE BILL No. 439. (HOUSE BILL No. 1404).

An Act to amend sections one thousand one hundred and five and one thousand one hundred thirty-four of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred nine), entitled, "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith."

Referred to the Committee on Education.

SENATE BILL No. 472. (HOUSE BILL No. 1405).

An Act to amend section one of an act approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws one thousand and seventy-two) entitled, "An Act providing a method of establishing title to land acquired at a sale for unpaid taxes," extending the provisions of said act to all such sales.

Referred to the Committee on Judiciary General.

SENATE BILL No. 489. (HOUSE BILL No. 1406).

An Act to amend section two of the Act of April nineteen one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued."

Referred to the Committee on Judiciary General.

SENATE BILL No. 509. (HOUSE BILL No. 1407).

An Act to require the teaching of the Constitution of the United States in the public and private schools.

Referred to the Committee on Education.

SENATE BILL No. 511. (HOUSE BILL No. 1408).

An Act making it a misdemeanor to forge or to make or manufacture any object with intent of representing or of permitting the same to be represented as an archaeological specimen or to sell or exchange or to possess for the purpose of selling or exchanging as such any object or so unlawfully forged made or manufactured and providing penalties.

Referred to the Committee on Judiciary General.

SENATE BILL No. 581. (HOUSE BILL No. 1409).

An Act to further amend section one thousand two hundred ten as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

Referred to the Committee on Education.

SENATE BILL No. 601. (HOUSE BILL No. 1410.)

An Act authorizing boards of revision of taxes and boards for the assessment and revision of taxes to hear and dispose of appeals away from the county seat.

Referred to the Committee on Judiciary General.

PETITIONS.

FAVORING PASSAGE OF THE DAYLIGHT SAVING BILL.

The SPEAKER presented a petition from the Penn Athletic Club of Philadelphia favoring the passage of the Daylight Saving Bill.

Referred to the Committee on Judiciary General.

FAVORING MINERS' CERTIFICATE BILL AND THE WORKMEN'S COMPENSATION BILL.

The SPEAKER presented a petition from Local Union No. 4219, Broughton, Pa., favoring the Miners' Certificate Bill and the Workmen's Compensation Bill.

Referred to the Committee on Mines and Mining.

REPORTS FROM COMMITTEES.

Mr. HASLETT, from the Committee on Elections, reported as committed, House Bill No. 320, entitled:

An Act to prevent fraud at elections; providing a system of authenticating and marking ballots and of locking ballot boxes; providing for the purchase by counties of certain mechanical equipment, and for the use and custody thereof; providing for the appointment by the Governor of a commission to select and approve such equipment, and fixing penalties.

Mr. WALKER, from the Committee on Education, reported as committed, House Bill No. 1312, entitled:

An Act to amend sections one, two, three, and four of an act approved the eighteenth day of June, one thousand nine hundred and nineteen, (Pamphlet Laws four hundred and ninety-eight), entitled, "An Act defining consolidation of schools; providing for the establishment and regulation of consolidated schools; and providing for state aid for the transportation of pupils to and from consolidated schools.

Mr. McBRIDE, from the Committee on Elections, reported as committed, House Bill No. 448, entitled:

An Act requiring the display of the United States flag at all polling places; providing for its purchase by the county commissioners and its care between elections.

Mr. JERRY M. WILLIAMS, from the Committee on Elections, reported as committed, House Bill No. 282, entitled:

An Act to amend section one of an act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 423), entitled, "An Act providing for the nomination and election of judges of courts of record, and repealing certain acts."

Mr. ANDREW F. STEVENS, from the Committee on Appropriations, reported as committed, House Bill No. 1208, entitled:

An Act making an appropriation to the Pennsylvania State College to reimburse the said college for loss of interest on a bond of the Commonwealth for the benefit of said college, which bond has matured.

Mr. ASTON, from the Committee on Judiciary Local, reported as committed, House Bill No. 1223, entitled:

An Act to amend section eight of the act approved the eleventh day of May, one thousand nine hundred and five, (P. L. 400), entitled "An Act to provide for the selection of a site and the erection of a state hospital for the treatment and care of the criminal insane, to be called the State Hospital for the Criminal Insane, and making an appropriation therefor," as amended; changing the name of said hospital.

Miss GRIMES, from the Committee on Education, reported as amended, House Bill No. 1297, entitled:

An Act to amend section three hundred and three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Mr. McVICAR, from the Committee on Judiciary General, reported as committed, House Bill No. 1122, entitled:

An Act regulating the selection of jurors for service in the several courts, civil and criminal, of the county of Allegheny; creating a Board of Judges from the Court of Common Pleas of said County for this purpose and prescribing the powers and duties of such board; imposing the entire cost and expense of maintaining and operating such board upon said county; requiring the County Commissioners of said county to provide suitable office quarters, equipment and supplies for said board; authorizing the employment of the necessary clerks, assistants, deputies and other em-employees; abolishing the existing office of jury commissioners in said county and providing that the present jury commissioners shall become clerks of said board until the expiration of their term of office; requiring other county officers and boards to furnish information to said board, and prescribing punishment for violation of the provisions hereof.

Mr. HUBER, from the Committee on Military, reported as amended, House Bill No. 1389, (Senate Bill No. 457), entitled:

An Act to amend section twenty-two of an act approved May 17, 1921 (P. L. 869) entitled "An Act providing for the organization government, discipline, maintenance and regulation of the armed land forces of this Commonwealth," authorizing the Governor to confer brevet rank upon certain officers.

Mr. BETTS, from the Committee on Constitutional Reform, reported as committed, House Bill No. 1398 (Senate Bill No. 432), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen.

Mr. CONNER, from the Committee on Ways and Means, re-reported as amended, House Bill No. 346, entitled:

An Act to amend section seventeen of the act approved the seventeenth day of June, one thousand nine hundred and thirteen, (Pamphlet Laws five hundred seven), entitled, "An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes, imposing taxes upon certain classes of personal property, providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith, and modifying existing legislation which provided for raising revenue for State purposes," as amended.

Mr. KELLY, from the Committee on Elections, reported as amended, House Bill No. 170, entitled:

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania.

Mr. KELLY, from the Committee on Elections, re-reported as amended, House Bill No. 245, entitled:

A Joint Resolution proposing an amendment to section one, article eight of the Constitution of Pennsylvania.

Mr. KELLY, from the Committee on Elections, re-reported as amended, House Bill No. 246, entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania.

Mr. BURD P. EVANS, from the Committee on Education, reported with a negative recommendation, House Bill No. 1298, entitled:

An Act to amend section one thousand one hundred thirty-four of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws, three hundred nine), entitled, "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. SCHAEFFER, from the Committee on Appropriations, reported as committed, House Bill No. 454, entitled:

An Act providing for an examination of the Locust Mountain Memorial Hospital of Shenandoah, Pennsylvania; providing for the transfer thereof to the Commonwealth and for its management thereafter; and making an appropriation.

BILL ON FIRST READING.

Mr. SCHAEFFER asked and obtained unanimous consent to have House Bill No. 454 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 454, entitled:

An Act providing for the examination of the Locust Mountain Memorial Hospital of Shenandoah Pennsylvania providing for the transfer thereof to the Commonwealth and for its management thereafter and making an appropriation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

LEAVE OF ABSENCE.

Mr. NOLTE, asked and obtained leave of absence for Mr. Blumberg.

ADJOURNMENT IN RESPECT TO MEMORY OF THE LATE HON. TIMOTHY J. McCARTHY.

Mr. JEFFERSON W. SMITH. Mr. Speaker, I move that when the House adjourn this week it be out of respect to the Honorable Timothy J. McCarthy, late a representative of the Eighth Legislative District of Philadelphia.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

RESOLUTION

AUTHORIZING ADDITIONAL PRINTING.

Mr. SOWERS offered the following resolution, which was twice read, considered and adopted:

In the House of Representatives, April 11, 1923.

Resolved (if the Senate concur) That the Superintendent of Public Printing and Binding shall have printed in advance sheet form for the use of the Members and Senators twenty-five thousand copies of the act approved the twenty-seventh day of March, one thousand nine hundred and twenty-three entitled "An act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws."

Ordered that the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 411 FROM THE GOVERNOR.

Mr. McVICAR offered the following resolution, which was twice read, considered and adopted:

In the House of Representatives, April 11, 1923.

Resolved, (if the Senate concur), That House Bill No. 411, Printer's No. 108, File Folio 447, entitled "An act to amend section one thousand one hundred and five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty), entitled 'An act concerning townships, and revising, amending and consolidating the laws relating thereto,'" be recalled from the Governor for the purpose of amendment.

Ordered that the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 921, as follows:

An Act requiring persons and agencies engaged in child caring child placing and child protection work to secure a certificate of approval from the Commissioner of Public Welfare and reglating the placing out and care of children

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of this act the word "agency" shall mean any person institution association corporation and society engaged in the business of receiving securing homes for or otherwise caring for children or engaged in such practice The term "placing out" shall mean the placing of dependent neglected or delinquent children in families other than those of a relative within the second degree for the purpose of providing homes for the children whether such placement be for board wages or free care

Section 2 Every agency engaged in child caring work that is to say (a) taking dependent neglected and delinquent children into guardianship (b) protecting children from cruelty (c) placing out children in family homes (d) consenting to the adoption of children by proceeding in a court of competent jurisdiction and (e) temporary or long continued institutional care of children shall obtain from the Commissioner of Public Welfare of the Commonwealth a certificate of approval authorizing him her it or them to undertake such child caring work Such certificates shall be valid for a period of one year unless revoked by the Commissioner ot Public Welfare All such certificates of approval shall be renewed annually at the discretion of the Commissioner of Public Welfare

Any agency engaged in child caring work or child placing or the members or agents of the agency responsible therefor who or which shall fail or neglect or refuse to secure a certificate of approval from the Commissioner of Public Welfare as provided in this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than fifty dollars and not more than one hundred dollars for each child placed out or made an inmate of an institution during the time no such certificate was possessed

Section 3 Before a certificate of approval shall be granted to any such agency the Commissioner of Public Welfare shall be satisfied that such agency receives children into its care only after careful investigation and where the best interests of the children are being served by separating them from their own people and that any agency which places children in foster homes at all times satisfies itself that such children are eligible for placement that the foster families with whom such children are placed are suitable ones that the moral environments are proper and that the welfare of such children will be well safeguarded

Section 4 Every agency permitted by this act to engage in child caring or child placing work for dependent neglected and delinquent children shall keep a record containing the names and ages of all children received the names present and former residences occupations and character so far as known of the parents the dates of reception placing out and adoption together with the names occupations and residence of the person with whom the child is placed the date and cause of transfers to other homes and of the termination of guardianship and a brief history of each child while under the care of the agency and until he shall have been legally adopted or discharged Such records shall be open at all times to the Department of Public Welfare but no person may disclose information contained therein except to duly accredited persons entitled thereto Such reports concerning the work of the agencies shall be made to the State Department of Public Welfare as that Department may require on forms provided by the Department

Section 5 Every agency shall maintain a careful supervision over all children placed out by it and shall make such reports concerning placed out children to the Department of Public Welfare as the Commissioner may require Except in cases of adoption each placing out agency shall enter into an agreement with each foster family with whom a child is placed giving the agency access at all reasonable times to any child so placed and such agency may at any time require the return of a child so placed whenever in the opinion of the agency the best interests of the child demand it

Section 6 Every person acting for himself or for an agency who violates any of the provisions of this act or intentionally makes false reports to the Department of Public Welfare with reference to matters contained herein or the person or persons responsible for the same shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than fifty dollars or more than one hundred dollars

Section 7 Any certified agency may have its certificates of approval from the Commissioner of Public Welfare revoked if in the judgment of the Commissioner after full investigation and hearing it is found the agency is not safeguarding the best interests of the child or is otherwise violating the laws of the Commonwealth Any agency whose certificate has been revoked a second time shall not be granted such certification again Any agency feeling aggrieved by any decision of the Commissioner may appeal by petition from the decision of the Commissioner of Public Welfare within thirty days after notice of such decision by the said Commissioner to the court of common pleas of Dauphin County which court shall proceed to hear the matter de novo and shall thereafter make such order affirming the decision of the Commissioner or reinstating the certificate of approval as to it shall appear proper The decision of the court shall be final

Section 8 All acts and parts of acts in conflict with this act are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1279, as follows:

An Act relating to motor vehicles and requiring the owner of any motor vehicle to be insured against liability for damages for injuries in person or property sustained through the negligent or illegal operation thereof in this Commonwealth and providing a penalty

Whereas The public policy of this Commonwealth requires that any person injured in person or property through the negligent or illegal operation of any motor vehicle in this Commonwealth should be protected in his or her right of redress for such injuries

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no motor vehicle as now defined by law shall be registered with the State Highway Department of this Commonwealth for the year one thousand nine hundred and twenty-four or any part thereof or for any subsequent year or part thereof unless the owner thereof is insured in accordance with the provisions of this act

Section 2 In order that any motor vehicle shall be registered as aforesaid the owner thereof shall be insured against his or her liability for damages for any injuries sustained by any person in person or property by the negligent or illegal operation of the said motor vehicle in this Commonwealth in some reputable insurance company or insurance association or exchange that is approved by the Insurance Department of the Commonwealth of Pennsylvania

Section 3 The amount of the said insurance shall be not less than five thousand dollars

Section 4 The term of the said insurance shall be not less than the period for which the said registration is requested and allowed

Section 5 The policy for said insurance shall contain the requirement that the said insurance shall whenever necessary inure to the benefit of any person injured in person or propety by the negligent or illegal operation of the said motor vehicle in this Commonwealth by the said owner in his own person or in the person of his agent or servant and that it shall not be necessary that the assured first pay or be required or be able to pay

Section 6 No owner's application for the registration of any motor vehicle shall be received or be receivable by the State Highway Department of the Commonwealth of Pennsylvania unless it is either (a) accompanied by a certificate by such insurance company or insurance association that a policy of insurance complying with the provisions of this act has been issued by it to the said owner (b) supported by an affidavit by the said owner that a policy complying with the provisions of this act is in course of being issued by such insurance company or insurance association or exchange and followed by the filing of a certificate by such insurance company or insurance association as aforesaid within thirty days after such application is filed failing which any registration of the said motor vehicle shall forthwith be revoked by the State Highway Commissioner and shall be deemed to be null and void apart from such revocation on and after the expiration of the said thirty days as aforesaid

Section 7 This act shall not apply where the owner of such motor vehicle shall be the United States the Commonwealth of Pennsylvania or any other governmental corporation

Section 8 Any owner of any motor vehicle registered as aforesaid after due proof of the issuance of such policy of insurance or the application therefore as provided in section six of this act who shall operate said motor vehicle or permit the same to be operated by his or her agent or servant after such policy of insurance shall have been cancelled or annulled by the insurance company or insurance association or exchange issuing the same without having first filed with the said State Highway Department proof of the issuing to him or her of another such policy of insurance as was required upon the registration of said motor vehicle shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or imprisonment not exceeding ninety days or both at the discretion of the court

Section 9 This act may be cited as the "Motor Vehicle Insurance Act one thousand nine hundred twenty-three"

Section 10 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 916, entitled

An Act to amend sections eighteen twenty-six thirty-two thirty-four thirty-eight fifty-four fifty-six fifty-seven fifty-nine and sixty-one of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth"

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eighteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" is hereby amended to read as follows

Term of Office of General Field and Line Officers

Section 18 The term of every general field and line officer and department officer other than those provided for in section nineteen shall be permanent or until removed for cause or other reasons provided in this act Provided That commissions now in force and which have been issued for a period of five years shall continue until termination of such period unless such commission be otherwise lawfully determined and annulled

When authorized by the Federal Government warrant officers may be appointed by the Governor under such regulations as may be prescribed by the Federal Government Any person commissioned or warranted as an officer of the Pennsylvania National Guard shall hold his position until he shall have reached the age of sixty-four years unless retired prior to that time by reason of resignation or other (legal) cause

Section 2 That section twenty-six of said act is hereby amended to read as follows

Discharge of Enlisted Men from the National Guard

Section 26 An enlisted man discharged from service in the Pennsylvania National Guard shall receive a discharge in writing in such form and with such classification as is or shall be prescribed for the Regular Army and in time of peace discharges may be given prior to the expiration of terms of enlistment under such regulations as the Governor may prescribe subject to the restrictions of the National Defense Act or amendments thereto

On termination of an emergency in which the officers and enlisted men of the Pennsylvania National Guard shall have been drafted into the Federal Service by the President of the United States in accordance with the provisions of the National Defense act such drafted officers and enlisted men shall continue to serve in the National Guard until the dates upon which their commission or enlistment entered into prior to their draft into the Federal service would have expired if interupted

The third section was read as follows:

Section 3 That section thirty-two of said act is hereby amended to read as follows

Pay of Officers and Men on Active Duty in State Service

Section 32 When the Pennsylvania National Guard or any part thereof is ordered on active duty by the Governor as Commander-in-Chief and pay is authorized for such duty under the order prescribing the performance thereof the commissioned officers and warrant officers so ordered shall be entitled to the same pay and allowance as officers of like grade and length of service in the Regular Army of the United States Provided That no officer shall receive less than the base pay of his grade as provided by Federal statute The grades of enlisted men shall be such as the Governor as Commander-in-Chief may from time to time direct and shall conform to the grades authorized in tables of organization for the National Guard published by the War Department When enlisted men are ordered on active duty as above prescribed their per diem day shall be as follows First grade three dollars and fifty cents second grade three dollars third grade three dollars fourth grade two dollars and fifty cents fifth grade two dollars sixth grade one dollar and seventy-five cents seventh grade one dollar and fifty cents Under such regulations as the Governor as Commander-in-Chief may prescribe and conform with tables of organization authorized for the National Guard by the War Department enlisted men of the sixth and seventh grades may be rated as specialists and receive extra pay per diem as follows First class one dollar and twenty-five cents second class one dollar third class seventy-five cents fourth class fifty cents fifth class forty cents sixth class fifteen cents Hereafter enlisted men shall receive an increase of ten per centum of their base pay for every five years of service in the National Guard or in the United States Army Navy or Marine Corps or for any two or more of these services combined Provided That such increase shall not exceed forty per centum of their base pay All payments of per diem pay and service pay shall be made by the Adjutant General in the usual manner No deductions shall be made from the pay of officers or enlisted men in active service for dues or other financial obligations imposed by any by-laws rules or regulations of a civic character

On the question,

Will the House agree to the section?

Mr. VAN ALEN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the clerk as follows:

Amend section 3, page 4, line 17, by inserting brackets before and after the word "day" and inserting thereafter the word "pay"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 That section thirty-four of said act is hereby amended to read as follows

Annual Appropriations

Section 34 Organizations of the Pennsylvania National Guard found upon examination of the reports made by an inspecting officer duly detailed for that purpose to be up to the standard required in strength drill discipline and efficiency shall receive in annual allowance the following money per annum which shall be used and expended solely for military purposes and for the use and benefit of the organization For dismounted troops at the rate of ten dollars ($10) per man per year Provided That no organization shall receive less than a maximum sum of five hundred dollars or more than a minimum sum of seven hundred and fifty dollars per year for mounted or motorized troops at the rate of fifteen dollars ($15) per man per year Provided That no such mounted or motorized organization shall receive less per year than a mimimum sum of seven hundred and fifty dollars and more than a maximum sum of one thousand dollars per year Such allowances shall be computed by the Adjutant General from the strength of the unit as reported on May thirty-first of each year Newly organized units shall receive a pro rata share of the above named allowance for the portion of the fiscal year in which they are in service Provided That such allowance be based on the actual strength of the organization at the time of its entrance into the service the said allowances to be paid by the Adjutant General in the usual manner to the commanding officer of the respective organization but it shall be the duty of the Adjutant General before paying any of the said allowance in money to procure by purchase or otheriwse and issue for each enlisted man not already provided therewith such articles of dress uniform and such articles of service uniform and equipment as are required for field service and also such mess tents kitchen tents and military stores required by the respective organizations not furnished and paid for out of Federal funds and charge the cost of same to the said annual allowance and the balance if any to be paid and disbursed as hereinafter provided Provided however any regiment battalion squadron or company may at its own expense provide itself with other uniforms of such style and pattern as a majority of its officers may select and the Governor as Commander-in-Chief approve which uniform shall be the property of the organization or the individual members thereof No portion of any allowance made by the State to any organization shall be expended in procuring such special uniforms or in re-

pairing or caring for the same No part of the annual allowances paid under the provisions of this act to the several organizations of the Pennsylvania National Guard shall be used in the purchase erection or construction of any armory unless the title thereto be vested in the Commonwealth The commanding officer of each organization shall at such time as the Governor as Commander-in-Chief may direct make a return to the Adjutant General containing an itemized account and statement of all disbursements of the money appropriated and paid to said organization and not previously accounted for which account and statement shall be verified by the proper original vouchers for such disbursements this accounting to be made under and in accordance with such regulations as may be prescribed by the Commander-in-Chief

On the question,

Will the House agree to the section?

Mr. VAN ALEN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 5, line 25, by striking out the word "maximum" and inserting in lieu thereof: "minimum."

Amend section 4, page 5, line 26, by striking out the word "minimum" and inserting in lieu thereof: "maximum."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth, sixth, seventh and eighth sections were separately read and agreed to as follows:

Section 5 That section thirty-eight of said act is hereby amended to read as follows

Necessary Expenses of Headquarters

Section 38 The necessary military expenses of general division brigade regimental and separate battalion headquarters including clerk hire and other actual outlays shall be paid by the Adjutant General in the usual manner on the usual lawful vouchers to that effect duly sworn to or affirmed to by the commanding officer or the officer charged with the payment of the same such expenses in no event to exceed four thousand dollars ($4,000) per annum for the division five hundred ($500) dollars for each brigade headquarters fifteen hundred dollars ($1,500) for each regimental headquarters five hundred dollars ($500) for each battalion headquarters and headquarters of trains

Section 6 That section fifty-four of said act is hereby amended to read as follows

Section 54 General courts-martial in the Pennsylvania National Guard may be convened by order of the Governor or the Division Commander and such courts shall have the power to impose fines not exceeding two hundred dollars ($200) and such reasonable costs as they may assess to sentence to forfeiture of pay and allowances to reprimand to dismissal or dishonorable discharge from the service to a reduction of non-commissioned officers to the ranks or any two or more of such punishments may be combined in the sentences imposed by such courts Provided That sentence shall not become operative until after the approval thereof by the appointing power

Section 7 That section fifty-five of the said act is hereby amended to read as follows

Section 55 When not in the active service of the United State the commanding officer of each garrison fort post camp or other place brigade detached regiment or separate battalion or other detached or separate command may appoint special courts-martial for his command but such special courts-martial may in any case be appointed by superior authority when by the latter deemed desirable Special courts-martial shall have power to try any person subject to military law except a commissioned officer for any crime or offense made punishable by the military laws of the United States or of the Commonwealth of Pennsylvania and such special courts-martial shall have the same powers of punishment as do general courts-martial except that fines imposed by such special courts-martial shall not exceed one hundred dollars ($100) and such reasonable costs as they may assess Provided That sentence shall not become operative until after the approval thereof by the appointing power

Section 8 That section fifty-six of the said act is hereby amended to read as follows

Section 56 When not in the active service of the United States the commanding officer of each garrison fort post or other place regiment detached or separate battalion or company or other detachment of the Pennsylvania National Guard may appoint for such place or command summary courts-martial to consist of one officer who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violations of the laws governing such organizations except civic by-laws and said court when satisfied of the guilt of such soldier may impose fines not exceeding twenty-five dollars ($25.00) and such reasonable costs as they may assess for any single offense may sentence non-commissioned officers to reduction to the ranks may sentence to forfeiture of pay and allowances The proceedings of such summary court shall be informal and the minutes thereof shall be so for as practicable the same as prescribed for summary courts of the Army of the United States Provided That the sentence shall not become operative until after the approval thereof by the appointing power Such summary courts-martial may in any case be appointed by superior authority when by the latter deemed desirable

The ninth section was read as follows:

Section 9 That section fifty-seven of the said act is hereby amended to read as follows

Section 57 All courts-martial of the Pennsylvania National Guard when not in the active service of the United States shall have power to sentence to confinement in lieu of fines and costs or any part thereof and to be imposed Provided That such sentence of confinement shall not exceed one day for each dollar of fine authorized Provided further That the sentence shall not become operative until after approval thereof by the appointing power

On the question,

Will the House agree to the section?

Mr. VAN ALEN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 9, page 10, line 22, by striking out the words "and imposed" and inserting in lieu thereof: "authorized."

Amend section 9, page 10, line 24, by inserting after "authorized" the following: "and imposed."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The tenth and eleventh sections were separately read and agreed to as follows:

Section 10 That section fifty-nine of said act is hereby amended to read as follows

Section 59 When not in active service of the United States presidents of courts-martial and summary court officers shall have power to issue warrants directed to the sheriff of the proper county or any constable to arrest accused persons and to bring them before the court for trial Whenever such persons shall have disobeyed an order in writing from the convening authority to appear before such court a copy of the charge or charges having been delivered to the accused with such order in the manner provided by law for service of civil process and to issue subpoenas and subpoenas duces tecum and to enforce by attachment attendance of

witnesses and the production of books and papers and to sentence for a refusal to be sworn or to answer as provided in actions before civil courts And provided That a president of a court-martial or a summary court officer may issue a proper certificate of commitment to the sheriff of a county or to any constable who may commit such person to any county prison pending trial In all cases the party accused of any crime or misdemeanor against military law shall be admitted to bail by one or more sufficient sureties to be taken before the President of a court martial or before a summary court officer before whom the charges have been preferred and to whom the charges have been referred by higher military authorities The amount of bail will be fixed by the officer before whom the accused is brought for trial or for commitment pending trial

Section 11 That section sixty-one of said act is hereby amended to read as follows

Duties of Jailers

Section 61 The keepers and wardens of all county jails are required to receive and confine all military offenders when delivered by such sheriff or constable under the proper certificate of commitment of a general special or summary court-martial pending trial and for and during the term of sentence as set forth in said commitment

The title was read as follows:

An Act to amend sections eighteen, twenty-six, thirty-two, thirty-four, thirty-eight, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-nine and sixty-one of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 869) entitled "An Act providing for the organization, government, discipline, maintenance, and regulation of the armed land forces of this Commonwealth."

On the question,

Will the House agree to the title?

Mr. VAN ALEN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 3, by striking out the parenthesis after the word "nine"

Amend title, page 1, line 3, by inserting before "entitled," the words: "and sixty-one of an act."

Amend title, page 1, line 3, by inserting after "organization" the following: "government, discipline, maintenance and regulation of the armed land forces of this Commonwealth," approved the seven"

Amend title, page 1, lines 6, 7 and 8, by striking out all after the word "nine"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule reuiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1080, as follows:

An Act to make reinstatements in the civil service of persons honorably released from the active military or naval service of the United States after service in any of the wars in which the United States has been engaged

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act that in making reinstatements in the civil service of the cities of the first class in the Commonwealth of Pennsylvania or in any county city or town in the Commonwealth of Pennsylvania or in the Commonwealth of Pennsylvania all persons honorably released from the active military or naval service of the United States after service in any of the wars in which the United States has been engaged shall be reinstated in the department or office from which separated without time limit Provided That if any such person has been separated without delinquency or misconduct from a competitive petition or from a position from which he or she entered by transfer or promotion from a competitive position or to accept another appointment in the civil service such person upon making application for reinstatement to a position competitive at the time of the request for reinstatement if any vacancy exists or is about to occur shall be reinstated in the department or office from which he or she was separated without time limit upon certification of the civil service commission that such person is physically fit to discharge the duties of the position to which he or she seeks to be reinstated Provided further That said persons who have been reinstated in the civil service in a grade lower than that from which they have been separated shall be promoted without examination to the first vacancies occurring until they shall have reached their former status And provided further That any of said persons in making application for a reinstatement in the civil service that such applicant was at the time of making such application an actual and bona fide resident of said county city or town in the Commonwealth of Pennsylvania or in the Commonwealth of Pennsylvania and had been such resident for a period of one year next preceding

Section 2 No person honorably released from the military or naval service of the United States after service in any of the wars in which the United States has been engaged employed in the civil service of the cities of the first class in the Commonwealth of Pennsylvania or in any county city or town in the Commonwealth of Pennsylvania or in any of the offices in the offices in the Commonwealth of Pennsylvania whose record is rated as "good" shall be suspended discharged dropped forced to resign or reduced in position salary or wages unless funds are exhausted in which case said employees shall be the last to be effected and when funds are replenished they shall be the first to be reinstated Provided That the provisions of this act shall not apply to persons charged with criminal offense dereliction or neglect of duty drunkenness or disorderly conduct but that no such charges shall be sufficient to cause discharge or reduction of pay or wages or demotion until after a fair and impartial trial shall be had in accordance with the provisions of existing laws

Section 3 Any person violating the provisions of this act shall be summarily removed from office and shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year or both in the discretion of the court

Section 4 All laws or parts of laws inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1224, as follows:

An Act regulating service of process and authorizing the service of writs of summons and other process in any county of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases now pending in the several courts of common pleas of this Commonwealth or hereafter to be brought therein for the recovery of damages for breaches of covenants of warranty in any deed or conveyance of real estate and where the defendant or defendants in said action resides beyond the limits of the jurisdiction of the court of the county wherein such real estate is situate but within the Commonwealth all writs of summons and all rules notices

and orders necessary in the course of procedure to be served upon the party or parties residing beyond such jurisdiction but within the Commonwealth shall be directed to the sheriff of the county wherein suit has been brought who shall deputize the sheriff of the county wherein the defendant or defendants shall reside who shall make service thereof in the same manner and with the same force and effect as if the person so served had been served within the county wherein the process originated

The sheriff of the county making such service shall make a return thereof to the sheriff of the county in which the suit has been brought who shall return the same to the said court in the manner and with the same force and effect as provided by law for returns of service within the county

Section 2 All the acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 167, entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended by providing that qualified electors charging fraud or mistake in any election district need not be residents of the said territory affected by the election

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" which as amended by the act approved the sixth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and twenty-five) entitled "An Act to amend section thirteen of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four as amended by the act of April twenty-eight one thousand eight hundred and ninety-nine so as to reduce from three to two the minimum number of judges to be designated in the counties of Philadelphia and Allegheny to receive compute and certify the election returns required by said section to be presented by the prothonotary to the courts of common pleas thus assimilating the practice of said counties to that in the other counties of the Commonwealth" reads as follows

"Section 13 As soon as the polls shall close the officers of election shall proceed to count all the votes cast for each candidate voted for and make a full return of the same in triplicate with a return sheet in addition in all of which the votes received by each candidate shall be given after his or her name first in words and again in figures and shall be signed by all of said officers and certified by overseers if any or if not so certified the overseers and any officer refusing to sign or certify or either of them shall write upon each of the returns his or their reasons for not signing or certifying them The vote as soon as counted shall also be publicly and fully declared from the window to the citizens present and a brief statement showing the votes received by each candidate shall be made and signed by the election officers as soon as the vote is counted and the same shall be immediately posted upon the door of the election house for information of the public The triplicate returns shall be enclosed in envelopes and sealed in presence of the officers and one envelope with the unsealed return sheet given to the judge which shall contain one list of voters tally paper and oaths of officers and another of said envelopes shall be given to the minority inspector All judges living within twelve miles of the prothonotary's office or within twenty-four miles if their residence be in a town village or city upon the line of a railroad leading to the county seat shall before two o'clock post meridian of the day after the election and all other judges shall before twelve o'clock meridian of the second day after the election deliver said return together with return sheet to the prothonotary of the court of common pleas of the county which said return sheet shall be filed and the day and hour of filing marked thereon and shall be preserved by the prothonotary for public inspection At twelve o'clock on the said second day following any election the prothonotary of the court of common pleas shall present the said returns to the said court In counties where there is no resident president judge the assocate judges shall perform the duties imposed upon the court of common pleas which shall convene for said purpose the returns presented by the prothonotary shall be opened by said court and computed by such of its officers and such sworn assistants as the court shall appoint in the presence of the judge or judges of said court and the returns certified and certificates of election issued under the seal of the court as is now required to be done by return judges and the vote as so computed and certified shall be made a matter of record in said court The sessions of the said court shall be open to the public And in case the returns of any election district shall be missing when the returns are presented or in case of complaint of a qualified elector under oath charging palpable fraud or mistake and particularly specifying the alleged fraud or mistakes or where fraud or mistake is apparent on the return the court shall examine the return and if in the judgment of the court it shall be necessary to a just return said court shall issue summary process against the election officers and overseers if any of the election distrist complained of to bring them forthwith into court with all election papers in their possession and if palpable mistake or fraud shall be discovered it shall upon such hearing as may be deemed necessary to enlighten the court be corrected by the court and so certified but all allegations of palpable fraud or mistake shall be decided by the said court within three days after the day the returns are brought into court for computation and the said inquiry shall be directed only to palpable fraud or mistake and shall not be deemed a judicial adjudication to conclude any contest now or hereafter to be provided by law and the other of said triplicate returns shall be placed in the box and sealed up with the ballots Nothing in this act shall require the return of election of township or borough officers to be made to the court as directed in this section but all returns of the election of township and borough officers shall be enclosed in a sealed cover directed to the prothonotary of the court of common pleas of the proper county and shall by some one of them be delivered into his office within three days after every such election and filed therein In counties where there are three or more judges of said court learned in the law at least two judges shall sit to compute and certify returns unless unavoidably prevented If any of the said judges shall himself be a candidate for any office at any election he shall not sit with the court or act in counting the returns of such election and in such cases the other judges if any shall act and if in any county there shall be no judge qualified to hold the said court under the provisions of this act present and able to act then and in every such case the register of wills the sheriff and the county commissioners of the proper county shall be and constitute a board who or a majority of whom shall have and exercise all the powers and perform all the duties vested in or required to be performed by the court of common pleas of such county by and under the provisions of this section but none of the said officers shall act as a member of such board when himself a candidate for any office at the election the returns of which the said board is required to count under the provisions of this section The returns required by this act to be presented by the prothonotary of the courts of common pleas of Philadelphia and Allegheny respectively shall be presented to such two or more of the judges of the several courts of common pleas of said counties respectively as the judges of said courts or a majority of them may designate to perform the duty of receiving computing and certifying said returns When two or more counties or parts of two or more counties are connected for the election of any officer the courts of such counties or parts of counties com-

prising the district shall each appoint a return judge resident within such district to meet within seven days after the day of the electon of such officer at such place as is required by law or if no place of meeting is designated by law at such place within such district where the returns of the election of such officer shall by law be directed to be filed compute and certify the vote of such district and it shall be the duty of the return judges in such cases to transmit to the person elected as such officer's certificate of his election within five days after the day of making us such return All offcers provided for by this act shall be compensated as like officers are paid by existing laws Whenever a place has been or shall be provided by the authorities of any city county township or borough for the safekeeping of ballot boxes the judge and minority inspector shall after the election shall be finished and the ballot box or boxes containing the tickets list of voters and other papers have been securely bound with tape and sealed and the signatures of the judge and inspectors affixed thereto forthwith deliver the same together with the remaining boxes to the mayor and recorder of such city or in counties townships or boroughs to such person or persons as the court of common pleas of the proper county may designate at the place provided as aforesaid who shall then deposit the said boxes and keep the same to answer the call of any court or tribunal authorized to try the merits of such election Whenever the election officers of any election district shall require the election boxes of such district to hold any lection which by law they are or shall be required to hold they shall keep the same securely in their possession without opening until the morning of such election and until they severally be sworn or affirmed not to disclose how any elector shall have voted and after being so sworn or affirmed they shall open the said boxes and burn and totally destroy all the ballots and other papers which they shall find therein before proceeding to hold such election" is hereby amended to read as follows

Section 13 As soon as the polls shall close the officer of election shall proceed to count all votes cast for each candidate voted for and make a full return of the same in triplicate with a return sheet in addition in all of which the votes received by each condidate shall be given after his or her name first in words and again in figures and shall be signed by all of said officers and certified by overseers if any or if not so certified the overseers and any officers refusing to sign or certify or either of them shall write upon each of the returns his or their reason for not signing or certifying them The vote as soon as counted shall also be publicly and fully declared from the window to the citizens present and a brief statement showing the votes received by each candidate shall be made and signed by the election officers as soon as the vote is counted and the same shall be immediately posted upon the door of the election house for information of the public The triplicate returns shall be enclosed in envelopes and sealed in presence of the officers and one envelope with the unsealed return sheet given to the judge which shall contain one list of voters tally paper and oaths of officers and another of said envelopes shall be given to the minority inspector All judges living within twelve miles of the prothonotary's office or within twenty-four miles if their residence be in a town village or city upon the line of a railroad leading to the county seat shall before two o'clock post meridian of the day after the election and all other judges shall before twelve o'clock meridian of the second day after the election deliver said return together with return sheet to the prothonotary of the court of common pleas of the county which said return sheet shall be filed and the day and hour of filing marked thereon and shall be preserved by the prothonotary for public inspection At twelve o'clock on the said second day following any election the prothonotary of common pleas shall present the said returns to the said court In counties where there is no resident president judge the associate judges shall perform the duties imposed upon the court of common pleas which convene for said purpose the returns presented by the prothonotary shall be opened by said court and computed by such of its officers and such sworn assistants as the court shall appoint in the presence of the judge or judges of said court and the returns certified and certificates of election issued under the seal of the court as is now required to be done by return judges and the vote as so computed and certified shall be made a matter of record in said court The sessions of the said court shall be open to the public And in case the returns of any election district shall be missing when the returns are presented or in case of complaint of a qualified elector of the territory affected by the election under oath charging palpable fraud or mistake and particularly specifying the alleged fraud or mistake or where fraud or mistake is apparent on the return the court shall examine the return and if in the judgment of the court it shall be necessary to a just said court shall issue summary process against the election officers and overseers if any of the election districts complained of to bring them forthwith into court with all election papers in their possession and if palpable mistake or fraud shall be discovered it shall upon such hearing as may be deemed necessary to enlighten the court be corrected by the court and so certified but all allegations of palpable fraud or mistake shall be decided by the said court within three days after the day the returns are brought into court for computation and the said injury shall be directed only to palpable fraud or mistake and shall not be deemed a judicial adjudication to conclude any contest now or hereafter to be provided by law and the other of said triplicate returns shall be placed in the box and sealed up with the ballots Nothing in this act shall require the return of election of township or borough officers to be made to the court as directed in this section but all returns of the election of township and borough officers shall be enclosed in a sealed cover directed to the prothonotary of the court of common pleas of the proper county and shall by some one of them be delivered into his office within three days after every such collection and filed therein In counties where there are three or more judges of said court learned in the law at least two judges shall sit to compute and certify returns unless unavoidably prevented If any of the said judges shall himself be a candidate for any office at any election he shall not sit with the court or act in counting the returns of such election and in such cases the other judges if any shall act and if in any county there shall be no judge qualified to hold the said court under the provisions of this act present and able to act then and in every such case the register of wills the sheriff and the county commissioners of the proper county shall be and constitute a board who or a majority of whom shall have and exercise all the powers and perform all the duties vested in or required to be performed by the court of common pleas of such county by and under the provisions of this section but none of the said officers shall act as a member of such board when himself a canddate for any office at the election the returns of which the said board is required to county under the provisions of this section The returns required by this act to be presented to the prothonotary of the courts of common pleas of Philadelphia and Allegheny respectively shall be persented to such three or more of the judges of the sevral courts of common pleas of said counties respectively as the judges of said courts or a majority of them may designate to perform the duty of receiving computing and certifying said returns When two or more counties or parts of two or more counties counties or parts of counties comprising the district shall each appoint a return judge resident within such distrct to meet within seven days after the day of election of such officer at such place as is required by law or if no place of meeting is designated by law at such place within such district where the returns of the election of such officer shall by law be directed to be filed to compute and certify the vote of such district and it shall be the duty of the return judges in such case to transmit to the person elected as such officer's certificate of his election within five days after the day of making up such return All officers provided for by this act shall be compensated as like officers are paid by existing laws Whenever a place has been or shall be provided by the authorities of any city county township or borough for the safekeeping of ballot boxes the judge and minority inspector after the election shall be finished and the ballot box or boxes containing the tickets list of voters and other papers have been securely bound with tape and sealed and the signatures of the judge and inspectors affixed thereto forthwith deliver the same together with the remaining boxes to the mayor and recorder of such city or in counties townships or boroughs to such person or persons as the court or common pleas of the proper county may designate at the place provided as aforesaid who shall then deposit the said boxes and keep the same to answer the call of any court or tribunal authorized to try the merits of such election Whenever the election officers of any election district shall require the election boxes

of such district to hold any election which by law they are or shall be required to hold they shall keep the same securely in their possession without opening until the morning of such election and until they shall severally be sworn or affirmed not to disclose how any elector shall have voted and after being so sworn or affirmed they shall open the said boxes and burn and totally destroy all the ballots and other papers which they shall find therein before proceeding to hold such election

On the question,

Will the House agree to the section?

Mr. VICKERMAN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 1, page 1, line 7 by striking out the word "as" and inserting in lieu thereof "which was last."

Amend Section 1, page 2, line 12 by striking out beginning with the word "reads" and ending page 7, line 20 with the word "election"

Amend Section 1, page 10, line 4 by striking out the word "injury" and inserting in lieu thereof the word "inquiry."

Amend Section 1, page 11, line 9 by inserting after the word "presented" the following: "(by)".

Amend Section 1, page 11, line 11 by inserting after the word "such" the following: "(two)."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A Further Supplement to the act regulating elections in this Commonwealth" as amended by providing that qualified electors charging fraud or mistake in any election district need not be residents of the said territory affected by the election

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 919, as follows:

An Act to repeal section twenty-three of the act approved the first day of May one thousand eight hundred and sixty-one (Pamphlet Laws four hundred and fifty) entitled "An Act relating to Allegheny County"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-three of the act approved the first day May one thousand eight hundred and sixty-one (Pamphlet Laws four hundred and fifty) entitled: "An Act relating to Allegheny County" which reads as follows

"Section 23 If any said taxes shall remain unpaid in any of said districts for a period of four months after the day fixed as aforesaid for the payment in the proper district the treasurer shall issue his warrant accompanied by a schedule of all unpaid taxes in each district and the names of the persons respectively by whom the same are due directed to any citizen of the county authorizing and requiring him to demand and receive from the persons named in the schedule the same therein charged against them respectively together with five per centum in addition thereto which shall be in full compensation to such person for the collection thereof but neither the treasurer nor the collector appointed by him as above shall at any time after the issue of said warrants be required to receive from any person less than the whole amount of taxes assessed against him or his property in any one ward borough or township as increased or diminished by the deductions or additions hereinbefore provided for The collector appointed by the treasurer shall be responsible to the treasurer for the faithful performance of the duties and for the amounts collected by them and shall have all the powers conferred on collectors of taxes by the twenty-first section of the act of fifteenth April one thousand eight hundred and thirty-four" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 576, entitled:

An Act to amend section eleven and fifteen as amended and repealing section twenty-one of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expense of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" by limiting the right of assistance to voters extending the power of the court to open ballot boxes and abolishing the office of watchers at primary elections

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" is hereby amended to read as follows

Section 11 The primaries shall be conducted by the regular election boards duly elected under existing or future laws who shall receive the same compensation for their services as they receive at elections Inspectors of elections shall have the right to appoint clerks to assist them as at elections who shall receive the same compensation that clerks receive for such services at elections Vacancies in election boards shall be filled in the manner now provided by law Before entering upon their duties the election officers and clerks shall be sworn and execute written oaths as is now required by law

The polls shall be open between the hours of seven o'clock ante meridian and seven o'clock post meridian All persons licensed to sell liquors either at wholesale or retail or as bottlers shall be compelled to keep their places of business closed on said days for holding said primary only

between the hours of six o'clock ante meridian and eight o'clock post meridian

Primaries shall be conducted in conformity with the laws governing the conduct of general elections in so far as the same are not modified by the provisions of this act or are not inconsistent with its terms Privided No voter shall be permitted to have assistance in the marking of his ballot unless he shall make affidavit upon a form to be provided by the county commissioners that by reason of physical disability which he shall specify in the affidavit he is physically unable to mark his ballot If any such person shall make such affidavit he shall be permitted by the judge of election to select a member of the election board to aid him in the preparation of his ballot such preparation being made in the voting compartment Such affidavit shall be preserved with the ballots and other records of the election in the manner provided by law Any person making a false affidavit under the provisions of this section shall be guilty of perjury and subject to the penalties in such case made and provided

The second section was read as follows:

Section 2 That section fifteen of said act which was amended by the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and twenty-five) entitled "An act to further amend section fifteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reinbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' by empowering the court of common pleas instead of the return board to open ballot-boxes when fraud or error not manifest on the general return is alleged" is hereby further amended to read as follows

Section 15 Any election officer or clerk of election or clerk of the county commissioners or other person who knowingly inserts or knowingly permits to be inserted any fictitious name false figure or other fraudulent entry on or in any assessor's list register list of voters affidavit tally paper return sheet statement certificate or oath voucher or other record or document authorized or required to be made used signed returned or preserved for any public purpose in connection with any primary or who materially alters or intentionally destroys any entry which has been lawfully made therein except by public order of the county commissioners prothonotary or of the court of common pleas or who takes or removes any such book affidavit return ballot or other document of record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as required or permitted by law or who neglects or refuses to deliver the same into the custody of the officials who are or hereafter may be required by law to use or keep the same shall be guilty of a misdemeanor and upon cenviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for a period not exceeding three years or both in the discretion of the court

Upon petition and the sworn affidavit of three qualified electors of the territory affected by the primary election that upon information which they consider reliable they believe an act of fraud or error although not manifest upon the general return of votes made therefrom has been committed in any one or more election precincts divisions or districts in said territory affected by the primary election the court of common pleas may at any time prior to the completion of the computation and canvassing of all the returns of all the returns for the county open the ballot-box of such election district or districts and cause the entire vote thereof to be recounted in manner aforesaid and if the court discovers any fraud or material error it shall correct compute and certify the votes of such election district or districts justly regardless of any fraudulent or erroneous returns made by the election officers thereof and correct any entries previously made in the papers being prepared by the return board accordingly

Any person being an elector of the territory affected by said primary election aggrieved by any order or decision of any return board not consisting of a judge or judges of the court of common pleas regarding the computation or canvassing of the returns may appeal therefrom within two days thereafter to the court of common pleas of the proper county setting forth why he feels that an injustice has been done and praying for such order as will give him relief and upon the payment to the prothonotary of a fee of three dollars for filing such appeal a judge of the said court shall fix a time and place for hearing the matter in dispute within three days thereafter of which due notice shall be served with a copy of said appeal by the appellant upon one of the return board whose action is complained of and upon every attorney who opposed the contention of the appellant before such return board and upon any other person that said judge shall direct at least two days before said matter shall be reviewed by the court and proof of such notice or the waiver thereof must be filed therein before any appeal is sustained The court on such appeal and upon the opening of any ballot-box shall have full power and authority to hear and determine all matters pertaining to any fraud or error committed in any election district to which such appeal or petition to open a ballot-box and to make such decree as right and justice may require and pending such appeal or the opening of any ballot-box the return board shall suspend any official certification of the votes cast in such election district but none of the orders or decisions of either the return board or any judge or judges acting as a return board or the court of common pleas on any appeal or the opening of any ballot-box shall be deemed a final adjudication regarding the results of any primary election so as to preclude any contest thereof Contests of primaries shall originate and be conducted as in cases of elections No appeal shall be allowed from any decision of any judge or judges acting as a return board or from any order or decree of the court of common pleas made in pursuance of this section and the said court may compel the appellant or any opposing party other than the commissioners or prothonotary to pay all the witness fees if any and other legal costs of rehearing any matter in dispute which costs may be taxed by the prothonotary in the usual manner

On the question,

Will the House agree to the section?

Mr. VICERMAN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 2, page 5, line 18 by striking out the word "of" following the word "document" and inserting in lieu thereof the word "or."

Amend Sec. 2, page 7, line 15 by inserting after the word "ballot-box" the word "relates."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third, fourth, fifth sections and title were separately read and agreed to as follows:

Section 3 That section twenty-one of said act be and the same is hereby repealed

Section 4 The office of watchers at primary elections is hereby abolished

Section 5 All acts and parts of acts inconsistent with parts of this act are hereby repealed

An Act to amend section eleven, and fifteen as amended, and repealing section twenty-one of the act approved the twelfth day of July, one thousand nine hundred and thirteen,

(P. L. 719), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make and to alter amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation;" by limiting the right of assistance to voters, extending the power of the court to open ballot boxes, and abolishing the office of watchers at primary elections.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 469, as follows:

An Act to amend section three of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended by the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred thirty-six) entitled "An Act to amend section three of an act approved the twelfth day of July one thousand nine hundred thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' as amended" is hereby amended to read as follows

Section 3 One primary shall be held each year in every election district of this Commonwealth in which nominations are to be made or delegates and alternate delegates to national party conventions State committeemen or party officers including members of the national committee are to be elected as herein provided The said primaries shall be held on the third Tuesday of September in all odd-numbered years and on the fourth Tuesday of April in all even-numbered years The primaries held on the third Tuesday of September shall be known as the fall primary and the primary held on the fourth Tuesday of April shall be known as the spring primary

Candidates for all offices to be filed at the general election shall be nominated at the spring primary Delegates and alternate delegates to national party conventions State committeemen and such party officers including members of the national committee as required by the rules of the several political parties to be elected by a vote of the party electors shall be elected at the spring primary except as otherwise provided in this act

The vote for candidates for the office of President of the United States as herein provided for shall be cast at the spring primary

Candidates for all offices to be filled at the municipal election shall be nominated at the fall primary

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1183, as follows:

An Act reappropriating the unexpended balance of an appropriation made by the General Assembly of one thousand nine hundred and twenty-one to the State Fair Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the unexpended balance of the appropriation of fifteen thousand dollars ($15,000) appropriation made to the State Fair Commission by the act of May twenty-seventh one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and ninety-one) entitled "An Act creating a State Fair Commission for the Commonwealth of Pennsylvania defining its duties and making an appropriation therefor" is hereby specifically reappropriated to the State Fair Commission to be used for the same purposes for which appropriated by the said act and also to pay to expenses of said commission in its work of acquiring site and providing for the creation of a State Fair

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1289, as follows:

An Act empowering the Board of Commissioners of Public Grounds and Buildings to procure bonds for State officers and employes and providing for the payment of the cost of said bonds and the custody thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Board of Commissioners of Public Grounds and Buildings shall procure from a corporation or corporations authorized by law to act as sureties in the Commonwealth good and sufficient bonds which shall be ap-

proved by the Attorney General to meet the requirements of law in the case of all State officers and employes required by statute to give bond to the Commonwealth for the faithful performance of their official duties The cost of said bonds shall be paid out of a specific appropriation to be made to the Board of Commissioners of Public Grounds and Buildings Such bonds shall be placed in the care custody and safe keeping of the State Treasurer

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1216, as follows:

An Act authorizing certain corporations to create and issue and convert their authorized and outstanding capital stock into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any corporation heretofore or hereafter incorporated except those referred to in section two hereof having a capital stock prescribed in its certificate of incorporation or by subsequent increase to consist of shares either with or without nominal or par value or both may at any time change or convert any or all of the shares of its authorized and outstanding capital stock into one or more classes and kinds either common or preferred or both and either with or without nominal or par value as to the shares of any given class or kind in the same manner as may be prescribed by law for increasing its authorized capital stock

Section 2 This act shall not apply to the following classes of corporations viz building and loan associations insurance banking and trust companies and such companies as are required by the provisions of this act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An Act to provide for the incorporation and regulation of certain corporations" and supplements thereto to have their charters approved by the courts of common pleas

Section 3 All creations and issues of one or more of any class or kind of stock heretofore made by corporations which would be legal and valid under the provisions of section one of this act are hereby validated with the same force and effect as if this act had been in effect at the time of the issue of such stock

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1254, as follows:

An Act making an appropriation to carry out the provisions of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws eleven hundred ninety) entitled "An Act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers' licenses which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim and making an appropriation for such refunds"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twelve thousand dollars (12,000) or so much thereof as may be necessary is hereby specifically appropriated to the State Highway Department for the purpose of refunding money paid for the registration of motor vehicles and drivers' licenses to which the Commonwealth has no claim disbursements to be made in accordance with the provisions of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws eleven hundred ninety) entitled "An Act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers licenses which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim and making an appropriation for such refunds"

The amount hereinbefore appropriated shall be paid from the State Treasury as follows nine thousand five hundred dollars ($9,500) or so much thereof as may be necessary shall be paid from the General Fund and the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary shall be paid from the special fund in the State Treasury created by the twelfth section of the act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred seventy-eight) entitled "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registation of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle"

The said moneys shall be paid on warrant of the Auditor General on the State Treasurer in favor of the claimant or claimants for the amount due him or them

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 81, as follows:

An Act to provide for the ordinary expenses of the executives judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or so much thereof as may be necessary be and the same are hereby specifically appropriated to the several objects hereinafter named for the two fiscal years commencing on the first day of June one thousand nine hundred and twenty-three to be paid out of any moneys in the treasury not otherwise appropriated

Section 2 For the payment of the salaries of the several state officers and clerks and employes in the several departments of the State government and for the incidental expenses of the said departments the following sums or so much thereof as may be necessary the same to be paid on the warrant of the Auditor General upon the State Treasurer in the amounts as follow and in the manner prescribed by law

EXECUTIVE DEPARTMENT

Office of Governor

For the payment of the salary of the Governor two years the sum of twenty thousand dollars $20,000.00

For the payment of the salaries wages and fees of the Secretary to the Governor and of such consultants experts accountants investigators inspectors clerks stenographers and other employes as the Governor may require for the proper conduct of the work of his office and the payment of the contingent traveling and incidental expenses of the Governor and his secretary expenses incurred in the conduct of the Executive Mansion the entertainment of official guests the maintenance of an automobile and the expenses not exceeding five hundred dollars ($500) incident to participation in the procedure of the Governor's Conference two years the sum of seventy-five thousand dollars $75,000.00

Office of Lieutenant Governor

For the payment of the salary of the Lieutenant Governor two years the sum of ten thousand dollars $10,000.00

For all contingent expenses including traveling clerical and stenographic charges of the Lieutenant Governor for the two fiscal years beginning June first one thousand nine hundred and twenty the sum of two thousand five hundred dollars $2,500.00

SECRETARY OF THE COMMONWEALTH

For the payment of the salary of the Secretary of the Commonwealth two years the sum of sixteen thousand dollars $16,000.00

For the payment of the salaries of such deputy secretary or secretaries bureau chiefs expert accountants superintendents clerks messengers janitors and night watchmen as the Secretary of the Commonwealth may require for the proper conduct of the work of the department of proof reading the pamphlet laws and of postage expressage traveling and contingent expenses two years the sum of one hundred and thirty-four thousand dollars $134,000.00

For the payment of the salaries of a Director of Accounts at seventy-five hundred dollars per year and a Director of Standards and Purchases at seventy-five hundred dollars per year and for the payment of the salaries wages or other compensation of such secretaries experts and clerks as may be required to assist the said directors the sum of seventy thousand dollars $70,000.00

Provided That the Secretary of the Commonwealth shall act as Director of Finance without additional compensation for those services and Provided That the Director of Accounts and the Director of Standards and Purchase may either or both be assigned to performed the duties of Deputy Secretary of the Commonwealth without additional compensation for such services

For the payment of the expenses of publishing in the various newspapers in the state the several amendments to the constitution of the Commonwealth for the two fiscal years beginning June first one thousand nine hundred and twenty-three the sum of sixty thousand dollars $60,000.00

For the purpose of refunding under the provisions of the act of June fourteenth one thousand nine hundred and eleven (Pamphlet Laws page nine hundred and thirty-six) fees paid for commissions to notaries public when such commissions have not been issued or if issued have not been recovered and have been cancelled two years ending May thirty-first one thousand nine hundred and twenty-five the sum of one thousand dollars $1,000.00

ATTORNEY GENERAL'S DEPARTMENT

For the payment of the salary of the Attorney General two years the sum of twenty-four thousand dollars $24,000.00

For the payment of the salaries wages or other compensation of such deputy attorneys general law clerks secretaries clerks stenographers messengers experts investigators and other employes as may be required for the proper conduct of the work of the department contingent expenses witness fees costs postage express charges the purchase of law books for the law library of the Attorney General the services and expenses of attorneys employed to assist in cases and the prosecution of claims in which the Commonwealth is interested two years the sum of one hundred and fifty-six thousand dollars $156,000.00

For the payment of expenses incurred under the direction of the Governor in the enforcement of the laws of this Commonwealth two years the sum of two hundred and fifty thousand dollars $250,000.00

Total $430,000.00

AUDITOR GENERAL'S DEPARTMENT

For the payment of the salary of the Auditor General two years the sum of twenty thousand dollars $20,000.00

For the payment of the Auditor General for services as a member of the Board of Public Grounds and Buildings two years the sum of one thousand two hundred dollars $1,200.00

For the payment of the salary of the Revenue Deputy two years the sum of fifteen thousand dollars $15,000.00

For the payment of the salary of the Disbursing Deputy two years the sum of fifteen thousand dollars $15,000.00

For the payment of the salary of the Assistant Deputy two years the sum of twelve thousand dollars $12,000.00

For the payment of the salaries of the chief clerks chief of bureau of corporations and assistants traveling auditors accountants book-keepers and all other clerks and employees

For the payment of compensation and expenses of persons appointed in pursuance of law to examine the property methods processes and accounts of officers corporations and individuals required by law to make reports to the Auditor General of monies or taxes due the Commonwealth and for the payment of expenses of the Auditor General deputies representatives and traveling auditors actually and necessarily incurred by them in the performance of the duties assigned them as provided by law

For the payment of persons employed by the Auditor-General to discover prosecute and collect unpaid taxes bonus interest and penalties and all public accounts

For the payment of the costs of advertising required by an act of assembly in connection with the escheat of monies and property to the Commonwealth or in connection with the payment of unclaimed monies in the State Treasury without escheat and for the payment of any other costs connected with such escheats and the payment into the State Treasury with escheats two years the sum of six hundred fifty-eight thousand dollars $658,000.00

For the purchase of patent indexes records law books and other books necessary for the proper conduct of the work of collecting taxes from corporations and auditing accounts two years the sum of three thousand dollars $3,000.00

For the payment of postage express charges cost of filing liens and contingent expenses two years the sum of thirty thousand dollars $30,000.00

For the balance due or to become due retired county officers on account of overpayment of merchantile and other taxes collected for the Commonwealth the sum of four thousand dollars $4,000.00

For the purpose of refunding by the Auditor-General to purchasers of stock transfer stamp under the act of June fourth one thousand nine hundred and fifteen (Pamphlet Laws page eight hundred and twenty-eight) any sums that may be due them upon the surrender and return of such stamps as may be spoiled cancelled mutilated or defaced unintentionaly by accident or in error the sum of one thousand five hundred dollars $1,500.00

For the payment of the compensation of informants in escheats as provided for in the Act of May second one thousand eight hundred and eighty-nine and amendments thereto the fees and expenses of escheats and the services of attorneys authorized by the Auditor-General in connection with such escheat proceedings and for the refund of moneys to those entitled thereto upon the traverse of decrees in escheat as provided by said Act for the two years beginning June first one thousand nine hundred and twenty-three the sum of twenty thousand dollars $20,000.00

For the payment of the mileage of the appraisers of the merchantile and other license taxes of the several counties of the Commonwealth two years the sum of twenty-five thousand dollars $25,000.00

For the payment of costs in suits against delinquent dealers for merchantile and other licenses insurred during the two fiscal years beginning June first one thousand nine hundred and twenty-three the sum of eight thousand dollars $8,000.00

For refunding inheritance taxes of all kinds whether collateral direct transfer or otherwise paid in error for two years fifty-five thousand dollars $55,000.00

For the payment of the expenses of publishing monthly statements of the general sinking and all other funds as required by law and for the payment of advertisements for proposals for publication of the decision of the Supreme Court under the provisions of an Act approved the twelfth day of June one thousand eight hundred and seventy-eight two years the sum of twenty-five thousand dollars $25,000.00

For the fees of county officers for furnishing information to the officers of the Commonwealth in accordance with the Act of April fourteenth one thousand eight hundred and ninety-seven (Pamphlet Laws twenty-two) two fiscal years the sum of four thousand dollars $4,000.00

TREASURY DEPARTMENT

For the payment of the salary of the State Treasurer two years the sum of twenty thousand dollars $20,000.00

For the payment of the State Treasurer for services as Members of the Board of Public Grounds and Buildings two years the sum of one thousand two hundred dollars $1,200.00

For the payment of the salary of the Cashier two years the sum of ten thousand dollars $10,000.00

For the payment of the salary of the Assistant Cashier two years the sum of seven thousand two hundred dollars $7,200.00

For the payment of clerk hire including auditors investigators messengers watchmen and cleaners two years the sum of three hundred seventy thousand dollars $370,000.00

For the payment of contingent expenses two years the sum of fifteen thousand dollars $15,000.00

For the purchase of patent indices law books and other books necessary for the proper conduct of the work of the department two years the sum of one thousand dollars $1,000.00

For the payment of traveling expenses of the State Treasurer and employes while on departmental business two years the sum of five thousand dollars $5,000.00

For the payment of postage express freight and other incidental expenses two years the sum of twenty-five thousand dollars $25,000.00

For the payment of casts of procuring bonds required to be given by his employes of the State Treasury two years the sum of ten thousand dollars $10,000.00

For the payment of the salary of the Deputy State Treasurer and Commissioner of Trusts two years the sum of sixteen thousand dollars $16,000.00

For the payment of clerks typists and other employes and for the payment of other expenses made necessary by the Act of 1921 creating the Office of Deputy State Treasurer and Custodian of Trusts and prescribing his duties two years the sum of ten thousand dollars $10,000.00

For the payment of premiums on bonds of officers and employes required to be given to the Commonwealth two years the sum of twenty thousand dollars $20,000.00

COMMISSIONERS ON SINKING FUND

For the payment of the salary of the clerk of the Board of Sinking Fund Commissioners two years the sum of two thousand dollars $2,000.00

For the purpose of paying the interest on and redeeming at maturity the bonds of the Commonwealth of Pennsylvania issued for the purpose of improving and rebuilding the highways of the Commonwealth and issued under the authority of the act of the General Assembly of Pennsylvania approved the eighteenth day of April Anno Domini one thousand nine hundred and nineteen entitled "An act authorizing the issue and sale of bonds to the amount of fifty millions of dollars by the Commonwealth of Pennsylvania defining the powers and duties of the Governor the Auditor General and the State Treasurer in re lation thereto making an appropriation of the proceeds of such bonds for the purpose of improving and rebuilding the highways of the Commonwealth providing for the payment of interest on and the redempton of such bonds by the Sinking Fund Commission and making an appropriation to carry out the provisions of this act" the sum of seven million ninety thousand eight hundred and twenty dollars .. $7,090,820.00 or so much thereof as may be necessary Any balance remaining unexpended from the appropriation of one thousand nine hundred and twenty-one made for the purpose of paying the interest on and redeeming at maturity said bonds shall remain available for said purposes All of the foregoing appropriation not necessary for the payment of interest on said bonds shall be paid by the State Treasurer into the sinking fund

DEPARTMENT OF INTERNAL AFFAIRS

For the payment of the salary of the Secretary of Internal Affairs two years the sum of sixteen thousand dollars $16,000.00

For the payment of the Deputy Secretary of Internal Affairs two years the sum of ten thousand dollars $10,000

For the payment of the salary of the Chief of the Bureau of Standards in the Department of Internal Affairs two years the sum of eight thousand dollars $8,000

For the payment of the salary of the Chief Draftsman and Surveyor two years the sum of five thousand dollars $5,000

For the payment of the salaries of other officials clerks and employes in the Executive Bureau the Land Office and the Bureau of Standards fixed by Acts of Assembly and not otherwise provided for two years the sum of one hundred thirty-six thousand six hundred dollars $136,600

For the payment of the salaries of officials clerks and employes necessary for the proper conduct of the work of the Bureau of Statistics and Information two years the sum of one hundred forty-four thousand five hundred dollars $144,500

For the payment of the salaries of officials clerks and employes necessary for the proper conduct of the work of the Bureau of Municipalities two years the sum of sixty thousand dollars $60,000

For the payment of skilled draftsmen surveyors and other assistants necessary to the proper continuation of the warrantee map work two years the sum of twelve thousand dollars $12,000

For the payment of servces rendered and expenses incurred in the collection of tax statistics and the compilation of the same (paid to the County Commissioners) two years the sum of twelve thousand dollars $12,000

For the employment of draftsmen in copying the surveys or other ancient papers important to be preserved in the Land Office Bureau two years the sum of twenty-eight thousand dollars $28,000

For services and other expenses incident to the investigating and surveying of vacant and unappropriated land two years the sum of eight hundred dollars $800

For the payment of the expense of additional equipment and of maintenance of equipment for the Bureau of Standards two years the sum of five hundred dollars $500.00

For the payment of the salaries of a State Geologist and such assistant geologists mineralogists chemists engineers draftsmen et cetera (traveling and all other contingent and incidental expenses) of the Bureau of Topographic and Geological Survey two years the sum of one hundred and ten thousand dollars $110,000.00

For the payment of the incidental and traveling expenses of the Secretary and all other officers and employes of the Department for the payment of all postage contingent and incidental expenses of the Department of Internal Affairs with its several Bureaus except the Bureau of Topographic and Geological Survey two years the sum of forty thousand dollars $40,000.00

DEPARTMENT OF PUBLIC INSTRUCTION

For the payment of the salary of the Superintendent of Public Instruction of the salaries of such deputy superintendents directors assistant directors supervisors assistants examiners proctors inspectors experts investigators employees clerks and stenographers as may be required for the proper conduct of the work of the department for general expense traveling expense equipment supplies postage and other incidental expenses of the Department as authorized and approved by the Superintendent of Public Instruction for such services and expenses of the state council of education of vocational education of profesional education of medical education and licensure of the regulation of the practice of midwifery of the dental council as are authorized by law of Americanization adult education and reducing illiteracy as are approved by the Superintendent of Public Instruction and for supplying the Pensylvania School Journal to each board of school directors two years the sum of nine hundred and ninety-five thousand dollars .. $995,000.00

For the suuort of State Norman Schools including instruction operation and maintenance and sucn necessary additions alterations equipment and repairs thereof as may be authorized and approved by the Superintendent of Public Instruction payment to be made on requisition of the Superintendent of Public Instruction two years the sum of three million five hundred thousand dollars $3,500,000.00

For reimbursing school districts upon the salaries of school teachers as required by law for the two fiscal years beginning the first Monday of July one thousand nine hundred and twenty-three the sum of twenty-one millions dollars $21,000,000.00

For the payment of the salaries and expenses of the county and assistant county superintendents of public schools as required by law for aid to school districts which now maintain or shall cause to be established and maintained as a part of the public school system vocational schools or departments schools for agricultural education manual training domestic science and other vocational and practical education including a sum of fifty thousand dollars for the Thaddeus Stevens Industrial School at Lancaster for the training of vocational teachers in such institutions as the State Council of Education may designate and under such regulations as the State Council of Education may prescribe for the transportation of pupils where schools are closed or consolidated as required by law for the investigation transportation and necessary expense involved in the education of blind children as required by law for reimbursing school districts maintaining special classes in the public schools or special public schools or providing special education as required by law for the award of scholarship to graduates of secondary schools to aid them in obtaining a higher education as required by law for for Corn Planter Indians as required by law for the necessary expenses of blind students in attendance at institutions of higher learning as required by law the sum of two million seven hundred twenty thousand eight hundred and fifty dollars $2,720,850.00

RETIREMENT BOARD

To the Retirement Board created by the Act approved tne eighteenth day of July one thousand nine hundred and seventeen for the payment of the salaries of such secretaries actuaries clerks assistants stenographers and other employees as may be required for the proper conduct of the work of the Board and for postage expressage traveling expenses and other contingent and incidental expenses two years the sum of eighty thousand dollars $80,000.00

For payment into the contingent reserve fund two years the sum of seven hundred thousand dollars $700,000.00

For payment into the annuity reserve fund number two two years the sum of two million three hundred thousand dollars $2,300,000.00

ADJUTANT GENERAL'S DEPARTMENT

For the payment of the salary of the Adjutant General two years the sum of sixteen thousand dollars $16,000.00

For the payment of the salary of the Division Commander two years the sum of sixteen thousand dollars $16,000.00

For the payment of the salary of the Deputy Adjutant General two years the sum of seven thousand and two hundred dollars $7,200.00

For the payment of the salaries of the members of the State Military Board (excluding the Adjutant General and the Division Commander) two years the sum of two thousand and four hundred dollars $2,400.00

For the payment of the salaries wages or other compensation of such officers and employees of the Adjutant General's Department including Division Headquarters Office of the United States Property and Disbursing Officer State Aarsenal and State Militray Reservation as may be required for the proper conduct of the work of the department two years the sum of two hundred sixty-one thousand four hundred dollars $261,400.00

For all necessary expenses including annual allowance armory rent individual pay officers' annual allowance rifle practice commutation passenger and freight transportation necessary for the maintenance organization government and discipline of the Pennsylvania National Guard two years the sum of seven hundred thousand dollars $700,000.00

For the purchase of military stores to replace those sold or exchanged by the Adjutant General or for such other military purposes as the State Military Board may direct two years the sum of twenty thousand dollars $20,000.00

Provided That the Auditor General shall not at any time authorize the payment of any amounts hereunder in excess of the amount paid into the State Treasury by the Adjutant General as the proceeds of such sales or exchanges

For the purpose of making improvements additions or repairs to buildings and roads on the State Reservation at Mt. Gretna construction of new buildings and other necessary permanent improvements two years the sum of twenty thousand dollars $20,000.00

For the purpose of placing at the disposal of the Governor and making same available for replacing or repairing armory buildings owned by the Commonwealth and occupied by an organization of the Pennsylvania National Guard for all necessary expenses in connection therewith should such armory building be destroyed or damaged in whole or in part by fire flood storm or other unavoidable cause and to replace or repair military stores or supplies stored or used in such armory building and destroyed or damaged in whole or in part in like manner and to pay for transportation pay of officers and enlisted men horse hire subsistence and quartermaster stores and other proper and necessary expenses incident to actual service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurection riot tumult or disorder or imminent danger thereof and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States or for the payment of mileage and lawful expenses of commissioners to take the vote of Pennsylvania soldiers in Federal or State service when in the field on active duty two years the sum of two hundred thousand dollars .. $200,000.00

For the payment of postage traveling expenses cleaning of offices and basement storage room and other incidental and unforeseen items two years the sum of ten thousand dollars $10,000.00

For the preparation and compiling of the records of the soldiers of Pennsylvania who participated in the World War including the payment of clerical services two years the sum of twelve thousand dollars $12,000.00

STATE ARMORY BOARD

For the payment of salaries of members of the State Armory Board two years the sum of twelve thousand dollars $12,000.00

Provided That the Governor and the Adjutant General as members ex-officio shall receive no compensation

For the maintenance of armories including necessary repairs the leasing of armory and stable quarters for National Guard units where State armory buildings have not been erected compensation insurance of caretakers janitors and other employees actual traveling expenses of members of the State Armory Board clerical general and contigent expenses of the Board expenses of inspection of armories two years the sum of two hundred and twelve thousand dollars $212,000.00

INSURANCE DEPARTMENT

For the payment of the salary of the Insurance Commissioner two years the sum of fifteen thousand dollars $15,000.00

For the payment of the salaries wages or other compensation of such deputies actuaries examiners investigators inspectors clerks stenographers and other employes as may be required for the proper conduct of the work of the department and of contigent traveling and incidental expenses of the Insurance Commissioner and the employes of the department two years the sum of one hundred and eighty-five thousand dollars .. $185,000.00

BANKING DEPARTMENT

For the payment of the salaries of employes and other expenses incident to the supervision and examination of building and loan associations two years the sum of sixty thousand dollars $60,000.00

DEPARTMENT OF AGRICULTURE

For the payment of the salary of the Secretary of Agriculture two years the sum of sixteen thousand dollars $16,000.00

For the payment of the salaries wages or other compensation of such deputy secretaries directors or chiefs of bureaus deputy directors or chiefs of bureaus attorneys specialists chemists advisers inspectors agents special agents clerks reporters stenographers and other employees as may be required for the proper conduct of the work of the department for the payment of traveling postage contingent and incidental expenses of the Secretary of Agriculture and the officers and employes of the department of supplies including scientific apparatus chemicals samples of food books and other materials cost of maintenance of field laboratories premiums and other expenses incident to the State Farm Products Show and agricultural meetings held in connection therewith including the compensation and expenses of lecturers of the cost of maintaining an agricultural library and issuing and distributing agricultural bulletins and of other publicity of the expenses incident to the establishment and enforcement of quarantines of the expense or regulating the weighing testing buying and selling of milk and cream for the scouting and control of imported white pine blister the Japanese beetle the potato wart diseases and generally of the diseases of poultry animals and plants for the inspection of and supervision over cold storage plants for the inspection and analysis of concentrated commercial feeds fertilizers lime used for agricultural purposes linseed oil paints seeds and insecticides for the payment of the expense of collecting and publishing facts relating to the transportation and marketing of farm products and the statistics relating to the agricultural industries and interests of the State and for the enforcement of any and all Acts of Assembly which it is the duty of the department to enforce two years (not including however appropriations for the payment of indemnity for animals afflicted with dangerous contagious or infectious diseases which shall be paid from the Dog law fund but not in excess of two hundred and fifty thousand dollars ($250,000) the sum of five hundred and eighty-four thousand dollars $584,000.00

For payment to incorporated agricultural associations as provided by law for exhibits of live-stock live-stock products horticultural products handiwork cereals bees and bee products subject to the filing of such reports by said associations as may be acquired by the Secretary of Agriculture two years eighty thousand dollars $80,000.00

DEPARTMENT OF FORESTRY

For the payment of the salary of the Commissioner of Forestry two years the sum of sixteen thousand dollars $16,000.00

For the payment of the salaries wages or other compensations of such deputy commissioners assistants forest officers experts instructors draftsmen clerks bookkeepers stenographers messengers matrons cooks waitresses and other employes as may be required for the proper conduct of the work of the department of traveling contingent and other necessary expenses of the department and of the members of the State Forest Commission of expenses incurred in the erection and repair of buildings the purchase of necessary materials and equipment used in forest management and development for the maintenance planting and improvement of State forests and the encouragement and promotion of proper forest practice for surveying mapping and marking the boundaries of State forest land for forest protection and the prevention discovery suppression and control or forest fires for the maintenance of the State Forest Academy for the payment of the annual fixed charges for road school and county purposes on lands owned by the Commonwealth of Pennsylvania and held and administered by it as State forests and for the payment of the annual fixed charges for road and school purposes on lands classified as auxiliary forest reserves two years the sum of one million two hundred and ninety-nine thousand dollars $1,299,000.00

DEPARTMENT OF LABOR AND INDUSTRY

For the payment of the salary of the Commissioner two years the sum of twenty thousand dollars $20,000.00

For the payment of the salaries wages or other compensation of such bureau chiefs members of Industrial Board secretary mediator clerks inspectors supervisors experts stenographers employment agents superintendents and examiners adjustors investigators accountants auditors messengers and other employes as may be required for the proper conduct of the work of the department and for the payment of the incidental and traveling expenses of the Commissioner and all other officers and employes of the department and of all contingent and incidental expenses necessary for carrying out the provisions of the various acts of assembly relating to the department for the payment of artificial appliances and of maintenance costs for physically handicapped persons in training and all other expenses incidental to carrying out the provisions of the rehabilitation acts for the payment of the salaries wages or other compensation of the members of the Workmen's Compensation Board and of such counsel secretaries actuaries referees directors clerks adjustors chief assistants physicians sergeant-at-arms stenographers and other employe as may be required for the proper administration of the Workman's Compensation Act and for the payment of traveling contingent and incidental expenses of the members of the Workman's Compensation Board referees and other employees of the Department engaged in the administration of the Workmen's Compensation Act and for the payment of any and all amounts of statutory medical hospital surgical and burial expenses and of workmen's compensation which may become due and payable during the biennial period beginning June first Anno Domini one thousand nine hundred and twenty-three and ending May thirty-first one thousand nine hundred and twenty-five to injured employes and dependents of deceased employes of the various departments of the Government of the Commonwealth of Pennsylvania upon claims arising under the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen and the amendments thereto and supplements thereof and for the payment of expenses incurred by the Bureau of Workmen's Compensation in the investigation and adjustment of claims of such employes and dependents said appropriation to be paid by the State Treasurer on the warrant of the Auditor General upon certificates furnished by the Commissioner or Acting Commissioner of Labor and Industry two years the sum of one million four hundred and seventy thousand dollars $1,470,000.00

DEPARTMENT OF MINES

For the payment of the salary of the Chief of the Department and the other officials the sum of twelve thousand dollars $12,000.00

For the payment of the salaries wages or other compensation of such deputy chiefs attorneys clerks statisticians stenographers messengers janitors and such expert service as may be required for the proper conduct of the work of the department of the traveling incidental and contingent expenses of the Chief of the Department and the other officials and employes thereof of the cost of books instruments electrical equipment chemicals plans freight expressage postage and other supplies required for the proper conduct of the work of the department two years the sum of fifty-nine thousand eight hundred dollars $59,800.00

For the payment of the salaries of the inspectors of coal mines as provided by law and for the payment of the actual traveling expenses of the inspectors and for their office rent stationery postage telegrams express charges instruments typewriters furniture and all other actual necessary expense two years the sum of four hundred ninety-two thousand seven hundred dollars $492,700.00

For the payment of the compensation and expenses attending the examination of candidates for inspectors of coal mines mine foremen assistant mine foremen and fire bosses as provided for by the Acts of Assembly relating thereto two years the sum of four thousand dollars $4,000.00

DEPARTMENT OF HEALTH

For the payment of the salary of the Commissioner of Health two years the sum of twenty thousand dollars $20,000.00

For the payment of the salaries wages or other compensation of such deputy commissioners bureau and division chiefs assistants sanitary engineers in engineering division county medical directors rural health officers inspectors nurses clerks stenographers messengers janitors and other employes as may be required for the proper conduct of the work of the department of the traveling incidental and contingent expenses of the Commissioner of Health his assistants and the other employes of the department of the cost of diphtheria antitoxin and other products for free distribution to the poor of collecting compiling and publishing vital and morbidity statistics of maintaining laboratories and experimental stations of educational work of

improving and conserving child health of maintaining genito-urinary dispensaries of investigating and regulating housing conditions of the department's work in dental health of narcotic drug control of supervising epidemics of diseases for the purpose of maintaining the department's sanitoria and dispensaries for the free treatment of indigent persons affected with tuberculosis including the purchase of food supplies and other necessities additions and the salaries and wages of employes for the medical inspection of the public schools in accordance with the provisions of the School Code and for the payment of all other necessary expenses of the Department of Health in the performance of duties imposed upon it by the Acts of Assembly in supervising epidemics of diseases and in protecting the public health two years the sum of three million nine hundred and eighty thousand dollars $3,980,000.00

STATE HIGHWAY DEPARTMENT

For the payment of the salary of the State Highway Commissioner two years the sum of twenty thousand dollars $20,000.00

For the payment of the salaries wages or other compensation of such assistant state highway commissioners engineers highway superintendents township commissioners controllers registrars of motor vehicles managers statisticians inspectors agents paymasters accountants bookkeepers cashiers mechanicians draughtsmen stenographers clerks and all other employees as may be required for the proper conduct of the work of the Department for necessary traveling contingent and incidental expenses for the purchase and maintenance of motor equipment for the necessary expense of the registration of automobiles for the maintenance and equipment of laboratories for surveying and plotting county and township roads and making and publishing maps thereof two years the sum of nine hundred and eighty thousand dollars $980,000.00

DEPARTMENT OF PUBLIC GROUNDS AND BUILDINGS

For the payment of the salary of the Superintendent of Public Grounds and Buildings two years the sum of fourteen thousand dollars $14,000.00

For the payment of such clerks auditors bookkeepers secretaries draughtsmen storekeepers stenographers custodians messengers inspectors engineers assistants and other employees as may be required for the proper conduct of the work of the department two years the sum of four hundred and ninety-five thousand dollars $495,000.00

For the payment of the cost of general supplies including stationery supplies furniture fuel repairs alterations and improvements and other matters required by the Legislature the several departments boards and commissions of the State Government and the Executive Mansion as set forth and included in the general annual schedule of supplies for the State Government for the payment of bills and accounts for such supplies remaining unpaid and for the purchase of any article of furniture furnishings stationery supplies fuel emergency supplies or any other matter or things and for the payment of any emergency or other repairs alterations or improvements the want of which may not have been anticipated at the time of the issue of the annual schedule and which do not appear in the same and for which requisition is made on the superintendent for the payment of any bills for design or specifications ordered by the board two years the sum of six hundred and eighty-four thousand dollars $684,000.00

For the payment by the superintendent for any emergency supplies the want of which may not have been anticipated at the time of the issue of the annual schedule and which do not appear in the same and for which requisitions shall be made upon the superintendent and for the payment by the superintendent for emergency repairs and supplies and all temporary help for the care maintenance and preservation of the public grounds and buildings including the Executive Mansion two years the sum of twenty thousand dollars which appropriation shall be known as the board's contingent fund.... $20,000.00

For the cost of advertising the annual schedule of supplies the sale of unserviceable furnishings the readvertising of the annual schedule when necessary and all other advertisements as authorized by the Board of Commissioners of Public Grounds and Buildings and the superintendent and for the payment of bills and accounts for such advertising unpaid two years the sum of fourteen thousand dollars $14,000.00

For the payment to the city of Harrisburg for supplying the public grounds and buildings with water two years the sum of eight thousand dollars $8,000.00

For the payment of the cost of electric current gas and steam for light heat and power for the public grounds and buildings where not supplied from the Capitol power plant two years the sum of forty thousand dollars $40,000.00

For the payment of the rent of offices and rooms outside of the Capitol Building when necessary for the accomodation of any department board or commission of the State Government in accordance with the act approved the seventh day of June Anno Domini one thousand nine hundred and eleven two years the sum of two hundred and twenty-five thousand dollars $225,000.00

For the payment of rental charges for telephone service and other patented leased office devices the cost of toll and long distance telephone messages and telegrams for the Legislature the several departments boards and commissions of the State Government and Executive Mansion two years the sum of one hundred and thirty thousand dollars $130,000.00

For the payment of the cost of grading filling and improving the Capitol Park two years the sum of twenty thousand dollars.. $20,000.00

For the purpose of carrying on the work of completing an office building in Capitol Park as authorized by an act approved the eighteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and fifty-three) entitled "An act authorizing the Board of Commissioners of Public Grounds and Buildings to erect construct and complete an office building in the Capitol Park and to grade and terrace the ground in connection therewith providing for the letting of contracts therefor authorizing the appointment of a superintendent of construction and making an appropriation for the payment thereof" two years the sum of one million two hundred and fifty thousand dollars $1,250,000.00

DEPARTMENT OF PUBLIC GROUNDS AND BUILDINGS

For the purpose of making additions and extensions to the capitol power plant the sum of one hundred and fifty thousand dollars ($150,000.00) or so much thereof as may be necessary

For payment to A W Brunner architect and engineer of the south office building for fees and commissions now due and owing the sum of sixty-nine thousand dollars $69,000.00

DEPARTMENT OF PUBLIC PRINTING AND BINDING

For the payment of the salary of the Superintendent of the Department of Public Printing and Binding and for the payment of the salaries wages and other compensation of such deputies chiefs chief clerks journal clerks shipping clerks mailing clerks clerks stenographers bookkeepers messengers and other employes as may be required for the proper conduct of the work of the department and of freight drayage postage express and contingent and incidental expenses two years the sum of ninety-three thousand dollars $93,000.00

For the payment of printing binding ruling lithographic printing engraving paper envelopes plates cuts electrotypes dies stamps and other supplies two years the sum of eight hundred and four thousand dollars ... $804,000.00

Provided That the Governor and the Secretary of the Commonwealth shall apportion the said appropriation among the various departments and agencies of the government and shall notify each such department and agency and the Auditor General how much of said appropriation has been allocated to such department or agency Each department or agency shall be limited to printing and binding costing not more than the portion of the above appropriation thus allocated to it Any department or agency which shall not require for its printing and binding the entire portion of the said appropriation thus allocated to it shall with the approval of the Governor and the Secretary of the Commonwealth be permitted to employ for the general purposes of said department or agency any balance of the portion thus allocated to it and the Auditor General is hereby authorized and directed upon the requisition of the head of any such department or agency when countersigned by the Secretary of the Commonwealth to draw warrants upon the State Treasurer for the payment of expenses incurred for the general purpose of such department or agency in accordance herewith

For advertising proposals for executing the State Printing supplying the Commonwealth with paper lithographic printing engraving plates cuts electrotypes stamps and purchase of waste paper two years the sum of three thousand dollars $3,000.00

STATE LIBRARY AND MUSEUM

For the payment of the salary of the State Librarian and Director of the Museum two years the sum of twelve thousand dollars .. $12,000.00

For the payment of the salaries wages or other compensation of such deputies secretaries assistant librarians custodians curators chiefs clerks assistants stenographers messengers watchman and other employes as may be required for the proper conduct of the work of the State Library and Museum for the purchase of books exchanges pamphlets illustrations lantern slides periodicals parliamentary papers and supplies and for subscriptions to newspapers for the payment of the binding of books pamphlets and periodicals and for the payment of freight postage expressage traveling cleaning and miscellaneous expenses two years the sum of one hundred and fifty-eight thousand dollars $158,000.00

LEGISLATIVE REFERENCE BUREAU

For the payment of the salary of the Director of the Legislative Reference Bureau two years the sum of twelve thousand dollars $12,000.00

For the payment of the salaries wages or other compensation of the Assistant Director and of such chiefs clerks compilers bill drafters stenographers librarians messengers and other employes as may be required for the proper conduct of the work of the Bureau and for incidental and miscellaneous expenses two years the sum of forty-eight thousand dollars $48,000.00

DEPARTMENT OF STATE POLICE

For the payment of the salary of the Superintendent of State Police two years the sum of twelve thousand dollars $12,000.00

For the payment of the salaries of necessary personnel in the Department of State Police including a deputy superintendent division chiefs clerks and expert assistants captains at two thousand four hundred dollars ($2,400) per annum lieutenants at one thousand eight hundred dollars ($1,800) per annum first sergeants at one thousand five hundred dollars ($1,500) per annum sergeants at one thousand three hundred and eighty dollars ($1,380) per annum corporals at one thousand three hundred and twenty dollars ($1,320) per annum privates at one thousand two hundred dollars ($1,200) per annum continuous service pay required legal fees veterinary fees medical attendance and hospital charges for members of the State Police Force injured in line of duty fees for mileage and reporting fires inspection of property keep of horses renewal of uniforms horse equipment replacing horses rent of barracks maintenance of substations purchase and maintenance of motor vehicles transportation and traveling expenses investigation of incendiary fires costs taking testimony serving of process removal of dangerous fire hazards preparing and disseminating knowledge of fire prevention and any other necessary expenses incurred in the discretion of the Superintendent in the proper operation of the Department of State Police and the State Police Force two years the sum of one million four hundred eighty-eight thousand dollars $1,488,000.00

THE PUBLIC SERVICE COMMISSION OF THE COMMONWEALTH OF PENNSYLVANIA

For the payment of the salary of the Chairman two years the sum of twenty-one thousand dollars $21,000.00

For the payment of the salaries of the Commissioners other than Chairman of the Secretary Counsel Assistant Counsel Marshal and Investigator of Accidents and the salaries wages or other compensation of such bureau chiefs examiners experts engineers inspectors accountants investigators reporters statisticians technical assistants testors draftsmen clerks stenographers messengers elevator men watchmen janitors and other employes as may be required for the proper conduct of the work of the Commission fees and expenses of witnesses the purchase of laboratory apparatus and supplies of postage books stationery printing binding and other materials and supplies for which requisition may not be made for express service for advertising and publication of legal notices in the making of special field examinations valuations and appraisals of plants facilities and properties of public service companies inspection and regulation of grade crossings and other facilities inspection and testing of meters lamps and standards inspection and regulation of safety devices safeguards and other facilities necessary for prevention of accidents investigation of accidents examination analysis and investigation of rates and tariffs special field examination and analysis of accounts and records development and administration of systems of accounts to be

prescribed development and administration of reports to be prescribed examination and analysis of reports and compilation of data information and statistics respecting public service company development and also the activities of the commission the formulation supervision and analysis of applications complaints petitions and other proceedings reporting and recording of testimony economics engineering accounting and judicial research by the commission and its agents and their co-operation with other bodies engaged in such research classification indexing and filing of documents reports tariffs records correspondence et cetera conduct of hearings and investigations before the commission and for meeting all other responsibilities and performing all other duties prescribed by the Public Service Company Law and the amendments thereto and for the traveling expenses of commissioners counsel experts engineers inspectors examiners accountants investigators and other employes two years the sum of six hundred and nineteen thousand dollars $619,000.00

DEPARTMENT OF WATER SUPPLY COMMISSION

For the payment of salaries of the commissioners two years the sum of eighteen thousand dollars $18,000.00

For the payment of the salaries wages or other compensation and expenses of such engineers assistants expert flood forecasters gage readers clerks stenographers and other employes as may be required for the proper conduct of the work of the department and for the payment of all other expenses incurred in making examinations and reports upon applications for water and water power company charters mergers consolidations and new or additional supplies of water and water power investigations and reports of the status of water and water company charters special examinations investigations and reports upon protests lodged with the commission the establishment maintenance and operation of stream gaging stations examinations and reports upon dams and other encroachments now existing or hereafter to be placed in or along any of the streams of the Commonwealth establishing and maintaining gaging stations on the principal rivers and tributaries thereof for the determination of the daily height of water in such streams and tributaries thereof in order that the water supply commission may during freshet and flood conditions issue bulletins to be telegraphed or telephoned to municipalities in the Commonwealth in which flood damage is likely to occur forecasting the probable gage heights expected to be reached and the probable time of such expected gage heights and for performing any other duties imposed upon the department by the laws of this Commonwealth two years the sum of eighty-two thousand dollars $82,000.00

DEPARTMENT OF PUBLIC WELFARE

For the payment of the salary of the Commissioner of public welfare two years the sum of twenty thousand dollars $20,000.00

For the payment of the salaries wages or other compensation of such deputy commissioners directors of bureaus assistants clerks stenographers employes inspectors experts and investigators as may be required for the proper conduct of the work of the department for general expenses of the department including materials supplies postage telephone express traveling expenses heat light power water repairs maintenance equipment apparatus rents and storage of vehicles as authorized and approved by the Commissioner of Public Welfare and for such expenses of the Public Welfare Commission as are authorized by law two years the sum of three hundred twenty-five thousand dollars $325,000.00

For the payment of expenses incurred in the administration operation maintenance and development of the several State institutions under the supervison of the Department of Public Welfare two years the sum of eight million three hundred twenty thousand dollars to be paid on requisition of the Commissioner of Public Welfare as follows $8,320,000.00

For the administration operation and maintenance of the State medical and surgical hospitals at Ashland Blossburg Coaldale Connellsville Hazleton Mercer Nanticoke Philipsburg Scranton and Shamokin two years the sum of seven hundred fifteen thousand dollars ($715,000.00)

For the administration operation and maintenance of the State Institutions for Mental Defectives at Laurelton Polk Spring City two years the sum of one million five hundred thousand dollars ($1,500,000.00)

For the administration expenses salaries of officers expenses of parole work gratuities to discharge convicts library books and periodicals instruction supplies and incidental maintenance expenses of the State penal and correctional institutes at Philadelphia Pittsburgh Rockview Muncy Huntingdon and Morganza two years the sum of one million four hundred thousand dollars ($1,400,000.00)

For the administration operation and maintenance of the State Mental Hospitals (for the insane) at Allentown Danville Fairview Harrisburg Norristown Torrance Warren and Wernersville and for the transfer of mental patients as authoized by the Commissioner of Public Welfare two years the sum of two million five hundred thousand ($2,500,000.00)

Provided that the expenses of the care and treatment of the indigent insane in the aforementioned State Mental Hospitals shall be paid to the extent of three ($3.00) dollars per week uniformly for each person including clothing by the respective counties or poor districts from which such insane shall come

For the payment of expenses incurred in the administration operation and maintenance of State Schools for the Deaf at Philadelphia and Scranton two years the sum of one hundred thirty-five thousand dollars ($135,000.00)

For the payment of expenses incurred in the administration operation and maintenance of the Soldiers and Sailors Home at Erie two years the sum of two hundred thousand dollars ($200,000.00)

For the payment of expenses incurred in the administration operation and maintenance of the Soldiers' Orphan Industrial School at Scotland two years the sum of two hundred ten thousand dollars ($210,000.00)

For capital outlay new construction alterations extensions and equipment of the several State institutions and authorized by the Commissioner of Public Welfare two years the sum of one million five hundred thousand dollars ($1,500,000.00)

For major repairs and upkeep of plant and equipment in the several State hospitals homes and institutions and authorized by the Commissioner of Public Welfare two years the sum of one hundred sixty thousand dollars ($160,000.00)

For the development of the Prison Labor System now under the direction of the Commissioner of Public Welfare and to be used for the Prison Manufacturing Fund for capital enlargement of the prison industries to add new industries as may seem advisable from time to time and for other necessary expenditures two years the sum of two hundred thousand dollars or so much thereof as may be necessary $200,000.00

STATE BOARD OF CENSORS

For the payment of the salary of the chairman two years the sum of seven thousand two hundred dollars $7,200,00

For the payment of the salary of the vice-chairman two years the sum of six thousand six hundred dollars $6,600.00

For the payment of the salary of the secretary two years the sum of six thousand six hundred dollars $6,600.00

For the payment of the salaries wages or other compensation of such clerks assistants inspectors operators stenographers messengers janitors and other employes as may be required for the proper conduct of the work of the Board and for the payment of the contingent traveling and incidental expenses of the members of the Board and the employes thereof and the necessary costs expenses incurred in the prosecution of offenders or violators of the Act creating the State Board of Censors two years the sum of eighty-nine thousand six hundred dollars $89,600.00

BOARD OF PARDONS

For the payment of the salaries of the members of the Board of Pardons two years the sum of four thousand dollars $4,000.00

For the payment of postage express charges and other incidental expenses of the Board two years the sum of eight hundred dollars $800.00

STATE BOARD OF EXAMINERS OF ARCHITECTS

For the payment of the necessary expenses of the State Board of Examiners of Architects as authorized by the Act of Assembly creating said Board two years the sum of six thousand dollars $6,000.00

BOARD OF ACCOUNTS

For the payment of the salary of a clerk two years the sum of one thousand dollars $1,000.00

STATE REPORTER

For the payment of the salary of the State Reporter two years the sum of ten thousand dollars $10,000.00

For the payment of the salary of the Assistant State Reporter two years the sum of six thousand dollars $6,000.00

For the payment of stationery clerk hire and assistants two years the sum of four thousand dollars $4,000.00

LEGISLATIVE DEPARTMENT

Section 3 For the payment of the expenses of the Legislative Department for two years ending May thirty-one one thousand nine hundred and twenty-five and also for the expenses of the session and recess of one thousand nine hundred and twenty-three not previously provided for the following sums or so much thereof as may be necessary to be paid in the manner prescribed by law

Provided That the salaries stationery and mileage of the members of the Senate and House of Representatives and all the salaries and mileage of the session officers and employes of the legislative session of one thousand nine hundred and twenty-five shall only be paid after statement of the amounts due the several Senators members officers and employes shall have been certified to the Auditor General by the President pro tempore of the Senate and the Speaker of the House of Representatives respectively and that the Senators and members also the officers receiving fixed salaries for said session shall each be paid one-fifth of his total salary each month for the first four months of the session if the Legislature shall be in session that long and the balance due each Senator and Member on the day fixed for final adjournment of the Legislature or during the two days previous thereto and that the session officers and employes receiving per diem salaries shall be paid amount due them at the end of the month during the session except the last month when payment shall be made on the day fixed for final adjournment of the Legislature or during the two days previous thereto

SENATE

For the payment of the salary of the clerk and stenographer to the President of the Senate for postage in the amount of one hundred and fifty dollars to the President of the Senate and for the payment of the salaries of the Senators and extra compensation allowed by law to the President pro tempore of the Senate for the payment of the mileage of the Senators for the postage allowed by law to each Senator (one hundred and fifty dollars) each for the payment of of postage for the chief clerk and assistants for the payment of the postage on the Legislative Journal bills and calendars

For the payment of the salaries of the officers and employes of the Senate during the session and recess salaries of all officers and employes whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of the mileage of the officers and employes of the Senate and for the salaries and mileage of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and twenty-five

For the payment of the salaries of the secretary chief clerk assistant clerk librarian assistant librarian assistant to the secretary stenographers to the librarian two watchman superintendent of the store room custodians assistant custodians and messenger

For the payment of the expenses of the Committee on appropriations session of one thousand nine hundred and twenty-five in investigating schools reformatories prisons asylums hospitals and other institutions supported in whole or part from the Treasury of the Commonwealth and for necessary clerical assistance the sum of twelve thousand dollars ($12,000) bills of this committee to be paid on warrant of the Auditor General drawn in favor of the chairman of the committee on the presentation of his requisition for same and said chairman shall file an account of the committee's expenses with the Auditor General within thirty days after the adjournment of the Legislature

For the payment of expenses incident to issuing certificates of election of Senators for the session of one thousand nine hundred and twenty-five (Act of June fourteen one thousand nine hundred and eleven)

For the contigent expenses including clerical and stenographic charges of the President pro tempore of the Senate during the recess ending January sixth one thousand nine hundred and twenty-five the sum of two thousand dollars ($2,000) or so much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and twenty-five the sum of two thousand dollars ($2,000) and for the payment of the necessary expenses including extra labor in the office of the chief clerk for the year ending May thirty-first one thousand nine hundred and twenty-four the sum of four thousand

dollars ($4,000) and for six months ending November thirty one thousand nine hundred and twenty-four the sum of two thousand dollars ($2,000) and for the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred and twenty-four and for the entire period of the session of one thousand nine hundred and twenty-five should same extend beyond May thirty-first such sum as may be necessary to be expended by the chief clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said chief clerk shall at no time have in his hands more than two thousand dollars ($2,000) for which accounts have not been rendered and settled and the whole amount expended by said chief clerk shall not exceed the sum of eight thousand dollars ($8,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and the chief clerk and for the payment of the postage labor and incidental expenses in the office of the secretary of the Senate for the year ending May thirty-one one thousand nine hundred and twenty-four the sum of one thousand eight hundred dollars ($1,800) and a like amount for the year ending May thirty-one one thousand nine hundred and twenty-five and for the payment of postage labor express charges and other expenses in the office of the librarian of the Senate for the year ending May thirty-one one thousand nine hundred and twenty-four the sum of two thousand eight hundred dollars ($2,800) and for the year ending May thirty-one one thousand nine hundred and twenty-five the sum of two thousand eight hundred dollars ($2,800) and to the chief clerk of the Senate for the payment of the expenses of the Senate or committees of the Senate in attending funerals or expenses incident thereto of Senators officers of the Senate or State officials during the two years ending May thirty-first one thousand nine hundred and twenty-five the sum of three thousand dollars ($3,000)

To the chief clerk of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate session of one thousand nine hundred and twenty-three the sum of two thousand five hundred dollars ($2,500)

HOUSE OF REPRESENTATIVES

For the payment of salaries of the Members of the House of Representatives and extra compensation allowed by law to the Speaker of the House for the payment of mileage of the Members for the payment of the postage allowed by law one hundred and fifty dollars each for the payment of postage for the chief clerk and assistants for the payment of postage for mailing Legislative Journal bills calendars

For the payment of salaries of the officers and employes of the House of Representatives during the session and recess salaries of all officers and employes whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of the mileage of the officers and employes of the House of Representatives and for the salaries and mileage of the returning officers of the House of Representatives at the beginning of the session of one thousand nine hundred and twenty-five

For the payment of the salaries of the Chief Clerk assistant clerk resident clerk stenographer to the resident clerk superintendent of store-rooms assistant resident clerk day and night watchmen custodians and assistant custodians and messenger

For the payment of contingent expenses including clerical and stenographic traveling and discretionary charges of the Speaker during the recess ending January first one thousand nine hundred and twenty-five the sum of two thousand dollars ($2,000) or so much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and twenty-five the sum of two thousand dollars $2,000

For the payment of the necessary expenses including extra labor in the office of the chief clerk for the year ending May thirty-first one thousand nine hundred and twenty-four the sum of four thousand seven hundred dollars ($4,700) and for the six months ending November thirtieth one thousand nine hundred and twenty-four the sum of two thousand three hundred and fifty dollars ($2,350)

For the payment of the incidental expenses of the House of Representatives for the six months commencing December first one thousand nine hundred and twenty-four these accounts are to be expended by the chief clerk who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said chief clerk shall have at no time have in his hands more than two thousand dollars for which accounts have not been rendered and settled The whole amount thus expended by the chief clerk shall not exceed the sum of twelve thousand dollars $12,000

For the payment of the expenses of the Committee on Appropriations of the House of Representatives session of one thousand nine hundred and twenty-five in investigating schools reformatories prisons asylums hospitals and other institutions supported in whole or in part from the Treasury of the Commonwealth and for necessary clerical assistance (expenses bills) of this committee the sum of twelve thousand dollars ($12,000) to be paid on warrant of the Auditor General drawn in favor of the chairman of the committee on the presentation of his requisition for the same said chairman shall file on account of the committee's expenses with the Auditor General within thirty days after the adjournment of the Legislature

For the payment of the expenses incident to issuing certificates of election to Members of the House of Representattves for the session of one thousand nine hundred and twenty-five (Act of June fourteenth one thousand nine hundred and eleven) and for the payment of postage labor express and other items of expense incurred in the office of the resident clerk for the year ending May thirty-one one thousand nine hundred and twenty-four the sum of three thousand five hundred dollars ($3,500) and for the year ending May thirty-one one thousand nine hundred and twenty-five the sum of three thousand five hundred dollars ($3,500)

LEGISLATIVE JOURNAL AND SMULL'S LEGISLATIVE HAND BOOK

For the payment of the chief clerk of the Senate and the chief clerk of the House of Representatives for making indices for the session of one thousand nine hundred and twenty-three the sum of seven hundred and fifty dollars each fifteen hundred dollars ($1,500)

For the work of the Legislative Journal officials after the close of the session of nine-

teen hundred and twenty-three on the Legislative Journal also the proof reading of the appendix and index thereto as provided by law the sum of four thousand five hundred dollars four thousand five hundred dollars ($4,500)

For the payment of the person or persons appointed to index the Legislative Journal session of one thousand nine hundred and twenty-five in accordance with the act establishing said Journal the sum of one thousand five hundred dollars one thousand five hundred dollars ($1,500)

For the payment of the compensation allowed by law to the compiler and assistant compiler of Smull's Legislative Hand Book for the year one thousand nine hundred and twenty-four the sum of one thousand and five hundred dolars each three thousand dollars ($3,000) and like amounts for the year one thousand nine hundred and twenty-five three thousand dollars ($3,000.00) $13,500.00

JUDICIARY DEPARTMENT

Section 4 For the payment of the salaries of the judges of the Supreme and Superior Courts the salaries and mileage of the president and other law judges of the several courts of common pleas in the Commonwealth and the judges of the several orphans' courts and for the compensation of common pleas judges holding court in other districts and for the payment of salaries and milegae of associate judges the following sums or so much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and twenty-three payments to be made monthly by warrant drawn by the Auditor General on the State Treasurer except in the case of associate judges who shall be paid quarterly on August thirty-first November thirtieth February twenty-eighth and May thirty-first of each year but when by reason of death or resignation salary for a fraction of a quarter is due any judge it shall be computed according to the ratio it bears to the whole quarter so as not however to increase or diminish the salary he is entitled to receive under the several acts of Assembly fixing the compensation of judges Provided That at the beginning of the term the interval from the first Monday of January to the first Monday of March shall be reckoned as two-thirds of a quarter and at the close of the term the interval from the first day of December to the first Monday of January shall be reckoned as one-third of a quarter

SUPREME COURT JUDGES

For the payment of the salaries of the Supreme Court Judges two years the sum of two hundred forty-six thousand dollars $246,000.00

For the payment of the salaries or compensation of the briefers investigators stenographers typewriters and clerks and to reimburse the judges of said court for expenses incurred in the discharge of their duties or attendant upon execution of the duties of the office two years the sum of fifty-six thousand dollars $56,000.00

For the payment of the salary of the deputy prothonotary eastern district two years the sum of four thousand eight hundred dollars $4,800.00

For the payment of the salary of the deputy prothonotary and clerk middle district two years the sum of three thousand six hundred dollars $3,600.00

For the payment of the salary of a chief clerk in the office of the prothonotary of the Supreme Court for the eastern district two years the sum of four thousand eight hundred dollars $4,800.00

For the payment of the salary of an assistant chief clerk in the office of the prothonotary of the Supreme Court for the eastern district two years the sum of three thousand six hudred dollars $3,600.00

For the payment of the salary of a clerk in the office of the prothonotary of the Supreme Court western district two years the sum of four thousand eight hundred dollars $4,800.00

For the payment of the salary of a clerk as assistant to the chief clerk in the prothonotary's office of the Supreme Court in the eastern district two years three thousand dollars $3,000.00

For the payment of the salary of a record clerk in the office of the prothonotary of the eastern district two yers the sum of four thousand eight hundred dollars $4,800.00

For the payment of the salary and expenses of the crier tipstaves official stenographers court officers and special clerk to the Chief Justice of the eastern middle and western districts two years the sum of fifty-nine thousand nine hundred and fifty-five dollars $59,955.00 Provided That the crier for the middle district shall receive no other compensation from the State

For the payment of expenses of the Supreme Court in the middle district and the Superior Court at Harrisburg two years the sum of eight hundred dollars $800.00

For the payment of the salaries and expenses of the librarian assistant librarian and for the purchase of books for the library of the Supreme Court at Philadelphia two years the sum of fourteen thousand seven hundred dollars $14,700.00

For the payment of an attendant of the Supreme Court room and office and show rooms adjacent thereto middle district two years the sum of twelve hundred dollars payable monthly $1,200.00

For the purchase of books for the library of the Supreme Court Pittsburgh two years the sum of one thousand dollars $1,000.00

For the purchase of stationery supplies and the payment of the necessary expenses of the said Supreme Court for the eastern district thereof two years the sum of ten thousand dollars to be paid on the warrant of the Auditor General upon presentation of specially itemized vouchers approved by the prothonotary of the said Supreme Court for the eastern district thereof $10,000.00

For the purchase of stationery supplies and other necessary expenses of the Supreme Court western district for two years the sum of three thousand five hundred dollars to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said court for the said western district thereof $3,500.00

For the payment of the fees of the prothonotaries of the Supreme Court of the eastern middle and western districts on assignment of judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred and nineteen the sum of six thousand dollars payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General $6,000.00

SUPERIOR COURT JUDGES

For the payment of the salaries of the judges of the Superior Court two years the sum of two hundred and twenty-five thousand dollars $225,000.00

For the payment of the salaries or compensation of the clerks briefers investigators stenographers and typewriters of the Superior Court and to reimburse the judges of said

court for expenses incurred in the discharge of their duties two years the sum of forty-nine thousand dollars $49,000.00

For the payment of the salaries and expenses of the crier and necessary tipstaves of the Superior Court two years the sum of forty-two thousand two hundred and fifty dollars $42,250.00

For the purchase of dockets stationery supplies books for the library and other necessary expenses of the said Superior Court and its officers two years the sum of ten thousand dollars to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said Superior Court Philadelphia Harrisburg and Pittsburgh $10,000.00

COMMON PLEAS JUDGES

For the payment of the salary of the judges of the courts of common pleas learned in the law in the several judicial districts of the Commonwealth, two years the sum of two million one hundred sixty thousand dollars $2,160,000.00

For the payment of the judges of the courts of the common pleas of Dauphin County for clerk hire in accordance with the provisions of the act of one thousand eight hundred and ninety-three (Pamphlet Laws page twenty-one) the sum of fourteen thousand four hundred dollars $2,100,000.00 $14,400.00

For the payment of the mileage allowed common pleas judges in judicial districts containing more than one county as per act number forty-eight session of nineteen hundred and nineteen approved April eighteenth one thousand nine hundred and nineteen the sum of five thousand dollars $5,000.00

ORPHANS' COURT JUDGES

For the payment of the salaries of the orphans' court judges in the several judicial districts in which separate orphans' courts have been established by law two years the sum of four hundred thirty-two thousand dollars $432,000.00

For the payment of the compensation carfare and expenses of judges for holding court outside of their own judicial districts in accordance with the provisions of the act of Assembly approved April twenty-seventh Anno Domini one thousand nine hundred and eleven the sum of sixty thousand dollars ... $60,000.00

For the payment of the salaries of the judges of the Municipal Court of Philadelphia in accordance with the provisions of the act of Assembly approved July twenty-first Anno Domini one thousand nine hundred and nineteen the sum of one hundred and sixty-one thousand dollars $161,000.00

For the payment of the salary of the present president judge of the county court for the county of Allegheny two years the sum of seventeen thousand dollars $17,000.00

For the payment of the salaries of the other judges of the county court for the county of Allegheny two years the sum of eighty thousand dollars $80,000.00

For the payment of the salaries of the judges of the Supreme Superior common pleas and orphans' courts who may resign or retire in accordance with the provisions of the act of Assembly approved June twenty-third Anno Domini one thousand nine hundred and eleven (Pamphlet Laws one thousand one hundred and twenty-one) and in accordance with the provisions of an act of Assembly approved the fifth day of June Anno Domini one thousand nine hundred and seventeen two years the sum of eighty six thousand dollars $86,000.00

ASSOCIATE JUDGES

Fo the payment of the salaries of the associate judges two years the sum of fifty thousand dollars $50,000.00

For the payment to the associate judges of mileage for the two fiscal years beginning June first one thousand nine hundred and twenty-three the sum of five thousand dollars $5,000.00

INTEREST ON FUNDED DEBT AND MISCELLANEOUS APPROPRIATIONS

Section 5 For the payment of interest on the funded debt of the Commonwealth which falls due on the first day of August one thousand nine hundred and twenty-three and the first day of February one thousand nine hundred and twenty-four and on the first day of August one thousand nine hundred and twenty-four and the first day of February one thousand nine hundred and twenty-five the sum of thirty-two thousand and forty dollars $32,040.00

To the Commissioners on the part of Pennsylvania of the National Commission on Uniformity of Legislation for the payment of expenses and incidentals already incurred and to be incurred during the two fiscal years beginning June first one thousand nine hundred and twenty-three the sum of one thousand five hundred dollars $1,500.00

For the payment of pensions and gratuities that have been granted by act of Legislature or that may hereafter be granted according to law two years the sum of six thousand dollars $6,000.00

For the payment of salaries of State employes who may be retired by resignation two years the sum of one hundred seventeen thousand two hundred and fifty dollars $117,250.00

For the payment of the expenses of the Pennsylvania Historical Commission in carrying out its work as provided by the act of July twenty-fifth one thousand nine hundred and thirteen as amended two years the sum of seven thousand five hundred dollars $7,500.00

For the payment of the cost of painting the portrait of Governor William Cameron Sproul the sum of seven hundred and fifty dollars $750.00

For the payment of the traveling and other expenses of the State Art Commission and the compensation of its employes the two years the sum of seven thousand five hundred dollars $7,500.00

For the payment of the compensation and expenses of the Electrical College one thousand nine hundred and twenty-four as provided by section thirty-two of an act of Assembly approved July second one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and twenty-five) entitled "An act relating to the election of this Commonwealth" as amended by a supplemental act of Assembly approved May twenty-fourth one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and twenty-nine) the sum of one thousand dollars ($1,000) or so much thereof as may be necessary

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

BILL RECOMMITTED.

Mr. HAWS. Mr. Speaker, I move that House Bill No. 81, file folio 3807, be recommitted to the Committee on appropriations.

Mr. GOLDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 350, entitled

An Act to repeal an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such Commission and upon appeal and judicial review of its orders and determination by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and section one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or asociations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" and its amendments

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such Commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" and its amendments are hereby repealed

The title was read as follows:

An Act to repeal an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured,

or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determination by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and section one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars,' and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May, Anno Domini, one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An Act to provide for the incorporation and regulation of certain corporations', approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act", and its amendments.

On the question,

Will the House agree to the title

Mr. HOLLIS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 2, line 7, by striking out the word "presons" and inserting in lieu thereof: "persons."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 740, as follows:

An Act to amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" is hereby amended to read as follows

Section 487 The right of appeal to the court of common pleas the right of trial by jury and the right to file exceptions are given to any party not satisfied with such report whose property has been taken injured or destroyed or where property has been assessed to pay damages for property taken injured or destroyed and also to the township or any taxpayer thereof on behalf of such township in any case where damages have been assessed against such township or where property has been assessed to pay damages for property taken injured or destroyed

In any case where an appeal is taken by any tax payer on behalf of the township such tax payer shall enter bond in such amount as the court may direct conditioned for the payment of all costs in case the appeal shall be determined against the township and the tax payer

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Albert,	Fields,	Lucas,	Schilling,
Allman,	Flinchbaugh,	Ludlow,	Schoener,
Anderson,	Fowler, A. I.,	MacKinney,	Schwartz,
Armstrong,	Fowler, D.,	Marcus, J. C.,	Sheridan,
Arthur,	Fratt,	Marshall, W. F.,	Smith, G. A.,
Aston,	Frazier,	Mathay,	Smith, H. J.,
Baker,	Gallaher,	McBride,	Smith, H.,
Baldi,	Gibbon,	McCaig,	Smith, J. W.,
Behney,	Gilchrist,	McClure,	Speiser,
Bell, F. A.,	Glasgow,	McCurdy,	Stark,
Bell, W. T.,	Goehring,	McDermott,	Staudenmeier,
Bentley,	Greeby,	McKim,	Steedle,
Berger,	Griffith,	McVicar,	Sterling,
Betts,	Grimes,	Metcalf,	Stevens, A. J.,
Blair,	Hall,	Millar,	Stoner,
Boback,	Harter,	Miller,	Storb,
Brenneman,	Haslett,	Minehart,	Thomas, L. D.,
Brewster,	Haws,	Moffatt,	Thomas, M. G.,
Brownmiller,	Heffran,	Moore,	Van Alen,
Burchinal,	Hetrick,	Morrison,	Vickerman,
Burns,	Heyburn,	Munley,	Walker,
Bush,	Himes,	Myers, G. C.,	Weamer,
Chaplin,	Holcombe,	Myers, P. M.,	Wells,
Clutton,	Hollis,	Nolte,	Wettach,
Coldsmith,	Hontz,	O'Boyle,	Wheeler,
Colville,	Horne,	Ogle,	Whitehouse,
Conner,	Howell,	Orr,	Whiteman,
Coyne,	Huber,	Patterson,	Williams, G. W.,
Craig,	Irvin,	Peelor,	Williams, J. M.
de Young,	Johnson,	Pitts,	Woner,
Diehm,	Jones, C. B.,	Posey,	Wood, N.,
Dietz,	Jones, E. P.,	Post,	Wood, W. P.,
Driggs,	Keene,	Raymond,	Wright,
Eaches,	Kelly,	Richards,	Zook,
Earley,	Kennedy,	Rippman,	Goodnough,
Edmonds,	Kohler,	Sample,	Speaker.
Eshelman,	Lafferty,	Sarig,	
Evans, B. P.,	Little,	Sautter,	
Evans, J.,	Long,	Schaeffer,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. LORENZO D. THOMAS,

The House resumed the consideration on final passage of House Bill No. 434, entitled:

An Act to amend section four of an act approved the thirteenth day of May, Anno Domini, one thousand nine hundred and fifteen, entitled, "An Act to provide for the health, safety, and welfare of minors: By forbidding their

employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violations of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith,' changing the maximum number of hours in the working day and working week for minors.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—109.

Albert,	Gochring,	Marshall, W. F.,	Sheridan,
Alexander,	Golder,	Mathay,	Smith, H.,
Allman,	Goss	McBride,	Smith, J. W.,
Anderson,	Gundy,	McDermott,	Sowers,
Armstrong,	Hall,	McKim,	Spangler,
Arthur,	Harter,	Millar,	Speiser,
Aston,	Haslett,	Miller,	Staudenmeier,
Baker,	Heffernan,	Moffatt,	Stavitski,
Behney,	Heffran,	Moore,	Steedle,
Bentley,	Himes,	Munley,	Sterling,
Berger,	Hontz,	Myers, G. C.,	Stevens, A. F.,
Brownmiller,	Hoover,	Myers, P. M.,	Stoner,
Chaplin,	Horne,	Nolte,	Storer,
Coldsmith,	Howell,	O'Boyle,	Thomas, L. D.,
Conner,	Huber,	Ogle,	Thomas, M. G.,
de Young,	Johnson,	Parkinson,	Van Alen,
Dietz,	Jones, D. J.,	Perry,	Walker,
Eaches,	Jones, E. P.,	Pitts,	Wells,
Earley,	Keene,	Posey,	Whitehouse,
Edmonds,	Kelly,	Raymond,	Williams, G. W.,
Eshelman,	Kohler,	Rhodes,	Williams, J. M.,
Evans, J.,	Kunkle,	Richards,	Wood, N.,
Fields,	Little,	Rinn,	Wright,
Fowler, A. I.,	Ludlow,	Sarig,	Zook,
Fowler, D.,	Mack,	Sautter,	Goodnough,
Frazier,	MacKinney,	Schilling,	Speaker.
Gallaher,	Marcus, J. C.,	Schoener,	
Gilchrist,	Marshall, J. G.,	Schwartz,	

NAYS—36.

Beaver,	Driggs,	Irvin,	Orr
Bell, F. A.,	Evans, B. P.,	Labar,	Peelor,
Betts,	Flinchbaugh,	Long,	Post,
Blair,	Glasgow,	Lucas,	Shambach,
Bluett,	Greeby,	McCaig,	Smith, G. A.,
Brown,	Haines,	McCurdy,	Stevens, A. J.,
Bush,	Hetrick,	Metcalf,	Storb,
Craig,	Heyburn,	Minehart,	Weamer,
Diehm,	Hollis,	Morrison,	Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL INTRODUCED.

Mr. SPANGLER. Mr. Speaker, I ask unanimous consent to introduce a bill at this time. This bill was given to me to present and refers to the tipstaves and court criers. It was discovered, after the bill was sent to the Governor, that the power to fix the salary was not included anywhere, and for that reason the bill, as passed, was defective. There was a resolution introduced to recall the bill from the Governor, but the Governor had already signed the bill. In order to correct that error, I would ask unanimous consent to introduce at this time the identical bill, but with that correction in it.

The SPEAKER. Are there objections?

Mr. MILLER. Mr. Speaker, I object.

The SPEAKER. The Chair hears objections.

Mr. SPANGLER. Mr. Speaker and members of the House, I have already made an explanation to the House about this bill. As I said, it was introduced by me by request. It increases the salaries of the tipstaves in counties having between ninety and one hundred fifty thousand population, from $65.00 to $75.00 a month, provided the court shall give its consent. In other words, the salary shall not be in excess of $75.00 a month. Now, that bill was passed by the House and Senate, and it was then found that there had been an omission, namely, that there was no power in the court or for the county commissioners to pay that salary. If this bill does not pass, it will leave the law with respect to the salaries of the tipstaves in a very anomalous position. This bill is merely to correct that error. We passed a resolution to recall the bill from the Governor, but at that time, the Governor had already signed the bill. It is not a new piece of legislation in any sense of the word, and I would ask the person who made the objection that it be withdrawn so that the present law can be properly clarified.

Mr. MILLER. Mr. Speaker, after the explanation of the gentleman from York, I am willing to withdraw my objection.

The SPEAKER. The Chair hears no objection, and the bill will be received.

By Mr. SPANGLER. HOUSE BILL No. 1411.

An Act to amend section one of an act approved the twenty-seventh day of April, one thousand nine hundred and eleven (Pamphlet Laws, eighty-six), entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed; and repealing an act of Assembly entitled 'An Act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April, Anno Domini one thousand nine hundred and nine" as amended.

BILLS ON THIRD READING.

Mr. FLYNN asked and obtained unanimous consent to call up out of order House Bill No. 846, file folio 3953.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 846, as follows:

An Act to amend (e) and (f) of section three hundred and six and clause seven of section three hundred and seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended and providing when the same shall become effective

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That clause (e) of section three hundred and six of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" which was amended by the act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and forty-two) entitled "An act to amend an act approved the second day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder' and providing when the same shall become effective" is hereby further amended to read as follows

(e) From the time the disability begins the employer shall furnish reasonable surgical and medical services medicines and supplies as and when needed unless the employee refuses to allow them to be furnished by the employer Compensation for such medical and surgical services and supplies furnished to the employee shall be paid to the medical doctor or surgeon by the employer regardless of where such services are rendered either at a hospital home or elsewhere Compensation for such medical and surgical services and supplies shall in no case exceed the prevailing charge in any community in which the services are rendered for like medical and surgical services and supplies to other individuals in like circumstances If the employer shall upon application made to him refuse to furnish such services medicines and supplies the employee may procure the same and shall receive from the employer the reasonable cost thereof within the above limitations If the employee refuses to accept the services furnished him by the employer the employee shall be responsible for all medical and surgical services rendered him during the time of such refusal

From the time the disability begins the employer shall furnish reasonable hospital care medicines and supplies when and as needed unless the employee refuses to allow them to be furnished by the employer Compensation for such hospital care medicines and supplies shall in no case exceed the prevailing charge in any community in which the services are rendered and like hospital care medicines and supplies to other individuals in like circumstances Compensation to the hospital shall not include the services of a medical doctor or surgeon but compensation for such services must be paid directly to any medical doctor or surgeon furnishing such medical and surgical services

Resident internes serving in hospitals are denied the right to collect fees for services rendered injured employees under this act

Any medical doctor surgeon hospital or institution treating an injured employee under the Workmen's Compensation Act shall within one week after the beginning of such treatment furnish the employer or his insurance carrier a certificate stating that such medical surgical or hospital service is being rendered

If the employee shall refuse reasonable surgical medical and hospital services medicines and supplies tendered to him by his employer he shall forfeit all right to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal

Any medical doctor or surgeon hospital or institution incorporated or otherwise shall be and have the right of party in interest in any proceedings had or begun under the provisions of this act and shall have the right originally to file a petition for compensation for any such services medicines and supplies furnished under the provisions thereof

Wherever the conditions are such that the employer is unable to furnish medical and surgical services medicines and supplies hospital or institutional care medicines and supplies and the treatment care and supplies be furnished in an emergency wherein the absence of the employer or the condition of the employee make it impossible for such employer to provide such services medicines and supplies or for the employee to procure them for himself said services treatment care medicines and supplies shall be paid for by the employer to the medical doctor or surgeon for such medical treatment and supplies and to the hospital or other institution for such care and supplies at the usual rates in the community for such emergency service

Section 2 That clause (f) of section three hundred and six of said act is hereby further amended to read as follows

(f) Should the employee die as a result of the injury the period during which compensation shall be payable to his dependents under section three hundred and seven of this article shall be reduced by the period during which compensation was paid to him in his lifetime under this section of this article No reduction shall be made for the amount which may have been paid for medical and surgical services and medicines nor for the expenses of the last sickness and burial Compensation for medical and surgical services medicines and supplies also hospital care medicines and supplies shall be paid for as hereinbefore required under the act irrespective of whether the employee dies within the ten day period or not Should the employee die from some other cause than the injury the liability for compensation shall cease That the first paragraph of clause seven of section three hundred and seven of said act is hereby further amended to read as follows

Whether or not there be dependents as aforesaid the reasonable expenses of the last sickness and burial (without deduction of any amounts theretofore paid for compensation or for medical expenses) payable to the dependents or if there be no dependents then to the personal representatives of the deceased

On the question,

Will the House agree to the bill on third reading?

Mr. FLYNN. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Strike out on page 6 lines four to thirteen inclusive.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 73, as follows:

An Act to amend section one article six chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "Providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one article six chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" which was as amended by an act approved the twenty-sixth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-one) entitled "An act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled 'An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs'" is hereby further amended to read as follows

"Section 1 Appointed officers of the borough shall receive such compensation for their services as the council shall prescribe and the compensation for the secretary and police shall be by annual salary the amount of which shall be fixed at the time of appointment and shall be in lieu of all and any other compensation whatsoever

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. ALEXANDER. Mr Speaker and members of the House, I call your attention to this bill, and to some of the facts in it. The borough code provides for a budget system; it provides that at the beginning of each year the borough authorities shall provide a budget, setting out therein all their expenditures; it provides also for the employment of counsel, or a solicitor to represent the borough during the year; it provides that the authorities shall at that time fix his salary and it also provides what the attorney's or the solicitor's duties shall be. The fees of many attorneys representing boroughs and municipalities were many times extravagant and large. For instance, I know of one small township in our county in which the township solicitor received before the code of the townships went into effect, for very little work, pretty nearly two thousand dollars. The code was provided just for that purpose. You may think prehaps it is strange that I am attackng this bill, having been a solicitor for a number of boroughs and a number of townships, but in order to protect those townships and those boroughs against that very feature the budget system was provided for, and the appointment of a solicitor was provided for, and it is provided that his fee shall be fixed at that time, and that he can charge no more no matter how much work he would do. Now, how is the borough going to fix this budget if they are going to leave the question of the attorney's fee open. Why should a borough leave this question of attorney's fees open any more than a township, or any more than anybody else who employes counsel. They know practically what the amount of work of the township or the borough is going to be, and while some of us perhaps think a solicitor had a little more work to do the year before, year in and year out it takes care of itself. I find no hardship, as solicitor, that the fee has been fixed, they have generally been fair, and it surely prevents a borough counsel from running away on the matter of fees, and helps the borough authorities fix its budget at a fixed amount. It seems to me that the borough code as it exists, relative to attorney's fees, is fair for both the borough and the solicitor. I say that because I represent a number of boroughs and a number of townships in the County of Delaware.

Mr. SPANGLER. Mr. Speaker and members of the House, I introduced this bill by request. I don't represent personally any boroughs in my county or in any other county, and I rather regret that some of the members of the legal profession who do represent boroughs did not introduce this piece of legislation. However, I am aware of this fact, that in a great many boroughs the borough solicitor's salary is exceedingly. One borough, for instance, that I have in mind I think pays its borough solicitor twenty-five dollars a year. A lawyer is not expected to do very much work for twenty-five dollars a year, yet under the borough code as it exists the borough solicitor would not be able to charge any additional fee for services, for instance, in the matter of issuing bonds for the borough, or for defending, for example, a large law suit that might be lodged against the borough for damages. The purpose was to amend this bill in such a way as to provide that the borough counsel might be permitted to charge additional fees for services rendered, where extraordinary services were rendered, but it was found that such a provision would conflict with the borough law. The result was that the bill was changed to its present form. Now, there is nothing to prevent, under the provisions of this bill the boroughs from fixing the salary of the borough solicitors as they do at the present time, but it will permit the borough to pay that counsel fee or a salary, commensurate with the legal work performed for the borough which they cannot do at the present time. The result is that when a borough solicitor has a large case to try he is required to employ outside counsel, additional counsel, for the reason that he does not feel justified in performing the extraordinary services he might be called upon to perform, for the annual retainer. This bill does just that, it permits the borough to employ its own counsel at a commensurate salary for the services that are to be performed, and only that and nothing more. For that reason I can personally see no objection to this bill.

Mr. BLAIR. Mr. Speaker, now being able to hear the argument very well, and the bill being printed in the way it is, I would like to ask what the meaning of it is—it is underlined and also includes brackets.

Mr. SPANGLER. The gentleman will note in line sixteen the words beginning with "provided" are stricken out, and the word "solicitor" is stricken out, so that now the borough can fix the compensation of the solicitor at such figure as it sees fit, and is not prevented from paying a solicitor for extra services, where those extra services are performed in the knowledge of the boroughs and to its satisfaction.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120.

Allman,	Gilchrist,	McBride,	Smith, J. W.,
Anderson,	Glasgow,	McCaig,	Sowers,
Arthur,	Goehring,	McCann,	Spangler,
Baldi,	Golder,	McClure,	Speiser,
Beaver,	Goss,	McCurdy,	Stark,
Behney,	Griffith,	McKim,	Staudenmeier,
Bell, F. A.,	Grimes,	McVicar,	Steedle,
Bell, W. T.,	Guerin,	Millar,	Sterling,
Bentley,	Gundy,	Miller,	Stevens, A. F.,
Berger,	Haslett,	Moffatt,	Stofflet,
Bidelspacher,	Haws,	Morrison,	Stoner,
Blair,	Heffernan,	Myers, G. C.,	Storer,
Bluett,	Heffran,	Myers, P. M.,	Thomas, L. D.,
Brenneman,	Heyburn,	Nolte,	Vickerman,
Brewster,	Holcombe,	O'Boyle,	Walker,
Bromley,	Hollis,	Parkinson,	Weamer,
Brown,	Huber,	Patterson,	Wells,
Burns,	Irvin,	Peelor,	Wettach,
Chaplin,	Jones, C. B.,	Perry,	Whitehouse,
Coldsmith,	Jones, D. J.,	Posey,	Whiteman,
Colville,	Jones, E. P.,	Price,	Williams, G. W.,
Conner,	Keene,	Rhodes,	Williams, J. M.,
Diehm,	Kennedy,	Rinn,	Woner,
Evans, J.,	Kohler,	Sample,	Wood, N.,
Fields,	Kunkle,	Sautter,	Wright,
Flinchbaugh,	Little,	Schaeffer,	Zook,
Flynn,	Long,	Schilling,	Goodnough,
Fowler, D.,	Lucas,	Schwartz,	Speaker.
Gallaher,	Malie,	Smith, G. A.,	
Gelder,	Marcus, J.,	Smith, H. J.,	
Gibbon,	Marcus, J. C.,	Smith, H.,	

NAYS—56.

Albert,	Eshelman,	Kelly,	Richards,
Alexander,	Evans, B. P.,	Labar,	Rippman,
Armstrong,	Fowler, A. I.,	Ludlow,	Sarig,
Aston,	Fratt,	MacKinney,	Schleiter,
Baker,	Hall,	Marshall, W. F.	Schoener,
Brownmiller,	Harter,	Mathay,	Shambach,
Burchinal,	Henderson,	McDermott,	Sheridan,
Bush,	Hetrick,	Metcalf.	Soffel,
Craig,	Himes,	Minehart,	Stavitski,
Dietz,	Hontz,	Moore,	Stevens, A. F.,
Driggs,	Hoover,	Ogle,	Storb,
Eaches,	Horne,	Orr,	Thomas, M. G.,
Earley,	Howell,	Post,	Van Alen,
Edmonds,	Johnson,	Raymond,	Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 751 (Senate Bill No. 40), entitled:

An Act fixing the salary of the prothonotary in counties of the eighth class and providing for the payment of all fees and commissions into the county treasury

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WHEELER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. GIBBON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 746, (Senate Bill No. 100), as follows:

An Act to amend section ten of an act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" is hereby amended to read as follows

Section 10 That from and after the passage of this act all contracts made by the commissioners of said county involving an expenditure exceeding three hundred dollars shall be in writing and shall immediately after their execution be filed with the controller but no contract shall be made nor the payment thereof certified by the controller for over three hundred dollars unless when made with the lowest and best bidder after due notice to be published by the controller when directed by the commissioners if he approve the purpose of the proposals invited all bids to be received by the controller under seal and to be in his presence opened by the commissioners and the contracts awarded of which awards the controller shall keep a record and he shall certify no warrants for contracts not made agreeably thereto Provided however That in counties of the fourth class the provisions of this section shall apply to all contracts involving expenditures exceeding one hundred dollars

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. KUNKLE. Mr. Speaker, this bill, Senate Bill No. 100, attempts to amend the same section of the Act as Senate Bill No. 292, which was yesterday postponed. I would therefore, move that it be placed in the same position as Senate Bill No. 292, so we can consider them together. It relates to the same subject matter.

Mr. STEEDLE. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland, Mr. Kunkle.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Kunkle, permit himself to be interrogated?

Mr. KUNKLE. I will, Mr. Speaker.

Mr. STEEDLE. Mr. Speaker, does the gentleman mean that this bill is identical with bill No. 292.

Mr. KUNKLE. Except that it makes some different provisions, and they are not consistent, one with the other.

Mr. STEEDLE. For what does the other bill provide, does it raise it to $500, or what?

Mr. KUNKLE. It makes the same provision of $300, but this bill exempts fourth class counties, and the provisions are not identical. Both bills ought not to pass, and there should be an amendment, to my mind. They ought to be taken up at the same time.

Mr. STEEDLE. This bill exempts fourth class counties, and only affects counties with one hundred fifty thousand inhabtants and over.

Mr. KUNKLE. One bill exempts fourth class counties, and the other does not exempt them.

Mr. STEEDLE. I can see no reason why we should not take action on this bill at the present time, because it only relates to Allegheny county and counties above one hundred fifty thousand in population

Mr. KUNKLE. It also affects Westmoreland County. I think they ought to be taken up together, and if necessary, make them consistent.

Mr. STEEDLE. Is Bill No. 292 on the postponed calendar?

Mr. KUNKLE. Yes.

Mr. STEEDLE. Why can't we take action on this bill and follow it up with action on the bill that is on the postponed calendar?

MOTION TO RECOMMIT.

Mr. KUNKLE. Mr. Speaker, I beleive that both of these bills, Senate Bill No. 292, and Senate Bill No. 100, should be recommitted to the Committee for amendment, and I make that motion.

Mr. GEORGE A. SMITH. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Steedle.

The SPEAKER. Will the gentleman for Allegheny, Mr. Steedle, permit himself to be interrogated?

Mr. STEEDLE. I will, Mr. Speaker.

Mr. EDMONDS. Mr. Speaker, may I ask the gentleman from Allegheny if he is familiar with the provisions of the bill and to what class of counties it applies outside of fourth class counties. This is taking out one class of counties in the middle of the classification and saying that it shall not apply to it.

Mr. STEEDLE. This bill only applies to those counties containing one hundred fifty thousand inhabitants or over.

Mr. EDMONDS. On the second page, you have this proviso, that in counties of the fourth class, the provisions of this section shall apply to all contracts involving expenditures exceeding $100. If it is a good thing for counties of the fourth class, why is it not a good thing for counties of the other classes?

Mr. STEEDLE. I can only answer you by saying that, possibly, that particular class of counties did not want it.

Mr. ALEXANDER. Mr. Speaker, I think maybe, I can explain the provisions of this act. A week ago, when this bill was before the House,—I thought it was defeated and last night I so stated, but found that it was on the postponed calendar,—the representatives of fourth class counties were objecting to it, and the sponsor of the bill has evidently cut out of it counties of the fourth class. In further answer to Mr. Edmonds query as to what counties it relates, it relates, as shown, to all counties having a county comptroller, excepting the fourth class counties, which are exempted in this bill. Of course, it is up to the other counties other than the fourth class counties whether they want to accept it. The fourth class counties do not want that exception and want the bills or contracts to be in writing, no matter if it is only five cents.

Mr. GIBBON. Mr. Speaker, as I understand this bill, it is different from the one we had under consideration last evening and placed on the postponed calendar, in that this bill permits any county having over one hundred and fifty thousand population, with the exception of the fourth class counties, which desires to purchase something for less than $300 can do so without advertising. The bill under consideration last evening made the county comptroller a party to the contract, so the other bill is very much different from this one. I beleive this bill should pass. We should permit our county commissioners to purchase anything for less than $300 without advertising.

Mr. McKIM. Mr. Speaker, this bill was on the third reading calendar last week, and at the request of some of the members representing fourth class counties, the bill was sent back to committee for amendment, so that fourth class counties could be excepted from the provisions of the bill. That was the reason for this exemption. It was at the request of representatives of the fourth class counties. The bill was on third reading and was sent back to committee for that purpose, and now it comes out again. We have lots of time to consider this matter, and it only exempts fourth class counties at the request of the members representing those counties.

Mr. EDMONDS. Mr. Speaker, as I understand, the object of this bill is to prevent advertising for small contracts under three hundred dollars, with which I am in sympathy. At the end of the bill there is a proviso which prevents contracts under three hundred dollars from being in writing, with which I have no sympathy. It seems to me that the reason for excepting counties of the fourth class applies to all other classes so far as making a contract in writing is concerned. Would it not be possible to have the bill amended so as to strike out the writing provision, so that the gentleman from Lackawanna, Mr. Gibbon, could get what he wants, the elimination of advertising.

RECONSIDERATION OF VOTE.

Mr. KUNKLE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. KUNKLE. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreebly to order,

The bill having been called up from the postponed calendar by Mr. KUNKLE.

The House resumed the consideration on final passage of House Bill No. 1143 (Senate Bill No. 292), entitled:

An Act to amend section ten of the act approved the twenty seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled 'An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties"

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. KUNKLE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. KUNKLE. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 395, as follows:

An Act to regulate the sale of caustic acid or caustic alkali preparations intended for household use and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of January one thousand nine hundred and twenty-four it is unlawful for any person or copartnership or corporation to sell at wholesale or retail within this Commonwealth any caustic acids or caustic alkali preparations "containing such acids or alkalies" intended for household use "or mineral or chemical salts for agricultural purposes" without affixing to the bottle box vessel sack or package containing the same a label printed or plainly written containing the name of the article the name and place of business of the manufacturer seller or distributor of such household acids alkalies or preparations thereof and in addition the word "Poison" which shall conspicuously appear thereon in capital letters not less than twenty-four point size or which shall be affixed thereto as a sticker conspicuously placed Provided That in the case of mineral or chemical salts including nitrate of soda sulphate of ammonia muriate of potash sulphate of potash intended or sold for agricultural purposes these sacks packages or other containers or attached cards or labels shall have printed thereon as hereinbefore provided the words "Poisonous to livestock"

Section 2 The word "Caustic" shall within the intent and purpose of this act be construed to mean any "acids or alkalies in liquid or powdered form or" preparations thereof or containing free or chemically unneutralized hydrochloric acid in a concentration of ten (10) per centum or sulphuric acid in a concentration of ten (10) per centum or nitric acid in a concentration of five (5) per centum or carbolic acid (phenol) in a concentration of five (5) per centum or oxalic acid in a concentration of ten (10) per centum or acetic acid in a concentration of twenty (20) per centum or hy-

hypochlorus acid (calx chlorinata bleaching powder or chloride of lime) in a concentration of one hundred per centum (100) or potassium hydrate (caustic potash Vienna paste pearlash potassa carbonas) in a concentration of ten (10) per centum or sodium hydrate (caustic soda concentrated lye) in a concentration of twenty (20) per centum or silver nitrate (lunar caustic) in a concentration of five (5) per centum

Section 2 Any person or copartnership or corporation violating section one of this act of assembly is guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one hundred dollars and the costs of prosecution

On the question,

Will the House agree to the bill on third reading?

Mr. PATTERSON. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Strike out entire Title and insert instead the following: To regulate the sales of caustic acids, caustic alkalies and preparations thereof, and mineral or chemical salts, intended for household and agricultural uses and providing penalties for the violating thereof.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 708, entitled:

An Act to amend sections two, five, seven and sixteen of an act approved the seventeenth day of June, one thousand nine hundred and thirteen, (P. L. 507), entitled, "An Act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes;" by requiring personal property returns and tax receipts to indicate and identify each mortgage included, or upon which the tax is paid; requiring the production of such receipt before entering satisfaction on any such mortgage in the recorder's office; and authorizing the recorder of deeds to receive such taxes.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. MILLER. Mr. Speaker, I move that House Bill No. 708, file folio 1789, be recommited to the Committee on Judiciary General for the purpose of amendment.

Mr. POSEY. Mr. Speaker, I second the motion.

The motion was agreed.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 942, entitled:

An Act to amend section five hundred and two as amended section five hundred and thirty-seven as amended and section five hundred and forty-six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. LUDLOW. Mr. Speaker, I move that House Bill No. 942, file folio 1813, be recommitted to the Committee on Judiciary Local, for the purpose of a hearing.

Mr. STORB. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 777, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Albert,	Gallaher,	McCaig,	Sheridan,
Allman,	Gibbon,	McCann,	Smith, G. A.,
Armstrong,	Goehring,	McClure,	Smith, H. J.,
Arthur,	Goehring,	McCurdy,	Smith, H.,
Aston,	Gorham,	McDermott,	Smith, J. W.,
Baker,	Goss,	McKim,	Soffel,
Baldi,	Griffith,	McVicar,	Spangler,
Beaver,	Grimes,	Metcalf,	Speiser,
Behney,	Hall,	Millar,	Sprowls,
Bell, W. T.,	Harter,	Miller,	Stark,
Bentley,	Haslett,	Minehart,	Staudenmeier,
Berger,	Haws,	Moffat,	Stavitski,
Bidelspacher,	Heffernan,	Moore,	Sterling,
Bluett,	Heffran,	Morrison,	Stevens, A. J.,
Boback,	Henderson,	Munley,	Stofflet,
Brenneman,	Hetrick,	Myers, G. C.,	Stoner,
Brewster,	Heyburn,	Myers, P. M.,	Storb,
Brownmiller,	Himes,	Nolte,	Storer,
Burchinal,	Hollis,	Ogle,	Thomas, L. D.,
Bush,	Hoover,	Orr,	Thomas, M. G.,
Chaplin,	Horne,	Parkinson,	Thompson,
Coldsmith,	Howell,	Patterson,	Van Alen,
Colville,	Irvin,	Peelor,	Vickerman,
Conner,	Jones, E. P.,	Perry,	Walker,
Craig,	Keene,	Pitts,	Weamer,
de Young,	Kennedy,	Posey,	Wells,
Dietz,	Kohler,	Post,	Wettach,
Donahue	Kunkle,	Price,	Wheeler,
Driggs,	Lafferty,	Raymond,	Whitehouse,
Eaches,	Little,	Richards,	Whiteman,
Earley,	Long,	Rinn,	Williams, G. W.,
Edmonds,	Lucas,	Rippman,	Williams, J. M.,
Eshelman,	Ludlow,	Sample,	Woner,
Evans, B. P.,	MacKinney,	Sarig,	Wood, N.,
Fields,	Mangan,	Sautter,	Wood, W. P.,
Flinchbaugh,	Marcus, J. C.,	Schaeffer,	Wright,
Fowler, A. I.,	Marshall, W. F.	Schleiter,	Zook,
Fratt,	Mathay,	Schoener,	Goodnough,
Frazier,	McBride,	Schwartz,	Speaker.
		Shambach,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 440, entitled:

An Act to provide for the licensing of transient retail merchants in cities boroughs and townships and providing a penalty for the failure to obtain such license

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. HEFFRAN. Mr. Speaker, I move that House Bill 440, file folio 2753, be placed on the postponed calendar.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 912, entitled:

An Act validating the incurring of certain debts or increase of indebtedness of poor districts in counties of the second class by the county commissioners thereof, for improvements or alterations of the property of such poor districts, and all bonds, and other securities issued therefor, and also the assessments of annual taxes for the payment of such indebtedness since the twentieth day of April, one thousand eight hundred and seventy-four.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Allman,	Gallaher,	MacKinney,	Sheridan,
Anderson,	Gelder,	Malie,	Smith, G. A.,
Arthur,	Gibbon,	Marshall, W. F.	Smith, H. J.,
Aston,	Gilchrist,	McBride,	Smith, H.,
Baker,	Glasgow,	McCaig,	Smith, J. W.,
Baldi.	Goehring,	McClure,	Spangler,
Beaver,	Golder,	McCurdy,	Speiser,
Behney,	Gorham.	McKim,	Stark,
Bell, F. A.,	Greeby,	McVicar,	Staudenmeier,
Bell, W. T.,	Griffith,	Metcalf,	Stavitski,
Bentley,	Grimes,	Miller,	Sterling,
Berger,	Gundy,	Minehart,	Stevens, A. F.,
Bidelspacher,	Haas,	Moore,	Stevens, A. J.,
Blair,	Hall,	Munley,	Stoner,
Bluett,	Harer,	Myers, G. C.,	Storb,
Brenneman,	Heffran,	Myers, P. M.,	Storer,
Bromley,	Henderson,	Nolte,	Thomas, L. D.,
Brown,	Hetrick,	O'Boyle,	Thomas, M. G.,
Brownmiller,	Himes,	Ogle,	Thompson,
Burchinal,	Holcombe,	Parkinson,	Van Alen,
Burns,	Hollis,	Patterson,	Vickerman,
Bush,	Horne,	Peelor,	Walker,
Chaplin,	Howell,	Perry,	Weamer,
Coldsmith,	Huber,	Pitts,	Wettach,
Conner,	Irvin,	Posey,	Wheeler,
Craig,	Johnson,	Post,	Whitehouse,
de Young,	Jones, C. B.,	Price,	Whiteman,
Diehm,	Jones, D. J.,	Raymond,	Williams, G. W.,
Dietz,	Keene,	Richards,	Williams, J. M.
Driggs,	Kelly,	Rinn,	Woner,
Earley,	Kennedy,	Rippman,	Wood, N.,
Edmonds,	Kohler,	Sample,	Wood, W. P.,
Evans, B. P.,	Kunkle,	Sarig,	Wright,
Evans, J.,	Labar,	Sautter,	Zook,
Fields,	Little,	Schaeffer,	Goodnough,
Flinchbaugh,	Long,	Schilling,	Speaker.
Fowler, A. I.,	Lucas,	Schleiter,	
Fratt,	Ludlow,	Schwartz,	
Frazier,	Mack,	Shambach,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 617, entitled:

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decendents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" so as to permit the orphans' court in its discretion to permit a corporation appointed as trustee in the place of an executor or executors trustee or trustees dying renouncing dismissed or refusing to act to give its own bond without surety

On the question,

Will the House agree to the bill on third reading?

Mr. CRAIG. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend sec. 1, page 5, line 14, by inserting after the word "thereof" the following "the"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 254, entitled:

An Act to carry into effect section one of article fifteen of the Constitution giving cities the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-governing and providing

the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county commissioners and prothonotaries and providing for the payment of certain expenses by cities

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. CRAIG. Mr. Speaker, I move that House Bill No. 254, file folio 2931, be recommitted to the Committee on Municipal Corporations for the purpose of amendment.

Mr. METCALF. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 932, entitled:

An Act requiring the insurance of motor vehicles against liability for damages to persons or property due to the negligent operation thereof

On the question,
Will the House agree to the bill on third reading?

Mr. GELDER. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Marcus, permit himself to be interrogated.

Mr. MARCUS. I will.

Mr. GELDER. I would like to ask the gentleman to kindly explain to the members of the House the purpose of the bill, and if he will also give us, if he can, what expenses will be put on the automobile owners of the state.

Mr. JOSEPH C. MARCUS. Mr. Speaker and members of the House the real purpose of this bill is to make some attempt to protect pedestrians on the public highway. In the last five or six years by reason of the fact that there have been an enormous number of automobiles on the public highway, and by reason of the great number of accidents that have happened, and also when those accidents have happened, in some cases, it appeared that the owner of the automobile when called upon to settle claims for personal injuries either carried no automobile insurance, or if verdicts were recovered against them, in order to relieve themselves of the verdicts they adopted tactics of going into bandruptcy and thereby evading payment. Many cases have occurred where the person injured has been put to great additional expense, and the purpose of this bill it to compel every owner of an automobile to carry insurance to the extent of $5000, with this proviso, that if the owner of the automobile can render a financial statement to the state highway department of financial responsibility, they be relieved from carrying any insurance, and in the event the highway department discovers that the financial responsibility of the automobilist is not what he purports it to have been at the time he made his statement, that the highway department can call upon him to carry insurance. As to the information requested by the gentleman from Susquehanna, Mr. Gelder, as to the prorata share of expenses, I believe that can be best explained, and I have been so informed by men who are engaged in the insurance business, that the premium on the insurance would be guided by the population and by the particular locality in which the applicant made application for a license. In the state of New York, by reason of its population, the premium would be exceedingly high; Chicago would be exceedingly high, and in Pennsylvania, when you get into our own state, the premium in Philadelphia would be higher than it is in Pittsburgh and in Pittsburgh it might be higher than it is in Scranton, and in other cities it would be less than Pittsburgh, but I would say that the average rate of premium in proportion to the population, and in proportion to the locality would average anywhere from eighteen to fifty dollars a year to carry insurance on $5000.

With the further indulgence of the House I will read what the Literary Digest of March 24, 1923, states:

"Too many judgments are being secured against drivers who cannot be made to pay for the damage they have caused, to protect pedestrians and other motorists from the car driver who has no means of paying a judgment for damages, or to make settlement for injuries caused by his car, all cars should be covered." Then, it proceeds and goes on and relates instances where great hardships have occurred, and it was my purpose in the introduction of this bill to first protect the pedestrians. I think the members of this House should place this bill on the statute books, because I think it is a piece of legislation that is sadly needed, and in the line of progressive legislation. I ask for your support.

Mr. RHODES. Mr. Speaker and members of the House, the purpose of this bill in my mind is very good, but on account of the importance of the bill, on account of the great number of people involved, and on account of the expense that would incur to the average individual, I think we should give it more consideration than we could give to this bill if we voted on it at this time. My suggesion, therefore, is that it be placed on the postponed calendar or be recommitted for a public hearing in order that we may go into the matter in detail. There are several bills, as I understand, involving this same subject matter, and by this means we could get them together and give them consideration at the same time.

BILL RECOMMITTED.

Mr. RHODES. Mr. Speaker, I move that House Bill No. 932, file folio 2841, be recommitted to the Committee on Insurance.

Mr. FLYNN. Mr. Speaker, I second the motion.

On the question,
Will the House agree to the motion?

The Speaker declared the ayes appeared to have it.

Whereupon a division was called for, 146 members, or more than a majority, having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,
The bill having been called up from the postponed calendar by Mr. HEFFERNAN.

The House resumed the consideration on third reading of House Bill No. 440, entitled:

An Act to provide for the licensing of transient retail merchants in cities boroughs and townships and providing a penaltiy for the failure to obtain such license

On the queston,
Will the House agree to the bill on third reading?

It was agreed to.

On the question,
Shall the bill pass finally?

Mr. HEFFERNAN. Mr. Speaker and members of the House, this bill is simply for the purpose of eliminating transient merchants who come into town and rent a storeroom for a half a day or a day or a couple of days, and put

out a flag with "Fire Sale" or some other sort of a sign, and sell a lot of goods to the people of the town. Very often the goods are not of very good quality, and they do not pay a single cent of license to do that. This is not fair to the merchants of the town who are there three hundred and sixty-five days in the year, that these people should be allowed to come in there and transact their business for a day or two, and go away without paying any license. That is the only reason why this bill is on the calendar and it is the only explanation I can make regarding it.

On the question recurring,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Alexander,	Flinchbaugh,	Labar,	Sample,
Allman,	Flynn,	Lauver,	Sarig,
Anderson,	Fowler, A. I.,	Little,	Schaeffer,
Armstrong,	Fowler, D.,	Long,	Schilling,
Arthur,	Frazier,	Lucas,	Schoener,
Aston,	Gallaher,	Ludlow,	Schwartz,
Baker,	Gelder,	Malie,	Shambach,
Baldi,	Gibbon,	Mangan,	Sheridan,
Beaver,	Gilchrist,	Marcus, J.,	Smith, G. A.,
Behney,	Glasgow,	Marshall, W. F.	Smith, H. J.,
Bell, F. A.,	Goehring,	McBride,	Smith, H.,
Bell, W. T.,	Golder,	McClure,	Smith, J. W.,
Bentley,	Goss,	McCurdy,	Sowers,
Berger,	Griffith,	McDermott,	Spangler,
Blair,	Grimes,	McGowan,	Speiser,
Bluett,	Gundy,	McKim,	Sprowls,
Brenneman,	Haslett,	Metcalf,	Staudenmeier,
Brewster,	Haws,	Miller,	Steedle,
Bromley,	Heffernan,	Minehart,	Stevens, A. J.,
Brown,	Heffran,	Moffatt,	Stoner,
Brownmiller,	Henderson,	Moore,	Storb,
Burchinal,	Hetrick,	Morrison,	Storer,
Burns,	Heyburn,	Munley,	Thomas, L. D.,
Bush,	Holcombe,	Myers, G. C.,	Thomas, M. G.,
Chaplin,	Hollis,	Myers, P. M.,	Thompson,
Clutton,	Hoover,	Nolte,	Van Alen,
Coldsmith,	Horne,	Ogle,	Vickerman,
Colville,	Howell,	Orr,	Wells,
Conner,	Huber,	Parkinson,	Wettach,
Craig,	Irvin,	Patterson,	Wheeler,
de Young,	Johnson,	Peelor,	Williams, G. W.,
Diehm,	Jones, C. B.,	Pitts,	Williams, J. M.,
Donahue	Jones, D. J.,	Posey,	Woner,
Driggs,	Jones, E. P.,	Post,	Wood, N.,
Earley,	Keene,	Price,	Wood, W. P.,
Edmonds,	Kelly,	Raymond,	Wright,
Eshelman,	Kennedy,	Rhodes,	Zook.
Evans, B. P.,	Kohler,	Richards,	Goodnough,
Fields,	Kunkle,	Rippman,	Speaker.

NAYS—1.

Mack,

The majority required by the Constitution having voted in the affirmative, the quesion was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. CRAIG. Mr. Speaker, I ask unanimous consent of the House at this time to call up out of order House Bill No. 890, (Senate Bill No. 240), on page 27 of today's calendar. I call it up at this time for the purpose of having it recommitted for a hearing.

The SPEAKER. Are there obpjections? The Chair hears none.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 890 (Senate Bill No. 240), entitled:

An Act to amend section six of an act approved June 20, 1917 (P. L. 618), entitled "An Act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations, the manner of appointments, and the manner and power of removal of employes of said department; and providing a method for fixing compensation," as amended.

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. CRAIG. Mr. Speaker, after having an arrangement with Senator Mansfield concerning this bill, I move that it be recommitted to the Committee on Municipal Corporations for the purpose of a hearing.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 962, entitled:

An Act to amend sections twenty forty and forty-seven of an act entiled "An Act relating to Warehouse Receipts approved the eleventh day of March Anno Domini one thousand nine hundred and nine"

On the question,
Will the House agre to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. EDMONS. Mr. Speaker and gentlemen of the House, I would like to say just a word to the members of the House with reference to House bill No. 962. This is one of the bills introduced by the Commission on Uniform State Laws. As is well known to the members of the House, we have three commissioners who sit with a similar number of commissioners from the other states, to try to frame uniform laws on the quesions so there may be a uniform practice relating particularly to interstate business. Our commissioners are Judge Hargest, Judge Stockey, and Mr. Walter George Smtih. In 1909 that commission recommended the warehouse bill, which was enacted into law. They now come with this bill, which is an amendment to meet the decision of a Massachusetts Court which says that where a warehouse receipt is given by an agent, of the warehouse, it is not binding on the warehouse owner even if it is shown that the agent is acting within the ostensible scope of his authority, a point that is not covered by the earlier law. In order to meet this situation they are recommending in this bill certain amendments to the original act of 1909.

On the question recurring,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Albert,	Flinchbaugh,	Malie,	Schilling,
Alexander,	Flynn,	Marcus, J. C.,	Schleiter,
Allman,	Frazier,	Marshall, W. F.,	Schwartz,
Anderson,	Gallaher,	McBride,	Shambach,
Armstrong,	Gelder,	McClure,	Schoener,
Arthur,	Gibbon,	McCurdy,	Smith, G. A.,
Aston,	Gilchrist,	McDermott,	Smith, H. J.,
Baker,	Glasgow,	McGowan,	Smith, H.,
Baldi,	Goehring,	McKim,	Smith, J. W.,
Behney,	Golder,	McVicar,	Sowers,
Bell, F. A.,	Goss,	Metcalf,	Spangler,
Bell, W. T.,	Griffith,	Millar,	Speiser,
Bentley,	Grimes,	Miller,	Staudenmeier,
Berger,	Guerin,	Minehart,	Stavitski,
Bidelspacher,	Gundy,	Moffatt,	Sterling,

Blair,	Haas,	Moore,	Stevens, A. J.,
Bluett,	Haslett,	Morrison,	Stoner,
Brenneman,	Heffran,	Munley,	Storb,
Brewster,	Henderson,	Myers, G. C.,	Storer,
Bromley,	Hetrick,	Myers, P. M.,	Thomas, M. G.,
Brown,	Himes,	Nolte,	Thompson,
Brownmiller,	Hollis,	O'Boyle,	Van Alen,
Burchinal,	Hoover,	Ogle,	Vickerman,
Burns,	Horne,	Parkinson,	Walker,
Bush,	Howell,	Patterson,	Weamer,
Chaplin,	Irvin,	Peelor,	Wells,
Clutton,	Johnson,	Perry,	Wettach,
Conner,	Jones, C. B.,	Pitts,	Wheeler,
Craig,	Jones, D. J.,	Posey,	Whitehouse,
de Young,	Jones, E. P.,	Post,	Whiteman,
Diehm,	Kelly,	Raymond,	Williams, G. W.,
Dietz,	Kennedy,	Rhodes,	Williams, J. M.,
Driggs,	Kohler,	Richards,	Woner,
Eaches,	Kunkle,	Rinn,	Wood, N.,
Earley,	Lauver,	Rippman,	Wood, W. P.,
Edmonds,	Long,	Sample,	Wright,
Evans, B. P.,	Lucas,	Sarig,	Zook,
Evans, J.,	Ludlow,	Sautter,	Goodnough,
Fields,	MacKinney,	Schaeffer,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1318, entitled:

An Act imposing a State tax on the premiums paid into the State Workmen's Insurance Fund and providing for collection thereof

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. HOWARD SMITH. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means.

Mr. BLUETT. Mr. Speaker, I second the motion.

The motion was agreed to.

RECESS.

The SPEAKER. If there are no objections the Chair will declare a recess until 4:00 o'clock this afternoon.

Whereupon, at 1:25 o'clock P. M., the House took a recess until 4:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

BILL REFERRED.

By Mr. SPANGLER. HOUSE BILL No. 1411.

An Act to amend section one of an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, (P. L. 86), entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed; and repealing an act of Assembly entitled 'An Act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-nineth day of April, Anno Domini one thousand nine hundred and nine" as amended.

Referred to the Committee on Counties and Townships.

APPOINTMENT OF COMMITTEE TO INVESTIGATE STATUS OF THE PRINTING

The SPEAKER. The Chair in accordance with the provisions of Resolution No. 12, adopted by this House, appoints the following committee: The gentleman from Philadelphia, Mr. Howard Smith, chairman; the gentleman from Monroe, Mr. Rhodes; the gentleman from Erie, Mr. Morrison; the gentleman from Westmoreland, Mr. Whiteman; and the gentleman from Jefferson, Mr. Irwin.

BILLS RE-REFERRED.

Mr. GELDER returned from the Committee on Public Roads, with the recommendation that it be re-referred to the Committee on Insurance, House Bill No. 717, entitled:

An Act requiring owners of motor vehicles and motorcycles to file surety bonds conditioned for the payment of judgments received against the owners of such motor vehicles for personal injury or property damage caused by the operation of such motor vehicles; imposing certain duties upon the State Highway Commissioner, and fixing penalties.

The SPEAKER. The bill is now re-referred to the Committee on Insurance.

REPORTS FROM COMMITTEES.

Mr. EARLEY, from the Committee on Public Health and Sanitation, reported as amended House Bill No. 377, entitled:

An Act to amend sections one and three, and section six as amended, and sections nine and ten of an act approved the seventh day of June, one thousand eight hundred and ninety-five (P. L. 167), entitled "An Act to provide for the better protection of life and health by diminishing the danger from infectious and contagious diseases through the creation of a State Board of Undertakers in the cities of the first, second and third classes, with systematic examinations, registration and licenses for all entering the business of burying the dead, and penalties for violation of the provisions thereof;" by prescribing the qualification and compensation of members of the State Board of Undertakers; providing for employes of the board; requiring applicants for undertakers' license to have a common school education; providing for the auditing of its books, and the disposition of funds remaining in its treasury.

Mr. EDMONDS, from the Committee on Municipal Corporations, reported as committed House Bill No. 1047, entitled:

An Act authorizing the commissiners of the various counties to appropriate money to volunteer fire companies within their respective counties.

Mr. CRAIG, from the Committee on Judiciary Special, reported as committed House Bill No. 598, entitled:

An Act declaring the construction to be given deeds, wills and other instruments in writing in which real and personal property is donated, granted, devised or bequeathed, either directly or in trust for the benefit of one or more persons for years or for life or upon condition, with remainder over to the heirs or next of kin or to the persons thereunto entitled under the interstate laws or other similar or equivalent phrase.

Mr. POSEY, from the Committee on Municipal Corporations, reported as committed House Bill No. 135, entitled:

An Act regulating the hours of labor of policemen in cities of the third class.

Mr. STAUDENMEIER, from the Committee on Public Roads, reported as amended House Bill No. 898, entitled:

An Act to amend route number sixty-three of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commis-

sioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioners and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commisioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Mr. WELLS, from the Committee on Public Roads, reported as committed, House Bill No. 1217, entitled:

An Act to amend Route Number Ninety-three of section six of the act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of townships or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Mr. JEFFERSON W. SMITH, from the Committee on Ways and Means, reported as committed House Bill No. 1103, entitled:

An act to amend an Act approved June 20, 1919, (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal" as amended.

Mr CLUTTON, from the Committee on Public Roads, reported as committed House Bill No. 534, entitled:

An Act to amend Route Number ninety-one of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highway, solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain the certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring con-

tracts by counties, townships boroughs, and incorporated towns with Commonwealth governing same; providing for the minumum width of State highways and State-aid highways and kind of material to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Mr. WRIGHT, from the Committee on Public Roads, reported as committed House Bill No. 696, entitled:

An Act providing for the maintenance by the Commonwealth of State-aid roads and highways in townships of the second class.

Mr. GROVER C. MYERS, from the Committee on Game, reported as amended House Bill No. 1203, entitled:

An Act providing a method through which the Commonwealth may co-operate with individuals in building fences to protect farm crops and fruit orchards against damage from wild deer, and making an appropriation.

Mr. OGLE, from the Committee on Elections, reported as amended House Bill No. 117, entitled:

An Act to amend section twenty three as amended and section twenty six of the act approved the tenth day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, four hundred nineteen), entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties punishing certain offenses in regard to such elections," relating to watchers at elections, by abolishing the office of watchers at elections, and changing the method of furnishing assistance to voters; providing a penalty for violation thereof.

Mr. WILLISTON P. WOOD, from the Committee on Game, reported as committed House Bill No. 939, entitled:

An Act providing for the payment of certain claims for damages done to livestock, poultry or bees by bear providing a method for the ascertainment of such damage and making an appropriation.

Mr. GOSS, from the Committee on Constitutional Reform, reported as committed House Bill No. 607, entitled:

A Joint Resolution proposing an amendment to Section Fifteen of Article Five of the Constitution of the Commonwealth of Pennsylvania.

Mr. SCHWARTZ, from the Committee on Library, reported as committed, House Bill No. 1125, entitled:

An Act to amend sections seven; twenty-six, twenty-nine and thirty-two of an act approved the twenty-third day of May, one thousand nine hundred and nineteen, (P. L. 242), entitled "An Act to amend, revise, and consolidate the law relating to the State Library and Museum, including the law relating to the Free Library Commission and the Division of Public Records; abolishing the Board of Trustees of the State Library, the Advisory Commission of Public Records, and the Free Library Commission; and repealing existing laws in relation thereto;" fixing fees for certain services; and making an appropriation thereof.

Mr. GOSS, from the Committee on Elections, reported as amended, House Bill No. 120, entitled:

An Act providing that at the close of each general, municipal, primary and special election the contents of the ballot box in each district shall be deposited as a court record with the prothonotary of the county, and providing for its preservation and inspection; and repealing acts inconsistent therewith.

Mr. ARMSTRONG, from the Committee on Public Roads, reported as committed House Bill No. 1159, entitled:

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken; regulating the certification of such titles, the purchase, sale and transfer of motor vehicles, and their registration; providing for the collecting of fees for the certification of titles, and for disposition thereof; forbidding the destruction, removal, alteration, covering or defacement of any engine, manufacturer's or other distinguishing number or identification mark on motor vehicles, and providing for the assignment of special numbers in certain cases; imposing duties on the State Highway Commissioner, sheriffs, constables, police officers and other peace officers; and providing penalties.

Mr. CRAIG, from the Committee on Municipal Corporations, reported as committed House Bill No. 863 (Senate Bill No. 84), entitled:

An Act relating to the acquisition of land for park purposes by any city in this Commonwealth in sections not entirely built up limiting time for condemnation by councils or condemnation or purchase by Park Commissioners after same has been placed on city plan for park purposes by ordinances of councils or action or park commissioners and providing for removal from city plan upon failure to condemn or purchase within time specified herein.

Mr. BLUETT, from the Committee on Judiciary Special, reported as committed, House Bill No. 1400, (Senate Bill No. 513), entitled:

An Act to amend section three of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and twelve) entitled "An Act to regulate the drilling operating and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act."

Mr. FLYNN, from the Committee on Insurance, reported with a negative recommendation, House Bill No. 835, entitled:

An Act to further amend clause (d), section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure the determination of liability and compensation thereunder," as amended.

Mr. FLYNN, from the Committee on Insurance, reported with a negative recommendation, House Bill No. 836, entitled:

An Act to further amend clause (c), section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An Act dening the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule or compensation; and providing procedure for the determination of liability and compensation thereunder," as amended.

Miss MARTHA G. THOMAS, from the Committee on Public Health and Sanitation, re-reported as amended, House Bill No. 869, entitled:

An Act relating to the proof of intoxicating liquors sold offered for sale or furnished and providing penalties.

Mrs. PITTS, from the Committee on Judiciary Local, reported as committed House Bill No. 1345, entitled:

An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital, specially devoted to the reception, care and treatment of injured persons, or of any State owned general medical and surgical hospital; and to provide for the regulation and maintenance thereof.

Mr. HAWS, from the Committee on Manufactures, reported as amended House Bill No. 974, entitled:

An Act to amend section two of the act approved the fifth day of May, one thousand nine hundred and twenty-one, (P. L. 389), entitled "An Act to regulate and control the manufacture, sale, offering for sale, giving away, and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania; providing for the approval and disapproval of such weights, measures, and devices by the Bureau of Standards; and prescribing penalties," authorizing the Bureau of Standards to pass upon types of bottles, cans, jars, or cartons; and fixing standards thereof.

Mr. HAWS, from the Committee on Library reported as committed House Bill No. 818, entitled:

An Act to amend an act approved the twentieth day of July, one thousand nine hundred and seventeen, (P. L. 1143) entitled, "An Act relating to free, public, non-sectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects."

Mr. METCALF, from the Committee on Public Roads, reported as committed, House Bill No. 378, entitled:

An Act to amend route number one hundred eleven, as amended, and route one hundred twelve of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State-aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with the Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts and parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act."

Mr. METCALF, from the Committee on Counties and Townships, reported as amended House Bill No. 941, entitled:

An Act providing for the payment by counties of expenses incurred by district attorneys.

Mr. METCALF, from the Committee on Counties and Townships, reported as committed House Bill No. 1358, entitled:

An Act to amend the twelfth clause of section three hundred and eighty-one, chapter seven, of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred and forty), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

Mr. HASLETT, from the Committee on Counties and Townships, reported as committed House Bill No. 933, entitled:

An Act authorizing county commissioners to appropriate money from funds of the county to aid in the planting of trees and the establishment of tree nurseries in aid of the reforestration of wood lots of farms or any other lands denuded of timber trees which it is desired to reforest.

Mr. LUDLOW, from the Committee on Counties and Townships, reported as committed House Bill No. 1334, entitled:

An Act to amend section 1, of an act approved this seventeenth day of March, 1921, (Pamphlet Laws No. 32) entitled "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors, and marines of such counties; providing for an election to determine whether such hall shall be erected; providing for the purchase and condemnation of property for such purposes; regulating the use of such halls; and providing for the maintenance and care of the same, by a board of control at the expense of the county."

Mr WALKER, from the Committee on Counties and Townships, reported as committed, House Bill No. 1380, (Senate Bill No. 422), entitled:

An Act fixing the compensation of jury commissioners in counties of the seventh class.

Mrs. de YOUNG, from the Committee on Judiciary Special, re-reported as amended House Bill No. 18, entitled:

An Act to provide for the welfare of all persons confined (Whether such persons be tried or untried prisoners) in any penitentiary or County Prison in this Commonwealth.

Mr. BREWSTER, from the Committee on Judiciary Special, re-reported as amended House Bill No. 16, entitled:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary or county prison in this Commonwealth.

Mr. HOLLIS, from the Committee on Judiciary Special, re-reported as amended House Bill No. 19, entitled:

An Act to provide for the physical welfare of all persons confined (whether such persons be tried or untried prisoners) in any Penitentiary or County Prison of this Commonwealth.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1320, entitled:

An Act to amend an Act approved May second one thousand eight hundred and ninety-nine (Pamphlet Laws one hun-

dred eighty-four) entitled "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax" as amended

On the question,

Will the House agree to the bill on third reading?.

Mr. WHITEMAN. Mr. Speaker, I ask unanimous consent to offer amendments at ths time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 1, line 9, by striking out the word "which"

Amend section 1, page 1, line 9, by striking out the word "last"

Amend section 1, page 2, line 14, by striking out the word "licnse" and inserting in lieu thereof: "license"

Amend section 2, page 4, line 1, by striking out the word "correct" and inserting in lieu thereof: "corrected"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question.

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 148, entitled:

An Act authorizing cities boroughs and incorporated towns to require and permit the laying and constructing of sanitary sewers and sewer pipes outside the cartway and the curblines thereof in all streets and highways and prescribing the uses thereof and providing for the assessment of the costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. MOFFATT. Mr. Speaker, I move that this bill, House Bill No. 148, file folio, 2865, be recommitted to the Committee on Judiciary General for a hearing.

Mr. WHITEMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1255, entitled:

An Act providing for the refunding of moneys erroneously paid into the State Treasury as taxes by dealers in goods wares and merchandise under the mercantile license tax and making an appropriation for such refunding

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. EARLEY. Mr. Speaker, I move that House Bill No. 1255, file folio 2867, be recommitted to the Committee on Appropriations.

Mr. WELLS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1193, entitled:

An Act providing for resettlements by the Board of Public Accounts of mercantile license taxes erroneously paid into the State Treasury

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—131.

Alexander,	Goehring,	McCurdy,	Smith, H. J.,
Allman,	Greeby,	McDermott,	Smith, H.,
Anderson,	Griffith,	McGowan,	Smith, J. W.,
Armstrong,	Guerin,	McKim,	Sowers,
Aston,	Haas,	Miller,	Spangler,
Baker,	Harer,	Minehart,	Speiser,
Baldi,	Haslett,	Moffat,	Stark,
Beaver,	Haws,	Moore,	Stavitski,
Behney,	Heffernan,	Morrison,	Sterling,
Bell, F. A.,	Heffran,	Munley,	Stevens, A. F.,
Bentley,	Henderson,	Myers, G. C.,	Stevens, A. J.,
Berger,	Hetrick,	Myers, P. M.,	Stoffiet,
Bidelspacher,	Heyburn,	Nolte,	Stoner,
Blair,	Himes,	O'Boyle,	Thomas, L. D.,
Bluett,	Hollis,	Ogle,	Thomas, M. G.,
Brenneman,	Hontz,	Parkinson,	Thompson,
Bromley,	Horne,	Patterson,	Walker,
Brownmiller,	Howell,	Peelor,	Wells,
Burchinal,	Huber,	Pitts,	Wettach,
Chaplin,	Irvin.	Posey,	Wheeler,
Clutton,	Jones, D. J.,	Post,	Whitehouse,
Coldsmith,	Jones, E. P.,	Raymond,	Whiteman,
Craig,	Keene,	Richards,	Williams, G. W.,
de Young,	Kennedy,	Rinn,	Williams, J. M.,
Dietz,	Kunkle,	Rippman,	Woner,
Driggs,	Labar,	Sample,	Wood, N.,
Earley,	Lafferty,	Sarig,	Wood, W. P.,
Edmonds,	Little,	Schaeffer,	Wright,
Evans, B. P.,	Long,	Schleiter,	Zook,
Fields,	MacKinney,	Schwartz,	Goodnough,
Gallaher,	Marshall, W. F.	Shambach,	Speaker.
Gibbon,	McBride,	Sheridan,	
Gilchrist,	McClure,	Smith, G. A.,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 808, entitled:

An Act to prohibit corporations from interposing the defense of usury in any action

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. EARLEY. Mr. Speaker, in the absence of the sponsor of this bill, I move that it be placed upon the postponed calendar.

Mr. HETRICK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1095, entitled:

An Act relating to debts of municipalities

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. HEFFERNAN. Mr. Speaker, I move the further consideration of this bill be postponed for the present.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 906, entitled:

An Act to amend section twenty-one of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws four hundred and eighty-three) entitled "An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass except action for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" by requiring objections to the form of any pleading to be filed and served upon the opposite party within ten days after the service of such objectionable pleading

On the question,
Will the House agree to the bill on third reading?

It was agreed to,

On the question,
Shall the bill pass finally?

Mr. BLUETT. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Delaware, Mr. Alexander, permit himself to be interrogated?

Mr. ALEXANDER. Mr. Speaker, I will.

Mr. BLUETT. Mr. Speaker, I find that this bill has been amended so that fifteen days notice of any change in the pleadings is required, and yet I find in the title to the bill it is still as it originally was, ten days, and I just wanted to call the sponsor's attenion to that, so he could make the change in the title

Mr. ALEXANDER. Mr. Speaker, I have noticed that, but so as not to delay the passing of the bill, I will give this amendment to the Senate, so that it can be made on that side.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120.

Alexander,	Gibbon,	McCaig,	Sheridan,
Allman,	Gilchrist,	McClure,	Smith, G. A.,
Anderson,	Goehring,	McCurdy,	Smith, H. J.,
Armstrong,	Goss,	McDermott,	Smith, H.,
Beaver,	Greeby,	Miller,	Smith, J. W.,
Behney,	Griffith,	Minehart,	Speiser,
Bentley,	Grimes,	Moffat,	Staudenmeier,
Blair,	Haas,	Moore,	Stoner,
Bluett,	Heffran,	Morrison,	Storb,
Boback,	Henderson,	Munley,	Storer,
Brenneman,	Hetrick,	Myers, G. C.,	Thomas, L. D.,
Brewster,	Heyburn,	Myers, P. M.,	Thomas, M. G.,
Bromley,	Himes,	Nolte,	Thompson,
Brown,	Holcombe,	O'Boyle,	Van Alen,
Burns,	Hoover,	Ogle,	Walker,
Bush,	Irvin,	Orr,	Weamer,
Chaplin,	Johnson,	Parkinson,	Wells,
Clutton,	Jones, D. J.,	Patterson,	Wheeler,
Coldsmith,	Jones, E. P.,	Peelor,	Whitehouse,
Colville,	Kelly,	Perry,	Whiteman,
Craig,	Kennedy,	Pitts,	Williams, G. W.
de Young,	Kohler,	Post,	Williams, J. M.,
Dietz,	Lauver,	Price,	Woner,
Driggs,	Little,	Raymond,	Wood, N.,
Eaches,	Long,	Richards,	Wood, W. P.,
Earley,	Lucas,	Rinn,	Wright,
Edmonds,	Ludlow,	Sample,	Goodnough,
Evans, B. P.,	MacKinney,	Sarig,	Speaker.
Evans, J.,	Marcus, J. C.,	Schoener,	
Flynn,	Marshall, W. F.	Schwartz,	
Gallaher,	McBride,	Shambach,	

NAYS—1.

Schleiter,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 891 (Senate Bill No. 337), entitled:

An Act to amend section sixteen of an act approved May 31, 1911, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two deputy State Highway Commissioners, Chief Engineer, Chief draftsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State Line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads, defining highways and State aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended; by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—127.

Alexander,	Gundy,	McBride,	Shambach,
Allman,	Haas,	McClure,	Sheridan,
Anderson,	Haines,	McCurdy,	Smith, H. J.,
Armstrong,	Harter,	McDaniel,	Smith, H.,
Beaver,	Haslett,	McKim,	Smith, J. W.
Behney,	Henderson,	McVicar,	Sowers,
Bell, W. T.,	Hetrick,	Metcalf,	Speiser,
Bentley,	Heyburn,	Miller,	Stark,
Blair,	Himes,	Minehart,	Staudenmeier,
Bluett,	Holcombe,	Moffat,	Stavitski,
Brown,	Hollis,	Moore,	Sterling,
Burchinal,	Hoover,	Morrison,	Stevens, A. F.,
Bush,	Huber,	Munley,	Storb,
Chaplin,	Irvin,	Myers, G. C.,	Storer,
Coldsmith,	Johnson,	Myers, P. M.,	Thomas, L. D.,
Colville,	Jones, D. J.,	Nolte,	Thomas, M. G.,
de Young,	Jones, E. P.,	Ogle,	Thompson,
Diehm,	Keene,	Orr,	Van Alen,
Driggs,	Kelly,	Parkinson,	Weamer,
Eaches,	Kennedy,	Peelor,	Wells,
Earley,	Kohler,	Perry,	Wheeler,
Edmonds,	Kunkle,	Pitts,	Whitehouse,
Eshelman,	Lafferty,	Post,	Whiteman,
Evans, B. P.,	Little,	Price,	Williams, G. W.
Flynn,	Long,	Raymond,	Williams, J. M.,
Frazier,	Lucas,	Richards,	Woner,
Gallaher,	Ludlow,	Rippman,	Wood, N.,
Gibbon,	Lynch,	Sample,	Wood, W. P.,
Goehring,	MacKinney,	Sarig,	Wright,
Goss,	Marcus, J. C.,	Sautter,	Zook,
Griffith,	Marshall, W. F.	Schoener,	Goodnough,
Grimes,	Mathay,	Schwartz,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to third reading and consideration of House Bill No. 892 (Senate Bill No. 303), entitled:

An Act to amend section three and section four of an act approved the fifth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seventy-four), entitled "An Act providing for the licensing and regulation of corporations, co-partnerships, associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates, securities, contracts or other choses in action evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid some future time with or without profits, and imposing penalties."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LUDLOW. Mr. Speaker and members of the House, the bill which is now before us for final passage is Senate Bill No. 303, file folio 635 of the Senate, is identical with the bill which we in the House three weeks ago passed finally and sent to the Senate, a bill which was introduced by me to meet a condition where under the request from the Banking Commissioner, it appeared that there were certain people doing business on the co-operative basis in the state of Pennsylvania, who had put up a deposit of $100,000, and the Banking Commissioner wants to protect the Pennsylvania creditors, by preventing a non-resident co-operative association in the event of financial or other difficulties from taking that fund of $100,000 from this state, and not giving Pennsylvania creditors the first priority, as they would have in the case of a local administration of a foreign decedent's estate. That question was before us, and I believe we passed the bill without a single negative vote. The same time that I introduced the bill here, a similar bill was introduced by Senator Barr in the Senate, and their bill reaches us first, our bill is lost somewhere in committee over there. We passed it here, and I therefore ask you to reaffirm the action of the House taken some weeks ago, by voting affirmatively on this bill. It is the desire of the Banking Department, it is thoroughly meritorious, and protects the Pennsylvania creditors of non-resident co-operative associations. It is merely an amendment to the existing act.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118.

Albert,	Gorham,	Marcus, J. C.,	Sarig,
Alexander,	Goss,	Marshall, W. F.	Sautter,
Allman,	Griffith,	McBride,	Schleiter,
Anderson,	Grimes,	McClure,	Schwartz,
Armstrong,	Gundy,	McCurdy,	Shambach,
Beaver,	Haines,	McDermott,	Smith, G. A.,
Behney,	Haslett,	McKim,	Smith, H. J.,
Bell, W. T.,	Haws,	McVicar,	Smith, H.,
Bentley,	Henderson,	Metcalf,	Speiser,
Berger,	Hetrick,	Miller,	Staudenmeier,
Bidelspacher,	Heyburn,	Minehart,	Steedle,
Blair,	Himes,	Moore,	Stevens, A. F.,
Bluett,	Holcombe,	Morrison,	Stoner,
Brenneman,	Hollis,	Munley,	Storb,
Brown,	Hoover,	Myers, G. C.,	Storer,
Brownmiller,	Horne,	Myers, P. M.,	Thomas, L. D.,
Burns,	Howell,	Nolte,	Thomas, M. G.,
Craig,	Huber,	Ogle,	Walker,
Dietz,	Irvin,	Orr,	Weamer,
Driggs,	Jones, D. J.,	Parkinson,	Wells,
Eaches,	Jones, E. P.,	Peelor,	Wheeler,
Earley,	Kennedy,	Perry,	Williams, G. W.,
Edmonds,	Lafferty,	Pitts,	Williams, J. M.,
Evans, B. P.,	Little,	Posey,	Wood, N.,
Evans, J.,	Long,	Post,	Wood, W. P.,
Flynn,	Lucas,	Raymond,	Wright,
Gallaher,	Ludlow,	Richards,	Goodnough,
Gibbon,	Lynch,	Rinn,	Speaker.
Gilchrist,	MacKinney,	Rippman,	
Goehring,	Marcus, J.,	Sample,	

NAYS—4

Malie,	Mangan,	McCann,	Wettach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

QUESTION OF PERSONAL PRIVILEGE

Mr. WONER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his point of personal privilege.

Mr. WONER. Mr. Speaker, we have arrived at the point in our effort to obtain new revenues in the State of Pennsylvania where it is becoming extremely tense, and I feel, as chairman of the committee that has this work in charge,

that I should make a statement to the House this afternoon.

Three months ago I came to Harrisburg with my face hard set against new tax levies. Nothing has developed to change my attitude. I yield to no one in my ardent desire to save public money, and if possible lift tax burdens.

I have thought this thing through and come straight to these conclusions:

First;—In our honest attempt to avoid State revenue burdens let us be careful lest we ignore the undeniable fact that we are simply shifting these burdens to the local taxpayer.

Second;—Let us honestly note the sole purpose for suggested new tax levies now is alone for the relief of the folks back home from their local tax burdens.

Third;—Do we not know that actually eighty per cent. of all of the revenues we raise in this State are for strictly local uses such as schools, roads, hospitals, courts and so on, and that actually over eight dollars out of every ten dollars we spend out of the State Treasury goes out into the localities thruout the State.

Fourth;—Now before we go before the people with a plea of needed income we must show them that we are saving public money to the uttermost in all state activities. Economies already assured mean a saving of $20,000,000 in the next biennium.

Fifth;—Our new revenue needs of less than $20,000,000 are solely emergency. Were it not for existing liabilities of $29,000,000 the present income would meet all needs with some to spare. Therefore new taxes must be self-repealing in two years.

Sixth;—All agree the State should pay its debts and speedily prepare to pay-as-we-go.

Seventh;—The State must not default on any promise or pledge made with the people, on roads or schools.

Eighth;—Let us cut school and road program costs to a minimum but we must either add to local taxes or obtain needed revenues, unless we reduce salaries 25% in every part of the school system. The Administrative branch has accepted a cut of 25%.

Ninth;—We are not adding new burdens or increasing jobs or salaries but in actual increases for the same purposes, we are preparing to pay $20,431,892 more for roads and schools in 1923-25 than was paid out of the general fund in 1921-23.

Tenth;—Our per capita tax burden for schools, in Pennsylvania, is lower than that of 28 other states in the Union.

Eleventh;—Our per capita tax burden for all state and local purposes is lower than that of 39 other states in the Union.

Twelfth;—Of our total per capita tax of $78, we pay $45 to the federal government, $27 for county, city, borough, township and school purposes, and only $6 for all State purposes.

Our Revenue Needs.

We have arrived at the point in analysis of our fiscal problems where we know for a certainly, if the people back home are to be relieved of a part of their local tax burdens for roads and schools, that our revenue needs, in excess of the $115,000,000 estimated from present sources can be placed at not less than $20,000,000.

These Twenty Millions are not wanted or needed for state purposes. Every cent will be distributed to the localities of the State.

If we do not raise these revenues, we merely compel the townships to tax themselves to pay all their road improvement costs and compel the school districts to raise their millage to meet expenses the State has been helping pay. Can they stand the burden? Is it best to ask them to?

Our other alternative is to save Eighteen Millions by taking it from the school personnel throughout the whole system, and if we do this, we are taking a backward step.

Make a Start on Saving.

The governor's buget figures are unchanged. We have simply to adopt the buget and the reorganization code to bring about the saving of millions through a strong, safe and effective agency to stop waste, and lost motion, cut out overlapping, useless jobs and non-essentials and place the activities of the state government on a basis of the utmost efficiency and good business status.

We thus start with means by which every dollar of public money may be made to go as far as possible in getting actual results for the people.

And not until every taxpayer has reason to feel that honest ends are being attained, through equally honest means, in every department and service of the state, may we with perfect confidence go before the people with the plea for more revenue.

Then we may say, "We have set the house in order, stopped the leaks and made sure of getting the best results with the money we have through revenues now coming in. We are going to pay off a liability of Twenty Nine Millions and run the entire government for two years with these revenues, excepting payments to the school districts of $17,803,000, higher education needs of $550,000 and help for township roads of two millions. Will you, the people of this state, back the raising of these revenues, or shall we deny the local school district the subsidy on teachers' salaries and deny help on roads and compel the localities to pay their own way in education and highway improvement?"

Not a few people believe a smoke screen has been thrown about the school and road situation.

Let us see.

Our task is to pay out of the funds of the 1923-25 biennium a grand total for teachers' subsidies under the Edmonds Act and for roads of $20,431,892 more than was paid for similar purposes in the 1921-23 biennium. This is actually more than our revenue shortage now and it is easily seen that should we have only the problem of duplicating the furnishing of school and road revenues paid out the last biennium in the coming two years we would have no revenue task whatever at this time.

Problems as to Schools.

Analysis of the common school needs of $38,803,000, or an amount of $17,803,000 in excess of what the governor found to set aside for the purpose in the budget, shows that this is $12,883,000 more than was drawn out of the 1921-23 revenues for the same purpose. We are compelled to take care of four payment periods instead of three, and besides we are paying on the basis of $9,120,000 for each of the four payment periods and giving a total of $2,323,000 to the weaker districts under the valuation per teacher plan suggested by the governor. At the same time the Edmonds Act will function, for the state's share were the four payment period unit not selected, to the amount of $39,560,000 and the grand total (three million to be taken care of by the districts) will be over $41,884,000.

Problems as to roads.

In the 1923-25 biennium, should we be able to carry out the buget plans, we shall set aside and actually pay, out of the general fund, for roads, $12,980,940. This, with the exception of the $1,000,000 allowed in the buget, represents unexpended appropriations, $5,745,329 of which is from the 1919-1921 biennium and $6,235,611 from the 1921-23 biennium.

The fact of supreme interest is that we shall be able to pay, from the general fund in 1923-25, $7,528,892 more than was paid from this fund the last biennium. But the

payments out of the general fund for roads in 1919-21 will not be equalled. The amount for these two years was $20,215,805 and at the end of this same biennium only $2,654,899 of the appropriations made for those two years remained unused.

From the point of appropriation totals we are giving less for roads from one general fund for the coming two years than was given in 1919 but more than was given in 1921. The totals are:

Appropriated by the 1919 Assembly,	$14,663,718
Appropriated by the 1921 Assembly,	12,120,000
Probable Appro- by 1923 Assembly,	12,980,940

But while there were large sums appropriated both in 1919 and 1921 the actual payments from the general funds for the appropriation period covered by each appropriation was less by $2,763,310 in 1919-21 and less by $7,528,892 in 1921-23 than we are planning to pay in the 1923-25 biennium.

Fortunately we shall be able to obtain from motor license fees, for the highway department nearly twice as much as was received in the 1919-21 biennium, when the total was $13,408,450.16. We expect at least $28,000,000 in the 1923-25 biennium. Add to this $13,000,000 from the general fund and the federal aid of $5,000,000 and we have $48,000,000.

The budget allowance for roads takes no account of a deficit of nearly a million and a half in applications on file for the payment of rewards to townships on road work. To take care of this and carry the fund for the next two years it will require more than $2,000,000. Hence, road appropriations should be $14,980,940 instead of $12,980,940.

The need is plainly emergency.

It is clear that our needs of revenues present not a permanent status, but distinctly an emergency status.

Governor Pinchot, at the very opening of this session, in a masterly presentation, of our fiscal problems, fixed $90,000,000 as the amount required for all government activities and semi-public needs, save the amount called for over $21,000,000 for common schools and higher education. He has not varied this amount to any extent to date.

Now, adding to the Budget figures the $29,000,000 in deficit and appropriation liability as of June 1, 1923, we have a total of $119,000,000 which is about the figure the fiscal officers expect will be the revenues for the next biennium.

Therefore, for the next two years, 1923-25, with the usual increment in revenues provided no taxes are laid, the income will be sufficient and the only reason for adding new revenue sources now is to take care of The Deficit and appropriation liability inherited from the last biennium.

Those who stagger at the proposal to raise $139,000,000 in revenues now (for this is the total of the budget, the liability and the needed new revenues) forget that had the Assembly in 1921 taken a grip on the situation and insisted on placing the State on a pay-as-you-go basis at that time, it would have required an income, for the general fund in 1921-23, of more than $141,000,000. Then, too, we must figure that the coming biennium, as I have stated herein, must arrange to pay for teachers' subsidies and roads, nearly $21,000,000 more than was paid out of the general fund for the same purposes in 1921-23. Add this to the $141,000,000 and we have a total of $162,000,000 that would have been needed in the last two years had these two years borne the same school and road burden we are now arranging for.

How many millions we shall save the taxpapers of this state through the economy and efficiency program of the governor is hard to estimate. But it will not be less than $20,000,000.

Purposes of the added revenues.

Our aim should be to see that Pennsylvania has the best government and the best schools and the best roads at the least possible cost, instead of the best government, the best schools and the best roads at any cost.

In 1920 the total educational expenses in this state were 10.86 per capita. Twenty-eight other states paid more than this.

The same year our educational state expense, the amount we gave out of the general fund, was $1.86 per capita, or 37th in the entire union.

Our bonded debt, for schools, the same year, was $6.94 per capita, or less than that of twenty-seven states in the union.

In total state and local expense of schools and all county, city, township and borough governments, we had a per capita of but $32.48 in 1920, or less than 40 other states. New York's total was $58.56, Ohio $57.18 and Illinois $39.98. The only states having less cost per capita for running the government and the schools were eight south of the Mason and Dixon line.

Now, as the state tax. We feel that we are paying a fair amount. And we are. But in 1920 our capita state tax was $5.85 as against $10.41 in New York, $9.47 in New Jersey, $10.22 in Massachusetts, $10.94 in Delaware and $5.93 in Maryland.

As indicating what through reorganization of the State department will do in reducing state expense, Ohio, where they adopted a real reorganization plan, has a per capita state tax of $3.47. Only four states have a less per capita.

It must be noted that few states give for education as large a percentage of its total state revenues as does Pennsylvania. In New York they give forty millions a year for education but their total budget is over $140,000,000 a year, as against out $120,000,000 in two years.

If we allow to schools what the budget and the teachers' subsidy act calls for, we shall give nearly forty-five per cent of our state income to schools.

Revenues for local uses.

Turn to page 1225 of your 1922 Smull's. Study the purposes of appropriations as of 1921-23. Note that nearly ninety per cent. of the expenditures go right back to the people at home in one way or another.

Our revenues are largely, then, for uses not at Harrisburg but in the localities.

A large part of the expense of the departments of agriculture, armories, charities, fisheries, forestry, health, labor and industry, workman's compensation, mercantile appraisers, mines and mining, state police, all state institutions, semi-state institutions, penitentiaries and reformatories, commissions, and nearly all of the expense in the educational and highway and judiciary departments.

This embraces practically every state department except the executive and legislative, which may even, in part, be classed as local.

I submit to this House that when the Ways and Means Committee brings before it tax measures, revenue raising measures, that have been considered we ask from you a fair consideration in view of the absolute necessity of at least $20,000,000 of revenue to carry on the State government as it should be carried on in the next two years. I want to say to you that the prospects are very favorable that next week you shall have for your consideration some real method by which this $20,000,000 can be raised. It may not satisfy all of you, it doubtless will not come out of the Ways and Means Committee by anything like a unanimous vote, but when it does come, let us get back of it and put it across, for the State of Pennsylvania is too big to have it said of it

that it did not raise enough money to pay its honest to goodness debts.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 275, as follows:

An Act providing for the recovery and collection of taxes assessed on either real or personal property by action of assumpsit against the owner or owners of the real or personal property upon which or against the owner of which the said taxes have been assessed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the other remedies provided by law that all counties cities boroughs incorporated towns townships school district and poor districts may proceed for the collection of any taxes lawfully imposed and assessed on either real or personal property of any nature or character including stocks bonds mortgages and money at interest or assessed against the owner or owners of such real or personal property by action of assumpsit against the owner or owners thereof such action to be brought before any Magistrate Justice of the Peace or Court of Record of competent jurisdiction depending on the amount involved with similar rights of appeal as in other actions of assumpsit Judgments obtained in such actions of assumpsit to collect any of the taxes aforesaid shall include interest and penalties as provided by law and shall have the same effect to all intents and purposes as judgments in other cases Upon such judgments a writ of execution may be issued as in other actions of assumpsit for the collection thereof together with costs of suit without any stay of execution and no defendant in any such judgment shall have the right to any exemption of property levied upon to collect the same The provisions of this act shall extend to and include all taxes whereon a tax claim has been heretofore or may be hereafter entered against the property assessed as a lien of record "as well as taxes for which no such claim has been or may be entered" Provided further That this act shall also extend to and include all taxes real or personal heretofore assessed which became due and payable at any time not exceeding six (6) years prior to the passage of this act

Section 2 All acts or parts of acts and all laws inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. BLUETT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend sec. 7, page 1, line 6, by striking out the word "district" and inserting in lieu thereof "districts"

Amend sec. 1, page 2, line 18, by striking out the quotation marks before the word"as"

Amend sec. 1, page 2, line 19, by striking out the quotation marks after the word "entered"

Amend sec. 1, page 2, line 9, by inserting after the word "eases" the following: "Provided, however, that the lien of any judgment obtained for taxes assessed against real estate shall be limited and confined to the particular real estate against which said taxes are assessed, and no execution upon such a judgment shall issue against any other property."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 45, as follows:

An Act providing a system whereby persons absent from their regular polling places may cast their votes inposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any duly qualified voter of this Commonwealth who by reason of his duties business or occupation is unavoidably absent from his lawfully designated election district and outside of the county in which he is an elector but within the confines of the United States on the day of holding any general municipal or primary election may vote by appearing before an officer either within or without the Commonwealth authorized to administer oaths and marking his ballot under the scrutiny of such official as herein prescribed Such voter may vote only for such officers and upon such questions as he would be entitled to vote for or on had he presented himself in the district in which he has his legal residence and in the manner herein provided

Section 2 Any voter expecting to be absent from the county in which his lawfully designated election district is situated on the day of any general municipal or primary election and who desires to cast his ballot at such election may make application not more than thirtv days and not less than three days next preceding such election to the county commissioners of such county for a certificate of qualification and an official absent voter's ballot

Section 3 The certificate of qualification shall be issued by the county commissioners and shall set forth the name of such voter the name of the ward or district of the city borough town or township in which he resides If the voter is a resident of a borough town or township the certificate of qualification shall set forth that such voter's name has been duly entered on the registry list by the assessor thereof as appears from such list If the voter is a resident of a city the certificate of qualification shall set forth that the voter personally registered according to law The certificate of qualification shall be in the following form

Certificate of Qualification

We hereby certify that .....is a resident of the .....(district or precinct) of the.....ward of..... (city borough town or township) of.....county and Commonwealth of Pennsylvania (as appears by the personal registration books or the registry list of said district) and is a duly qualified elector of such district

.....
.....
.....

Dated .....

County Commissioners
County of.....

Section 4 The board of registration commissioners in cities of the first and second class shall certify to the county commissioners upon request any information that may be necessary for such county commissioners to properly fill out such certificate of qualification

Section 5 The county commissioners of the several counties shall prepare and have printed in addition to the regular and official ballots additional official ballots to be known as absent voter's ballots The number of such absent voter's ballots printed for each district shall be equal to five per centum of the number of registered voters in such district Such ballots shall be prepared and printed in the same form as the official ballots and shall in all respects be similar thereto except that on the back thereof shall be printed in addition to the form now required by law the words "Absent Voter's Ballot" There shall also be prepared three envelopes of such size and shape that will permit the placing of one within the other On the first shall be printed only the words "Absent Voters Ballot" On the second shall be printed the certificate of qualification and the affidavit of the voter together with the jurat of the official in whose presence the

ballot is marked and before whom the affidavit is made the forms to be substantially as herein provided On the third shall be printed the name official title and post office address of the prothonotary or the county commissioners of the county in which such voter resides and to whom the returns shall be made as hereinafter provided

Section 6 Application for a certificate of qualification and for an absent voter's ballot shall be made on a blank to be furnished by the county commissioners and shall be in the following form

I.....a duly qualified voter of the .....(district or precinct) of the..... ..... Ward of.....(City borough town or township) of ..... county and Commonwealth of Pennsylvania and entitled to vote in such district at the next election (in case of a primary election give party enrollment) expecting to be unavoidably absent from said county on the day for such election by reasons of duties business or occupation hereby make application for a certificate of qualification and an official absent voter's ballot

Witnesses..... .....
..... Signature of Voter

Dated ....
P. O. Address

Section 7 Such application blank shall upon request therefor be sent by the county commissioners to any absent voter by mail if the necessary postage is prepaid by the voter or shall be delivered to any voter upon application made personally at the office of the county commissioners

Section 8 Upon receipt of such application properly filled out and duly signed or as soon thereafter as the official absent voter's ballots for the election district in which the applicant resides have been printed the county commissioners shall send to such absent voter by mail or shall deliver one official absent voter's ballot or if there is more than one such absent voter's ballot to be voted by a voter of such election district one of each kind Such ballot or ballots shall be enclosed in the envelopes as provided for in section five of this act and in the order in which they are mentioned therein The envelopes shall be kept unsealed Before sending or delivering such ballot the county commissioners shall satisfy themselves that the applicant is a qualified elector and if so satisfied they shall fill out and sign the certificate of qualification and shall enter or cause to be entered on the registration book or registry list opposite the name of the applicant the words "Received absent voter's ballot"

Section 9 At any time after receiving such absent voter's voter's ballot but within a sufficient time to permit the return of the marked ballot to the prothonotary or county commissioners of the county in which the voter's election district is situated on or before the day of such election the voter may appear before any officer either within or without the Commonwealth authorized to administer oaths and mark such ballot under the scrutiny of such official in the following manner The voter shall first display the ballot to such official as evidence that the same is unmarked and shall then proceed to mark the ballot in the presence of such official but in such manner that such official is unable to see how the same is marked and then fold the ballot and enclose and securely seal the same in the envelope on which is printed the words "Absent Voter's Ballot" This envelope shall then be placed in the one on which is printed the certificate of qualification and the affidavit of the voter and the jurat of the official before whom the voter appears and such envelope sealed in like manner by the voter

Section 10 The voter shall then make out subscribe and swear to the affidavit printed on the face of such envelope which together with the jurat of such official shall be in the following form

Form of Affidavit and Jurat

Commonwealth of Pennsylvania }
} ss
County of ..... }

..... do solemnly swear (or affirm) that I have resided in the Commonwealth of Pennsylvania one year (or having previously been a qualified elector or native-born citizen of the Commonwealth that I removed therefrom and returned then six months) immediately preceding the date of this election and in the ..... district or precinct of the ..... ward of ..... (city borough town or township) in the county of ..... at least two months immediately preceding said date and (if twenty-two years of age and upward) have paid within two years a State or county tax and am in all respects a duly qualified voter of said election district that I am a ..... and that because of my duties business or occupation I will be required to be absent from my lawfully designated election district on said election day and will have no opportunity to vote therein that I am not qualified to vote elsewhere at this election and that I am the person named in the certificate of qualification

Witness
....
Signature of Voter

Residence address .....

Subscribed and sworn to before me a ..... in and for .....county State of ..... this ..... day of ..... 19.... and I hereby certify that the affiant ..... who is personally known to me to be the person he represents himself to be

or

has been proven to be the person whom he represents himself to be by ..... whose address is ..... and who is a creditable person known to me presented himself before me on the day above named in the city borough town or township of ..... county of ..... State of ..... that he exhibited to me the enclosed ballot (or ballots) and that the same was unmarked that he before me at the same time and place marked his ballot (or ballots) but in such manner that I did not see his vote that he then folded and enclosed said ballot (or ballots) so marked in the proper envelopes and that he then and there made out subscribed and swore to the affidavits according to law

Section 11 Such ballot or ballots and envelopes shall then be securely sealed in the third envelope which the voter shall send by registered mail to the prothonotary or county commissioners in sufficient time to reach its destination on or before the day such election is held In case the ballot was voted at a general or municipal election it shall be sent to the prothonotary if voted at a primary election it shall be sent to the county commissioners of the county in which such voter is a resident The postage and cost necessary to transmit and register such envelopes shall be paid by the voter

Section 12 The prothonotary or county commissioners upon receipt of such registered letter shall safely keep and preserve the same unopened in their office until the return board canvasses the vote according to law at which time the said return board shall open such registered letter and after examining the certificate of qualification and the affidavit and jurat shall compare the signature of said absent voter as written on the affidavit with the signature of such voter on the application blank given to the county commissioners If the return board is satisfied that the signatures correspond and that the affidavit and jurat are sufficient they shall announce the name of the voter of such absent voter's ballot and shall give any person present an opportunity to challenge the same in like manner and for the same causes as such voter could have been challenged had he presented himself in his own district to cast his ballot If there are no challenges they shall open the second envelope in such manner as not to destroy the certificate of qualification and the affidavit and jurat as printed thereon which envelope shall be kept in the prothonotary's or commissioner's office for a period of one year thereafter All envelopes on which are printed the words "Absent Voter's Ballot" and containing the ballots shall be put into one depository at one time and said depository well shaken and the envelopes containing the ballots mixed before any ballot is taken therefrom The return board shall then break the seals of such envelopes and record the said ballots in the same manner as the election officers record votes and in so canvassing said votes the return board shall count the votes of all absent voters taken as herein provided and add the same to the total result of the election in the county district precinct or ward accordingly as designated on each ballot

Section 13 The ballots after being opened and duly counted by the return board shall be safely kept in the custody

of the prothonotary or the county commissioners as the case may be for the period of one year and in case of a contested election the same may be opened and counted as in other cases

Section 14 Any voter who has received an absent voter's ballot and who shall return to his properly designated election district on or before the day for holding the election for which such ballot was issued shall be permitted to vote upon presenting himself at his regular polling place in the same manner as he could have voted had he not received such absent voter's ballot Provided however That in any such case such voter shall surrender to the judge of election of such district his absent voter's ballot or ballots unmarked and the envelopes in which they were contained before being permitted to vote Such fact shall be noted by the judge of election on the back thereof and the ballot or ballots and envelopes shall be returned to the county commissioners

Section 15 If any person voting an absent voter's ballot shall wilfully swear falsely to the affidavit herein provided for or shall vote any ballot other than one properly issued to him or vote or attempt to more than once at any such election or who shall violate any other provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or be imprisoned for a term not exceeding two years or both at the discretion of the court

If any official authorized to administer oaths within this Commonwealth prothonotary county commissioners or member of a return board shall neglect or refuse to perform any of the duties prescribed by this act or shall reveal or divulge any of the details of any ballot casting in accordance with the provisions of this act he shall be guilty of a misdemeanor and upon conviction shall be punished by fine not exceeding one thousand dollars or be imprisoned for a term of one year or both at the discretion of the court.

Section 16 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WONER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. LITTLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 388, as follows:

An Act providing that the negligence of a servant or employe of any municipality shall under the rule of respondeat superior be attributable to the municipality responsible for his compensation or wages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where injury is caused to any person or property by the negligence of any servant or employe of any municipality in the performance of his or her duty such negligence under the rule of respondeat superior shall be attributable to the municipality employing such servant or employe and which is liable for the payment of his or her wages or other compensation Provided That this act shall not apply to the servants or employees of the Police and Fire Departments

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RHODES. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sowers, permit himself to be interrogated.

Mr. SOWERS. Yes sir, Mr. Speaker.

Mr. RHODES. Will you kindly explain to the House the purpose and effect of this particular act?

Mr. SOWERS. Mr. Speaker, this act or this bill, like all bills, has at its bottom some inspiration. If my friend had been a reader of the Philadelphia Inquirer, he would have learned the reason for the bill, but as he is a reader of the Record, he overlooked the reason for the bill. If he had given careful study to the history of legislation in the last four or five years, a mere casual reading of the bill would have told him the reason for it. Sometime ago a lot of reformers came to this House from Philadelphia and they said to the people of Pennsylvania that the Vare contractors of Philadelphia ought not to carry on the street cleaning of Philadelphia; that the city of Philadelphia ought to engage in the business of street cleaning, and this Legislature said to Philadelphia in a new charter bill, "You shall engage in street cleaning;" and Philadelphia, under its present administration, did engage in that business, and every accident and every injury that has been suffered either by visitors to Philadelphia or by the inhabitants of Philadelphia at the hands of that street cleaning department, have not been compensated for. In other words, if you, at any time, come to Philadelphia and are run over by the mayor's ash carts or by the water wagon or something of that kind, and you went to court and said, "Why, I have been injured by Philadelphia being in business, I haven't been negligent or careless in any way whatever, but I have suffered damages by reason of the city engaging in that business," the court would say to you, "That is a governmental function and you are entitled to nothing." Under the old system the contractor had to pay for his negligence, the contractor had to pay for his negligence suits. Why, under the new system should not the citizens have the same revenue? When I see my friend who reads the Record and I see him in close association with others and then I think of the mayor of Philadelphia, then running through my mind is this, and I must tell it to the House: Our mayor has said to the people of Phliadelphia, "Oh I have saved you a half a million dollars", but to every person injured he never paid a cent, and that is how he saved the money."

Mr. RHODES. I am delighted to find out who the City of Philadelphia is from the gentleman but it has not quite answered my question. He may have told us that the City of Philadelphia is run by the Vares, but that is as far as he got.

Mr. SOWERS. You are wrong there, I help to run it.

Mr. RHODES. Mr. Speaker and members of the House, it seems to me that this bill deviates from the established principle of our municipal governments, and just because it may be enacted, or presented to the House, to take care of one local situation, it would impose a great burden and hardship upon the average municipality.

Mr. SOWERS. Mr. Speaker and members of the House, when this bill was on the second reading calendar, a number of the members came to me and called to my attention the fact that it included the police and fire departments, and they thought Pennsylvania ought not to change its policies with reference to the police and fire departments. Still, it seems to me the true policy is that any municipality that causes an injury to a man should pay for that injury. However, to please those who objected to the police and fire departments being included in it, I amended the bill to except the police and fire so that the bill in effect today only relates to or affects those municipalities which engage in business for themselves and if the municipality wants to engage in business, it should take on the

responsibilities of business and pay its debts and pay its liabilities to those that it injured, and I ask you members of this House to put on the statute books of Pennsylvania the principle that a municipality should perform its duty to its citizens and stand ready to compensate those that it injures.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Alexander,	Flynn,	Mangan,	Shambach,
Allman	Fowler, A. I.,	Marcus, J.,	Sheridan,
Anderson,	Fowler, D.,	Marcus, J. C.,	Smith, G. A.,
Armstrong,	Frazier,	Marshall, W. F.,	Smith, H. J.,
Arthur,	Gibbon,	Mathay,	Smith, H.,
Aston,	Gilchrist,	McBride,	Smith, J. W.,
Behney,	Goehring,	McCaig,	Sowers,
Bell, W. T.,	Goss,	McCann,	Staudenmeier,
Bentley,	Grimes,	McClure,	Steedle,
Berger,	Haas,	McCurdy,	Stofflet,
Bidelspacher,	Haines,	McDermott,	Stoner,
Blair,	Harer,	McKim,	Storb,
Bluett,	Heffernan,	McVicar,	Storer,
Bromley,	Henderson,	Metcalf,	Thomas, L. D.,
Brown,	Hetrick,	Miller,	Thomas, M. G.,
Brownmiller,	Himes,	Minehart,	Walker,
Burchinal,	Holcombe,	Moffatt,	Weamer,
Burns,	Hollis,	Moore,	Wells,
Bush,	Hontz,	Myers, G. C.,	Wettach,
Chaplin,	Howell,	Myers, P. M.,	Wheeler,
Clutton,	Huber,	Nolte,	Whitehouse,
Coldsmith,	Irvin,	Parkinson,	Williams, G. W.
Colville,	Jones, C. B.,	Patterson,	Williams, J. M.,
Craig,	Jones, E. P.,	Posey,	Woner,
Diehm,	Keene,	Price,	Wood, N.,
Dietz,	Kelly,	Raymond,	Wood, W. P.,
Donahue,	Kennedy,	Richards,	Zook,
Driggs,	Little,	Rinn,	Goodnough,
Eaches,	Long,	Sample,	Speaker.
Earley,	Lucas,	Sarig,	
Eshelman,	Ludlow,	Sautter,	
Evans, B. P.,	Mack,	Schleiter,	
Flinchbaugh,	Malie,	Schwartz,	

NAYS—3.

Albert,	Edmonds,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. HORNE.

The House resumed the consideration on final passage of House Bill o. 712, entitled:

An Act to amend section six of an act approved the twenty-sixth day of June, one thousand eight hundred and ninety-five, (P. L. 327), entitled "An Act to provide for the incorporation of institutions of learning with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law, and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees; and exempting from the provisions of this act colleges heretofore incorporated by the courts of common leges have, at the time of the passage of this act, a specified pleas, with power to confer degrees, in cases where such colamount of capital or resources," as amended; by prescribing additional requirements for institutions conferring degrees; making certain exceptions therefrom; and imposing certain duties on the State Council of Education.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—113.

Albert,	Edmonds,	Marcus, J. C.,	Schleiter,
Alexander,	Evans, J.,	Marshall, W. F.,	Schwartz,
Allman,	Flinchbaugh,	McBride,	Shambach,
Anderson,	Flynn,	McCaig,	Sheridan,
Armstrong,	Fowler, A. I.,	McCann,	Smith, G. A.,
Arthur,	Fowler, D.,	McClure,	Smith, H. J.,
Aston,	Gibbon,	McCurdy,	Smith, J. W.,
Bell, W. T.,	Goss,	McDermott,	Staudenmeier,
Bentley,	Grimes,	McVicar,	Steedle,
Berger,	Gundy,	Metcalf,	Sterling,
Bidelspacher,	Haines,	Minehart,	Stofflet,
Blair,	Haslett,	Moffatt,	Stoner,
Brenneman,	Henderson,	Moore,	Storer,
Brewster,	Hetrick,	Munley,	Thomas, L. D.,
Bromley,	Himes,	Myers, G. C.,	Thomas, M. G.,
Brown,	Holcombe,	Myers, P. M.,	Thompson,
Brownmiller,	Hollis,	Nolte,	Wells,
Burchinal,	Hoover,	Ogle,	Wettach,
Burns,	Horne,	Patterson,	Wheeler,
Bush,	Howell,	Peelor,	Whiteman,
Chaplin,	Jones, C. B.,	Perry,	Williams, G. W.
Coldsmith,	Keene,	Posey,	Williams, J. M.,
Colville,	Kelly,	Post,	Wood, N.,
Craig,	Kennedy,	Price,	Wood, W. P.,
Diehm,	Little,	Raymond,	Wright,
Dietz,	Long,	Richards,	Zook,
Driggs,	Lucas,	Sample,	Goodnough,
Eaches,	Ludlow,	Sarig,	Speaker.
Earley,	MacKinney,	Schaeffer,	

NAYS—2

Evans, B. P., Orr.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 116, entitled

An Act providing for the appointment by the court of supervisors in election districts in general, municipal, primary and special elections, upon petition of candidates, regulating the method of appointment and prescribing the duties and powers of such supervisors; providing for their compensation; providing penalties for violation, and repealing acts inconsistent herewith.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McVICAR. Mr. Speaker, in the absence of the sponsor of House Bill No. 116, file folio 1457, I move that the bill be placed on the postponed calendar.

Mr. McCURDY. Mr. Speaker I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 118, as follows:

An Act providing for the assement of occupation or poll tax in cases where the assessor has failed to make such assessment and the collection of the same so that such taxes may be assessed by and paid to the county treasurer or the registration officers for the registration of voters providing a penalty for violation thereof and repealing acts inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General

Assembly met and it is hereby enacted by the authority of the same That in every case where the assessor has failed to make an occupation or poll tax assessment against any person liable to such assessment such person may demand of the county treasurer that he make such assessment and in case the name of the person making such demand is not found upon the assessment list of the county treasurer acting as agent for the assessor shall forthwith enter upon the said list the name of the person applying assessing him at the current rate of assessment for such occupation and shall forthwith receive payment of such assessment from the said person so applying and issue to him a tax receipt therefor

Section 2 In case any elector otherwise duly qualified shall apply before any officer or officers having authority to register voters for the purpose of election and shall make affidavit setting forth his full name and residential address how long he has resided at the place named his occupation his place of business if any and further setting forth that he has not been assessed for any state or county taxes for the current year or the year preceding the registration officer or officers in charge of such registration shall enter in the assessment book hereinafter provided for an assessment of poll or occupation tax against such applicant for the current year assessing such applicant at the current rate for his occupation and shall forthwith issue a receipt to the said applicant upon the payment of the tax so assessed and such receipt shall have the same validity for the purpose of registration as any other tax receipt showing payment of taxes assessed and paid as of the date of such such receipt

Section 3 The county commissioners in each county shall provide for each place of registration an assessment book and there shall be printed in the said book a list of the current rates of taxation for each occupation or poll tax

Section 4 There shall also be printed in such book blank forms of affidavits for the purpose set forth in section two of this act at the foot of each affidavit form a blank space for assessment of taxes and the signature of the assessing officer or officers This book shall be sent by the county commissioners to each place of registration together with other supplies and at the close of each registration shall be returned to the county commissioners who shall keep the same as a public record until again required for registration purposes but records of assessment for a period more than two years old may be destroyed by the county commissioners

Section 5 Each registration officer or officers receiving payment of such taxes shall prepare an itemized statement setting forth name address occupation and amount collected from each and shall within five days of the receipt the same to the county treasurer deducting and retaining ten per centum of the amount so collected as compensation for making such collections Provided however That registration officers handling funds under this act shall not be required to file a bond or give other security

Section 6 The county treasurer and the registration officers shall in the matter of assessment as herein provided for act as deputies for the duly constituted assessing officers

Section 7 Any person making a false affidavit under the provisions of section two of this act and any person aiding or abetting in any manner the issuance of a tax receipt in fraud of the provisions of this act or attempting so to do shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment not exceeding one year or by a fine not exceeding five thousand ($5,000) dollars or by both in the discretion of the court

Section 8 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McVICAR. Mr. Speaker, I move that House Bill 118, file folio 3889, be placed upon the postponed calendar.

Mr. McCURDY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 136, as follows:

An Act requiring telephone companies operating in the same territory to make connections and to provide for the interchange of messages regulating the rates to be charged for such interchange and conferring certain powers and duties in connection therewith upon the Public Service Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of telephone companies operating in the same territory to make connections with each other and to provide for the interchange of messages between the subscribers of such companies messages between the subscribers of such companies who are located in non-competitive territory

Section 2 Such connections shall be made and messages exchanged under such rules and regulations as the Public Service Commission of the Commonwealth shall deem necessary to provide In case any telephone company or companies shall neglect or refuse to make any such connections and to provide for the interchange of messages any person may present a complaint to the Public Service Commission and such complaint shall be proceeded with in the same way as in the case of other complaints filed with said Commission and said Commision shall make such order and decree thereupon as to it may seem proper

Section 3 The Public Service Commission shall have power to regulate the rates to be charged for such interchange of messages

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—115.

Albert,	Frazier,	Mangan,	Schleiter,
Alexander,	Gelder,	Marshall, W. F.,	Schwartz,
Anderson,	Gibbon,	Mathay,	Sheridan,
Armstrong,	Gilchrist,	McBride,	Smith, G. A.,
Aston,	Goehring,	McCaig,	Smith, H. J.,
Beaver,	Goss,	McClure,	Sprowls,
Behney,	Griffith,	McCurdy,	Staudenmeier,
Bell, W. T.,	Grimes,	McDermott,	Stevens, A. F.,
Bentley,	Haines,	McKim,	Stofflet,
Berger,	Heffernan,	McVicar,	Stoner,
Blair,	Henderson,	Metcalf,	Storer,
Brenneman,	Hetrick,	Millar,	Thomas, L. D.,
Bromley,	Heyburn,	Miller,	Thomas, M. G.,
Brownmiller,	Holcombe,	Minehart,	Van Alen,
Bush,	Hontz,	Moffatt,	Walker,
Chaplin,	Hoover,	Moore,	Weamer,
Coldsmith,	Horne,	Morrison,	Wells,
Craig,	Howell,	Myers, G. C.,	Wettach,
Dietz,	Huber,	Ogle,	Whitehouse,
Driggs,	Jones, C. B.,	Parkinson,	Whiteman,
Eaches,	Jones, D. J.,	Peelor,	Williams, G. W.,
Earley,	Jones, E. P.,	Post,	Williams, J. M.
Edmonds,	Labar,	Price,	Wood, N.,
Eshelman,	Lauver,	Raymond,	Wood, W. P.,
Evans, B. P.,	Little,	Richards,	Wright,
Flynn,	Lucas,	Rinn,	Zook,
Fowler, A. I.,	Ludlow,	Sample,	Goodnough,
Fowler, D.,	Mack,	Sarig,	Speaker.
Fratt,	Malie,	Sautter,	

NAYS—20

Allman,	Donahue	Kennedy,	Smith, J. W.,
Arthur,	Evans, J.,	Marcus, J.,	Sowers,
Bluett,	Hollis,	Myers, P. M.,	Storb,
Brown,	Irvin,	Nolte,	Thompson,
Burns,	Keene,	Smith, H.,	Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Houes Bill No. 671, as folows:

An Act to amend sections one and three of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An Act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the appointment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An Act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" is hereby amended to read as follows

Section 1 Be it enacted &c. That in each county of the Commonwealth which by the action of its county commissioners accepts the provisions of this act the Governor shall appoint a board of trustees composed of seven women residents of the county to be called the Board of Trustees of the Mothers' Assistance Fund

Except as herein otherwise provided such trustees shall hold office for a term of six years and until their successors are duly appointed and qualified

Whenever any county shall hereafter accept the provisions of this act the first board of trustees shall be appointed as follows two for two years each two for four years each and three for six years each from the first day of June next succeeding

In all counties which have heretofore accepted the provisions of this act the board of trustees now in office shall continue in office as heretofore unless removed by the Governor but the Governor shall before the first day of June one thousand nine hundred and twenty-three designate two of said trustees to hold office for two years each two for four years each and three for six years each and where such board has less than seven trustees the Governor shall appoint additional trustees so that the total number may be seven and he shall accordingly fix their terms

If the terms of trustees shall expire the Governor shall appoint successors for terms of six years each

Vacancies other than those due to the expiration of a term shall be filled by appointment by the Governor for the unexpired term

All counties which have heretofore availed themselves of the provisions of the acts repealed by this act shall be deemed to have accepted the provisions of this act and shall be entitled to the benefits thereof

Section 2 That section three of said act is hereby amended to read as follows

Section 3 The State Supervisor shall have general supervision over the boards of trustees of the several counties and shall act as general field organizer she shall be on the staff of the Department of Public Welfare

The State Supervisor shall formulate and issue to the boards of trustees of the various counties rules of procedure by which they shall be governed to the end that uniformity of interpretation and practice shall obtain throughout the Commonwealth and to attain this end she or her assistant shall visit not less than twice each year for conference and counsel each county board organized under this act the State Supervisor shall approve the appointments of qualified paid head workers employed by the county boards

She shall as general field organizer visit the county commissioners of those counties which have not availed themselves of the provisions of this act and shall explain to such commissioners the benefits accruing from the act and the advantages of coming within its provisions and shall assist such county commissioners in the organization of boards of trustees

She shall make a report annually to the Commission of Public Welfare reviewing the work done under the provisions of this act by the trustees of the various counties laying special stress upon educational conditions of the assisted families

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McVICAR. Mr. Speaker, I move that House Bill No. 671, file folio 2047, be placed upon the postponed calendar.

Mr. McCURDY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 566, entitled:

An Act to amend article one, section one, of the act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determination by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains', by amending section nine thereof; repealing the act approved the thirty-first day of May one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to

enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals,' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven and section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" extending the provisions of said act to corporations, joint-stock companies or associations, domestic or foreign, their lessees, assignees, trustees and receivers, and to individuals, partnerships and associations engaged in the production, sale or distribution of coal, and defining and declaring the same to be public service companies.

On the quesion,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. BURNS. Mr. Speaker, I move that House Bill No. 566, file folio 1169, be placed upon the postponed calendar.

Mr. COLVILLE. Mr. Speaker, I second the motion.

The motio nwas agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 785, entitled:

An Act prohibiting the binding out by indenture of minors as apprentices and repealing inconsistent legislation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Alexander,	Fowler, D.,	Mack,	Sautter,
Anderson,	Gibbon,	MacKinney,	Schwartz,
Armstrong,	Gilchrist,	Malie,	Sheridan,
Arthur,	Goehring,	Marcus, J. C.,	Smith, G. A.,
Aston,	Gorham,	Marshall, W. F.,	Smith, H. J.,
Beaver,	Greeby,	McBride,	Smith, H.,
Behney,	Griffith,	McCaig,	Smith, J. W.,
Bentley,	Grimes,	McClure,	Sowers,
Berger,	Haas,	McCurdy,	Staudenmeier,
Blair,	Hall,	McDermott,	Stevens, A. J.,
Bluett,	Harer,	McKim,	Stoner,
Brenneman,	Haws,	Metcalf,	Storb,
Bromley,	Heffernan,	Miller,	Storer,
Brown,	Henderson,	Minehart,	Thomas, L. D.,
Brownmiller,	Heyburn,	Moffatt,	Thomas, M. G.,
Burchinal,	Himes,	Moore,	Thompson,
Burns,	Holcombe,	Morrison,	Walker,
Bush,	Hontz,	Myers, G. C.,	Weamer,
Clutton,	Hoover,	Myers, P. M.,	Wells,
Coldsmith,	Horne,	Nolte,	Wettach,
Colville,	Howell,	Ogle,	Wheeler,
Craig,	Huber,	Orr,	Whitehouse,
Diehm,	Irvin,	Parkinson,	Whiteman,
Dietz,	Jones, C. B.,	Peelor,	Williams, G. W.
Driggs,	Jones, E. P.,	Perry,	Williams, J. M.
Eaches.	Keene,	Pitts,	Wood, N.,
Earley,	Kelly,	Posey,	Wood, W. P.,
Edmonds,	Kennedy,	Post,	Wright,
Eshelman,	Kunkle,	Price,	Zook,
Evans, B. P.,	Labar,	Raymond,	Goodnough,
Flinchbaugh,	Lauver,	Richards,	Speaker.
Flynn,	Lucas,	Rinn,	
Fowler, A. I.,	Ludlow,	Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1001, entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALKER. Mr. Speaker, in the absence of Mr. Kohler, the sponsor of this bill, I wish to state that the bill which I introduced here and which has been passed by both houses and signed by the Governor, is just the same as this one; that is, the title is the same, and I think there could not be any other meaning taken out of it. It would hardly be worth while to pass this bill. The lawyers can probably tell me about that.

BILL POSTPONED.

Mr. WALKER. I move that House Bill No. 1001, file folio 2851, be placed upon the postponed calendar.

Mr. McCURDY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1214, as follows:

An Act to amend Section sixteen (a) of the Act approved the Seventh day of June One Thousand Nine Hundred Seventeen (Pamphlet Laws Four Hundred Fifteen) entitled and known as the "Register of Wills Act of one thousand nine hundred and seventeen" changing the time limit within which those interested shall appeal from the Decree of the Register

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section sixteen (a) of the Act approved the Seventh day of June One Thousand Nine Hundred Seventeen (Pamphlet Laws Four Hundred Fifteen) entitled and known as the "Register of Wills Act of one thousand nine hundred and seventeen" is hereby amended to read as follows

Section 16 (a) the probate or refusal of probate by the Register of the proper county of any Will or any other paper purporting to be a Will or codicil thereto shall be conclusive as to all property real or personal devised or bequeathed by such Will or codicil or other paper unless within One year from the date of such probate or refusal of probate those interested shall appeal from the Decree of the Register as herein provided Provided that all persons who would be sooner barred by this section taking immediate effect shall not be barred before One year from the date hereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129.

Albert,	Gorham,	McBride,	Sheridan,
Alexander,	Grimes,	McCaig,	Smith, H.,
Anderson,	Gundy,	McClure,	Smith, H. J.,
Armstrong,	Haslett,	McCurdy,	Smith, J. W.,
Arthur,	Heffernan,	McDaniel,	Sowers,
Aston,	Heffran,	McDermott,	Staudenmeier,
Beaver,	Henderson,	McKim,	Steedle,
Behney,	Hetrick,	Metcalf,	Stevens, A. J.,
Bentley,	Heyburn,	Miller,	Stoner,
Bluett,	Himes,	Minehart,	Storb,
Brenneman,	Holcombe,	Moffat,	Storer,
Brewster,	Hontz,	Moore,	Thomas, L. D.,
Bromley,	Hoover,	Morrison,	Thomas, M. G.,
Brown,	Horne,	Munley,	Thompson,
Brownmiller,	Howell,	Myers, G. C.,	Van Alen,
Burchinal,	Huber,	Myers, P. M.,	Walker,
Bush,	Irvin,	Nolte,	Weamer,
Coldsmith,	Jones, E. P.,	O'Boyle,	Wells,
Craig,	Jones, C. B.,	Ogle,	Wettach,
Dietz,	Jones, D. J.,	Parkinson,	Wheeler,
Driggs,	Keene,	Patterson,	Whitehouse,
Eaches,	Kelly,	Peelor,	Whiteman,
Earley,	Kennedy,	Perry,	Williams, G. W.,
Edmonds,	Kunkle,	Pitts,	Williams, J. M.,
Evans, B. P.,	Little,	Posey,	Wood, N.,
Evans, J.,	Long,	Post,	Wood, W. P.,
Flinchbaugh,	Lucas,	Price,	Wright,
Flynn,	Ludlow,	Raymond,	Zook,
Fowler, A. I.,	Lynch,	Rhodes,	Goodnough,
Frazier,	Mack,	Richards,	Speaker.
Gibbon,	Marcus, J. C.,	Rinn,	
Gilchrist,	Marshall, W. F.	Sample,	
Goehring,	Mathay,	Schwartz,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

TIME EXTENDED ON POSPONED BILLS.

Mr. STEEDLE. Mr. Speaker, I move that all bills on the third reading and final passage postponed calendar including second reading for which the time expires today or tomorrow, be continued for five days.

Miss GRIMES. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. FLYNN. Mr. Speaker, I move that the vote by which House Bll 678, file folio 1467, entitled,

"An act to amend clause 3, section 2, article 2, of chapter 7, of the Act approved the 14th day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled, 'An act providing a system of government for boroughs and revising, amending, and consolidating the law relating to boroughs,' " was defeated on final passage on April 3rd be reconsidered.

Mr. BRENNEMAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. FLYNN. Mr. Speaker, when this bill was under consideration I, for one, voted under a misconception of its provisions. It seems that under the present statutes, a burgess has the right to sentence to jail, to impose a jail sentence. Now, this act merely extends that power to include a workhouse sentence, and I believe it is a proper regulation.

On the question recurring,

Will the House agree to the motion,

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. DAVID J. JONES. Mr. Speaker, I move that House Bill No. 678, be placed on the postponed calendar.

Mr. FLYNN. Mr. Speaker, I second the motion.

The motion was agreed to.

RECESS.

The SPEAKER. If there are no objections, the Chair will declare a recess until 8:30 o'clock this evening.

Whereupon at 6:00 o'clock P. M. the House took a recess until 8:30 o'clock P. M.

AFTER RECESS.

The HOUSE reconvened at 8:30 o'clock P. M.

The SPEAKER, (C. J. Goodnough), in the Chair.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 832, as follows:

An Act amending an act entitled "An act giving to dependent neglected incorrigible delinquent and other children committed to the care custody or control of any institution or citizen or training school or industrial school or any association willing to receive them or to any other person or persons by any court of this Commonwealth sitting as a juvenile court or any judge sitting as such the right to reviews and rehearings on petition of their parent or parents or next friend requiring the testimony to be made a part of the record and providing for appeals to the Superior court" Approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and fifty-two) by extending the right to reviews rehearings revocations and modifications and appeals thereafter to the persons who initiated the proceedings to commit

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An act giving to dependent neglected delinquent and other children committed to the care custody or control of any institution or citizen or training school or industrial school or any association willing to receive them or to any other person or persons by any court of this Commonwealth sitting as a juvenile court or any judge sitting as such the right to reviews and rehearings on petition of their parent or parents or next friend requiring the testimony to be made a part of the record and providing for appeals to the Superior Court" approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and fifty-two) is hereby amended to read as follows

Section 1 Be it enacted et cetera That within twenty-one (21) days after the final order or decree of any of the courts of this Commonwealth sitting as a juvenile court or any judge sitting as such committing or placing or refusing to commit or place any dependent neglected incorrigible delinquent or other kind of child or children to any institution reputable citizen or to the care of some training school or an industrial school or to the care of some institution willing to receive it or them of to any other person or persons except to their respective parent or parents such child or children shall as a matter of right by its or their parent or parents or next friend have the right to present to such courts sitting as juvenile courts or judge sitting as such a petition to have its or their case or cases reviewed and reheard if in the estimation of such parent parents or next friend an error of fact or of law or of both has been made in such proceedings or final orders or if the said order has been improvidently or inadvertently made and the person or persons who initiated the proceedings to commit or place the said child or children shall have a like right to have the case reviewed and reheard and upon the presentation of such petition the said courts sitting as juvenile courts or judge sitting as such shall grant such review and rehearing as a matter of right and it shall be required that the testimony

be taken down at such reviews and rehearings and transcribed by an official court stenographer at the cost of the party requesting such review and rehearing which testimony shall be duly made a part of the record in such cases From the final order or decree of such courts of this Commonwealth sitting as juvenile courts or judge sitting as such court in proceedings for such rehearings and reviews appeals by such child or children by its or their parent or parents or next friend or by the person or persons who initiated the proceedings to commit or place shall lie as a matter of right to the Superior Court of this Commonwealth upon the same terms and with the same regulations as are provided by existing laws in regard to appeals from any definitive sentence or decree of the orphans' court and in hearing such appeals the Superior Court shall consider the testimony as a part of the record

Section 2 The second section of said act is hereby amended to read as follows

Section 2 If at any time after the final order or decree of any of the courts of this Commonwealth sitting as juvenile courts or any judge sitting as such placing or committing any dependent neglected incorrigible delinquent or other child or children to any institution citizen training school industrial school or to the care of some institution willing to receive it or them or to any other person or persons such a change of circumstances should take place that in the estimation of the parent or parents or next friend of such child or children should warrant the revocation or modification of such final orders or decree such dependent neglected incorrigible delinquent or other child or children hereinabove described shall by its or their parent or parents or next friend have the right to file a petition in such courts sitting as juvenile courts or with aforesaid judges sitting as such asking for a revocation or modification of such final orders or decrees and the person or persons who initiated the proceedings to commit or place the said child or children shall have the same right to petition for a revocation or modification of such final orders or decrees and it shall be the duty of such courts sitting as juvenile courts or judges sitting as such to give a full and proper hearing on such petitions and it shall be required that the testimony at such hearings be taken and transcribed by an official court stenagrapher at the cost of the party requesting such hearing and such testimony shall be duly made a part of the record in the case From the final order or decree of such courts of this Commonwealth sitting as juvenile courts or judge sitting as such court in proceedings for such hearings mentioned in this paragraph appeals by such child or children by its or their parent or parents or next friend or by the person or persons who filed the said petition shall lie as a matter of right to the Superior Court of this Commonwealth upon the same terms and with the same regulations as are provided by existing laws in regard to appeals from any definitive sentence or decree of the orphans' court and in hearing such appeals the Superior Court shall consider the testimony as part of the record

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker and members of the House, I want to call you attention to this bill which we are about to vote on—the bill at the top of page 17, file folio 3903. At the present time when children are taken before the Juvenile Courts, if they have any reason to complain they can appeal. The only thing I can see in this act is that it provides that not only they, but whoever presents the petition perhaps, if the child is not sent away to a house of detention and they don't think the judge performed his duty, as they see it, an appeal may be taken by the petitioner, or whoever it is who has tried to send that child to a detention house or some other kind of a home. For instance, I take this, somebody brings a child for some offense before the Juvenile Court, and the judge instead of sending him to a detention home sends him back; this gives the Commonwealth a right to appeal. I have always been opposed to these cases, giving the Commonwealth the right to appeal because if there is any time when the humane side of the court, and his discretion in a humane way is exercised, it is when this child is before him. And many a time his care for that child, coupled with the hope that the future may be better for the child, puts him in the hands of some one else rather than in a house of detention. This bill gives some person, who thinks the child should be sent away, the right to take an appeal to the Superior Court. I am only calling your attention to that because I do not think it seems to be the right thing to vote for a bill like this

Mr. STONER. Mr. Speaker and members of the House I was asked to present this bill by the Child's Welfare Association of Pittsburgh. I agree with my learned friend from Delaware county, Mr. Alexander, that the question does present itself as to whether it is advisable to give the Commonwealth the right to appeal in cases of this kind. Now what is wanted, as I understand it, is this: The Child's Welfare Association sends about thirty-one per cent of the juvenile cases into the juvenile Courts of Allegheny county. Sometimes they are not satisfied with the judgment of the Juvenile Court and when this occurs, under the present law, they have no redress. The question is, should they have any redress? They want now to have the right to take an appeal to the Superior Court from the judgement of the Juvenile Court, and the question is, should they have that right.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—21

Arthur,	Harter,	Ogle,	Walker,
Behney,	Holcombe,	Peelor,	Wheeler,
Coldsmith,	Irvin,	Post,	Zook,
Dietz,	Kelly,	Stoner,	Goodnough,
Grimes,	McKim,	Thomas, L. D.,	Speaker.
Harer,	Myers, P. M.,		

NAYS—98

Albert,	Fowler, A. I.,	Lauver,	Rinn,
Alexander,	Fratt,	Long,	Sautter,
Armstrong,	Frazier,	Lucas,	Schilling,
Beaver,	Gallaher,	Ludlow,	Schleiter,
Bentley,	Gibbon,	Marcus, J.,	Schwartz,
Bidelspacher,	Gilchrist,	Marshall, W. F.,	Sheridan,
Blair,	Goehring,	McBride,	Smith, G. A.,
Brenneman,	Griffith,	McClure,	Smith, H. J.,
Brewster,	Gundy,	McCurdy,	Sowers,
Bromley,	Haas,	McDermott,	Stark,
Brown,	Haines,	McVicar,	Staudenmeier,
Brownmiller,	Haslett,	Metcalf,	Stevens, A. J.,
Burchinal,	Haws,	Miller,	Stofflet,
Burns,	Heffernan,	Moffatt,	Storb,
Chaplin,	Heffran,	Morrison,	Storer,
Colville,	Henderson,	Munley,	Thomas, M. G.,
Craig,	Himes,	Nolte,	Thompson,
Diehm,	Hoover,	Orr,	Whitehouse,
Donahue,	Huber,	Parkinson,	Whiteman,
Driggs,	Jones, C. B.,	Patterson,	Williams, G. W.,
Eaches,	Jones, D. J.,	Posey,	Williams, J. M.
Earley,	Jones, E. P.,	Price,	Wood, N.,
Edmonds,	Keene,	Raymond,	Wright,
Evans, B. P.,	Kennedy,	Rhodes,	
Flynn,	Labar,	Richards,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 987, as follows:

An Act to amend sections one two as amended three and four of an act approved the eleventh day of July Anno Domini one thousand nine hundred seventeen (Pamphlet Laws seven hundred and sixty-nine) entitled "An act to regulate the importation into the State of Pennsylvania of dependent delinquent or defective children and providing a penalty for tne violation thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eleventh day of July Anno Domini one thousand nine hundred seventeen (Pamphlet Laws seven hundred and sixty-nine) entitled "An act to regulate the importation into the State of Pennsylvania of dependent delinquent or defective children and providing a penalty for the violation thereof" is hereby amended to read as follows

Section 1 Be it enacted &c. That it shall be unlawful for any person corporation association r institution to bring or send or cause to be brought or sent into the State of Pennsylvania any dependent or delinquent or defective child for the purpose of placing such child in any home in Pennsylvania or procuring the placing of such child in any home in Pennsylvania by indenture adoption or otherwise or to abandon such child after being brought or sent into the State of Pennsylvania without first obtaining a license to be issued by the Department of Public Welfare of the Commonwealth of Pennsylvania and conforming to this act and to such rules and regulations of such Department consistent herewith as such Department may from time to time prescribe Provided however That each and every application for a license as provided in this section must be submitted on the form provided by such Department for the purpose and must be accompanied by a certificate or other available evidence that the applicant has previously obtained a license or the approval of the proper State authority of the State from which the child is to be brought or sent into the State of Pennsylvania

Section 2 That Section two of said act as amended by the act approved the seventeenth of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and twenty-seven) entitled "An act to amend section two of an act approved the eleventh day of July Anno Domini one thousand nine hundred and seventeen entitled 'An act to regulate the importation into the State of Pennsylvania of dependent delinquent or defective children and providing a penalty for the violation thereof so as to reduce the amount of the indemnity bond in favor of the State of Pennsylvania from ten thousand dollars to one thousand dollars is hereby amended to read as follows

Section 2 Such person corporation association or institution before bringing or sending or causing to be brought or sent any such child into this State shall first give an indemnity bond in favor of the State of Pennsylvania in the penal sum of one thousand dollars to be approved by said Department of Public Welfare conditioned as follows That such person corporation association or institution will not send or bring or cause to be brought or sent into this State any child that is incorrigible or one that is of unsound mind or body Provided That the Department of Public Welfare of the Commonwealth of Pennsylvania in case of dispute shall determine whether or not such child is of unsound mind or body that such person corporation association or institution will at once upon the placement of such child furnish to the Department of Public Welfare its name and a certificate of its birth and the name and legal residence of the person with whom it is placed that if any such child shall before it reaches the age of twenty-one years become a public charge such person corporation association or institution will within thirty days after written notice shall have been given of such fact by the Department of Public Welfare remove such child from the State and if any such dependent child shall be convicted of crime or misdemeanor and imprisoned within three years from the time of its arrival within the State such person corporation association or institution will remove from the State such child immediately upon its being released from such imprisonment and upon failure after thirty days notice and demand to remove any such child who shall have either become a public charge as aforesaid or who shall have been convicted as aforementioned in either event such person corporation association or institution shall at once and thereby forfeit the sum of one thousand dollars as a penalty therefor to be recovered upon such bond by a suit in the name of the State of Pennsylvania that such person corporation association or institution will place or cause to be placed each of such dependent children under written contract which will secure to such child a proper home and will make the person so receiving such child responsible for its proper care education and training that such person corporation association or institution will properly supervise the case and training of each of such children and that each of such children shall be visited at least twice a year by a responsible agent of the person corporation association or institution so placing or causing to be placed such child as herein provided that such person corporation association or institution will make to the said Department of Public Welfare such reports of their work as said Department from time to time may require

Section 3 That section three of said act is hereby amended to read as follows

Section 3 The Department of Public Welfare shall have general supervision and management of all matters contained in this act and may make such other and further rules and regulations not inconsistent herewith as it may deem necessary for the proper placing out indenture adoption removal and supervision of such children and for the rejection of incorrigible or unsound children and for the removal of children convicted of crimes or misdemeanors or who may become public charges

Section 4 That section four of said act is hereby amended to read as follows

Section 4 Any person corporation association or institution or any officer or agent thereof herein described who shall violate any of the provisions of this act and any person corporation association or institution in this Commonwealth of Pennsylvania who shall allow a child to be placed in its keeping in violation of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provision of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—116.

Albert,	**Gallaher,**	Marcus, J.,	**Rinn,**
Alexander,	Gelder,	Marshall, W. F.	Sautter,
Armstrong,	Gibbon,	McBride,	Schilling,
Arthur,	Gilchrist,	McCaig,	Schwartz,
Beaver,	Goehring,	**McClure,**	Sheridan,
Behney,	Goss,	McCurdy,	**Smith, G. A.,**
Bentley,	Griffith,	McDermott,	Smith, H. J.,
Bidelspacher,	**Grimes,**	McKim,	Smith, J. W.,
Blair,	Gundy,	McVicar,	Stark,
Brenneman,	Haslett,	Metcalf,	Staudenmeier,
Bromley,	**Heffran,**	Miller,	**Stevens, A. F.,**
Brown,	Henderson,	Minehart,	Stoner,
Brownmiller,	Heyburn,	Moffat,	Storb,
Burchinal,	Himes,	Moore,	**Storer,**
Burns,	Holcombe,	Morrison,	Thomas, L. D.,
Chaplin,	**Hoover,**	Munley,	**Thomas, M. G.,**
Clutton,	**Irvin,**	**Myers, G. C.,**	**Walker,**
Coldsmith,	**Jones, C. B.,**	**Myers, P. M.,**	Wells,
Dietz,	**Jones, D. J.,**	Nolte,	Wheeler,
Donahue,	Jones, E. P.,	Ogle,	Whitehouse,
Driggs,	Keene,	**Orr,**	**Whiteman,**
Eaches,	Kelly,	Parkinson,	**Williams, G. W.**
Earley,	Kennedy,	Patterson,	Williams, J. M.,
Edmonds,	Labar,	**Peelor,**	Woner,
Evans, B. P.,	**Lauver,**	Posey,	Wood, N.,
Flinchbaugh,	Little,	Post,	Wood, W. P.,
Fowler, A. I.,	Long,	Price,	Zook,
Fratt,	Lucas,	Raymond,	Goodnough,
Frazier,	Ludlow,	Rhodes,	**Speaker.**
		Richards,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1086, as follows:

An Act providing for the public health safety and welfare requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of Hospitals poor houses or other charitable institutions school churches and buildings of municipal or quasi municipal character and providing penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be the duty of the individual owner operator president director general manager superintendent or other person in charge of or having supervision over any coal mine or mining operation upon and after reasonable notice and demand to furnish and sell at reasonable and current or market rates and prices and at reasonable times such amount of fuel coal as shall be reasonably necessary for the proper heating of any hospital poor house or other charitable institution school building church or place of religious worship or public building municipal or quasi municipal in character located within the limits of the municipality in which said coal mining operation is conducted or carried on Provided That s. owner or operator of said coal mine or mining operation may demand that said coal so furnished be paid for at the mine or coalpocket where said coal is furnished or delivered

Section 2 Any individual owner operator president director general manager superintendent or other person in charge of or having supervision over such coal mining operation wilfully violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one thousand dollars or undergo imprisonment for not more than one year or both at the discretion of the Court

BILLS POSPONED.

Mr. BURNS. Mr Speaker, in the absence of the sponsor of House Bill No. 1086, file folio 3917, I move that the bill be placed on the postponed calendar.

Mr. NOLTE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1229, as follows:

An Act to further amend section one thousand two hundred ten as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred ten of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which as amended by an act approved the tenth day of July one thousand nine hundred nineteen (Pamphlet Laws nine hundred and ten) entitled "An act to further amend section one thousand two hundred ten and to repeal sections one thousand two hundred eleven one thousand two hundred thirteen and two thousand eight hundred and five of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and making an appropriation" and which as amended by an act approved the twenty-eighth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred twenty-eight) entitled "An act to amend section one thousand two hundred ten as amended and section one thousand one hundred three and section five hundred twenty-four as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith and repealing section one thousand two hundred twelve thereof" is hereby further amended to read as follows

Section 1210 One The minimum salaries of all teachers supervisors principals and superintendents in the public schools of the Commonwealth except as otherwise hereinafter provided shall be paid by the several classes of districts in which such persons are employed in accordance with the following schedules

Two Districts of the first class Elementary teachers minimum annual salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increment eight (8) assistant high school teachers minimum annual salary one thousand five hundred dollars ($1,500) minimum annual increment one hundred dollars ($100) minimum number of increments three (3) junior high school teachers and city normal school training teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) high school teachers and city normal school teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred seventy-five dollars ($175) minimum number of increments eight (8) provided that subject to regulations prescribed by the State Board of Education and such additional regulations as the local board of public education may prescribe the minimum maximum salary for high school teachers shall be advanced to at least three thousand six hundred dollars ($3,600) supervisors minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) elementary school principals minimum annual salary two thousand one hundred dollars ($2,100) minimum annual increment two hundred thirty-seven dollars and fifty cents ($237.50) minimum number of increments eight (8) junior high school high school city normal school principals minimum annual salary four thousand dollars ($4,000) minimum annual increment two hundred fifty dollars ($250) minimum number of increments four (4) Vocational industrial manual training continuation school industrial art and similar teachers if classified in the elementary schools shall be entitled to the salary and increments prescribed in the schedule for elementary teachers or if classified in junior high schools they shall be entitled to the salary and increments prescribed in the schedule for junior high school teachers All teachers now holding valid licenses to teach in districts of the first class shall be deemed to have the minimum qualifications required by this act

Three The principalships in elementary continuation industrial trade junior high and high schools in districts of the first class shall be classified by the board of public education shall fix on the number of teachers or rooms in the school or such other facts and conditions as determine the relative importance and value of the service rendered by such principals The board of public education shall fix the number of increments the amount thereof and the maximum salary of each of such principals but no principal shall re-

ceive less than the minimum salary prescribed The increments provided in the foregoing schedule for principals apply to those principals only who serve in the schools of the highest classification which classification shall be determined by the board of public education

Four Each person on the teaching or supervisory staff in a school district of the first class on the first Monday of July one thousand nine hundred twenty-one shall be entitled to receive the minimum salary provided for herein and in addition thereto to one annual increment for each year of accredited service or experience not exceeding the number of increments authorized by this act

Five Districts of the second class—Elementary teachers and elementary principals who devote less than one-half their time to supervision and administration minimum annual salary one thousand dollars ($1,000) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) high school teachers and high school principals who devote less than one-half their time to supervision and administration minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) provided that where teachers in junior high schools have the qualifications required by the local school board for teachers of the senior high school they shall be placed upon the high school schedule otherwise they shall be placed upon the elementary school schedule supervisors minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) elementary principals who devote one-half or more of their time to supervision and administration minimum annual salary one thousand six hundred dollars ($1,600) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) high school principals who devote one-half or more of their time to supervision and administration minimum annual salary three thousand dollars ($3,000) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) superintendents minimum annual salary five thousand dollars ($5,000)

Six Districts of the third class—Elementary teachers and elementary principals who devote less than one-half of their time to supervision and administration minimum annual salary one thousand dollars ($1,000) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) high school teachers and high school principals who devote less than one-half of their time to supervision and administration minimum annual salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increments for (4) provided that where teachers in junior high schools have the qualifications required by the local school board for teachers of the senior high school they shall be placed upon the high school schedule otherwise they shall be placed upon the elementary school schedule supervisors minimum salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) elementary principals who devote one-half or more of their time to supervision and administration minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) high school principals who devote one-half or more of their time to supervision and administration minimum annual salary two thousand dollars ($2,000) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments four (4) superintendents mini- ($3,500)

Seven Districts of the fourth class Elementary teachers minimum monthly salary one hundred dollars ($100) high school teachers minimum monthly salary one hundred thirty dollars ($130)

Eight County superintendents of counties having a population of less than twenty thousand (20,000) minimum annual salary two thousand five hundred ($2,500) county superintendents of counties having a population of twenty thousand and more but less than forty-five thousand (45,000) minimum salary three thousand dollars ($3,000) county superintendents of counties having a population of forty-five thousand and more but less than one hundred fifty thousand (150,000) minimum annual salary three thousand five hundred dollars ($3,500) county superintendents of counties having a population of one hundred fifty thousand (150,000) or more minimum annual salary four thousand dollars ($4,000) all assistant county superintendents minimum annual salary two thousand five hundred dollars ($2,500)

Nine The foregoing schedules prescribe a minimum salary in each instance and where increment is prescribed it is also a minimum It is within the power of the boards of education boards of public school directors or county conventions of school directors as the case may be to increase for any person or group or persons included in this schedule the initial salary or the amount of an increment or the number of increments or the minimum qualifications set forth in this act Teachers shall be entitled to the increments as provided for in said schedules who have complied with such requirements as may be prescribed by the State Board of Education except where additional qualifications are required by the local board of public education or board of school directors

Nothing in this act contained shall be construed to interfere with or discontinue any salary schedule now in force in any school district so long as such schedule shall meet the requirements of this section nor to prevent the adoption of any salary schedule in conformity with the provisions of this act

Ten The increments herein provided for are applicable only where the beneficiaries thereof remain in the services of the same school district Where such teachers enter a new district they shall enter at a point in the schedule to be agreed upon between said teacher and the employing districts which agreement shall be made a part of the contract between them

Eleven Teachers who are required because of additional work to devote more than the usual number of periods per day to their duties shall be entitled to a fair increase in compensation to be determined by the board of public education or the board of school directors Teachers who may be employed in giving instruction for only part of a day render such other service for such period of time per day as the board of public education or the board of school directors may direct but if such services cannot be assigned to such teacher by the board of public education or the board of school directors the salary paid to such teacher shall be proportioned to the number of hours of service rendered

Twelve Only those persons holding one of the following certificates shall be qualified to teach in the public schools of this Commonwealth College permanent certificate college provisional certificate normal school diploma normal school certificate special permanent certificate special temporary certificate permanent State certificate certificates which are permanent licenses to teach by virtue of the provisions of section one thousand three hundred eight of this act as amended or such other kinds of certificates as are issued under the rules and regulations of the State Board of Education or State Council of Education The State Board of Education shall also provide for the issuance of certificates by county or district superintendents to meet such emergencies or shortage of teachers as may occur

Thirteen The holders of any of the foregoing certificates shall be entitled to the benefits of the salary schedule where the qualifications required for such certifiactes include not less than graduation from a State normal school of this Commonwealth or equivalent training but all holders of certificates which are permanent licenses to teach in the public schools of the Commonwealth shall be entitled to the benefits of this salary schedule and nothing in this act nor any regulations of the State Board of Education shall invalidate any permanent certificate except as hereinafter provided on account of incompetence cruelty negligence immorality or intemperance Teachers not entitled to the benefits of the salary schedule herein provided shall become entitled to such benefits by meeting the qualifications prescribed in this act and such teachers until so qualified shall receive at least seventy-five ($75) dollars per month Provided That a teacher holding a professional certificate or a certificate of equivalent value as determined by the State Board of Education shall receive a minimum monthly salary of eighty-five dollars ($85) upon meeting such qualifications as shall be required under the rule of the State Board of Education

Fourteen After the first day of September one thousand nine hundred twenty-seven all persons receiving certificates to teach in the public schools of the Commonwealth except emergency certificates as herein provided for shall have the qualifications required herein of beneficiaries of the salary schedule

Fifteen The State Board of Education shall provide for summer schools in normal schools colleges universities and other educational institutions and for extension courses and correspondence courses for all teachers employed in the public school system of the Commonwealth who wish to acquire the minimum qualifications prescribed herein or such further qualifications as may be desirable

Sixteen The board of public education or board of school directors of each school district shall establish a salary schedule with increments for all members of the teaching and supervisory staff not included in the schedules herein provided

Seventeen All certificates in effect the first Monday of July one thousand nine hundred and twenty-one shall remain valid for the period of time for which they were issued or renewed

Eighteen In school districts of the second third and fourth classes at the beginning of the school year following the approval of this act each teacher supervisor or principal employed in the same school district in which he was employed for the previous school year shall be entitled to the salary provided in the schedule next higher than the salary received by the said teacher during the said previous school year

Nineteen Of the salaries herein provided for teachers supervisors principals and all other members of the teaching and supervisory staff in the public schools of the Commonwealth except part time and night school teachers the Commonwealth shall pay to such school district as complies with the laws governing the public schools of the Commonwealth for each of said persons employed therein as follows In school districts of the first class for each member of the teaching and supervisory staff twenty-five per centum (25%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the second and third class for each member of the teaching and supervisory staff thirty-five per centum (35%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the fourth class for each member of the teaching and supervisory staff fifty per centum (50%) of the annual minimum salary prescribed herein for teachers in such districts Provided That the amount paid by the Commonwealth to a school district in any of the foregoing classes which has a true valuation per teacher of assessable property of fifty thousand dollars ($50,000) or less shall be seventy-five per centum (75%) of the annual minimum salary prescribed herein for elementary teachers in such districts and that the amount paid to a school district in any of the foregoing classes which has a true valuation per teacher of assessable property of not less than fifty thousand dollars ($50,000) nor more than one hundred thousand dollars ($100,000) shall be sixty per centum (60%) of the annual minimum salary prescribed herein for elementary teachers in such districts Provided That where any member of the teaching or supervisory staff receives less salary than the minimum salary prescribed by the foregoing salary schedule for the class of district in which he is teaching there shall be paid to the district a corresponding per centum of the salary paid to such persons And provided further That wherever payment is made upon the salary of any member of the teaching or supervisory staff from Federal or other State funds such amounts shall be to the extent thereof in lieu of the payment provided herein for such person Provided further That the Superintendent of Public Instruction shall annually apportion to each fourth class school district the sum of two hundred dollars ($200) for each school permanently closed or discontinued in such district since nineteen hundred eleven or which may hereafter be permanently closed or discontinued The true valuation per teacher for each district shall be determined by the State Council of Education on data and material submitted by the officers of such district in the annual report to the Superintendent of Public Instruction It shall be found by dividing the true valuation of the district by the number of full time teachers which number shall include all teachers principals supervisors and superintendents employed in the vocational and non-vocational schools of the district for the year covered by such report The true valuation of the taxable property of each school district shall be obtained by dividing the amount of the assessed valuation certified in the annual report of the district for the school year ending June thirtieth one thousand nine hundred and twenty-two and every second year thereafter by the average rate of assessment certified in such annual reports for the three years immediately preceding the date on which such true valuation is determined For the two fiscal years beginning on June first one thousand nine hundred and twenty-three and ending on May thirty-first one thousand nine hundred and twenty-five such true valuation of the district shall be determined during the month of June one thousand nine hundred and twenty-three on the data and material available in the report filed with the Superintendent of Public Instruction on August first one thousand nine hundred and twenty-two The true valuation of each school district for the two fiscal years beginning on June first one thousand nine hundred and twenty-five and ending May thirty-first one thousand nine hundred and twenty-seven and for each biennium thereafter shall be determined during the month of October one thousand nine hundred and twenty-four and in the month of October of every second year thereafter The State Council of Education is hereby given full power and authority to make such investigations to take such action and to institute such proceedings as may be necessary to determine any of the questions that may be raised in the determination and adjustment of the aforesaid true valuations and the decisions which such Council reaches in such questions shall be final and conclusive

Twenty On or before the first day of November of each year each school district of the first and second class and each school district of the third class having a district superintendent shall file a certificate with the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him showing the number of teachers supervisors principals and other members of the teaching and supervisory staffs the certificates held by each and the compensation paid each for the current school year on or before the first day of October of each year each school district of the third class not having a district superintendent and each school district of the fourth class shall forward such a certificate to the county superintendent and if approved by him the county superintendent shall forward the same to the Superintendent of Public Instruction on or before the first day of November of each year

Twenty-one The Superintendent of Public Instruction shall ascertain and determine the amount of funds required to meet each of the four payments to school districts which become due and payable within the two fiscal years beginning June first one thousand nine hundred and twenty-three and ending on May first one thousand nine hundred and twenty-five and each biennium thereafter on the data and materials contained in the certificate which school districts are required by law to file with the said Superintendent on November first immediately preceding the beginning of each biennium and the said Superintendent shall also apportion and allot the same to and among the respective districts

Twenty-two When the amount payable to each school district has been ascertained and determined by the superintendent of Public Instruction he shall certify the same to the State Treasurer and Auditor General who shall place the amounts to the credit of the respective school districts The Superintendent of Public Instruction shall transmit to each county and district superintendent a statement showing the amount which has been apportioned and allotted to each school district under the supervision of such county or district superintendent

Twenty-three The amount apportioned and allotted to each school district shall be divided into equal semi-annual instalments and the Superintendent of Public Instruction shall draw his warrants semiannually upon the State Treasurer in favor of each district for the amount to which it is entitled and payment thereof shall be to fourth class districts during the months of February and August of each year to second and third class districts during the months of March and September of each year and to first class districts during the months of April and October of each year

Twenty-four Boards of school directors of school districts of the second third and fourth classes are hereby authorized and directed to levy annually a tax on each dollar of the total assessment of all property assessed and certified for taxation therein to pay the minimum salaries and increments of the teaching and supervisory staff provided for herein Said tax shall not be invalidated or affected by reason of the fact that it may increase the total annual school tax levy of any school district beyond the mileage fixed or limited by law Provided that in districts of the fourth class the tax herein authorized together with all other school taxes levied in the district shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof

Mr. HORNE. Mr. Speaker, on account of some omissions in printing House Bill No. 1229, file folio 3921, I move that the bill be placed on the postponed calendar.

Mr. LUDLOW. Mr. Speaker, I second the motion

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 880, entitled:

An Act to amend section two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a puplic school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provision of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118.

Alexander,	Flynn,	Kunkle,	Raymond,
Allman,	Fowler, A. I.,	Labar,	Richards,
Anderson,	Frazier,	Long,	Sample,
Armstrong,	Gibbon,	Lucas,	Sautter,
Arthur,	Gilchrist,	Ludlow,	Schilling,
Baker,	Glasgow,	Marcus, J. C.,	Schleiter,
Beaver,	Goehring,	Marshall, W. F.,	Schwartz,
Behney,	Goss,	McBride,	Shambach,
Bell, F. A.,	Griffith,	McCaig,	Smith, G. A.,
Bentley,	Grimes,	McClure,	Smith, H. J.,
Berger,	Gundy,	McCurdy,	Smith, H.,
Bidelspacher,	Haas,	McDermott,	Staudenmeier,
Blair,	Haines,	McKim,	Storb,
Brenneman,	Hall,	McVicar,	Storer,
Brewster,	Haws,	Metcalf,	Thomas, L. D.,
Bromley,	Heffernan,	Miller,	Thomas, M. G.,
Brown,	Heffran,	Minehart,	Thompson,
Brownmiller,	Henderson,	Moffatt,	Walker,
Burchinal,	Heyburn,	Moore,	Wettach,
Burns,	Himes,	Morrison,	Wheeler,
Chaplin,	Holcombe,	Munley,	Whitehouse,
Clutton,	Hoover,	Myers, G. C.,	Whiteman,
Coldsmith,	Horne,	Nolte,	Williams, G. W.
Craig,	Huber,	O'Boyle,	Woner,
Diehm,	Irvin,	Ogle,	Wood, W. P.,
Driggs,	Jones, E. P.,	Parkinson,	Wood, N.,
Eaches,	Keene,	Peelor,	Zook,
Earley,	Kelly,	Pitts,	Goodnough,
Edmonds,	Kennedy,	Post,	Speaker.
Evans, B. P.,	Kohler,	Price,	

NAYS—1

Albert,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 532, entitled:

An Act to provide for the registration and protection of artificial assumed trade or association names titles or designations

On the question,

Will the House agree to the bill on third reading?

Mr. EDMONDS. Mr. Speaker, I would like to say a few words concerning this bill, which is now upon the calendar as House Bill No. 532, file folio 2933.

If a corporation of the second class is authorized by the Secretary of the Commonwealth, and the Secretary of the Commonwealth keeps a list of the names then no other corporation can use the same, or a similar name, but if a corporation of the first class is authorized by the Courts of the County there is no such protection given to the use of their name, and unincorporated associations such as fraternities, brotherhoods and benefit associations although they may have been in existence for many years have no such protection given by the law to their name, at the present time. Now, the idea of this bill is to allow corporations of the first class, and those unincorporated associations, to register their names with the Secretary of the Commonwealth, and then no other association can come along and make use of the name. It is simply in the interest of fair play, and in order that the good will which one association has formed cannot be disturbed by some other association which has a name so similar that people get them confused in their own minds. It is merely to protect them in their names that this bill is introduced.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provision of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—114

Albert,	Fowler, A. I.,	Ludlow,	Schoener,
Alexander,	Frazier,	Marcus, J. C.,	Schwartz,
Allman,	Gallaher,	McBride,	Sheridan,
Armstrong,	Gibbon,	McCaig,	Smith, G. A.,
Arthur,	Goehring,	McClure,	Smith, H. J.,
Beaver,	Goss,	McCurdy,	Smith, H.,
Behney,	Grimes,	McDermott,	Sowers,
Bell, F. A.,	Gundy,	Metcalf,	Sprowls,
Bentley,	Haines,	Miller,	Staudenmeier,
Bidelspacher,	Harer,	Minehart,	Stavitski,
Blair,	Haslett,	Morrison,	Stevens, A. J.,
Brenneman,	Heffernan,	Myers, G. C.,	Stoner,
Brewster,	Heffran,	Myers, P. M.,	Storb,
Bromley,	Henderson,	Nolte,	Storer,
Brown,	Hetrick,	O'Boyle,	Thomas, L. D.,
Brownmiller,	Heyburn,	Ogle,	Thomas, M. G.,
Burns,	Himes,	Orr,	Walker,
Chaplin,	Hontz,	Parkinson,	Weamer,
Coldsmith,	Hoover,	Patterson,	Wells,
Colville,	Horne,	Perry,	Whitehouse,
Craig,	Irvin,	Posey,	Whiteman,
Diehm,	Jones, C. B.,	Post,	Williams, G. W.,
Donahue	Jones, D. J.,	Raymond,	Wood, N.,
Eaches,	Jones, E. P.,	Rhodes,	Wood, W. P.,
Earley,	Keene,	Rinn,	Wright,
Edmonds,	Labar,	Rippman,	Zook,
Evans, B. P.,	Lafferty,	Sample,	Goodnough,
Flinchbaugh,	Little,	Sautter,	Speaker.
Flynn,	Long,	Schilling,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 830, as follows:

An Act amending section one of an act entitled "An further supplement to an act entitled 'An act to establish a county court for the county of Allegheny and prescribing its

powers and duties regulating the procedure therein and providing for the expense thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" approved the nineteenth day of March one thousand nine hundred and fifteen (P. L. 5) by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent neglected incorrigible and delinquent children

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "A further supplement to an act entitled 'An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof" approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise approved the nineteenth day of March one thousand nine hundred and fifteen (Pamphlet Laws five) is hereby amended to read as follows

Section 1 Be it enacted et cetera That in all proceedings concerning dependent delinquent incorrigible or neglected children under the age of sixteen years as defined by existing laws relating thereto the county court of Allegheny county shall have exclusively all the jurisdiction and powers now vested in and exercised by the court of quarter sessions of the peace of said county sitting as a juvenile court or of any judge of said court sitting as a juvenile court judge and all laws relating to such jurisdiction and powers of the court of quarter sessions are hereby made applicable to the said county court Said county court shall also have jurisdiction in all proceedings for the custody of children where the court has acquired jurisdiction in matters relating to their maintenance Provided however That if said children are dependent neglected incorrigible or delinquent the said court sitting as a juvenile court shall have sole jurisdiction The judges of said county court shall be ex officio justices of the peace

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STONER. Mr. Speaker and members of the House, this is a bill which at first glance might seem useless, but I desire to impress upon you that it is not so. It is presented on behalf of both the bar association of Pittsburgh and Allegheny County, and on the part of all of the child welfare associations and is to correct a practice that has grown up regarding the disposition of juvenile delinquents and dependents. The county court which administers the law in Allegheny county in both desertion and non-support cases, and in juvenile cases has been in the habit, and I cannot express it in any other way, of disposing of juvenile cases which arise in conection with desertion and non-support cases. That is to say, where a couple who are in court in desertion and non-suport proceedings have children who incidentally are brought into that court the cases of those children are usually erroneously disposed of by the desertion and non-support court acting as such. It is usurpation of jurisdiction by that court and a practice that we all think should be frowned upon. The child welfare associations all believe, and with good reason, that the cases of these children are not disposed of without considering certain issues with adversely affect its decisions, and that the condition of the children will be much better taken care of if taken in the ordinary manner alone, that is, each case standing on its own merits in the juvenile courts. Therefore I earnestly ask you to support this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—121.

Albert,	Flinchbaugh,	Lauver,	Rhodes,
Alexander,	Flynn,	Little,	Richards,
Allman,	Fowler, A. I.,	Long,	Rinn,
Armstrong,	Frazier,	Lucas,	Sample,
Arthur,	Gallaher,	Ludlow,	Sautter,
Beaver,	Gibbon,	Marcus, J.,	Schilling,
Behney,	Gilchrist,	Marshall, W. F.,	Schwartz,
Bentley,	Goehring,	McBride,	Sheridan,
Berger,	Goss,	McCaig,	Smith, G. A.,
Bidelspacher,	Griffith,	McClure,	Smith, H. J.,
Blair,	Grimes,	McCurdy,	Smith, H.,
Brenneman,	Gundy,	McDermott,	Sowers,
Brewster,	Haas,	McKim,	Sprowls,
Bromley,	Harer,	McVicar,	Staudenmeier,
Brown,	Haslett,	Metcalf,	Stoner,
Brownmiller,	Heffernan,	Millar,	Storb,
Burchinal,	Heffran,	Miller,	Storer,
Burns,	Henderson,	Minehart,	Thomas, L. D.,
Chaplin,	Hetrick,	Morrison,	Thomas, M. G.,
Clutton,	Heyburn,	Myers, G. C.,	Thompson,
Coldsmith,	Himes,	Myers, P. M.,	Walker,
Colville,	Hoover,	Nolte,	Wheeler,
Craig,	Horne,	Ogle,	Whitehouse,
Diehm,	Irvin,	Orr,	Whiteman,
Dietz,	Jones, C. B.,	Parkinson,	Williams, G. W.,
Donahue	Jones, E. P.,	Patterson,	Williams, J. M.,
Driggs,	Keene,	Peelor,	Woner,
Eaches,	Kelly,	Posey,	Wood, N.,
Earley,	Kennedy,	Post,	Wood, W. P.,
Edmonds,	Labar,	Price,	Goodnough,
Evans, B. P.,	Lafferty,	Raymond,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 295, entitled:

An Act making a burial permit issued at the place of death valid throughout the Commonwealth

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker and members of the House, this is a bill that we have in this House practically every session. It is of little importance to any one except the municipalities or the townships that happen to have cemeteries in their township or borough. We all recognize of course, the fact that the dead must be buried; we all recognize the fact that certain municipalities, perhaps, must have these cemeteries in their midst, but it is no more than right, however, that those municipalities and those townships should have the supervision over the burial of those bodies, should know that they are properly buried, should know if there are any bodies brought into its jurisdiction that die of certain diseases, that had not been properly cared for. I understand there is a motion to be made to put the bill on the postponed calendar, so I will yield.

BILL POSTPONED.

Mr. EARLY. Mr. Speaker, in the absence of the sponsor of House Bill No. 295, file folio 2969, I move that it be placed on the postponed calendar.

Mr. EACHES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1256, as follows:

An Act imposing a State tax on Liquid Fuels "including all liquids ordinarily practically and commercially useable in internal combustion engines for the generation of power and all distillates of and condensates from petroleum natural gas coal coal tar and vegetable ferments" to be paid by distributors as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words terms and phrases used in this act are for the purpose hereof defined as follows

(a) The term "liquid fuels" shall mean all liquids ordinarily practically and commercially usable in internal combustion engines for the generation of power except kerosene fuel oil and gas oil and shall include all distillates of and condensates from petroleum natural gas coal coal tar and vegetable ferments said distillates and condensates being ordinarily designated as gasoline naphthabenzol benzine and alcohols but not restricted to such designations

(b) The term "Distributor" shall include any and all person and persons firm co-partnership association or corporation who or which imports or causes to be imported into the State of Pennsylvania from any other State Territory or County liquid fuels as herein defined for sale or distribution in and after the same reaches the State of Pennsylvania also any person persons firm co-partnership association or corporation who or which purchases or procures any liquid fuels as herein defined from any person persons firm co-partnership association or corporation located outside the State of Pennsylvania for sale or distribution in and after the same reaches the State of Pennsylvania and also any person persons firm co-partnership association or corporation who or which produces refines manufactures or compounds any liquid fuels as herein defined in the State of Pennsylvania for sale or distribution in such State

Section 2 All distributors of liquid fuels in the State of Pennsylvania engaged in business at the time this act shall go into effect shall within thirty days thereafter and all distributors of liquid fuels engaging in the transation of such business hereafter shall prior to the commencement of such business file a duly acknowledge certificate with the Auditor General on a form prescribed prepared and furnished by him which shall set forth the name under which such distributor transacts or intends to transact business within the State of Pennsylvania and the place of business of such distributor and if distributor has more than one place of business within the State the address of the prinicpal place of business within the State if such distributor is a firm co-partnership or association the names and addresses of such persons constituting such firm co-partnership or association and if a corporation the names and addresses of the principal officers thereof No distributor as herein defined shall after the date this act becomes effective sell any liquid fuels until such certificate in filed as required by this act nor shall any distributor engaging in such business subsequent to the passage of this act commence such business without first filing such certificate with the Auditor General and any distributor failing to comply with the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000.)

Section 3 In addition to the taxes now provided for by law each and every distributor as defined in this act who is now engaged or may hereafter engage in his on name or in the name of others in the sale of liquid fuels as herein defined in this State shall pay a tax of one per cent per gallon on all liquid fuels sold within the State and every such distributor as defined in this act liable to pay the tax herein defined shall state the amount of such tax separately from the price of the liquid fuels as herein defined and for the purpose of ascertaining the amount of the tax it shall be the duty of every such distributor to transmit to the Auditor General upon a form prescribed prepared and furnished by him a statement or return under oath or affirmation of the business conducted by such distributor during the preceding three months ending the last days of March June September and December of each year which statement or return shall be filed with the Auditor General on the last days of January April July and October of each year and shall show the number of gallons of such liquid fuels that was sold within the State during the said periods from the respective places of business of such distributors and such further information as the Auditor General shall prescribe If any such distributor shall neglect or refuse to make said statement or return as herein required and provided an addition of ten per centum of the amount of tax shall be added and collected on an account settled as hereinafter provided Provided however That in all cases where any taxes imposed by this act have accrued on credit sales which taxes have been prepaid by the taxpayer and subsequently prove uncollectible such taxes shall be deducted in the next return of the tax payer after such taxes become uncollectible

Section 4 The Auditor General shall settle all accounts for taxes due under the provisions of this act and upon the settlement of each account he shall transmit to the taxpayer a certified copy thereof showing the amount of the tax as found to be due by him he shall also certify to the State Treasurer the amount of the tax as found to be due by him from the several distributors made taxable by the act Every distributor liable to pay the tax imposed by this act shall pay the same to the State Treasurer within sixty (60) days from the date of the settlement of the account by the Auditor General When any tax is settled by the Auditor General as provided herein it shall bear interest at the rate of twelve per centum per annum from sitxy days after the date of the settlement of the account by the Auditor General In the event however of a resettlement of any account by the Auditor General interest shall be charged at the rate of twelve per centum per annum upon the amount found to be due from sixty (60) days after the date of the original settlement

Section 5 The Auditor General or any agent appointed in writing by him is hereby authorized to examine the books and papers of any distributor pertaining to the business made taxable by this act to verify the accuracy of any statement or return made under the provisions of this act but any information gained by the Auditor General or any other person as a result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000) or to undergo imprisonment of not more than one year or both

Section 6 If the Auditor General is not satisfied with the statement or return made by any distributor under the provisions of this act he is hereby authorized and empowered to settle an account against such distributor based upon the facts contained in the statement or return or upon any information within his possession or that shall come into his possession with the right to the distributor dissatisfied with the settlement so made against him to appeal therefrom in the manner now provided by law If any such distibutor shall neglect or refuse to make the statement or return as required by this act the Auditor General may estimate an assessment against such distributor and settle an account for taxes penalty and interest thereon from which settlement there shall be no right of appeal

Section 7 Any distributor or distributors who shall fail neglect or refuse to make the statements or returns and pay tax as herein prescribed or who shall refuse to permit Auditor General or any agent appointed by him in writing to examine the books or papers of any such distributor pertaining to the business made taxable by this act or who makes any incomplete false or fraudulent statement or return hereunder or who does or who attempts to do anything whatsoever to avoid a full disclosure of the amount of business done or to avoid the payment of the whole or any part of the tax due shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or in the case of an individual to undergo imprisonment not exceeding six months or both

Such penalty shall be in addition to the penalty imposed by any other section of the act

Section 8 Fifty per centum of all taxes collected under the provisions of this act shall be credited to the several counties in the same ratio to the total amount of taxes collected in the State for this purpose as the amount paid to each of the respective counties for the year one thousand nine hundred and twenty-two bore to the total amount collected for this purpose in the State during said year one thousand nine hundred and twenty-two and shall be used only for the purpose of the construction reconstruction maintenance and repair of roads and highways and for the payment of the interest on county bonds issued for road purposes and shall be paid over to the counties semi-annually on the first day of April and October of each year

Section 9 It is the purpose of this act to centralize the collection of the tax herein authorized in the hands of those who originally dispose of the liquid fuels as herein described for distribution or consumption within the State but in no case shall there be a duplication of the collection of the tax authorized

Section 10 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not effect or impair any of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 11 That an act approved the twentieth day of May Anno Domini one thousand nine hundred twenty-one (Pamphlet Laws one thousand twenty-one) entitled "An Act imposing a State tax on gasoline and on all other liquids containing any derivative of petroleum or natural gas produced prepared or compounded or usuable for the purpose of generating power by means of internal combustion and sold in this Commonwealth except for the purpose of resale providing for the collection of such tax and for the distribution and use of revenues derived therefrom making an appropriation and fixing penalties" is hereby repealed Provided however That nothing contained shall be taken or construed to relieve any person or persons co-partnership association company or corporation whatsoever from the payment of any tax interest or penalty due or owing to the Comonwealth under any law in force at the time this act becomes effective

Section 12 This act shall become effective on the first day of July Anno Domini one thousand nine hundred twenty-three

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. HENDERSON. Mr. Speaker, I move that House Bill No. 1256, file folio 3943, be placed on the postponed calendar.

Mr. BURCHINAL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 900, entitled:

A Supplement to the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four (Pamphlet Laws, seventy-three), entitled "An Act to provide for the incorporation and regulation of certain corporations," requiring notice to the Department of Public Welfare of application for charters and amendments thereto of hospitals, maternity homes and hospitals and certain charitable and eleemosynary institutions and societies; and further regulating the incorporation thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Albert,	Gibbon,	Marshall, J. G.,	Schoener,
Alexander,	Goehring,	Marshall, W. F.,	Shambach,
Allman,	Goss,	McBride,	Sheridan,
Armstrong,	Grimes,	McCaig,	Smith, G. A.,
Arthur,	Gundy,	McCann,	Smith, H. J.,
Beaver,	Haas,	McCurdy,	Smith, H.,
Behney,	Harer,	McDermott,	Sowers,
Bell, F. A.,	Haslett,	McGowan,	Sprowls,
Bentley,	Haws,	McKim,	Stark,
Berger,	Heffernan,	McVicar,	Staudenmeier,
Bidelspacher,	Heffran,	Metcalf,	Stavitski,
Blair,	Henderson,	Minehart,	Steedle,
Brenneman,	Hetrick,	Moore,	Stevens, A. J.,
Brewster,	Heyburn,	Morrison,	Stoner,
Bromley,	Himes,	Myers, G. C.,	Storb,
Brown,	Hollis,	Myers, P. M.,	Storer,
Brownmiller,	Hontz,	Nolte,	Thomas, L. D.,
Burns,	Horne,	O'Boyle,	Thomas, M. G.,
Chaplin,	Huber,	Ogle,	Walker,
Coldsmith,	Irvin,	Orr,	Wettach,
Craig,	Jones, C. B.,	Parkinson,	Wheeler,
Diehm,	Jones, D. J.,	Peelor,	Whitehouse,
Driggs,	Jones, E. P.,	Perry,	Whiteman,
Eaches,	Keene,	Posey,	Williams, G. W
Earley,	Kelly,	Post,	Williams, J. M.
Edmonds,	Kunkle,	Price,	Wood, N.,
Evans, B. P.,	Labar,	Raymond,	Wood, W. P.,
Flinchbaugh,	Lafferty,	Rhodes,	Wright,
Fowler, A. I.,	Little,	Richards,	Zook,
Fratt,	Long,	Rinn,	Goodnough,
Frazier,	Lucas,	Sample,	Speaker.
Gallaher,	Ludlow,	Sautter,	
Gelder,	Marcus, J.,	Schilling,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1354, entitled:

An Act to prohibit the taking of lands and property by the Commissioners of Valley Forge Park until the damages accruing to owners thereof have been ascertained and paid

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—119.

Albert,	Gundy,	McGowan,	Smith, H.,
Alexander,	Haines,	McVicar,	Sowers,
Allman,	Haslett,	Metcalf,	Sprowls,
Anderson,	Heffernan,	Miller,	Stark,
Arthur,	Heffran,	Minehart,	Stavitski,
Beaver,	Henderson,	Moore,	Sterling,
Behney,	Hetrick,	Morrison,	Stevens, A. J.,
Bentley,	Himes,	Munley,	Stoner,
Berger,	Holcombe,	Myers, G. C.,	Storb,
Blair,	Hollis,	Myers, P. M.,	Storer,
Brenneman,	Hoover,	Nolte,	Thomas, L. D.,
Brewster,	Horne,	O'Boyle,	Thomas, M. G.,
Brown,	Howell,	Ogle,	Thompson,
Brownmiller,	Huber,	Parkinson,	Walker,
Bush,	Irvin,	Patterson,	Weamer,
Clutton,	Jones, C. B.,	Peelor,	Wells,
Colville,	Jones, D. J.,	Perry,	Wettach,
Craig,	Jones, E. P.,	Pitts,	Wheeler,
Diehm,	Kelly,	Price,	Whiteman,
Donahue,	Kennedy,	Raymond,	Williams, G. W.,
Driggs,	Kunkle,	Rhodes,	Williams, J. M.,
Eaches,	Labar,	Richards,	Woner,
Earley,	Lafferty,	Rinn,	Wood, N.,
Evans, B. P.,	Lauver,	Rippman,	Wood, W. P.,
Fowler, A. I.,	Lucas,	Sample,	Wright,
Gibbon,	Ludlow,	Sautter,	Zook,
Gilchrist,	MacKinney,	Schaeffer,	

Goehring,	Marshall, W. F.,	Schleiter,	Goodnough,
Goss,	McBride,	Schwartz,	Speaker.
Griffith,	McCurdy,	Smith, G. A.,	
Grimes,	McDermott,	Smith, H. J.,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1052, as follows:

An Act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the sixth class the annual salary of the county treasurer shall be four thousand dollars ($4,000) the annual salary of the clerk of the courts of quarter sessions shall be two thousand five hundred dollars ($2,500) the annual salary of clerk of orphans' court shall be two thousand five hundred dollars ($2,500) the annual salary of the prothonotary shall be three thousand dollars ($3,000) the annual salary of the recorder of deeds shall be three thousand dollars($3,000) and the annual salary of the register of wills shall be three thousand dollars ($3,000)

Where any of said officers holds two of said offices he shall receive the highest salary fixed for any of the offices which he holds and the additional salary of one thousand dollars ($1,000) and where any such officers shall hold three or more such offices he shall receive an additional salary of one thousand five hundred dollars ($1,500)

Section 2 Each county to which this act applies shall at the cost of the county furnish the office furniture books stationery and supplies required for the use of any such officer and also all needed fuel and the services of a janitor and pay the premium on the bonds of the said officers required for the safe-keeping and return of county money and for the performance of the duties of their respective offices

Section 3 Each of said officers shall appoint and may dismiss the deputies and clerks of his office

Section 4 All the officers whose salaries are fixed by this act and their several deputies and clerks authorized by the salary board shall be paid for their services by fixed and specific salaries which shall be a charge upon the treasury of the county Such salaries shall be paid semi-monthly on the second and fourth Mondays of the month succeeding that in which his services were rendered

Section 5 The salary board in all counties of the sixth class which shall be composed of the county commissioners and the county treasurer shall fix and determine annually the number and the salaries to be paid to the clerks and deputies required for the proper discharge of business in the office of the county officers whose salaries are fixed by this act Any such county officer or taxpayer dissatisfied with the number of deputies and clerks allowed by the salary board may appeal from the action of such board to the court of common pleas of the county which court shall after hearing make an order fixing the number and salaries of such appointees

Section 6 The salaries fixed and provided for by this act shall be in lieu of all moneys fees perquisites mileage expenses and other allowances which are now or may hereafter be received or allowed to such officers except such fees as may be received by them when acting as agents of the Commonwealth All such moneys fees mileage or perquisites shall be received and collected by such officers shall belong to the county and shall be paid into the county treasury and all said officers shall be entitled to receive from the county all necessary traveling expenses incurred in the administration of their office

Section 7 This act shall take effect on the fist Monday of January one thousand nine hundred and twenty-four but shall not be construed to apply to any county officer in office at the date of the approval of this act and all such officers shall continue to receive and collect the fees and salaries now provided by law

Section 8 All acts and parts of acts general local or special inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, may I ask the sponsor whether this bill increases or decreases the cost?

Mr. ANDERSON. It decreases.

Mr. EDMONDS. In other words by abolishing fees and substituting a fixed salary?

Mr. ANDERSON. In our county it saves from fifteen to twenty thousand dollars a year for the county.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120.

Albert,	Flinchbaugh,	Marcus, J. C.,	Schwartz,
Alexander,	Flynn,	Marshall, W. F.,	Sheridan,
Allman,	Frazier,	McBride,	Smith, G. A.,
Anderson,	Gallaher,	McCaig,	Smith, H. J.,
Armstrong,	Gelder,	McCann,	Smith, H.,
Arthur,	Glasgow,	McCurdy,	Smith, J. W.,
Beaver,	Golder,	McGowan,	Sowers,
Behney,	Grimes,	McKim,	Sprowls,
Bell, F. A.,	Gundy,	Metcalf,	Staudenmeier,
Bentley,	Haas,	Minehart,	Steedle,
Berger,	Haines,	Moffatt,	Stevens, A. J.,
Bidelspacher,	Harer,	Munley,	Stoner,
Blair,	Haslett,	Myers, G. C.,	Storer,
Brenneman,	Heffernan,	Myers, P. M.,	Thomas, L. D.,
Brewster,	Hetrick,	Nolte,	Thomas, M. G.,
Bromley,	Heyburn,	Ogle,	Van Alen,
Brown,	Holcombe,	Parkinson,	Walker,
Burns,	Hontz,	Patterson,	Wells,
Chaplin,	Horne,	Peelor,	Wettach,
Clutton,	Johnson,	Perry,	Wheeler,
Coldsmith,	Jones, C. B.,	Posey,	Whitehouse,
Colville,	Jones, D. J.,	Post,	Whiteman,
Craig,	Keene,	Raymond,	Williams, G. W.
Dietz,	Kennedy,	Rhodes,	Woner,
Donahue,	Lafferty,	Rinn,	Wood, N.,
Driggs,	Little,	Rippman,	Wood, W. P.,
Eaches,	Long,	Sample,	Zook,
Earley,	Lucas,	Sautter,	Goodnough,
Edmonds,	Ludlow,	Schaeffer,	Speaker.
Evans, B. P.,	Malie,	Schilling,	
Evans, J.,	Mangan,	Schoener,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1286, entitled

An Act to amend chapter six of the act approved the fourteenth day of May, one thousand nine hundred and seventeen, (P. L. 840), entitled, "An act concerning townships; and revising amending and consolidating the law relating thereto," regulating the appointment, suspension and discharge of police officers in boroughs and townships.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. EDMONDS. Mr. Speaker, in absence of the sponsor of House Bill No. 1286, file folio 3007, I move that it be placed on the postponed calendar.

Mr. LUDLOW. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 957, as follows:

An Act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge on said road

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That roads forming or intended to form a continuous highway from one county to another may be laid out or altered or vacated in the manner provided in the case of other roads except that the court of quarter sessions of each county shall appoint three viewers and that a report as aforesaid shall be made to each court respectively and that each court shall otherwise have and exercise concurrent jurisdiction therein

Section 2 Whenever roads are laid out altered or vacated as referred to in section one of this act over a river creek or rivulet and in such laying out altering or vacating of said road it becomes necessary to vacate an existing bridge and construct a joint county bridge on a different site the same viewers who view the laying out altering or vacating of said road shall at the same time have the authority to locate a new joint county bridge on the route of the road as laid out altered or vacated and the report on the road and the joint county bridge shall be made in the same report and shall be returned to each of the courts as soon as said report is completed Provided also however That in the petition for the view of the road there is contained a request for relocation of said joint county bridge provided that before any such road and joint county bridge shall be finally confirmed by the court the same shall be approved by a grand jury in each of the respective counties and after the approval of such road and joint county bridge by said grand juries the report shall be confirmed "nisi" by the courts of each county which report shall become absolute in ten days unless exceptions thereto be filed in the manner provided by law If exceptions be filed the said courts shall hear said exceptions and make a final decree either confirming said report or setting it aside as is now provided by law in similar cases

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. ALEXANDER. Mr. Speaker, in the absence of the sponsor of this bill and the fact that I am of the opinion at the present time that there is already a law covering just what this law proposes to cover, I move that this bill be placed on the postponed calendar.

Mr. COLDSMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 139, entitled

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468) entitled, "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriation to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act," as amended.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STONER. Mr. Speaker, this is one of a number of bills that we have had no apportunity to examine on account of the fact that last week printed copies of these bills could not be gotten. I don't want to be understood as opposing them, but I don't think that we, any of us, ought to vote on these bills with the little consideration that we have been able to give them. This bill seems to involve quite an extensive amendment to this act, and therefore, I would ask the sponsor to explain what the amendment is.

Mr. BURD P. EVANS. Mr. Speaker and members of the House, the only purpose of this bill is to make a state highway continuous in quality and kind from start to finish. State highways as they are now constructed stop at the borough and become a borough street with no jurisdiction on the part of the state over this street, and have been starting again at the other side of a borough, becoming a state highway. The boroughs as they are now financially situated are unable to make the repairs necessary to make a continuous good highway through the borough of the same kind and quality as the state highway which stops at the borough and then begins at the other side of the borough. By this bill it is proposed to make it mandatory upon the state highway department to build this state highway as a continuous road through the borough and to make the repairs upon this state highway through the borough of the same

kind and quality of highway as is in the township adjoining the borough, and also making it mandatory upon the borough to pay only ten per cent of the maintenance but nothing for the original cost. This bill was taken up with the highway department and no objection was made. It was presented and shown to the law committee of the boroughs associations of the state of Pennsylvania who made some comment and direction, and it is here in a measure that has the approval of all the people, who, so far as I know had or could have any objection. Those of you who have passed through boroughs will know what the condition of the borough roads was through those boroughs. You are apt to lose your religion, and under some circumstances your teeth. It is for the purpose of preventing such a bad condition of roadway, and fixing definitely the authority and the obligations, so far as possible, as to who shall do the building of the streets and the road, and who shall do the repairing of the roads and how it shall be done. It has been a very confusing proposition up to this time and it is for the purpose of relieving the highway department, the borough and the public that this bill is offered.

Mr. ALEXANDER. Mr. Speaker, I would like to interrogate the gentleman from Montgomery, Mr. Evans.

The SPEAKER. Will the gentleman from Montgomery, Mr. Evans, permit himself to be interrogated?

Mr. BURD P. EVANS. Yes sir, Mr. Speaker,

Mr. ALEXANDER. I would like to ask the gentleman if it is confined through the borough, or limited to any width?

Mr. BURD P. EVANS. Mr. Speaker, yes, I think I explained that by saying that it is proposed that the state highway which goes through the borough is to be of the same kind and quality as the state highway which adjoins the borough in the township. That is to say the average width at a certain point where it joins the borough may be eighteen feet, then that width will be maintained through the borough. It does not obligate the state highway department to do any additional work, it is merely the highway work which it is obligated to do.

Mr. ALEXANDER. Then a borough, for instance, like York, where the street is something like one hundred feet wide and the roadway is twenty or thirty-five feet, the borough would have to take care of the difference through the borough?

Mr. BURD P. EVANS. It would under this act. It does not compel the state highway department to do any brick paving, and it does not affect, and does not change that part of the original act, the present law, which applies to the brick paving in boroughs.

Mr. ALEXANDER. Isn't it a fact that the reason that the highway department heretofore has refused to assume this duty is because they cannot control the gutters or the curbs in the borough?

Mr. BURD P. EVANS. No, sir, it is not.

Mr. ALEXANDER. They don't have any control of the curbs and gutters in the boroughs, do they?

Mr. BURD P. EVANS. Up to the present time they have not the control of anything in the borough, that is what we want to fix.

Mr. ALEXANDER. Does this act give them any control over the curbs and gutters?

Mr. BURD P. EVANS. It does not, so far I know.

Mr. ALEXANDER. Then that objection, if they have any objection before the passage of this act, would still exist?

Mr. BURD P. EVANS. If it did exist, but I don't think that it did. I am of the opinion that it didn't.

Mr. ALEXANDER. Can you give us an opinion how many miles of roadway in the state of Pennsylvania this will add to the road system?

Mr. BURD P. EVANS. I don't know.

Mr. ALEXANDER. It is a fact at the present time under the present system that the highway department may contract with the boroughs to do paving at the present time, isn't it?

Mr. BURD P. EVANS. It is to remove that very objection, that is the purpose of this bill. At the present time it is necessary for the highway department and the boroughs to enter into contracts which are for the purpose of doing the very thing that now under this act, if it becomes a law, will be fixed as to the authority of the parties at interest.

Mr. ALEXANDER. I don't think you quiet understood my question. My question was, is it a fact at the present time that the state highway department may enter into contracts with the boroughs to do certain portions of the paving in the borough on the state highway?

Mr BURD P. EVANS. They may.

Mr. ALEXANDER. In other words, in many instances, where there are trolley tracks, for instance on the road, under agreement with the borough, the trolley road does certain work, the trolley does one third and the borough one third and the state one third, that is true?

Mr. BURD P. EVANS. I am not sure that it is true as to the percentage that it does.

Mr. ALEXANDER. Mr. Speaker and members of the House, there is no one county in the State, in proportion to the mileage of State highways, that have more of State highways, a larger proportion of them going through boroughs, than Delaware county does. It has been the policy of the State Highway Department up until this present time to object to the paving of the highways through boroughs, and that was for three or four reasons. One of these reasons was that in the first place they do not have money at the present time to pave the roads that are on the State plan and those roads which are through localities like poor townships that can't afford to do it. Therefore, they thought that if anybody would be left off the State plan, it would be better for the boroughs to be left off because they are better able to take care of their paving themselves. Another reason was that many boroughs have the same width of street that the road is on either side. For instance they would have a 30 foot road and a 50 foot street. Another thing was that they had no control of the gutter or the curb on either side, and a more important reason for it was that a great many of the boroughs in the Commonwealth of Pennsylvania, have going through and over the State highways, trolley lines, and there are contracts existing at the present time with these trolley lines and with boroughs whereby the trolley companies are to pay for the paving of these streets. There are some exceptions and I can very readily see how the gentleman from Montgomery County would favor a bill of this kind, and I am sorry that I cannot, but I object to it at this present time particularly for the reason that there are so many hundreds of miles at the present time in the State of Pennsylvania running through poor townships and poor districts that cannot afford to keep up those roads, and the Highway Department at this present time does not have the money to help them build new roads. There are at the present time 57 bills, as I understand, before the Public Roads Committee asking for short roads, some longer of course, to be placed on the State plan.

The objection is being made by the Highway Department, because they have too much or their plan now, that they

can't build them nor take care of them. Therefore would it not be better at the present time while the highway department is in the position it is financially, and while these country districts that cannot afford as well as the borough to take care of their roads are in their present condition, would it not be better to leave the law as it is, because a great many of them have done it before and a large proporation of the boroughs have already built these roads, and therefore, while they have built them at their expense, those boroughs who have neglected their roads up to the present time would get the benefit of this act of assembly, Therefore, I say would it not be better to postpone this act until the Highway Department gets into a position financially so that they can take care of the system, and especially take care of that part of the system in the poorer districts, that cannot afford as well as the boroughs to take care of them.

BILL POSTPONED.

Mr. BURD P. EVANS. Mr. Speaker, I move that House Bill No. 139, file folio 3085, be placed upon the postponed calendar.

Mr. ORR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1290, entitled:

An Act to amend the act approved the fifth day of April, one thousand nine hundred and twenty-one (Pamphlet Laws ninety-four), entitled "An Act requiring the county commissioners, in all counties of the fifth, sixth, seventh and eighth class of this Commonwealth, to provide an office at the county-seat for the district attorney and his assistants, if, any, and to furnish supplies, postage, telephone, fuel and light required for his and their use;" extending the provisions of the act to counties of the fourth class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—113.

Albert,	Goehring,	Mack,	Rippman,
Alexander,	Goss,	MacKinney,	Sautter,
Allman,	Griffith,	Mangan,	Schaeffer,
Anderson,	Grimes,	Marshall, W. F.,	Shambach,
Armstrong,	Haas,	McBride,	Sheridan,
Arthur,	Hall,	McClure,	Smith, H. J.,
Beaver,	Haws,	McCurdy,	Smith, H.,
Behney,	Heffernan,	McDaniel,	Smith, J. W.,
Berger,	Heffran,	McDermott,	Stavitski,
Bidelspacher,	Henderson,	McKim,	Stoner,
Blair,	Hetrick,	Metcalf,	Storb,
Bluett,	Heyburn,	Minehart,	Storer,
Brewster,	Himes,	Moffatt,	Thomas, L. D.,
Bromley,	Holcombe,	Moore,	Thomas, M. G.
Brown,	Hoover,	Morrison,	Thompson,
Brownmiller,	Horne,	Munley,	Van Alen,
Burchinal,	Huber,	Myers, G. C.,	Walker,
Chaplin,	Irvin,	Myers, P. M.,	Weamer,
Clutton,	Jones, D. J.,	Nolte,	Wheeler,
Coldsmith,	Jones, E. P.,	O'Boyle,	Whiteman,
Craig,	Keene,	Ogle,	Williams, G. W.
Diehm,	Kelly,	Parkinson,	Williams, J. M.,
Driggs,	Kennedy,	Perry,	Woner,
Edmonds,	Kunkle,	Posey,	Wood, N.,
Evans, B. P.,	Labar,	Price,	Wood, W. P.,
Fowler, A. L.,	Lauver,	Raymond,	Zook,
Frazier,	Little,	Rhodes,	
Gallaher,	Long,	Richards,	
Gibbon,	Ludlow,	Rinn,	

NAYS—4.

Eaches,	Peelor,	Stark,	Goodnough, Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1128, as follows:

An Act authorizing the State Highway Commissioner to empower certain other employes of his department to perform such official acts as he may designate

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Commissioner is hereby authorized to empower the Assistant Commissioner the Chief Engineer the Township Commissioner the Executive Manager the Principal Assistant Engineer the office Engineer the Maintenance Engineer the Assistant Maintenance Engineer the Construction Engineers Registrar of Motor Vehicles the Secretary and such other employees to perform such official acts as the State Highway Commissioner may designate Provide That this act shall not be construed to relieve the State Highway Commissioner of responsibility for such acts as may be performed by such employes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeaby the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—111.

Anderson,	Fowler, A. L.,	Marshall, W. F.,	Rippman,
Armstrong,	Frazier,	McBride,	Sautter,
Arthur,	Gallaher,	McClure,	Shambach,
Beaver,	Gilchrist,	McCurdy,	Sheridan,
Bell, F. A.,	Goehring,	McDermott,	Smith, G. A.,
Bentley,	Griffith,	McGowan,	Stark,
Berger,	Grimes,	McVicar,	Stavitski,
Betts,	Gundy,	Metcalf,	Stevens, A. F.,
Bidelspacher,	Heffran,	Miller,	Stoner,
Brenneman,	Henderson,	Moffatt,	Storb,
Brewster,	Hetrick,	Moore,	Storer,
Brown,	Heyburn,	Morrison,	Thomas, L. D.,
Brownmiller,	Himes,	Munley,	Thomas, M. G.,
Burchinal,	Hontz,	Myers, P. M.,	Thompson,
Chaplin,	Hoover,	Nolte,	Walker,
Clutton,	Horne,	O'Boyle,	Weamer,
Coldsmith,	Howell,	Ogle,	Wells,
Colville,	Irvin,	Parkinson,	Wettach,
Craig,	Jones, C. B.,	Patterson,	Wheeler,
Diehm,	Jones, D. J.,	Peelor,	Whiteman,
Dietz,	Jones, E. P.,	Perry,	Williams, G. W.
Driggs,	Kelly,	Posey,	Williams, J. M.
Eaches,	Kennedy,	Post,	Wood, N.,
Earley,	Little,	Price,	Wood, W. P.,
Edmonds,	Long,	Raymond,	Wright,
Evans, B. P.,	Lucas,	Rhodes,	Zook,
Flinchbaugh,	Ludlow,	Richards,	Goodnough,
Flynn,	MacKinney,	Rinn,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 316, as follows:

An Act to amend section three hundred and seven of an act aproved the second day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An Act defining the liability of an employer to pay

damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred and seven of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended by an act approved the twenty-sixth day of June one thousand nine hundred nineteen (Pamphlet Laws six hundred forty-two) entitled "An act to amend an act approved the second day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder' and providing when the same shall become effective is hereby amended to read as follows

Section 307 In case of death compensation shall be computed on the following basis and distributed to the following persons

1 To the child or children if there be no widow nor widower entitled to compensation thirty per centum of wages of deceased with ten per centum additional for each child in excess of two with a maximum of sixty per centum to be paid to their guardian

2 To the widow or widower if there be no children forty per centum of wages

3 To the widow or widower if there be one child fifty per centum of wages

4 To the widow or widower if there be two or more children sixty per centum of wages

5 If there be neither widow or widower nor children entitled to compensation then to the father or mother if dependent to any extent upon the employe at the time of the accident twenty per centum of wages Provided however That in the case of a minor child who has been contributing to his parents the dependence of said parents shall be presumed And provided further That if the father or mother was totally dependent upon the deceased employe at the time of the accident the compensation payable to such father or mother shall be forty per centum of wages

6 If there be neither widow widower children nor dependent parents entitled to compensation then to the brothers and sisters if actually dependent to any extend upon the decedent for support at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister with a maximum of twenty-five per centum such compensation to be paid to their guardian

7 Whether or not there be dependents as aforesaid the reasonable expense of burial not exceeding one hundred dollars which shall be paid by the employer or insurer directly to the undertaker (without deduction of any amounts theretofore paid for compensation or for medical expenses)

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother and sister is under the age of sixteen No compensation shall be payable under this section to a widow unless she was living with her deceased husband at the time of his death or was then actually dependent upon him for support No compensation shall be payable under this section to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support The terms "child" and "children" shall include stepchildren and adopted children and children to whom he stood in loco parentis if members of decedent's household at the time of his death and shall include posthumous children Should any dependent of a deceased employe die or remarry or should the widower become capable of self-support the right of such dependent or widower to compensation under this section shall cease Provided however That upon the remarriage of any widow other than a nonresident alien widow the employer shall pay to such widow the then value of the compensation payable to her during one-third of the period during which compensation then remains payable but not exceeding one hundred weeks calculated in accordance with the provisions of section three hundred and sixteen of this article If the compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased

The wages upon which death compensation shall be based shall not in any case be taken to exceed twenty dollars per week nor be less than ten dollars per week

This compensation shall be paid during three hundred weeks and in the case of children entitled to compensation under this section the compensation of each child shall continue after said period of three hundred weeks until such child reaches the age of sixteen at the rate of fifteen per centum of wages if there be but one child with ten per centum additional for each additional child with a maximum of fifty per centum The board may if the best interest of a child or children shall so require at any time order and direct the compensation payable to a widow or widower on account of any child or children to be paid to the guardian of such child or children or if there be no guardian to such other person as the board as hereinafter provided may direct If there be no guardian or committee of any minor dependent or insane employe or dependent on whose account compensation is payable the amount payable on account of such minor dependent or insane employe or dependent may be paid to any surviving parent or to such other person as the board may order and direct and the board may require any person other than a guardian or committee to whom it has directed compensation for a minor dependent or insane employe or dependent to be paid to render as and when it shall so order accounts of the receipts and disbursements of such person and to file with it a satisfactory bond in a sum sufficient to secure the proper application of the moneys received by such person" is hereby further amended to read as follows:

Section 307 In case of death compensation shall be computed on the following basis and distributed to the following persons

1 To the child or children if there be no widow nor widower entitled to compensation thirty per centum of wages of deceased with ten per centum additional for each child excess of two with a maximum of sixty per centum to be paid to their guardian

2 To the widow or widower if there be no children forty per centum of wages

3 To the widow or widower if there be one child fifty per centum of wages

4 To the widow or widower if there be two or more children sixty per centum of wages

5 If there be neither widow widower nor children entitled to compensation then to the father or mother if dependent to any extent upon the employe at the time of the accident twenty per centum of wages Provided however That in the case if a minor child who has been contributing to his parents the dependency of said parents shall be presumed And provided further That if the father or mother was totally dependent upon the deceased employe at the time of the accident the compensation payable to such father or mother shall be forty per centum of wages

6 If there be neither widow widower children nor dependent parent entitled to compensation then to the brothers and sisters if actually dependent to any extent upon the decedent for suport at the time of his death fifteen per centum of wages for one brother or sister and five per centum additional for each additional brother or sister with a maximum of twenty-five per centum such compensation to be paid to their guardian

7 Whether or not there be dependents as aforesaid the reasonable expense of the last sickness and burial not exceeding one hundred dollars which shall be paid by the employer or insurer directly to the undertaker (without deduction of any amounts theretofore paid for compensation or for medical expenses)

Compensation shall be payable under this section to or on account of any child brother or sister only if and while such child brother and sister is under the age of sixteen No compensation shall be payable under this section to a widow unles she was living with her deceased husband at the time of his death or was then actually dependent upon him for support No compensation shall be payable

under this section to a widower unless he be incapable of self-support at the time of his wife's death and be at such time dependent upon her for support The terms "child" and "children" shall include step-children and adopted children and children to whom he stood in loco parentis of members of decedent's household at the time of his death and shall include posthumous children Should any dependent of a deceased employe die or remarry or should the widower become capable of self-support the right of such dependent or widower to compensation under this section shall cease Provided however That upon the remarriage of any widow other than a nonresident alien widow the employer shall pay to such widow the then value of the compensation payable to her during one-third of the period during which compensation then remains payable but not exceeeding one hundred weeks calculated in accordance with the provisions of section three hundred and sixteen of this article If the compensation payable under this section to any person shall for any cause cease the compensation to the remaining persons entitled thereunder shall thereafter be the same as would have been payable to them had they been the only persons entitled to compensation at the time of the death of the deceased

The wages upon which death compensation shall be based shall not in any case be taken to exceed twenty dollars per week nor be less than ten dollars per week

This compensation shall be paid during three hundred weeks and in the case of children entitled to compensation under this section the compensation of each child shall continue after said period of three hundred weeks until such child reaches the age of sixteen at the rate of fifteen per centum of wages if there be but one child with ten per centum additional for each additional child with a maximum of fifty per centum The board may if the best interest of a child or children shall so require at any time order and direct the compensation payable to a widow or widower on account of any child or children to be paid to the guardian of such child or children or if there be no guardian to such other person as the board as hereinafter provided may direct If there be no guardian or committee of any minor dependent or insane employe or dependent on whose account compensation is payable the amount payable on account of such minor dependent or insane employe or dependent may be paid to any surviving parent or to such other persons as the board may order and direct and the board may require any person other than a guardian or committee to whom it had directed compensation for a minor dependent or insane employe or dependent to be paid to render as and when it shall so order accounts of the receipts and disbursements of such person and to file with it a satisfactory bond in a sum sufficient to secure the proper application of the moneys received by such person

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOEHRING. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Mercer, Mr. Sample, permit himself to be interrogated?

Mr. SAMPLE. Yes sir, Mr. Speaker.

Mr. GOEHRING. Mr. Speaker, I wish the sponsor of this bill would explain its purpose.

Mr. SAMPLE. In our line of procedure with our clients, they very seldom interrogate us. This bill was given to me and it is offering this amendment to a law passed on the second day of June, 1915 regulating the compensation that is paid to families where an accidental death might occur. In most of the compensation laws of the smaller insurance companies there is a clause in the contract designating the payment of one hundred dollars for the funeral expenses but none of them state to whom that shall be paid. This designates that it shall be paid to the undertakers. In most cases the money is settled on the family, and in most of those cases the undertaker is neglected, and he has no recourse to come back on. In most of these cases in the smaller companies the money goes to the family, generally foreigners and they leave the town and go to some other place as soon as they get the money. All we ask in this bill is that it shall be paid to the undertaker.

Mr. OGLE. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Mercer permit himself to be interrogated?

Mr. SAMPLE. Yes, sir.

Mr. OGLE. Does this not increase the amount from one hundred dollars to three hundred dollars?

Mr. SAMPLE. No. sir, it asks for the amount stated in all of these policies. In most of the smaller policies one hundred dollars is set aside for funeral expense, but it is not designated to whom it shall be paid. This amendment merely asks that it shall be paid to the undertaker. It does not change the amount in any way at all.

Mr. OGLE. The undertaker maintains his reputation of taking all that is left, either one hundred dollars or three hundred dollars?

Mr. SAMPLE. He will take it if he can.

Mr. SOWERS. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Mercer permit himself to be interrogated?

Mr. SAMPLE. Yes, sir.

Mr. SOWERS. I did not quite hear what you said. You said something about an undertaker and something about a funeral. Where did you say the bill was to be buried?

Mr SAMPLE. What is it that is to be buried?

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—114.

Albert,	Flynn,	Little,	Rhodes,
Alexander,	Fowler, A. I.,	Long,	Rinn,
Allman,	Gibbon,	Lucas,	Rippman,
Anderson,	Glasgow,	Ludlow,	Sample,
Armstrong,	Goss,	MacKinney,	Sautter,
Arthur,	Griffith,	Mangan,	Shambach,
Beaver,	Grimes,	Marshall, W. F.,	Smith, H.,
Behney,	Gundy,	McBride,	Smith, J. W.,
Bentley,	Haas,	McClure,	Stark,
Bidelspacher,	Hall,	McCurdy,	Staudenmeier,
Blair,	Haslett,	Metcalf,	Stavitski,
Bluett,	Heffernan,	Miller,	Stevens, A. J.,
Brenneman,	Heffran,	Minehart,	Storer,
Brewster,	Henderson,	Moffatt,	Thomas, L. D.,
Bromley,	Hetrick,	Moore,	Thomas, M. G.,
Brown,	Heyburn,	Morrison,	Vickerman,
Brownmiller,	Himes,	Munley,	Walker,
Burns,	Holcombe,	Myers, G. C.,	Weamer,
Chaplin,	Hoover,	Myers, P. M.,	Wells,
Clutton,	Horne,	Nolte,	Wettach,
Coldsmith,	Huber,	Ogle,	Wheeler,
Craig,	Irvin,	Orr,	Whiteman,
Diehm,	Jones, C. B.,	Parkinson,	Williams, G. W.,
Dietz,	Jones, D. J.,	Peelor,	Williams, J. M.,
Driggs,	Jones, E. P.,	Perry,	Woner,
Eaches,	Keene,	Pitts,	Wood, N.,
Earley,	Kennedy,	Post,	Wood, W. P.,
Edmonds,	Kunkle,	Price,	Zook,
Evans, B. P.,	Labar,	Raymond,	Goodnough, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MISS GALLAHER IN THE CHAIR.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1033, entitled:

An Act providing that any person who was engaged in the military or naval service of the United States during any war in which the United States was engaged, and having an honorable discharge therefrom, shall receive credit for the experience and training derived from such service, in civil service examinations.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. STONER. Mr. Speaker, I move that House Bill No. 1033, file folio 3047, be placed upon the postponed calendar.

Mr. GOSS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 674, entitled:

An Act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering; providing for the appointment by the Governor of an examination board; defining the powers and duties of such board; regulating barber shops, barber schools and barber colleges and apprentices and students therein, and providing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WONER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Patterson, permit himself to be interrogated?

Mr. PATTERSON. Yes, sir.

Mr. WONER. Mr. Speaker, I would like to have the sponsor of this bill explain its purpose.

Mr. PATTERSON. Mr. Speaker, I do not know whether this question was asked in all fairness or not, but I am willing to explain the provisions of the bill. We have here a bill that I have been asked to sponsor, and I will be glad enough and hope to have the full support of the House on it. A similar bill, but not as good a bill as mine, has been presented here for several years, but this bill being a good bill, I hope that it will get away from that reference made to it as the usual barber bill, for it is an unusual bill. We have a bill here which in all seriousness I think ought to be passed. It is a bill the main purpose of which is to require health requirements, so we can go into a barber shop and have some assurance that we are going to get a shave or a haircut or whatever we would get, say a massage, and so forth, and not have it at the hands of some tubercular barber or a man suffering from worse than tuberculosis, some diseases of the blood which I do not need to name, which will be passed on if he nicks you and uses his hands in massaging your face. The bill provides for one thing for a board of five to control it. We have got to have some control over conditions. This board will be made up of experienced barbers who have practiced for ten years; they shall be appointed by the Governor for given terms, and under their supervision the candidates will be examined four times a year in various cities of the Commonwealth designated in the bill. This bill provides that these men will have served the proper apprenticeship, so when we go into a barber shop we know that we are getting into the hands of a competent barber, and not the graduate of a barber college, or so-called barber college, who at the end of six or eight weeks can drop into a shop after practicing on those men who patronize barber schools and colleges and who go in there and for one cent get a shave and for five cents a haircut. You know the kind of riff-raff they are working on. Then they come right out of there and work on you, if you drop into one of these shops. This bill provides that these men shall furnish all barbers—the present barbers, it is not going to effect them or put them out of business or anything of that kind. They simply furnish an affidavit as to the length of time they have been in service, also as to their health and their position. Then it goes on and says that they must pay one dollar a year. All of this money is turned into the treasury, there will be more than enough to sustain it, so it will always pay. we are not claiming it is a revenue raiser, but in the twenty-two states in which barbers are licensed they have been revenue raisers, or at least always self-supporting. There are twenty-two states in the Union where we have these bills and they are working out very well. Last year in the State of Illinois, which compares favorably with our own State in population, had a surplus of twenty thousand dollars. So the men patronizing barber shops will be sure that they are not going into an unhealthy and unsanitary barber shop, but will be going into barber shops coming under perfect sanitary requirements. They won't go into places where they wash their twels in the sink and all that kind of thing, as is done at the present time. From the matter of health and sanitation it is a measure we should all stand for, and hope to have the support of the House.

Mr. SOWERS. Madam Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Patterson, permit himself to be interrogated?

Mr. PATTERSON. I will.

Mr. SOWERS. Does this bill prohibit the use of safety razors? Are you still permitted to shave yourself under the provisions of this bill?

Mr. PATTERSON. Yes you are, if you are able.

Mr. SOWERS. In what part of Pennsylvania is the College to be erected for the education of barbers?

Mr. PATTERSON. Well now, you have four of them in Philadelphia, and there are three in Pittsburgh.

Mr. SOWERS. Do any of these graduates shave you?

Mr. PATTERSON. No sir.

Mr. SOWERS. You never take a chance on them?

Mr. PATTERSON. No sir.

Mr. WONER. Madam Speaker, since I am satisfied that this bill does not prohibit the use of safety razors, and since it is a revenue raiser, I am heartly in favor of it.

Mr. OGLE. Madam Speaker, This bill I believe in its general effect will be wholesome for the State. I doubt very much whether it is sufficiently broad, however, to meet all the requirements that should be met. My experience in the barber shops is to the effect that you never know when you are done. The bill should be framed to meet the condition of the man who went into a barber shop and said "I want a shave". And he sat down in the barber's chair. "Now, I don't want a hair cut, and I don't want my face massaged, I don't want a shampoo, I don't want a manicure, nor do I want my boots blacked I want a shave Do you understand me"? "Yes, sir," replied the barber. "Do you want lather on your face?"

It is proverbial that the most loquatious men in the state generally are these graduates of the Barber's colleges, located in Philadelphia. If there could be some sort of a machine invented, or some sort of methods embraced in a bill of this kind to regulate the conduct of barbers in barber shops, gentlemen might go into them to have a shave without being solicited to have their boots blacked, or to be massaged or shampooed, or get a manicure from the lady sitting at the table at the side. He might come out after having paid the cashier and tipping the barber, and having to give to the boy who tends the rack where the coats are hung in order to buy back his hat and coat before he gets out alive. We have to put our lives and our fortunes and our sacred honor in the hands of these graduates of the Barber college when you get into their barber shops because they have in their hands most deadly weapons, and when we ask them to shave us we place our necks at their disposal. And if we get out alive we are very fortunate.

I am glad that the gentleman from Allegheny has presented this measure as it is a step in the right direction, and if we don't get all we are really entitled to, we will at least get a portion to start with. I am in favor of the bill.

Mr. STONER. Madam Speaker, I am not going to contribute any to the humor of this occasion, but to call the attention of the sponsor of the bill to section 17, which provides a college course for barbers of three years. Now, if I understand that section correctly, I might suggest that in all parts of the Commonwealth, outside of Philadelphia, the ordinary student would learn the trade in less than three years and I do not know but what it might make us just a little ridiculous to have that clause in the bill.

Mr. PATTERSON. It does not provide only for barber colleges. I think there will be very few of them that will come up from the so-called barber colleges. It provides that apprentices shall serve under the barbers as they now do, and learn their trade properly and puts in his time. It says that no barbershop shall have more than one apprentice authorized to two barbers. The men that go to the barber colleges and want to learn their trade that way can go, but they will have to put in the same time as apprentices there as they would as apprentices under the barbers in the shop. The men who run barber shops tell me that it takes that long for a man to properly learn the trade and become efficient. On this question of apprentices, their length of time in service, sometimes it is longer, but the majority of the barbers who advocate this bill and sponsored it claim that to be the time. We all know that when a man first goes in all he does is lather the man, if he takes lather as our friend says, washes his face. When he is through serving as an apprentice in that way he is permitted to shave and after a service for that length of time graduates if he is able to pass this board. I say that it does not want to provide for barber colleges, they are only taken care of in that way that they shall have the apprenticeship, but it does not knock out barber colleges. If anybody wants to run a barber college in Philadelphia or Pittsburgh why, let them run it, but they have got to have their apprentices service that time the same as they would if they worked in a shop.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—62.

Anderson,	Grimes,	Kennedy,	Sheridan,
Armstrong,	Haas,	Little,	Smith, H. J.,
Beaver,	Haines,	Ludlow,	Sowers,
Behney,	Harer,	McBride,	Sprowls,
Bentley,	Haslett,	McCalg,	Staudenmeier,
Berger,	Heffran,	McClure,	Stoner,
Bluett,	Henderson,	McKim,	Storb,
Brownmiller,	Himes,	McVicar,	Storer,
Burns,	Holcombe,	Ogle,	Thomas, L. D.,
Chaplin,	Hontz,	Parkinson,	Thompson,
Clutton,	Horne,	Patterson,	Walker,
Coldsmith,	Huber,	Richards,	Whiteman,
Craig,	Irvin,	Rippman,	Williams, J. M.,
Fowler, A. I.,	Jones, D. J.,	Sample,	Woner,
Gallaher,	Jones, E. P.,	Schilling,	Wright,
Goss,	Kelly,	Shambach,	

NAYS—62

Albert,	Griffith,	Miller,	Smith, G. A.,
Alexander,	Gundy,	Moore,	Smith, H.,
Brenneman,	Haws,	Myers, G. C.,	Stark,
Brewster,	Heffernan,	Myers, P. M.,	Stevens, A. J.,
Bromley,	Hetrick,	Nolte,	Thomas, M. G.,
Brown,	Hoover,	Orr,	Weamer,
Colville,	Labar,	Peelor,	Wells,
Diehm,	Lauver,	Posey,	Wheeler,
Donahue,	Long,	Post,	Whitehouse,
Driggs,	Lucas,	Price,	Williams, G. W.
Eaches,	Mack,	Raymond,	Wood, N.,
Edmonds,	Marcus, J.,	Rhodes,	Wood, W. P.,
Evans, B. P.,	Marshall, J. G.,	Rinn,	Zook,
Flinchbaugh,	Marshall, W. F.,	Sautter,	Goodnough,
Gibbon,	McCurdy,	Schaeffer,	Speaker.
Gilchrist,	Metcalf,	Schleiter,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SPEAKER GOODNOUGH IN THE CHAIR.

BILLS ON THIRD READING.

Mr. HORNE asked and obtained permission to call up House Bill No. 1229, file folio 2931, placed on the postponed calendar, for the purpose of amendment.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Horne.

The House resumed the consideration on third reading of House Bill No. 1229, entitled:

An Act to further amend section one thousand two hundred ten as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

On the question,

Will the House agree to the bill on third reading?

Mr. HORNE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Page 5, line 8, after the word "education" strike out the words "shall fix" and insert at the end of said line 8 after the word "on" the words "the basis of".

Page 11, line 8, strike out the word "rule" and insert in lieu the word "rules."

Page 12, line 15, after the word "pay" insert the following: "for the biennium beginning June first, one thousand nine hundred and twenty-three and ending on May thirty-first, one thousand nine hundred and twenty-five and each biennium thereafter."

Page 12, line 15, strike out the word "district" and insert in lieu thereof the word "districts."

Page 12, line 16, strike out the word "complies" and insert in lieu thereof the word "comply."

Page 12, line 18, after the first word "in" in said line, insert the following: "as shown by the certificate herein required to be filed with the Superintendent of Public Instruction in the November immediately preceding any such biennium."

Page 16, line 19, strike out the word "certificate" and insert in lieu the word "certificates."

Page 16, at the end of line 24, add the following: "Provided, That the amount paid to any school district within any biennium shall in no case exceed an amount computed on the data and information contained in the certificate required to be filed in the November immediately preceding such biennium."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1271, entitled:

An Act making it unlawful for the Public Service Commission of the Commonwealth of Pennsylvania to make, fix, alter, change or modify rates, fares, charges or other considerations set forth in any contract heretofore or hereafter made between a public service corporation and a municipality.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, with reference to the pending bill, No. 1271, ordinarily it is a very great pleasure to me to support the legislation presented by the gentleman from Allegheny, Mr. McVicar, but I cannot help but think that this bill embodies a dangerous proposition. We have already committed the question of rates to the Public Service Commission, and now this bill proposes to amend that where a rate has been established in the past by a contract between a utilities company and a municipal corporation so that the public service commission would have no jurisdiction over that contract. Now the effect of this, as I see it, that if a gas or an electric line was running along a particular stretch of highway, ten or fifteen miles and had a contract here with one borough and one here with another borough it would be obliged to charge at the contract rates in these boroughs and if it happened to be supplying power or gas, or whatever it might be it would demand a special rate and they would have to arrange a rate in between in order to equalize the loss which it was having under these contracts. I appreciate the fact that during the past two or three years we have had an era of high costs, and the rates have necessarily gone up, but by the same token when the period of low costs comes the rates will go down, and then if you have a contract with a municipality and this contract is exempt for the jurisdiction of the Commission, the rates will be kept at those high figures, whereas naturally there might be a reduction.

It seems to me to be fair to do just what we have been doing—submit the whole question of rates to the Public Service Commission and let then work out what is just and equitable. But to give them all the rates except this one sort of contract and to say they shall not have this one would be to my mind striking a vital blow at the whole system.

BILL POSTPONED.

Mr. McVICAR. Mr. Speaker. The Pennsylvania League of Boroughs at its recent session in Harrisburg unanimously agreed upon the terms of this bill and, at its request, I have sponsored it. They beleive that a contract between a municipality and a public service company should have the same sanctity as a contract between two individuals, but without discussing the merits of the bill, the House being light, I move that further action on the bill be postponed.

Mr. McCURDY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1174, entitled

An Act to amend an act approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof;" by providing that said court shall consist of six judges.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STONER. Mr. Speaker and members of the House, there seems to be a prevailing impression that by this bill we are trying to increase the number of judges in the county courts of Allegheny County, while, in fact, we are trying to do just the opposite. The present number of judges in the county court is six. Under the law creating the county court, the number automatically increases with the increase in population, so we get a new judge in that court with every increase of one hundred fifty thousand population in the county. We got a new one only last year in that way. We now propose to amend the act by striking down the provisions for that increase and keep the number of judges as it now is. If you will kindly support me on this act, I will not bother you with the county court again at this session.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—121.

Albert,	Frazier,	McBride,	Schaeffer,
Alexander,	Gallaher,	McCaig,	Schleiter,
Allman,	Gibbon,	McClure,	Sheridan,
Armstrong,	Gilchrist,	McCurdy,	Smith, H. J.,
Arthur,	Goehring,	McDermott,	Smith, H.,
Beaver,	Griffith,	McGowan,	Smith, J. W.,
Behney,	Grimes,	McKim,	Sowers,
Bentley,	Haslett,	Metcalf,	Spangler,
Berger,	Heffernan,	Miller,	Stark,
Betts,	Heffran,	Minehart,	Staudenmeier,
Blair,	Henderson,	Moffat,	Stoner,
Bluett,	Hetrick,	Morrison,	Storb,
Brenneman,	Himes,	Munley,	Storer,
Brewster,	Holcombe,	Myers, G. C.,	Thomas, L. D.,
Bromley,	Hollis,	Myers, P. M.,	Thomas, M. G.,
Brown,	Hoover,	Nolte,	Thompson,
Burchinal,	Horne,	Ogle,	Walker,
Burns,	Huber,	Orr,	Weamer,
Bush,	Irvin,	Parkinson,	Wells,
Chaplin,	Jones, C. B.,	Patterson,	Wheeler,
Coldsmith,	Jones, D. J.,	Peelor,	Whiteman,
Colville,	Kennedy,	Pitts,	Williams, G. W.
Craig,	Kunkle,	Posey,	Williams, J. M.,
Donahue,	Labar,	Post,	Woner,

Driggs,	Lauver,	Price,	Wood, N.,
Earley,	Little,	Raymond,	Wood, W. P.,
Edmonds,	Lucas,	Richards,	Wright,
Evans, B. P.,	Ludlow,	Rinn,	Zook,
Flinchbaugh,	MacKinney,	Rippman,	Goodnough,
Fowler, A. I.,	Marshall, W. F.	Sample,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmatoive, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 977, as follows:

An Act to amend an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and ninety-four) entitled "An Act to amend an act approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and fifty) entitled 'An Act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day' by authorizing appropriations to each post of the American Legion Veterans of Foreign Wars and to each Naval Association and each post of the Grand Army of the Republic" to include authorization of appropriations to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto

Section 1 Be it enacted by the Senate and House or Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and ninety-four) entitled "An Act to amend an act approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and fifty) entitled 'An Act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day' by authorizing appropriations to each post of the American Legion Veterans of Foreign Wars and to each Naval Association and each post of the Grand Army of the Republic" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the respective authorities of the several counties and incorporated towns of this Commonwealth are hereby authorized to appropriate annually to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each Naval Association and to each post of the Grand Army of the Republic and to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto in the respective counties or towns a sum not to exceed one hundred dollars to aid in defraying the expenses of Memorial Day

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LORENZO D. THOMAS. Mr. Speaker, I desire to state at this time what this bill stands for. It is an amendment to the act of June 25, 1913 and also to the Act of May 17, 1921, which gives to every one of the organization of ex-service men who are incorporated under charter by the State an annual contribution for Memorial Day, and this one is the only one not specifically specified, and is mentioned in lines 3, 4 and 5 on page 3 of this bill "and to each organization of ex-service men incorporated under the Act of April 29, 1874, and the supplements thereto." We have a condition in our county that is not alone. The Grand Army of the Republic, Spanish American War Veterans, the Veterans of Foreign Wars and the American Legion, they are all chartered separately, and this organization is chartered separately, and we are only asking that it may be given the same legal status as the other organization.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Alexander,	Goehring,	McBride,	Shambach,
Allman,	Griffith,	McCaig,	Smith, G. A.,
Armstrong,	Grimes,	McCann,	Smith, H. J.,
Arthur,	Gundy,	McClure,	Smith, H.,
Baker,	Haslett,	McCurdy,	Smith, J. W.,
Beaver,	Heffernan,	McDermott,	Stark,
Bentley,	Heffran,	McKim,	Staudenmeier,
Berger,	Henderson,	Metcalf,	Stoner,
Betts,	Hetrick,	Miller,	Storb,
Blair,	Heyburn,	Minehart,	Storer,
Bluett,	Himes,	Moore,	Thomas, L. D.,
Brenneman,	Holcombe,	Munley,	Thomas, M. G.,
Brewster,	Hollis,	Myers, G. C.,	Thompson,
Bromley,	Hoover,	Myers, P. M.,	Walker,
Burns,	Horne,	Nolte,	Weamer,
Chaplin,	Howell,	Ogle,	Wells,
Clutton,	Huber,	Orr,	Wettach,
Coldsmith,	Irvin,	Parkinson,	Wheeler,
Colville,	Jones, C. B.,	Patterson,	Whitehouse,
Craig,	Jones, D. J.,	Peelor,	Whiteman,
Dietz,	Jones, E. P.,	Perry,	Williams, G. W.,
Donahue,	Keene,	Pitts,	Williams, J. M.,
Driggs,	Kennedy,	Post,	Woner,
Eaches,	Kunkle,	Price,	Wood, N.,
Earley,	Lauver,	Raymond,	Wood, W. P.,
Edmonds,	Little,	Rhodes,	Wright,
Evans, B. P.,	Long,	Richards,	Zook,
Fowler, A. I.,	Lucas,	Rinn,	Goodnough,
Fratt,	Ludlow,	Rippman,	Speaker.
Gallaher,	MacKinney,	Sample,	
Gibbon,	Marcus, J. C.,	Sautter,	
Gilchrist,	Marshall, W. F.,	Schwartz,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1313, as follows:

An Act to amend section ten of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" which was amended by the act approved the twentieth day

of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-three) entitled "An Act amending section ten of an act entitled 'An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) by changing the jurisdiction in civil actions" is hereby further amended to read as follows

Section 10 The said court hereby created shall have jurisdiction in all civil actions at law and in equity where the value of the matter or thing in controversy exclusive of interest and costs does not exceed the sum of two thousand five hundred dollars ($2,500) The amount claimed by the plaintiff where the said claim is for a sum certain shall be conclusive as to the jurisdiction of the court in all actions brought for the recovery of money and in actions at law or in equity not involving any sum certain the plaintiff shall file with his statement a certificate as to the amount of the thing or matter in controversy The said court shall also have jurisdiction in any civil cases transferred to it by order of a majority of the judges of any court of common pleas of Philadelphia County

The said court shall also have authority with the consent of the court of common pleas to transfer to that court all suits wrongfully brought in the municipal court in exceess of its jurisdictions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123.

Alexander,	Fowler, A. I.,	Lafferty,	Rhodes,
Allman,	Fowler, D.,	Little,	Richards,
Armstrong,	Gallaher,	Lucas,	Rinn,
Arthur,	Gibbon,	Ludlow,	Rippman,
Asbury,	Glasgow,	Mack,	Schilling,
Baldi,	Golder,	Marcus, J.,	Schwartz,
Beaver,	Goss,	Marcus, J. C.,	Smith, G. A.,
Behney,	Grimes,	Marshall, J. G.,	Smith, H. J.,
Bell, F. A.,	Guerin,	Marshall, W. F.,	Smith, H.,
Bentley,	Haas,	Mathay,	Smith, J. W.,
Berger,	Harer,	McBride,	Sowers,
Bidelspacher,	Haslett,	McCaig,	Speiser,
Bluett,	Haws,	McDermott,	Stavitski,
Blumberg,	Heffernan,	McGowan,	Sterling,
Brenneman,	Henderson,	Metcalf,	Stevens, A. F.,
Brewster,	Hetrick,	Minehart,	Stoner,
Bromley,	Heyburn,	Moffatt,	Thomas, L. D.,
Burns,	Himes,	Morrison,	Thomas, M. G.,
Chaplin,	Hollis,	Myers, G. C.,	Van Alen,
Coldsmith,	Hontz,	Myers, P. M.,	Walker,
Colville,	Horne,	Nolte,	Wells,
Conner,	Huber,	Ogle,	Wheeler,
Craig,	Irvin,	Orr,	Whitehouse,
de Young,	Johnson,	Parkinson,	Whiteman,
Eaches,	Jones, D. J.,	Patterson,	Williams, G. W.
Earley,	Jones, E. P.,	Peelor,	Williams, J. M.,
Edmonds,	Keene,	Perry,	Wood, N.,
Eshelman,	Kelly,	Pitts,	Wood, W. P.,
Evans, J.,	Kennedy,	Post,	Wright,
Fields,	Kunkle,	Price,	Zook,
Flinchbaugh,	Labar,	Raymond,	Goodnough, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 508, entitled

An Act to validate certain municipal assessments municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filling of claims therefor and the proceedings for the collection of such assessments and claims

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118.

Albert,	Gallaher,	McBride,	Sautter,
Alexander,	Gelder,	McClure,	Schoener,
Allman,	Gibbon,	McCurdy,	Shambach,
Armstrong,	Gilchrist,	McDaniel,	Smith, G. A.,
Arthur,	Griffith,	McDermott,	Smith, H.,
Beaver,	Grimes,	McKim,	Smith, J. W.,
Behney,	Heffernan,	Metcalf,	Sowers,
Berger,	Heffran,	Miller,	Stark,
Bidelspacher,	Henderson,	Minehart,	Staudenmeier,
Bluett,	Hetrick,	Moffatt,	Stoner,
Brenneman,	Heyburn,	Moore,	Storer,
Brewster,	Horne,	Morrison,	Thomas, L. D.,
Bromley,	Howell,	Munley,	Thomas, M. G.,
Brown,	Huber,	Myers, G. C.,	Thompson,
Burns,	Irvin,	Myers, P. M.,	Walker,
Chaplin,	Jones, C. B.,	Nolte,	Weamer,
Coldsmith,	Jones, D. J.,	Ogle,	Wells,
Craig,	Jones, E. P.,	Orr,	Wheeler,
Diehm,	Keene,	Parkinson,	Whiteman,
Dietz,	Kunkle,	Patterson,	Williams, G. W.,
Donahue,	Labar,	Peelor,	Williams, J. M.
Driggs,	Lafferty,	Perry,	Woner,
Eaches,	Lauver,	Posey,	Wood, N.,
Earley,	Little,	Post,	Wood, W. P.,
Edmonds,	Long,	Price,	Wright,
Evans, B. P.,	Lucas,	Raymond,	Zook,
Flinchbaugh,	Ludlow,	Rhodes,	Goodnough,
Fowler, A. I.,	MacKinney,	Richards,	Speaker.
Fratt,	Marcus, J.,	Rinn,	
Frazier,	Marshall, W. F.,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1163, entitled

An Act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123.

Albert,	Earley,	Kelly,	Perry,
Alexander,	Edmonds,	Kennedy,	Pitts,
Allman,	Evans, B. P.,	Kunkle,	Price,
Anderson,	Fields,	Labar,	Rhodes,
Armstrong,	Flynn,	Lafferty,	Richards,
Arthur,	Fowler, A. I.,	Little,	Rinn,
Baldi,	Fowler, D.,	Long,	Rippman,
Beaver,	Gallaher,	Lucas,	Schilling,
Behney,	Gibbon,	Ludlow,	Schwartz,
Bell, F. A.,	Glasgow,	Mack,	Smith, G. A.,
Bell, W. T.,	Golder,	Malie,	Smith, H. J.,
Bentley,	Griffith,	Mangan,	Smith, H.,
Bidelspacher,	Grimes,	Marcus, J. C.,	Smith, J. W.,
Blair,	Guerin,	Marshall, W. F.,	Sowers,
Bluett,	Haas,	Mathay,	Staudenmeier,

Brenneman,	Haines,	McBride,	Stavitski,
Bromley,	Harer,	McCaig,	Steedle,
Brownmiller,	Harter,	McCann,	Stoner,
Burchinal,	Haslett,	McCurdy,	Storer,
Burns,	Haws,	McDermott,	Thomas, L. D.,
Bush,	Heffernan,	McGowan,	Thomas, M. G.,
Clutton,	Henderson,	McVicar,	Vickerman,
Coldsmith,	Hetrick,	Metcalf,	Weamer,
Colville,	Heyburn,	Miller,	Wettach,
Conner,	Holcombe,	Minehart,	Whiteman,
Craig,	Hoover,	Moore,	Williams, G. W.
de Young,	Irvin,	Munley,	Wood, N.,
Diehm,	Johnson,	Myers, G. C.,	Wood, W. P.,
Donahue,	Jones, D. J.,	Myers, P. M.,	Zook,
Driggs,	Jones, E. P.,	O'Boyle,	Goodnough,
Eaches,	Keene,	Parkinson,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to say that tomorrow morning the House will take up the third reading calendar. We are leaving some forty-five bills on the calendar, together with those which have been placed on the postponed calendar, and it will be necessary to act on third reading bills tomorrow so that the calendar will be in shape for the following week.

LEAVES OF ABSENCE.

Mr. GOEHRING asked and obtained leave of absence for himself for tomorrow.

Mr. WONER asked and obtained leave of absence for Miss MacKinney, for tomorrow.

Mr. STAUDENMEIER asked and obtained leave of absence for Mr. Schaeffer, for tomorrow.

ADJOURNMENT.

Mr. EACHES. Mr. Speaker, I move that this House do now adjourn until to-morrow morning at 11:00 o'clock.

The motion was agreed to, and (at 11:00 o'clock P. M.) the House adjourned until to-morrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 12, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty and eternal God, Thou God of all grace, Thou who art able to make all grace abound unto all men, itself sufficient in all things, we pray Thy blessings upon the members of this House, that Thou wouldst, out of the unbounded riches of grace and of wisdom and of knowledge cause it to fall richly upon each one. Bless the Speaker of the House and the officers who serve in the transactions of the business with him. Remember the Governor of the Commonwealth. Guide us to Thy praise.

We ask it in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Frazier, the further reading was dispensed with and the Journal approved.

LEAVE OF ABSENCE.

Mr. McCURDY asked and obtained leave of absence for Mr. Frederick A. Bell.

REPORTS FROM COMMITTEES.

Mr. McCAIG, from the Committee on Appropriations, reported as committed, House Bill No. 205, entitled:

An Act making an appropriation providing for a deficiency in the maintenance of the Glen Mills Schools Glen Mills, Delaware County Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as committed, House Bill No. 787, entitled:

An Act making a deficiency appropriation to the Cottage State Hospital at Philipsburg, Pennsylvania.

Mr. KELLY, from the Committee on Game, reported as committed, House Bill No. 667, entitled:

An Act providing for the return by the Board of Game Commissoners, to persons entitled thereto, of moneys erroneously paid into the State Treasury.

Mr. STARK, from the Committee on Education, reported as committed, House Bill No. 1258, entitled:

An Act to amend section one hundred and six of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, or any parts thereof, that are or may be inconsistent therewith" as amended.

Mr. METCALF, from the Committee on Education, reported as committed House Bill No. 1090, entitled:

An Act to amend sections one thousand one hundred five, and one thousand one hundred thirty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. McCAIG, from the Committee on Appropriations, reported as amended House Bill No. 1376 (Senate Bill No. 96), entitled:

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the deaf at Scranton, Pennsylvania.

Mr. LUDLOW, from the Committee on Education, reported with a negative recommendation, House Bill No. 273, entitled:

An Act establishing a pension fund for public school employes of the Commonwealth of Pennsylvania, except such employes as are classified as teachers by the State Department of Public Instruction, and regulating the administration and payment of such pensions.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1015, as follows:

An Act to validate certain municipal claims and municipal liens in the several cities and boroughs of the Commonwealth providing for the filing of claim therefore and the proceedings for the collection of such claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore the council of any city or borough of this Commonwealth has required by ordinance and caused to be graded paved curbed or macadamized with brick stone or other suitable material or otherwise improved any public street or thoroughfare or part thereof either cartway or footwalk or has caused sewers to be constructed therein or both pursuant to such ordinance but owing to some defect in the petition action of council notice publication or other proceeding necessary

under existing laws and ordinances to give jurisdiction to such council because of non-compliance with existing law as to publication of copies of ordinances and posting of hand-bills prior to the final passage of such ordinance or because the ordinance itself or the official record book containing the same has been lost mislaid or destroyed or has not been transcribed in the official record book or for any other reason the cost of such improvement or a portion thereof cannot be legally assessed upon the property bounding or abutting upon the street or part thereof improved or owing to some defect in the statement of claim filed to secure the lien or the failure of the borough solicitor to sign the same for the cost of such improvement or where because the claim required by law was not filed at all or within the time provided by law payment thereof cannot be enforced as was contemplated by the act or acts of the General Assembly under which the improvement was attempted to be made now by this act such improvements are made valid and binding and the council of such city or borough may cause the property bounding or abutting upon the street or part thereof upon which the improvement has been made or is now being made to be assessed in the manner now provided by law with such a portion or all of the cost of such improvement as is contemplated by the law under which the improvement was made or attempted to be made or is now being made Such assessment shall be a lien upon the property assessed The lien shall date from the completion of the improvement for which the assessment is made and shall remain a lien until fully paid and satisfied Provided That a writ of scire facias is issued to revive the same during every period of five years after the lien is filed as hereinafter provided

Section 2 The council of any city or borough of this Commonwealth entitled to a lien under this act shall file its claim therefor in the office of the prothonotary of the county within which the property lies within six months after the completion of the work where the improvement is now in progress or within six months after the approval of this act where the improvement is now completed but if the assessment be made by viewers proceedings for their appointment shall be instituted within the time above limited and the claims or liens filed within six months after the final confirmation of their report and the same shall be entered upon the records as other municipal claims Such claims or liens shall state the name of the party claimant which shall be the corporate name of the city or borough making the improvement the name of the owner or reputed owner of the property assessed a reasonable description of the property assessed the amount or sum claimed to be due which shall include interest on the assessment from the completion of the improvement where the improvement is now being made or from the date of the filing of such claims what improvement the claim is made the date of its completion the date of the assessment for which the lien is filed shall be prima facie evidence of all matters therein set forth and of the right of the city or borough to recover the amount therein claimed to be due together with the interest from the date of the lien or completion of the improvement costs and an attorney's commission of five per centum for collecting

Section 3 The claim when so filed shall be proceeded upon for collection by writ of scire facis in the method provided by law for the collection of municipal liens

And said bill having been read at length the second time and agreed io,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1339, entitled:

An Act prescribing the fees for the office of secretary of the Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1251, entitled:

An Act to prohibit the obstruction of the view of the interior of soft drink places pool rooms and billiard parlors

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1007, entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled 'An Act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of moneys due the Commonwealth therefor and for proceedings relating thereto"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1197, entitled:

An Act to amend section one of an act approved the twenty-eighth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws sixty-three) entitled "An Act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon" by changing the name of said institution

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1295, entitled:

An Act to amend section one thousand four hundred and six as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideraton of House Bill No. 345, entitled:

An Act imposing a State license tax upon public slot machines used for vending weighing telephone or other service amusement entertainment or any other purpose imposing certain powers and duties upon the Auditor General prescribing penalties for the violation of the provisions of this act and providing for the confiscation of certain machines

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 483, (Senate Bill No. 142), entitled:

A Supplement to the act approved the seventeenth day of June nineteen hundred and fifteen (Pamphlet Laws one thousand and twelve) entitled "An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals

passed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" as amended by the act of June fourth nineteen hundred and nineteen (Pamphlet Laws three hundred and seventy-five) entitled "An Act to amend sections one two and three of the act approved the seventeenth day of June one thousand nine hundred and fifteen (Pamphlet Laws ten hundred and twelve) entitled 'An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rate of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 837, entitled:

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by the Superior Court imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act giving the Superior Court jurisdiction in all prosecutions arising out of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1079, entitled:

An Act relating to the satisfaction of mortgages the determination of the amount due and unpaid on the same and to whom payable in certain cases Including all cases where a mortgage is given to secure a bond or bonds and the mortgage is claimed by one claimant and the bond or bonds by another all cases where a mortgage is made to a trustee without naming or designating the cestui que trust or imposing any duties on the trustee to be performed on behalf of the bond holder or bond holders and the bonds or the judgments confessed on the same are assigned to a claimant or claimants other than the trustee and all cases where there is a dispute as to what bond or bonds are secured by such mortgage providing procedure for determining the issues involved in such cases and the satisfaction of such mortgages the payment of costs in such cases with the right of appeal without affecting the validity of the bonds as personal obligations or as liens on land other than as they claim priority as the bonds secured by such mortgage and providing for scire facias execution and sale on such mortgage

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1025, entitled:

An Act to provide a method of relieving real estate of the charge of a life interest imposed thereon by any order judgment or decree of any court in this Commonwealth in any partition proceedings

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 715, entitled:

An Act to amend section eighteen of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificatees of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practioners of medicines and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provide in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring that parents be notified of the registration of birth certificates

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1230, entitled:

An Act to amend section one of the act approved the twenty-seventh day of March one thousand eight hundred and seventy-three (Pamphlet Laws fifty-four) entitled "An act to organize the State Hospital for the insane at Danville and provide for the government and management of the same" as amended by changing the corporate name of the said hospital

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 985, entitled:

An Act providing that mortgages shall cease to be a lien upon the real estate described in the mortgage from and after the expiration of fifty years from the date the principal becomes due unless such mortgages are re-recorded or a declaration recorded that the principal or some part thereof remains unpaid and providing further that every mortgage the principal of which is overdue more than fifty years at the time of the approval of this act shall not lose its lien under the provisions of this act if within five years after the approval of this act such mortgage shall be re-recorded or a declaration recorded that the principal or some part thereof remains unpaid

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 229, entitled:

An Act to amend section twelve of article five of the act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An Act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by

the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' " approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 187, entitled:

An Act relating to pistols and revolvers regulating the sale possession and use thereof defining "pistol or revolver" imposing additional penalties for crimes committed while unlawfully armed prohibiting the ownershp or possession of a pistol or revolver by any unnaturalized foreign-born person and by persons convicted of certain felonies providing for license to carry and licenses to sell pistols and revolvers prohibiting the disposing thereof to minors or to persons not entitled to own or possess the same and prescribing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 922, entitled:

An Act providing for the regulation and supervision and for the approval by the Department of Public Welfare of certain maternity homes and maternity hospitals and providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1395 (Senate Bill No. 297), entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has formerly been held or conveyed by to or for corporations not authorized by law to hold the same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1394 (Senate Bill No. 296), entitled:

An Act to amend section two of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-four) entitled "An act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of the indebtedness and the levy of taxes therefor" by empowering the county commissioner and county controler where such office exists to take by eminent domain proceedings land necessary for the establishment of such hospitals giving the board of trustees powers concurrent with the county commissioners and county controller in reference to the planning and construction of such hospitals

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 320, entitled:

An act to prevent fraud at elections providing a system of authenticating and marking ballots and of locking ballot boxes providing for the purchase by counties of certain mechanical equipment and for the use and custody thereof providing for the appointment by the Governor of a commission to select and approve such equipment and fixing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1312, entitled:

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidating of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the tranportation of pupils to and from consolidated schools"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 448, entitled:

An Act requiring the display of the United States flag at all polling places providing for its purchase by the county commissioners and its care between elections

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 282, entitled:

An act to amend section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred twenty-three) entitled "An

act providing for the nomination and election of judges of courts of record and repealing certain acts"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1208, entitled:

An act making an appropriation to the Pennsylvania State College to reimburse the said college for loss of interest on a bond of the Commonwealth for the benefit of said college which bond has matured

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1223, entitled:

An act to amend section eight of the act approved the eleventh day of May one thousand nine hundred and five (Pamphlet Laws four hundred) entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment and care of the criminal insane to be called the State Hospital for the Criminal Insane and making an appropriation therefor" as amended changing the name of said hospital

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1297, entitled:

An act to amend section three hundred and three of an act approved the eighteenth day May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1122, entitled:

An act regulating the selection of jurors for service in the several courts civil and criminal of the County of Allegheny creating a Board of Judges from the Court of Common Pleas of said County for this purpose and prescribing the powers and duties of such Board imposing the entire cost and expense of maintaining and operating such Board upon said County requiring the County Commissioners of said county to provide suitable office quarters equipment and supplies for said Board authorizing the employment of the necessary clerks assistants deputies and other employees abolishing the existing office of jury commissioner in said County and providing that the present jury commissioners shall become clerks of said Board until the expiration of their term of office requiring other County officers and boards to furnish information to said Board and prescribing punishments for violation of the provisions hereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 377, entitled:

An act to amend sections one and three and section six as amended and sections nine and ten of an act approved the seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred sixty-seven) entitled "An act to provide for the better protection of life and health by diminishing the danger from infectious and contagious diseases through the creation of a State Board of Undertakers in the cities of the first second and third classes with systematic examinations registration and licenses for all entering the business of burying the dead and penalties for violation of the provisions thereof" by prescribing the qualifications and compensation of members of the State Board of Undertakers providing for employes of the Board requiring applicants for undertakers' license to have a common school education providing for the auditing of its books and the disposition of funds remaining in its treasury

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1047, entitled:

An act authorizing the commissioners of the various counties to appropriate money to volunteer fire companies within their respective counties

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 598, entitled:

An act declaring the construction to be given deeds wills and other instruments in writing which real and personal property is donated granted devised or bequeathed either directly or in trust for the benefit of one or more persons for years or for life or upon condition with remainder over to the heirs or next of kin or to the persons thereunto entitled under the intestate laws or other similar or equivalent phrase

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 135, entitled:

An act regulating the hours of labor of policeman in cities of the third class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 898, entitled:

An act to amend route number sixty-three of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistant and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputy and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring borough and incorporated towns to maintain certain State highways wholly and in part requiring the State highway Commissioner to make

maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or reapirs to be paid by State county township borough incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1217, entiled

An act to amend Route number ninety-three of section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State Highway solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense or improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county borough or incorporated town petitions providing for contracts townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of material to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating of certain acts relating to Highway Department and improvement of roads an of all acts or parts of acts inconsisent herewith and providing that existing contracts are not effected by provisions of this act"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1103, entitled

An act to amend an act approved June twentieth one thousand nine hundred and nineteen (Pamphlet Laws five hundred twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decendent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decendent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 534, entitled

An Act to amend route number ninety-one of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to the complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repair to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and

improvement of roads and all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 696, entitled

An Act providing for the maintenance by the Commonwealth of State-aid roads and highways in townships of the second class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1203, entitled

An Act providing a method through which the Commonwealth may co-operate with individuals in building fences to protect farm crops and fruit orchards against damage from wild deer and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 117, entitled:

An Act to amend section twenty-three as amended and section twenty-six of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" relating to watchers at elections by abolishing the office of watchers at elections and changing the method of furnishing assistance to voters providing a penalty for violation thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 939, entitled:

An Act providing for the payment of certain claims for damages done to livestock poultry or bees by bear providing a method for the ascertainment of such damage and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 607, entitled:

A Joint Resolution proposing an amendment to section fifteen of Article five of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1125, entitled:

An act to amend sections seven twenty-six twenty-nine and thirty-two of an act approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and forty-two) entitled "An act to amend revise and consolidate the law relating to the State Library and Museum including the law relating to the Free Library Commission and the Division of Public Records abolishing the Board of Trustees of the State Library the Advisory Commission of Public Records and the Free Library Commission and repealing existing laws in relation thereto" fixing fees for certain services and making an appropriation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

The House proceeded to the first reading and consideration of House Bill No. 120, entitled:

An Act providing that at the close of each general municipal primary and special election the contents of the ballot box in each district shall be deposited as a court with the prothonotary of the county and providing for its preservation and inspection and repealing acts inconsistent therewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1159, entitled:

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken regulating the certificate of such titles the purchase sale and transfer of motor vehicles and their registration providing for the collection of fees for the certification of titles and for disposition thereof forbidding the destruction removal alteration covering or defacement of any engine manufacturer's or other distinguishing number or identification mark on motor vehicles and providing for the assignment of special numbers in certain cases imposing duties on the State Highway Commissioner sheriffs constables police officers and other peace officers and providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1345, entitled:

An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital and to provide for the regulation and management thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 974, entitled:

An Act to amend section two of the act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred eighty-nine) entitled "An Act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" authorizing the Bureau of Standards to pass upon types of bottles cans jars or cartons and fixing standards thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 818, entitled:

An Act to amend an act approved the twentieth day of July one thousand nine hundred and seventeen (Pamphlet

Laws one thousand one hundred forty-three) entitled "An Act relating to free public non-sectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public non-sectarian libraries as may have been already established by the several counties cities boroughs towns townships and providing that all library property and all gifts devices grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relating to the above subjects"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 378 entitled

An act to amend route number one hundred eleven as amended and route one hundred twelve of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highways Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligations and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 941, entitled:

An Act providing for the payment by counties of expenses incurred by district attorneys

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1358, entitled:

An Act to amend the twelfth clause of section three hundred and eighty-one chapter seven of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 933, entitled:

An Act authorizing county commissioners to appropriate money from the funds of the county to aid in the planting of trees and the establishment of tree nurseries in aid of the reforestration of wood lots of farms or any other lands denuded of timber trees which it is desired to reforest

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1334, entitled:

An Act to amend section one of an act approved this seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty-two) entitled "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1389, (Senate Bill No. 457), entitled:

An Act to amend section twenty-two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" authorizing the Governor to confer brevet rank upon certain officers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1398, (Senate Bill No. 432), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 863, (Senate Bill No. 84), entitled:

An Act relating to the acquisition of land for park purposes by any city in this Commonwealth in sections not entirely built up limiting time for condemnation by councils or condemnation or purchase by park commissioners after same has been placed on city plan for park purposes by ordinance of councils or action of park commissioners and providing for removal from city plan upon failure to condemn or purchase within the time specified

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1400, (Senate Bill No. 513), entitled:

An Act to amend section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and twelve) entitled "An Act to regulate the drilling operating and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1380, (Senate Bill No. 422), entitled:

An Act fixing the compensation of jury commissioners in counties of the seventh class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 793, as follows:

An Act to amend section seven of the act approved the twenty-second day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred and sixty-one) entitled "An act for the protection of shad and game fish in the river Delaware"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of the act approved the twenty-second day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred and sixty-one) entitled "An act for the protection of shad and game fish in the river Delaware" is hereby amended to read as follows

Section 7 No person shall catch or kill in the Delaware river any black bass less than ten inches in size or wall-eyed pike less than twelve inches in length or any rock bass under six inches in length but should any such fish be taken of a less size than the above it shall be the duty of any one taking or capturing the same to return the fish immediately to the water from whence taken Any violation of this law shall subject the offender to a penalty of ten dollars and costs for each and every fish so caught and not returned to the water

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120.

Albert,	Gelder,	Mack,	Sautter,
Allman,	Gibbon,	Marcus, J.,	Schleiter,
Armstrong,	Gilchrist,	Marcus, J. C.,	Schwartz,
Arthur,	Goss,	Marshall, W. F.	Sheridan,
Beaver,	Griffith,	Mathay,	Smith, G. A.,
Behney,	Grimes,	McBride,	Smith, H. J.,
Bell, F. A.,	Gundy,	McClure,	Smith, H.,
Bell, W. T.,	Haas,	McCurdy,	Smith, J. W.,
Bentley,	Hall,	McDermott,	Sowers,
Berger,	Haslett,	McKim,	Speiser,
Blair,	Haws,	Metcalf,	Stark,
Brenneman,	Heffernan,	Millar,	Staudenmeier,
Brewster,	Heffran,	Miller,	Stevens, A. J.,
Brown,	Henderson,	Minehart,	Stoner,
Brownmiller,	Hetrick,	Moore,	Storb,
Bush,	Himes,	Morrison,	Storer,
Chaplin,	Holcombe,	Myers, G. C.,	Thomas, L. D.,
Clutton,	Hontz,	Myers, P. M.,	Thomas, M. G.,
Coldsmith,	Hoover,	Ogle,	Thompson,
Craig,	Huber,	Parkinson,	Walker,
Diehm,	Irvin,	Patterson,	Weamer,
Donahue	Keene,	Peelor,	Wells,
Driggs,	Kelly,	Perry,	Wheeler,
Eaches,	Kennedy,	Pitts,	Whitehouse,
Earley,	Kunkle,	Post,	Whiteman,
Evans, B. P.,	Labar,	Price,	Williams, J. M.,
Flinchbaugh,	Lauver,	Raymond,	Wood, N.,
Fowler, D.,	Little,	Rhodes,	Wood, W. P.,
Fratt,	Long,	Richards,	Zook,
Frazier,	Lucas,	Rinn,	Goodnough,
Gallaher,	Ludlow,	Rippman,	Speaker.
		Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 978, as follows:

An Act to amend section one hundred and ninety-six as amended section one hundred and ninety-seven as amended section one hundred and ninety-eight section four hundred and twenty-seven section four hundred and thirty-four as amended and section one thousand and forty of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and ninety-six of the approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" which was amended by the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred sixty-four) entitled "An Act to amend the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled 'An Act concerning townships and revising amending and consolidating the law relating thereto'" is hereby further amended to read as follows

Section 196 The supervisors of townships of the second class commissioners of townships of the first class the auditors of townships of the first and second class and the secretary of the board of townships supervisors or commissioners when not a member of the board shall attend such conventions whenever possible Each township supervisor or commissioner or auditor and secretary attending such convention shall receive a certificate signed by the presiding officer and acting secretary of the convention attesting his presence at the convention Such certificate shall entitle him to collect from the treasurer of the board of supervisors or commissioners the sum of three dollars per day for each day's attendance and mileage at the rate of four cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held No township supervisor or commissioner or auditor or secretary shall be paid for more than two days' attendance in any one year

Section 2 That section one hundred and ninety-seven of said act which was amended by said act approved the sixteenth day of May one thousand nine hundred and twen-

ty-one (Pamphlet Laws five hundred sixty-four) is hereby further amended to read as follows

Section 197 The officers of the association shall consist of a president two vice presidents a secretary and a treasurer all of whom except the secretary shall be members of the associations and shall hold office for one year or until their successors are chosen If desirable the secretary may be a person not a regular member of the association and may be paid for his services such compensation not exceeding ten dollars per annum as the other officers may determine Every township supervisor commissioner and auditor attending such convention may vote in the election of officers The Mayor of any city the burgess of any borough or their duly appointed representative the county commissioners and the judges of the court in the county the township commissioner of the State Highway Department the assistant engineers of the division of township highways and the superintendent of State Highways in charge of such county shall be eligible to membership and to hold office but shall not be entitled to vote

Section 3 That section one hundred and ninety-eight of said act is hereby amended to read as follows

Section 198 The county treasurer shall pay to the treasurer of such association from the county funds the necessary expenses incurred for the holding of such annual or semi-annual convention including the necessary expenses of the secretary The total sum thus paid by the treasurer of any county shall not exceed one hundred and twenty-five dollars a year No payment shall be made to the treasurer of such association until he has presented to the county treasurer an itemized statement of such expenses verified by affidavit

Within thirty days after every such convention the treasurer of such association shall file with the county treasurer an itemized statement under oath showing when and where such convention was held the number of township supervisors commissioners auditors and township secretaries present and all the expenses connected with such convention together with proper vouchers for all such expenses

Section 4 That section four hundred and twenty-seven of said act is hereby amended to read as follows

Section 427 The compensation of the tax collector shall be two per centum on all general road taxes collected during the period a discount is allowed and five per centum on all such taxes collected thereafter For the collection of special road taxes and all township taxes other than general road taxes his compensation shall be five per centum of the amount collected

Section 5 That section four hundred and thirty-four of said act which was amended my the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred sixty-four) is hereby further amended to read as follows

Section 434 Rewards shall be granted by the Commonwealth for improvements only of the character herein set forth namely (a) For grading and draining a section of road not less than one-fourth mile in length (b) for graveling or cindering or using other approved materials on a graded and drained road not less than one-fourth mile in length (c) for constructing a road with broken stone base and broken stone slag gravel cinders or other approved material top not less than one-fourth mile in length (d) for macadamizing a road or for constructing a Telford macadam road of not less than one-fourth mile in length (e) for constructing a concrete brick or bituminous surface road of not less than one-fourth mile in length (f) for the erection and construction of bridges of three feet or more span constructed of concrete or stone or a combination of concrete and stone or a steel bridge with a floor constructed of a material approved by the State Highway Department (g) for the purchase and installation of culvert and drainpipes

Whenever any improvements of the character mentioned in this section have been completed by any township of the second class the State will pay as a reward the following sums namely One For roads of the character set forth in subdivision (a) fifty per centum of the cost of making such improvement not to exceed six hundred dollars per mile Two For roads of the character set forth in subdivision (b) fifty per centum of the cost of making such improvement not to exceed one thousand five hundred dollars per mile Three For roads of the character set forth in subdivision (c) fifty per centum of the cost of making such improvement not to exceed three thousand dollars per mile Four For roads of the character set forth in subdivision (d) fifty per centum of the cost of making such improvement not to exceed four thousand dollars per mile Five For roads of the character set forth in subdivision (e) fifty per centum of the cost of making such improvement not to exceed six thousand dollars per mile Six For bridges constructed under subdivision (f) fifty per centum of the contract price and not in any case to exceed fifty per centum of the actual cost of said bridge when constructed by the supervisors Seven For the purchase and installation of culvert and drain-pipes under subdivision (g) fifty per centum of the purchase price of said culvert or drain pipes when the said pipes have been placed but no payment shall be made under this provision for culverts and drain-pipes installed in grading and draining a section of road for which payments are made under clause one

The aforesaid rewards shall be based upon roads the improvement of which shall be of a width of not less than sixteen feet and corresponding reduction or addition in the amount of reward shall be made as the width of the improved road is reducted or increased but no reward shall be paid for the improvement of any road of less width than twelve feet

Section 6 That section ten hundred and forty of said act is hereby amended to read as follows

Section 1040 The supervisors of any township of the second class upon the request of any land owner whose land fronts upon a public highway within such township may establish the width and location for a sidewalk along each side of said highway along the lands of such owner The width of the walk on each side of said highway shall not be less than six feet for roads fifty feet in width or less and for roads over fifty feet in width shall be ten feet in width When said sidewalks are so established such land owner shall pay for and keep the same in repair

In case the street or highway is a turn-pike or other road managed and controlled by a corporation incorporated under the laws of this Commonwealth or a State highway or a county road the written consent of the corporation managing and controlling the same the State Highway Commissioner or the county commissioners as the case may be shall first be obtained

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. DIEHM. Mr. Speaker, I move that House Bill No. 978, file folio 3987 be placed upon the postponed calendar.

Mr. HASLETT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1337, entitled:

An Act providing a method for deciding a tie vote in borough councils

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118

Albert,	Gilchrist,	Mathay,	Sautter,
Alexander,	Goss,	McBride,	Schleiter,
Arthur,	Griffith,	McCaig,	Schwartz,
Beaver,	Grimes,	McClure,	Shambach,
Bell, W. T.,	Gundy,	McCurdy,	Sheridan,
Bentley,	Haws,	McDermott,	Smith, G. A.,
Berger,	Heffernan,	McKim,	Smith, H. J.,
Blair,	Heffran,	McVicar,	Smith, H.,
Brenneman,	Henderson,	Metcalf,	Smith, J. W.,
Brewster,	Hetrick,	Millar,	Staudenmeier,
Bromley,	Heyburn,	Miller,	Stevens, A. J.,
Brown,	Himes,	Minehart,	Stoner,
Brownmiller,	Holcombe,	Moffat,	Storb,

Burchinal,	Hontz,	Moore,	Storer,
Burns,	Hoover,	Morrison,	Thomas, L. D.,
Bush,	Horne,	Myers, G. C.,	Thomas, M. G.,
Chaplin,	Huber,	Myers, P. M.,	Thompson,
Clutton,	Irvin,	Ogle,	Van Alen,
Idsmith,	Jones, C. B.,	Orr,	Walker,
Craig,	Jones, D. J.,	Parkinson,	Weamer,
Diehm,	Kelly,	Patterson,	Wheeler,
Donahue,	Kennedy,	Peelor,	Whiteman,
Driggs,	Kunkle,	Perry,	Williams, J. M.,
Eaches,	Labar,	Posey,	Wood, N.,
Earley,	Lauver,	Post,	Wood, W. P.,
Evans, B. P.,	Little,	Price,	Wright,
Flinchbaugh,	Long,	Raymond,	Zook,
Fowler, D.,	Lucas,	Rhodes,	Goodnough,
Fratt,	Ludlow,	Richards,	Speaker.
Gibbon,	Marshall,	W. F. Sample,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 531, entitled:

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class, for the establishment of lines and grades for, and the grading, paving or repaving of said alleys, and the grading of private alleys hereafter laid out, and for apportioning the cost and for the filing of liens therefor.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. FRATT. Mr. Speaker, in the absence of the sponsor of this bill, I move that House Bill No. 531, file folio 3119, be placed upon the postponed calendar.

Mr. ORR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 979, entitled:

An Act to amend section two of an act approved the fifth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, three hundred ninety-seven), entitled, "An Act authorizing a State association of township supervisors and township commissioners, and providing for the payment of the expenses thereof by the respective counties."

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. DIEHM. Mr. Speaker, I move that House Bill No. 979, file folio 3125, be placed upon the postponed calendar.

Mr. GELDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1274, entitled:

An Act to a supplement an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Law four hundred and seventy) entitled "An act providing a system of management and control of the jail or county prison in each county of the fifth class providing for a warden defining his powers and duties providing for other employes and salaries and describing the duties and powers of the county commissioners and the sheriff in connection therewith" authorizing the county commissioners of said counties to use or to contract with townships boroughs and cities for the use by them of prison labor in the construction maintenance and repair of roads streets highways bridges and culverts and to prepare furnish and transport material for the same and to require male prisoners to perform labor for said purposes and providing for the compensation of prisoners performing such labor and the application thereof limiting the liability of the counties for injuries received by prisoners employed and providing penalties for escape or attempt to escape by prisoners

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners in each of the counties of the fifth class of this Commonwealth to which the act entitled "An act providing a system of management and control of the jail or county prison in each county of the fifth class providing for a warden defining his powers and duties providing for other employes and salaries and describing the duties and powers of the county commissioners and the sheriff in connection therewith" approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy) applies may use or may contract with the commissioners or supervisors of the various townships and with the councils of the boroughs and cities within their respective counties for the use of prison labor in the construction maintenance and repair of roads streets and highways and bridges and culverts on roads streets and highways within the respective counties and prepare furnish or transport with prison labor materials for use in the construction maintenance or repair of said roads streets highways bridges or culverts and furnish prison labor for the construction maintenance and repair of said roads streets or highways and for the preparation and transporting of said materials or for any of said purposes

Section 2 For the purposes of this act the said county commissioners under the rules and regulations to be established under section three of this act may compel all able bodied male prisoners sentenced to imprisonment in the respective jails of said counties to work on said roads streets highways bridges and culverts and at the preparation and transportation of said materials each day of their imprisonment excepting on Sundays and legal holidays outside of the limits of said jails and workhouses and within the respective counties and transport said prisoners to and from their place of employment

Section 3 That before requiring any prisoners to perform any labor as authorized in section one of this act the county commissioners of said counties with the advice and approval of the president judge of the court of quarter sessions of the proper county shall adopt and thereafter from time to time change and modify as may seem proper rules regulating the hours of daily employment which shall not exceed those of other men performing similar work in the same vicinity providing for the feeding care guarding and transportation of prisoners employed as aforesaid the application or payment of the amounts credited to such prisoners for their labor as provided in section four of this act and such other matters as may be deemed effective to secure humane treatment of said prisoners and provide continuous healthful and safe employment for them

Section 4 Each of the prisoners performing labor under the provisions of this act shall be credited with the just fair and full value of his labor and the full amount so credited shall be applied or paid in such order of priority or in such proportions as shall be provided by general rules adopted as provided in section two of this act or in the case of prisoners committed for failure to give surety for the performance of an order for the maintenance of a dependent or dependents or for failure to comply with such order by such special order as the court at any time may make in his case (a) to the payment of the expenses incident to his employment (b) to the costs of the proceeding under which he was sentenced or committed (c) to his maintenance while under sentence of im-

prisonment (d) to the maintenance of his dependents (e) to the payment of his dependents (e) to the payment of any fine imposed in connection with his sentence of imprisonment (f) to the prisoner during his time of imprisonment or upon his discharge

Section 5 The commissioners of said counties may appoint and employ such deputies guards keepers foremen and other officers as may be necessary for the supervision safe-keeping and good conduct of said prisoners while employed without the jails or while going to and from their employment Provided the number of said deputies guards keepers foremen and other officers and their respective wages or salaries shall be approved by the president judge of the court of quarter sessions of the peace of the proper county

Section 6 Every county requiring prioners to perform labor under the provisions of this act shall procure and pay for insurance for the payment of Workmen's Compensation in accordance with the Workmen's Compensation Laws of this Commonwealth relating to other employers of labor and shall not be liable to any prisoner for any injury beyond that which can be covered by said insurance Provided That no prisoner shall receive any compensation for any injury sustained in or by reason of any escape or attempt to escape from his keepers or guards

Section 7 If any prisoner at any time or any where between the time of leaving the jail for the purpose of performing labor under the provisions of this act and at the time of his return to the jail after so leaving it shall make his escape or attempt to escape the prisoner so escaping or attempting to escape shall be deemed and taken to have committed an escape and breach of prison and shall be subject to like penalties as are now provided by law for an escape or breach of prison

Section 8 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—117

Albert,	Goss,	Long,	Schwartz,
Alexander,	Griffith,	Lucas,	Shambach,
Allman,	Grimes,	Ludlow,	Sheridan,
Arthur,	Hall,	Marshall, W. F.,	Smith, G. A.,
Baker,	Haslett,	McBride,	Smith, H. J.,
Beaver,	Haws,	McClure,	Smith, H.,
Bell, W. T.,	Heffernan,	McCurdy,	Smith, J. W.,
Bentley,	Heffran,	Millar,	Sowers,
Berger,	Henderson,	Minehart,	Spangler,
Blair,	Hetrick,	Moffatt,	Sprowls,
Brenneman,	Heyburn,	Moore,	Stark,
Bromley,	Himes,	Munley,	Staudenmeier,
Brown,	Holcombe,	Myers, G. C.,	Stevens, A. J.,
Brownmiller,	Hollis,	Myers, P. M.,	Storb,
Burns,	Hontz,	Ogle,	Storer,
Bush,	Hoover,	Orr,	Thomas, L. D.,
Chaplin,	Horne,	Parkinson,	Thomas, M. G.,
Clutten,	Huber,	Patterson,	Thompson,
Coldsmith,	Irvin,	Peelor,	Walker,
Colville,	Jones, C. B.,	Perry,	Weamer,
Craig,	Jones, D. J.,	Post,	Wheeler,
Diehm,	Jones, E. P.,	Price,	Whiteman,
Driggs,	Keene,	Raymond,	Williams, J. M.,
Earley,	Kelly,	Rhodes,	Wood, N.,
Evans, B. P.,	Kennedy,	Richards,	Wood, W. P.,
Fowler, D.,	Kunkle,	Rinn,	Zook,
Frazier,	Labar,	Rippman,	Goodnough,
Gibbon,	Lauver,	Sample,	Speaker.
Gilchrist,	Little,	Schilling,	
		Schoener,	

NAYS—1

Eaches,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1153, entitled:

An Act to relieve life tenants of land from the payment of taxes on the underlying viens of coal which they have no right to operate and providing that such coal shall be assessed to and the taxes thereon paid by the owner of said viens of coal

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as folows, viz:

YEAS—120.

Alexander,	Gibbon,	Mack,	Smith, G. A.,
Allman,	Golder,	Malie,	Smith, H. J.,
Armstrong,	Goss,	Mangan,	Smith, H.,
Arthur,	Grimes,	Marcus, J. C.,	Smith, J. W.,
Beaver,	Guerin,	Marshall, W. F.,	Sowers,
Bell, F. A.,	Haas,	Mathay,	Spangler,
Bell, W. T.,	Haines,	McBride,	Sprowls,
Bentley,	Harer,	McDermott,	Staudenmeier,
Berger,	Haslett,	McGowan,	Stavitski,
Bidelspacher,	Heffernan,	Metcalf,	Steedle,
Bluett,	Heffran,	Minehart,	Sterling,
Brenneman,	Hetrick,	Morrison,	Stoner,
Bromley,	Heyburn,	Myers, G. C.,	Storer,
Brown,	Holcombe,	Nolte,	Thomas, L. D.,
Brownmiller,	Hollis,	O'Boyle,	Thomas, M. G.,
Burns,	Hoover,	Ogle,	Thompson,
Bush,	Horne,	Patterson,	Van Alen,
Chaplin,	Huber,	Peelor,	Walker,
Coldsmith,	Irvin,	Posey,	Wells,
Colville,	Jones, C. B.,	Post,	Wheeler,
Coyne,	Jones, D. J.,	Raymond,	Whitehouse,
Craig,	Jones, E. P.,	Rhodes,	Whiteman,
Diehm,	Keene,	Richards,	Woner,
Driggs,	Kelly,	Rinn,	Wood, W. P.,
Eaches,	Kohler,	Rippman,	Wright,
Earley,	Kunkle,	Sample,	Zook,
Evans, B. F.,	Lafferty,	Sautter,	Goodnough,
Fields,	Little,	Schilling,	Speaker.
Flynn,	Long,	Schoener,	
Fowler, A. I.,	Lucas,	Schwartz,	
Gallaher,	Ludlow,	Shambach,	

NAY—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1360, as follows:

An Act to amend section six of the act approved the nineteenth day of June one thousand nine hundred anl eleven (Pamphlet Laws one thousand fifty-five) entitled "An act authorizing the release on probation of certain convits instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries"

Section 1 be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-five) entitled "An act authorizing the release on probation of certain convicts instead or imposing sentences the appointment of probation and parole officers and the payment of their salaries and

expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" is hereby amended to read as follows

Section 6 Whenever any person convicted in any court of this Commonwealth of any crime punishable by imprisonment in a State penitentiary shall be sentenced to imprisonment therefor in any penitentiary or other institution of (the) this State or in any county or municipal institution the court instead of pronouncing upon such convict a definite or fixed term of imprisonment shall pronounce upon such convict a sentence of imprisonment for an indefinite term stating in such sentence the miuimum and maximum limits thereof and the maximum limit shall never exceed the maximum time now or hereafter prescribed as a penalty for such offense and the minimum limit shall never exceed one-fourth of the maximum sentence prescribed by any court

Provided That if it appear that any person so convicted in any court of this Commonwealth of any crime other than murder has never before been convicted of a crime punishable by imprisonment in a State penitentiary no minimum limit shall be fixed and the maximum shall not exceed the longest period fixed by law as the maximum penalty for the offense of which such person has been convicted

And provided further That any convict in any penitentiary or other institution of this Commonwealth or in any county or municipal institution who is now serving under any sentence or sentences imposed after the thirtieth day of June one thousand nine hundred and eleven may when he or she shall have served one-fourth of such maximum sentence or sentences or being a person convicted of any crime other than murder who has never before been convicted of a crime punishable by imprisonment in a State penitentiary at any time after his commitment be eligible for parole under the provisions and subject to the conditions of the act to which this is an amendment

Provided further That nothing herein contained shall be construed to derogate from the power of the judges of the courts of quarter sessions and of the courts of oyer and terminer or other court of record having jurisdiction of the several judicial districts of the Commonwealth after due injury to release on parole any convict confined in the county jail or workhouse or their respective districts as provided in section one of an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-nine) entitled "An act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole" and

Provided further That no person sentenced for an indeterminate term shall be enntitled to any benefits under the act entitled "An act providing for the commutation of sentences for good behavior of convicts in prisons penitentiaries workhouses and county jails in this State and regulations governing the same" approved the eleventh day of May Anno Domini one thousand nine hundred and one

On the question,

Will the House agree to the bill on third reading?

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend Section 1, Page 3, line 25, by inserting after the word "jail" the words "house of correction"

Also, page 4, line 3, after the word "parole" insert the words "its amendments and supplements"

Amend Section 6, page 3, line 24, by striking out the word "injury" and inserting in lieu thereof the word "inquiry"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1259, entitled:

An Act providing that certain election to take under or against the will of decedents heretofore required to be filed by surviving husbands or wives shall be presumed to have been made to take under said will

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. SPANGLER. Mr. Speaker, there seems to be some mistake in the printing of the file folio of House Bill No. 1259, and for that reason I ask that the bill be placed upon the postponed calendar.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 333, entitled:

An Act authorizing the State Highway Department, the Public Service Commission, counties, cities, boroughs, townships and railroad and railway corporations to purchase or condemn by the right of eminent domain free and unobstructed view over and across lands at certain highway, railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of said highways, railroads and highways; and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—114.

Alexander,	Frazier,	Lauver,	Rinn,
Allman,	Gallaher,	Little,	Rippman,
Armstrong,	Gelder,	Long,	Sample,
Arthur,	Gibbon,	Lucas,	Sautter,
Baker,	Goss	Ludlow,	Schwartz,
Beaver,	Griffith,	Mack,	Shambach,
Behney,	Hall,	Marcus, J.	Sheridan,
Bell, W. T.,	Haslett,	Marshall, W. F.,	Smith, G. A.,
Bentley,	Haws,	McCurdy,	Smith, H.,
Bidelspacher,	Heffernan,	McDermott,	Smith, J. W.,
Blair,	Heffran,	McKim,	Sowers,
Brenneman,	Henderson,	Minehart,	Staudenmeier,
Brewster,	Hetrick,	Moffatt,	Stevens, A. J.,
Brownmiller,	Himes,	Moore,	Stoner,
Burns,	Holcombe,	Munley,	Storb,
Chaplin,	Hollis,	Myers, P. M.,	Thomas, L. D.,
Clutton,	Hontz,	Ogle,	Thomas, M. G.,
Coldsmith,	Hoover,	Parkinson,	Thompson,
Colville,	Horne,	Patterson,	Walker,
Craig,	Huber,	Peelor,	Wells,
Diehm,	Irvin,	Perry,	Whiteman,
Driggs,	Jones, C. B.,	Pitts,	Williams, J. M.,
Eaches,	Jones, D. J.,	Posey,	Wood, W. P.,
Earley,	Keene,	Post,	Wright,
Evans, B. P.,	Kelly,	Price,	Zook,
Flinchbaugh,	Kennedy,	Raymond,	Goodnough,
Fowler, A. I.,	Kunkle,	Rhodes,	Speaker.
Fowler, D.,	Labar,	Richards,	

NAYS—6.

Albert,	Donahue	Myers, G. C.,	Wheeler,
Brown,	Miller.		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1305, as follows:

An Act to confer upon the Courts Sessions of the severeal Counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds which have or shall become unsightly and unsuitable places for interment

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any private burial ground by reason of the drilling of oil wells or the opening of mines or quarries in the vicinity thereof or from any other cause has become or shall hereafter become unsightly and an unsuitable place for the repose of the dead the Court of Quarter Sessions of the County in which such burial ground is situated on petition of the trustee or trustees having charge thereof or of any person having a relative buried therein shall have jurisdiction and power to authorize and direct the removal of the remains of all dead from such private burial ground to such other suitable ground as shall be provided by the petitioner or petitioners for the reinterment of the bodies Notice of the presentation of a petition for any such order or removal and reinterment shall be given by advertisement once a week for a period of three (3) weeks in at least one newspaper of general circulation published in the County and in such other manner as the Court may direct

The second section was read and agreed to as follows:

Section 2 Such removal and reinterment shall be made by the petitioners in a careful manner at their own expense to another suitable burial ground provided by them or if desired by the relatives or friends of such dead to some properly regulated burial ground or cemetery in the immediate vicinity and said Court may enforce by proper process orders and decrees made under this act Provided however That before the removal of the remains of the dead notice of such removal shall be given by advertisement once a week for two successive weeks in two daily newspapers of the County wherein such burial ground is situated And provided further That relatives and friends of such dead shall have the right to remove the remains at their own expense at any time during the proceedings before actual removal under order of Court And further provided That all bodies when so removed shall be placed in separate caskets and graves and the headstones monuments or other marks placed over the remains of said bodies shall be taken by the persons authorized to make such removal and placed as near as can be in the same relative position as before removal

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BREWSTER. Mr. Speaker and members of the House, this is a bill which I think should have some consideration on the part of the members of this House. It refers to the burial grounds of our dead. You will notice in this bill that there can be a removal of those bodies for any cause by directions of the Court of Quarter Sessions. I do not like the idea of the desecration of our private burial grounds for any purpose. The purpose of this bill may be all right so far as oil wells are concerned, and mining operations are concerned, but there is a clause in there that appeals to me, that may reach any private burial grounds in this Commonwealth, and some person after we are dead and gone for some selfish purpose may bring up a case before the Court of Quarter Sessions, and have your body and my body removed to some place where we wouldn't want it at all. Now if the clause in the bill which says that were removed I might vote for the bill, but as it stands now I feel it is going to mean such desecration of our private burial grounds that I trust every member of this House will vote against it.

BILL POSTPONED.

Mr. GOSS. Mr. Speaker, in view of the fact that the gentleman from Huntingdon has such decided objections to the bill, and as I only stood sponsor for it out of courtesy to a friend of this House, I move that it be placed upon the postponed calendar.

Mr. SOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 486, as follows:

An Act to amend section two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and eight) entitled "An Act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing" and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and eight) "An Act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing" is hereby amended to read as follows

Section 2 When any public road or highway shall be so closed it shall be the duty of the authorities authorizing the closing to immediately designate or lay out a detour on which they shall erect or cause to be erected and maintained while such detour is in use legible signs at each public road intersection throughout its entire length indicating the direction to the main highway and during the period when such detour is in use it shall be the duty of the authorities closing the main highway to maintain such detour in safe and passable condition and they are hereby authorized to pay for the cost of such maintenance out of such funds as are available for the maintenance of the highways in their charge It shall also be the duty of such authorities to immediately remove all detour signs when the highway originally closed is again opened for traffic

Any person who shall willfully remove or deface or destroy any barricade danger sign detour sign or sign of any other character whatsoever erected or placed under the authority of this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding twenty-five dollars and costs of prosecution and in default of the payment thereof shall be imprisoned one day for each dollar of fine and costs unpaid

All fines collected under the provisions of this act shall be paid by the officer receiving the same to the treasurers of the respective cities boroughs towns or townships in which the offense was committed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Albert,	Fowler, A. I.,	Little,	Schoener,
Alexander,	Fowler, D.,	Long,	Schwartz,
Allman,	Frazier,	Lucas,	Sheridan,
Armstrong,	Gallaher,	Ludlow,	Smith, G. A.,
Arthur,	Gelder,	Mack,	Smith, H. J.,
Baker,	Gibbon,	Malie,	Smith, H.,
Baldi,	Glasgow,	Marcus, J.,	Smith, J. W.,
Beaver,	Golder,	Marshall, J. G.,	Sowers,
Bell, F. A.,	Goss,	Mathay,	Spangler,
Bentley,	Grimes,	McBride,	Sprowls,
Berger,	Guerin,	McCurdy,	Staudenmeier,
Bidelspacher,	Haas,	McDermott,	Steedle,
Blair,	Hall,	Metcalf,	Stevens, A. J.,
Bluett,	Harer,	Minehart,	Stoner,
Brenneman,	Haslett,	Morrison,	Storb,
Brewster,	Haws,	Myers, G. C.,	Storer,
Bromley,	Heffernan,	Myers, P. M.,	Thomas, L. D.,
Brownmiller,	Heffran,	Nolte,	Thomas, M. G.,
Burchinal,	Hetrick,	O'Boyle,	Van Alen,
Burns,	Heyburn,	Orr,	Walker,
Bush,	Holcombe,	Patterson,	Wells,
Chaplin,	Hontz,	Peelor,	Wheeler,
Coldsmith,	Hoover,	Perry,	Whitehouse,
Colville,	Horne,	Posey,	Whiteman,
Craig,	Huber,	Price,	Woner,
Diehm,	Irvin,	Rhodes,	Wright,
Donahue	Jones, C. B.,	Richards,	Zook,
Eaches,	Jones, D. J.,	Rinn,	Goodnough,
Earley,	Keene,	Rippman,	Speaker.
Evans, B. P.,	Kennedy,	Sample,	
Fields,	Kunkle,	Schaeffer,	
Flynn,	Lafferty,	Schilling,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1078, as follows:

An Act to amend section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" providing for re-hearings in cases where licenses have been suspended or revoked and for the reinstatement of licensees in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" which was amended by the act approved the twenty-fourth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and seventy-one) entitled "An Act to further amend an act approved the third day of June one thousand nine hundred and eleven entitled 'An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts and parts of acts inconsistent therewith' as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled 'An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith 'approved the third day of June one thousand nine hundred and eleven' by providing for further instruction prior to examination for licensure by clarifying sections five (5) and twelve (12)" and the act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and fifty-eight) entitled "An act to further amend an act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred thirty-nine) the title of which as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws twelve hundred twenty) reads 'Relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith' by amending sections three (3) and four (4) and five (5) and six (6) and twelve (12) by providing certain equivalents for preliminary education by omitting certain required published notices by reconstituting a quorum by omitting second year examinations by recasting and extending terms on which reciprocity may be established and by clarifying the several sections" is hereby further amended to read as follows

Section 12 The Bureau of Medical Education and Licensure shall refuse to grant a license to practice medicine and surgery to an applicant upon the presentation to said Bureau of Medical Education and Licensure of a court record showing the conviction in due course of law of said persons for producing or aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever and further the Bureau of Medical Education and Licensure upon such evidence and proof shall cause the name of any physician licensed to practice medicine and surgery in the Commonwealth of Pennsylvania to be removed from the record in the office of the Superintendent of Public Instruction

The Bureau of Medical Education and Licensure may refuse revoke or suspend for a definite or indefinite time the right to practice medicine and surgery in this State for any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance or any condition which impairs intellect and judgment to such an extent as to incapacitate for the performance of professional duties

Any person who is licensed to practice medicine and surgery or any of its branches in the Commonwealth of Pennsylvan or who is an applicant for examination for licensure to practice medicine and surgery in this State against whom

are preferred any of the foregoing charges for causing the revocation or suspension of license or for causing refusal of the right to be examined for licensure shall be furnished by the Bureau of Medical Education and Licensure with a copy of the complaint and shall have a hearing before the Bureau or by attorney and witnesses may be examined by said Bureau respecting the guilt or innocence of said accused

Whenever a revocation or a suspension of a license has heretofore or may hereafter take place for any reason whatsoever the Bureau or a majority thereof in their discretion may grant a hearing in the nature of an appeal from any former action which may have been taken in such and upon such re-hearing a hearing shall be held de novo and hereafter the former action may be modified in part or in whole or rescinded in its entirety and the former licensee whose license was revoked or suspended may be reinstated upon such terms and conditions as may be determined

The revocation or suspension of license of any person licensed to practice medicine and surgery shall be removed when said narcotic or vicious habit hereinbefore specified shall have been adjudged by the said Bureau to be cured or overcome and said suspended licentiate deemed capable of practicing his or her profession In any case where after a suspension or revocation of a license for a period of five years any such former licensee shall show conclusively that he has discontinued the habits or practices which caused the suspension or revocation of his license such former licensee must be reinstated by the bureau Likewise the revocation or suspension of license of any person licensed to practice medicine and surgery shall be removed at such time as the Bureau of Medical Education and Licensure is convinced from the nature of the case causing the revocation or suspension that the case did not in fact involve moral turpitude or that the licentiate whose license has been revoked or suspended has been sufficiently punished and is not likely again to engage in an illegal or improper course of practice Provided however That any action taken in regard to suspension or revocation of license or removal of any suspension or revocation and the reinstatement of any licentiate must be by unanimous vote by the members of the Bureau present at a meeting at which such action is taken except in cases where conclusive proof has been adduced as above provided in which case a majority vote of the whole number shall be sufficient

On the question,
Will the House Agree to the bill on third reading?

BILL POSTPONED.

Mr. LITTLE. Mr. Speaker, in the absence of the sponsor of House Bill No. 1078, file folio 4007, I move that it be placed upon the postponed calendar.

Mr. McKIM. Mr. Speaker, I second the motion.

Agreeably to order,

The motion was agreed to.

BILL ON THIRD READING.

The House proceeded to the third reading and consideration of House Bill No. 1074, entitled:

An Act supplemental to an act entitled "An Act to establish a Bureau of Housing for the sanitary inspection and control of tenement boarding and lodging houses; defining its powers and duties and providing certain penalties: approved July twenty-fourth, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand and fifteen) and providing for the protection of the health safety and welfare of the people of Pennsylvania by establishing regulations for the lighting, ventilation, sanitation, protection, maintenance, erection, alteration, improvement, use and occupancy of dwellings and land appurtenant thereto; defining the classes of dwellings affected; establishing administrative procedure and remedies and prescribing penalties for violation thereof and repealing acts inconsistent herewith.

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. LITTLE. Mr. Speaker, I move that House Bill No. 1074, file folio 3161, be placed upon the postponed calendar.

Mr. McKIM. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 896, as follows:

An Act to ascertain and appoint the fees to be received by the clerk of quarter sessions and oyer and terminer of counties of the third class and fourth class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the fees of the clerk of quarter sessions and oyer and terminer for counties of the third and fourth class in this Commonwealth shall be as follows to wit

Clerk of Quarter Sessions

Venire for and swearing grand jury to be paid by county	90 cts.
Filing and entering if necessary all papers relating to one prosecution where true bills are found including arraignment of defendant entering pleas and stationery	3.00
The same services where bill is returned ignoramus including discharge by proclamation	1.50
Calling recognizance and entry of forfeiture	.50
Taking recognizance in court each person	.75
Respiting or discharging forfeited recognizance and motion therefor	.50
Every motion and rule	.50
Continuance	.25
Entering retraction or pleas or nolle prosequi	1.00
Entering submission and judgment	.60
Swearing jury witnesses constables and entering verdict and judgment	.60
All services in cases of surety of the peace except subpoenas or attachments or for taking recognizances	.75
Process on indictment docket entry and return	1.00
Copy of rule or order of court with certificate and seal	.60
Filing petition and order therefrom	.20
Filing petition for a view or review of a road or bridge and order under seal	.90
Recording return of viewers and confirmation for every eight words	.02
Order to open road under seal	1.50
Certificate of pay of road or bridge viewers to be paid by the county each case	.75
Constables bond filing	.60
Receiving and entering constable returns filing	.60
Filing and recording returns of boroughs and township elections each person elected to be paid by the county	.50
Issuing subpoenas under seal	.30
Each name after the first (subpoena)	.02
Issuing attachment entering motion therefor and return	.40
Copy of record or of any paper filed every four words	.01
Certificate and seal	.30
Every search where no other service is performed to which any fee is attached	1.00
Taxing cost other than the clerk of the sessions	.50
Re-taxing parties bill of cost and making report	.50
Making return to writ of error	1.00
Entering proceedings of Supreme Court	.40
Issuing Supreme or Superior Court record page	.50
Entering appeals from justices aldermen	.80
Certificate of pay of jurors criers and constables paid by the county	1.00
Issuing notices to defaulting jurors each	.25
Issuing fi fa against defaulting jurors	.50

Filing any paper not relating to any suit pending and not hereinbefore provided for	1.00
All proceedings in tavern or eating house licenses except certificate	1.00
All proceedings on peddlers' license	1.00
Every warrant or seizure and proceedings thereon	1.00
Recording tabulating and entering special elections each district	3.00
Recording entering tabulating elections in boroughs and townships	3.00
Filing election expense accounts over fifty dollars	.50
Filing election expense accounts under fifty dollars	.25
All cases of in Re	3.00
Bail piece executing filing and entering record	2.00
Capia non omittas	1.50
Commitment to penitentiary 1.00 Information 1.00	2.00
Commitment to reformatory 1.00 Information 1.00	2.00

Section 2 The fees to be received by the clerk of the court of oyer and terminer shall be as follows

All services performed in any one execution where a bill is found except for subpoenas attachments or witnesses or process on indictment	8.00
When bill is returned ignoramus	2.50

Section 3 The fees for services of the clerks of quarter sessions and oyer and terminer not herein specifically provided shall be the same as for similar services

Section 4 Section four and five of the act approved the second day of April one thousand eight hundred and sixty-eight (Pamphlet Laws three) entitled "An Act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" are hereby repealed in so far as they relate to counties of the third and fourth class

All acts and parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. LORENZO D. THOMAS. Mr. Speaker, I move that this bill, House Bill No. 896, file folio 4015, be placed upon the postponed calendar.

Mr. BEAVER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1165, entitled:

An Act authorizing cities boroughs towns and townships to purchase burial plots for certain deceased service men

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—122.

Albert,	Gelder,	Ludlow,	Schwartz,
Alexander,	Gibbon,	Lynch,	Shambach,
Allman,	Gilchrist,	Mack,	Smith, G. A.,
Armstrong,	Greeby,	Marshall, W. F.,	Smith, H. J.,
Arthur,	Griffith,	Mathay,	Smith, H.,
Beaver,	Grimes,	McBride,	Smith, J. W.,
Behney,	Gundy,	McClure,	Sowers,
Bell, W. T.,	Hall,	McCurdy,	Staudenmeier,
Bentley,	Haslett,	McDermott,	Stevens, A. J.,
Berger,	Heffernan,	Minehart,	Stoner,
Blair,	Heffran,	Moffatt,	Storb,
Brenneman,	Henderson,	Moore,	Storer,
Brewster,	Hetrick,	Morrison,	Thomas, L. D.,
Bromley,	Heyburn,	Munley,	Thomas, M. G.,
Brownmiller,	Himes,	Myers, G. C.,	Thompson,
Burchinal,	Holcombe,	Myers, P. M.,	Vickerman,
Burns,	Hollis,	Ogle,	Walker,
Chaplin,	Hontz,	Orr,	Weamer,
Clutton,	Hoover,	Parkinson,	Wettach,
Coldsmith,	Horne,	Patterson,	Wheeler,
Colville,	Huber,	Peelor,	Whitehouse,
Craig,	Irvin,	Perry,	Williams, G. W.,
Diehm,	Jones, C. B.,	Post,	Williams, J. M.,
Donahue,	Jones, D. J.,	Price,	Wood, N.,
Driggs,	Keene,	Raymond,	Wood, W. P.,
Eaches,	Kelly,	Rhodes,	Wright,
Earley,	Kennedy,	Richards,	Zook,
Eshelman,	Kunkle,	Rinn,	Goodnough,
Evans, B. P.,	Labar,	Rippman,	Speaker.
Flinchbaugh,	Lauver,	Sample,	
Fowler, A. I.,	Long,	Schaeffer,	
Frazier,	Lucas,	Schleiter,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1075, as follows:

An Act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties

ARTICLE I

Short Title Interpretation and Definition

Section 101 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be called and cited as the mental Health Act of one thousand nine hundred and twenty-three

Section 102 Whenever in this act the singular is used the plural shall be included where the masculine gender is used the feminine and neuter shall be included

Section 103 As used in this act

"Department" shall mean the Department of Public Welfare or any other Department to which the powers and duties of the same Department may at any time be transferred by law

"Mental illness" "mental disease" "mental disorder" shall mean an illness which so lessens the capacity of the person to use his customary self-control judgment and discretion in the conduct of his affairs and social relations as to make it necessary or advisable for him to be under treatment care supervision guidance or control The terms shall be construed to include "lunacy" "unsoundness of mind" and "insanity"

"Mental defective" shall mean a person who is not mentally ill but whose mental development is so retarded that he has not acquired enough self-control judgment and discretion to manage himself and his affairs and for whose own welfare or that of others supervision guidance care or control are necessary or advisable The term shall be construed to include "feebleminded" "idiot" "imbecile"

"Inebriate" shall mean a person habitually so addicted to to the use of alcoholic or other intoxicating or narcotic substances as to be unable without help or unwilling to stop the excessive use of such substances The term shall be held to include "dipsomaniac" "habitual drunkard" "person addicted to the use of alcoholic drink or intoxicating drugs" "person so habitually addicted to the use of alcoholic drink absinthe opium morphine chloral or other intoxicating liquor or drug as to be a proper subject for restraint care and treatment in a hospital or asylum" "person habitually so addicted to the use of alcohol or narcotic drugs as to be a proper subject for restraint care and treatment" But for the purposes of this act the term shall mean only those inebriates who except for their inebriaty are of good character and reputation

"Mental patient" shall mean any person who is or is thought to be mentally ill mentally defective epileptic or inebriate or who is or has been an inmate of any hospital school or place for such persons or for whom admission thereto is being sought

"Mental hospital" shall mean any State semi-state or licensed hospital institution school or place public or private for the care of mental patients

"Hospital for mental diseases" shall mean any State semi-state or licensed hospital house or place for the treatment and care of persons mentally ill

"School" shall mean any hospital institution training school school or place public or private for the care education and training of mental defectives or epileptics

"Village" shall be considered and equivalent term with "School"

"Institution" shall mean any incorporated institution public or private established for the care of mental patients

"Place" shall mean any non-incorporated private house or place in which more than one mental patient receives care for compensation

"Trustees" shall mean the person or group of persons organized to manage and be responsible for an institution or place for the care of mental patients and shall include board of trustees managers board of managers directors or board of directors of such institution or place

"Care" shall include reception detention custody care treatment maintenance support segregation education culture training discipline improvement occupation employment "medical and surgical treatment and nursing" food and clothing

"Qualified physician" shall mean a physician who has been resident in this State for at least three years has been licensed to practice medicine in this State and has been in the actual practice of medicine for at least three years or has had at least one year's experience as physician in a hospital for mental patients

"Prison" shall mean any prison jail gaol lock-up penitentiary reformatory or other institution for correction punishment or detention

"Insane criminal" shall mean any person mentally ill who has been convicted on a criminal charge and the period of whose sentence has not expired or who has a criminal tendency

"Criminal tendency" shall mean a tendency to repeat offenses against the law or to perpetrate new offenses as shown by repeated convictions for such offenses a tendency to habitual delinquency

"Transfer" of a mental patient shall mean his removal from one mental hospital to another mental hospital for the same kind of patients without other procedure for admission than those prescribed by the Department

ARTICLE II.

Institutions and Places for Mental Patients

Section 201 Mental patients in the Commonwealth should be cared for

(a) In the following existing State Hospitals Allentown State Homeopathic Hospital State Hospital Farview State Hospital Harrisburg State Hospital Norristown Hospital Warren State Hospital Torrance State Hospital and Warnersville State Hospital

The Laurelton State Village Pennhurst State School and Polk State School

(b) In the Semi-State institution known as Dixmont Hospital

(c) Such Semi-State county municipal incorporated District or private institution or places shall have procured from the Department licenses as provided for in this act provided that the authorities of general hospitals set apart or establish beds wards or departments for the temporary care of mental patients under such conditions as may be approved by the Department but no mental patient shall be admitted for care to any almshouse poorhouse prison or other place except a general hospital unless such almshouse poorhouse prison or other place shall have a license for such purpose from the Department

(2) It shall be unlawful for the persons in charge of any institution or place within the jurisdiction of the Department whether incorporated or non-incorporated except State institutions to care for any mental patients without having obtained from the Department on or before the first day of January one thousand nine hundred and twenty-four an annually thereafter a license authorizing such institutions or place to care for mental patients provided however that any incorporated institution in existence when this act takes effect shall have the right by petition to appeal to the court of Common Pleas of the County in which the institution is situated from the order of the Department refusing to grant licenses to such corporation and thereupon said courts shall determine whether the order of the Department is reasonable and shall either dismiss the petition or make such order governing the act of the Department in the premises as it shall deem wise

ARTICLE III.

Admission and Commitment of Mental Patients

Section 301 Any person thought to be mentally ill may make application in writing to the superintendent or any hospital for mental diseases for admission as a patient to such hospital such application shall be signed by the applicant in the presence of at least one witness

If the said superintendent shall be satisfied after examining the applicant that he is in need of hospital treatment and will be benefited and that the mental condition of the applicant is such as to render him competent to make such application said superintendent may receive and care for the applicant in the hospital

Such patient shall not be detained for more than ten days after he shall have given notice in writing to the superintendent of his desire to leave said hospital but if in the opinion of the superintendent it is inadvisable to discharge such patient the said superintendent shall notify the friends or relatives of the patient or other persons liable for his support

Section 302 Whenever it shall appear that any person is mentally ill or in such condition as to be benefited by or need such care as is required by persons mentally ill the superintendent of any hospital for mental diseases may receive and detain such person on the written application of any relative or friend or the legal guardian of such person or any other responsible citizen and on the certificate of two qualified physicians that said person is mentally ill and is in need of treatment and care in a hospital for mental diseases

The application aforesaid shall be in form prescribed by the Department and shall state the name sex and residence of the patient the opinion that said patient is mentally ill and that care in such a hospital is necessary for his benefit and the facts on which the said opinions are based and such other facts or information as may be required by the Department If the facts called for or any of them are unknown to the applicant or applicants is shall be so stated in the application

In the certificate aforesaid the physicans shall each state his residence that he has resided in this State for at least three years that he has been licensed to practice medicine in this State that he has been in the actual practice of medicine for at least three years or has had at least one year's experience as physician in a hospital for mental patients that he is not related by blood or marriage to the patient or to the applicant or any of the applicants that he is not connected in any way as medical attendant or otherwise with the hospital to which application has been made for the admission of the patient that he has examined the patient with care and diligence within one week and that in his opinion the patient is mentally ill and in need of hospital care He shall further state in said certificate the information relative to the patient given him by others and the facts as to the physical and mental condition and the behavior of the patient which he has himself observed on which he bases his opinion

The aforesaid application and certificate shall be sworn to or affirmed before a judge or magistrate and said judge or magistrate shall certify to the genuineness of the signatures and to the standing and good repute of the signers of the certificate The certificate shall not authorize the admission of the patient unless the patient shall be admitted within two weeks of the date thereof

Section 303 Any person who is mentally ill may be placed and detained in a hospital for mental diseases by order of the court of common pleas of the county in which the said person resides or is or of any law judge of said court upon a sworn or affirmed application by any responsible person addressed to said court or judge which application shall be accompanied by a sworn or affirmed certificate of two qualified physicans Said application and certificate shall conform in all respects to the forms prescribed by the Department and

be executed not more than two weeks before the same are presented to the court or judge Such procedure may be held at any place in the discretion of the court or judge who may or may not in his discretion require the presence before him of the said mental patient

A certified copy of the order of the court or judge and copies of the application and of the certificate shall accompany the patient and be given to the superintendent in charge of the hospital in which the patient is ordered to be placed The said application certificate and order shall be kept on file in a special docket in the court

Such order shall not authorize the admission of the patient unless he shall be admitted to the hospital within two weeks from the date thereof The superintendent of said hospital shall receive the said patient and may detain him therein until said patient shall have recovered or shall be removed according to law

Section 304 Whenever an application shall be made to a court of common pleas or judge thereof for an order for the admission of any person thought to be mentally ill to a hospital for mental diseases the court or judge thereof may in its or his discretion immediately appoint a commission to inquire into and report upon the facts in the case Such commission shall be composed of three persons two of whom shall be qualified physicians and the other a lawyer They shall in their inquisition hear such evidence as may be offered or as they may require relating to the mental condition of the person whose admission to a hospital for mental diseases is sought as well as the statements of such person or his counsel and shall make a report in writing to the court or judge thereof setting forth whether or not they find that the person in question is in fact mentally ill and a proper subject for admission to a hospital for mental diseases and setting forth the facts on which their conclusion is based

If such commission finds that the person in question is mentally ill and is a proper subject for admission to a hospital for mental diseases and the court or judge thereof shall approve the report of the said commission said court or judge shall thereupon order the person to be admitted to and detained in the hospital named in the application The court or judge may or may not in its or his discretion require the presence in court of the person thought to be mentally ill and the procedure may be held in any place in the discretion of the court or judge

If the person thought to be mentally ill shall refuse to submit himself to an examination by the aforesaid commission the court or judge thereof may issue a warrant for the bringing of said person before said commission for examination

Section 305 The superintendent of any hospital for mental diseases may receive in the hospital of which he has charge and detain for temporary care as a patient for a period not to exceed ten days any person who is or is thought to be suffering from mental illness on the written application to said superintendent by the legal guardian or relative or friend of such person which application shall be accompanied by a certificate of at least one licensed physician that immediate temporary care in a hospital for mental diseases is necessary for such person by reason of mental illness

Said application and certificate shall be given to the superintendent or other officer of the hospital at the time of the admission of the patient

If after the admission of such patient the superintendent shall be of the opinion that the patient does not require such temporary care the superintendent shall discharge said patient or shall notify the said guardian relative or friend on whose application the patient was admitted to forthwith remove the patient from the hospital whereupon it shall be the duty of said guardian relative or friend to remove him and said guardian relative or friend shall be liable to the hospital for the expenses incurred including those for care maintenance and removal

If the said superintendent shall be of the opinion that the patient requires further care the said guardian relative or friend shall before the expiration of said period of ten days cause the patient to be duly committed according to law unless said patient shall have signed a request to remain as a voluntary patient or shall have been removed from said hospital

When such patient is so further committed the cost of such commitment shall be considered to include the expenses incident to his admission for temporary care

Section 306 The Superintendent of any hospital for mental diseases may receive and detain as a patient for a period not exceeding ten days any person whose case is certified to be one of violent or dangerous mental illness or of other emergency by two qualified physicians in a certificate similar to the certificate required in section three hundred and two of this act except as to being sworn or affirmed to Upon the request of one of the aforesaid physicians or any relative or friend or of the guardian or committee of said patient a sheriff or constable or police officer shall cause the delivery of said patient to the superintendent of said hospital

The person requesting such admisison shall within ten days after the date of admission apply to the judge of the court of common pleas of the county in which the patient is or resides or was apprehended for the commitment of said patient as mentally ill in accordance with the provisions of section three hundred and three of this act The certificate aforesaid may be used as the certificate of mental illness required in said section If within the said ten days no commitment be made or if the patient does not sign a request to remain in the hospiatl as a voluntary patient or if the patient be not removed the applicant aforesaid shall be liable to the hospital for the expenses incurred which may be recovered by the hospital by suit in assumpsit

Section 307 The guardian committee or any relative or friend of a person thought to be mentally ill may make application to the court of commonn pleas, of the county wherein such person resides or is or to any judge thereof for an order for the commitment of such person to a hospital for mental diseases for observation diagnosis and treatment Such application shall be accompanied by the sworn certificate of two qualified physicians setting forth upon a form prescribed by the Department that such person is in such a condition as to require observation in a hospital for mental diseases and giving the information called for by said form Thereupon or in his own discretion without such application the court or judge if satisfied that the condition of such person is such as to make his commitment desirable for his best interests shall commit him for such period and under such limitations as the court or judge may direct to the institution indicated in the application or to such other like institution as the court or judge may designate

The superintendent or other person in charge of the institution to which the said person is committed shall before the expiration of the period of commitment of the patient make written report of said patient's mental condition to the court or judge making the commitment Thereupon the court or judge if satisfied that the patient is not mentally ill shall order his discharge and that the cost of his transportation commitment care and treatment be paid by the person so committed by the applicant for his commitment or by the poor authorities of the county or poor district in which such person is resident as the court or judge shall deem just and proper otherwise the court or judge shall make such order for the further disposition of the patient as may to him seem proper

Section 308 When any person detained in any prison whether waiting trial or undergoing sentence or detained for any other reason e g as a witness) shall in the opinion of the superintendent jail physician warden or other chief executive officer of the institution or other responsible person be insane or in such condition as to make it necessary that he be cared for in a hospital for mental diseases the said superintendent jail physician warden or other chief responsible officer of the institution or otner person shall immediately make application upon a form prescribed by the Department to a law judge of the court having jurisdiction of the charge against said person or under whose order he is detained for commitment of said person to a proper hospital for mental diseases The said judge shall forthwith order an inquiry by two qualified physicians or by a commission as provided in section three hundred and four of this act who shall immediately examine the said person and make written report of their findings to the said judge If in their opinion the person so detained is insane the physicians shall so state in a certificate conforming to the requirements of section three hundred and two or the commission in a report conforming to the requirements of section three hundred and four of this act They shall also report whether in their opinion such person is of criminal tendency The said judge may in his discretion summon other witnesses and secure further evidence If he is then satisfied that the person thought or alleged to be insane is in fact insane he

shall order the removal of such person to a hospital for mental diseases If the prisoner is a convict serving sentence or if he is of criminal tendency he shall be removed to a State hospital for insane criminals In any other case the judge shall commit him to some other hospital for mental diseases

If the person found to be insane and removed to a hospital is awaiting indictment or trail or has been arraigned or is being tried proceedngs against him shall be stayed until his recovery Upon his recovery he shall be returned to the prison from which he was removed for the disposition of the charges against him upon proper order of the court If he is a convict serving sentence the time during which he is in the hospital shall be computed as part of the term for which he was sentenced

The expense of examination including the fees of physicians or commissioners and all costs incident to such removal and of maintenance in the hospital previous to the expiration of sentence shall be paid by the county liable for the maintenance of the patient in the prison from which he was removed without resource against any poor district

If the sentence of a person committed to a hopital for mental diseases under the provisions of this section shall expire before his recovery he may be transferred by the authority of the Department to any other hospital for care until his recovery when he shall be discharged as in the case of any non-criminal patient If the person found to be insane and removed to a hospital is a convict and recovers before the expiration of his sentence or is found after observation for a sufficient time not to be insane the superintendent or chief officer of the hospital to which said person has been committed shall properly certify such fact to the court which has committed him and he shall be returned upon order of the said court to the prison from which he was removed The expense of removal shall be paid by the county liable for his maintenance in the prison from which he was removed without resource against any poor district

When on the production or appearance of any person charged with criminal offense or on the production or appearance before the court of such person under any other circumstances it shall appear to the court that such person is insane or in such condition as to make it necessary that he be observed or cared for in a hospital for mental diseases proceedings for the commitment of such person to such a hospital shall be had such as are provided for in section three hundred seven or section three hundred three of this act upon application of some person to be designated by the court

When any person charged with any crime or misdemeanor whatever shall be acquitted on the ground of insanity or having been insane at the time the offense was committed the jury shall set out this fact in their verdict and the court or judge before whom such person is tried may thereupon order such person to be committed to a hospital for mental diseases in the manner provided in section three hundred three three hundred four or three hundred seven of this act

Section 309 The superintendent of any State or licensed school for mental defectives may receive and detain any mentally defective person resident of this State under twenty years of age and incapable of being properly educated and trained in the public schools whose condition of mental defect and whose need of and fitness for care in a school for mental defectives shall have been certified to by a qualified physician and whose admission shall be applied for by a parent guardian or relative of such person or by any other responsible person having custody of such mentally defective person or being liable for his support

The said application shall be made on form prescribed by the Department and shall state the name sex age and residence of said mentally defective person and such other facts as may be required by the Department If the facts or any of them are unknown to the applicant it shall be so stated in the application

If the said application is for the admission of a person to a school owned and controlled by the Commonwealth it shall be endorsed by the poor authorities of the county in which the said person resides if there be such authorities in said county otherwise by the directors or overseers of the poor district in which said person resides

But before any person shall be admitted to any school for mental defectives under the provisions of this section the consent of the managers or superintendent thereof to such admission shall have been obtained

The poor authorities of any county or the overseers of the poor district therein in endorsing an application for the admission of a person to said school shall state whether or not such person has an estate of sufficient value or a parent or parents of sufficient financial ability to defray expenses in whole or in part of supporting such person in said school and if there be such means of support in part only then the amount per month which the parents or parent or legal guardian of such person may be able to pay and the person or persons who make the application for such admission shall therein make statement under oath to such means of support Said managers or superintendents in accepting an application for the admission of any person shall fix the amount if any which shall be paid for such support according to the ability of such parents or parent of the person or according to the value of such person's estate if any and shall require payment for such support so far as there may be ability to pay as a condition to the admission or retention of said person Said amount may at any time be changed by said managers or superintendent upon receiving further information concerning such means of support When neither the said person nor his parent or parents are of sufficient financial ability to defray the expenses in whole or in part of his support in said school the ascertainment of the facts shall be as hereinbefore stated and the poor authorities or directors or overseers of the poor endorsing the application shall agree to pay the school for clothing as may be required for the comfort and advantage of said person at an annual rate to be established by the trustees or managers of the school after submission of the same to and approval by the Department All other support at the school shall be provided for by annual appropriations at such per capita rates as shall be appropriated by the General Assembly on the application of the trustees or managers after submission of the same to and approval by the Department

Section 310 The superintendent of any State or licensed school for mental defectives may receive and detain any mentally defective person twenty years of age or who is of such inoffensive habits as to make him a proper subject for classification and discipline in a school for mental defectives the procedure for admitting any such person shall be the same as for the admission of mentally defective persons under the age of twenty years

Section 311 Any person mentally defective may be placed and detained in a proper State or licensed school for mental defectives by order of the court of common pleas or the juvenile court of the county in which such person is or resides upon the sworn or affirmed petition of any parent guardian or other responsible person addressed to the said court praying that the said person may be placed therein the said petition must be accompanied by a sworn or affirmed certificate of a qualified physician that it is his opinion that the said person is mentally defective and a proper subject for commitment to a school for mental defectives in the said certificate the physician shall further state the facts of his own observation and any other information upon which his said opinion is based it shall be in other respects in form similar to that prescribed by the Department for the admission of persons mentally ill to a hospital for mental diseases

The said petition shall be in form prescribed by the Department and shall state the name sex age and residence of the person alleged to be mentally defective the opinion of the petitioner that said person is mentally defective and such other facts as may be required by the Department if the facts or any of them are unknown to the petitioner it shall be so stated in the petition

Thereupon the said court or a judge thereof may in his discretion appoint a day for a hearing of the said petition and if he shall appoint a day for a hearing he shall cause notice thereof to be given to the proper parties in interest and in his discretion he may or may not require the presence of the alleged mentally defective person at said hearing if it shall be made to appear to the said court or judge that the said person is mentally defective and a proper subject for commitment to a school for mental defectives and that the best interests of the said person or the safety and welfare of the public require such commitment the court shall make an order committing such

mentally defective person to the school named in the petition and direct his removal thereto by a proper officer or person but before any person shall be admitted under the provisions of this section to any school for mental defectives the consent of the managers trustees or superintendent thereof to such admission shall have been obtained

At the said hearing the said court or judge shall inquire as to the estate of such mentally defective person and if the same be sufficient for the purpose shall make an order directing the payment therefrom of the cost of clothing and other support of such mentally defective person in said school otherwise that such payment be made by the husband or parent of such mentally defective person if it appear that the circumstances of such husband or parent are such as to make such an order proper and advisable Where the estate of said mentally defectives person is insufficient and the circumstances of said husband or parent are not such as to warrant such an order for the payment of clothing and other support or either of them the expenses of clothing of said mentally defective person shall be paid for by the said county in which such mentally defective person resides and all other support shall be provided for by the Commonwealth at such per capita rates as shall be appropriated by the Legislature on the application of the trustees or managers of the said school after submission of the same to and approval by the Department

When any mentally defective person shall have been committed to any school under the provisions of this section by a juvenile court the managers or superintendent of said school have authority to detain such person after he shall have reached the age of twenty-one years and thereafter in the discretion of said managers or superintendent such person may be discharged or allowed a leave of absence upon order of the court of common pleas or a judge thereof of the county in which the said commitment was made

Section 312 Any person under twenty-one years of age suffering from epilepsy may be admitted to and detained in any institution or place for the care of epileptics upon the written application to the superintendent of such institution or place by the parent guardian or other person liable for the support of such epileptic person and any epileptic person twenty-one years of age or over may be admitted upon his own written application signed in the presence of at least one witness if his mental condition is such as to render him in the opinion of the superintendent or attending physician of such institution or place competent to make such application

No epileptic person admitted upon such written application of parent guardian or other person shall be detained more than ten days after said parent guardian or other person shall have given notice to the said superintendent of his desire or intention to remove such epileptic person and no epileptic person admitted upon his own written request shall be detained more than ten days after he shall have given written notice to the said superintendent of his desire or intention to leave

Section 313 Persons suffering from epilepsy may be admitted to and detained in any institution or place for epileptics or which receives epileptics for care by any of the procedure provided for the admission of mental defectives to schools for mental defectives except that in such cases the application of petition and certificate therein required shall state that the person desired to be admitted is an epileptic and is a fit subject for care in a hospital or institution for epileptics

Section 314 Any person who by reason of epilepsy is dangerous to himself or others may be committed to a hospital for mental diseases or to a State institution for epileptics by the order of the court of common pleas of the county in which such person is or resides or by any law judge thereof in accordance with the procedure provided for the commitment by court or judge of a person mentally ill to a hospital for mental diseases as provided in section three hundred and three of this act except that the application and certificate of physician therein required shall state that the person for whose commitment application is made is an epileptic and by reason of epilepsy is dangerous to himself or others

Section 315 Any inebriate who except for his inebriety is of good character and reputation may be admitted to and detained in any State or licensed hospital for mental diseases or to the psychopatic department or ward of any general hospital maintaining such department or ward by the same procedure as in the case of the voluntary admission of a person thought to be mentally ill as provided in section three hundred and one of this act

He shall not be detained therein for more than ten days after he shall have given written notice to the superintendent thereof of his desire or intention to leave

Section 316 Any inebriate who except for his inebriety is of good character and reputation and who is a proper subject for care in a State or licensed hospital or institution for inebriates or for mental diseases may be placed and detained in such institution by order of the court of common pleas of the county in which such person is or resides upon petition under oath or affirmation of at least two citizens who shall be either the wife husband parent child committee of the estate of an inebriate or next friends of such person praying for the commitment of such person to a proper hospital or institution for detention care and treatment

Said petition shall state the opinion of the petitioners that the said person is an inebriate within the scope of this act and is a fit subject for detention care and treatment in such hospital or institution and shall set forth the facts on which said opinion is based said petition shall be accompanied by the sworn or affirmed certificate of two qualified physicians based on careful examination by them of the alleged inebriate setting forth the condition of such person their opinion that said person is an inebriate and a fit subject for the detention care and treatment and stating the facts of their own observation and the information given them by others on which said opinion is based

Upon such petition and certificate the said court shall issue its warrant requiring the said inebriate on a day fixed to be brought in court for a hearing If after such hearing the court is satisfied that the alleged inebriate is a proper subject for detention care and treatment the court shall commit said inebriate to the hospital or institution in the petition or other appropriate hospital or institution But before such commitment shall be made the consent of the superintendent thereof to such admission shall have been obtained When so committed the said inebriate shall remain in such hospital or institution until the board of managers or trustees or the superintendent thereof shall certify to the said court that detention care and treatment are no longer benefical or necessary to the inebriate or that he is cured whereupon the court shall order the inebriate to be discharged under such supervision and restriction as the court may impose But no person shall be detained under the provisions of this act for a period of more than one year

Section 317 All commitments under this act shall be revisable under writ of habeas corpus which may be sued out at any time by any person restrained hereby or by any one acting for or on behalf of such person Provided That superintendents and other officers of institutions are not to be held personally liable for the detention of patients when such patients received placed and detained in such institution in compliance with the provisions of this act

ARTICLE IV

Transfer Discharge Leave of Absence Escape Interstate Rendition and Deportation of Mental Patients

Section 401 The Department is hereby authorized and empowered in its discretion and for any reason which to it may seem sufficient to transfer or cause to be transferred any patient from any mental hospital to which such patient has been admitted under any of the provisions of this act to any other like hospital within this Commonwealth but no such transfer shall be made to or from a private hospital except upon the joint application of the superintendent or manager thereof and of the legal or natural guardian or other person liable for the support of the patient and no patient under sentence by any court or committed by any court after having been charged with any crime and acquitted on the ground of insanity may be transferred without an order of such court authorizing such transfer Provided That any voluntary patient may be transferred only if such patient or the person who made the application for such patient's admission has consented in writing to such transfer

Whenever any patient not a convict who has been committed by order of a court is transferred the order of commitment shall be held to apply to the hospital to which such patient is transferred as though said hospital had been the one to which the said order of commitment had originally been made

Section 402 Whenever any patient shall be transferred under the provisions of this article certified copies of the application of the certificate of physicians or report of commission and of the order of court or such of them as there may be and the order of the Department authorizing the transfer shall accompany the patient to the hospital to which he is transferred together with a copy of all clinical records or a full abstract thereof containing all essential particulars including results of mental and physical examinations and laboratory tests relating to such patient

Section 403 Whenever the superintendent of anymental hospital shall find that any patient therein needs care in a mental hospital for patients of a different kind such superintendent shall report the facts relative to such patient to the Department Thereupon the said Department may order that application be made for the admission of such patient to any proper mental hospital by any of the procedures prescribed by law for admission of patients to such hospital

Section 404 The Board of Trustees of any mental hospital and the superintendent thereof when given general or special authority therefor by such Board of Trustees or the person in charge if there be no Board of trustees shall have the power and authority to discharge any patient from such hospital if in their or his opinion no harm will arise from such action but no insane criminal under sentence and no person charged with any crime and acquitted on the ground of insanity shall be discharged from such hospital without an order of the court in which he was sentenced or acquitted authorizing such discharge No patient who is known to be homicidal or otherwise dangerous to be at large shall be discharged without examination by and the written consent of the Department nor without a sufficient guarantee by the person for said patient's support and care that the safety of the public or any individual shall be safe-guarded No patient whose parent guardian or friend liable for his support shall oppose his discharge shall be discharged without notification to such parent guardian or friend and apportunity given him to state his reasons for wishing the said patient's further detention and no mentally defective person or inebriate who has been committed by an order of court except in the case of a person discharged by lapse of time from leave of absence or escaped and except in case such inebriate has been under hospital care for one year shall be discharged without the recommendation of the chief medical officer in charge and an order from the court

Section 405 The Department shall have power and authority in its discretion to order and compel the discharge from any mental hospital of any mental patient except an insane criminal under sentence or a person charged with any crime or misdemeanor and acquitted on the ground of insanity but before issuing such order the Department shall give due notice to the trustees or superintendent of the hospital wherein such patient is under care and to the person at whose instance the said patient is detained and shall give reasonable opportunity to such trustees or superintendent and person to justify a further detention of the said patient

Section 406 Any proper court shall have the power and authority to order and compel the discharge of any mental patient committed by such court to any mental hospital if upon hearing it shall be made to appear that such discharge is for the best interests of the patient and not incompatible with the public welfare and safety In making any such order if it is not in accordance with the expressed opinion of the physician in charge of the hospital the court shall set forth the reasons for its decision which reasons shall be part of said order and the said order and reasons and the opinion of the physician in charge of the said hospital shall be entered in the clinical record of the patient

Section 407 The superintendent of any mental hospital may in his discretion allow a leave of absence for such period not exceeding twelve months and upon such conditions as he may prescribe but not inconsistent with the provisions for discharge of patients as provided in section four hundred four to any patient whose condition is such as to warrant such action

Such leave of absence may be terminated by such superintendent who may if necessary authorize the apprehension and return of the patient to the hospital by any sheriff constable or police officer who shall thereupon cause such apprehension and return In such case the expenses necessarily incurred by such sheriff or other officer in such return of a patient shall be paid by the person in whose charge the patient was allowed to leave if he is financially able to pay Otherwise such expenses shall be paid by the person or poor authorities liable for the maintenance of such patient in such hospital

Section 408 Any mental patient who excapes from any mental hospital may be apprehended and returned thereto by any sheriff or constable or police officer or by any officer or employe of such hospital at the expense of such hospital

Section 409 The Governor may upon demand deliver to the executive of any other state or territory any person who has escaped from any mental hospital to which he has been admitted under the laws of such state or territory and who may be dangerous to the safety of the public or may upon application appoint an agent to demand of the executive authority of any other state or territory any such person who has escaped from such a hospital in this Commonwealth Such demand or application shall be accompanied by an attested copy of the commitment and sworn evidence of the superintendent of the hospital stating that the person demanded has escaped from such hospital within six months next preceding the date of the application or demand and by such further evidence as the Governor may require

Section 410 If the Governor is satisfied that the demand conforms to law and ought to be complied with he shall issue his warrant under the seal of the Commonwealth to an officer authorized to serve warrants in criminal cases directing him at the expense of the agent who makes the demand at the time designated in the warrant to take and transport such person to the boundary line of this Commonwealth and there deliver him to such agent and for this purpose such officer may require aid as in criminal cases Provided That any person who is arrested upon such warrant shall not be delivered to such agent of a state or territory until he has been notified of the demand for his surrender and has had an opportunity to apply for a writ of habeas corpus if he claims such right of the officer who makes the arrest If such writ is applied for notice thereof and the time and place of hearing shall be given to the Attorney General or District Attorney for the district in which the arrest is made

Any officer who delivers such person in his custody upon such warrant to such agent for extradition without having complied with the provisions of this section shall forfeit not more than one thousand dollars Pending the determination of the court upon the application for such writ the person shall be detained in custody in a suitable mental hospital

Section 411 If the application for the arrest of a patient escaped from any mental hospital in this Commonwealth to another state or territory is granted and an agent is appointed for the purpose of returning such patient to such mental hospital the account of such agent shall be paid by the hospital from which the patient escaped but the Governor may direct the whole or any part of such account to be paid by the Commonwealth

Section 412 Any mental patient except such as has been charged with any crime and acquitted on the ground of insanity or arrainged or convicted who has been absent with or without leave for a period of twelve months continuously from the hospital in which he was under care shall be deemed to be discharged from the said hospital and cannot be readmitted except as provided by law in Article III of this act

Section 413 If upon investigation the Department or any of its agents shall find that any patient supported wholly or in part at the expense of the Commonwealth it not a legal resident of this Commonwealth but has a legal residence in some other state or country it may by a proper order addressed to the trustees or the superintendent of the hospital to which such patient has been admitted cause him to be returned to that state or country in which he has a legal residence or where he belongs

Any patient returned to another state or country under the provisions of this section shall be suitably clothed and unless he is fully competent to travel alone he shall be attended by a person of his own sex who shall exercise due care over him until he has reached the destination agreed upon by the proper authorities of this State and the state or country to which he is returned If competent to travel alone unable to pay the costs of travel he shall be furnished with funds sufficient for sustenance and travel to the destination agreed upon

The actual necessary expense of returning such patient shall be paid from the State Treasury by warrant drawn by the Auditor General on the State Treasurer on an account settled by the Auditor General

Section 414 The Department is hereby authorized and empowered to enter into the agreements with the authorities of other states which shall adopt legislation consistent with this act for the arbitration of disputed questions between such states and this Commonwealth respecting the residence of mental patients and for the return of such persons to their proper residence

ARTICLE V

Cost of Admission Care and Discharge of Mental Patients

Section 501 Whenever any patient who is mentally ill mentally defective epileptic or inebriate is admitted to any mental hospital whether by order of a court or judge or in any other manner authorized by the provisions of this act the cost of such admission or commitment shall be deemed to include the expenses of removing such patient to the hospital the fees of physicians or commissioners and all other expenses however incurred Such costs shall be chargeable to the estate of such patient or to the person liable for his support Provided That if such estate or person is unable to pay the same the county or poor district liable for the support of such patient shall be liable for such costs

If the patient is committed by order of court the court or judge shall determine at the time of commitment the liability for such costs and shall assess the same as shall seem to him just and proper

Section 502 The expenses of commitment and removal to or from a hospital for mental disease of any person charged with a criminal offense but who is not in custody or who is arraigned or brought before the court under any other circumstances or of any prisoner who before or during trial is found or thought to be insane or in such condition as to make it necessary that he be cared for in a hospital for mental diseases shall be paid by the county in which such person or prisoner is committed

The County may recover such expenses from the estate of the person or prisoner or from the person liable for his support but not from any poor district

Whenever any person convicted of any crime or charged with any crime and acquitted on the ground of insanity is committed to any hospital for mental diseases the expenses of commitment and of removal to or from the hosptal shall be paid by the county in which the crime was committed The county may recover such expenses from the estate of such person or from the person liable for his support but not from any poor district

Section 503 Whenever any mental patient is admitted whether by order of a court or judge or in any other manner authorized by the provisions of this act to any mental hospital maintained wholly or in part by the Commonwealth the cost of care and maintenance including clothing of such patient in such hospital shall be defrayed from the real or personal property of such patient and this liability may be enforced by writ of fieri facias venditioni exponas or attachment execution if he have any such property If he have no such property or is not possessed of sufficient property to defray such expenses then so much of said expenses as shall be in excess of any amount collected from his said property and paid on account of said expenses shall be paid by such person as is liable under existing laws for his support and if there be no such person or if he is financially unable to pay such expenses or any proportion thereof then such expenses or the proportion thereof which cannot be collected from the patient or the person liable for his support shall be paid by the county or poor district or municipality which is liable for his support and by the Commonwealth in the proportion which is now or shall hereafter be fixed by law

Section 504 Whenever any person is maintained as a patient in any mental hospital wholly or in part at the expense of the Commonwealth the Attorney General through any agents authorized by him may investigate the financial ability of such patient or of the person liable for the support of such patient to defray the expenses in whole or in part of his care and maintenance in such hospital

Section 505 The court of common pleas of the county in which any mental patient resided prior to his admission to any mental hospital maintained in whole or in part by the Commonwealth shall have power upon the application of the Attorney General to make an order conformable to the provisions of this article for the payment of maintenance to the Commonwealth upon the trustee committee guardian or other person who has charge of the estate of such patient or against the husband father wife mother or child of any patient so maintained in such amounts respectively as the court in its discretion may deem proper taking into consideration the ability of the patient or the person liable for his support to pay for such maintenance and the court may also upon like application direct any trustees committee guardian or other person having charge of any such estate to file with the Attorney General the statement required by the second section of the act approved the first day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An Act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of the moneys due the Commonwealth therefor and for proceedings relating thereto"

Section 506 Whenever any patient shall be transferred under the provisions of section five hundred and one of this act the cost of such transfer or removal shall be paid by the patient or by the person liable for his support if able financially to pay and if the transfer was made at the request of such person otherwise said costs shall be paid out of the appropriations for the care treatment and removal of indigent insane made to the Department After such transfer the municipality poor district or person liable for his support and maintenance to the institution to which said patient has been admitted shall be liable to the institution to which such transfer has been made for support and maintenance

Section 507 The expenses of the care and maintenance including clothing of insane prisoners shall be paid in the same manner as the costs of commitment of such prisoner as provided in section five hundred and two of this act Provided That if the term of sentence of any prisoner shall expire while he is still a patient in any hospital such expenses shall thereupon become chargeable as provided in section five hundred and three of this act

Section 508 The expenses incident to the discharge or removal of any memtal patient from any mental hospital including necessary clothing and travel expenses or his funeral expenses in case of his death shall be chargeable in the same manner as the cost of maintenance of such patient as provided in section five hundred and three of this act

If such patient is in a State hospital and there is no estate of such patient or person liable for his support who is able to pay therefor and the patient is ordered by the Department to be discharged the authorities of such hospital shall pay the traveling expenses of such patient to his home the amount of which payment shall be refunded and paid to such hospital from the appropiations for the indigent insane or mentally ill then current

If such patient is a convict or other prisoner such expenses shall be paid by the county in which the crime was committed or from which the prisoner was committed as the case may be in the same manner as the costs of maintenance as provided in section five hundred and seven of this act

If such patient has no residence in this Commonwealth and is returned to some other state or country the actual necessary expenses of returning such patient shall be paid from the State Treasury by warrant drawn by the Auditor General on the State Treasurer on an account settled by the Auditor General

ARTICLE VI.

Rights of Patients

Section 601 Every mental patient in any institution or place for mental patients within the jurisdiction of the Department shall have the right

(a) To communicate with his counsel and with the Commissioner and to be alone at any interview with his counsel or Commissioner or representative of the Department

(b) To religious freedom and to be visited by any minister of any religious denomination Provided That the religious services rendered by such minister shall be personal to the mental patient desiring the same and shall not interfere with the established order of religious services in such institution or place

(c) To be employed at a useful occupation insofar as the condition of such patient may permit and the institution or place is able to furnish useful employment to the patient

(d) To sell articles the product of his individual skill and labor and the produce of any small individual plot of ground which may be assigned to and cultivated by him

and to keep or expend the proceeds thereof or send the same to his family

(e) To be furnished with writing materials and reasonable opportunity in the discretion of the physician in charge for communicating under seal with any person or persons outside of such institution or place and such communications shall be stamped and mailed

(f) To a writ of habeas corpus to determine whether or not he is properly detained as a mental patient and the respondent in any such writ shall be required to pay the costs and charges of the proceedings unless the judge shall certify that in his opinion there was sufficient grounds for detaining the patient and putting him to his writ

(g) To be discharged as soon as in the opinion of the medical attendant of such institution or place he shall be restored to reason and competent to manage his own affairs

(h) To be visited and examined at all reasonable hours by any medical practitioner designated by him or by any member of his family or "near friend" with the sanction of a judge of a court of record of the county in which such mental patient resided prior to his commitment to such institution or place and with the consent of the patient and of the physician in charge of such institution or place such medical practitioner may attend such patient for all maladies other than mental illness in the same manner as if the patient were in his own home

Section 602 Whenever any female mental patient is to be removed to or from her home or any institution or place or any almshouse jail or penitentiary and whenever any such patient is transferred she shall be accompanied by a female attendant unless such patient is accompanied by a member of her family

It shall be the duty of the court committing such patient or if such patient has not been committed by the court of the person persons or authorities liable by law for her support to provide a female attendant for such patient The expenses of such attendance shall be paid in accordance with the provision of Article V of this act

ARTICLE VII

Penalties Exemption and Repealer

Section 701 Any person who shall violate any provision of Article II of this act shall be guilty of a misdemeanor and upon conviction in the proper court be subject to a fine of not more than one hundred dollars

Section 702 If any person shall aid or assist any patient lawfully admitted to any mental hospital to make or attempt to make his escape therefrom or shall connive in any way at such escape or attempt at escape although no escape has actually been made or if any person shall deliver or cause to be delivered or in any way connive at the delivery of any alcoholic or other intoxicating or narcotic substance to any patient in any mental hospital or psychopathic department or ward of a general hospital without the knowledge and consent of the physician in charge thereof such person shall be deemed guilty of a misdemeanor and upon conviction in the proper court be subject to a fine of not more than fifty dollars or imprisonment for not more than three months or both at the discretion of the court

Section 703 No verdict or judgment shall be entered in any action nor shall judgment be entered on any indictment for detention without compliance with the provisions of this act of any person as mentally ill in any institution or place for mental patients as against anv person or persons subject to the provisions of this act who shall have complied with its requirments unless the judge after trial and verdict shall certify that there was proof to his satisfaction that the party charged acted with gross negligence or corruptly or that he acted without reasonable or probable cause or was actuated by motives other than the good of the person restrained

Section 704 The following acts and parts of acts and all other acts and parts of acts inconsistent herewith are hereby repealed

Section forty-two of the act approved the fourth day of May Anno Domini one thousand eight hundred fifty-two (Pamphlet Laws five hundred forty-five) entitled "An Act to provide for the ordinary expenses of government the repair of the public canals and railroads and other general and special appropriations"

The act approved the seventeenth day of February Anno Domini one thousand eight hundred and fifty-four (Pamphlet Laws eighty-five entitled "A further supplement to the act relative to the Pennsylvania State Lunatic Hospital passed the fourteenth day of April one thousand eight hundred and forty-five"

The act approved the twenty-fourth day of March Anno Domini one thousand eight hundred and fifty-eight (Pamphlet Laws one hundred fifty-one) entitled "A further supplement to the act relative to the Western State Penitentiary"

Section one two three four and six of the act approved the eighth day of April Anno Domini one thousand eight hundred and sixty-one (Pamphlet Laws two hundred forty-eight) entitled "A supplement to the several acts of Assembly relative to the Pennsylvania State Lunatic Hospital"

Section one to twelve inclusive and section fifteen of the act approved the twenty-second day of April Anno Domini one thousand eight hundred and sixty-three (Pamphlet Laws five hundred thirty-nine) entitled "An act supplementary to an act incorporating the Western Pennsylvania Hospital"

Secion two of the act approved the eighteenth day of April Anno Domini one thousand eight hundred and sixty-four (Pamphlet Laws four hundred fifty-one) entitled "An act supplementary to the act of twenty-second April eighteen hundred and sixty-three relative to the Western Pennsylvania Hospital"

Section one of the act approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-eight (Pamphlet Laws ninety) entitled "An act to establish an additional State hospital for the insane"

Sections one two four six eight and nine of the act approved the twentieth day of April Anno Domini one thousand eight hundred and sixty-nine (Pamphlet Laws seventy-eight) entitled "An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom"

Section two of the act approved the ninth day of April Anno Domini one thousand eight hundred and seventy (Pamphlet Laws one thousand one hundred and twenty-one) entitled "A supplement to an act entitled 'An act for the regulation and government of the Lehigh County prison' approved the sixth day of April one thousand eight hundred and sixty-nine"

Section five of the act approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three (Pamphlet Laws fifty-four) entitled "An act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same"

Section two of the act approved the seventh day of May Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws one hundred nineteen) entitled "A supplement to the act to create a board of public charities approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine authorizing and empowering said board to appoint visitors and to transfer certain insane persons from county institutions to State hospitals"

The act approved the fourteenth day of May Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws one hundred sixty) entitled "An act to provide for the custody of insane persons charged with and acquitted or convicted of crime"

Sections one and ten of the act approved the fifth day of May Anno Domini one thousand eight hundred and seventy-six (Pamphlet Laws one hundred twenty-one) entitled "An act to proved for the selection of a site and the erection of a State hospital for the insane for the city and county of Philadelphia and the counties of Bucks Montgomery Delaware Chester Northampton and Lehigh to be called the State Hospital for the Insane for the Southeastern District of Pennsylvania and for the management of the same"

The act approved the fourth day of June Anno Domini one thousand eight hundred and seventy-nine (Pamphlet Laws ninety-eight) entitled "An act for the better regulation and treatment of the female insane in the asylums and hospitals of the Commonwealth of Pennsylvania"

Section eight of the act approved the eighth day of June Anno Domini one thousand eight hundred and eighty-one (Pamphlet Laws eighty-three) entitled "An act to organize the State hospitals for the insane at Warren Pennsylvania"

The act approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three (Pamphlet Laws twenty-one) entitled "An act relative to the supervi-

sion and control of hospitals or houses in which the insane are placed for treatment or detention"

The act approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three (Pamphlet Laws ninety-two) entitled "An act to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth and State hospitals for the insane"

The act approved the seventh day of May Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred sixteen entitled "A supplement to an act relative to the supervision and control of hospitals and houses in which the insane are placed for treatment or detention approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three' (Pamphlet Laws one hundred twenty-seven)

The act approved the eighth day of May Anno Domini one thousand eight hundred and eighty-nine entitled "A supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An act to provide for the admission of certain classes of the insane into hospital for the insane in this Commonwealth and their discharge therefrom fixing the amount of compensation to be paid to the commisioners appointed under section six of said act and declaring who shall be liable therefor and the costs of proceedings under said section"

The act approved the twenty-third day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirteen entitled "An act to amend an act entitled 'An act supplementary to an act incorporating the Western Pennsylvania Hospital' so as to include the county of Potter"

Sections eleven and twelve of the act approved the twenty-second day of June Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws three hundred seventy-nine) entitled "An act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State tsylum for the chronic insane of Pennsylvania and making an appropriation therefor"

The act approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws twenty) entitled "An act to provide for the better protection of female insane patients in transit"

The act approved the tenth day of May Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws thirty-nine) entitled "A supplement to an act relative to the supervision and control of hospitals and houses in which the insane are placed for treatment or detention approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three"

Sections eleven to sixteen inclusive of the act approved the third day of June Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws two hundred eighty-nine) entitled "An Act to provide for the selection of a site and the erection of a State institution for the feeble-minded to be called the Western Pennsylvania State Institution for the Feeble-minded and making an appropriation therefor"

The act approved the twenty-seventh day of May Anno Domini one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred ten entitled "An Act to amend an act approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three entitled 'An act to provide for the better protecion of female insane patients in transit' fixing a penalty for the violation of the said act and providing the manner such penalty shall be recovered"

The act approved the twenty-second day of June Anno Domini one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for the return of paupers and indigent insane persons not having a legal settlement within this Commonwealth to any other state or countfy to which they may belong"

Section 11 of the act approved the eighteenth day of July Anno Domini one thousand nine hundred and one (Pamphlet Laws seven hundred thirty-seven entitled "An Act to provide for the selection of a site and the erection of a State hospital for the treatment of the insane under homeopathic management to be called the Homeopathic Hospital for the Insane and making an appropriation therefor"

The act approved the nineteenth day of March Anno Domini one thousand nine hundred and three (Pamphlet Laws twenty-nine) entitled "An act to amend the fifth section of an act entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge threrfrom' approved the twentieth day of April Anno Domini one thousand eight hundred and sixty-nine providing how the prisoners shall be discharged in case of homicide or attempted homicide"

The act approved the first day of May Anno Domini one thousand nine hundred and seven (Pamphlet Laws one hundred forty) entitled "An Act authorizing and empowering the Committee on Lunacy to transfer lunatics from one State hospital for the insane to another State hospital for the insane"

The act approved the twenty-eighth day of May Anno Domini one thousand nine hundred and seven (Pamphlet Laws two hundred eighty-eight) entitled "An Act to amend an act entitled 'An Act to authorize and provide for the commitment of persons habitually addicted to the use of alcoholic drink or intoxicating drugs to a proper hospital or asylum for the restraint care and treatment' approved April sixteenth Anno Domini one thousand nine hundred and three providing for the commitment of persons habitually addicted to the use of alcoholic drink or intoxicating drugs to a proper hospital or asylum for restraint care and treatment by the court of Quarter Sessions"

Section one of the act approved the tenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws two hundred five) entitled "An Act to amend sections one four five and seven of an act entitled 'An Act to provide for the selection of a site and the erection of a State hospital for the treatment of the insane under homeopathic management to be called the Homeopathic State Hospital for the Insane and making an appropriation therefor' approved the eighteenth day of July Anno Domini one thousand nine hundred and one by vesting the appointment of the entire commission in the Governor and by requiring the approval of the superintendent of public grounds and buildings to plans and specifications and to expenditures incurred by the commission and by authorizing the commission to turn over to a board of trustees buildings when completed"

Section one and two of the act approved the ninth day of June Anno Domini one thousand nine hundred and eleven (Pamphlet Laws eight hundred fifty-five) entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and for the payment of the expenses of maintaing and treating persons committed thereto"

The act approved the twelfth day of June Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws four hundred ninety-three) entitled "An Act to amend an act entitled 'An act to provide for the better protection of female insane patients in transit' approved the fourteenth day øf April Anno Domini one thousand eight hundred and ninety-three as amended so far as to extend the provisions thereof to feeble-minded and epileptic persons"

Section three of the act approved the twelfth day of June Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws four hundred ninety-four) entitled "An Act supplementing an amending an act entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the feeble-minded and epileptics to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institutions and provide for the method of admission to said institution and the discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled 'An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled "An Act to provide for the selection of a site and the erection of a State institution for the feeble-minded and epileptic

to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof" approved the twentieth day of June Anno Domini one thousand nine hundred and eleven"

Section nine and ten of the act approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred nineteen) entitled "An Act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen"

Sections one to six inclusive of the act approved the fourteenth day of April Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws one hundred twenty entitled "An Act relating to persons habitually addicted to the use of alcohol or drugs and providing for the care and treatment of such persons at the expense of the county and State if indigent"

The act approved the sixth day of May Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws two hundred fifty-nine) entitled "An Act to authorize the payment from the general appropriation for the care of the indigent insane of the cost of transferring or removing patients from one insane hospital or asylum or institution to another or elsewhere upon the order of the Board of Public Charities or the Committee on Lunacy"

The act approved the eighth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws nine hundred fourteen) entitled "An Act providing for the removal to and return from hospitals for the insane of persons committed to county jails or prisons and awaiting trial charged with criminal offenses not amounting to felony which persons are found to be insane and further providing for the payment of the expense of such removal and return and for the cost of the maintenance and care of such persons in such hospitals"

Section thirteen of the act approved the eighteenth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws one thousand fifty-five entitled "An Act to provide for the selection of a site and the erection of buildings for a State hospital for the insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital"

The act approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seventeen entitled "An Act amending section nineteen of an act entitled 'An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention' approved the eighth day of May one thousand eight hundred and eighty-three so as to permit certificates of physicians as to the insanity of patients to be sworn to or affirmed before a judge or magistrate of any county in the Commonwealth"

The act approved the eighteenth day of May Anno Domini one thousand nine hundred seventeen (Pamphlet Laws two hundred thirty-nine) entitled "An Act providing for the payment by State hospitals for the Insane of the traveling expenses from said hospitals to their homes respectively of indigent inmates of said hospitals discharged by order of the Committee on Lunacy of the Board of Public Charities and for the reimbursement to such hospitals of the amounts so paid"

The act approved the eighteenth day of May Anno Domini one thousand nine hundred seventeen (Pamphlet Laws two hundred forty) entitled "An Act authorizing the Committee one Lunacy of the Board of Public Charities to transfer patients or inmates of hospitals for the insane to such hospitals and providing for maintenance of patients after transfer"

The act approved the fifth day of July Anno Domini one thousand nine hundred seventeen (Pamphlet Laws six hundred seventy-eight) entitled "An Act imposing the cost of commitment and maintenance of criminal insane in institutions on the county where the crime was committed and authorizing the recovery of such costs from the estate of the criminal insane"

The act approved the sixth day of July Anno Domini one thousand nine hundred and seventeen (Pamphlet Laws seven hundred thirty-three) entitled "An Act to amend section one of an act approved the eighth day of June one thousand nine hundred fifteen entitled 'An Act providing for the removal to and return from hospitals for the insane of persons committed to county jails or prisons and awaiting trial charged with criminal offenses not amounting to felony which persons are found to be insane and further providing for the payment of the expense of such removal and return and for the cost of the maintenance and care of such persons in such hospitals' by imposing all costs and expenses on the county"

Section two of the act approved the sixth day of July Anno Domini one thousand nine hundred seventeen (Pamphlet Laws seven hundred forty-nine) entitled "An Act to amend an act entitled 'An Act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital approved the eighteenth day of June one thousand nine hundred fifteen (Pamphlet Laws page ten hundred fifty-five) so as to provide for the admission of patients to the Western State Hospital for the Insane"

Section four of the act approved the sixteenth day of July Anno Domini one thousand nine hundred nineteen (Pamphlet Laws nine hundred eighty-two) entitled "An Act to amend sections one three six and ten of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and nineteen) entitled 'An Act to establish a state village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purpose aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen' as amended by an act approved the fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws six hundred and ninety-eight) by relieving the Governor of the obligation to approve building plans providing for personal inspection of work by a majority of the building committee jurisdiction in the court of quarter sessions payments of costs of proceedings by the county and maintenance by the State"

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. LITTLE. Mr. Speaker, in the absence of the sponsor of House Bill No. 1075, file folio 4021, I move that it be placed upon the postponed calendar.

Mr. McKIM. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1003, as follows:

An Act establishing the office of fire marshal in all counties of the second class defining his powers and duties providing for his compensation and the maintenance of his office giving the courts the power to punish witnesses for contempt of his authority and to review his order

and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the court of common pleas of counties of the second class shall as soon as practical after the passing of this act appoint a citizen of said county to serve as fire marshal of said county for the term of four years from that date and until his successor shall be appointed and qualified if he shall so long faithfully perform the duties of his office and he may succeed himself by reappointment by said court The fire marshal shall keep his office and headquarters in the court house of said county which shall be furnished and provided for by the commissioners of such said county together with the necessary equipment stationery printing postage telephone and all such other necessary operating expenses as will be required to properly conduct the duties of the department of fire marshal of said counties The said fire marshal shall devote his entire time to the duties of his office and he or his deputy or assistants shall whenever possible attend all fires in said counties day or night on alarm or on call by telephone from the various chiefs of the various fire departments or mayors or burgesses in said county when in their judgment the fire is serious The said fire marshal shall adopt rules and regulations for the protection of all life limb and property endangered by fire and shall enforce all laws rules and regulations that will protect and prevent fires and reduce fire wastes and hazards He shall receive an annual salary of ($5,000) five thousand dollars payable semi-monthly and in addition shall be paid his actual and necessary expenses incurred in the performance of the duties of his department He shall give bond in the sum of ten thousand ($10,000) dollars for the faithful performance of his duties the cost of said bond to be paid by the county

Section 2 The fire marshal shall have such deputies and assistants clerks stenographers and detectives as may be found necessary not to exceed twenty in number for conducting the office of the fire marshal and they shall be allowed by the county commissioners of the proper county and they shall receive such salaries as fixed by the salary board of such counties The county commissioners shall also provide an attorney for the fire marshal whose duty shall be to prepare and try all civil and criminal cases required by the fire marshal and to generally advise the fire marshal in all legal matters pertaining to the proper conduct of his office and whose salary shall be fixed by the salary board Such deputies assistants clerk stenographers and detectives shall file such bond as may be required by the county commissioners

Section 3 It shall be the duty of the said fire marshal to adopt a badge designed for said department designating the office and he his deputies and assistants in the employ of said department shall wear a badge designating their office The fire marshal shall further adopt a card designating his department and he shall give one of said cards under seal to each of the various assistants appointed by him throughout the county which card shall designate their appointment as assistant fire marshals The fire marshal shall have the right to revoke said cards at any time In case of the absence of the fire marshal or his inability for any cause to discharge the duties of his office such duties shall devolve upon the first deputy fire marshal In case of the absence or inability for any cause of both the fire marshal and the deputy fire marshal and their duties shall devolve upon an assistant deputy fire marshal in their order respectively

Section 4 The fire marshal may also appoint as his deputies chiefs or assistants chiefs of the fire department chiefs of police burgess of any borough president or chairof the board of commissioners or supervisors of any township or other municipalities or incorporated district or any individual citizen as his assistants who shall be subject to the duties and obligations aforesaid and under the directions of the fire marshal who are not to be under salary Immediately upon taking office the fire marshal shall prepare instructions to his deputy and all assistants and forms for their use in the reports required by this act and shall cause them to be printed and sent together with a copy of this law to each such officer in said county The deputy assistants and all other employes in said department shall at all times be subject to the orders dictations and control of said fire marshal and may be removed or discharged by him at any time he may see fit to do so for just and sufficient cause and he shall adopt such rules and regulations for the management of said department as he may see fit provided they conform to the provisions of this act

Section 5 It shall be the duty of the chief of the fire department or his assistants in any district of a city borough township or other municipality or incorporated district where a fire department is established or where no such fire department exists the burgess of any borough or president or chairman of the board of commissioners or supervisors of any township or other municipality or other incorporated district shall notify the fire marshal of all serious fires during their progress at once and the fire marshal shall attend if practicable all fires occurring in said county (day or night) and he shall endeavor to save and protect from fire all property in danger therefrom and to protect such property from loss by pillage and theft and from injury and destruction in any manner and he shall have power to take any measure he may deem proper and expedient for that purpose and he shall also have power to call upon any constable police or citizen of any city ward borough or township in said county and to aid and assist him in protecting and saving property as aforesaid and to aid and assist in carrying into execution any measures he may deem proper and expedient as aforesaid and he shall investigate and if possible ascertain the origin and cause of every fire occurring in said county the nature and value of the property injured or destroyed thereby whether said property was insured or not and if insured the amount of such insurance by whom affected for whose benefit and by whom the risk was taken the names and places of residence of the owner or owners and of all parties interested in the property injured or destroyed and the nature and amount of such interest it shall be the duty of the aforesaid deputy fire marshal and assistants to the fire marshal to investigate the origin cause and other circumstances of every fire by which any property or life has been destroyed damaged or endangered occurring within the territorial limits of said respective district in said county and make every effort to determine whether such fires were of incendiary origin or the result of design or carelessness or accident immediately upon the occurrence of any such fire such assistant shall report the occurrence to the fire marshal and shall begin the investigation thereof and if it appears to the assistant making such investigation to be of such character and origin as shall require thorough and exhaustive investigation he shall immediately notify the fire marshal to that effect and shall under the direction of the fire marshal aid and assist the latter in making such thorough and exhaustive investigation The aforesaid reports of the occurrence of any fire shall be made in writing and in the manner and form prescribed by the blanks furnished by the fire marshal for that purpose such reports shall in every case contain a statement of all the facts relating to the cause of such fire as can be ascertained the extent of the loss and damage to property as well as the loss of life and personal inquiry caused thereby or resulting therefrom including adjacent properties damaged or affected the amount of insurance upon the property destroyed or damaged and such other information as may be required by the fire marshal any of the aforesaid assistants of the fire marshal who shall neglect or refuse to report to the fire marshal or to make reports or investigations of fires as hereinbefore prescribed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred ($100) dollars or to undergo imprisonment not exceeding ten days or both at the discretion of the court

Section 6 If in any investigation it shall appear to the fire marshal from the evidence before him that any building or other property in said county has been wilfully set on fire by any person or persons he shall in such case cause information to be made in the usual way against the person or persons offending and shall proceed in the manner now provided by law to secure a conviction of the offending person on such cases The said fire marshal shall have the same power to entertain prosecutions as a police magistrate or justice of the peace

Section 7 If in the opinion of the fire marshal the evidence shows that any building or property in said county has been wilfully set on fire by any person or persons who planned or arranged or assisted or who caused it to be planned arranged the said fire marshal in such case shall have the

same power to arrest or issue a warrant and such person or persons shall upon hearing before the fire marshal be held to answer a charge of arson and shall be held for all costs and damages caused by such fires and all expenses incurred in extinguishing such fires

Section 8 Any constable policeman fireman watchman or citizen who shall refuse or neglect to obey the orders or directions of the fire marshal his deputy or assistants when called upon by him or them to aid or assist in saving or protecting life or property at any fire or any constable who shall refuse or neglect to execute any warrant of the fire marshal his deputy or assistants directed to him for the arrest of any person or persons on the charge of arson or any person or persons who shall wilfully hinder or obstruct the fire marshal his deputy or assistants in the performance of their duties shall be guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions of said county shall be punished by a fine not exceeding one hundred ($100) dollars and imprisonment in the county jail for a term not exceeding one year or both

Section 9 The fire marshal shall keep his office in said court house open during business hours each day and he shall keep a record of all fires occurring in said county which record shall show the result of his investigations in relation to each fire and he shall keep on file in his office all depositions and notes of testimony taken by him in the discharge of his duties

Section 10 It shall be the duty and power of the fire marshal to prescribe reasonable rules and regulations governing the storage of benzine benzole dynamite ether fireworks gasoline Greek-fire gunpowder naptha nitro-glycerine or other explosives phosphorus or petroleum or any of its products of greater inflammability than kerosene oil of United States standard

It shall be the duty of the fire marshal and his deputy or assistants to inspect or cause to have inspected all fire apparatus fire extinguishers fire hose fire escapes life saving devices and all such equipments fire hydrants sprinkler system or anything pertaining to fire protection whether public or private within said county and upon finding same in bad condition or dangerous to order same condemned removed repaired or replaced It shall be their duty to see that all parts of said county shall have ample and proper fire protection at all times and cause the various authorities to furnish such protection to life limb and property as is within reason The said fire marshal shall approve or disapprove all permits for building rebuilding remodeling alterations et cetera in conjunction with the building inspector's department in any city borough or township of said county for the safety against fire loss and where no building inspector's department exists the fire marshal of said county through his office shall act in such capacity together with the chief of the fire department of the district wherein such permits are to be issued and when approved by said fire marshal and fire chief the burgess or town clerk of such boroughs shall issue such permits and it shall be the duty of said fire marshal or his deputy or assistants to inspect all works in course of construction and see same is being done according to law for the safety of life and property It shall be the duty of the fire marshal to see that all fire ruins are removed or put in safe condition He shall inquire into the condition of all public and private buildings work shops dance halls schools public or parochial churches theatres hotels rooming houses et cetera with regards to their safety He shall see that all aisles entrances exits doors and stairways are accessible to the fire department at all times and it shall be his duty to prohibit or cause to be prohibited the over-crowding of all public or private places dance halls churches theatres moving picture houses et cetera He shall stop the overselling of tickets of admission to such places and shall be empowered to adopt such rules and regulations as will be for the safety of the public and for the protection of life limb and property

Section 11 The fire marshal Shall on his own motion or upon complaints in writing made by any citizen inspect any building or buildings premises or property which in his judgment shall require inspection The deputies or assistants shall when directed by the fire marshal inspect any buildings premises or property within their respective territories which in his judgment may require inspection Whenever the fire marshal or any of the said officers shall find any buildings premises or property for want of repairs or by reason of age or dilapidated condition defective or shall find poorly installed electric wiring equipment defective chimneys defective gas connection defective heating apparatus or shall find any other cause or reason that any of the same is especially liable to fire or shall find that any building premises or property is so situated as to endanger any other buildings premises or property said fire marshal shall order such building or buildings premises or property to be repaired or put in a reasonably safe condition and shall order all dangerous conditions remedied within such reasonable time as may be specified in said order If the fire marshal shall find in any building or upon any premises any material rubbish rags waste oils benzine benzole dynamite ether fire works gasoline Greek fire gun-powder naptha nitro-glycerine or other explosives phosphorus or petroleum or any of its products of greater inflammability than kerosene oil of United States standard or any condition whatso ever which endangers the safety as against fire or explosion in such building premises or property he shall order the same removed or the conditions remedied within such reasonable time as may be specified in said order so that the same shall be in a reasonable safe condition as against such danger Whenever the fire marshal shall find any building or part thereof which for any cause or reason constitutes a fire menace which cannot be removed by repairs to said buildings in any other way than by the destruction thereof the said fire marshal shall order said building or any part thereof demolished specifying in said order the reason or reasons thereof and allowing a reasonable time within which the work of tearing down and removing said building shall be commenced and prosecuted to completion All such orders shall be in writing and shall be made and served upon the owner life tenant lessee or bailee of such building premises or property or upon the agent for any of same either (a) By handling a true copy thereof to such owner life tenant lessee or bailee or agent or (b) By posting a copy thereof in a conspicuous place on the said building premises or property and mailing a copy thereof to the owner life tenant lessee bailee or agent whose address is known or can with reasonable diligence be ascertained by said fire marshal making such order In case such address is not known or cannot be ascertained as aforesaid then in lieu of such mailing a copy of said order shall in addition to the above mentioned posting thereof be handed to the responsible occupant or person if any in charge of said building premises or property Any owner life tenant lessee bailee or agent upon whom any such order may be made or served by aforesaid fire marshal may within five days from the service of said initial order appeal to the fire marshal by petition in writing setting forth distinctly under oath or affirmation the facts and reasons upon which said appeal is based whereupon the fire marshal shall forthwith investigate the facts upon which such order was made and the grounds or reasons for such appeal and make his final order in writing affirming or revoking or modifying the original order which said final order of the fire marshal and any initial order made by him shall be filed in his office and shall be open to the inspection of the appellant or any person against whom the order may have been made If the said initial order be affirmed upon such appeal the same shall be and remain in full force against and in all respects be complied with by the owner life tenant lessee bailee or agent named therein within the time therein specified and in the event that such initial order be modified the same shall remain in full force and be in all respects complied with as modified Any owner life tenant lessee or bailee or agent aggrieved by any initial or final order of the fire marshal may appeal therefrom to the court of common pleas of said county in which the real or personal property in question is situated within ten days after the making and filing of such order of the fire marshal Provided That such owner life tenant lessee bailee or agent shall as a condition precedent to such right of appeal first file notice in writing to said fire marshal of his intention to appeal to said court of common pleas Such notice of intention to appeal shall be given by mailing the same by registered letter to the office of the fire marshal Said appeal to said court of common pleas shall be taken by presenting to and filing in said court a petition in writing verified by the oath or affirmation of the appellant setting forth distinctly the facts and reasons upon which said appeal is based and there shall be filed with said appeal proof of service upon the fire marshal in the manner aforesaid of the said notice of intention to take such appeal a copy of such petition by registered letter to the fire marshal at his office in said county on the same day upon which said petition is present-

ed and filed in said court of common pleas Upon the re-presentation of such petition the court shall proceed summarily to hear and determine at a date as early as possible the reasonableness and lawfulness of said order of the fire marshal On the date so fixed for the said hearing the appellant shall give notice by letter to the fire marshal at his office in said county Upon the representation of said petition the court may at its discretion enter an order superseding the order of the fire marshal appealed from pending the final hearing and judgment of the court upon said appeal upon the appellant filing bond with sureties approved by said court in such amount not less than one hundred ($100) dollars as said court shall direct and on such conditions as the court may dee mproper and direct under the circumstances of the case including however the condition that the appellant shall pay all the costs of such appeal in the event that same be dismissed The appellant at the time of the presentation of said petition shall have the right to demand by writing presented and filed with his appeal a trial by jury and if the order of the fire marshal appealed from shall in effect be of such a character that its enforcement would affect any rights of the petitioner concerning the determination of which trial by jury is secured by the Constitution of the Commonwealth the Court shall direct an issue to be framed to determine such matters as may within such rights of trial by jury and shall advance said case to the head of the next trial list of said court for final determination as speedily as possible Pending such trial by jury and the final judgment thereon the court may enter an order superseding the said order of the fire marshal appealed from in the same manner as is herein provided in cases where no trial by jury is demanded and in the event that trial by jury is not demanded at the time and in the manner aforesaid the court shall proceed summarily to hear and determine said appeal at a date as early as possible The judgment of said court of common pleas upon said appeal affirming modifying or revoking the order of the fire marshal appealed from shall be final and in the event that said judgment is against the appellant or in the event that said appeal be dismissed for any cause judgment for costs shall be entered against the appellant Any owner life tenant lessee or bailee against whom or upon who or against or upon whose agent any initial or final order of the fire marshal or any order of the officers shall have been made and served as aforesaid who shall neglect fail or refuse to comply with the terms of such order within thirty days after service thereof or in the event that an appeal be taken as herein provided then within thirty days after the final order of the fire marshal or the final judgment of the court of common pleas as the case may be shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than ten ($10) dollars nor more than fifty ($50) dollars for each day's neglect or to be imprisoned in the jail of said county for a period not exceeding thirty days or both at the discretion of the court In case any initial or final order shall direct the repair of any building or part thereof or the removal of any building or part thereof and the owner or owners shall fail or refuse to comply with such orders then the fire marshal is authorized and empowered to cause such building to be repaired or demolished and the materials removed as the case may be at the expense of the owner or owners The initial expense of such repairs or removing shall be paid by the fire marshal out of funds appropriated for such purposes and if the owner or owners shall thereafter neglect or refuse to pay the costs and expenses thus incurred to the fire marshal within thirty days from the receipt of notice of the amount thereof said fire marshal shall through the attorney of his department enter suit in the proper county and recover the same as provided by law for the collection of debts including the attorney's commission of five per cent for collection which said five per cent shall be paid into the county treasury

Section 12 The fire marshal in addition to any investigation made may at any time investigate the origin or circumstances of any fire occurring in said county The fire marshal his deputy or assistants shall have the power to summon witnesses and compel them to attend before the fire marshal and to testify in relation to any matter which is by the provisions of this act subject of inquiry and investigation and may require the production of any books papers or documents deemed pertinent or necessary to the inquiry and shall have the power to administer oaths and affirmations to any person appearing as a witness before them such examination may be public or private as the officers conducting the investigation may determine No person shall be excused from attending before said fire marshal when summoned so to attend or producing any books papers or documents before such officer upon any investigation proceeding or inquiry instituted under the provisions of this act If after any such examination the fire marshal is of the opinion that the facts in relation to such fire indicate that a crime has been committed the testimony taken on such examination together with any other data in his or their possession shall be presented to the attorney of this department who shall institute such criminal proceedings as such testimony or data may warrant Each witness who shall appear at any investigation in compliance with a notice to attend shall be entitled to receive from the Commonwealth through the fire marshal such fees and mileage as are allowed by law to witness in courts of record of this Commonwealth If after any examination the fire marshal shall be of the opinion that the facts in relation to such fire indicate that the same has been of incendiary origin the fire marshal his deputy or assistants shall be and are hereby authorized and empowered to arrest without warrant any person or persons whose guilt of arson may be indicated by the evidence in the possession of the fire marshal or his deputy or assistants In event of such an arrest the person or persons so arrested shall be forthwith taken before the fire marshal or a justice of the peace alderman or magistrate of the county in which said crime is alleged to have been committed and any information there made against said person or persons which information shall be proceeded with according to law The fire marshal his deputy or assistants may at all reasonable hours enter any buildings or premises within his or their jurisdiction for the purpose of making any inspection he or they may deem necessary in order to carry into effect the provisions of this act and any owner life tenant or lessee of said premises or any agent or representative of any of the same in possession thereof who shall refuse permission for such inspection shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than ten ($10) dollars or undergo an imprisonment not exceeding thirty days or both at the discretion of the court

Section 13 Any person who shall refuse to obey a summon or notice of the fire marshal his deputy or assistants to appear and testify or who when duly notified shall refuse to produce any books papers or documents touching any matter under investigation or examination shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty ($50) dollars nor more than two hundred ($200) or to undergo an imprisonment in the county jail not exceeding three months or both at the discretion of the court

Section 14 The fire marshal shall keep and preserve in his office a record of all fires occurring in said county and of all facts concerning the same which the fire marshall shall deem pertinent and important including however in all cases statistics showing the extent of such fires and the damage caused thereby and whether such losses were covered by insuranc or not and if so in what amount Such records shall be made daily from the reports made to him by his assistants under the provisions of this act

Section 15 It shall be the duty of the fire marshal to prepare books of instruction for the use in the public and private schools for students of all grades for public institutions workshops and public buildings with regard to the dangers of fire and the prevention of fire wastes It shall be the duty of the Superintendent of Public Instruction and of the principals or other persons in charge of the various schools in said county to provide for the instruction and training of pupils of such schools by means of drills so that they may in sudden emergencies be able to leave the school buildings in the shortest possible time without confusion or panic Such drills shall be held at least once a month when the schools are in session Books of instruction in such quantities as shall be determined by the County Commissioners with regard to the dangers of fire and the prevention of fire waste as above specified shall be published at the expense of the county and shall be distributed in sufficient quantities for the use of the schools as herein provided and the curriculm of such schools shall include some regular and continuous study of such subjects during the entire school year

Section 16 The fire marshal shall make an annual report to the court of common pleas of said county on or before the

first day of February of each year setting for the fully the work of his office during the preceding calendar year including such statistics as he may decide to include therein He shall also recommend in his report such additional or other legislation if any as in his judgment may be desirable to more effectually accomplish the purposes of this act A copy of such report shall be sent to the State Fire Marshal of Pennsylvania

Section 17 The assistants of the fire marshal of said county not receiving a salary for the performance of public duties shall receive monthly upon audit and certification of the fire marshal for each separate fire reported to the fire marshal under the provisions of this act the following fees In cities of the second class fifty cents for each fire reported In all other cities boroughs towns and townships fifty cents for each fire reported In no case shall a report of fire or investigation be paid for unless the same shall be made out in the manner and form prescribed by the fire marshal under the proviisons of this act

Section 18 It shall be the duty of either the owner his agent and of the tenant upon the occurence of a fire to notify the fire marshal the origin thereof and all public or private adjusters adjustment bureaus corporations or associations or others to report all fires of which they are notified or engaged to adjust to the fire marshal before they proceed to adjust same in order that the fire marshal his deputy or assistant may see the conditions and ruins as they may exist before they are disturbed or removed unless there is danger to life or personal injury and upon the approval of the fire marshal he shall issue a permit for such adjustment which permit shall be returned After said adjustment is made to the fire marshal giving the actual amount involved in said loss value of building insurance on same amount of loss on same value of fixtures insurance on same amount of loss on same value of household furniture and effects insurance on same amount of loss on said insurance company interested in said loss together with date when said insurance was written and the name of agent writing same

Section 19 Any public or private adjuster adjustment bureau corporation firm or individual wilfully violating any of the provisions of this act shall be liable to a penaltiy of fifty dollars to be recovered at the suit of the fire marshal as debts of like amounts are now by law recoverable and upon a second conviction a fine of one hundred dollars In addition to incurring said penalty they shall forfeit their right to continue the business of fire adjusting in said county

Section 20 All penalties fees of forfeitures collected under the provisions of this act shall be paid into the treasury of the county to the credit of the fire marshal's appropriation

Section 21 All acts or parts of acts inconsistent herewith so far as they affect counties of the second class be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McKIM. Mr. Speaker, in the absence of the sponser of House Bill No. 1003, file folio 4079, I move that it be placed upon the postponed calendar.

Mr. LITTLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1144 (Senate Bill No. 293), entitled:

An Act to amend section six of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Albert,	Fowler, A. I.,	Mack,	Smith, G. A.,
Alexander,	Gallaher,	Mangan,	Smith, H. J.,
Allman,	Gelder,	Marcus, J.,	Smith, H.,
Armstrong,	Gibbon,	Marshall, W.	F. Smith, J. W.,
Baldi,	Glasgow,	Mathay,	Sowers,
Beaver,	Golder,	McBride,	Spangler,
Behney,	Greeby,	McClure,	Sprowls,
Bell, F. A.,	Grimes,	McCurdy,	Staudenmeier,
Bentley,	Guerin,	McDermott,	Stevens, A. J.,
Bidelspacher,	Haines,	McGowan,	Stofflet,
Blair,	Hall,	Metcalf,	Stoner,
Bluett,	Harer,	Minehart,	Thomas, L. D.,
Brenneman,	Haslett,	Moore,	Thomas, M. G.,
Brewster,	Haws,	Myers, G. C.,	Thompson,
Bromley,	Heffernan,	Nolte,	Van Alen,
Brown,	Heffran,	O'Boyle,	Walker,
Burchinal,	Hetrick,	Ogle,	Wells,
Burns,	Heyburn,	Orr,	Wettach,
Bush,	Holcombe,	Parkinson,	Wheeler,
Chaplin,	Hoover,	Peelor,	Whitehouse,
Clutton,	Irvin,	Perry,	Whiteman,
Coldsmith,	Johnson,	Posey,	Williams, J. M.,
Craig,	Jones, C. B.,	Price,	Wood, N.,
Diehm,	Jones, D. J.,	Rhodes,	Wood, W. P.,
Donahue	Jones, E. P.,	Richards,	Wright,
Driggs,	Kelly,	Rinn,	Zook,
Eaches,	Kohler,	Rippman,	Goodnough,
Earley,	Labar,	Sautter,	Speaker.
Eshelman,	Lafferty,	Schilling,	
Evans, B. F.,	Long,	Schleiter,	
Fields,	Lucas,	Schoener,	
Flinenbaugh,	Ludlow,	Sheridan,	

NAYS—3.

Horne,	Post,	Schwartz,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 860 (Senate Bill No. 16), entitled:

An Act to amend Clause five of Section three of an Act entitled "An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" Approved the thirteenth day of May Anno Domini one thousand nine hundred and nine (Pamphlet Laws five hundred and twenty).

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. SOWERS. Mr. Speaker, I move that Senate Bill No. 16, House Bill No. 860, file folio 1251, be placed upon the postponed calendar.

Mr. GIBBON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 893, (Senate Bill No. 362), entitled:

An Act regulating the practice of law in Courts not of record

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—125.

Albert,	Gallaher,	Ludlow,	Schleiter,
Alexander,	Gibbon,	Marshall, W. F.,	Schwartz,
Armstrong,	Gilchrist,	McBride,	Shambach,
Arthur,	Griffith,	McClure,	Smith, G. A.,
Beaver,	Grimes,	McCurdy,	Smith, H. J.,
Behney,	Haas,	McDaniel,	Smith, H.,
Bell, W. T.,	Haines,	McDermott,	Smith, J. W.,
Bentley,	Hall,	McGowan,	Sowers,
Berger,	Haslett,	McKim,	Spangler,
Betts,	Haws,	Metcalf,	Staudenmeier,
Bluett,	Heffernan,	Miller,	Stevens, A. J.,
Brenneman,	Heffran,	Minehart,	Stoner,
Brewster,	Henderson,	Moffatt,	Storb,
Bromley,	Hetrick,	Moore,	Storer,
Brown,	Heyburn,	Morrison,	Thomas, L. D.,
Brownmiller,	Himes,	Munley,	Thomas, M. G.,
Burns,	Holcombe,	Myers, G. C.,	Thompson,
Bush,	Hoover,	Myers, P. M.,	Walker,
Chaplin,	Horne,	Ogle,	Weamer,
Clutton,	Howell,	Orr,	Wells,
Coldsmith,	Irvin,	Parkinson,	Wettach,
Coyne,	Johnson,	Peelor,	Whiteman,
Craig,	Jones, D. J.,	Perry,	Williams, J. M.
Diehm,	Jones, E. P.,	Pitts,	Wood, N.,
Donahue	Keene,	Price,	Wood, W. P.,
Driggs,	Kennedy,	Raymond,	Wright,
Earley,	Kunkle,	Rhodes,	Zook,
Evans, B. P.,	Labar,	Richards,	Goodnough,
Flinchbaugh,	Lauver,	Rinn,	Speaker.
Fowler, A. I.,	Little,	Rippman,	
Fratt,	Long,	Sample,	
Frazier,	Lucas,	Sautter,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

QUESTION OF PERSONAL PRIVILEGE.

Mr. LUDLOW. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. LUDLOW. Mr. Speaker, and members of the House, we are now well towards the middle of the month of April, and last evening at this week's session, the chairman of the Committee on Ways and Means read to us a statement consisting of what he calls "twelve conclusions." I am sorry that there weren't two more, so that we would have had a political prestige of "fourteen points" for this Legislature. Mr. Speaker, the statement made by him was very interesting. It restates many things with which all of us are familiar and told us some things we didn't know about. I quickly counted up the membership of the Committee on Ways and Means as given to us in our revised booklet, and find a membership of forty-four, or approximately one in every five members of the House. Now, I don't happen to be one of the—I used to think fortunate, but I think we'd better regard them as the unfortunate—forty-four. Therefore, I am very much in the dark. There are four out of every five members of the House who are very much in the dark. We have come to the time in our session where, instead of, or shall I say, in addition to the statement which we received last night, we ought to have some statement from the Ways and Means Committee through its chairman or someone whom the committee may designate, telling us what the general plan of action is. If they don't know it, and we can't ask them to go faster than they are going, they are working hard, we understand they are at least—and this is the point I want to make—then, at least we should not be asked to vote on a bill such as was on last night's calendar, relating to a tax on fuel products.

The bill may be a commendable one, but it, instead of having a scant constitutional majority or quorum as last night, we would have had two-thirds of the membership of the House, had it been Tuesday night instead of Wednesday night, when that bill would have been up for consideration; and I submit, Mr. Speaker and members of the House, and particularly to members of the Ways and Means Committee, it is not fair to us who are not on the Ways and Means Committee to be asked to vote on a bill of this kind which is a partial tax raiser unless somebody takes us into their confidence in a manner other than through the daily newspapers, who in some respects don't know any more about it than the rest of us, and tell us what part this is in the whole scheme of new taxes which the Ways and Means Committee wishes us to consider. The thing I think we ought to have, whether it is next Tuesday or a week from next Tuesday or two weeks from next Tuesday or three weeks, as the Chairman of the Appropriations Committee said,—of course, we want it as soon as we can get it—the thing we ought to have is a report or an outline showing where, in the scheme of new taxes, each bill comes which from now on they are going to report out to us for action. I read for an example in this morning's papers that there was a meeting last night. The reporters weren't in that meeting, I am sure, and therefore, what we get is a second-hand version through some persons once or twice removed as to what took place; and there are charges that somebody who was politically inclined suggested that there should not be a manufacturers' tax.

Now, I want to state, Mr. Speaker and members of the House, that I come here with an open mind on the question whether we should or should not have a manufacturers' tax. I am not bound by the precedent of some forty years, established some say, by public policy, and some say by a very well managed lobby. I am not controlled by that, but this fact I should like to know, whether the Ways and Means Committee has considered the question of sales tax. I should like to know whether they have considered some new scheme of taxation on natural resources, and are not passing the buck solely to anthracite coal. I should like to know whether they have considered the possibility of following the line of least resistance, which seems to be the only policy the State of Pennsylvania has adopted for the past twenty-five years in levying its taxes, and if you don't believe me, go back and read the various messages of the Governors who have signed bills imposing State taxes, where they have always done it reluctantly, because they realize the inherent and unsound reasoning upon which the bills were based and passed in this House and in the Senate. Now, I want you to get one thing mighty clearly. There are some men who come farther from Harrisburg than I do, and these men have come down here, Mr. Speaker,—and I have been up visiting in their regions and I know how long it takes them to get home,—and we are down here day after day, for two days, and we can hardly get a constitutional quorum on Wednesday afternoon and Wednesday evening. This morning you noticed that the minute anybody indicated opposition to a bill, it must go over, because the Constitution clearly provides for a real quorum, not one of one vote over 105 members. It is a shame when ten votes can kill a bill, and we have got to put it on the postponed calendar. Now, the reason that I men-

tion this is that until we can meet day after day and solve these problems we are not going to go home, because we are here at this place: I am speaking for Ludlow from Montgomery County, and not anybody in or out of the Administration, or anybody in or out of the Ways and Means Committee,—I am told that there is not a tax measure that will come out that will pass this House, and that, therefore, we are going to adjourn and we shall have passed the burden a little more parliamentary expression than the one I used a few minutes ago, to the man who sits across the hall. Well now, if you are willing to do that, you are doing one of two things; either you are defeating the Edmonds' School Law by indirection, or you are second-story workers, going up the back of the House instead of coming in through the front door. You are trying to defeat what you haven't the nerve as a House to defeat and go back to our beautiful homes and say, "We would not vote for a tax;" and the answer is, the Governor can't come down and pass the burden back to my school district and your school district, and you don't dare go home, and I don't dare go home and tell them that we don't have the courage, in a big way, to face our problems of taxation. Now, we can't have this governor,—and in my mind and in the mind's eye I think you all like to think what we would do if we were Governor besides answering critics—if I were the Governor and this House and this Senate would adjourn without demanding ample taxes to finance the full school program I would call an extra session, with the expense it involves, and I would pass the responsibility directly to the gentlemen of the House and Senate who voted for going home without cleaning up, not the mess we read about politically, but the taxes necessary, and Mr. Speaker, my purpose in rising now is to say that I sincerely hope you will go further, I beg of the Ways and Means Committee to give us some statement, as to when they are ready,—we have no right to hurry them through their burdens, except to know that they are working continously and faithfully,—but I do ask that Committee to come to us, not with a statement of facts that we all know with few exceptions, but with a statement of a plan that under personal privilege or other constitutional parlimentary methods we may discuss here in each others presence and not have to pick up a newspaper of one kind or another and learn what is going on. I want to go home and think I have tried, at least, to vote intelligently. I want to know that we have considered these things and not have a bill slipped in on us and another six nights later and another two months later. I don't intend to discharge my duties that way, and I know that when I say this, I am speaking, not merely for myself, but I am speaking the sentiment of a majority of the members of the House. Let's have light; let's stop passing the burden back and forth. I know that members of the committee with whom I have talked would like to do that.

And I take this opportunity, in the only legitimate way open to me as a member of the House, and that is under the plea of personal privilege, to ask that it be done. Let us have a little light on something that we need a lot of light on.

QUESTION OF PERSONAL PRIVILEGE.

Mr. SOWERS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SOWERS. Mr. Speaker, I have listened with a great deal of attention to my friend, and his discussion of Ways and Means Committee, but it seems to me that the discussion at this time of the chairman of the Ways and Means Committee is mean ways. Now the calendar was going along very nicely, we were accomplishing lots of work, and we were finishing our work. I hope the members will proceed with the work and accomplish something and let light alone Light may fall, light may hit complainants. Let us go ahead with our work.

QUESTION OF PERSONAL PRIVILEGE.

Mr. OGLE. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. OGLE. Mr. Speaker, I have listened likewise with pleasure and profit to the remarks made by the gentlemen who have preceded me on this subject. As I understand it, as a member of the Ways and Means Committee, we are now facing a deficit of about twenty millions of dollars which must be raised to give us a clean sheet financially at the expiration of the two years of our term. Various methods or means, as suggested by the chairman, Mr. Woner, are presented to the House. As chairman he has not endorsed any one or two of the twelve conclusions at which he says he has arrived. It would have been more to the purpose, it seems to me, had he taken the bit in his mouth and designated the two that in his opinion ought to be adopted. A leader would have stepped into the breach. We have been groping in the darkness, looking for light, for a rainbow somewhere. Now speaking for myself, gentlemen, this is a serious condition for an honest Commmonwealth to be confronted with; the payment of twenty millions of dollars; the richest body of people asking us to lead them on the way out, whereby they can look the world in the face and owe not any man, and can put their school system and their road system on a basis where there will be no one to point the finger at them for any dereliction in duty Now then for a long period of years Pennsylvania has protected for what has been for many years called their "infant industries". If the manufacturers' club of Philadelphia, between now and when we shall meet on next Monday night, will get themselves together and say to us, "We will come to the relief of the Commonwealth for a period of two years, and we will submit, if you place on us such a tax as will raise that money, and relieve the other burden bearers," then the gentlemen of this House who seem to be so reluctant to vote against their friends, political, personal and otherwise, who happen to be in the manufacturing business, will be given carte blanche, and we can in a single day send a measure before us that will be adopted to relieve everybody. I call upon the manufacturers of this State, as patriotic sons of the Commonwealth, to come to the rescue. Do not stand back longer and say to us, "Whip the the horse drawing the burden, that is bearing the load; put a tax of twelve and one-half per cent. on corporations that are now being taxed." I say it is cowardly and UnAmerican and unpatriotic, when they have the ability and means, to wilfully stand back and say, "We refuse to take our share of the public burden." I hope the suggestion that I make, that they take action between now and our meeting on Monday night, and pass a resolution that such a measure be adopted by this House which will clear the atmosphere and let us go back with our duties fully performed.

QUESTION OF PERSONAL PRIVILEGE.

Mr. ALEXANDER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. ALEXANDER. Mr. Speaker, in the absence of the chairman of the Ways and Means Committee, I desire to answer to a certain extent those members who have already spoken on questions of personal privilege. I am a member of the Ways and Means Committee and am also on the sub-committee that is endeavoring to work out some plan that will be the least burden on the people of this Commonwealth to bear. I recognize the fact that we cannot do anything by rising in our seats on questions of personal privllege. I have not heard the gentleman from Montgomery County at any time come before the Committee and suggest anything to us or to our working committee or in any way endeavor to bring about some point of profit to the Commonwealth. I have not heard him even suggest to any member of the Committee or sub-committee any plan he might have. He speaks about us passing the buck. The trouble with us in this House at the present time, when he says we cannot put any tax bill through this House, the cause of that is known. The fact has been stated through the newspapers and by the reporters in public and otherwise, that the Governor is not asking for any extra revenue. The Governor said in his budget that he proposes to carry on this business without any extra revenue. Ah yes, but it is couched in certain language which can be used in two different ways, and has two different meanings, that if the legislature wants to raise extra taxes for education, why it is up to them. Pass the buck, may you please, sir! And here is the result, the result is that every letter you get from back home on the tax bill, every one of these letters say, "What do you want to raise taxes for, the Governor says he doesn't want them?" There is where the trouble is. If the Governor would come to the front now and say he is mistaken about not wanting more taxes, and say that he must have them, then the burden of this legislature would be much easier than it has been. When you go back home, and meet these people back home, and I get it more than some of the other members of the House because I offered in the House as a means toward helping conditions what is known as the luxury bill—of course for that reason I have had directed at me letter after letter, and every one of them has in it that same expression, "Why are you after taxes, you have always been for an economy plan,you fought last session in the House on the question of economy, the Governor was elected on an economy platform, and he says he wants no new taxes. Why are you asking for taxes?" As I say, he has not been fair with us, because he has placed this House in that very position. Every day, the newspapers, commenting on those members of the legislature who are opposed to the Governor, say that they are endeavoring to levy extra taxes for the purpose of taking care of their friends who have jobs in the legislature. That is what we get every day and that is the way the impression goes, and that is why we have heard it said, according to some of the members, that it is absolutely impossible to get any tax raiser through this House, and that is just the reason why the Governor will have to come out first and say to the public that he needs taxes, because the public has confidence in him at the present time, and when he says that he doesn't need extra taxes, they take him one hundred per cent at his word.

QUESTION OF PERSONAL PRIVILLEGE.

Mr. FLINCHBAUGH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. FLINCHBAUGH. Mr. Speaker and members of the House, I am a member of the Ways and Means Committee. I am not speaking authoritatively for the committee, but am giving only my opinion. The other night when I spoke upon a bill that was under consideration in this House, it was charged that I was speaking with a partisan object. When I became a member of this House I laid partisanship aside, and I am just as much interested in the state's schools and highways as any other individual of the state. On January 16, when the Governor addressed the joint session of the House and Senate, he made the remark that he was not asking for additional taxes, and in the course of his address he said, "I repeat gentlemen, I am not asking for additional taxes."

I think that the Ways and Means Committee should not be charged with neglect of duty, because every time there is an estimate placed on the needs of the State it varies, and the Ways and Means Committee does not know where it is standing. I have been informed by members of the House, and by men in positions of responsibility whom I believe know the situation, that if this deficiency were spread over a period of four years, additional taxes would not be required. I am informed also that this deficiency accrued over a period of ten years, and why should the House attempt to pay this deficiency in two years, when it has been growing for over ten years. When a business concern gets into financial difficulty, it is often taken over by the creditors. They do not expect the business concern either by a miracle or by rubbing Aladdin's Lamp, to get millions to pay off this deficiency in a short time. They give that concern a period of years through which to rehabilitate themselves and to make up this deficiency. Information has been given, as the gentleman from Delaware, Mr. Alexander, has said to the people everywhere, that the Governor does not need additional taxes, and why should the legislature pass additional taxes. It has also been informed, by some people in position to know, that as soon as the legislature adjourns the Governor will begin to clean house and clean up the mess on the Hill. As a member of this legislature, before I vote for additional taxes, I would like to see the mess, if there is any mess,—and we have the Governor's word for it,—cleaned up immediately. I would like to see the Governor show his authority and show his sincerity by cleaning up the mess before he asks for additional taxes. I repeat, that it is my purpose, since this deficiency can be met in four years without additional taxes, and because of the fact that the mess has not been cleaned up, I repeat, I am not in favor of additional taxes.

QUESTION OF PERSONAL PRIVILEGE.

Mr. BURD P. EVANS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BURD P. EVANS. Mr. Speaker and members of the House, I shall be brief and will not tire you. I can not agree entirely with all that has been said by all of the gentlemen who preceded me, but on the subject of spreading the payment of the deficit over a period of four years, I do heartily agree. It has been said in a rather indefinite way, so far as figures are concerned, that it is a good scheme. Let us see how it figures out when we take the actual arithmetic of the matter. Assuming that this proposition is accepted; as I understand the figures, there are $178,000,000, required for the budget if the budget remains as it is for another biennium after this, or making a four year period. The deficit as it now stands, I understand, is $23,000,000. The school deficit, as it now stands, is $36,000,000. Assuming these figures to be correct all the monies

would make a total of $237,000,000. Now what are our tax conditions? According to the best information I have been able to get, and I have been a month trying to get this information, the taxes at present would amount in the next four years to $112,000,000, with an approximate excess of $7,000,000, or $231,000,000 leaving a present deficit of $6,000,000, which divided by six will give us a yearly deficit of $1,500,000, but we have to add to that deficit two items, one of $279,000 which was taken away from the general fund and placed in the bureau of Animal Industry, and the other of $434,000 which on account of the operation of the enforcement law the state will be prevented from having that income on licenses. Now where is this deficit? This deficit is in one department, as I understand, it is in the department of Public Instruction. I think the department of Public Instruction should at least be loyal and patriotic enough to endeavor with economy to assist in defraying and paying that deficit. I am not prepared to say that that department is extravagant, but I do believe that economy might be practiced which would go a long ways toward covering this small deficit if the proposition were carried over a four year period. In one county alone in the last ten years the population increased eleven and one-half percent, and the scholars in that county increased only three and one-half percent, but in one department alone, which is the county superintendent's office, the expenses there have increased three hundred and fifty-three percent. It seems out of all proportion that that increase should be so high when there is only an increase of three and one-half in scholars. I believe as a member of the Ways and Means Committee that the Ways and Means Committee of this body should not pass over those conditions, and I believe that the Ways and Means Committee should investigate along those lines with the purpose in view of suggesting such economies as they might be able to put into effect in that particular department. It might be necessary to modify somewhat the Edmond's Act. The Governor of this Commonwealth has already suggested modification, so it would not be considered lese majeste if we as a committee suggested the same thing. The suggestion should properly come from a member of the Ways and Means Committee, and that is why I have made that suggestion. I cannot believe that the Edmond's Act should be worshipped as any fetish. If it is wrong let us correct it, but if it is right let us stand back of it.

QUESTION OF PERSONAL PRIVILLEGE.

Mr. STOFFLET. Mr. Speaker, I rise to a question of personel privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. STOFFLET. Mr. Speaker, it is not out of a spirit of antagonism to the administration that I rise to make these few remarks, but we have had the pre-election promise of the Governor that he could run this state government on $89,000,000. He has stated repeatedly that he does not need any more money. He said, "I am going to clean up this mess, and I am going to do it with the money I have got". I have reliable information that the revenues of this state will amount to $115,000,000 for the next two years. Now if that be a fact, and I have no reason to doubt that it is a fact, if the Governor spends $89,000,000, he still has $26,000,000 left. Now if there is a deficit here of $29,000,000, that deficit can be paid the first year all but $3,000,000, and the last two years of his administration he can pay the other $3,000,000 and show a balance in the State Treasury of $23,000,000. Those are facts and figures that no administration and no committee can get away from. Now what I would like to know is this, is there in point of fact a deficit? I have not been able to find any single man who can put his figure down on one single thing and say, there is a deficit. Where is it? If we want to clean up this mess we want to clean it up here. We do not want reorganization of the State government. The Democrats made no pledges, but what the Democrats in this House are going to do is to hold the men to their pre-election pledges.

Mr. WHITEMAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WHITEMAN. Mr. Speaker, I have no intention of rushing to the defense of the Chairman of the Ways and Means Committee, who is absent, further than to say that if he were here he could adequately answer to criticisms which have been thrown against him. I personally, know that he has been giving his time to this question to the best of his ability, such as he does possess, but he has no Aladdin's Lamp. Personally, Mr. Speaker, I have a plan in mind, which I think would meet the financial situation without imposing additional state taxes, yet I doubt if I could secure the support of the gentleman from Montgomery, or the gentleman from Somerset, for that plan, and it seems to me that that sums up entirely the situation which confronts the Ways and Means Committee. They are confronted with opposition to almost any plan under the sun, and until there can be an amelioration of sentiment regarding such plans, we must be content with the decisions of the Ways and Means Committee.

The SPEAKER. The remarks of the gentleman on his question of personal privilege will be noted on the Journal.

ORDER OF THE DAY.

Mr. OGLE. Mr. Speaker, I call for the order of the day.

The SPEAKER. The order of the day is bills on third reading and the House will now proceed to the consideration of such bills.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1140, (Senate Bill No. 130), entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight) entitled 'An Act prohibiting under certain conditions the commutation encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" by extending the name to the proceeds and income from policies issued by both domestic and foreign companies

And said bill having been read at length the third time, considered and agreed to.

On the question, ...

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—117.

Alexander,	Glasgow,	Marshall, W. F.,	Smith, G. A.,
Allman,	Golder,	Mathay,	Smith, H. J.,
Armstrong,	Goss,	McBride,	Smith, H.,

Arthur,	Grimes,	McClure,	Smith, J. W.,
Beaver,	Guerin,	McCurdy,	Sowers,
Bell, F. A.,	Haines,	McDermott,	Spangler,
Bell, W. T.,	Hall,	McGowan,	Sprowls,
Bentley,	Harter,	McKim,	Stark,
Berger,	Haslett,	Metcalf,	Staudenmeier,
Bidelspacher,	Haws,	Moffatt,	Stevens, A. J.,
Bluett,	Heffernan,	Moore,	Stoner,
Brenneman,	Heffran,	Myers, G. C.,	Storb,
Bromley,	Henderson,	Nolte,	Storer,
Brown,	Hetrick,	O'Boyle,	Thomas, L. D.,
Burns,	Holcombe,	Ogle,	Thomas, M. G.,
Bush,	Hontz,	Patterson,	Thompson,
Clutton,	Hoover,	Peelor,	Van Alen,
Coldsmith,	Horne,	Perry,	Walker,
Colville,	Huber,	Posey,	Weamer,
Craig,	Jones, C. B.,	Post,	Wettach,
Diehm,	Jones, D. J.,	Raymond,	Wheeler,
Donahue,	Keene,	Rhodes,	Whitehouse,
Eaches,	Kennedy,	Richards,	Whiteman,
Earley,	Kunkle,	Rinn,	Wood, N.,
Evans, B. P.,	Lafferty,	Sample,	Wood, W. P.,
Fields,	Lucas,	Sautter,	Zook,
Flinchbaugh,	Ludlow,	Schilling,	Goodnough,
Fowler, D.,	Mack,	Schleiter,	Speaker.
Frazier,	Malle,	Schwartz,	
Gibbon,	Marcus, J. C.,	Shambach,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1357, as follows:

An Act providing for the redemption and cancellation of the bond issued under the act approved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled "An act directing the sale of the bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" and for the investment of the moneys in the fund resulting from such redemption and the payment of the interest therefrom by the Sinking Fund Commission to Pennsylvania State College

Whereas an act of Congress of the United States approved the second day of July one thousand eight hundred and sixty-two entitled "An act donating lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts" under which certain public lands or land script was apportioned to Pennsylvania the interest or income from the investment or sale of which land or land script to be inviolably appropriated to the endowment support and maintenance of at least one college where the leading object shall be without excluding other scientific and classical studies and including military tactics to teach such branches of learning as are related to agriculture and the mechanic arts

And Whereas Said act of Congress was accepted by the Commonwealth of Pennsylvania by act approved April first one thousand eight hundred and sixty-three (Pamphlet Laws two hundred and thirteen) entitled "An act to accept the grant of public lands by the United States to the several states for the endowment of agricultural colleges"

And Whereas By an act approved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled "An Act directing the sale of the bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" the surveyor general was directed to sell the bonds held in trust for "the Agricultural College land script fund" and pay the proceeds thereof into the State Treasury for the use of the Sinking Fund Commissioners and which act further directed that the Governor Auditor General and State Treasurer issue a registered bond of the Commonwealth for the sum of five hundred thousand dollars payable to the Agricultural College land script fund of Pennsylvania after fifty years from the first day of February one thousand eight hundred and seventy-two with interest on the same at the rate of six per cent. per annum to be paid semi-annually on the first of February and August of each year and deliver the said bond to the State Treasurer for the uses and purposes declared by law which bond was issued as therein directed

And Whereas Said bond matured on the first day of February one thousand nine hundred and twenty-two now therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Sinking Fund Commissioners of the Commonwealth of Pensylvania are hereby authorized and directed to redeem from the moneys in the Sinking Fund said bond issued under the authority of the act aproved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled "An act directing the sale of the bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" by depositing in the State Treasury in a fund known as the Agricultural College Land Script Fund said sum of five hundred thousand dollars which bond shall then be cancelled by said Commission

Section 2 The Sinking Fund Commissioners are hereby authorized and directed to invest the said five hundred thousand dollars in said fund in such securities as the said Sinking Fund Commissioners are authorized to invest the funds of the Commonwealth and pay the interest or income therefrom semi-annually on the first day of February and August of each year to Pennsylvania State College said Pennsylvania State College being such a college as meets the requirements of the act of Congress of eighteen hundred and sixty-two under which this appropriation was made to the State of Pennsylvania by the United States Government Provided nevertheless that any difference between the amount of the interest or income realized by the said sinking fund commision on such investments and the sum of twenty-five thousand dollars the latter being five per cent. of the total amount of such fund which Pennsylvania guaranteed said fund shall yield annually shall be paid by the Commonwealth of Pennsylvania from appropriations made for this purpose from time to time

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—119.

Alexander,	Frazier,	Lucas,	Rinn,
Allman,	Gallaher,	Ludlow,	Rippman,
Arthur,	Gibbon,	Marcus, J. C.,	Sautter,
Beaver,	Gilchrist,	Marshall, W. F.,	Schoener,
Behney,	Griffith,	McBride,	Schwartz,
Bell, W. T.,	Grimes,	McClure,	Shambach,
Bentley,	Hall,	McCurdy,	Sheridan,
Berger,	Harer,	McDaniel,	Smith, G. A.,
Brewster,	Haslett,	McDermott,	Smith, H. J.,
Bromley,	Haws,	McKim,	Smith, H.,
Brown,	Heffernan,	Millar,	Smith, J. W.,
Burns,	Heffran,	Miller,	Staudenmeier,
Bush,	Henderson,	Minehart,	Stoner,
Clutton,	Hetrick,	Moffat,	Storb,
Coldsmith,	Heyburn,	Moore,	Storer,
Colville,	Himes,	Morrison,	Thomas, L. D.,
Craig,	Holcombe,	Munley,	Thomas, M. G.,
Diehm,	Hontz,	Myers, G. C.,	Walker,
Dietz,	Hoover,	Myers, P. M.,	Weamer,
Donahue	Horne,	Ogle,	Wells,
Driggs,	Huber,	Orr,	Wettach,
Eaches,	Irvin,	Parkinson,	Whitehouse,
Earley,	Johnson,	Patterson,	Whiteman,
Edmonds,	Jones, C. B.,	Peelor,	Williams, G. W.,
Eshelman,	Jones, D. J.,	Perry,	Williams, J. M.,
Evans, B. P.,	Kelly,	Pitts,	Wood, N.,
Evans, J.,	Kennedy,	Price,	Wood, W. P.,

Flinchbaugh,	Kunkle,	Raymond,	Wright,
Fowler, A. I.,	Little,	Rhodes,	Goodnough,
Fowler, D.,	Long,	Richards,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 681, as follows:

An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of a supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by an act approved the twelfth day of April one thousand nine hundred and seventeen (Pamphlet Laws seventy-two) entitled "An act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine entitled 'A supplement to an act to provided for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three' as amended by fixing the maximum amount for maintenance weekly per capita" which was last amended by an act approved the thirteenth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and thirty-two) entitled "An act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled 'A supplement to an act" to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane" approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three' as amended by fixing the maximum amount for the maintenance weekly per capita" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the expense of the care and treatment of the indigent insane in the State and semi-State hospitals for the insane is hereby fixed at the uniform rate of (two dollars and fifty cents) three dollars per week for each person including clothing chargeable to the respective counties or poor districts from which such insane shall come and the excess over said (two dollars and fifty cents) three dollars shall be paid by the State (but in no case shall said excess exceed two dollars and fifty cents per week for each indigent insane person Provided-however That during the period beginning June first one thousand nine hundred and twenty-one and ending May thirty-first one thousand nine hundred and twenty-three the rates aforesaid shall be increased to the sum of three dollars per week) to the several State and Semi-State hospitals on requisition of the Commissioner of Public Welfare

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Albert,	Driggs,	Kelly,	Richards,
Allman,	Eaches,	Kohler,	Rinn,
Armstrong,	Eshelman,	Kunkle,	Sample,
Arthur,	Evans, J.,	Lafferty,	Sautter,
Aston,	Flinchbaugh,	Lauver,	Schilling,
Baker,	Fowler, D.,	Little,	Schleiter,
Baldi,	Frazier,	Long,	Schwartz,
Behney,	Gibbon,	Lucas,	Shambach,
Bell, F. A.,	Golder,	Mack,	Sheridan,
Bell, W. T.,	Grimes,	Mangan,	Smith, H. J.,
Bentley,	Guerin,	Marcus, J. C.,	Smith, H.,
Berger,	Haas,	Marshall, W. F.,	Smith, J. W.,
Betts,	Hall,	Mathay,	Sowers,
Bidelspacher,	Harer,	McBride,	Spangler,
Blair,	Harter,	McClure,	Sprowls,
Bluett,	Haslett,	McCurdy,	Stark,
Boback,	Haws,	McDermott,	Stavitski,
Brenneman,	Heffernan,	McGowan,	Stevens, A. J.,
Bromley,	Heffran,	McKim,	Stoner,
Brown,	Henderson,	Metcalf,	Storb,
Brownmiller,	Heyburn,	Miller,	Thomas, L. D.,
Burns,	Holcombe,	Minehart,	Thomas, M. G.,
Bush,	Hollis,	Moffat,	Thompson,
Chaplin,	Hontz,	Myers, G. C.,	Walker,
Clutton,	Horne,	Nolte,	Wettach,
Coldsmith,	Howell,	O'Boyle,	Wheeler,
Colville,	Huber,	Ogle,	Whitehouse,
Coyne,	Irvin,	Parkinson,	Whiteman,
Craig,	Johnson,	Perry,	Wood, W. P.,
Diehm,	Jones, D. J.,	Posey,	Goodnough,
Dietz,	Jones, E. P.,	Price,	Speaker.
Donahue	Keene,	Raymond,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. David J. Jones.

The House resumed the consideration on final passage of House Bill No. 678, entitled:

An Act to amend clause three section two article two of chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. DAVID J. JONES. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. WHITEMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. DAVID J. JONES, Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title line 2 by strikng out the word "two" where it first occurs in the line, and insert in lieu thereof "ten"

Amend title line 3 by adding after the word "seven" the following: "and section seven, Article one of Chapter twelve"

Amend section 1, page 2, line 5 by inserting after the word "to" the following: "detention in"

Amend section 1, page 2, line 6 by inserting after the word "house" the words "as hereinafter provided"

Amend bill page 2 by adding at the end thereof the following section:

Section 2 That section seven, Article one of Chapter twelve of said act is hereby amended to read as follows:

Section 7 Upon judgment against any person by summary conviction of by proceedings by summons on default of the payment of the fine or penalty imposed and the costs, the defendant may be sentenced and committed to the borough lockup for a period not exceeding five days, or to the county jail or workhouse for a period not exceeding thirty days.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 882, as follows:

An Act to amend section thirteen of the act approved the thirteenth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A Further Supplement to the act regulating elections in this Commonwealth" as amended by authorizing the members of the board for receiving computing and certifying election returns to act when a majority of the members thereof are not qualified

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A Further Supplement to the act regulating elections in this Commonwealth" which was last amended by section one of the act approved the sixth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and twenty-five) entitled "An Act to amend section thirteen of an act entitled 'A Further Supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one housand eight hundred and seventy-four as amended by the act of April twenty-eight one thousand eight hundred and ninety-nine so as to reduce from three to two the minimum number of judges to be designated in the counties of Philadelphia and Allegheny to receive compute and certify the election returns required by said section to be presented by the prothonotary to the courts of common pleas thus assimilating the practice of said counties to that in the other counties of the Commonwealth" is hereby further amended to read as follows

Section 13 As soon as the polls shall close the officers of electinon shal proceed to count all the votes cast for each candidate voted for and make a full return of the same in triplicate with a return sheet in addition in all of which the votes received by each candidate shall be given after his or her name first in words and again in figures and shall be signed by all of said officers and certified by overseers if any or if not so certified the overseers and any officer refusing to sign or certify or either of them shall write upon each of the returns his or their reasons for not signing or certifying them The vote as soon as counted shall also be publicly and fully declared from the window to the citizens present and a brief statement showing the votes received by each candidate shall be made and signed by the election officers as soon as the vote is counted and the same shall be immediately posted upon the door of the election house for information of the public The triplicate returns shall be enclosed in envelopes and sealed in presence of the officers and one envelope with the unsealed return sheet given to the judge which shall contain one list of voters tally paper and oaths of officers and another of said envelopes shall be given to the minority inspector All judges living within twelve miles of the prothonotary's office or within twenty-four miles if their residence be in a town village or city upon the line of a railroad leading to the county-seat shall before two o'clock post meridian of the day after the election and all other judges shall before twelve o'clock meridian of the second day after the election deliver said return together with return sheet to the prothonotary of the court of common pleas of the county which said return sheet shall be filed and the day and hour of filing marked thereon and shall be preserved by the prothonotary for public inspection At twelve o'clock on the said second day following any election the prothontary of the court of common pleas shall present the said returns to the said court In counties where there is no resident president judge the associate judges shall perform the duties imposed upon the court of common pleas which shall convene for said purpose the returns presented by the prothonotary shall be opened by said court and computed by such of its officers and such sworn assistants as the court shall appoint in the presence of the judge or judges of said court and the returns certified and certificates of election issued under the seal of the court as is now required to be done by return judges and the vote as so computed and certified shall be made a matter of record in said court The sessions of the said court shall be open to the public and in case the returns of any election district shall be missing when the returns are presented or in case of complaint of a qualified elector under oath charging fraud or mistake and particularly specifying the alleged fraud or mistake or where fraud or mistake is apparent on the return the court shall examine the return and if in the judgment of the court it shall be necessary to a just return said court shall isue summary process against the election officers and overseers if any of the election district complained of to bring them forthwith into court with all election papers in their possesion and if palpable mistake or fraud shall be discovered it shall upon such hearing as may be deemed necessary to enlighten the court be corrected by the court and so certified but all allegations of palpable fraud or mistake shall be decided by the said court within three days after the day the returns are brought into court for computation and the said injuring shall be directed only to palable fraud or mistake and shall not be deemed a judicial adjudication to conclude any contest now or hereafter to be provided by law and the other of said triplicate returns shall be placed in the box and sealed up with the ballots Nothing in this act shall require the return of election of township or borough officers to be made to the court as directed in this section but all returns of he election of township and borough officers shall be enclosed in a sealed cover directed to the prothonotary of the court of common pleas of the proper county and shall be some one of them be delivered into his office within three days after such election and filed therein In counties where there are three or more judges of said court learned in the law at least two judges shall sit to compute and certify returns unless unavoidably prevented If any of the said judges shall be a candidate for any office at any election he shall not sit with the court or act in counting the returns of such election and in such cases the other judges if any shall act and if in any county there shall be no judge qualifiel to hold the said court under the provisions of this act present and able to act then and in every such case the register of wills the sheriff and the county commissioners of the preper county shall be and constitute a board who or a majority of whom shall have and exercise all the powers and perform all the duties vested in or required to be performed by the court of common pleas of such county by and under the provisions of this section but none of the said officers shall act as a member of such board when himself a candidate for any officee at the election the returns of which the said board is required to count under the provisions of this section If in any such case a majority of such officers are candidates for office at such election then the officer or officers members of said board who are not candidates shall have and exercise the powers and perform the duties herein delegated to the said board The returns required by this act to be presented by the prothonotary of the courts of common pleas of Philadelphia and Allegheny respectively shall be presented to such two or more of the judges of the several courts of common pleas of said counties respectively as the judges of said courts or a majority of them may designate to perform the duty of receiving com-

puting and certifying said returns When two or more counties or parts of two or more counties are connected for the election of any officer the courts of such counties or parts of counties comprising the district shall each appoint a return judge resident within such district to meet within seven days after the day of election of such officer at such place as is required by law or if no place of meeting is designated by law at such place within such district where the returns of the election of such officer shall by law be directed to be filed to compute and certify the vote of such district and it shall be the duty of the return judges in such cases to transmit to the person elected as such officer's certificate of his election within five days after the day of making up such return All officers provided for by this act shall be compensated as like officers are paid by existing laws Whenever a place has been or shall be provided by the authorities of any city county township or borough for the safe-keeping of ballot boxes the judge and minority inspector shall after the election shall be finished and the ballot box or boxes containing the tickets list of voters and other papers have been securely bound with tape and sealed and the signatures of the judges and inspectors affixed thereto forthwith deliver the same together with the remaining boxes to the mayor and recorder of such city or in counties townships or boroughs to such person or persons as the court of common pleas of the proper county may designate at the place provided as aforesaid who shall then deposit the said boxes and keep the same to answer the call of any court or tribunal authorized to try the merits of such election Whenever the election officers of any election district shall require the election boxes of such district to hold any election which by law they are or shall be required to hold they shall keep the same securely in their possession without opening until the morning of such election and until they shall severally be sworn or affirmed not to disclose how any elector shall have voted and after being so sworn or affirmed they shall open the said boxes and burn and totally destroy all the ballots and other papers which they shall find therein before proceeding to hold such election

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. DIEHM. Mr. Speaker, I move that House Bill No. 882, file folio 4111, be placed upon the postponed calendar.

Mr. HASLETT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 686, entitled:

An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole and providing for the payment of their expenses and membership dues by counties

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. DAVID J. JONES. Mr. Speaker, I move that this bill, House Bill No. 686, file folio 3341, be placed upon the postponed calendar.

Mr. BEAVER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1066, entitled:

An Act to amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred and sixty-eight) entitled "An Act to enable the county commissioners of the several counties to sell any real estate which they may acquire and make deeds therefor" excepting from the provisions of said act real estate acquired at tax sales

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILLISTON P. WOOD. Mr. Speaker, I move that House Bill No. 1066, file folio 3357, be placed upon the postponed calendar.

Mr. ZOOK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 994, entitled:

Supplement to an act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and thirty-eight) entitled "An act requiring counties having a population of over one million and less than one million five hundred thousand to establish a pension fund for the empolyes of such counties and providing for the administration of such fund and payments therefrom" by restricting the provisions of said act that the same shall hereafter be applicable to counties of the second class only and by extending the provisions of said act so that the same shall apply to all county employes working for wages on a per diem basis or any other basis and providing that all county employes shall have credit hereafter for all services heretofore or hereafter rendered on a per diem or other basis in calculating the total period of their employment for any of the purposes mentioned in said act

On the question,
Will the House agree to the bill on third reading?

It was agreed to,

On the question,
Shall the bill pass finally?

Mr. OGLE. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Stoner, permit himself to be interrogated?

Mr. STONER. Gladly.

Mr. OGLE. I only want to know whether this bill applies to the whole State or only to your county.

Mr. STONER. Only to Allegheny county.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—119.

Allman,	Greeby,	McBride,	Smith, G. A.,
Arthur,	Griffith,	McClure,	Smith, H. J.,
Beaver,	Grimes,	McCurdy,	Smith, H.,
Behney,	Hall,	McDaniel,	Smith, J. W.,
Bell, F. A.,	Haslett,	McKim,	Sowers,
Bell, W. T.,	Haws,	Metcalf,	Spangler,
Bentley,	Heffernan,	Miller,	Sprowls,
Berger,	Heffran,	Moffat,	Stark,
Blair,	Henderson,	Moore,	Staudenmeier,
Brewster,	Hetrick,	Munley,	Stoner,
Bromley,	Heyburn,	Myers, G. C.,	Storb,
Brown,	Himes,	Myers, P. M.,	Storer,
Burchinal,	Holcombe,	Ogle,	Thomas, L. D.,
Burns,	Hoover,	Orr,	Thomas, M. G.,
Chaplin,	Horne,	Parkinson,	Thompson,
Clutton,	Huber,	Patterson,	Walker,
Coldsmith,	Irvin,	Peelor,	Weamer,
Colville,	Jones, E. P.,	Perry,	Wells,
Craig,	Keene,	Pitts,	Wettach,

Diehm,	Kennedy,	Posey,	Wheeler,
Donahue	Kunkle,	Price,	Whiteman,
Driggs,	Lafferty,	Raymond,	Williams, J. M.,
Eaches,	Lauver,	Rhodes,	Wood, N.,
Earley,	Little,	Richards,	Wood, W. P.,
Evans, B. P.,	Long,	Rinn,	Zook,
Flinchbaugh,	Lucas,	Rippman,	Goodnough,
Fowler, A. I.,	Ludlow,	Sample,	Speaker.
Fowler, D.,	Marcus, J.,	Sautter,	
Gallaher,	Marcus, J. C.,	Schaeffer,	
Gibbon,	Marshall, W. F.	Schwartz,	
Gilchrist,	Mathay,	Shambach,	

NAYS—1.

Schleiter,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Mr. SPANGLER, asked and obtained permission to call up from the postponed calendar, House Bill No. 1259.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Spangler.

The House resumed the consideration on third reading of House Bill No. 1259: entitled:

An Act providing that certain election to take under or against the will of decedents heretofore required to be filed by surviving husbands or wives shall be presumed to have been made to take under said will

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the years and nays were taken and were as follows, viz:

YEAS—115.

Albert,	Flinchbaugh,	Long,	Sample,
Allman,	Fowler, D.,	Lucas,	Sautter,
Armstrong,	Gelder,	Ludlow,	Schaeffer,
Arthur,	Gibbon,	Malie,	Schoener,
Baker,	Glasgow,	Mangan,	Schwartz,
Baldi,	Golder,	Marcus, J. C.,	Smith, G. A.,
Beaver,	Goss,	Marshall, W. F.,	Smith, H. J.,
Bell, F. A.,	Grimes,	Mathay,	Smith, H.,
Bell, W. T.,	Guerin,	McBride,	Smith, J. W.,
Berger,	Haines,	McCurdy,	Sowers,
Bidelspacher,	Hall,	McDermott,	Sprowls,
Blair,	Harer,	McGowan,	Stark,
Bluett,	Haws,	Metcalf,	Stavitski,
Brenneman,	Heffernan,	Miller,	Stofflet,
Brewster,	Heffran,	Minehart,	Storb,
Bromley,	Hetrick,	Moffatt,	Storer,
Brown,	Holcombe,	Myers, G. C.,	Thomas, M. G.,
Burns,	Hontz,	Myers, P. M.,	Thomas, L. D.,
Bush,	Hoover,	Nolte,	Thompson,
Clutton,	Horne,	Ogle,	Van Alen,
Coldsmith,	Howell,	Orr,	Walker,
Colville,	Jones, C. B.,	Patterson,	Wettach,
Coyne,	Jones, E. P.,	Peelor,	Whitehouse,
Craig,	Keene,	Perry,	Whiteman,
Diehm,	Kelly,	Posey,	Woner,
Driggs,	Kennedy,	Price,	Wright,
Eaches,	Kunkle,	Raymond,	Goodnough,
Earley,	Lafferty,	Rhodes,	Speaker.
Evans, B. P.,	Little,	Rinn,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 883, entitled:

An Act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. DIEHM. Mr. Speaker, I move that House Bill No. 883, file folio 3361, be placed upon the postponed calendar.

Mr. HASLETT. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 51.

Commonwealth of Pennsylvania.
Executive Department, Harrisburg, April 11, 1923.

To the Honorable, the Members of the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval, House Bill No. 51, entitled, "An Act providing for the construction of certain bridges on State Highways, and providing for the apportionment of the cost, damages and expenses of construction of such bridges, and the maintenance thereof between the State, the county, and any railroad company or companies whose tracks are crossed by such bridge."

This Bill is primarily, if not exclusively, aimed to provide for the rebuilding of the bridge across Turtle Creek on the Lincoln Highway at Turtle Creek Borough, Allegheny County, Pennsylvania. The need for the relocation and rebuilding of this bridge is great. The Highway Department and the Public Service Commission are both in favor of rebuilding it. I join heartily in this feeling. There are, however, two strong reasons against allowing the Bill to become a law:

First: Either it is a special law passed for the building of this special bridge, which would make it unconstitutional, or it applies to an unknown number of bridges, which makes the extent of its demands upon the funds of the Highway Department an unsolved and unsolvable problem at this time.

Second: There is in existence a regular and legal method of relocating and rebuilding this bridge, namely, a proceeding which has already been begun, by the Public Service Commission which will result in an order for such rebuilding and an apportionment of the cost among the five parties interested. I believe it undesirable to change a regular practice, applicable throughout the length and breadth of the Commonwealth, when the end desired can be fully attained without such change.

All the parties interested were represented at a hearing before me today. All expressed their willingness to abide by such orders as the Public Service Commission may make

concerning this matter. All were agreed that the bill should be vetoed, and that the needs and interests of all parties concerned will be given full consideration and ample protection in the order to be issued by the Public Service Commission.

For these reasons the Bill is not approved.

GIFFORD PINCHOT.

Mr. McKIM. Mr. Speaker, I move that the veto, together with the Governor's message, be laid upon the table.

Mr. LITTLE. Mr. Speaker, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. SOWERS. Mr. Speaker, I move that this House do now abjourn until Monday evening, April 16, 1923, at 9:00 o'clock.

The motion was agreed to, and (at 1:30 P. M.) the House adjourned until Monday evening, April 16, 1923, at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

MONDAY, ARRIL 16, 1923.

The Senate met at 9 o'clock P. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Heavenly Father: We are very glad that we may come to Thee in prayer. We are thankful that this is a Christian Nation and a Christian Commonwealth. We believe in an Almighty God, a divine Providence that rules and overrules and that brings all things to pass. We are glad that by the will of the people, the sessions of our Congress and of our State Legislatures are opened day by day with prayer. We have faith in Thee. Without Thy guidance we are helpless; with Thee on our side we can do all things. If a sparrow cannot fall to the ground without Thy notice, can a Nation continue without Thine aid? In all the business of life, strengthen our faith in Thee.

Bless the Senators during this new week of legislative work, and direct them in all they do. For Jesus sake. Amen.

JOURNAL APPROVED.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE.

Mr. JOYCE asked and obtained leave of absence for the Senator from Allegheny, Mr. LESLIE for today.

REPORTS FROM COMMITTEES.

Mr. SCHANTZ, from the Committee on Appropriations re-reported as amended, Senate Bill No. 153 entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to certain aged persons and providing for their burial creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county defining their powers and duties providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators making counties liable for certain expenses providing penalties and making an appropriation.

Mr. ARON, from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 395 (House Bill No. 283) entitled:

An Act to further amend section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as amended providing a pension for employes who have not reached the age of sixty years but who have become permanently disabled after eighteen years of service.

Mr. SMITH, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 476, entitled:

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class, for the establishment of lines and grades for and the grading, paving or repaving of said alleys, and the grading of private alleys hereafter laid out, and for apportioning the cost and for the filling of liens therefor.

Mr. BUCKMAN, from the Committee on Corporations reported as committed, Senate Bill No. 494, entitled:

An Act to exempt from County, city, borough, township, bounty, road, school and poor taxes, real and personal property owned by one ore more corporations of purely public charity and used by such owner or owners and other similar associations or corporations exclusively for the purposes of such occupants.

Mr. PHIPPS, from the Committee on Military Affairs, reported as committed, Senate Bill No. 696 (House Bill No. 600) ,entitled:

An Act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United-Spanish War Veterans a part of the public records of the State and providing for their publication and distribution.

Mr. DAVIS, from the Committee on Mines and Mining, rereported as amended, Senate Bill No. 391, entitled:

An Act creating the "Anthracite Municipalities Fund" appropriating pro rata according to population a portion of the tax on anthracite coal to the use of the Cities Boroughs and Townships from which the anthracite coal taxed was removed in course of mining and imposing duties upon the State Treasurer and Auditor General.

QUESTION OF PERSONAL PRIVILEGE.

Mr. DAIX. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Daix, will state his question of personal privilege.

Mr. DAIX. Mr. President, it is an absolute impossibility to hear what is going on in the Senate owing to people lobbying inside of the rail. I must ask the Chair to take notice of this fact.

The PRESIDENT. The Senator from Philadelphia, Mr. Daix, directs the attention of the Chair to the fact that

people are lobbying on the floor of the Senate. The Sergeant-at-Arms will see that all outsiders are removed from the floor of the Senate and those at the rear of the Senate Chamber will keep order, otherwise the Sergeant-at-Arms will be asked to eject them.

REPORTS FROM COMMITTEES.

Also from the Committee on Mines and Mining, re-reported as amended, Senate Bill No. 390, entitled:

An Act creating the "Anthracite Mine Cave Fund" appropriating a portion of the State Tax on anthracite coal to the use of the Pennsylvania State Anthracite Mine Cave Commission and imposing duties upon the State Treasurer and Auditor General.

Mr. STITES, from the Committee on Law and Order, reported as committed, Senate Bill No. 733 (House Bill No. 999) entitled:

An Act providing for the refunding of liquor license fees and additional taxes to holders of liquor licenses to manufacture or sell vinous spirituous malt or brewed liquors or any admixture thereof intoxicating liquor or ethyl alcohol where the Act of Assembly under the authority of which licenses were granted has been repealed by the General Assembly of one thousand nine hundred and twenty-three prior to the expiration of the license year for which such licenses were issued providing for the payment of such refund in certain cases by the county in which such license was granted and the repayment to such county by the city, borough, township and State of their respective shares of such refund and for the payment of such refund in certain cases by the State along providing the procedure in such cases and making an appropriation.

Mr. HARRIS, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 691, entitled:

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within or without the limits of said cities for the purpose of establishing and maintaining municipal airdromes or avation landing fields; providing for the procedure in cases of condemnation and the extent of title acquired; authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental; and empowering said cities to operate and maintain said fields jointly with any county within which said city is situated where the county is empowered to operate and maintain an airdrome or aviation landing field.

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 690, entitled:

An Act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the precedure in case of condemnation and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such term as may be fixed and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation land fields where such city is authorized to establish and maintain the same.

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 583, entitled:

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities, and providing for the division of the assets and liabilities of said townships.

Also reported from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 780, entitled:

An Act providing that the county treasurers in counties of the second class of this Commonwealth shall add a penalty of five per centum on all taxes, in each district, of said counties, which shall have been assessed against any person or persons, or their property in any of the districts of the said county and which shall remain due and unpaid for a period of four months after the date fixed for the payment in the proper district and requiring the county treasurer to receive the whole amount of taxes assessed against any person or persons or their property in any of the districts of the said county, with the added penalty of five per centum, as provided herein, without any other increases or deductions; providing that the said penalty of five per centum shall accure to the revenues of said county; and repealing all acts or parts of acts inconsistent herewith.

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 710 (House Bill No. 638), entitled:

An Act supplementing an act entitled 'A supplement to an act entitled "An act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one, authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof approved the twenty-first day of June A D 1919 (P. L. 570)" providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities establishing the procedure upon said appeals authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties and authorizing said appeals to be advanced

Mr. SALUS, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 557, entitled:

An Act authorizing Council in cities of the first class by ordinance to require the installation of standpipes and sprinkler systems in certain buildings in such cities to prescribe the kind and character thereof and regulations therefor and to provide for the enforcement of such ordinance

Mr. BARR, from the Committee on Law and Order, reported as amended, Senate Bill No. 463, entitled:

An Act to further amend section three of an act approved the twenty-third day of May, one thousand eight hundred and eighty-seven, (P. L. 173), entitled "An act to make the carrying on of the business of detectives without license a misdemeanor, and to regulate the licensing and powers of detectives," as amended; by providing that detective agencies may employ detective operatives who may serve legal papers in certain cases and be entitled to the legal fees for said services, giving a right of action on the bond of the employing licensed detective agencies for injury done by said detective operatives and providing a penalty for wilful offenses of said detective operatives.

Mr. DAIX, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 694 (House Bill No. 515) entitled:

An Act limiting rent as a preferred claim.

Mr. JOYCE, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 628 entitled:

An Act regulating the mining of anthracite coal underneath cities, boroughs and first class townships, within the Commonwealth of Pennsylvania.

Mr. BALDWIN, from the Committee on Finance, reported as committed, Senate Bill No. 565 entitled:

An Act creating a Department of Game and Fish charging the department with the enforcement, administration and execution of laws heretofore enforced, administered and executed by or through the Department of Fisheries and the Board of Game Commissioners; defining the powers and duties of the Department, and prescribing penalties, abolishing certain departments, boards, commissions and offices; providing for the disposition of certain moneys now held by or hereafter paid to the State Treasurer under any statute the enforcement of which is by this act imposed on the department; and making appropriations.

Also, from the Committee on Finance, reported as committed, Senate Bill No. 570, entitled:

An Act providing for the merging of moneys held in certain special funds in the State Treasury, with moneys in the general fund; provding for the use of all moneys in the general fund for the payment of appropriations, and for the payment from the general fund of moneys appropriated and dedicated for special purposes.

Mr. WOODWARD, from the Committee on Pensions and Gratuities, reported as amended, Senate Bill No. 495, entitled:

An Act establishing a State employes retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes and judges serve; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties.

BILLS INTRODUCED.

Mr. JONES read in his place and presented to the Chair Senate Bil No. 781, entitled:

An Act authorizing the State Highway Commissioner to combine certain State Highways or any part or sections thereof into a route under a common letter, name, number or other marker or designation, or any combination thereof for the purpose of informng and assisting the traveling public in and through the State

Which was committed to the Committee on Public Roads and Highways.

Mr. CRAIG read in his place and presented to the Chair Senate Bill No. 782, entitled:

An Act to amend section nineteen of an act approved the second day of May, one thousand nine hundred and five (Pamphlet Laws, three hundred and fifty-two), entitled "An Act to regulate the employment, in all kinds of industrial estabishments, of women and children employed at wages or salary, by regulating the age at which minors can be employed and the mode of certifying the same, and by fixing the hours of labor for women and minors; to provide for the safety of all employes in all industrial establishments, and of men, women and children in school-houses, academies, seminaries, colleges, hotels, hospitals, storehouses, office buildings, public halls and places of amusements, in which proper fire escapes, exits and extinguishers are required; to provide for the health of all employes, and of men, women and children in all such establishments, storehouses and buildings, by proper sanitary appliances; and to provide for the appointment of inspectors, office clerks and others who, with the Chief Factory Inspector, shall constitute the Department of Factory Inspection; to enforce the same, and providing penalties for violations of the provisions thereof; fixing the term and salaries of the Chief Factory Inspector and his appointees," by providing for inspection of boilers by the Department of Labor and Industry, for examination and certification of boiler inspectors and a fee therefor, for issuance of certificates of operation and a fee therefor, and, for the use of the fees collected.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 783, entitled:

An Act to amend section one of an act approved the thirtieth day of May, one thousand eight hundred and ninety-five, entitled "An Act to provide for safety guards upon passenger elevators and providing a penalty for violation thereof."

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 784, entitled:

An Act to amend section twelve of an act approved the second day of May, one thousand nine hundred and five (Pamphlet Laws, three hundred and fifty-two), entitled "An Act to regulate the employment, in all kinds of industrial establishments, of women and children employed at wages or salary, by regulating the age at which minors can be employed and the mode of certifying the same, and by fixing the hours of labor for women and minors, to provide for the safety of all employes in all industrial establishments, and of men, women and children in schoolhouses, academies, seminaries, colleges, hotels, hospitals, storehouses, office buildings, public halls and places of amusements, in which proper fire-escapes, exits and extinguishers are required; to provide for the health of all employes, and of men, women and children in all such establishments, storehouses and buildings, by proper sanitary appliances; and to provide for the appointment of inspectors, office clerks and others, who, with the Chief Factory Inspector, shall constitute the Department of Factory Inspection; to enforce he same, and providing penalties for violations of the provisions thereof; fixing the term and salaries of the Chief Factory Inspector and his appointees," by providing for inspection of elevators by the Department of Labor and Industry, for examination and certification of elevator Inspectors for an examination fee, for issuance of certificates of operation and a fee therefor and for the use of the fees collected.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 785, entitled:

A Supplement to the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1270), entitled, "An Act providing for the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission; and making an appropriation," providing for the sale and leasing of property acquired under said act; and making an appropriation of the proceeds thereof.

Which was committed to the Committee on Appropriations.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 786, entitled:

A Supplement to an act approved the twenty-first day of March, one thousand nine hundred twenty-three entitled "An Act for the prevention of fraud and the protection of the public health; relating to milk, cream or skimmed milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated; prohibiting the introduction of foreign fats into them; regulating the sale of and defining condensed, concentrated and evaporated milk; stipulating penalties for the infraction thereof; and providing for the enforcement thereof;" defining condensed, concentrated and evaporated skimmed milk, and compounds thereof; regulating the manufacture, sale and exchange thereof; and providing penalties.

Which was committed to the Committee on Public Health and Sanitation.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 787, entitled:

An act creating a Legislative Reference Bureau; providing for the election of a Director by the General Assembly; designating the officers and employees of such Bureau; defining their duties, fixing their salaries abolishing the present Legislative Reference Bureau; and making an appropriation.

Which was committed to the Committee on Judiciary Special.

Mr. McCLINTOCK read in his place and presented to the Chair Senate Bill No. 788, entitled:

An act making an appropriation to the Pittsburgh Newsboys' Home, of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropirations.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 789, entitled:

An act to amend the act approved the twenty-first day of May, one thousand eight hundred and eighty-one((P. L. 30), entitled "An act to enable mining, manufacturing, and trading companies to wind up their affairs, after the expiration of their charters" as amended; by extending the same to include foreign corporations.

Which was committed to the Committee on Corporations.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 790, entitled:

An act to amend section one of the act approved the fourth day of April, A. D. one thousand nine hundred and nineteen (P. L. forty-one) entitled "An Act to amend section one of the Act approved the eighth day of May, one thousand eight hundred and eighty-nine (P. L. one hundred thirty-two) entitled 'An Act authorizing county commissioners to employe detectives, offer and pay rewards for the detection arrest and conviction of felons, to include persons charged with a misdemeanor' by providing for certain expenditures under order of the court of common pleas.'"

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 791, entitled:

An act to further amend section three of an act, entitled "An act to provide for the employment of the insane, feeble-minded and epileptic persons confine in institutions, wholly or in part maintained by the State, for the care and treatment of the insane, feeble-minded and epileptic pensons, and providing for the distribution of supplies, manufactured articles, goods and products made in State institutions for the care and treatment of the insane, feeble-minded and epileptic persons," approved the twenty-eight day of May, Anno Domini, one thousand nine hundred and seven, so as to permit the sale of articles manufactured, and produce raised, by insane, feeble-minded and epileptic persons of such institutions for the benefit of such persons," by extending the right of sale to any State institution.

Which was committed to the Committee on Judiciary General.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 792, entitled:

An Act to amend section nine hundred six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended; conferring sole power of supervision over certain schools and institutions supported wholly or partly by the State upon the Council of Education.

Which was committed to the Committee on Education.

Mr. CULBERTSON read in his place and presented to the Chair Senate Bill No. 793, entitled:

An Act to repeal the act approved May tenth, one thousand eight hundred seventy-one (P. L. six hundred sixty-seven) entitled "An act to empower the school directors of Tuscarora and Spruce Hill townships, in the county of Juniata, to annex certain lands in Spruce Hill Township and Tuscarora township, in the county of Juniata, for school purposes."

Which was committed to the Committee on New Counties and County Seats.

Mr. NORTON read in his place and presented to the Chair Senate Bill No. 794, entitled:

An Act making an appropriation to the Beulah Anchorage, of Reading, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MacDADE read in his place and presented to the Chair Senate Bill No. 795, entitled:

An Act providing that in all suits against any county process shall be served upon and defense made by county controllers.

Which was committed to the Committee on New Counties and County Seats.

Mr. ARON read in his place and presented to the Chair Senate Bill No. 796, entitled:

An Act providing for the alteration of the boundaries of counties, in certain cases, for the adjustment of the indebtedness thereof providing the effect thereof.

Which was committed to the Committee on New Counties and County Seats.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 797, entitled:

An Act relating to the powers and duties of probation officers.

Which was committed to the Committee on Judiciary General.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 798, entitled:

An Act to amend sections two and twenty of an act approved June 7, 1915 (P. L. 888) entitled "An Act regulating through the Commissioner of Labor and Industry, the business of assisting employers to obtain employes, and persons to secure emplyment, including the business of collecting information to the same end, and prescribing penalties."

Which was committed to the Committee on Judiciary Special.

Mr. CHRISTLEY read in his place and presented to the Chair Senate Bill No. 799, entitled:

An Act to amend section seven hundred and nine of the act approved the 18th of May, 1911, (P. L. 509) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any part thereof, that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 800, entitled:

An Act to repeal section two hundred and thirty-nine of an act approved July 14, 1917 (P. L. 840) entitled "An Act concerning townships, and revising, amending and consolidating the law relating thereto."

Which was committed to the Committee on Public Roads and Highways.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 801, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia for the Teachers' College.

Which was committed to the Committee on Appropriations.

Mr. LONG read in his place and presented to the Chair Senate Bill No. 802, entitled:

An Act to regulate nominations and elections for all offices of judges of courts of record; providing for non-partisan nominations and elections for said offices, abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof, and the punishment of certain offenses.

Which was committed to the Committee on Elections.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 803, entitled:

An Act making an appropriation to the Allentown Hospital, Allentown, Lehigh County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 804, entitled:

An Act making an appropriation to the Pittsburgh Crittenton Home and Rescue Association, of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. JOYCE read in his place and presented to the Chair Senate Bill No. 805, entitled:

An Act to amend an act approved the seventh day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and seventy-eight) entitled "An Act to amend section one of an act, entitled 'An Act relating to damages for injuries producing death,' approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five so as to provide that certain surviving relatives of the deceased may recover damages, whether such surviving relatives be citizens of this Commonwealth or not" by extending the provisions thereof to other dependent next of kin.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 806, entitled:

An Act making an appropriation to the Pittsburgh Newsboys' Home, of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 212, (House Bill No. 52), entitled:

An Act to amend an act approved the thirty-first day of March one thousand nine hundred and twenty-one (Pamphlet Laws seventy-eight), entitled "An act to prohibit the speeding and racing of certain motor vehicles to fires the parking of motor vehicles in the vicinity of fires and the driving of motor vehicles over lines of hose" by extending the provisions thereof to all vehicles

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	Miller,	Stineman,
Brown,	Homsher,	Norton,	Stites,
Buckman,	Huffman,	Patton,	Vare,
Christley,	Jones,	Phipps,	Weaver,
Clark,	Joyce,	Quigley,	Woodward,
Craig,	Krause,	Schantz,	Eyre,
Culberston,	Kutz,	Sisson,	Pres. Pro Tem.
Daix,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. STEELE. Mr. President, I move that Senate Bill No. 229, (House Bill No. 211), on third reading, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania, for any lawful purpose defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto making an appropriation of the proceeds of such bonds for the purposes intended providing for the payment of interest on, and the redemption of, such bonds by the Sinking Fund Commission and fixing the compensation of the loan and transfer agent of the Commonwealth in connection therewith.

be recommitted to the committee on Banks and Building and Loan Associations.

Mr. McCLINTOCK. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 399, entitled:

An Act making an appropriation to reimburse the fund in the Mechanics Trust Company of Harrisburg standing to the credit of the Water Supply Commission for the improvement of French Creek for moneys inadvertantly paid into the State treasury

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MILLER. Mr. President, I ask unanimous consent to amend first "Whereas" clause, page 1, line 5 from the bottom of the page by inserting after the word "appropriation" the following: "an appropriation."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED.

Mr. ARON. Mr. President, I move that Senate Bill No. 426, on third reading, entitled:

An Act to further regulate the construction maintenance and inspection of buildings in cities of the first class

be recommitted to the committee on Municipal Affairs.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 533, (House Bill No. 524), entitled:

An Act to amend part of section one of an act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455), entitled, "An Act to fix the number of representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	Miller,	Stineman,
Brown,	Homsher,	Norton,	Stites,
Buckman,	Huffman,	Patton,	Vare,
Christley,	Jones,	Phipps,	Weaver,
Clark,	Joyce,	Quigley,	Woodward,
Craig,	Krause,	Salus,	Eyre,
Culberston,	Kutz,	Schantz,	Pres. Pro Tem.
Daix,	Lanius,	Sisson,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 549, (House Bill No. 702), entitled:

An Act to amend section 3 and section 4 of an act approved the fifth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws 374) entitled "An act providing for the licensing and regulation or corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing, negotiating offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or installment plan, or of assuming fixed obligations, or issuing, in connection therewith a contract based upon payments, being made upon installments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	Miller,	Stineman,
Brown,	Homsher,	Norton,	Stites,
Buckman,	Huffman,	Patton,	Vare,
Christley,	Jones,	Phipps,	Weaver,
Clark,	Joyce,	Quigley,	Woodward,
Craig,	Krause,	Salus,	Eyre,
Culberston,	Kutz,	Schantz,	Pres. Pro Tem.
Daix,	Lanius,	Sisson,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 553, entitled:

An Act for the appointment of a commission to study conditions relating to blind persons in Pennsylvania and making recommendations and making an appropriation

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—46.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	Miller,	Stineman,
Brown,	Homsher,	Norton,	Stites,
Buckman,	Huffman,	Patton,	Vare,
Christley,	Jones,	Phipps,	Weaver,
Clark,	Joyce,	Quigley,	Woodward,
Craig,	Krause,	Salus,	Eyre,
Culberston,	Kutz,	Schantz,	Pres. Pro Tem.
Daix,	Lanius,	Sisson,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 558, entitled:

An Act to amend section six hundred and three of an act approved the seventeenth day of May nineteen hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund and providing penalties and repealing existing laws."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	Miller,	Stineman,
Brown,	Homsher,	Norton,	Stites,
Buckman,	Huffman,	Patton,	Vare,
Christley,	Jones,	Phipps,	Weaver,
Clark,	Joyce,	Quigley,	Woodward,
Craig,	Krause,	Salus,	Eyre,
Culberston,	Kutz,	Schantz,	Pres. Pro Tem
Daix,	Lanius,	Sisson,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. CRAIG. Mr. President, I ask that Senate Bill No. 584, on third reading, entitled:

An Act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 587, entitled:

An Act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers of the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	Miller,	Stineman,
Brown,	Homsher,	Norton,	Stites,
Buckman,	Huffman,	Patton,	Vare,
Christley,	Jones,	Phipps,	Weaver,
Clark,	Joyce,	Quigley,	Woodward,
Craig,	Krause,	Salus,	Eyre,
Culberston,	Kutz,	Schantz,	Pres. Pro Tem.
	Lanius,	Sisson,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 589, entitled:

An Act authorizing sheriffs in counties of the fourth class to appoint a solicitor prescribing the duties of said solicitor and fixing the salary

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	Miller,	Stineman,
Brown,	Homsher,	Norton,	Stites,
Buckman,	Huffman,	Patton,	Vare,
Christley,	Jones,	Phipps,	Weaver,
Clark,	Joyce,	Quigley,	Woodward,
Craig,	Krause,	Salus,	Eyre,
Culbertson,	Kutz,	Schantz,	Pres. Pro Tem.
Daix,	Lanius,	Sisson,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 634, entitled:

An Act to amend section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred three) entitled "An Act regulating the fees of notaries public"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	Miller,	Stineman,
Brown,	Homsher,	Norton,	Stites,
Buckman,	Huffman,	Patton,	Vare,
Christley,	Jones,	Phipps,	Weaver,
Clark,	Joyce,	Quigley,	Woodward,
Craig,	Krause,	Salus,	Eyre,
Culberston,	Kutz,	Schantz,	Pres. Pro Tem.
Daix,	Lanius,	Sisson,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 645, entitled:

A supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (Appropriation Acts, page 142) entitled, "An act making an appropriation to the State Industrial Home for Women at Muncy," reappropriating certain appropriations heretofore made to the State Industrial Home for Women at Muncy.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	Miller,	Stineman,
Brown,	Homsher,	Norton,	Stites,
Buckman,	Huffman,	Patton,	Vare,
Christley,	Jones,	Phipps,	Weaver,
Clark,	Joyce,	Quigley,	Woodward,
Craig,	Krause,	Salus,	Eyre,
Culberston,	Kutz,	Schantz,	Pres. Pro Tem.
Daix,	Lanius,	Sisson,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 662, (House Bill No. 416), entitled:

An act to amend section three hundred and four of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	Miller,	Stineman,
Brown,	Homsher,	Norton,	Stites,
Buckman,	Huffman,	Patton,	Vare,
Christley,	Jones,	Phipps,	Weaver,
Clark,	Joyce,	Quigley,	Woodward,
Craig,	Krause,	Salus,	Eyre,
Culberston,	Kutz,	Schantz,	Pres. Pro Tem.
Daix,	Lanius,	Sisson,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 672, (House Bill No. 720), entitled:

An Act to amend section seven hundred three Article VII of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special local or any parts thereof that may be inconsistent with or supplied by this act" by providing for compensation for forest fire fighting on private lands listed with the Department of Forestry for forest protection.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	Miller,	Stineman,
Brown,	Homsher,	Norton,	Stites,
Buckman,	Huffman,	Patton,	Vare,
Christley,	Jones,	Phipps,	Weaver,
Clark,	Joyce,	Quigley,	Woodward,
Craig,	Krause,	Salus,	Eyre,
Culberston,	Kutz,	Schantz,	Pres. Pro Tem.
Daix,	Lanius,	Sisson,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. STINEMAN. Mr. President, I move that Senate Bill No. 673, (House Bill No. 722), on third reading, entitled:

An Act to amend clause (h) section one hundred and two Article I of an act approved the third day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a bureau of Forest Protection within the Department of Forestry Designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act," by providing for the purchase lease building and maintenance of telephone lines for attachments thereto by private parties and appropriating the revenue derived therefrom.

be recommitted to the committee on Forestry.

Mr. JOYCE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 674, (House Bill No. 723), entitled:

An Act authorizing counties cities boroughs and townships to appropriate moneys for forest work

And said bill having been read at lenght the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Harris,	McClintock,	Steele
Betts,	Heaton,	Miller,	Stineman,
Brown,	Homsher,	Norton,	Stites,
Buckman,	Huffman,	Patton,	Vare,
Christley,	Jones,	Phipps,	Weaver,
Clark,	Joyce,	Quigley,	Woodward,
Craig,	Krause,	Salus,	Eyre,
Culberston,	Kutz,	Schantz,	Pres. Pro Tem.
Daix,	Lanius,	Sisson,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS RECOMMITTED.

Mr. STINEMAN. Mr. President. I move that Senate Bill No. 675, (House Bill No. 724), on third reading, entitled:

An Act to amend section one thousand and five Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing further penal provisions for setting fire maliciously or otherwise to any woodlot forest or wild land.

be recommitted to the committee on Forestry.

Mr. JOYCE. Mr. President. I second the motion.

The motion was agreed to.

Mr. STINEMAN. Mr. President, I move that Senate Bill No. 676, (House Bill No. 725), on third reading, entitled:

An act to amend Article XII of an act approved the third day of June one thousand nine hundred and fifteen (P. L. 797) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms

be recommitted to the committee on Forestry.

Mr. CLARK. Mr. President. I second the motion.

The motion was agreed to.

Mr. STINEMAN. Mr. President, I move that Senate Bill No. 677, (House Bill No. 726) on third reading, entitled:

An Act to amend an act entitled "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an Act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forests now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five)" by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania.

be recommitted to the committee on Forestry.

Mr. CLARK. Mr. President. I second the motion.

The motion was agreed to.

Mr. JOYCE. Mr. President, I move that Senate Bill No. 709, (House Bill No. 541) on third reading entitled:

An Act to amend an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended; by authorizing the court of Quarter Sessions to abolish all wards existing in any township of the first class, and to re-divide such township into new wards

be recommitted to the committee on New Counties and County Seats,

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF SENATE BILL No. 15.

Mr. QUIGLEY. Mr. President, I move to reconsider the vote by which Senate Bill No. 15, entitled:

An Act relating to the retirement of certain officers and employes of the State Government and their compensation, including officers and employes heretofore retired.

was defeated on final passage.

The PRESIDENT. How did the Senator vote?

Mr. QUIGLEY. Mr. President, I voted "no".

Mr. BUCKMAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "no".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. QUIGLEY. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. QUIGLEY. Mr. President, I voted "no".

Mr. BUCKMAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "no".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. QUIGLEY. Mr. President, I ask unanimous consent to amend section 3, page 2, line 21, by inserting after the word "compensation" the word "or".

The amendment was agreed to.

On the question

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING.

Mr. CRAIG. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 584, on third reading entitled:

An Act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 584, entitled:

An Act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Will the Senate agree to the bill?

Mr. CRAIG. Mr. President, I ask unanimous consent to amend Section 1, page 1, line 6, by striking out the word "but" and inserting in lieu thereof the word "buy"; also by striking out Sections 2 and 3 thereof and renumbering Section 4 Section 2.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 168, (House Bill No. 183), entitled:

An Act providing for the establishment and maintenance of uniform building lines in cities of third class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 228, (House Bill No. 162)), entitled:

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May. one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 228, (House Bill No. 162), the bill just read, be recommitted to the Committee on Education for the purpose of amendment.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 266, as follows:

An Act providing for only one assessment of all property for taxation in cities of the third class within this Commonwealth directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such assessors to perform all other duties now performed by the county assessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes city school county poor and other taxes to be levied on said assessment

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted the the authority of the same That hereafter there shall be only one assessment of all property for taxation in cities of the third class within this Commonwealth

Section 2 The city assessors in said office are hereby directed to make said assessment and in addition to their duties as such assessors to perform all other duties now performed by the county assessors in said cities

Section 3 Said cities are hereby required to furnish copies of said assessment annually to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties in which said cities are located and to all other boards or authorities levying and collecting taxes in said cities

Section 4 All taxes city school county poor and other taxes are hereby directed to be levied on said assessment

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 267, as follows:

An Act relating to the collection of city county school poor and other taxes in the several cities of the third class in this Commonwealth providing that the city treasurer of each of said cities shall be the collector of the said several taxes prescribing his duties providing for his compensation authorizing him to appoint deputy collectors and clerks and providing for their compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it s hereby enacted by the au-

thority of the same That hereafter the city treasurer of each of the cities of the third class in this Commonwealth by virtue of his office shall collect all city county school poor and other taxes levied and collected in said cities

Section 2 At the same time said city treasurer enters upon his duties he shall take and subscribe his oath of office as collector of said city county school poor and other taxes which oath shall be filed with the city clerk of the proper city

Section 3 The several city county school poor and other authorities now or which may hereafter be empowered to levy taxes upon persons and property within said cities of the third class shall make out and deliver their respective duplicates of taxes levied to the said treasurer at the times now required to be made out and delivered which duplicates shall be accompanied with the warrants of the proper authorities directing and authorizing the said city treasurer as collector of taxes to collect the same Said warrants shall be executed by the same officers of the respective authorities and in the same manner as they now are

Section 4 Said city treasurer as such collector of taxes shall have power to appoint each year as many deputies and clerks not exceeding the number fixed each year by the said several authorities as he in his judgment may need

Section 5 The said treasurer as collector of taxes before entering upon his duties shall give bond in the usual form to the respective authority levying the taxes in an amount to be by it fixed with corporate or at least two sufficient sureties to be by said authority approved conditioned that the said treasurer as collector of taxes shall and will well and truly collect and pay over or account for according to law the whole amount of the taxes charged and assessed in the duplicates which shall be delivered to him during his term of office In the case of city taxes the said treasurer shall be required to give but one bond which shall include his duties as city treasurer and as collector of city taxes All bonds given as aforesaid shall cover the full term of office of the said treasurer Provided always That should any of the said authorities levying any tax be of the opinion at any time that the bond given as aforesaid is not sufficient the said authority may require the said treasurer as collector to give additional security to be approved in the manner aforesaid but the said collector shall not in any event be required to give bond or bonds aggregating an amount in excess of the tax to be collected by him

Section 4 The said treasurer as collector of taxes shall keep his office in the same place occupied by him as city treasurer which shall be kept open for the receipt of taxes at all times during business hours All printing and stationery shall be furnished by the proper authorities respectively

Section 5 The said treasurer as collector of taxes shall at least once a month pay over to himself and to the treasurers of the other authorities for whom he collects taxes or charge himself therewith all the city county school poor and other taxes collected by him and at the same time he shall make a return or report to the proper city authority and to the treasurers of the other authorities verified by affidavit showing the amount of and what have been collected by him

Section 6 The said treasurer as collector of taxes shall finally settle with the respective authorities whose taxes he collects at the times the collectors for said taxes now settle and pay over the amounts respectively charged aganst him except such sums as he may be exonerated from collecting by the proper authorities which exonerations may be in the manner heretofore practiced

Section 7 Upon the settlement of the duplicates of said taxes which by law are a lien on real estate it shall be the duty of the said treasurer as collector of said taxes to make out separate schedules of each of said taxes uncollected upon his duplicates with a brief description of the properties against which the same are assessed for the purpose of having the same entered for lien or sold in accordance with existing laws or which may hereafter be enacted Each schedule shall be accompanied by his affidavit thereto setting forth that after the proper efforts he could not find sufficient personal property out of which the said taxes or any part thereof could be made or collected as provided by law Provided however That the failure of the said collector to collect the said taxes from personal property when the same could have been collected shall not impair the lien thereof or affect any sale made for the collection thereof And provided further That in case any collector shall make any wilfully false return he shall be liable therefor to any person or persons injured thereby The schedule of unpaid city taxes shall be certified to the city solicitor of the respective city for filing in court with like force and effect as if certified by the city treasurer under existing laws Each of the other schedules of unpaid county school poor and other taxes when a lien shall be certified to such officer or person as is now or shall hereafter be designated to receive the same for filing as a lien in court and where no such person is designated the said schedule may be certified to the solicitor of the authority levying the tax who may cause the said taxes to be registered as a lien in court under existing laws and the certifying of the said schedules by the said treasurer as collector of taxes shall in all cases have the like effect as if the same had been certified by the city treasurer as aforesaid

Section 8 The final accounts and monthly returns of the said treasurer as collector of taxes shall be settled by the proper authorities and persons entitled to examine and audit the same and said collector shall in settling his duplicates state a separate account for each different tax collected by him

Section 9 Prior to the appointment or election of said treasurer the authorities for whom he is or will collect taxes shall together fix his annual compensation as such collector of taxes and in the determination of such compensation each of such authorities shall have but one vote The amount of compensation so fixed shall not be increased or decreased during the term of the appointment or election of said treasurer

Section 10 Prior to the beginning of each calendar year the authorities for whom said treasurer collects taxes shall fix the number of deputy collectors and clerks which he may be allowed to appoint to assist him during said year and the amount of compensation to be paid each deputy collectors and clerks during said year and in determining the number of said deputy collectors and clerks and their compensation each of said authorities shall have one vote

Section 11 The part of the compensation for said treasurer as tax collector and his deputy collectors and clerks to be paid by each of the respective authorities for whom said treasurer is collecting taxes shall be in the same proportion to his total compensation as the taxes collected by him for each of said respective authorities bears to the total taxes collected for all of said authorities

Section 12 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second realing and consideration of Senate Bill No. 268, as follows:

A Joint Resolution proposing an amendment to article four section eight of the Constitution of the Commonwealth of Pennsylavnia prohibiting after adjournment the appointment to office of any person whose nomination the Senate failed to confirm

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following amendment to the Consctitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section eight of article four be amended by adding thererto the following

No person nominated for any office for the advice and consent of the Senate whose nomination was not confirmed by the Senate shall be appointed during the ensuing recess of the Senate to any office to which the advice and consent of the Senate is required by the Constitution or the laws of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. WEAVER. Mr. President, at the request of Mr. Patton, the Senator from Philadelphia, I ask that Senate Bill No. 355, (House Bill No. 206), on second reading, entitled:

An act to further amend section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before issuing the writ

go over in its order.

The PRESIDENT. Is there objection? The Chairs hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 388, as follows:

An Act relating to the assessment and valuation of property and occupations for the purpose of taxation in counties of the second class creating a general board of tax appeal providing for the appointment of subordinate assessors of personal property and occupations and for the annual assessment and valuation of personal property and occupations througout the county and for the annual assessment and valuation of real property except in cities and authorizing said General Board of Tax Appeal to make assessments of property in such County for State purposes under any laws hereafter to be enacted making assessments and valuations for city purposes the basis for county valuations within such city and imposing part of the cost of such assessments on the county imposing certain duties on certain city officers making certain city officers members of the general board of tax appeal in certain cases abolishing the board for the assessment and revision of taxes and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created in each county of the second class a General Board of Tax appeal which shall consist of three members who shall be appointed by the board of county ocmmissioners and shall hold their office for the term of six years except that of the members first appointed one shall be apoitned for a term of two years and one for a term of four years and one for a term of six years from the first Monday of January one thousand nine hundred and twenty-four At the date of taking office the majority of the members of said General Board shall be citizens of the United States and residents of said County for at least five years and shall have had at least three years active experience in real estate business either in negotiating sales or purchases of real estate for others or in appraising or assessing real estate All the members of said Board shall reside in said County during their term of office and shall not hold any other office position or employment under the United States the State of Pennsylvania or any other county city borough township or school district therein during the term for which they are appointed except that of Notary Public Commissioner of Deeds Officer in the National Guard of Pennsylvania Officer or Director in any National or State Bank or Trust Company or membership on any commission for public works or improvements where such employment is without pecuniary compensation The county commissioners shall fill all vacancies in the board for the unexpired term thereof Each member of such board shall receive a salary of six thousand five hundred dollars per annum payable semimonthly out of the treasury of the county

Section 2 The said General Board of Tax Appeal shall appoint the necessary number of subordinate real estate assessors and subordinate assessors of personal property and ocupation The subordinate assessors shall receive such compensation as the salary board shall fix The General Board of Tax Appeal shall have the right to appoint such clerks as the salary board may allow for the proper discharge of the duties of said board No member of the General Board of Tax Appeal nor subordinate assessor shall be dismissed during the term for which he was appointed except for cause shown after an opportunity to be heard before the county commissioners

Section 3 The General Board of Tax Appeal shall divide the county into convenient districts and for each of said districts shall assign one subordinate real estate assessor and one subordinate assessor of personal property and occupations except in city districts where only subordinate assessors of personal property and occupations shall be assigned The general Board of Tax Appeal shall make and have supervision of the making of all assessments and valuations of all personal property and occupations taxable for county purposes within the county and of all real propertty taxable for county purposes except such as is located in any city and taxable by such city In the case of real property within any city and taxable by such city the valuation and assessment made for the purposes of city taxation shall be used by the county board as the valuation for county purposes

The department board or officer charged with the duty of making the assessment and valuation of real property for the purpose of taxation in each city within such county shall funrish a duplicate of such valuations and assessments to the General Board of Tax Appeal For such services the county shall pay into the city treasury one-third of the actual cost of making such assessment and valuation

Section 4 The subordinate assessors shall make the assessment and valuations of all property taxable for county purposes except real property in any city and taxable by such city together with a list of all persons taxable upon occupations within their respective districts and in so doing shall view all such property in their districts and shall make a personal house to house canvass of their district in order that such lists of persons taxable upon occupations may be accurate and correct in so far as it is possible to so make them All such assessors who shall fail to make such assessments and lists in the manner as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and in default of the payment of such fine and costs to undergo an imprisonment not exceeding ninety days

Section 5 The subordinate assessors shall make such assessments of property and occupations each year in such counties and shall file the same with the General Board of Tax Appeal on or before the first Monday of November of such year

Section 6 The boards shall examine and revise the said assessments and valuations together with the assessments and valuations of real property within and taxable by such cities the cities furnished by proper officers of such cities increasing or decreasing the same as in their judgment may seem proper and shall add thereto such property or subjects of taxation as may have been omitted After such revision the board shall by rule fix convenient times for the hearing of appeals from said assessments and valuations and after the hearing of said appeals and the making of whatever changes may be considered proper the valuations as so ascertained and revised unless changed in the manner hereinafter provided shall stand as the valuations for the assessments of all State and county taxes

Section 7 When the assessments shall be fixed either for the whole county or in districts thereof notice of that fact shall be given by publication in at least two newspapers of the county of the time when appeals will be heard After the hearing of appeals the board shall take such action in regard thereto as may be right and proper

Section 8 After action on such assessments by the board any taxpayer dissatisfied with the assessment on his property may within thirty days from the final fixing of the said assessment and valuation appeal therefrom to the court of common pleas The court shall at once hear and determine said appeal and if necessary make such changes therein as may be right and proper

Section 9 In all cases of revisions of and appeals from any valuation of any real property in any city the executive officer of such city charged with the general supervision over the assessments of such city shall sit with the General

Board of Tax Appeal as a member of such board as long as such revision or appeal is before it

Section 10 No appeal taken from any such assessments shall affect the validity of any taxes levied but if such assessments shall thereafter be reduced an exoneration shall be granted or restitution ordered for the excess of taxes paid by reason of any improper increase in the assessment

Section 11 Any taxpayer shall upon request at any time receive from the board a statement of his taxable property and its valuation It shall be the duty of the General Board to send by mail to any non-resident property owner who may register with said Board his address to such address as registered or to the property in question if of a resident requesting the same a notice of any change in his assessment stating the date when an appeal thereform will be heard by the said Board

Section 12 When the said valuations and assessments have been made all taxations for county purposes within the limits of such county shall be based upon such valuations

Section 13 The board for the assessment and revision of taxes in counties of the second class is hereby abolished

Section 14 This act with the exception of sections three four and five which shall become effective at once shall take effect on the first Monday of January one thousand nine hundred and twenty-four

Section 15 It shall be the duty of said General Board of Tax Appeal to assess any property within such County for any State taxes under any Act of General Assembly hereafter to be approved or enacted

Section 16 The act approved the twenty-second day of July one thousand nine hundred and nineteen Pamphlet Laws one thousand ninety-three) entitled "An act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessor in so far as respects the assessment of property and occupation for State and county purposes" and the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seven) entitled "An Act to amend section three section five and section nine of an act approved the twenty-second day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws one thousand and nine-ty-three) entitled 'An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessor in so far as respects the assessment of property and occupations for State and county purposes' as amended" are hereby repealed

All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agree to,

Ordered to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 389, entitled:

An Act creating a Department of Real Estate and Assessement in cities of the second class providing for the appointment qualifications compensation and dismissal of a commissioner and deputy commissioners where a county tax assessors' examining board exists and where no such board exists prescribing the powers and duties of such department with regard to valuing real property for any purpose and in valuing and assessing property for the purpose of taxation providing for annual assessments the classification of real property for purposes of taxation into buildings on land and land exclusive of buildings and the assessment of a less tax upon the buildings than upon the land exclusive of buildings and abolishing the Department of Assessors.

The first and second sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the authority of the same That there is hereby created in cities of the second class a department of real estate and assessment under the supervision of a real estate and tax commissioner who shall be appointed by the mayor with the consent of council

At the date of his taking office the commissioner shall be a citizen of the United States and shall have been a resident of said City for at least five years and shall have had at least three years active experience in real estate business either in negotiating sales or purchases of real estate for others or in appraising or assessing real estate He shall hold office for a term of four years the first term commencing on the first Monday of January One Thousand Nine Hundred and twenty-six The annual salary of the commissioner shall be fixed by the council and shall not be less than Thirty-five hundred Dollars ($3500) for the first two hundred thousand inhabitants of said City with an additional Five Hundred Dollars ($500.00) for each additional seventy-five thousand inhabitants according to the last preceding United States decennial census

Section 2 The mayor with the approval of council shall appoint deputy commissioners as follows

He shall appoint not less than four deputies and an additional deputy for each seventy-five thousand inhabitants over two hundred thousand inhabitants as shown by he last preceding United States decennial census all of whom shall be residents of the said City for at least five years and shall not all be of the same political party and the majority of whom shall have had at least three years active experience in real estate business either in negotiating sales or purchases of real estate for others or in appraising or assessing real estate The salary of each such deputy commissioner shall be fixed by council and shall not be less than Fifteen Hundred Dollars $1500.00) per annum for the first two hundred thousand inhabitants of said city with an additional Five Hundred Dollars ($500.00) per annum for each additional seventy-five thousand inhabitants according to the last preceding United States decennial census They shall hold office for a term of four years except that of the members first appointed at least one-half shall be appointed for two years only No commissioner or deputy shall be dismissed during the term for which he is appointed except for cause shown after an opportunity to be heard before the mayor and council on charges made in writing against him The commissioner may with the consent and approval of the mayor and council employ such clerks and stenographers as may be necessary

The third section of the bill was read as follows:

Section 3 The department of real estate and assessment shall make such appraisals of real property as may be required by the mayor council or any of the departments of the government of such city and shall furnish any of the departments of the government of such city of the city with such information as to real estate values as may be necessary or serviceable in the acquisition of any property by the city for any purpose by the right of eminent domain or otherwise

On the question,

Will the Senate agree to the section?

Mr. McCLINTOCK. Mr. President, I move to amend Section 3, page 5, line 25 by styriking out the words "of the city"

Mr. LONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth, fifth, sixth and seventh sections of the bill were read as follows and agreed to.

Section 4 The department of real estate and assessment shall annually make a valuation of real estate for all purposes of municipal taxation and shall have the power to administer oaths Any property owners shall have the right to be heard by the commissioner and deputy commissioner sitting as a board of revision on appeal from any valuation The assessment as aforesaid shall remain the lawful assessment for purposes of city taxation until the next assessment

Section 5 The department of real estate and assessment shall classify all real estate in the city in such manner and upon such testimony as may be adduced before them so as to distinguish between the buildings on land and the land exclusive of the buildings and to certify to the councils of said cities the aggregate valuation of city property subject to taxation

Councils in determining the tax rate for each year shall assess a tax upon the buildings equal to five-tenths of the highest rate of tax required to be assessed for the year so that upon the said classes of real estate of said city there shall in any year be two rates of taxation

Section 6 The councils shall by ordinance make all further needful rules and regulations for the government of this department

Such ordinance may require the said Department to give notice by mail of any change in assessment stating the date when an appeal therefrom may be heard and sent to the address as registered of any property owner if non-resident or to the property in question if of a resident

Section 7 This act shall take effect on the first Monday of January one thousand nine hundred and twenty-six at which time the department of assessors of cities of the second class is hereby abolished

Nothing herein contained shall be construed to repeal the act approved July nine one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and nineteen) entitled "An Act providing for the classification of real estate and other property for purposes of taxation and for the election of assessors and prescribing the duties thereof in cities of the second class" except so far as the same may be inconsistent herewith

All other acts and parts of acts inconsistent herewith are hereby repealed

The title of the bill was read as follows and agreed to.

An Act creating a Department of Real Estate and Assessment in cities of the second class; providing for the appointment, qualifications, compensation and dismissal of a commissioner and deputy commissioners where a county tax assessors' examining board exists and where no such board exists; prescribing the powers and duties of such department with regard to valuing real property for any purpose, and in valuing and assessing property for the purpose of taxation; providing for annual assessments, the classification of real property for purposes of taxation into buildings on land and land exclusive of buildings, and the assessment of a less tax upon the buildings than upon the land exclusive of buildings; and abolishing the Department of Assessors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 451 DROPPED FROM CALENDAR.

Mr. VARE. Mr. President, I move that Senate Bill No. 451, on second reading entitled:

An Act to amend section one thousand four hundred and twenty-three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" conferring jurisdiction on the municipal court to enforce compulsory attendance of pupils.

be dropped from the calendar.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. DAIX. Mr. President, I move that Senate Bill No. 452, on second reading, entitled:

An act for the protection of the public health in the manufacture and sale of soft drinks still and carbonated providing for the registration thereof prohibiting the sale offiering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of soft drinks still and carbonated and the sale and dispensing thereof creating a special fund in the State Treasury and making an appropiration thereof and prescribing penalties

be recommitted to the committee on Public Health and Sanitation, for the purpose of a hearing.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 464, as follows:

An Act providing a means whereby real estate devised upon a trust to divide it among other persons and the trustee has died without performing the trust may be divided amicably by the interested persons with the approval of the Orphans' Court and the legal title vested in them by judicial decree

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever in a will executed heretofore or hereafter and proved in the office of the register of wills there is a devise of real estate or any interest therein to one or more persons upon a trust for purposes stated whereby it is to be divided either immediately or in the future among two or more persons designated by the testator or to be ascertained as directed by him or to be designated and ascertained by others to whom the testator has given a power of apointment for such purpose and the time for such division has arrived and the trustee in the will has died without having made such division it shall be lawful for the persons among whom the division of the realty or of interests therein is to be made and in case any of them have died or conveyed or otherwise disposed of their right title or interest under the will of the testator their heirs devisees and successors in right title and interest to make an amicable division or partition among themselves according to their several rights or to agree that they shall hold the same as tenants in common in such proportions as they shall agree upon to be stated in the agreement Provided however That no agreement for the division or partition of or for holding land as tenants in common under the provisions of this act shall be entered into unless all of the persons interested in the land at the time of doing so are of full age and competent to act nor until the expiration of the time when by law a will devising realty is conclusive as to such real estate nor in case a suit to determine the validity of the will under or through the parties claim be pending until its validity shall have been established

Section 2 The agreement provided for in section one shall state the name of the testator the date of his

decease the county wherein and the date when the will was proved and established the name of the trustee or trustees to whom the land was devised in trust and the fact and the date of their death without having made division of the real estate or of the interests therein mentioned or any conveyance thereof under the trust that the persons executing it are of full age and competent to act and are the only persons interested in the land under the will of the testator or by title or right derived from or through it the location and a description of the land devised and to be divided and of the purparts into which it is divided if it is divided into purparts reference to the place of record of all written instruments and of all legal or equitable actions or proceedings and a statement of material facts not of record if any through or under which the right or interest of each person executing it was acquired and exists together with a reference to the statute under which the agreement is executed The agreement shall be subscribed by the parties each of whom shall be qualified to the truth of the contents thereof before an officer authorized to administer oaths

Section 3 The agreement authorized by the foregoing sections of this act when executed as therein provided shall be filed in the office of the clerk of the orphans' court in the county where the will of the decedent was proved and shall be entered upon the records of the court as of the term thereof when filed and indexed under the name of the decedent as "Agreement for division of devised real estate" With the agreement there shall be filed an affidavit made by one or more of the parties to it setting forth the name and residence of the surviving spouse of the decedent if any and also the names and residences of the next of kin

Section 4 Upon the request of one or more of the persons who executed the agreement provided for in the foregoing sections the clerk of the court shall issue a citation under the seal of the court returnable at the ensuing term if there shall be thirty days between the issuance and the term otherwise to the first Monday of any month occurring thirty days or more after its issuance directed to the spouse and next of kin of the decedent setting forth the purport of the agreement and commanding them to appear in the court and file an answer to the contents of the agreement within fifteen days after service showing cause if any exist why the court should not approve the agreement filed and make a decree that the legal title to the real estate shall vest in the parties to the agreement according to the purparts or proportionate interest stated in it The citation shall be served upon all of the respondents resident within the state by delivering to each a cerified copy and upon those resident without the state either by delivering to each a certified copy or by mailing the same to them by registered mail addressed to their proper or last known address as the clerk of court shall order at the issuance of the citation or later as the case may require If for any reason the original citation cannot be served within the proper time previous to its return-day alias and pluries citations shall be issued by the clerk of the court as occasion may require returnable at such time as he shall direct and be served and returned as herein provided in the case of the original In case service of a citation upon any of the persons in the manner hereinbefore provided cannot be made the court or a judge thereof upon satisfactory proof of the fact shall order that the citation be served by publication thereof in a newspaper of general circulation within the county once each week during three successive weeks the last insertion to be at least one week previous to the return-day Due proof of the service of the citation shall be made and filed with the clerk of the court

Section 5 At the term of court to which the citation is returnable or at a subsequent time as may be necessary or convenient in case an answer has been filed the orphans' court shall examine the agreement and the answer of the respondents and should either of the parties desire it evidence shall be received to establish the truth of the contents of the agreement and in support of the averments in the answer The investigation by the court shall be conducted as nearly as possible according to the practice of the courts in equity trials If upon consideration of the agreement and the answer together with the testimony if such be introduced the court shall find that the contents of the agreement are true it shall enter the decree hereinafter provided but if found not true the agreement shall be ordered stricken from the records of the court In case no answer be filed the court shall approve the agreement of the parties as filed and enter a decree that the legal title to the various purparts of the real estate therein described be vested in the respective persons who executed the agreement as therein stated or in case no division into purparts has been made then to the whole of the real estate as tenants in common and that such title be and remain in them firm and stable Upon the decree having been entered the parties to the agreement shall be vested with the legal title to their respective purparts of the land as the agreement sets forth or if they have agreed to hold the land in common then to the whole thereof as tenants in common in the proportionate interest or shares stated in the agreement and they shall hold and enjoy the same according to the title and estate possessed by the testator at the time of his or her decease and may freely alien convey devise or transmit the same by descent with the same effect as though the legal title had been conveyed to them by the trustee or trustees named in the will of the testator

Section 6 The proceedings provided for by this act when finally entered upon the records of the court shall have the force and effect of a deed of conveyance of the legal title to the real estate described in the agreement as possessed by the devisor and such record shall be notice to purchasers and encumbrances for all purposes A duly certified transcript of such record may be filed in the office of the recorder of deeds in any other county where any of the real estate may be situated and be indexed in the direct index under the name of the decedent and in the adsectum index under the names of the parties to the agreement and the record thereof shall be of like force and effect as the original record

Section 7 Nothing done under the provisions of this act shall impair the security of existing liens upon the real estate or relieve it from liability for money justly due and owing to the estate of the deceased trustee for expenses incurred or money expended in connection with the trust created by the will of the testator

Section 8 It shall be the duty of the clerk of the orphans' court of the proper county to file and enter upon the records of the court the instrument in writing provided for by this act and perform such other services as may be required in the proceedings authority hereby and charge for so doing the sum allowed by law for similar services

Section 9 The parties may appeal from the judgment or decree of the court to the superior court if the value of the land or interests therein involved does not exceed fifteen hundred dollars but otherwise to the supreme court upon complying with the law regulating appeals and giving security in such sum as the court from which the appeal is taken or a law judge thereof shall direct conditioned to pay the costs accrued and likely to accrue on the appeal The court below or a law judge thereof shall certify what is the value of the land or interests involved and shall approve the security The appellate court shall review the entire record including the evidence taken and render judgment as right and justice require and enter such order or decree as the facts and law justify and demand

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Ageeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 506, entitled:

An Act to amend section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended

The first and second sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or National banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" which was amended by an act approved the fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and forty-one) entitled "An act to amend section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' " is hereby further amended to read as follows

Section 2 All taxes imposed by this act shall be at the rate of two per centum upon the clear value of the property subject to such tax passing to or for the use of father mother husband wife children lineal descendants born in lawful wedlock legally adopted children children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and also on the clear value of such property passing from the mother of an illegitimate child or from any person of whom the mother is a lineal decendant to such child his wife or widow and passing from an illegitimate child to his mother and at the rate of ten per centum upon the clear value of the property subject to such tax passing to or for the use of any other person or persons bodies corporate or politic to be paid for the use of the Commonwealth Provided however That property passing to or for the use of colleges universities and other educational institutions not operated for profit otherwise exempt from payment of taxes under the laws of this Commonwealth shall be entirely exempt from such taxes In ascertaining the clear value of such estates the only deductions to be allowed from the gross values of such estates shall be the debts of the decedent and the expenses of the administration of such estates and no deductions whatsoever shall be allowed for or on account of any taxes paid on such estates to the Government of the United States or to any other State or territory

The title of the bill was read as follows:

An Act to amend section two of an act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended.

On the question,

Will the Senate agree to the title?

Mr. BARR. Mr. President, I move to amend Title, page 1, line 14, by inserting before the word "decedent" the word "such".

Mr. LONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 528, (House Bill No. 412), entitled:

An act authorizing any county separately or counties interested jointly to lease for a term of years from a bridge company any toll bridge spanning a river or stream when such bridge is used solely for highway purposes or jointly for highway railroad or street railway purposes discontinuing tolls on any such bridge during such lease and authorizing counties to appropriate money levy taxes and incur indebtedness for such purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 598, as follows:

An Act authorizing cities of the third class to sell certain real estate and prescribing the procedure to be followed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all cities of the third class in this Commonwealth shall upon the approval of council by ordinance duly enacted have the power to sell in the manner hereinafter provided any real estate owned by the city which shall have been layfully purchased by such city at a public sale held for the non-payment of delinquent taxes or which shall have been lawfully purchased at any public sale by the city for the purpose of protecting any municipal claim or lien held by such city against such property or that may have been deeded to the city in any manner whatsoever

Section 2 After a resolution or ordinance has been duly adopted or enacted by the council or councils or any city of the third class authorizing and directing the sale of any real estate under the provisions of this act the city treasurer shall advertise such proposed sale once a week for four successive weeks in at least one newspaper of general circulation within such city The advertisements shall give a description of the property to be sold and the terms and conditions of sale shall ask for sealed bids for the purchase thereof direct all bids to be sent to the city clerk on or before a certain date and give any other information relating to such bids as may be necessary shall announce that the bids shall be opened and read at public meeting of council to be held at a time fixed and that the council shall have the right to reject any and all bids

Section 3 After the provisions of the preceding section have been complied with and the directions contained in the aforesaid advertisements have been properly followed if the council shall have accepted the highest responsible bid for such property the city treasurer shall within twenty days after such acceptance and upon the receipt of the purchase money deliver to the successful bidder his heirs or assigns a deed in fee simple for the property sold as aforesaid Said deed shall convey to the purchaser all the right title and interest of said city in and to such property

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. STITES. Mr. President, I ask that Senate Bill No. 613, on second reading, entitled:

An Act amending sections one two and eleven of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred seventy-four) entitled "An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 639, on second reading, entitled:

An Act to further amend the act approved the twenty-seventh day of April, one thousand nine hundred and nine, (P. L. 258), entitled "An Act authorizing the employment of stenographers by the district attorneys of certain counties" as amended; extending said act to counties of the fourth fifth, sixth, seventh and eighth classes; and fixing the salaries of said stenographers.

be recommitted to the committee on Exposition affairs.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

REQUEST TO HAVE BILL GO OVER IN ORDER.

Mr. STINEMAN. Mr. President, I ask that Senate Bill No. 649 on second reading, entitled:

An act to repeal the act approved the sixth day of June one thousand eight hundred and seventy-three (one thousand eight hundred and seventy-four Pamphlet Laws four hundred ten) entitled "An act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny" go over in its order.

The PRESIDENT. It there objection?

Mr. BARR. Mr. President, do I understand the Senator from Cambria to ask that Senate Bill No. 649 go over in order?

Mr. STINEMAN. Mr. President, yes.

Mr. BARR. Mr. President, I desire to interrogate the Senator from Cambria, Mr. Stineman.

The PRESIDENT. Will the Senator from Cambria, Mr. Stineman permit himself to be interrogated?

Mr. STINEMAN. Mr. President, I will.

Mr. BARR. Mr. President will the Senator from Cambria be good enough to tell the Senate why he wishes it to go over in order?

Mr. STINEMAN. Mr. President, my motive in asking that it go over in order is to examine the bill. I have not had an opportunity to look at this bill.

Mr. BARR. Mr. President I desire to inform the Senator from Cambria that it only affects counties of the second class. It has no reference to any but counties of the second class, which includes the County of Allegheny and in order to forward the bill it should be read the second time now.

The PRESIDENT. The Chair hears objection to the bill going over and the debate is out of order.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee on the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 649, as follows:

An Act to repeal the act aproved the sixth day of June one thousand eight hundred and seventy-three (one thousand eight hundred and seventy-four Pamphlet Laws four hundred and ten) entitled "An act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the sixth day of June one thousand eight hundred and seventy-three (one thousand eight hundred and seventy-four Pamphlet Laws four hundred and ten) entitled "An act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 653, as follows:

An ACT to amend section one thousand four hundred and six as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand four hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by the act approved the twenty-second day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand one hundred and seventeen) entitled "An act to amend section one thousand four hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenues to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith'" is hereby further amended to read as follows

Section 1406 The board of school directors of any school district in this Commonwealth may on account of the small number of pupils in attendance or the condition of the then existing school building or for the purpose of better grading and classification or for economi-

cal or other reasons close and consolidate any one or more of the public schools in its district and upon such school or schools being so closed the pupils who belong to the same shall be assigned to other schools Provided That whenever the average term attendance of pupils regularly enrolled at any one-room school in any school district of the fourth class is ten or less than ten the board of school directors shall close such school and provide proper transportation for the pupils of such closed school to and from the nearest or most convenient school to which the pupils shall be assigned If the board of school directors do not deem it feasible to close such school they may present their petition to the State Council of Education showing the reasons why such school should not be closed thereupon the State Council of Education shall consider such petition and shall make order as may seem just in the premises Provided further in any district of the fourth class pupils who belong to any such closed school shall not have transportation provided if they reside less than one and one-half miles by the public road from the school to which they are assigned Provided however If any school as aforesaid has been closed because the average term attendance of pupils enrolled was ten or less than ten and upon petition to the State Council of Education has been re-opened and the average attendance is twelve or more after such re-opening such school shall be considered reestablished Provided further That in any district of the fourth class pupils who belong to any such closed school and reside one and a half miles or more from the school to which they are assigned shall be furnished proper transportation at the expense of the district and from the school to which they are assigned in case where schools are closed because of an average attendance of ten or less than ten pupils regularly enrolled in which case one-half of the cost of such transportation not to exceed one dollar per diem per pupil shall be paid by the Commonwealth provision for which shall be made by separate appropriation in the general appropriation act

And provided further That whenever the board of school directors in any fourth class district agrees to or is required to provide transportation for any pupils such board of school directors may upon petition of the parent guardian or person in parental relation to any of said pupils in lieu of providing such transportation pay for suitable board and lodging for such pupils if such board and lodging is secured in the home of a near relative of the pupil or in a proper school dormitory or home approved by the person making the petition Provided That in no case shall the State pay more than one-half of the amount which it would be required to pay for the transportation of such pupil nor may the State's share exceed one dollar ($1.00) per day per pupil for the actual number of days such pupil is in attendance at school not exceeding five days in any one week.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 654, as follows:

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby authorized by the authority of the same That section one of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the following words and phrases as used in this act shall unless a different meaning is plainly required by the context have the following meanings

1 "Consolidation of schools" is the act of uniting two or more public elementary schools which prior to such union were maintained in separate buildings and which after such union are housed in one school plant and taught by two or more teachers

2 A "consolidated school" is a public elementary school formed by uniting two or more public elementary schools which prior to such union were maintained in separate buildings and which after said union is housed in one school plant and taught by two or more teachers

3 "A joint consolidated school" is a consolidated school maintained by the joint action of two or more school districts

4 When pupils of a public school are transported from one school to another for the purpose of better gradation or classification of other reasons and the reason for such transportation together with the provisions therefor are approved by the State Council of Education for reimbursement prior to the opening of the school term the State shall be liable for such cost of transportation to the same extent as is now or may hereafter be provided for in the case of consolidated schools

Section 2 That section two of said act is hereby amended to read as follows

Section 2 The State Council of Education is hereby authorized and directed to investigate and to aid in the establishment of consolidated and joint consolidated schools and to inspect and approve such schools as hereinafter provided The State Council of Education shall make a report annually to the Governor and Legislature describing the condition and progress of consolidation of schools throughout the Commonwealth and making such recommendations as the Cuoncil may deem advisable

Section 3 That section three of said act is hereby amended to read as follows

Section 3 Any school district may through its board of directors establish equip furnish and maintain consolidated schools and may transport pupils to and from such schools as already provided for by law

Two or more districts may as provided in article eighteen sections one thousand eight hundred and one to one thousand eight hundred and eight inclusive of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" through a joint school committee establish equip furnish and maintain joint consolidated schools

Section 4 That section four of said act is hereby amended to read as follows

Section 4 Consolidated or joint consolidated schools shall so long as they are approved by the State Council of Education as to organization control location equipment courses of study qualifications of teachers methods of instruction condition of admission expenditures of money metehods and means of transportation and the contracts providing therefor constitute approved local or joint consolidated schools School districts maintaining or transporting pupils to and from such approved local or joint consolidated school shall receive reimbursement as hereinafter provided

The Commonwealth in order to aid in the establishment and maintenance of approved local or joint consolidated schools shall as provided in this act pay annually from the treasury to school districts and unions of school districts maintaining or transporting pupils to and from such schools an amount equal to one-half the sum which has been expended during the previous school year by such school district or districts for transporting pupils of said schools to and from said schools Provided That said sums shall not include amounts paid for the purchase and repair of the vehicle or vehicles used for transporting these pupils And provided further That no one school district shall receive more than three thousand dollars ($3,000) in any one school year from the funds provided in this act

On or before the third Wednesday of January of any year in which the regular session of the Legislature is held the State Council of Education shall present to the Legislature an estimate of the amount of money necessary to meet the expenditures to be incurred in the administration of this act for the two school years beginning with the first day of the ensuing July and of the amount necessary to meet the claims of school districts and unions of school districts maintaining or transporting pupils to and from approved local or joint consolidated schools under the provisions of this act for the two school years beginning with the first day of the ensuing July On the basis of such a statement the Legislature shall make an appropriation of such amounts as may be necessary to meet the expense of carrying this act into effect and of reimbursing such school districts and unions of school districts for such school years as herein provided

On or before the tenth day of July of each year the school board of each district maintaining or transporting pupils to and from a local or joint consolidated school shall present to the State Superintendent of Public Instruction a sworn statement of the amount expended during the school year previous to such first day of July for transporting pupils to and from said schools as herein provided On the basis of such a statement the State Superintendent of Public Instruction shall by requisition upon the State Treasury pay such school district or districts and unions of school districts such reimbursement for the previous school year as is provided for in this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. WEAVER. Mr. President, I move that Senate Bill No. 655, on second reading, entitled:

An act for the enforcement of the penal and criminal laws of the Commonwealth expediting the administration thereof and enlarging and defining the duties and powers of the Attorney General and of his Deputies with respect thereto

be recommitted to the committee on Judiciary General for the purpose of amendment.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 657, as follows:

An Act empowering school districts to employ a police force

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any School district may apply to any Judge of the Court of Common Pleas of the county within which said School District may be situate to appoint such person or persons as the said School District may designate to act as policemen for said School District

Section 2 The said Judge upon such application may appoint such person or so many of them as he may deem proper to be policemen and shall note the fact of such appointment to be entered upon the records of the said Court

Section 3 Every policeman so appointed shall before entering upon the duties of his office take and subscribe the oath required by the seventh article of the Constitution before an alderman or justice of the peace or prothonotary which oath shall be filed by the said justice of the peace alderman or prothonotary among his papers and a note made upon his docket of the fact of said oath having been taken

Section 4 Such policemen so appointed shall severally possess and exercise all the powers of a constable in this Commonwealth in and upon and in the vicinity of the said School District and the property thereof and the keeper of jails or lock-ups or station house in any of the said counties are required to receive all persons arrested by such policemen for the commission of any offence against the laws of this Commonwealth upon or near to the ground occupied by said School District to be dealt with according to law

Section 5 Such policemen shall when on duty severally wear a metallic shield or badge with the words "School Police" and the name of the District for which appointed shall be subscribed thereon and such shield shall always be worn in plain view when on duty except when employed as detective

Section 6 The compensation of such policemen shall be paid by the School District for which the policemen are respectively appointed as may be agreed upon between them

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 663, (House Bill No. 461), entitled:

An Act to better secure all bonds stocks mortgages or other securities deposited with the State Treasurer by providing for their inspection examination and verification and the verification of the books containing a record of such bonds stocks mortgages or other securities by the Auditor General or his agents

And said bill having been read at length the second time and agreeed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 685, as follows:

An Act to amend sections one two three five and seven as ameneded of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred twenty-one) entitled "An Act to provide for a State registration of Nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration" by providing for a change in membership of the Board for a change in salary of the secretary treasurer the educational director and of the members of the Board

Section 1 Be it enacted et cetera That section one of the act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for State Registration of Nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration" as amended by an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and forty-five which reads as follows

"Section 1 Be it enacted et cetera That within sixty days after the passage of this act the Governor shall appoint a State Board of Examiners for Registration of Nurses composed of five members Three of whom shall be registered nurses graduated from training schools connected with hospitals where practical and theoretical instruction is given in general surgical and medical nursing and who shall have been engaged in nursing in the State of Pennsylvania at least five years since graduation The Governor shall also name two physicians as members of said board They shall be connected in an official capacity with public hospitals where nurses' training schools are maintained and shall have practiced their profession in the State of Pennsylvania for at least five years immediately preceding the time of their appointment" is hereby amended to read as follows

Section 1 Be it enacted et cetera That within sixty days after the passage of this act the Governor shall appoint a State Board of Examiners for Registration of Nurses composed of five members all of whom shall be registered nurses graduated from training schools connected with hospitals where practical and theoretical instruction is given in general surgical and medical nursing and who shall have been engaged in nursing in the State of Pennsylvania at least five years since graduation They shall be in good standing in the Graduate Nurses Association of Pennsylvania

Section 2 That section two of said act which is the same as amended by the act approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred and forty-five reads as follows

"Section 2 The Governor shall appoint the original members of said board one for one year one for two years one for three years one for four years one for five years and upon the expiration of the term of office of any member the Governor shall likewise appoint persons with the above specified qualifications to fill the vacancy for a term of five years and until a successor is chosen The unexpired term of any member caused by death resignation or otherwise shall be filled by the Governor in the same manner as an original appointment The Governor may remove any member for neglect of duty incompetence or dishonorable or unprofessional conduct Upon the enactment of this amendment at the time fixed by this act for the appointment of the members of the board by the Governor the terms of the members of the board now in office shall terminate" is hereby amended to read as follows

Section 2 The Governor shall appoint the original members of said board from a list of not less than ten twenty names submitted to him by the Board of Directors of the Graduated Nurses Association of Pennsylvania one for one year one for two years one for three years one for four years one for five years and upon the expiration of the term of office of any member the Governor shall likewise appoint persons with the above specified qualifications from a list of not less than five names submitted to him by the Board of Directors of he Graduate Nurses Association of Pennsylvania to fill the vacancy for a term of five years and until a successor is chosen The unexpired term of any member caused by death resignation or otherwise shall be filled by the Governor in the same manner as an original appointment except that not less than five names shall be submitted to him

Upon the enactment of this law at the time fixed by this act for the appointment of the members of the Board by the Governor the terms of the members of the board now in office shall terminate

Section 3 That section three of said act which as the same is amended approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred and forty-five reads as follows

"Section 3 That said board as soon as appointed and annually thereafter on a date to be fixed by the by-laws shall meet for organization and shall also hold other meetings by call of the secretary upon written request of two members or under such other circumstances as may be prescribed by the by-laws Three members shall always constitute a quorum At such organization meeting the board shall elect from its members a president a secretary and an educational director the secretary shall act as treasurer

The said officers shall be elected for a term of one year and until their successors shall be duly chosen and all vacancies arising in said office shall be filled by the board in like manner for the unexpired term The board shall adopt a seal and shall establish by-laws and regulations for its own government and for the execution of the provisions of this act The secretary shall keep a record of all proceedings of the board and also a register of all nurses and licensed attendants registered under this act which register shall at all reasonable times be open for public inspection

The Board shall submit annually to the State Board of Charities or at any other time required by the said board a report of its findings or investigations pertaining to the training schools in the several hospitals throughout the State is hereby amended to read as follows

"Section 3 The said board as soon as appointed and annually there after on a date to be fixed by the by-laws shall meet for organization and shall also hold other meetings by call of the secretary upon written request of two members or under such other circumstances as may be prescribed by the by-law At such organization shall always constitute a quorum At suc organization meeting the board shall elect from its members president and a secretary the secretary shall act as treas urer and shall give her entire time to tne duties of the sai offices during working hours

The said officers shall be elected for a term of one yea and until their successors shall be duly chosen and all va cancies arising in said offices shall be filled by the boar in like manner for the unexpired term The board sha adopt a seal and shall establish by-laws and regulation for its own government and for the execution of the pro visions of this act The secretary shall keep a record all proceedings of the board and also a register of al nurses and licensed attendants registered under this ac which register shall at all reasonable times be open fo public inspection

The board shall submit annually to the Governor or any other time required by him a report of the work the board pertaining to the training schools in the sever hospitals throughout the State"

Section 5 That section five of said act which as the sam is amended by the act approved the twentieth day of Jun one thousand nine hundred and nineteen Pamphlet Law five hundred and forty-five reads as follows

"Section 5 The Secretary of the board shall receive salary of eighteen hundred dollars a year and in additio shall receive all actual expenses incurred while engage in the transaction of official business All other membe excepting the educational director whose salary is othe wise provided for herein shall receive Five Dollars ($5.00 for each day actually engaged in the transaction of offici business together with all actual expenses incurred as afore said All expenditures shall in no case be paid from th State Treasury The treasurer of the board shall give bon in such sums as may be fixed by the by-laws which bon shall be subject to the approval of the State Treasurer Th said treasurer shall pay all necessary and current expense of the board and may retain in the treasury a sum no exceeding five thousand dollars to defray the ordinary ex penditures but all moneys exceeding the said sum of fiv thousand dollars shall be paid by the treasurer of the boar to the State Treasurer The said board shall have no powe to fix prices or in any way control the compensation re ceived by the registered nurse" is hereby amended to rea as follows

Section 5 The secretary of the board shall receive salary of three thousand ($3000.00) dollars per year an in addition shall receive all actual expenses incurred whi engaged in the transaction of official business All othe members shall receive fifteen ($15.00) dollars for each da actually engaged in the transaction of official business t gether with all actual expense incurred as aforesaid E penditures shall in no case be paid from the State Treasur The treasurer of the board shall give bond in suc sums as may be fixed by the by-laws which bon shall be subject to the approval of the State Trea urer The said treasurer shall pay all necessary an current expenses of the board and may retain in th treasury a sum not exceeding five thousand ($5000.0 dollars to defray the ordinary expenditures but all mone exceeding the sum of five thousand dollars shall be pa by the treasurer of the board to the State Treasur The said board shall have no power to fix prices in any way control the compensation received by t registered nurse or the licensed attendant"

Section 6 That section seven of said act which the same is amended by the act approved the twentie day of June one thousand nine hundred and ninete Pamphlet Laws five hundred forty-five reads as follow

"Section 7 On and after August first one thousa nine hundred and fifteen no application for registrati as a registered nurse shall be considered unless acco panied by a fee of ten dollars Every applicant to eligible for examination must furnish evidence satisfacto to the board that he or she is twenty-one years age or over is of good moral character and has gra uated from a training school for nurses which gives least a two year course of instruction or has receiv instruction in different training schools or hospitals f periods of time amounting to at least a two year cour as aforesaid and the graduated and that such applica during said period of at least two years has receiv practical and theoretical training in surgical and medi

nursing Provided That a graduate nurse registered in any State of the United States where the requirements for registration in the judgment of the registration board for nurses of this State are at least to the requirements of law for such nurses in Pennsylvania may at the discretion of the board be registered without examination upon application in writing on forms provided by the board and upon the payment of a fee of ten dollars And provided further that it shall be the duty of the registration board to prepare and make a report for public distribution at intervals regulated by the by-laws of the said board of all training schools or combinations of training schools that are approved by the board as possessing the necessary requirements for giving a pupil-nurse a full and adequate course of instruction And provided further That a State educational director of training schools for nurses shall be appointed from among its members by the State Board of Examiners for the Registration of Nurses of the State of Pennsylvania This appointee shall have all the powers of a member of the board while acting officially as a member of said board but shall be under the direction of the board of examiners in all matters pertaining to her position as educational director and her duty shall be to assist in maintaining the necessary standards in the living working and educational conditions of training schools for nurses The salary of the educational director shall be twenty-five hundred dollars per year and her railroad mileage and actual expenses incurred while engaged in official business to be paid from the additional registration fee provided for in this act" is hereby amended to read as follows

Section 7 No application for registration as a registered nurse shall be considered unless accompanied by a fee of ten dolalrs ($10.00) Every applicant to be eligible for examination must furnish evidence satisfactory to the board that he or she is twenty-one years of age or over is of good character and has graduated from a training school for nurses which gives at least a two year course as aforesaid and then graduated and that such applicant during said period of at least two years has received practical and theoretical training in surgical and medical nursing Provided that a graduate nurse registered in any State of the United States where the requirements for registration in the judgment of the registration board for nurses of this State are at least equal to the requirements of law such nurses in Pennsylvania may at the discretion of the board be registered without examination upon application in writing on forms provided by the board and upon the payment of a fee of ten dollars And provided further That it shall be the duty of the registration board to prepare and make a report for public distribution at intervals regulated by the by-laws of the said board of all training schools or combinations of training schools that are approved by the Board as possessing the necessary requirements for giving a pupil-nurse a full and adequate course of instruction And provided further That a State educational director of training schools for nurses shall be appointed by the State Board of Examiners for Registration of Nurses This appointee shall have the same qualifications as a member of the board and shall be under the direction of the board of examiners on all matters pertaining to her position as educational director and her duty shall be to assist in maintaining the necessary standards in the living working and educational conditions of training schools for nurses The salary of the educational director shall be three thousand ($3,000.00) dollars per year and her railroad mileage actual expenses incurred while engaged in official business to be paid from the registration fee provided for in this act

Section 7 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 686, entitled:

An Act relating to the registration and re-registration of nurses the State Board of Examiners for Registration of nurses and the issuance of a license to practice nursing

The first section of the bill was read as follows and agreed to.

Section 1 Be it enacted et cetera that all persons registered as registered nurses with the State Board of Examiners for Registration of Nurses and all persons registered with said Board as Licensed Attendants shall in every year following the passage of this act during the month of January again cause his or her certificate to be recorded in the office of the State Board of Examiners for Registration of Nurses The registered nurse shall pay to the said board a fee of One Dollar ($1.00) for such re-registration and the licensed attendant shall pay to the said Board a fee of fifty cents ($.50) for such registration

The second section of the bill was read as follows:

Section 2 On or before the first day of May of each year after the year one thousand nine hundred and twenty-three the Secretary of the Board shall mail to every registered nurse or in the State of Pennsylvania a blank application for re-registration addressing the same in accordance with the post office address given at the last previous registration Upon the receipt of such application blank which shall contain space for the insertion of his or her name office or post office address date and number of his or her license and such other information as the Board may deem necessary he or she shall sign same with his or her name in his or her own handwriting and fill out the address and other blanks in his or her own handwriting after which he or she shall forward such statement and application for renewal of his or her registration certificate to the Secretary of the Board together with the fee of One Dollar ($1.00) for registered nurses and fifty cents ($.50) for licensed attendants Upon receipt of such application and fee and having verified the accuracy of the same by comparison with the applicant's initial registration statements the secretary of the Board shall issue a certificate of registration which shall render the holder thereof a legally qualified registered nurse or licensed attendant as the case may be for the ensuing year Provided however that the said Board may revoke any certificate of registration for sufficient cause in accordance with the rules and by-laws of the Board and in the manner provided by law Every license shall be issued by the Board under seal and shall be signed by the President and Secretary of the Board of Examiners Before any license is issued it shall be numbered and properly recorded in the office of the Board and its number shall be noted in the license The Board shall license to practice nursing all registered nurses practicing as such within the State of Pennsylvania on or before the first day of July one thousand nine hundred and twenty-three who make application therefor prior to the First day of December one thousand nine hundred and twenty-three and submit satisfactory evidence that he or she is at the time of the application therefor registered and legally authorized in the manner now provided by law to assume the title of registered nurse The Board shall license to care for the sick all practicing as such within the State of Pennsylvania on or before the first day of July one thousand nine hundred and twenty-three who make application therefor prior to the first day of December one thousand nine hundred and twenty-three and submit satisfactory evidence that he or she is at the time of the application therefor registered and legally authorized in the manner now provided by law to assume the title of attendant These certificates of registration shall all bear date of September first of the year of issue and shall expire on the thirty-first day of August in the year following All nurses already registered in this State at the time of the passage of this act shall make application to the Secretary of the Board for the registration blank upon receipt of which he or she shall in like manner already described make application for re-registration forwarding to the Secretary of the Board the re-registration blank properly filled in accompanied by the fee of One Dollar ($1.00) All registered attendants already registered in this State at the time of the passage of this Act shall make application to the Secretary of the Board for the registration upon receipt of which he or she shall in like manner already described make application

for re-registration forwarding to the Secretary of the Board the re-registration blank properly filled in and accompanied by the fee of Fifty ($.50) cents Said application and fee must reach the Secretary on or before the First day of December following the adoption of this statute Should any registered nurse or licensed attendant continue to practice nursing and care of the sick beyond the thirty-first day of January without having registered as required by the provisions of this Act he or she shall be counted as an illegal practitioner and his or her license may be suspended or revoked by the Board of Examiners Any nurse whose certificate is revoked because of failure to register as required by the provisions of this Act shall be entitled to re-instatement as a registered nurse or as the case may be upon application made to the Board accompanied by the annual fee and by two affidavits as to good character made by a director of a training school for nurses and by superintendent of a hospital recognized as such by the Board No person whose certificate has been suspended or revoked for failure to register shall thereafter practice as a trained certified graduate or registered nurse or practical nurse until he or she has been granted a license by the Board upon the application for reinstatement provided for above

On the question,

Will the Senate agree to the section?

Mr. BARR. Mr. President, I move to amend Section 2, page 6, line 15, by striking out the word "or"; also page 8, line 8, by striking out the word "he" and inserting in lieu thereof the word "the".

Mr. LONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third, fourth and fifth sections of the bill were read as follows and agreed to.

Section 3 Any person who violates any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than Fifty ($50.00) Dollars nor more than Two Hundred ($200.00) Dollars for each offense

Section 4 Nothing contained in this Act shall be construed as conferring any authority to practice medicine or to undertake the treatment or cure of disease in violation of the Laws of the Commonwealth

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

The title of the bill was read as follows and agreed to.

An act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of Nurses and the issuance of a license to practice nursing

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 699, (House Bill No. 857), entitled:

An Act providing for the lapsing of unexpended or unencumbered balances of appropriations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 699, (House Bill No. 857), the bill just read, be recommitted to the Committee on Appropriations.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 703, (House Bill No. 87), entitled:

An Act making a deficiency appropriation to carry into effect the provisions of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-five) entitled "An Act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 704, (House Bill No. 121), entitled:

An act making a deficiency appropriation to the State Hospital of Coaldale

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 707, (House Bill No. 476), entitled:

An Act creating regulating and defining the powers of a County Planning Commission and authorizing the creation of a county plan in counties of the second class requiring the county commissioners to furnish to the commission before passage resolutions relating to county improvements to roads lands buildings or means of communications authorizing the commission to report suggestions to the county commissioners concerning improvements and to appear in court with reference thereto authorizing the making of a county map and plan including territory extending three miles beyond the county limits showing proposed improvements in roads lands buildings and means of communication

The first, second, third, fourth and fifth sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the second class a department is hereby created to be known as the Department of County Planning which shall be in charge of the County Planning Commission consisting of nine persons who shall be residents of the county four of whom shall be residents of the city or cities therein and five of whom shall be residents of the boroughs and townships theerin and who shall have knowledge and experience in respect to one or more of the following subjects finance commerce industry agriculture transportation architecture landscape architecture real estate building engineering social welfare civic administration and law and at least seven of whom shall not be paid

county employees to be appointed by the county commissioners three of them shall be designated to serve until the first day of January one thousand nine hundred and twenty-five three of them until the first day of January one thousand nine hundred and twenty-seven and three of them until the first day of January one thousand nine hundred and twenty-nine their successors shall be appointed at the expiration of their respective terms to serve six years an appointment to fill a casual vacancy shall be only for the unexpired portion of the term three shall constitute a quorum they may make and alter rules and regulations for their own organization and procedure consistent with the resolutions of the county commissioners and the rules of the Commonwealth they shall serve without compensation and make annually to the county commissioners a report of their transactions and recommendations they may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for in the discretion of the county commissioners by proper appropriation and resolution

Section 2 All resolutions of the county commissioners relating to the location of any public building in the county and to the location extension widening enlargement ornamentation or parking of any street boulevard parkway bridge tunnel subway or underground road park playground or other public grounds to the vacation of any highway or portion thereof or to the making or alteration of the county plan of highways or to any surface underground or elevated railway shall be furnished to the County Planning Commission twenty days before their passage and adoption by the county commissioners The said commission may make a report or suggestion in relation thereto if it deems the report necessary or advisable for the consideration of the said commissioners If the said report is made by the commission prior to the expiration of the said twenty days the county commissioners may immediately proceed with the adoption of the said resolution All such reports when delivered to the said commissioners shall be for the information of the public as well as for the commissioners and the commissioners shall furnish to any newspaper of the county on request for publication a copy of any such report

Section 3 The County Planning Commission may appear in any proceeding in the court of quarter sessions of said county with reference to the opening or vacation of any public road or highway bridge tunnel subway or underground road and file a report stating its views with reference thereto and may produce testimony before the said court in connection therewith

Section 4 The County Planning Commission may make or cause to be made and laid before the said county commissioners and in its discretion cause to be published a map or maps of the county and any portion or portions thereof including the territory extending three miles beyond the county limits showing the highways and other public improvements herein before specified and other natural or artificial features and also locations proposed by it for any new highways or other of such improvements or any widening extension or relocation of the same or any change in the county plan by it deemed advisable And it may make recommendations to the said commissioners from time to time concerning any such matters and things aforesaid for action of the county commissioners thereon and in so doing have regard for present conditions and future needs and growth of the county and the distribution and relative location of all the principal streets and railways waterways and all other means of public travel and business communication as well as the distribution and relative location of public buildings public grounds and open spaces devoted to public use and the planning and laying out for dwelling and business purposes of private grounds brought into the market from time to time

Section 5 The County Planning Commission may make recommendations to any public authorities or any corporations or individuals in such counties with reference to the location of any buildings structures or works to be erected or constructed by them

The title of the bill was read as follows:

An Act creating regulating and defining the powers of a County Planning Commission and authorizing the creation of a county plan in counties of the second class requiring the county commissioners to furnish to the commission before passage resolutions relating to county improvements to roads lands buildings or means of communications authorizing the commission to report suggestions to the county commissioners concerning the improvements and to appear in court with reference thereto authorizing the making of a county map and plan including territory extending three miles beyond the county limits showing proposed improvements in roads lands buildings and means of communication

On the question,

Will the Senate agree to the section?

Mr. MANSFIELD. Mr. President, I move to Amend title as follows:—On line fourteen after the word "communication", strike out balance of title.

Mr, HARRIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 711, (House Bill No. 641), as follows:

An Act making a deficiency appropriation to the Western Pennsylvania Institution for the Institution of the Deaf and Dumb

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand nine hundred and thirty-three dollars and eighty-five cents ($5,933.85) or so much thereof as may be necessary is hereby specifically appropriated to the Western Pennsylvania Institution for the instruction of the Deaf and Dumb for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three to cover a deficiency in the education and maintenance of State pupils

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 716, (House Bill No. 721), entitled:

An Act to amend section one hundred and two clause (j) article one of the act approved June 3, 1915 (P. L. 797) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry, designating the officers who shall constitute the Bureau their duties and salaries, prescribing penalties for the violation thereof and repealing all laws, general, special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for co-operation with and receipts of contributions from persons, firms, corporations or associations for forest protection.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 717 (House Bill No. 277), entitled:

An act to amend Article X of the act approved the third day of June, 1915, (P. L. 797) entitled "An act to establish

a Bureau of Forest Protection with the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general, special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto section one thousand and eight regulating civil actions by and on behalf of persons and the Commonwealth suffering damages from forest fires and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 717, (House Bill No. 277), the bill just read, be recommitted to the Committee on Appropriations.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 718 (House Bill No. 728), entitled:

An Act to amend article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section one thousand nine providing a penalty for interfering with notices posted by the Department

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 719 (House Bill No. 729), entitled:

An Act to amend sections one thousand, one thousand two, one thousand three, and one thousand four, Article ten of the act approved June 3, 1915 (P. L. 797) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry, designating the officers who shall constitute the Bureau their duties and salaries, prescribing penalties for the violation thereof and repealing all laws, general, special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden refusing to aid a fire warden hindering a forest protection officer in his duties or non-abatement of a nuisance caused by maintaining a special forest fire hazard.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 722 (House Bill No. 789), entitled:

An Act making a deficiency appropriation to the Pennsylvania Industrial Reformatory at Huntingdon Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 723, (House Bill No. 790), entitled:

An Act making a deficiency appropriation to the Pennsylvania Training School at Morganza Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 746, as follows:

An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the fourth class and authorizing the expenditure of a portion of all of said fines for the support and maintenance of a law library in said counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all of the fines and forfeitures to which counties of the fourth class are by existing laws entitled are hereby directed to be paid at the discretion of the court imposing said fines and forfeitures to the County Treasurer of said county or to the committee hereinafter provided for the support and maintenance of a law library to be kept in or near the Court House of said county for the use of the citizens thereof

Section 2 The moneys to be used for law library purposes shall be expended for the support and maintenance of a law library under the direction of a committee of five members of the bar of said county to be appointed annually by the judge or judges of the several courts thereof who shall have power to fill any vacancies that may occur in said committee

Section 3 Said committee shall have power to adopt such rules and regulations for the management of said library as may be expedient and necessary for the proper care and preservation of the same and shall at the end of every year report to the judge or judges aforesaid the condition of said library and account for all expenditures of money made by them in relation thereto which if approved shall be filed of record in office of the prothonotary of said county

Section 4 All act or parts or acts inconsistent herewith general special or local be and the same are hereby repealed but this act shall not be construed to repeal the provisions of an act approved the eleventh day of May one thousand nine hundred and one (Pamphlet Laws one hundred, sixty-five) entitled "An act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library" and its amendments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 233, entitled:

An Act fixing the salary of court criers in counties of the sixth class

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of court criers in counties of the sixth class shall be fixed by the court at a rate not exceeding one thousand dollars per annum payable from the county treasury in the same manner as the salary and compensation of county employes

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to Amend Section 1, line 5, by inserting after the word "rate" the following: "Not less than four hundred dollars per annum and."

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to.

Section 2 All acts and parts of acts inconsistent with this act herewith are hereby repealed

The title of the bill was read as follows and agreed to.

An act fixing the salary of court criers in counties of the sixth class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 770, as follows:

An Act fixing the salary of sheriffs in counties of the eighth class providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representaives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sheriff in each county of the eighth class shall receive an annual salary of twelve hundred dollars ($1,200) Such salary in addition to any expenses which may be incurred by such sheriff in the performance of his duties shall be paid by the county from moneys in the county treasury

The sheriff in said counties shall not be entitled to any additional fees or compensation for the care and maintenance of prisoners but the actual expense for such care and maintenance of prisoners shall be paid by the county from the county treasury upon itemized bills rendered from time to time

Section 2 It shall be his duty to exact collect and receive all such fees to and for the use of the county except such taxes and fees as are levied for the Commonwealth which shall be to and for the use of the Commonwealth He shall keep necessary books and make necessary entries of receipts and disbursements of all moneys earned and chargeable upon the county specifying the day and date title of case for what service and from whom received or due and shall on the first Monday of each and every month pay to the treasurer of the county all fees so received during the preceding month filing therewith a transcript in detail of his fee account book for said month which shall be verified by him under oath or affirmation to contain a true and correct list of all fees received or earned and outstanding or chargeable upon the county for services rendered in his office during said month that said fees were severally charged at regular rates and that he has not received and is not to receive from any person or persons firm or corporation whatscever for any official service or duty any other fees than those so entered on said transcript

Section 3 If any such sheriff shall neglect to render the accounts required as aforesaid or to pay over the moneys received for fees as required by this act or shall wilfully neglect to make any proper entry in the book or books required to be kept or shall wilfully neglect to charge for any official services the fees allowed by law or shall take to his own use such fees or fail to comply with any of the provisions of this act or neglect to discharge any of the duties herein imposed the same shall be deemed a misdemeanor in office anl in addition to the other penalties for such offenses he shall upon conviction thereof refund the said sum or sums of money thus unlawfully received and shall be deemed incapable of holding longer the said office

Section 4 Any officer included in this act or any other person who shall wilfully swear falsely in verifying any account transcript or bill required in this act or in making any affidavit in reference thereto shall be deemed guilty of perjury and upon conviction thereof shall be liable to the punishment prescribed by the laws of this State for perjury and any person who shall procure any other person to swear falsely in verifying any such account transcript or bill or in making any affidavit in reference thereto shall be guilty of subornation of perjury and upon conviction thereof shall be liable to the punishment prescribed by law for that offense

Section 5 All rights of action and all other remedies heretofore granted or extended to said sheriffs for the collection of their respective fees are hereby extended and shall inure to the benefit of the several counties affected by this act for the collection of all fees and costs that may hereafter accrue to said counties under the provisions of this act

Section 6 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 776, as follows:

An Act making an appropriation for the restoration of buildings and property at the State Hospital for the Insane of the Southeastern District of Pennsylvania located at Norristown Pennsylvania damaged and destroyed by a cyclone

Whereas The State Hospital for the Insane of the Southeastern District of Pennsylvania located at Norristown Pennsylvania suffered damages by the Cyclone on the afternoon of April fifth one thousand nine hundred and twenty-three which necessitates an immediate and large expenditure of money to replace to wit portions of roofs blown off of twenty-three buildings kiosk (rest pavilion for consumptives) entirely destroyed a barn and a wing of piggery entirely demolished a silo blown down and destroyed the gable end of ward building number thirteen damaged fences surrounding grounds porches implement houses wagon sheds and flag pole destroyed innumerable windows broken one hundred and thirty-eight trees uprooted and other property losses

Be it enacted by the Senate and the House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-eight thousand dollars ($28,000.00) or so much thereof as may be necessary be and is hereby appropriated to the Trustees of the State Hospital for the Insane of the Southeastern District of Pennsylvania for the purpose of restoring and replacing property damaged and destroyed by cyclone

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

VETO OF SENATE BILL NO. 118.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval, Senate Bill No. 118, entitled "An act providing that the county controller shall be made a party defendant in all suits against any county".

The evident purpose of this Act is undoubtedly good, but in its present form it would not accomplish the purpose for which it is probably intended, but might lead to misunderstanding and friction between the controller and the county commissioners instead of encouraging them to work together in harmony for the protection and defense of the county. Under existing laws all suits are brought in the name of the county and process is served on the county commissioners and they are required to make defense thereto. It is difficult to understand why controllers should be made co-defendants with the county when no such requirements are made with regard to county commissioners. It would seem advisable to make provisions for the serving of process on county controllers and require them to make defense, if any they have, in suits against the county similar to the provisions in our law with reference to county commissioners, but this Bill does not so provide.

For these reasons the Bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall the bill pass the objection of the Governor to the contrary notwithstanding?

BILL POSTPONED.

Mr. MacDADE. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING FROM GOVERNOR SENATE BILL NO. 199

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved a Resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 199, entitled, "An act to exempt certain real estate of certain organizations of war veterans from taxation", for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL NO. 199, RECALLED FROM THE GOVERNOR

Mr. SCHANTZ. Mr. President, I move to reconsider the vote by which the bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. SCHANTZ. Mr. President, I voted "aye"

Mr. LONG. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LONG. Mr. President, I voted "aye"

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. SCHANTZ. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 199 be recommitted to the Committee on Appropriations.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

APPROVAL OF SENATE BILL NO. 194.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 194, entitled, "A Supplement to an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled 'An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' providing a procedure to incur or to increase indebtedness where the existing indebtedness is less than two per centum but the amount to be incurred exceeds two per centum of the assessed value of the taxable property and providing that this act shall apply to pending proceedings".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL No. 235.

Commonwealth of Pennsylvania,
Eexecutive Chamber, Harrisburg, April 12, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 235, entitled, "An act relative to the burial of the bodies of deceased widows of soldiers sailors and marines at county expense."

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Ben L. Anderson, Pittsburgh, April 12, 1923.
I. Klawier, Pittsburgh, April 29, 1923.
Miss Edith Moorcroft, Pittsburgh, April 9, 1923.
William M. Young, Avalon, March 10, 1923.

BLAIR COUNTY.

W. L. Hicks, Tyrone, April 30, 1923.

ERIE COUNTY.

R. W. DeLancey, Erie, April 1, 1923.

HUNTINGDON COUNTY.

Elmer Ellsworth Corbin, Huntingdon, April 21, 1923.

MIFFLIN COUNTY.

Dyson Fisher, Burnham, April 1, 1923.

PHILADELPHIA COUNTY.

Harry C. Hockstadter, Philadelphia, April 11, 1923.

YORK COUNTY.

James I. Decker, New Freedom, April 1, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 16, 1923.

To the Hororable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation.

ALLEGHENY COUNTY.

Jay Q. Abbott, Pittsburgh.
A. J. Koerner, Pittsburgh.
Ignatius Koprowski, Pittsburgh.
Wladlyslaw Narolewski, McKees Rocks.
L. M. Shoemaker, Aspinwall.

ARMSTRONG COUNTY.

S. J. Stitt, Freeport.

BRADFORD COUNTY.

Alan J. Donlon, Athens.

CAMBRIA COUNTY.

Howard P. McCarthy, Barnesboro.
Robert V. Raab, Johnstown.

DELAWARE COUNTY.

Clarence D. Donaldson, Chester.
Mrs. Catherine L. Fossett, Media.
Alfred B. Harrison, Ridley Park.
Jack Mears, Darby.

LACKAWANNA COUNTY.

W. C. Duncklee, Scranton.

LANCASTER COUNTY.

John B. Henry, Rheems.

LUZERNE COUNTY.

Miss Mary C. Gorham, Wilkes-Barre.
George H. Harris, Hazleton.

LYCOMING COUNTY.

Harold S. Williams, Williamsport.

MONTGOMERY COUNTY.

Pentz Pippin, Ardmore.

NORTHAMPTON COUNTY.

Miss Dorothy L. Lambert, Easton.

PHILADELPHIA COUNTY.

Wallace Bourgaize, 4302 Wissahickon Ave., Philadelphia,
James Curatolo, 803 S. 8th St., Philadelphia.
Frank F. Engel, 226 S. 4th St., Philadelphia.
Harry Kreider, Lehigh Ave. & "A" St., Philadelphia.
Albert E. E. Lehmann, 3718 N. Sydenham St., Philadelphia.
Charles B. Martin, 1627 S. 22nd St., Philadelphia.
James P. McGarry, 366 W. Duval St., Philadelphia.
D. F. Murphy, 300 Walnut St., Philadelphia.
Edward G. Zepp, 223 E. Willard St., Philadelphia.

SCHUYLKILL COUNTY.

Paul B. Houck, Shenandoah.

VENANGO COUNTY.

Miss Marion O'Flaherty, Oil City.

WASHINGTON COUNTY.

Andrew J. Norman, California.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

S. I. Aronson, Pittsburgh, April 28, 1923.
Mrs. D. V. Holloway, Pittsburgh, April 29, 1923.
Edward C. Kearney, McKeesport, April 30, 1923.
Jacob Mance, Pittsburgh, April 23, 1923.
L. H. McMillen, Carnegie, April 28, 1923.
A. L. Meyer, Pittsburgh, April 8, 1923.
Samuel A. M. Soxman, Pitcairn, April 30, 1923.
W. A. Terrill, Clairton, April 28, 1923.

ARMSTRONG COUNTY.

Miss Verna D. Daugherty, Kittanning, April 19, 1923.

BERKS COUNTY.

Harvey M. Bertolet, Clay, April 26, 1923.
T. A. Giacobello, Reading, April 28, 1923.

BLAIR COUNTY.

James B. Hammond, Altoona, Feb. 15, 1923.

CAMBRIA COUNTY.

Miss Mary D. Storey, Johnstown, April 28, 1923.

DELAWARE COUNTY.

J. Milton Reed, Drexel Hill, April 28, 1923.

ELK COUNTY.

Miss Wilda G. Irwin, Ridgway, April 1, 1923.

ERIE COUNTY.

Harry C. Edy, Erie, April 28, 1923.
Robert I. Roberts, Erie, April 23, 1923.
Harry M. Schuwerk, Erie, March 31, 1923.

JEFFERSON COUNTY.

H. W. Henderson, Summerville, April 28, 1923.

LANCASTER COUNTY.

Miss Helen A. Gerlitzki, Lancaster, April 1, 1923.

LAWRENCE COUNTY.

E. F. Connelly, New Castle, April 28, 1923.
W. H. Grinnen, Wampum, April 25, 1923.

LEHIGH COUNTY.

Miss Helena P. Hoere, Bethlehem, April 1, 1923.
Miss Mary E. Zimmerman, Allentown, April 28, 1923.

LUZERNE COUNTY.

Miss Anna M. Wetterau, Hazleton, April 28, 1923.

LYCOMING COUNTY.

C. Edmund Gilmore, Williamsport, April 29, 1923.

MONTGOMERY COUNTY.

W. L. Kentner, Willow Grove, April 29, 1923.

NORTHUMBERLAND COUNTY.

William B. Faust, Mount Carmel, April 25, 1923.
Miss Sarah D. Young, Northumberland, April 29, 1923.

PHILADELPHIA COUNTY.

Miss Harriet Blieden, Philadelphia, April 30, 1923.
Henry G. Blood, Philadelphia, April 28, 1923.
Adolph B. Caspar, Philadelphia, April 28, 1923.
Angelo Cusano, Philadelphia, April 1, 1923.
William E. Douglass, Philadelphia, April 28, 1923.
Thomas J. Doyle, Philadelphia, April 28, 1923.
Miss Mary J. Gavin, Philadelphia, April 1, 1923.
George E. Goldbeck, Philadelphia, April 23, 1923.
John G. Haber, Philadelphia, April 27, 1923.
Henry Happ, Philadelphia, April 28, 1923.
Frank S. Lambert, Philadelphia, April 28, 1923.
Geo. W. Mantz, Philadelphia, April 25, 1923.
W. H. Morrow, Philadelphia, April 21, 1923.
Hugh F. Quinn, Philadelphia, April 25, 1923.
Robert J. Ragan, Philadelphia, April 1, 1923.
George W. Roudenbush, Jr., Philadelphia, April 29, 1923.
Louis Senn, Philadelphia, April 28, 1923.
Robert J. Thompson, Philadelphia, April 28, 1923.
Walter K. Wood, Philadelphia, April 23, 1923.

VENANGO COUNTY.

Elliott C. Smith, Franklin, April 28, 1923.

WESTMORELAND COUNTY.

C. L. Hugus, Greensburg, April 28, 1923.
Fred J. Upton, Monessen, April 30, 1923.

GIFFORD PINCHOT.

JUDGE OF THE COURT OF COMMON PLEAS FOR THIRTY-EIGHTH JUDICIAL DISTRICT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate J. Ambler Williams, of Norristown, for appointment as Judge of the Court of Common Pleas in and for the thirty-eighth Judicial District composed of the County of Montgomery, to serve until the first Monday of January 1924.

GIFFORD PINCHOT.

PRESIDENT JUDGE COURT OF COMMON PLEAS OF FOURTH JUDICIAL DISTRICT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Howard F Marsh, of Wellsboro, for appointment as President Judge of the Court of Common Pleas of the Fourth Judicial District of Pennsylvania, composed of the County of Tioga, vice Honorable Sevellon F. Channell, deceased, to serve until the first Monday of January 1924.

GIFFORD PINCHOT.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Charles S. Kratz, of Doylestown, as Justice of the Peace, in and for the Township of Doylestown, Bucks County, vice Howard M. Earl, resigned, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. STITES,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. STITES,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,	Davis,	Long,	Smith,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Berntheizel,	Harris,	McClintock,	Steele,
Betts,	Heaton,	Miller,	Stine man.
Brown,	Homsher,	Norton,	Stites,
Buckman,	Huffman,	Patton,	Vare,
Christley,	Jones,	Phipps,	Weaver,
Clark,	Joyce,	Quigley,	Woodward,
Craig,	Krause,	Salus,	Eyre,
Culbertson,	Kutz,	Schantz,	Pres. Pro Tem.
Daix,	Lanius,	Sisson,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. STITES. Mr. President, I move that the Executive Session do now rise.

Mr. NORTON. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES.

HOUSE CONCURS IN SENATE BILL NO. 98.

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 98, entitled:

An Act to repeal an act approved the ninth day of April one thousand eight hundred and sixty-eight (Pamphlet Laws seventy-three) entitled "A supplement to an act relating to counties and townships and county and township officers aproved April fifteenth one thousand eight hundred and thirty-four relating to public buildings"

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 129.

He also returned to the Senate, Senate Bill No. 129, entitled:

An Act to amend sections five hundred and forty, and five hundred and forty-one as amended, of an act, approved May 18, 1911 (P. L. 309) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 130.

He also returned to the Senate, Senate Bill No. 130, entitled:

An Act to amend section one of the act aproved the seventeenth day of May one thousand nine hundred and

nineteen (Pamphlet Laws two hundred and eight) entitled 'An Act prohibiting under certain conditions the commutation encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" by extending the same to the proceeds and income from policies issued by both domestic and foreign companies

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 291.

He also returned to the Senate, Senate Bill No. 291, entitled:

An Act to amend section one of the act approved the twenty-third day of May one thousand nine hundred and seven (Pamphlet Laws two hundred and twenty-five) entitled "An Act providing for the payment of the premiums on bonds of county city borough school districts and township employes" extending the provisions thereof to officers

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 303.

He also returned to the Senate, Senate Bill No. 303, entitled:

An Act to amend Section 3 and Section 4 of an Act approved the fifth day of May one thousand nine hundred and twenty-one (P. L. 374), entitled "An Act providing for the licensing and regulation of corporations, copartnerships, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith a contract based upon payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties."

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 337.

He also returned to the Senate, Senate Bill No. 337, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenanace and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority in the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 362.

He also returned to the Senate, Senate Bill No. 362, entitled:

An Act regulating the practice of law in Courts not of record

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 411.

He also returned to the Senate, Senate Bill No. 411, entitled:

An act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and forty-nine) entitled "An act to fix the number of Senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future elected Senators"

with the information that the House has passed the same without amendment.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 411.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 11, 1923.

Resolved (if the Senate concur), That House Bill No. 411 entitled:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July one thousand nine hundred seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the laws relating thereto"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION AUTHORIZING PRINTING OF 25,000 COPIES OF SENATE BILL NO. 99.

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows:

Resolved (if the Senate concur) That the Superintendent of Public Printing and Binding shall have printed in advance sheet form for the use of the Members and Senators twenty-five thousand copies of the act approved the twenty-seventh day of March, one thousand nine hundred and twenty-three, entitled:

"An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws."

Mr. LONG. Mr. President, I move that the resolution be referred to the Committee on Public Printing.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

RECESS.

Mr. VARE. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 73, (Senate Bill No. 807), entitled:

An Act to amend section one, article six, chapter seven of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled, "Providing a system of government for boroughs and revising, amending and consolidating the law relating to boroughs" as amended.

Which was committed to the Committee on Judiciary Special.

House Bill No. 136, (Senate Bill No. 808), entitled:

An Act requiring telephone companies operating in the same territory to make connections and to provide for the interchange of messengers regulating the rates to be charged for such interchange and conferring certain powers and duties in connection therewith upon the Public Service Commisison

Which was committed to the Committee on Judiciary Special.

House Bill No. 160, (Senate Bill No. 809), entitled:

An Act concerning counties and county officers and revising amending consolidating and changing the law relating thereto

Which was committed to the Committee on Judiciary General

House Bill No. 316, (Senate Bill No. 810), entitled:

An Act to amend section three hundred and seven of an act approved the second day of June, one thousand nine hundred fifteen, (P. L. 736), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," as amended.

Which was committed to the Committee on Insurance.

House Bill No. 333, (Senate Bill No. 811), entitled:

An Act authorizing the State Highway Department, the Public Service Commission, counties, cities, boroughs, townships and railroad and railway corporations to purchase or condemn by the right of eminent domain free and unobstructed view over and across lands at certain highway, railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of said highways, railroads and railways; and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 388, (Senate Bill No. 812), entitled:

An Act providing that the negligence of a servant or employe of any municipality shall under the rule of respondent superior be attributable to the municipality responsible for his compensation or wages

Which was committed to the Committee on Judiciary Special.

House Bill No. 434, (Senate Bill No. 813), entitled:

An Act to amend section four of an act approved the thirteenth day of May Anno Domini one thousand nine hundred and fifteen entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violations of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" changing the maximum number of hours in the working day and working week for minors

Which was committed to the Committee on Corporations.

House Bill No. 440, (Senate Bill No. 814), entitled:

An Act to provide for the licensing of transit retail merchants in cities borough and townships and providing a penalty for the failure to obtain such license

Which was committed to the Committee on Judiciary Special.

House Bill No. 486, Senate Bill No. 815), entitled:

An Act to amend section two of the act approved the seventeenth day of May one thousand nine hundred and

twenty-one, (P. L. 908), entitled, "An Act regulating the closing of public highways, and providing for the locating, marking, and maintenance of detours necessitated by such closing," and providing penalties.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 508, (Senate Bill No. 816), entitled:

An Act to validate certain municipal assessments municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings for the collection of such assessments and claims

Which was committed to the Committee on Municipal Affairs

House Bill No. 532, (Senate Bill No. 817), entitled:

An Act to provide for the registration and protection of artificial assumed trade and association names titles or designations

Which was committed to the Committee on Judiciary Special.

House Bill No. 579, (Senate Bill No. 818), entitled:

An Act providing for the location construction operation maintenance and vacation of public roads or highways bridges tunnels subways and under ground roads within second class counties of this Commonwealth either wholly or partly within the territorial limits of cities boroughs and townships thereof and the taking over by the county of such improvements from townships making such improvements county improvements establishing procedure for undertaking or vacating of improvements by the county commissioners and the mode of taking exceptions thereto providing for the entry upon and appropriation of property for the purpose of planning and making improvements the compensation to be paid therefor and the payment of damages and the assessment of benefits resulting from such improvements and the manner in which such damages and benefits may be determined providing for the filing reviving and collecting of liens arising from any assessment of benefits thereunder providing for the payments of the costs and expenses of such construction and improvement and the maintenance and operation thereafter providing for the letting of contracts for such improvements or maintenance and for the making of such improvements or the maintenance thereof by the county commissioners themselves defining the duties of the county commissioners with reference to such county improvements authorizing them to employ the necessary persons and maintain the necessary equipment to perform their duties providing for the contracting by counties of the second class with railway or transportation companies for the concurrent use of county improvements authorizing the levy of a tax and the issuance of bonds by counties of the second class to provide funds for said purposes providing for the entry upon and appropriation by said counties of highways streets and properties of cities and boroughs necessary for such improvement and for the maintenance and control of said highways streets and properties by said counties after said entry and appropriation requiring the county commissioners of said counties to prepare a county road plan and prohibiting the award of damages for the taking of improvements made by persons within the lines located on said plan after its adoption and requiring the removal by the owner of improvements made within the lines of relocated highways on said plan authorizing the county commisioners of said counties to appoint persons to inspect repair and control county roads with power to enforce laws and authorizing the county commissioners of said counties to establish regulations for the use of county roads including penalties for violations

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 612, (Senate Bill No. 819), entitled:

An Act authorizing the election of a solicitor of townships by supervisors of second class townships in county convention assembled defining the duties of said solicitor of townships regulating the salary and the manner of payment thereof to the solicitor of townships

Which was committed to the Committee on New Counties and County Seats

House Bill No. 633, (Senate Bill No. 820), entitled:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-nine) entitled "An Act to provide for the election of one person to fill the office of prothonotary one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds in counties containing forty thousand inhabitants and hereafter created separate judicial districts under the Constitution" providing that said act shall be in effect only upon the acceptance thereof

Which was committed to the Committee on Judiciary General.

House Bill No. 681, (Senate Bill No. 821), entitled:

An Act to amend the supplement to an act, approved the twenty-first day of May, one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight,) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth, in State hospitals for the insane,' approved the thirteenth day of June, Anno Domini, one thousand eight hundred and eighty-three," as amended, by fixing the maximum amount for maintenance weekly, per capita.

Which was committed to the Committee on Appropriations.

House Bill No. 695, (Senate Bill No. 822), entitled:

An Act to amend clause (a), section two and section seven of an act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 388), entitled, "An Act relating to the jurisdiction, powers, and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground-rent, leases, extinguishment of ground rents, partition, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and, for such purpose the laying out or dedication of roads, streets and alleys, or the vacation of such as have not been accepted by the public authorities, where the court shall be of opinion that such decree will be to the interest and advantage of all those interested; and where the legal title is held by minors, lunatics, habitual drunkards, or weak-minded persons, a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years; by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial, or charitable society or association, incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law; by a corporation, or individual or individuals. and is subject to a trust of any description whatever; by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory devises, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the State, have died, refused to act, unreasonably withhold consent, or be absent and unheard of; where there has been or shall be a defective ap-

pointment in any deed or will, and the necessary power is not given to the executor, devisee, or appointee to make sale and conveyance; where a trust has been created, and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decree," extending the provisions of said act to cases where real estate or ground rent issuing thereout is held by an epileptic, insane, feeble-minded or weak-minded person, or by a wife whose husband is an habitual drunkard, or an epileptic, insane, feeble-minded or weak-minded person, declaring the effect of decrees as to barring dower, courtesy and interest of a surviving spouse under the intestate laws.

Which was committed to the Committee on Judiciary General.

House Bill No. 712, (Senate Bill No. 823), entitled:

An Act to amend section six of an act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred twenty-seven) entitled "An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources" as amended by prescribing additional requirements for institutions conferring degrees making certain exceptions therefrom and imposing certain duties on the State Council of Education

Which was committed to the Committee on Education.

House Bill No. 740, (Senate Bill No. 824), entitled:

An Act to amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 773, (Senate Bill No. 825), entitled:

An Act making a deficiency appropriation to the Commission of the Soldiers' Orphans Industrial School at Scotland

Which was committed to the Committee on Appropriations.

House Bill No. 777, (Senate Bill No. 826), entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind

Which was committed to the Committee on Appropriations.

House Bill No. 783, (Senate Bill No. 827) entitled:

An Act making a deficiency appropriation to the Home for Training in Speech of Deaf Children before they are of school age at Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 784, (Senate Bill No. 828), entitled:

An Act making a deficiency appropriation to the Eastern State Penitentiary

Which was committed to the Committee on Appropriations.

House Bill No. 785, (Senate Bill No. 829), entitled:

An Act prohibiting the binding out by indenture of minors as apprentices and repealing inconsistent legislation

Which was committed to the Committee on Judiciary Special.

House Bill No. 788, (Senate Bill No. 830), entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania located at Blossburg Pennsylvania to cover a deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three

Which was committed to the Committee on Appropriations.

House Bill No. 793, (Senate Bill No. 831), entitled:

An Act to amend section seven of the act approved the twenty-second day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred sixty-one) entitled "An act for the protection of shad and game fish in the river Delaware"

Which was committed to the Committee on Game and Fisheries.

House Bill No. 813, (Senate Bill No. 832), entitled:

An Act to amend section one of an act approved the eighth day of May, one thousand eight hundred and eighty-nine, (P. L. 127), entitled "A supplement to the Act of April twentieth, one thousand eight hundred and sixty-nine, entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth, and their discharge therefrom,' fixing the amount of compensation to be paid to the commissioners appointed under section six of said Act, and declaring who shall be liable therefor, and for the costs of proceedings under said section;" by imposing certain duties on the lawyer member of the commission, and fixing his compensation therefor.

Which was committed to the Committee on Appropriations.

House Bill No. 830, (Senate Bill No. 833), entitled:

An Act amending section one of an Act entitled, "A further supplement to an Act, entitled 'An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expense thereof,' approved the fifth day of May, one thousand nine hundred and eleven; constituting the said court the juvenile court of said county and prescribing its organization, jurisdiction and powers therein and otherwise," approved the nineteenth day of March, one thousand nine hundred and fifteen, by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent, neglected, incorrigible and delinquent children.

Which was committed to the Committee on Judiciary General.

House Bill No. 848, (Senate Bill No. 834), entitled:

An Act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and Juvenile Courts and imposing certain expenses upon counties

Which was committed to the Committee on Judiciary General.

House Bill No. 873, (Senate Bill No. 835), entitled:

An act to amend section nine of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws four hundred and twenty-seven) entitled "An act to Consolidate Levise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings."

Which was committed to the Committee on Judiciary General.

House Bill No. 874, (Senate Bill No. 836), entitled:

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and

seventy-four (Pamphlet Laws sixty-five) entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

Which was committed to the Committee on Judiciary General.

House Bill No. 880, (Senate Bill No. 837), entitled:

An Act to amend section two hundred and seven of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Which was committed to the Committee on Education.

House Bill No. 900, (Senate Bill No. 838), entitled:

A Supplement to the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four (P. L. 73) entitled, "An Act to provide for the incorporation and regulation of certain corporations," requiring notice to the Department of Public Welfare of applications for charters and amendments thereto of hospitals, maternity homes and hospitals and certain charitable and elemosynary institutions and societies; and further regulating the incorporation thereof.

Which was committed to the Committee on Appropriations.

House Bill No. 901, (Senate Bill No. 839), entitled:

An Act to amend section one of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred nineteen) entitled "An act to establish a State village for feebleminded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purpose aforesaid also for the expense of maintenance until June one one thousand nine hundred and fifteen" as amended by changing the name of said village.

Which was committed to the Committee on Judiciary Special.

House Bill No. 902, (Senate Bill No. 840), entitled:

An Act to amend section ten hundred and twenty-five of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled, "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 906, (Senate Bill No. 841), entitled:

An Act to amend section twenty-one of an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 483), entitled, "An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the Courts power to enforce its provisions," by requiring objections to the form of any pleading to be filed and served upon the opposite party within ten days after the service of such objectionable pleading.

Which was committed to the Committee on Judiciary General.

House Bill No. 912, (Senate Bill No. 842), entitled:

An act validating the incurring of certain debts or increase of indebtedness of poor districts in counties of the second class by the county commissioners thereof for improvements or alterations of the property of such poor districts and all bonds and other securities issued therefor and also the assessment of annual taxes for the payment of such indebtedness since the twentieth day of April one thousand eight hundred and seventy-four

Which was committed to the Committee on Judiciary General.

House Bill No. 920, (Senate Bill No. 843), entitled:

An Act to amend Section one of the act approved the fourteenth day of April one thousand nine hundred five (Pamphlet Laws one hundred and sixty-nine) entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor"

Which was committed to the Committee on Judiciary Special.

House Bill No. 924, (Senate Bill No. 844), entitled:

An Act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

Which was committed to the Committee on Legislative apportionment.

House Bill No. 925, (Senate Bill No. 845), entitled:

An Act to amend section nine of an act approved the fifteenth day of May one thousand nine hundred and three (Pamphlet Laws four hundred forty-six) entitled "An act to provide for the selection of a site and the erection of a State Institution for the Feeble-minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" as amended changing the name of said institution

Which was committed to the Committee on Judiciary Special.

House Bill No. 928, (Senate Bill No. 846), entitled:

An act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents reports bulletins and other publications for the use of the Commonwealth the several departments boards commissions and other agencies engaged in the legislative judicial and administrative work of the State government the sale of waste paper the appointment of a Director and other employees and repealing inconsistent and conflicting legislation

Which was committed to the Committee on Public Printing.

House Bill No. 959, (Senate Bill No. 847), entitled:

An Act to repeal the act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and eighteen) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employes and on city councils of cities of the first and second class and providing penalties" and section thirty-nine of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for licensing of dogs by the Secretary of Agriculture

providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof

Which was committed to the Committee on Agriculture.

House Bill No. 962, (Senate Bill No. 848), entitled:

An Act to amend sections twenty forty and forty-seven of an Act entitled "An act relating to warehouse receipts approved the eleventh day of March Anno Domini one thousand nine hundred and nine"

Which was committed to the Committee on Judiciary General.

House Bill No. 977, (Senate Bill No. 849), entitled:

An Act to amend an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 894), entitled "An act to amend an act approved the twenty-fifth day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and fifty), entitled 'An act authorizing the several counties, incorporated towns, and boroughs to appropriate annually sums of money to each camp of the United States War Veterans, and the Army of the Philippines, and to each post of the American Veterans of Foreign Service, in the respective counties, boroughs, and towns, to aid in defraying the expenses of Memorial Day,' by authorizing appropriations to each post of the American Legion, Veterans of Foreign Wars, and to each Naval Association, and each post of the Grand Army of the Republic" to include authorization of appropriations to each organization of ex-service men incorporated under the act of April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto.

Which was committed to the Committee on Military Affairs.

House Bill No. 984, (Senate Bill No. 850), entitled:

An Act providing for the taxation modification remission and collection of all fees received by the several prothonotaries and the several clerks of the courts of this Commonwealth

Which was committed to the Committee on Judiciary General.

House Bill No. 987, (Senate Bill No. 851), entitled:

An Act to amend section one, two, three and four, of an act approved the eleventh day of July, Anno Domini, one thousand nine hundred seventeen, entitled "An act to regulate the importation into this Commonwealth of dependent, delinquent or defective children, and providing a penalty for the violation thereof.

Which was committed to the Committee on Appropriations.

House Bill No. 994, (Senate Bill No. 852), entitled:

A Supplement to an Act approved the eighth day of May, one thousand nine hundred and nineteen (Pamphlet Laws, one hundred and thirty-eight), entitled, "An act requiring counties having a population of over one million and less than one million five hundred thousand, to establish a pension fund for the employes of such counties, and providing for the administration of such fund and payments therefrom," by restricting the provisions of said act so that the same shall hereafter be applicable to counties of the second class only, and by extending the provisions of said act so that the same shall apply to all county employes working for wages on a per diem basis, or any other basis, and providing that all county employes shall have full credit hereafter for all services heretofore or hereafter rendered on a per diem or other basis in calculating the total period of their employment for any of the purposes mentioned in said act.

Which was committed to the Committee on Municipal affairs.

House Bill No. 1052, (Senate Bill No. 853), entitled:

An act relating to salaries compensation bonds offices and supplies of certain county officers, their deputies and clerks in counties of the sixth class

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1128, (Senate Bill No. 854), entitled:

An act authorizing the State Highway Commissioner to empower certain employees of his department to perform such official acts as he may designate

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1153, (Senate Bill No. 855), entitled:

An act to relieve life tenants of land from the payment of taxes on the underlying veins of coal which they have no right to operate and providing that such coal shall be assessed to and the taxes thereon paid by the owner of said veins of coal

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1163, (Senate Bill No. 856), entitled:

An Act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same

Which was committed to the Committee on Military Affairs.

House Bill No. 1165, (Senate Bill No. 857), entitled:

An Act authorizing cities boroughs towns and townships to purchase burial plots for certain deceased service men

Which was committed to the Committee on Military Affairs.

House Bill No. 1174, (Senate Bill No. 858), entitled:

An act to amend an act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and ninety-eight) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by providing that said court shall consist of six judges

Which was committed to the Committee on Judiciary General.

House Bill No. 1193, (Senate Bill No. 859), entitled:

An Act providing for resettlements by the Board of Public Accounts of mercantile license taxes erroneously paid into the State Treasury

Which was committee to the Committee on Finance.

House Bill No. 1214, (Senate Bill No. 860), entitled:

An Act to amend section sixteen (a) of the Act approved the Seventh day of June One Thousand Nine Hundred Seventeen (Pamphlet Laws Four Hundred Fifteen) entitled and known as the "Register of Wills Act of one thousand nine hundred and seventeen" changing the time limit within which those interested shall appeal from the Decree of the Register

Which was committed to the Committee on Judiciary General.

House Bill No. 1259, (Senate Bill No. 861), entitled:

An Act providing that certain elections to take under or against the will of decedents heretofore required to be

filed by surviving husbands or wives shall be presumed to have been made to take under said will

Which was committed to the Committee on Judiciary General.

House Bill No. 1274, (Senate Bill No. 862), entitled:

A supplement to an act approved the tenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, four hundred seventy-one), entitled "An Act providing a system of management and control of the jail or county prison in each county of the fifth class; providing for warden; defining his powers and duties; providing for other employes and salaries; and describing the duties and powers of the county commissioners and the sheriff in connection therewith," authorizing the county commissioners of said counties to use or to contract with townships, boroughs and cities for the use by them of prison labor in the construction, maintenance and repair of roads, streets, highways, bridges and culverts and to prepare, furnish and transport material for the same, and to require male prisoners to perform labor for said purposes, and providing for the compensation of prisoners performing such labor and the application thereof, limiting the liability of the counties for injuries received by prisoners employed, and providing penalties for escape or attempt to escape by prisoners.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1290, (Senate Bill No. 863), entitled:

An Act to amend the act approved the fifth day of April, one thousand nine hundred and twenty-one (Pamphlet Laws, ninety-four), entitled "An act requiring the county commissioners, in all counties of the fifth, sixth seventh and eighth class of this Commonwealth, to provide an office at the county-seat for the district attorney and his assistants, if any, and to furnish supplies, postage, telephone, fuel and light required for his and their use;" extending the provisions of the act to counties of the fourth class.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1313, (Senate Bill No. 864), entitled:

An Act to amend section ten of the act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 711), entitled "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," as amended.

Which was committed to the Committee on Judiciary General.

House Bill No. 1337, (Senate Bill No. 865), entitled:

An Act providing a method for deciding a tie vote in borough councils.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1354, (Senate Bill No. 866), entitled:

An Act to prohibit the taking of lands and property by the Commissioners of Valley Forge Park until the damages accruing to owners thereof have been ascertained and paid

Which was committed to the Committee on Judiciary General.

House Bill No. 1357, (Senate Bill No. 867), entitled:

An Act providing for the redemption and cancellation of the Bond issued under the act approved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled 'An act directing the sale of bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" and for the investment of the moneys in the fund resulting from such redemption and the payment of the interest therefrom by the Sinking Fund Commission to Pennsylvania State College.

Which was committed to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. DAIX, Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX, from the Committee on Judiciary Special, reported as committed Senate Bill No. 787, entitled:

An Act creating a Legislative Reference Bureau; providing for the election of a Director by the General Assembly; designating the officers and employes of such Bureau; defining their duties, fixing their salaries, abolishing the present Legislative Reference Bureau; and making an appropriation.

Also from the Committee on Judiciary Special, reported as committed, Senate Bill No. 798, entitled:

An Act to amend sections two and twenty of an act approved the seventh day of June, one thousand nine hundred and fifteen, (P. L. 888) entitled "An act regulating, through the Commissioner of Labor and Industry, the business of assisting employers to obtain employes, and persons to secure employment, including the business of collecting information to the same end, and prescribing penalties."

Also from the Committee on Judicial Special reported as committed, Senate Bill No. 817 (House Bill No. 532) entitled:

An Act to provide for the registration and protection of artificial assumed trade or association names titles or designations.

Mr. CULBERTSON. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CULBERTSON, from the Committee on New Counties and County Seats reported as committed, Senate Bill No. 793, entitled:

An Act to repeal the act approved May 10, 1871 (P. L. 667) entitled "An act to empower the school directors of Tuscarora and Spruce Hill townships, in the county of Juniata, to annex certain lands in Spruce Hill Township and Tuscarora township, in the county of Juniata, for school purposes.

Mr. LONG. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LONG, from the Committee on Public Printing, reported as committed, Senate Bill No. 846 (House Bill No. 928) entitled:

An Act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents, reports, bulletins, and other publications for the use of the Commonwealth, the several departments, boards and commissions and other agencies engaged in the legislative judicial and administrative work of the State government, the sale of waste paper, the appointment of a Director and other employes and repealing inconsistent and conflicting legislation.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 769 entitled:

A Supplement to an act approved March 10, 1921 (App. Acts, page 11) entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highway for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highway within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasions in connection with the work of the State Highway Department;" by extending the date for the apportionment of State-aid appropriations made by said act.

MOTION TO READ BILLS THE FIRST TIME.

Mr. BUCKMAN. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 395, (House Bill No. 283), entitled:

An act to further amend section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as amended providing a pension for employes who have not reached the age of sixty years but who have become permanently disabled after eighteen years of service.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 463, entitled:

An Act to further amend section three of an act approved the twenty-third day of May one thousand eight hundred and eighty-seven (P. L. 173), entitled "An act to make the carrying on of the business of detectives without licenses a misdemeanor and to regulate the licensing and powers of detectives" as amended; by providing that detective agencies may employ detective operatives who may serve legal papers in certain cases and be entitled to the legal fees for said services giving a right of action on the bond of the employing licensed detective agencies for injury done by said detective operatives and providing a penalty for wilful offenses of said detective operatives

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 476, entitled:

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class, for the establishment of lines and grades for, and the grading, paving or repaving of said alleys, and the grading of private alleys hereafter laid out, and for apportioning the cost and for the filing of liens therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration fo Senate Bill No. 494, entitled:

An Act to exempt from county, city, borough, township, county, road, school and poor taxes, real and personal property owned by one or more corporations of purely public charity and used by such owner or owners and other similar associations or corporations exclusively for the purposes of such occupants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 495, entitled:

An Act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes and judges serve; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 557, entitled:

An Act authorizing Council in cities of the first class, by ordinance to require the installation of standpipes and sprinkler systems in certain buildings in such cities; to prescribe the kind and character thereof, and regulations therefor and to provide for the enforcement of such ordinance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 565, entitled:

An Act creating a Department of Game and Fish; charging the department with the enforcement, administration and execution of laws heretofore enforced, administered and executed by or through the Department of Fisheries and the Board of Game Commissioners; defining the powers and duties of the department, and prescribing penalties; abolishing certain departments, boards, commissions and officers; providing for the disposition of certain moneys now held by or hereafter paid to the State Treasurer under any statute the enforcement of which is by this act imposed on the department; and making appropriations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 570, entitled:

An Act providing for the merging of moneys held in certain special funds in the State Treasury, with moneys in the general fund; providing for the use of all moneys in the general fund for the payment of appropriations, and for the payment from the general fund of moneys appropriated and dedicated for special purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 583, entitled:

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities, and providing for the division of the assets and liabilities of said townships.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 628, entitled:

An Act regulating the mining of anthracite coal underneath cities, boroughs and first class townships, within the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 690, entitled:

An Act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the procedure in case of condemnation and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields where such city is authorized to establish and maintain the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 691, entitled:

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within or without the limits of said cities for the purpose of establishing and maintaining municipal airdromes or aviation landing fields; providing for the procedure in cases of condemnation and the extent of title acquired; authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental; and empowering said cities to operate and maintain said fields jointly with any county within which said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 694, (House Bill No. 515), entitled:

An Act limiting rent as a preferred claim

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 696, (House Bill No. 600), entitled:

An Act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United-Spanish War Veterans a part of the public records of the State and providing for their publication and distribution

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 710, (House Bill No. 638), entitled:

An Act supplementing an act, entitled 'A Supplement to an act, entitled "An Act for the government of cities of the second class," approved the seventh day of March, one thousand nine hundred and one; authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards, courts and open spaces, and to regulate and restrict the location of trades and industries, and the location of buildings for specified uses; and to make regulations for trades and industries and for the use of buildings; and, for the above purposes, to divide the cities into districts; and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein; and providing the method of adoption of said districts, regulations, and restrictions, and the method of amendment or change thereof,' approved the twenty-first day of June, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, five hundred seventy)," providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities, establishing the procedure upon said appeals, authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties, and authorizing said appeals to be advanced.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 733, (House Bill No. 999), entitled:

An Act providing for the refunding of liquor license fees and additional taxes to holders of licenses to manufacture or sell vinous spiritous malt or brewed liquors or any admixture thereof intoxicating liquor or ethyl alcohol where the Act of Assembly under the authority of which such licenses were granted has been repealed by the General Assembly of one thousand nine hundred and twnty-three prior to the expiration of the license year for which such licenses were issued providing for the payment of such refund in certain cases by the county in which such license was granted and the repayment to such county by the city borough township and State of their respective shares of such refund and for the payment of such refund in certain cases by the State alone providing the procedure in such cases and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 769, entitled:

A Supplement to an act approved March 10, 1921 (App. Acts, page 11) entitled "An act making an appropriation to the State Highway Department for the construction of Permanent State Highways, for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highways within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasions in connection with the work of the State Highway Department;" by extending the date for the apportionment of State-aid appropriations made by said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 780, entitled:

An Act providing that the county treasurers in counties of the second class of this Commonwealth shall add a penalty of five per centum on all taxes, in each district, of said counties, which shall have assessed against any person or persons, or their property in any of the districts of the said county and which shall remain due and unpaid for a period of four months after the date fixed for the payment in the proper district and requiring the county treasurer to receive the whole amount of taxes assessed against any person or persons or their property in any of the districts of the said county, with the added penalty of five per centum, as provided herein, without any other increase or deductions; providing that the said penalty of five per centum shall accrue to the revenues of said county; and repealing all acts or parts of acts inconsistent herewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 787, entitled:

An Act creating a Legislative Reference Bureau; providing for the election of a Director by the General Assembly; designating the officers and employes of such Bureau; defining their duties, fixing their salaries, abolishing the present Legislative Reference Bureau; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 793, entitled:

An Act to repeal the act approved May 10, 1871 (P. L. 667) entitled "An act to empower the school directors of Tuscarora and Spruce Hill townships, in the county of Juniata, to annex certain lands in Spruce Hill Township and Tuscarora township, in the county of Juniata, for school purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 798, entitled:

An Act to amend sections two and twenty of an act approved the seventh day of June, one thousand nine hundred and fifteen, (P. L. 888) entitled "An act regulating, through the Commissioners of Labor and industry, the business of assisting employers to obtain employes, and persons to secure employment, including the business of collecting information to the same end, and prescribing penalties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 817, (House Bill No. 532), entitled:

An Act to provide for the registration and protection of artificial assumed trade or association names titles or designations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 846, (House Bill No. 928) entitled:

An Act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents, reports, bulletins and other publications for the use of the Commonwealth the several departments, boards and commissions and other agencies engaged in the legislative judicial and administrative work of a Director and other employes and repealing inconsistent and conflicting legislation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. CLARK. Mr. President, I move that the Senate do now adjourn until tomorrow morning at eleven o'clock.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:48 P. M. until 11:00 o'clock Tuesday morning, April 17, 1923.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 16, 1923.

The House met at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Our Heavenly Father, it is with a mingled sense of gratitude and sadness that we come into Thy presence at this evening hour. We are grateful to Thee for the many blessings which we have received from Thy beneficient hand. We thank Thee for the measurable degree of health and strength which Thou hast bestowed upon the major portion of the members of this House. We thank Thee for the restoration to health and strength of those who have been sick, and yet our hearts are saddened at the thought of the departure of one of our fellow-members and co-laborer. We pray Thy richest blessing upon the broken family circle of his loved ones. May the assuaging power of Thy presence, the smile of Thy countenance, and the strength of Thy grace be theirs in this dark hour. Help us to remember, O, Lord, that each one of us will some day, too, have to take our departure, and may we thereto set our thoughts and motives in action to prepare us for that day.

We ask it in Jesus' name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, April 12, 1923.

The Clerk proceeded to read the proceedings of Thursday, April 12, 1923, when, on motion of Mr. Berger, the further reading was dispensed with and the Journal approved.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 38, 373, 426 AND 470.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 12, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following House Bills:

House Bill No. 38, entitled, "An Act relating to treasurer in counties of the fifth class providing for ther salaries bonds

offices and supplies and the compensation of deputies and clerks".

House Bill No. 373, entitled, "An Act to amend an Act approved June fifteenth one thousand nine hundred and eleven (Pamphlet Laws nine hundred and fifty-five) entitled 'An Act making State taxes unpaid bonus interest penalties and all public accounts a first lien upon the franchise and property of corporations companies associations joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof and repealing section four of the act approved April sixteenth one thousand eight hundred and twenty-seven.'"

House Bill No. 426, entitled, "An Act to amend Section thirty of an Act approved June first one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled 'A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' ".

House Bill No. 470, entitled, "An act to amend sections one and two of the act approved the twenty-third day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and thirty-nine) entitled 'An act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the distribution thereof' extending said act to cities of the second class".

GIFFORD PINCHOT.

LEAVES OF ABSENCE.

The SPEAKER asked and obtained leave of absence for Mr. Sprowls, on account of illness.

Mr. HEFFERNAN asked and obtained leave of absence for Mr. Fields.

Mr. JOSEPH C. MARCUS asked and obtained leave of absence for Mr. McBride.

Mr. PRICE asked and obtained leave of absence for Mr. Stoner.

Mr. WONER asked and obtained leave of absence for Miss MacKinney.

Mr. BREWSTER asked and obtained leave of absence for Mr. Hollis.

Mr. GUNDY asked and obtained leave of absence for Mr. Mr. Hollis.

RESOLUTIONS.

ADJOURNMENT IN MEMORY OF THE HONORABLE FRANK E. KORNS.

Mr. ALLEN J. STEVENS offered the following resolution, which was twice read, considered and agreed to.

In the House of Representatives, April 16, 1923.

Whereas, The Honorable Frank E. Korns, a Member of the House of Representatives, from Johnstown, Cambria County, died at his home on Friday evening, April thirteenth, and

Whereas, By his death this House has lost a valuable Member and the Commonwealth an efficient and capable public servant, therefore be it

Resolved, That when this House adjourn this evening it do so in honor of the memory of the late Honorable Frank E. Korns.

RECONSIDERATION OF VOTE.

Mr. BLUETT. Mr. Speaker, I move that the vote by which House Bill No. 275, file folio 4375, entitled:

An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior Acts of Assembly

passed on third reading be reconsidered.

Mr. DILSHEIMER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. BLUETT. Mr. Speaker, I move that House Bill No. 275, file folio 4375, on apge 4 of today's calendar, Bills on Final Passage, be recommitted to the Committee on Judiciary Special.

Mr. DILSHEIMER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. GOLDER. Mr. Speaker, I move that Senate Bill No. 142, House Bill 483, file folio 105, entitled:

A supplement to the act approved the seventeenth day of June nineteen hundred and fifteen (Pamphlet Laws one thousand and twelve) entitled "An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" as amended by the act of June fourth nineteen hundred and seventy-five) entitled "An Act to amend sections one two and three of an act approved the seventeenth day of June one thousand nine hundred and fifteen (Pamphlet Laws ten hundred and twelve) entitled 'An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rate of interest and charges therefor requiring penalties for the violation of this act'"

on page 27 of today's calendar, Bills on Second Reading, be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. BALDI. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. STEEDLE. Mr. Speaker, I move that House Bill No. 1074, file folio 3161, entitled:

An Act supplemental to an act entitled "An Act to establish a Bureau of Housing for the sanitary inspection and control of tenement boarding and lodging houses; defining its powers and duties and providing certain penalties" approved July twenty-fourth, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand and fifteen) and providing for the protection of the health, safety and welfare of the people of Pennsylvania by establishing regulations for the lighting, ventilation, sanitation, protection, maintenance, erection, alteration, improvement use and occupancy of dwelling and land appurtenant thereto; defining the classes of dwellings affected; establishing administrative procedure and remedies and prescribing penalties for violation thereof and repealing acts inconsistent herewith.

on page 23 of today's calendar, Bills on Third Reading Postponed, be recommitted to the Committee on Public Health and Sanitation for the purpose of amendment.

Mr. McCAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS RECOMMITTED.

Mr. ZOOK. Mr. Speaker, I move that House Bill No. 1279 file folio 3049, entitled:

An Act relating to motor vehicles and requiring the owner of any motor vehicle to be insured against liability for damages for injuries in person or property sustained through the negligent or illegal operation thereof in this Commonwealth and providing a penalty.

on page 10 of today's calendar, Bills on Third Reading, be recommitted to the Committee on Insurance for the purpose of a hearing and amendment.

Mr. W. P. WOOD. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. EARLEY. Mr. Speaker, I move that the vote by which House Bill No. 846, file folio 4347, entitled,

An Act to amend clause (e) and (f) of section three hundred and six and clause seven of section three hundred and seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended and providing when the same shall become effective

on page 4 of today's calendar, Bills on Final Passage, passed on third reading, be reconsidered.

Mr. HETRICK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. EARLEY. Mr. Speaker, I move that House Bill No. 846, file folio 4347, be recommitted to the Committee on Insurance, for the purpose of amendment.

Mr. HETRICK. Mr. Speaker, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GEORE W. WILLIAMS. I have read with interest the remarks of several of the gentlemen of the House on Thursday last on the question of additional revenues with which to meet the requirements of the Edmond's Teachers' Salary Bill of 1921.

I ask the indulgence of the House under a question of personal privilege, that I may place my thoughts on this important question before the members.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GEORGE W. WILLIAMS. Mr. Speaker. The very unbalanced vote by which the House passed the anthracite tax repealer and the vote by which the suggested constitutional amendment looking to a graded system of taxation with provisions for an income tax was defeated, gives me good grounds for expressing doubt as to the probability of the House passing any tax measure giving us $18,000,000 which we are advised will be necessary to meet the obligations of the State to the school districts under the Edmonds Act. If I am correct in my conclusions, then where are we at? There is no use in deceiving ourselves and misleading our constituents with false taxes. The time is near at hand when the school boards will be making contracts with the teachers and levying the 1923-24 school taxes, and before doing either, they should know to a certainty whether we are to divide among them the $21,000,000 provided for in the budget, or $39,999,999, the amount necessary to meet the provisions of the Edmonds Act. If we are unable to increase the revenues $18,999,999, then as I see the matter, there is but one thing to do, and that is to amend the Edmonds Act, wiping out the increment provisions and the minimum salaries, leaving the question of the salaries to be paid the teachers to the local school boards, dividing the $21,000,000 provided for in the budget among the school districts on a fair and equitable basis. While such action would not prevent any school district paying more than the minimum salary as set forth in the Edmonds Act, it would enable the districts to fit the salaries and school expenses to the financial condition of the various districts.

Much as I would regret the necessity of taking such action, if we are unable to raise the additional $18,999,999 needed for the common schools and if we are to save the fourth class districts from what will otherwise be the greatest financial problem they have ever been called upon to face, it is to my mind, the only remaining solution to a very troublesome question, and for one, I am prepared to work along the lines I have suggested.

The SPEAKER. The remarks of the gentleman from Tioga, Mr. Williams, under his question of personal privilege will be spread upon the Journal.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 205 entitled:

An Act making an appropriation providing for a deficiency in the maintenance of the Glen Mills Schools Glen Mills Delaware County Pennsylvania

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 787 entitled:

An Act making a deficiency appropriation to the Cottage State Hospital at Philipsburg Pennsylvania

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 667 entitled:

An Act providing for the return by the Board of Game Commissioners to persons entitled thereto of moneys erroneously paid into the State Treasury

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1258 entitled:

An Act to amend section one hundred and six of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1090 entitled:

An Act to amend sections one thousand one hundred five, and one thousand one hundred thirty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1376 (Senate Bill No. 96), entitled:

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the deaf at Scranton Pennsylvania

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 678, as follows:

An Act to amend clause three section ten article two of chapter seven and section seven article one of chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause three section ten article two of chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

III To exercise the powers and jurisdiction of justices of the peace in the enforcement of all ordinances of the borough and the collection of fines and penalties imposed thereunder and to sentence any person violating any such ordinance detention in the lockup county jail or workhouse as hereafter provided

Section 2 That section seven Article one of Chapter twelve of said act is hereby amended to rea das follows

Section 7 Upon judgment against any person by summary conviction or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs the defendant may be sentenced and committed to the borough lockup for a period not exceeding five days or to the county jail or workhouse for a period not exceeding thirty days

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Alexander,	**Goehring,**	Marcus, J. C.,	**Schleiter,**
Allman,	Golder,	Marshall, J. G.,	Schoener,
Anderson,	Goss,	Marshall, W. F.,	Schwartz,
Armstrong,	Greeby,	Mathay,	Shambach,
Arthur,	Griffith,	McBride,	**Sheridan,**
	Guerin,	McCaig,	Smith, G. A.,
Baker,	Haas,	McClure,	Smith, H.,
Baldi,	Haines,	McCurdy,	Smith, J. W.,
Beaver,	Hall,	McDaniel,	Soffel,
Behney,	Harer,	McGowan,	Sowers,
Berger,	Harter,	McKim,	Spangler,
Betts,	Haslett,	McVicar,	Stark,
Bidelspacher,	Haws,	Metcalf,	**Stavitski,**
Blair,	Heffernan,	Miller,	Steedle,
Bluett,	Heffran,	Minehart,	Sterling,
Blumberg,	Henderson,	Moffatt,	Stevens, A. J.,
Brenneman,	Hetrick,	Moore,	Stevens, A. F.,
Brewster,	Heyburn,	Morrison,	Stofflet,
Bromley,	Himes,	Munley,	Stoner,
Brownmiller,	Holcombe,	Myers, G. C.,	Storb,
Burns,	Hollis,	Myers, P. M.,	Storer,
Conner,	Hoover,	Nolte,	Thomas, L. D.,
Coyne,	Howell,	O'Boyle,	Thompson,
Craig,	Huber,	Ogle,	Van Alen,
Diehm,	Irvin,	Orr,	Vickerman,
Dietz,	Johnson,	Parkinson,	Walker,
Dilsheimer,	Jones, D. J.,	Patterson,	Weamer,
Driggs,	Jones, E. P.,	Peelor,	Wells,
Drinkhouse,	Keene,	Perry,	Wettach,
Dunn,	Kelly,	Posey,	Wheeler,
Eaches,	Kohler,	Post,	Whitehouse,
Earley,	Kunkle,	Price,	Whiteman,
Edmonds,	Labar,	Raymond,	Williams, G. W.,
Eshelman,	Lauver,	Rhodes,	Williams, J. M.,
Evans, B. P.,	Little,	Richards,	Woner,
Evans, J.,	Long,	Rinn,	Wood, N.,
Fowler, A. I.,	Lucas,	Rippman,	Wood, W. P.,
Fowler, D.,	Ludlow,	Sample,	Wright,
Fratt,	Lynch,	Sarig,	Zook,
Gelder,	Mack,	Sautter,	Goodnough,
Gibbon,	Malie,	Schaeffer,	Speaker.
Gilchrist,	Mangan,	Schilling,	
Gundy,	McCann,	Smith, H. J.,	

NAYS—1.

Albert,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 395, as follows:

An Act to regulate the sales of caustic acids caustic alkalies and preparations thereof and mineral or chemical salts intended for household and agricultural uses and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of January one thousand nine hundred and twenty-four it is unlawful for any person or copartnership or corporation to sell at wholesale or retail within this Commonwealth any caustic acids or caustic alkalies or preparations "containing such acids or alkalies" intended for household use "or mineral or chemical salts for agricultural purposes" without affixing to the bottle box vessel sack or package containing the same a label printed or plainly written containing the name of the article the name and place of business of the manufacturer seller or distributor of such household acids alkalies or preparations thereof and in addition the word "Poison" which shall conspicuously appear thereon in capital letters not less than twenty-four point size or which shall be affixed thereto as a sticker conspicuously placed Provided That in the case of mineral or chemical salts including nitrate of soda sulphate of ammonia muriate of potash sulphate of potash intended or sold for agricultural purposes these sacks packages or other containers or attached cards or labels shall have printed thereon as hereinbefore provided the words "Poisonous to livestock"

Section 2 The word "Caustic" shall within the intent and purpose of this act be construed to mean any "acids or alkalies in liquid or powdered form or" preparations thereof or containing free or chemically unneutralized hydrochloric acid in a concentration of ten (10) per centum or sulphuric acid in a concentration of ten (10) per centum or nitric acid in a concentration of five (5) per centum or carbolic acid

(phenol) in a concentration of five (5) per centum or oxalic acid in a concentration of ten (10) per centum or acetic acid in a concentration of twenty (20) per centum or hypochlorous acid (calx chlorinata bleaching powder or chloride of lime) in a concentration of one hundred per centum (100) or potassium hydrate (caustic potash Vienna paste pearlash potassa carbonas) in a concentration of ten (10) per centum or sodium hydrate (caustic soda concentrated lye) in a concentration of twenty (20) per centum or silver nitrate (lunar caustic) in a concentration of five (5) per centum

Section 3 Any person or copartnership or corporation violating section one of this act of assembly is guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one hundred dollars and the costs of prosecution

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Albert,	Fields,	Long,	Sautter,
Allman,	Flinchbaugh,	Lucas,	Schaeffer,
Armstrong,	Fowler, A. I.,	Ludlow,	Schleiter,
Arthur,	Fowler, D.,	Lynch,	Schoener,
Asbury,	Fratt,	Mack,	Schwartz,
Aston,	Frazier,	Malie,	Shambach,
Baker,	Gelder,	Mangan,	Sheridan,
Baldi,	Gibbon,	Marcus, J.,	Smith, H. J.,
Beaver,	Gilchrist,	Marcus, J. C.,	Smith, H.,
Behney,	Glasgow,	Marshall, J. G.,	Smith, J. W.,
Bell, F. A.,	Goehring	Marshall, W. F.,	Sowers,
Bell, W. T.,	Golder,	Mathay,	Spangler,
Berger,	Goss,	McBride,	Stark,
Betts,	Greeby,	McCaig,	Staudenmeier,
Bidelspacher,	Griffith,	McCann,	Stavitski,
Blair,	Guerin,	McClure,	Steedle,
Bluett,	Gundy,	McCurdy,	Sterling,
Blumberg,	Haas,	McDaniel,	Stevens, A. J.,
Brenneman,	Haines,	McGowan,	Stevens, A. F.,
Brewster,	Hall,	McKim,	Stoner,
Bromley,	Harer,	Metcalf,	Storer,
Brown,	Harter,	Miller,	Thomas, L. D.,
Brownmiller,	Haslett,	Minehart,	Thompson,
Burchinal,	Haws,	Moffatt,	Van Alen,
Burns,	Heffernan,	Moore,	Vickerman,
Bush,	Heffran,	Morrison,	Walker,
Chaplin,	Henderson,	Munley,	Weamer,
Clutton,	Hetrick,	Myers, G. C.,	Wells,
Colville,	Heyburn,	Myers, P. M.,	Wettach,
Conner,	Himes,	Nolte,	Wheeler,
Coyne,	Holcombe,	O'Boyle,	Whitehouse,
Craig,	Hollis,	Ogle,	Whiteman,
Diehm,	Hontz,	Orr,	Williams, G. W.
Dietz,	Hoover,	Parkinson,	Williams, J. M.
Dilsheimer,	Howell,	Patterson,	Woner,
Donahue	Huber,	Peelor,	Wood, N.,
Driggs,	Irvin,	Perry,	Wood, W. P.,
Drinkhouse,	Jones, D. J.,	Posey,	Wright,
Dunn,	Kelly,	Post,	Zook,
Eaches,	Kennedy,	Raymond,	Goodnough,
Earley,	Labar,	Rhodes,	Speaker.
Edmonds,	Lafferty,	Rinn,	
Eshelman,	Lauver,	Rippman,	
Evans, B. P.,	Little,	Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 617, as follows:

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" so as to permit the orphans' court in its discretion to permit a corporation appointed as trustee in the place of an executor or executors trustee or trustees dying renouncing dismissed or refusing to act to give its own bond without surety

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clauses (b) and (c) of section fifty-six of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate for the lien thereof contracts of decedents for the sale or purchase of real estates legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisment of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" are hereby amended to read as follows

(b) Whenever in any of the cases enumerated in clause (a) of this section all of the said executors or trustees shall die renounce resign be dismissed from or refuse to act in the said trust it shall be lawful for the orphans' court having jurisdiction of the accounts of such executors or trustees on the application of any party interested and with notice to all persons interested so far as such notice can reasonably be given to appoint a trustee or trustees in place of the executor or executors trustee or trustees so dying renouncing resigning dismissed or refusing to act and to require the person or persons so appointed to enter sufficient security for the faithful performance of the trust or in the

case of a corporation duly authorized by its charter or by law to act as executor administrator or trustee being appointed the court may permit such corporation to give its own bond without security The trustee or trustees so appointed shall have the same power and interest over and in the property in trust as the executor or executors trustee or trustees in whose stead he or they shall be so appointed as aforesaid It shall also be lawful for the said court to appoint a successor or successors to such trustees from time to time whenever from death resignation or otherwise the same shall be necessary or expedient

(c) In all cases of trusts created by will and annexed to the officer of executor such executor may decline to accept the trust or be discharged therefrom without affecting his office of executor and the orphans' court of the proper county shall have the power to fill the vacancy by appointment and if a trust fund or estate is committed to an executor or other trustee in which several cestuis que trust have or are entitled to enjoy a separate interest and a vacancy should in any manner occur in the office of the trustee thereof then said court may appoint one or more trustees of such estate or fund for each of the said cestuis que trust on his or her application and the said trustee shall give security as in other cases and if a corporation is appointed the court may permit it to give its own bond without security

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albert,	Flinchbaugh,	Little,	Rippman,
Alexander,	Fowler, A. I.,	Long,	Sarig,
Allman,	Fowler, D.,	Lucas,	Sautter,
Anderson,	Fratt,	Ludlow,	Schaeffer,
Armstrong,	Frazier,	Mack,	Schleiter,
Arthur,	Gelder,	Malie,	Schwartz,
Aston,	Gibbon,	Mangan,	Shambach,
Baker,	Gilchrist,	Marshall, W. F.,	Sheridan,
Baldi,	Goehring,	Mathay,	Smith, G. A.,
Beaver,	Golder,	McBride,	Smith, H. J.,
Behney,	Goss,	McCalg,	Smith, H.,
Bell, W. T.,	Greeby,	McClure,	Smith, J. W.,
Berger,	Griffith,	McCurdy,	Sowers,
Betts,	Guerin,	McDaniel,	Spangler,
Bidelspacher,	Gundy,	McGowan,	Stark,
Blair,	Haas,	McKim,	Stavitski,
Bluett,	Hall,	McVicar,	Steedle,
Blumberg,	Harer,	Metcalf,	Sterling,
Brenneman,	Harter,	Millar,	Stevens, A. J.,
Bromley,	Haslett,	Miller,	Stevens, A. F.,
Brownmiller,	Haws,	Minehart,	Stoner,
Burchinal,	Heffernan,	Moffatt,	Storb,
Burns,	Heffran,	Moore,	Storer,
Bush,	Henderson,	Morrison,	Thomas, L. D.,
Coldsmith,	Hetrick,	Munley,	Thompson,
Colville,	Heyburn,	Myers, G. C.,	Van Alen,
Conner,	Holcombe,	Myers, P. M.,	Vickerman,
Coyne,	Hollis,	Nolte,	Walker,
Craig,	Hontz,	O'Boyle,	Weamer,
Diehm,	Hoover,	Ogle,	Wells,
Dietz,	Howell,	Parkinson,	Wettach,
Dilsheimer,	Huber,	Patterson,	Wheeler,
Donahue,	Irvin,	Peelor,	Whiteman,
Driggs,	Johnson,	Perry,	Williams, G. W.
Drinkhouse,	Keene,	Posey,	Williams, J. M.,
Dunn,	Kelly,	Post,	Wood, N.,
Eaches,	Kennedy,	Price,	Wood, W. P.,
Earley,	Kohler,	Raymond,	Wright,
Edmonds,	Kunkle,	Rhodes,	Zook,
Eshelman,	Lafferty,	Richards,	Goodnough,
Evans, B. P.,	Lauver,	Rinn,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1320, as follows:

An Act to amend an act approved May second one thousand eight hundred and ninety-nine Pamphlet Laws one hundred eighty-four entitled "An Act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of said tax" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of an act approved May second one thousand eight hundred and ninety-nine Pamphlet Laws one hundred eighty-four entitled "An Act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods ware and merchandise and providing for the collection of said tax" as amended by an act approved July twenty-one one thousand nine hundred and nineteen Pamphlet Laws one thousand seventy-two entitled "An Act to amend section seven of an act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred eighty-four) entitled "An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of said tax" as amended" is hereby further amended to read as follows

Section 7 It shall be the duty of every city and county treasurer to sue for the recovery of all licenses duly returned to him by the mercantile appraiser if not paid on or before the first day of September in each and every year within thirty days after that date Provided however That if the county treasurer is satisfied that the mercantile license tax for any good and sufficient reason cannot be collected he shall make a report to the Auditor General of all the facts connected with the case and the Auditor General upon investigation may exonerate him from the payment of said tax and in all such cases suit shall not be brought The county treasurer shall at the expiration of each month forward to the State Treasurer the amount of mercantile tax received by him If through fraud mistake or accident any dealer or dealers in or any vender or venders of goods wares or merchandise shall fail to make a full complete and accurate return or the mercantile appraiser shall fail to make a full complete and accurate report of the character and volume of the business of such dealer in all such cases upon the discovery of such delinquency it shall be the duty of the Auditor General to investigate and ascertain the character and amount or volume of business transacted by such dealer or dealers vender or venders during the calendar year preceding the year for which the tax is to be paid

For the purpose of conducting such investigation the Auditor General shall have all the powers conferred by law for the collection of State taxes all taxes based upon such valuation shall be collectible at any time either before or after the expiration of the year for which the tax is to be paid

Section 2 Section nine of said act approved May second one thousand eight hundred and ninety-nine Pamphlet Laws one hundred eighty-four is hereby amended to read as follows

Section 9 It shall be the duty of every mercantile appraiser appointed under this act on or before the first day of July in each year to certify to the county treasurer a correct list of all venders or dealers in goods wares and merchandise assessed or to be assessed with a mercantile tax in the county for which he is appointed giving the names and postoffice address of the venders or dealers so returned the classification and amount of license due by each The list furnished by the mercantile appraiser to the county treasurer shall not contain the name or names of venders or dealers who are not subject to the payment of the mercantile license tax This list shall be kept by the county treasurer for this guidance in hearing appeals and collecting said license taxes After appeals have been heard and exonerations made the corrected list shall then be certified by the county treasurer to the Auditor General on or before the first day of September of each year It shall be the duty of each dealer or vender liable to taxation hereunder to pay said mercantile tax and take out from the treasurer of the proper city or county the license herein provided for on or before September first of each year

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—125.

Albert,	Edmonds,	Irvin,	Raymond,
Alexander,	Eshelman,	Jones, D. J.,	Rhodes,
Allman,	Evans, B. P.,	Keene,	Rinn,
Anderson,	Flinchbaugh,	Kelly,	Sautter,
Armstrong,	Fowler, D.,	Labar,	Schaeffer,
Aston,	Fowler, A. I.,	Lauver,	Schwartz,
Baker,	Frazier,	Little,	Smith, H. J.,
Beaver,	Gelder,	Long,	Smith, H.,
Behney,	Gibbon,	Lucas,	Smith, J. W.,
Bell, W. T.,	Gilchrist,	Ludlow,	Spangler,
Berger,	Goehring,	Mangan,	Stark,
Bidelspacher,	Golder,	Marshall, W. F.,	Staudenmeier,
Blair,	Goss,	McClure,	Sterling,
Bluett,	Greeby,	McDaniel,	Stevens, A. J.,
Blumberg,	Guerin,	McDermott,	Stevens, A. F.,
Brewster,	Haas,	Metcalf,	Thomas, L. D.,
Bromley,	Haines,	Minehart,	Van Alen,
Brown,	Hall,	Moffatt,	Walker,
Brownmiller,	Harter,	Moore,	Weamer,
Burchinal,	Haslett,	Morrison,	Wells,
Burns,	Haws,	Myers, P. M.,	Wheeler,
Bush,	Heffernan,	Nolte,	Whiteman,
Coldsmith,	Heffran,	Ogle,	Williams, G. W.,
Conner,	Henderson,	Orr,	Williams, J. M.
Craig,	Hetrick,	Parkinson,	Wood, N.,
Diehm,	Heyburn,	Peelor,	Wood, W. P.,
Dietz,	Himes,	Perry,	Zook,
Dilsheimer,	Holcombe,	Posey,	Goodnough,
Eaches,	Hoover,	Post,	Speaker.
Earley,	Huber,	Price,	

NAYS—11.

Coyne,	Johnson,	Munley,	Schleiter,
Driggs,	Lynch,	Myers, G. C.,	Stavitski,
Howell,	Miller,	O'Boyle,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1229, as follows:

An Act to further amend section one thousand two hundred ten as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred ten of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which as amended by an act approved the tenth day of July one thousand nine hundred nineteen (Pamphlet Laws nine hundred and ten) entitled "An act to further amend section one thousand two hundred ten and to repeal sections one thousand two hundred eleven one thousand two hundred thirteen and two thousand eight hundred and five of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and making an appropriation" and which as amended by an act approved the twenty-eighth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred twenty-eight) entitled "An act to amend section one thousand two hundred ten as amended and section one thousand one hundred three and section five hundred twenty-four as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith and repealing section one thousand two hundred twelve thereof" is hereby further amended to read as follows

Section 1210 One The minimum salaries of all teachers supervisors principals and superintendents in the public schools of the Commonwealth except as otherwise hereinafter provided shall be paid by the several classes of districts in which such persons are employed in accordance with the following schedules

Two Districts of the first class Elementary teachers minimum annual salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increment eight (8) assistant high school teachers minimum annual salary one thousand five hundred dollars ($1,500) minimum annual increment one hundred dollars ($100) minimum number of increments three (3) junior high school teachers and city normal school training teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) high school teachers and city normal school teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred seventy-five dollars ($175) minimum number of increments eight (8) provided that subject to regulations prescribed by the State Board of Education and such additional regulations as the local board of public education may prescribe the minimum maximum salary for high school teachers shall be advanced to at least three thousand six hundred dollars ($3,600) supervisors minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) elementary school principals minimum annual salary two thousand one hundred dollars ($2,100) minimum annual increment two hundred thirty-seven dollars and fifty cents ($237.50) minimum number of increments eight (8) junior high school high school city normal school principals minimum annual salary four thousand dollars ($4,000) minimum annual increment two hundred fifty dollars ($250) minimum number of increments four (4) Vocational industrial manual training continuation school industrial art and similar teachers if classified in the elementary schools shall be entitled to the salary and increments prescribed in the schedule for elementary teachers or if classified in junior high schools they shall be entitled to the salary and increments prescribed in the schedule for junior high school teachers All teachers now holding valid licenses to teach in districts of the first class shall be deemed to have the minimum qualifications required by this act

Three The principalships in elementary continuation industrial trade junior high and high schools in districts of the first class shall be classified by the board of public education on the basis of the number of teachers or rooms in the school or such other facts and conditions as determine the relative importance and value of the service rendered by such principals The board of public education shall fix the number of increments the amount thereof and the maximum salary of each of such principals but no principal shall receive less than the minimum salary prescribed The increments provided in the foregoing schedule for principals apply to those principals only who serve in the schools of the highest classification which classification shall be determined by the board of public education

Four Each person on the teaching or supervisory staff in a school district of the first class on the first Monday of

July one thousand nine hundred twenty-one shall be entitled to receive the minimum salary provided for herein and in addition thereto to one annual increment for each year of accredited service or experience not exceeding the number of increments authorized by this act

Five Districts of the second class—Elementary teachers and elementary principals who devote less than one-half their time to supervision and administration minimum annual salary one thousand dollars ($1,000) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) high school teachers and high school principals who devote less than one-half their time to supervision and administration minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) provided that where teachers in junior high schools have the qualifications required by the local school board for teachers of the senior high school they shall be placed upon the high school schedule otherwise they shall be placed upon the elementary school schedule supervisors minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) elementary principals who devote one-half or more of their time to supervision and administration minimum annual salary one thousand six hundred dollars ($1,600) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) high school principals who devote one-half or more of their time to supervision and administration minimum annual salary three thousand dollars ($3,000) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) superintendents minimum annual salary five thousand dollars ($5,000)

Six Districts of the third class—Elementary teachers and elementary principals who devote less than one-half of their time to supervision and administration minimum annual salary one thousand dollars ($1,000) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) high school teachers and high school principals who devote less than one-half of their time to supervision and administration minimum annual salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increments for (4) provided that where teachers in junior high schools have the qualifications required by the local school board for teachers of the senior high school they shall be placed upon the high school schedule otherwise they shall be placed upon the elementary school schedule supervisors minimum salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) elementary principals who devote one-half or more of their time to supervision and administration minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) high school principals who devote one-half or more of their time to supervision and administration minimum annual salary two thousand dollars ($2,000) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments four (4) superintendents mini- ($3,500)

Seven Districts of the fourth class Elementary teachers minimum monthly salary one hundred dollars ($100) high school teachers minimum monthly salary one hundred thirty dollars ($130)

Eight County superintendents of counties having a population of less than twenty thousand (20,000) minimum annual salary two thousand five hundred ($2,500) county superintendents of counties having a population of twenty thousand and more but less than forty-five thousand (45,000) minimum salary three thousand dollars ($3,000) county superintendents of counties having a population of forty-five thousand and more but less than one hundred fifty thousand (150,000) minimum annual salary three thousand five hundred dollars ($3,500) county superintendents of counties having a population of one hundred fifty thousand (150,000) or more minimum annual salary four thousand dollars ($4,000) all assistant county superintendents minimum annual salary two thousand five hundred dollars ($2,500)

Nine The foregoing schedules prescribe a minimum salary in each instance and where increment is prescribed it is also a minimum It is within the power of the boards of education boards of public school directors or county conventions of school directors as the case may be to increase for any person or group or persons included in this schedule the initial salary or the amount of an increment or the number of increments or the minimum qualifications set forth in this act Teachers shall be entitled to the increments as provided for in said schedules who have complied with such requirements as may be prescribed by the State Board of Education except where additional qualifications are required by the local board of public education or board of school directors

Nothing in this act contained shall be construed to interfere with or discontinue any salary schedule now in force in any school district so long as such schedule shall meet the requirements of this section nor to prevent the adoption of any salary schedule in conformity with the provisions of this act

Ten The increments herein provided for are applicable only where the beneficiaries thereof remain in the services of the same school district Where such teachers enter a new district they shall enter at a point in the schedule to be agreed upon between said teacher and the employing districts which agreement shall be made a part of the contract between them

Eleven Teachers who are required because of additional work to devote more than the usual number of periods per day to their duties shall be entitled to a fair increase in compensation to be determined by the board of public education or the board of school directors Teachers who may be empolyed in giving instruction for only part of a day shall render such other service for such period of time per day as the board of public education or the board of school directors may direct but if such services cannot be assigned to such teacher by the board of public education or the board of school directors the salary paid to such teacher shall be proportioned to the number of hours of service rendered

Twelve Only those persons holding one of the following certificates shall be qualified to teach in the public schools of this Commonwealth College permanent certificate college provisional certificate normal school diploma normal school certificate special permanent certificate special temporary certificate permanent State certificate certificates which are permanent licenses to teach by virtue of the provisions of section one thousand three hundred eight of this act as amended or such other kinds of certificates as are issued under the rules and regulations of the State Board of Education or State Council of Education The State Board of Education shall also provide for the issuance of certificates by county or district superintendents to meet such emergencies or shortage of teachers as may occur

Thirteen The holders of any of the foregoing certificates shall be entitled to the benefits of the salary schedule where the qualifications required for such certifiactes include not less than graduation from a State normal school of this Commonwealth or equivalent training but all holders of certificates which are permanent licenses to teach in the public schools of the Commonwealth shall be entitled to the benefits of this salary schedule and nothing in this act nor any regulations of the State Board of Education shall invalidate any permanent certificate except as hereinafter provided on account of incompetence cruelty negligence immorality or intemperance Teachers not entitled to the benefits of the salary schedule herein provided shall become entitled to such benefits by meeting the qualifications prescribed in this act and such teachers until so qualified shall receive at least seventy-five ($75) dollars per month Provided That a teacher holding a professional certificate or a certificate of equivalent value as determined by the State Board of Education shall receive a minimum monthly salary of eighty-five dollars ($85) upon meeting such qualifications as shall be required under the rules of the State Board of Education

Fourteen After the first day of September one thousand nine hundred twenty-seven all persons receiving certificates to teach in the public schools of the Commonwealth except emergency certificates as herein provided for shall have the qualifications required herein of beneficiaries of the salary schedule

Fifteen The State Board of Education shall provide for summer schools in normal schools colleges universities and other educational institutions and for extension courses and correspondence courses for all teachers employed in the public school system of the Commonwealth who wish to acquire the minimum qualifications prescribed herein or such further qualifications as may be desirable

Sixteen The board of public education or board of school directors of each school district shall establish a salary

schedule with increments for all members of the teaching and supervisory staff not included in the schedules herein provided

Seventeen All certificates in effect the first Monday of July one thousand nine hundred and twenty-one shall remain valid for the period of time for which they were issued or renewed

Eighteen In school districts of the second third and fourth classes at the beginning of the school year following the approval of this act each teacher supervisor or principal employed in the same school district in which he was employed for the previous school year shall be entitled to the salary provided in the schedule next higher than the salary received by the said teacher during the said previous school year

Nineteen Of the salaries herein provided for teachers supervisors principals and all other members of the teaching and supervisory staff in the public schools of the Commonwealth except part time and night school teachers the Commonwealth shall pay for the biennium beginning June first one thousand nien hundred and twenty-three and ending on May thirty-first one thousand nine hundred and twenty-five and each biennium thereafter to such school districts as comply with the laws governing the public schools of the Commonwealth for each of said persons employed therein as shown by the certificate herein required to be filed with the Superintendent of public instruction in the November immediately preceding any such biennium as follows In school districts of the first class for each member of the teaching and supervisory staff twenty-five per centum (25%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the second and third class for each member of the teaching and supervisory staff thirty-five per centum (35%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the fourth class for each member of the teaching and supervisory staff fifty per centum (50%) of the annual minimum salary prescribed herein for teachers in such districts Provided That the amount paid by the Commonwealth to a school district in any of the foregoing classes which has a true valuation per teacher of assessable property of fifty thousand dollars ($50,000) or less shall be seventy-five per centum (75%) of the annual minimum salary prescribed herein for elementary teachers in such districts and that the amount paid to a school district in any of the foregoing classes which has a true valuation per teacher of assessable property of not less than fifty thousand dollars ($50,000) nor more than one hundred thousand dollars ($100,000) shall be sixty per centum (60%) of the annual minimum salary prescribed herein for elementary teachers in such districts Provided That where any member of the teaching or supervisory staff receives less salary than the minimum salary prescribed by the foregoing salary schedule for the class of district in which he is teaching there shall be paid to the district a corresponding per centum of the salary paid to such persons And provided further That wherever payment is made upon the salary of any member of the teaching or supervisory staff from Federal or other State funds such amounts shall be to the extent thereof in lieu of the payment provided herein for such person Provided further That the Superintendent of Public Instruction shall annually apportion to each fourth class school district the sum of two hundred dollars ($200) for each school permanently closed or discontinued in such district since nineteen hundred eleven or which may hereafter be permanently closed or discontinued The true valuation per teacher for each district shall be determined by the State Council of Education on data and material submitted by the officers of such district in the annual report to the Superintendent of Public Instruction It shall be found by dividing the true valuation of the district by the number of full time teachers which number shall include all teachers principals supervisors and superintendents employed in the vocational and non-vocational schools of the district for the year covered by such report The true valuation of the taxable property of each school district shall be obtained by dividing the amount of the assessed valuation certified in the annual report of the district for the school year ending June thirtieth one thousand nine hundred and twenty-two and every second year thereafter by the average rate of assessment certified in such annual reports for the three years immediately preceding the date on which such true valuation is determined For the two fiscal years beginning on June first one thousand nine hundred and twenty-three and ending on May thirty-first one thousand nine hundred and twenty-five such true valuation of the district shall be determined during the month of June one thousand nine hundred and twenty-three on the data and material available in the report filed with the Superintendent of Public Instruction on August first one thousand nine hundred and twenty-two The true valuation of each school district for the two fiscal years beginning on June first one thousand nine hundred and twenty-five and ending May thirty-first one thousand nine hundred and twenty-seven and for each biennium thereafter shall be determined during the month of October one thousand nine hundred and twenty-four and in the month of October of every second year thereafter The State Council of Education is hereby given full power and authority to make such investigations to take such action and to institute such proceedings as may be necessary to determine any of the questions that may be raised in the determination and adjustment of the aforesaid true valuations and the decisions which such Council reaches in such questions shall be final and conclusive

Twenty On or before the first day of November of each year each school district of the first and second class and each school district of the third class having a district superintendent shall file a certificate with the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him showing the number of teachers supervisors principals and other members of the teaching and supervisory staffs the certificates held by each and the compensation paid each for the current school year on or before the first day of October of each year each school district of the third class not having a district superintendent and each school district of the fourth class shall forward such a certificate to the county superintendent and if approved by him the county superintendent shall forward the same to the Superintendent of Public Instruction on or before the first day of November of each year

Twenty-one The Superintendent of Public Instruction shall ascertain and determine the amount of funds required to meet each of the four payments to school districts which become due and payable within the two fiscal years beginning June first one thousand nine hundred and twenty-three and ending on May first one thousand nine hundred and twenty-five and each biennium thereafter on the data and materials contained in the certificate which school districts are required by law to file with the said Superintendent on November first immediately preceding the beginning of each biennium and the said Superintendent shall also apportion and allot the same to and among the respective districts Provided That the amount paid to any school district witin any biennium shall in no case exceed an amount computed on the the data and information contained in the certificate required to be filed in the November immediately preceding such biennium

Twenty-two When the amount payable to each school district has been ascertained and determined by the superintendent of Public Instruction he shall certify the same to the State Treasurer and Auditor General who shall place the amounts to the credit of the respective school districts The Superintendent of Public Instruction shall transmit to each county and district superintendent a statement showing the amount which has been apportioned and allotted to each school district under the supervision of such county or district superintendent

Twenty-three The amount apportioned and allotted to each school district shall be divided into equal semi-annual instalments and the Superintendent of Public Instruction shall draw his warrants semiannually upon the State Treasurer in favor of each district for the amount to which it is entitled and payment thereof shall be to fourth class districts during the months of February and August of each year to second and third class districts during the months of March and September of each year and to first class districts during the months of April and October of each year

Twenty-four Boards of school directors of school districts of the second third and fourth classes are hereby authorized and directed to levy annually a tax on each dollar of the total assessment of all property assessed and certified for taxation therein to pay the minimum salaries and increments of the teaching and supervisory staff provided for herein Said tax shall not be invalidated or affected by reason of the fact that it may increase the total annual school tax levy of any school district bevond the mileage fixed or limited by law Provided that in districts of the fourth class the tax herein authorized together with all other school taxes levied in the district shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof

On the question,
Will the House agree to the bill on third reading?
It was agreed to.

On the question,
Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker and members of the House, with reference to House Bill No. 1229, on page 4 of tonight's calendar, Inasmuch as that embodies, I think, the only important bill in the calendar this year relating to the public schools, some explanation of its contents, and some further statement of the school situation should seem to me to be in order. For my part I would rather discuss the school measures when they are reached in the calendar than under the plea of personal privilege. When reached on the calendar there is then an opportunity for all of us who have views on the subject to present those views at that time so the members may have a clear understanding of what is involved. Now this bill, No. 1229, is an amendment to the school code, and an amendment also to the amendments to the school code, carried at the last session of the Legislature. The older members will not need to be reminded that there was a large number of bills presented for consideration at that time, all of which hung together and made up the general program for the public schools. On of those bills has been referred to in popular speech by my name, while I had very little to do with the framing of the technical details they were framed with a great deal of care by one of the most intelligent committees which I ever met aided as they were by the Department of Public Instruction, yet I am very proud to claim the Edmonds Act of 1921 and to point out the particulars in which this bill amends it.

In the main, this bill proposes three amendments to the Edmonds Act, all three of them made necessary by certain conditions in certain parts of the State. The first has to do with the payment of the subsidies by the State Treasurer to the school districts under the old law those subsidies were to be paid as soon after the first of February, as possible and that meant when The Treasury was in funds, and that meant necessarily that there were irregularities in the payments, and a number of the school districts from long deferred payments on account of these subsidies. The wealthier school districts could stand the strain because of the greater ease of borrowing money, but the poorer school disricts were seriously inconvenienced by that situation, therefore, it is provided in this bill that the payments to the 4th class districts shall be made in February and August of each year; to the second and third class districts in March and September of each year; and to the first class districts in April and October. In other words, the period of payment covers three months which lessens the strain upon the State Treasurer and the 4th class districts get their payments first, recognizing that their financial conditions may be more urgent. With that amendment, I take it, every one would be in harmony, because it embodies a common sense principle in dealing with a practical question.

Now, the second amendment is this: Under the act of 1921 the apportionment to the school districts was based upon certain returns made by the school districts to the Superintendent on the first of November of each year. On the first of November the Secretary of each school district makes up this list of eachers and principals and certifies that to the Superintendent of the State, and then on the basis of those returns the apportionment to the school districts is made. Now, the effect of that is that each year it is an increasing amount that is necessary for these quotas, and beecause of the financial conditions of the state it seemed wise to fix the amount now that would be needed for the next two years. Therefore, the second amendment is that the reports shall be made on the first of November of the even years, and that shall furnish the basis for distribution during the next two years, rather than one. In other words, the reports that were furnished on November 1st 1922, will be the basis of our appropriation, and our appropriation will be for two years, the amount that will be distributed in 1924 being indentical with the amount distributed in 1923. That is in the interest of fixing the amount now so that it will not be subject to a varied increase, and hence giving rise to a deficiency appropriation two years hence. Of course, anyone who stops to think will notice at once that that will hurt the progressive, growing school districts in comparison with those whose conditions are fixed static. A school district that has 100 school teachers in 1922, 100 in 1923, and 100 in 1924, will not be harmed by this method, but the school district that has 100 in 1922, 110 in 1923 and 120 in 1924 will get no benefit for that increase of 10 or 20 teachers until the next session of the Legislature, when a new apportionment will be made. However, You will all notice that the desire is to get rid of deficiency, and to get rid of the deficiency it becomes necessary to know the exact amount that is necessary for the next two years, and so strong is the desire that that arrangement shall be made that it seeems to me that the suggestion outlined here is worthy of favorable consideration tonight.

Now, there is a third change, and the third change relates particularly, to what, for want of a better term, you will have to call the poor school districts, poor in the sense of having less taxable wealth than the others, and the change there is this: That those districts in which the average wealth per teacher is less than $50,000, will receive 75% of the basic salary from the state, rather than 50% if they were 4th class districts; 35% if they were second or third class districts or 25% if they were first class districts. In other words, the new basis of apportionment, as has been introduced, whereas the old basis was to make the districts to be classified according to population are now the assessed under the distinction introduced whereby the poorer districts will have this additonal allottment, and where the assessed wealth per teacher is between fifty and one hundred thousand dollars, they will receive 60% of the basic salary. Now, the idea back of that is this, and I think there is a pretty general feeling among those who have studied public schools that the only place where the legislation of 1921 worked a hardship was in the poorer school districts where the assessed valuation was low, where the school board might lay the maximum school tax, and yet could not raise enough to meet the school districts share of the expenses. Now, It is in obedience to that cry that this amendment has been introduced. It is the introduction of what was called in the Governor's Message, the ability and effort plan, and the idea is to increase the State donation, or the State grant to those districts, which on account of the low assessed valuation of property are themselves so poor that they are not able, with their maximum school tax, to meet the entire demands of the system.

Now, these three are the basic changes which this bill makes, but Mr. Speaker, I should count myself as false to my trust if I sat down with merely an explanation of this point. A good deal has been said about the Edmonds Act in the course of the past two months, some of it has been intelligent, and some has been unintelligent, but perhaps the time has come when there should be a clear statement with

reference to the working out of the school act of 1921, insofar as the teachers and the teachers' salaries are concerned.

I want to ask this question: Has the Edmonds act cost more than was anticipated? I want to give the answer to the question. There are more than 100 sitting in this House tonight who were members in the House of 1921, when this bill was up for consideration. I call your attention to the Legislative Journal of the House of Representatives. April 18, 1921 report of proceedings on House Bill 1016, pages 2042 and 2043. It is there in print. Mr. Philips, representing Clearfield County, a most delightful and amiable gentleman, said:

"Mr. PHILIPS. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentlman from Philadelphia, Mr. Edmonds, permit himself to be interrogated?

Mr. EDMONDS. With pleasure, Mr. Speaker.

Mr. PHILIPS. Mr. Speaker, I would like to ask the gentleman from Philadelphia whether this bill carries an appropriation.

Mr. EDMONDS. Mr. Speaker it does not carry an appropriation. It establishes a system which, in order to work out satisfactorily, will eventually require an appropriation of $36,000,000 for the two years from the State."

That statement was made on the floor of this House two years ago, and at the same time on the desk of every member there was a mimeograph memorandum showing exactly how that money was made up. $36,000,000 was the estimate, and what is the fact? Taking the two years of 1922 and 1923, and taking the amount in 1923 to include next November's amount, the total of 1922 and 1923 The Edmonds Bill will cost the state less than $35,500,000. There has never been a case in educational finance in which the estimates were more close and more accurate than the estimates that were submitted to the members of this House, and upon which the members of this House, voted two years ago. Why then, is it that people talk about $24,000,000 $21,000,000 and other figures of that kind. The reason for that is a misconception based upon a misunderstanding of facts. This Edmonds Act was not the first bill to help the teachers. There are appropriation bills going back to help the teachers. There are appropriation bills going back to 1834 made by the State to the school districts. Away back, twenty years ago, when Charles A. Snyder was a member of the Senate, I remember he introduced the Snyder Teachers' Salary Bill., and in 1919, four years ago, there was passed what was called the Woodruff Act, a supplement to the salaries of the teachers in the district, and that Woodruff act carried with it an appropriation for all of 1920 and 1921. When, therefore, the Edmonds Act was here for consideration it was only only necessary to provide for 1922 and the first period of 1923, and when they talk about $24,000,000 spent for education two years ago, and now $36,000,000 or $38,000,000, they mean $24,000,000 for a three six months period as compared with a four six months period, which is needed for the next biennium. If that statement has been clearly made to this House at the very beginning of our financial discussion, there would not have been so much misunderstanding concerning what they call the cost of this Edmonds bill.

Now, secondly: Has the Edmonds Act of 1921 worked? I want to say, Mr. Speaker, with all of th candor in my heart, and I say it without personal pride, for I have already explained to you that I had little to do with framing the details of that bill, but I want to say that in my judgment there has been no piece of legislation enacted upon the statute books of Pennsylvania that has brought anything like the good to education as has been brought by the legislation of 1921. What was the condition two years ago? We had 45,000 school teachers, of whom the majority had no professional training whatever. They had simply been certified temporarily in the various districts. They had not prepared themselves for the job of teaching. The Edmonds Act did more than increase salaries. It increased standards and it provided for the teachers a goal toward which they could work, and it provided that as they fitted themselves for higher work they would receive better and higher pay. Now what was the result? The result is that 22,000 public school teachers in Pensylvania, one half of our teaching force, spent their entire vacation in study so as to fit themslves for better service in the public schools. My friends, that is the kind of an improvement that passes from the school teachers to the pupils, and passes from the pupils back to the home, it touches every corner of the land. In Pennsylvania 30,000 have taken extension courses of one kind or another to fit themselves for higher work. There men, is an impression which shows itself in the spirit and the character of each schoolroom's life.

Now, the trouble has been in Pennsylvania that in years past we did not give the proper attention to education and the result was in 1919, 1920 and 1921, that our school system sagged, and sagged tremendously. I venture to beleive there is not a member in this House but has not in mind some illustration of that fact. We of Philadelphia know that in 1921 we were paying a teacher $1,100.00 and over the river in Camden they were paying $1,200.00 with the result that graduates of our normal schools were going over to Camden and taking positions, and in every county and district, and in other city districts the tendency was the same. We were gradually driving the teachers out of teaching into other lines, and by doing that we were lowering the standard of the public schools, we were lowering the tone of the public school, we were lowering the character of education which our children received. The Russell Sage Foundation has for a number of years been making a study of education. Pennsylvania in 1890 held 10th place; in 1900, 15th place, in 1910, 16th place; in 1918 21st place. Now, it is back again in 11th place. What is that based on? It is based on the length of the school term, on the percentage of attendance, the qualifications and salaries of teachers, the development of high school facilities, the expenditures per pupil, and other tests of that kind. We have at last gotten back on the right track in education, and I submit emphatically, Mr. Speaker, it would be one of the saddest mistakes that could be made by any legislative body, if after having once started on this right track that we turn back, even temporarily.

The schools are not responsible for the financial condition of the State at the present time, it is a deficiency of $29,000,000, an appropriation liability which is responsible for the condition. If there was found that deficiency of $29,000,000 the taxes we have got at the present time mould support all the program of the state including the program for schools without a dollar of addition revenue, and when the time comes to vote on additional revenue, let us remember that it be only temporarily for the purpose of getting rid of this debt, and that the current taxes are sufficient to keep the current program going.

Why did the current program fall to one side, because for years in Pennsylvania we were neglecting public schools for other things. You take the appropriations that were made in the period from 1903 to 1919, and you will find that in that time the appropriations to private educa-

tional institutions grew ten fold, from $500,000 to $5,000,000; the appropriations to welfare institutions grew three fold but education, the primary interest of the state, and he only one of the three that has been written in the constitution since 1818 made it the paramount duty of the legislature. Education suffered during all that period, and the result was when we started to get back we had a tremendous additional arrears to make up, and we had to take a leap in the front and that leap to the front was made in 1921. It has resulted, as I say, in bringing about just what was anticipated, and I submit, my friends, that of all the legislation we have got to consider at this time there is noting more important than that he forward steps that we have taken with reference to public schools should not be retraced. I am glad to vote for this bill, because I recognize that it improves certain weaknesses in previous legislation; I am glad to vote for the whole program, because I beleive emphatically the whole program ought to be amended, and to my mind there is nothing more suicidal for the State than to allow the impression to go out that having once adopted a program for progress and advancement that we have not the courage to amend and to keep up when the test actually comes

Mr. SARIG. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Edmonds.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. EDMONDS. With pleasure, Mr. Speaker.

Mr. SARIG. I am interested as a member of the Educational Committee, and I heard you make the statement a few minutes ago that the appropriations were to be parcelled out on the ability and effort plan. Now, as I understand it, it included the ability plan, but the effort plan was cut out of it. Is that correct?

Mr. EDMONDS. I explained what the plan was. I said that the plan was called the ability and effort plan. Now, if it cuts out the effort, according to the gentleman from Berks, I merely gave you the title and told you what the plan is. The plan is this: That the apportionment in the district, as I said before, was made on the assessed wealth per teacher The idea being they then really got the money in proportion to their ability to help themselves, as shown by their efforts in levying their school tax upon the little property that they might have. That is the idea of the name, but I have no love for the name. Call it anything else that you want to, it does not change the law.

Mr. SARIG. Mr. Speaker, in explanation of that matter I am not opposed to this bill, but I simply wish to add that this bill as I understand it, included the ability part but not the effort part. Now, the ability and effort plan means that so far as the ability part of it is concerned, it provides that school districts shall receive their subsidy in proportion to the wealth, the assessed valuation back of each teacher and that is what this bill does. But under the effort plan, or the effort part of the ability and effort plan, it would provide that where a district has say twenty mills school tax, and other district would have only ten mills of school tax, the district that has twenty mills would get twice as much money in proportion as the ten mills district. Now, as I understand it, when we went over it, the effort part was cut out of it, and the reason that I asked that question was because I heard the gentleman from Philadelphia say it was to be parcelled out on the ability and effort plan, and as I understand it includes only the ability plan and the effort plan is not considered in making the appropriations.

Mr. EDMONDS. I think his construction upon the title is well taken, but the plan itself I have tried to make clear. What we are voting for is the plan whereby the districts which have less than $50,000 per school teacher will receive 75% of the basic salary, between $50,000 and $100,000 per teacher, 60% of the basic salary. Now, that is a true valuation not the valuation returned by the assessor and the state council of education is made the corrective body to correct these assessments that may be under the true valuation. Now that is the nature of the plan itself, as presented to me. My friend from Philadelphia, Mr. Sterling, has asked how much it would cost. I cannot tell you exactly, but I think the gentleman from Cambria, Mr. Horne could do so, but it is my understanding that the saving by having the appropriation for the two year period, and the fixed allotment in even years is just about equal to the amount of money taken which will be in extra subsidies to these poor districts, and that amounts, I should imagine, to $1,500,000.

Mr. HORNE. Mr. Speaker, while I feel that my colleague, Mr. Edmonds, has explained this act much plainer than I could, because of the question that has been raised, I would like to add to it to a very small extent, as the bill is it is a very slight modification of the Edmonds Act, neither I, nor any other person on the committee, had much to do with this. It was the thought of a sub-committee from 4 committees, and represents the best thought of them that the poor districts having a valuation of less than $50,000 per teacher should receive 75 % instead of 50 %. Other poor districts, possibly not of the 4th class, but they may be either of the 3rd or 4th class, having a valuation of less than $100,000 and more than $51,000 per teacher would receive an appropriation of 60%, leaving the first and second class districts as they were, and all other districts except those. This makes only this increase as has been said. To my mind there is no opposition by the people to making a better school system in Pennsylvania. I have heard no such sentiment expressed here by anybody. I think the schools are now coming most likely forward to a system in keeping with other programs, and I would like to see almost unanimous vote, because it is a step in the right direction.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Albert,	Evans, B. P.,	Labar,	Sample,
Alexander,	Fowler, A. I.,	Lauver,	Sarig,
Allman,	Fowler, D.,	Little,	Sautter,
Anderson,	Fratt,	Long,	Schaeffer,
Armstrong,	Frazier,	Lucas,	Schilling,
Arthur,	Gelder,	Ludlow,	Schoener,
Aston,	Gibbon,	Malle,	Schwartz,
Baker,	Glasgow,	Mangan,	Sheridan,
Baldi,	Goehring,	Marcus, J. C.,	Smith, G. A.,
Beaver,	Golder,	Marshall, W. F.	Smith, H.,
Behney,	Gorham,	Mathay,	Smith, H. J.,
Bell, F. A.,	Goss,	McBride,	Smith, J. W.,
Bell, W. T.,	Greeby,	McCaig,	Sowers,
Berger,	Griffith,	McClure,	Spangler,
Betts,	Guerin,	McCurdy,	Stark,
Bidelspacher,	Gundy,	McDaniel,	Staudenmeier,
Blair,	Haas,	McDermott,	Stavitski,
Bluett,	Haines,	McGowan,	Steedle,
Blumberg,	Hall,	McKim,	Sterling,
Boback,	Harer,	McVicar,	Stevens, A. J.
Brenneman,	Harter,	Metcalf,	Stevens, A. P.,
Brewster,	Haslett,	Miller,	Stofflet,
Bromley,	Haws,	Minehart,	Storb,
Brown,	Heffernan,	Moffat,	Storer,
Brownmiller,	Heffran,	Moore,	Thomas, L. D.,
Burchinal,	Henderson,	Morrison,	Thompson,
Burns,	Hetrick,	Munley,	Van Alen,
Bush,	Heyburn,	Myers, G. C.,	Vickerman,
Chaplin,	Himes,	Myers, P. M.,	Walker,
Clutton,	Holcombe,	Nolte,	Weamer,
Coldsmith,	Hollis,	O'Boyle,	Wells,
Colville,	Hontz,	Ogle,	Wettach,
Conner,	Hoover,	Orr,	Wheeler,

Coyne,	Horne,	Parkinson,	Whitehouse,
Craig,	Howell,	Patterson,	Whiteman,
Diehm,	Huber,	Peelor,	Williams, G. W.,
Dietz,	Irvin,	Perry,	Williams, J. M.,
Dilsheimer,	Johnson,	Posey,	Woner,
Donahue	Jones, C. B.,	Post,	Wood, N.,
Driggs,	Jones, D. J.,	Price,	Wood, W. P.,
Drinkhouse,	Keene,	Raymond,	Wright,
Dunn,	Kelly,	Rhodes,	Zook,
Eaches,	Kennedy,	Richards,	Goodnough,
Earley,	Kohler,	Rinn,	Speaker.
Edmonds,	Kunkle,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1360, as follows:

An Act to amend section six of the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-five) entitled "An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-five) entitled "An Act authorizing the release or probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" is hereby amended to read as follows

Section 6 Whenever any person convicted in any court of this Commonwealth of any crime punishable by imprisonment in a State penitentiary shall be sentenced to imprisonment therefor in any penitentiary or other institution of (the) this State or in any county or municipal institution the court instead of pronouncing upon such convict a definite or fixed term of imprisonment shall pronounce upon such convict a sentence of imprisonment for an indefinite term stating in such sentence the minimum and maximum limits thereof and the maximum limit shall never exceed the maximum time now or hereafter prescribed as a penalty for such offense and the minimum limit shall never exceed one-fourth of the maximum sentence prescribed by any court

Provided That if it appear that any person so convicted in any court of this Commonwealth of any crime other than murder has never before been convicted of a crime punishable by imprisonment in a State penitentiary no minimum limit shall be fixed and the maximum shall not exceed the longest period fixed by law as the maximum penalty for the offense of which such person has been convicted

And provided further That any convict in any penitentiary or other institution of this Commonwealth or in any county or municipal institution who is now serving under any sentence or sentences imposed after the thirtieth day of June one thousand nine hundred and eleven may when he or she shall have served one-fourth of such maximum sentence or sentences or being a person convicted of any crime other than murder who has never before been convicted of a crime punishable by imprisonment in a State penitentiary at any time after his commitment be eligible for parole under the provisions and subject to the conditions of the act to which this is an amendment

Provided further That nothing herein contained shall be construed to derogate from the power of the judges of the courts of quarter sessions and of the courts of oyer and terminer or other court record having Jurisdiction of the several judicial districts of the Commonwealth after due inquiry to release on parole any convict confined in the county jail house of correction or workhouse of their respective districts as provided in section one of an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-nine) entitled "An Act extending the powers of judges of courts of quarter sessions and oyer and terminer in relation to releasing prisoners in jails and workhouses on parole" its amendments and supplements and Provided further That no person sentenced for an indeterminate term shall be entitled to any benefits under the act entitled "An Act providing for the commutation of sentences for good behavior of convicts in prisons penitentiaries workhouses and county jails in this State and regulations governing the same" approved the eleventh day of May Anno Domini one thousand nine hundred and one

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HALL. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Montgomery, Mr. Ludlow, permit himself to be interrogated?

Mr. LUDLOW. Yes, sir, Mr. Speaker.

Mr. HALL. Mr. Speaker, I would like to know just what the purpose of this bill is. I understand the meaning of the bill but I just want to know what is its purpose.

Mr. LUDLOW. Mr. Speaker, in answer to the inquiry of the gentleman from Dauphin, this is an amendment to the present parole act, providing for what clearly was an omission, and is now being corrected or attempted to be corrected. This bill was introduced at the request of the Pennsylvania Prison Reform Association, and represents the best thought of those interested not merely in the administration of justice from the standpoint of the court, but from the administration of justice from the standpoint of the fellow who has been sent down, and the purpose of this is, to fix a minimum sentence instead of allowing it to be anything at all. The true intent of the original act was that the judge should fix a maximum sentence and a minimum sentence, but they got around that in a number of instances in different parts of the State where judges have fixed, for illustration, a maximum sentence of five years and a minimum sentence of four years and eleven months, obviously unfair and obviously defeating the true spirit and intent of the act as passed by this Legislature. After the bill was acted upon and ready to be reported out by the Committee of Judiciary General,—and some of the members of that committee are better able to speak about the criminal law practice than I am,—I was advised by the Municipal court of Philadelphia that there was an omission which would deprive their courts of the right to parole, and that right was inserted. I was advised by another group in Philadelphia represented by those interested in the act as introduced by the late Senator Tustin that the benefits of the act had not been protected, and to that end on Thursday of last week amendments were offered which put the act in the position as approved by the penal and prison reform association of this State, the Municipal and local courts of record and those interested in welfare under the parole doctrine. I am only explaining this at the instance of those interested in this kind of law to give a chance to one who is at present in jail or may hereafter be in jail. It is a law of general application which does not take away

om the power of the local court. The parole must be anted as heretofore by the local court, but it does take vay a great deal from the Board of Pardons here in arrisburg, with many applications coming here, and their torneys, on cases which were brought contrary to the true eaning and the true intent and spirit of the act passed by is Legislature. If there are any further question, I would ggest that their inquiries be answered on the point of acticed by members of the Judiciary General Committee no have practiced before the courts as prosecuting attorys, such as some of us have practiced and who were dis-ict attorneys, or by a member here who frequently presents e interest of the prisoners. Any other question that I can iswer I should be delighted to answer but I would suggest at questions on technical points be directed to those ac-ainted with that practice.

Mr. PERRY. Mr. Speaker, I desire to interrogate the ntleman from Montgomery.

The SPEAKER. Will the gentleman from Montgomery, r. Ludlow, permit himself to be interrogated?

Mr. LUDLOW. Yes, sir, Mr. Speaker.

Mr. PERRY. In your experience as an attorney, if the isoner had a straight sentence, what would his straight ntence be?

Mr. LUDLOW. Before we started work with this, he uld be sentenced a maximum sentence, and then the power fix a minimum sentence came along, and then to defeat e intent of the Legislature they gave such a construction I have mentioned.

Mr. PERRY. If the judge of the court sentences a man om nineteen years and six months to twenty years as a raight sentence, doesn't the prisoner only serve twelve and half years?

Mr. LUDLOW. That is the true purpose of that amend-ent.

Mr. WHITEHOUSE. Mr. Speaker, I would like to in-rrogate the gentleman from Montgomery, Mr. Ludlow.

The SPEAKER. Will the gentleman from Montgomery, r. Ludlow, permit himself to be interrogated?

Mr. LUDLOW. Mr. Speaker, I will.

Mr. WHITEHOUSE. On page 3 of the bill, starting with ne 6, would this not be a general jail delivery if this act ould pass?

Mr. LUDLOW. No, because it is still within the power the local judge, who has imposed a sentence, to grant the arole, and if this were intended to be general jail delivery, would have to pass the very judges who imposed the sen-nce in the first instance. If I am in error, I might ask the ntleman from Delaware County, Mr. Alexander, who is the committee and who is more familiar with that end of e practice than I, to answer, but I think that is the inter-etation which might fairly be placed upon the proviso on e folio No. 4581, on page 3 of the bill. It does not take vay from the judge in that county the power to grant the arole. It simply takes it away from the Board of Pardons re and puts it back to the very judge who imposed the ntence.

Mr. WHITEHOUSE. If there was a particularly vicious se in which the jury brought in a second-degree verdict, e judge could not sentence him to any longer that five ars under this act, is that so?

Mr. LUDLOW. He couldn't sentence him under minimum e penalty provided by the law that appears on the top of ge 3.

Mr. WHITEHOUSE. And the minimum would be five ars?

Mr. LUDLOW. I am not able to answer that.

Mr. WHITEHOUSE. Why, you say "one-fourth of the maximum."

Mr. LUDLOW. Yes, that is correct.

Mr. WHITEHOUSE. And then the man could get out after five years, after a terribly vicious murder?

Mr. LUDLOW. Provided the judge who imposed that sentence felt that conditions warranted it. In other words, we are transferring that condition back to the very judge in the county where the judge happens to be. The facts make the best answers.

Mr. ALEXANDER. Mr. Speaker and members of the House, in this bill, as you will notice, the principal purpose is to give powers to the court and extend the power of parole up until the present time, the courts have not had the power of parole in cases where they are sentenced to the penitentiary. Now, in all other cases, we have long ago taken down that sign from the jails that he who enters here leave all hope behind, and this is only adding it to the penitentiary hope behind, and this is only adding it to the penitentiary. In other words, it is giving the courts the power that where they believe that some man who has been sentenced by them to the Eastern Penitentiary—from reports of the penitentiary I have in my mind at the present time a certain case—from the reports from the penitentiary, he seems to have reformed, it is the purpose to give him another change.

That is what all of our penal reform laws are at the present time to give the poor man, who is placed where "it is human to err, to forgive, divine," another chance. It is only to carry out that end of justice and give him another chance, and that is the purpose of the bill. It seems to me there would be no injury come from it, because as suggested by my friend from Montgomery, it is entirely in the hands of the judge, it is within his power entirely to either permit the parole, grant the parole, or refuse it. He knows the case, and the facts and circumstances surrounding it, and is acquainted with everything that would give him the power and proper judgment to pass on a case of this kind.

Mr. RHODES. Mr. Speaker, under the existing laws it would seem that when a court imposes a sentence he practically knows what he is doing. If you permit the present law to be changed so that the matter of parole is in the hands of the court, you are opening up a very dangerous situation, at least one that may be very embarrassing for the judges on the bench. As it now stands, as soon as the thirty-day period has passed, where an indeterminate sentence has been imposed, the matter is out of the hands of the judges, and they cannot cut down the length of the sentence. If this present act is enacted into law, it will put it up to the courts as to whether or not sufficient pressure can be brought upon them to permit the parole of the prisoner in question. Therefore, in my opinion, and I have been a district attorney for several years prior to coming to Harrisburg, I believe that the present act is better than this act and the statute books should not have this proposed act put upon it, but that the law should remain as it now is.

Mr. WHITEHOUSE. Mr. Speaker, I desire to interrogate the gentleman from Montgomery, Mr. Ludlow.

The SPEAKER. Will the gentleman from Montgomery, Mr. Ludlow, permit himself to be interrogated

Mr. LUDLOW. Yes, sir, Mr. Speaker.

Mr. WHITEHOUSE. On page 2, line 26, is it correctly stated where it says, "That if it appear that any person so convicted in any court of this Commonwealth of any crime other than murder has never before been convicted of a crime," does the word, "never", belong there?

Mr. LUDLOW. It does, because if it were not stated there, then the conclusion on page 3 would be just the opposite to what is intended.

Mr. WHITEHOUSE. Then a man who has never been convicted does not get the benefit of the minimum, and a man that has been convicted gets the benefit of the minimum?

MR. LUDLOW. No, they still have the right without a minimum in such cases to grant the parole.

Mr. WHITEHOUSE. Then you would leave it up to the judge to let a man out in six months if he saw fit.

Mr. LUDLOW. Mr. Speaker and gentlemen of the House, answering inquiries of my friend, Mr. Whitehouse, as to whether there is any distinction, and this answers the suggestion made by Mr. Rhodes, as to whether there is any distinction or very much distinction between bringing pressure to bear upon the local judge who knows the conditions and who has a right to be firm, he is the same man who with firm and unerring justice has imposed a sentence, to reconsider and to grant mercy if mercy could be granted or should be granted. How much better it is to do that than to bring them here to Harrisburg before a board of different members, which would be the case if they must come up here for pardon instead of going before the board of parole. I am afraid that is argumentative, but I am trying to answer the inquiry of my friend.

Mr. WHITEHOUSE. Where, in this act does it give the power to a local judge to parole?

Mr. LUDLOW. This is only—if I am in error, Mr. Alexander can answer— but this is only an amendment to the act which confers the power of parole under an indeterminate sentence. It is simply one section being changed, but a reading of the whole act will show that that power exists.

Mr. WHITEHOUSE. Don't the power now exist in the Board of Pardons?

Mr. LUDLOW. No.

Mr. PERRY. Mr. Speaker and gentlemen of the House, I think that this is a bill that tends to give the prisoners a chance for their livelihood. By saying that, I mean that it is an act of charity. Not being a lawyer myself, I don't know what the law is on that subject, but I will say this, that at the time the parole act was inaugurated, in 1911, that it was intended to give the prisoner a chance. In other words, that after serving one-fourth of the maximum sentence he may be paroled, and I think Mr. Ludlow's bill, here to-night, is just an amendment of the same law that was enacted in 1911. In other words, it will give a prisoner a chance, and I hope that this bill will pass.

Mr. GOEHRING. Mr. Speaker and members of the House, under the present parole act, a man, sentenced to the penitentiary or to a reformatory, the present parole law does not apply to it. Now, I am for this act for this reason, that if a man is sentenced to the penitentiary and he comes before the Board of Pardons, and he is pardoned, his life starts over. In other words, if he has committed any crime whatsoever prior to his being pardoned, he can never be punished for that crime. He is just like a new-born child. Under this act, if the court would see fit, after he has served one-fourth of his time in the penitentiary and parole him for the maximum limit, he is out on his good behavior, and if he doesn't behave himself, the court will bring him back. Now, isn't that better than giving him a pardon? I say it is. Many a time a boy is put into a reformatory and in the course of time circumstances arise that the court would like to parole him. Under the act that is before us now, the court has no jurisdiction to parole him, and in this act, it gives the court that authority. Now, Mr. Rhodes, from Monroe County, says that th court has no jurisdiction over a sentence after thirty days After the term expires the court cannot modify or chang that sentence. Any time during the term the court ha absolutely power to modify that sentence to where it belongs but after the term expires, the court has authority in th jail or in the workhouse to parole a man, but they have n power in the penitentiary or in the reformatory. Therefore I am going to vote "aye", and I will ask the members o the House to do so also.

Mr. BLUMBERG. Mr. Speaker and ladies and gentle men of the House, in my mind the provisions of this ac can be summarized by stating that there are two change being made in this amendment to the parole act. Th first change is that the parole act shall apply not only t county prisons, but also to State penitentiaries and reforma tories. As was pointed out originally the intention of th parole act was to apply to all prisoners within the State but in the formation of that act, in the actual wording, i was so worded that when the judges began to exercis their rights under the parole act they found they were lim ited merely to their own county prisoners. This amendmen corrects that defect. It permits the local judges to gran a parole where the offender has been sentenced, not only t the county prisons, but to the State Penitentiary or t a reformatory. Now, the second important change tha this amendment made is that, as pointed out by the gentle man from Montgomery, when the indeterminate sentenc act was passed, it provided for a minimum and a maximu sentence, the idea of a minimum sentence being that, afte a prisoner had served a certain portion of his sentence the judge should have the right to parole him on goo behavior. Now, judges, in exercising that function, tha right, has sentenced a man to from nine years and te months to ten years, obviously avoiding the intent of th act. Now, this amendment provides that in no case sha the minimum sentence exceed one-fourth of the maximu sentence provided for by law. It still retains, in the right of the judge, the power to parole or not to parole. I other words, that act merely says that after a man ha served one-fourth of the maximum sentence, he shall b entitled to the privilege of the parole act. The petition o parole must be presented in the regular manner and hear in a regular manner. The district attorneys of the Stat would have the right to oppose the petitions, and after public hearing, as now provided for in the county of Phila delphia, the judges could exercise or could refuse to exer cise the prerogative they have under the parole act. T my mind therefore, this amendment is a distinctly beneficia one, and ought to pass.

Mr. ALEXANDER. Mr. Speaker, in answering the argu ment of my friend from Monroe, when he says that he ha been district attorney for a number of years explain exactly his position. I suppose if I had been district at torney for a number of years, I would take the same position It seems hat after a man is elected o he office of distric attorney, he becomes imbued with the fact that every ma that comes into his office in the first instance, withou hearing any evidence, is absolutely guilty; and then, afte he is convicted, the district attorney is never satisfied un less the court gives him the maximum that is coming to him and then he is never satisfied if that poor fellow ever ha a chance to get out. Now, of course, this is unconsciou on the part of the district attorney, but as I say, that alway seems to be the trend of the district attorney's mind. The never educate themselves on the question of the huma side. They never think of helping the poor fellow to liv

a better life. Their only object is to convict him and see that he gets the maximum and see that he stays in jail, or see that he lives long enough hat he may serve out his term. Therefore, that accounts for any man who has ever acted as district attorney to speak as they do speak.

Mr. SOWERS. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Montgomery, Mr. Ludlow, permit himself to be interrogated?

Mr. LUDLOW. Mr. Speaker, I will.

Mr. SOWERS. Would you be willing to amend this bill so as to provide that notice be given to the district attorney of the time fixed and the place fixed for hearing of the parole?

Mr. LUDLOW. I don't know whether all the members heard that, but I am asked whether I am willing to have the bill amended so as to provide for notice to the prosecuting attorney, I know of no reason why that should be done under existing rules in the several counties, but I suggest, as my friend, Mr. Whitehouse did about the county bill when it came up for a vote here, that if it should be deemed necessary to amend it, I doubt,—I doubt whether it is—but if it is, I defer to my friend's long practice in this sort of work, that it should be amended on the other side and let us clear up our postponed calendar. As sponsor of the bill, I will be delighted to join with Mr. Sowers, but I think, after this debate and the through examination of the merits of the bill, it should be voted upon. If it is voted upon favorably, I will call, with him, upon his senator and my senator.

Mr. ALEXANDER. Mr. Speaker, I desire to answer further the gentleman from Philadelphia. There is a bill at the present time, I think on third reading, tonight in the Senate, presented by Senator MacDade, which amends the parole act, in all cases giving notice to the district attorney, so I think that will cover the proposition.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—127.

Albert,	Esherman,	Kohler,	Rippman,
Alexander,	Evans, B. P.,	Kunkle,	Sample,
Allman,	Evans, J.,	Labar,	Sarig,
Anderson,	Flinchbaugh,	Lafferty,	Sautter,
Armstrong,	Fowler, A. I.,	Little,	Schaeffer,
Arthur,	Fowler, D.,	Long,	Schleiter,
Aston,	Fratt,	Ludlow,	Schoener,
Baker,	Frazier,	Lynch,	Schwartz,
Baldi,	Gelder,	Mangan,	Sheridan,
Beaver,	Gibbon,	Marcus, J.,	Smith, H.,
Behney,	Gilchrist,	Marcus, J. C.,	Sowers,
Bell, F. A.,	Glasgow,	Marshall, J. G.,	Spangler,
Berger,	Goehring,	McCalg,	Stark,
Betts,	Golder,	McCann,	Staudenmeier,
Bidelspacher,	Goss,	McClure,	Steedle,
Blair,	Greeby,	McCurdy,	Sterling,
Bluett,	Griffith,	McDaniel,	Stevens, A. F.,
Blumberg,	Guerin,	McGowan,	Storer,
Boback,	Gundy,	McKim,	Thomas, L. D.,
Brenneman,	Harer,	McVicar,	Thompson,
Brewster,	Harter,	Metcalf,	Van Alen,
Bromley,	Haslett,	Millar,	Vickerman,
Brown,	Heffernan,	Moffat,	Walker,
Brownmiller,	Henderson,	Morrison,	Weamer,
Burchinal,	Heyburn,	Munley,	Wells,
Burns,	Himes,	Myers, P. M.,	Wheeler,
Bush,	Holcombe,	Nolte,	Whitehouse,
Chaplin,	Horne,	O'Boyle,	Woner,
Coldsmith,	Howell,	Orr,	Wood, N.,
Craig,	Huber,	Patterson,	Wood, W. P.,
Diehm,	Irvin,	Perry,	Wright,
Dilsheimer,	Jones, C. B.,	Posey,	Zook,
Dunn,	Jones, D. J.,	Raymond,	Goodnough,
Eaches,	Keene,	Richards,	Speaker.
Earley,	Kelly,	Rinn,	

NAYS—34.

Conner,	Heffran,	Miller,	Rhodes,
Cone,	Hetrick,	Minehart,	Smith, G. A.,
Dietz,	Hontz,	Moore,	Smith, J. W.,
Donahue	Hoover,	Myers, G. C.,	Stevens, A. J.,
Driggs,	Johnson,	Ogle,	Storb,
Edmonds,	Kennedy,	Parkinson,	Williams, G. W.,
Flynn,	Lucas,	Peelor,	Williams, J. M.,
Gorham,	Marshall, W. F.	Post,	
Hall,	McDermott,	Price,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McVICAR.

The House proceeded to the consideration on final passage of House Bill No. 1271, entitled:

An Act making it unlawful for the Public Sevice Commission of the Commonwealth of Pennsylvania to make fix alter change or modify rates fares charges or other considerations set forth in any contract heretofore or hereafter made between a public service corporation and a municipality

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. McVICAR. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. GOLDER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. McVICAR. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. GOLDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WHITEMAN.

The House resumed the consideration on final passage of House Bill No. 860 (Senate Bill No. 16), entitled:

An Act to amend Clause five of Section three of an Act entitled, "An Act relating to food; defining food; providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" approved the thirteenth day of May, Anno Domini one thousand nine hundred and nine (Pamphlet Laws, five hundred and twenty).

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Albert,	Evans, J.,	Ludlow,	Schilling,
Alexander,	Flinchbaugh,	Malie,	Schleiter,
Allman,	Fowler, A. I.,	Marcus, J.,	Schwartz,
Anderson,	Fowler, D.,	Marshall, W. F.,	Sheridan,
Armstrong,	Frazier,	Mathay,	Smith, G. A.,
Arthur,	Gibbon.	McCaig,	Smith, H. J.,
Baker,	Gilchrist,	McClure,	Smith, J. W.,
Baldi,	Goehring,	McCurdy,	Sowers,
Beaver,	Goss,	McDaniel,	Stark,
Behney,	Greeby,	McDermott,	Staudenmeier,
Bell, F. A.,	Griffith,	McKim,	Stavitski,
Berger,	Guerin,	Metcalf,	Steedle,
Bidelspacher,	Gundy,	Millar,	Sterling,
Bluett,	Haas,	Miller.	Stevens, A. F.,
Blumberg,	Hall,	Minehart,	Stevens, A. J.,
Brenneman,	Harter,	Moffatt,	Stoner,
Brewster,	Haslett,	Moore,	Storb,
Bromley,	Heffran,	Munley,	Storer,
Brown,	Henderson,	Myers, G. C.,	Thomas, L. D.,
Brownmiller,	Hetrick,	Myers, P. M.,	Thompson,
Burchinal,	Heyburn,	Nolte,	Van Alen,
Burns,	Hontz,	O'Boyle,	Vickerman,
Bush,	Hoover,	Ogle,	Walker,
Clutton,	Horne,	Orr,	Weamer,
Coldsmith,	Irvin,	Parkinson,	Wells,
Coyne,	Johnson,	Patterson.	Wheeler,
Craig,	Jones, C. B.,	Peelor,	Whitehouse,
Dietz,	Jones, D. J.,	Perry,	Whiteman,
Dilsheimer,	Kelly,	Posey,	Williams, G. W.,
Driggs,	Kennedy,	Post,	Williams, J. M.,
Drinkhouse,	Kunkle,	Price,	Woner,
Dunn,	Labar,	Raymond,	Wood, N.,
Eaches,	Lafferty,	Richards,	Wood, W. P.,
Earley,	Lauver,	Sample,	Wright,
Edmonds,	Little,	Sarig,	Zook,
Eshelman,	Long,	Sautter,	Goodnough,
Evans, B. P.,	Lucas,	Schaeffer,	Speaker.

NAYS—1.

Conner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. DUNN.

The House resumed the consideration on final passage of House Bill No. 1, entitled:

An Act fixing the pay of election officers and clerks in cities of the first class

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. DUNN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. LUCAS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. DUNN. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The Speaker. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Section 1. line No. 5, strike out after the word "twenty" the word "five".

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendmer will be inserted in accordance with the instructions of th House.

On the question,

Will the House agree to the bill on third reading a amended?

It was agreed to.

The SPEAKER. This amendment being a strike out, th bill is before the House for consideration.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yea and nays were taken and were as follows, viz:

YEAS—125.

Alexander,	Flinchbaugh,	Long,	Schaeffer,
Allman,	Flynn,	Lucas,	Schilling,
Anderson,	Fowler, A. I.,	Ludlow,	Schwartz,
Armstrong,	Fowler, D.,	Lynch,	Sheridan,
Arthur,	Fratt,	Malie,	Smith, H. J.,
Aston,	Gibbon,	Mangan,	Smith, H.,
Baker,	Goehring,	Marcus, J.,	Smith, J. W.,
Bell, F. A.,	Golder,	Marcus, J. C.,	Soffel,
Berger,	Gorham,	Mathay,	Sowers,
Betts,	Goss.	McCaig,	Spangler,
Blair,	Greeby,	McClure,	Stark,
Bluett,	Guerin,	McCurdy,	Staudenmeier,
Blumberg,	Haas.	McGowan,	Stavitski,
Boback,	Hall,	McKim,	Sterling,
Brewster,	Harer,	McVicar,	Stevens, A. J.,
Bromley,	Haslett,	Metcalf,	Storb,
Brown,	Haws,	Millar,	Storer,
Burchinal,	Heffernan,	Miller,	Thomas, L. D.,
Bush,	Heffran,	Moffat,	Vickerman,
Burns,	Henderson,	Munley,	Walker,
Chaplin,	Hetrick,	Myers, P. M.,	Wells,
Clutton,	Heyburn,	Nolte,	Wettach,
Colville,	Holcombe,	O'Boyle,	Wheeler,
Craig,	Howell,	Orr,	Whitehouse,
Dietz,	Huber,	Patterson,	Whiteman,
Dilsheimer,	Jones, C. B.,	Posey,	Williams, G. W.
Drinkhouse,	Jones, D. J.,	Raymond,	Wood, N.,
Dunn,	Keene,	Rinn,	Wood, W. P.,
Eaches,	Kelly,	Rippman,	Zook,
Edmonds,	Kohler,	Sample,	Goodnough,
Evans, B. P.,	Little,	Sautter,	Speaker.

NAYS—25.

Albert,	Johnson,	Peelor,	Smith, G. A.,
Brownmiller,	Kennedy,	Post,	Thomas, M. G.,
Gundy,	Labar,	Price,	Thompson,
Harter,	Marshall, W. F.,	Rhodes,	Williams, J. M.,
Hontz,	Minehart,	Richards,	
Hoover,	Myers, G. C.,	Sarig,	
Irvin,	Ogle,	Schleiter,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. JOSEPH C. MARCUS,

The House resumed the consideration on third reading of House Bill No. 1003, entitled:

An act establishing the office of fire marshal in all counties of the second class defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his order and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance for the purpose of a public hearing.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. O'Boyle,

The House resumed the consideration on third reading of House Bill No. 1086, entitled:

An Act providing for the public health, safety and welfare, requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of hospitals, poor houses or other charitable institutions, schools, churches and buildings of municipal or quasi municipal character; and providing penalties for the violation of this act.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Lackawanna, Mr. O'Boyle, permit himself to be interrogated?

Mr. O'BOYLE. Mr. Speaker, yes, sir.

Mr. EDMONDS. Mr. Speaker, may I ask the sponsor of this bill whether he will not explain something as to the reasons for the bill or its necessity. It seems to me that if a private concern has a commodity to sell it ought to be permitted to sell it at a fair market price, and unless there is some unusual for it, this bill does not enter into the field of ordinary legislation?

Mr. O'BOYLE. Mr. Speaker, the reason that this bill was introduced in the Legislature is that last winter in my district not have sufficient coal for the hospitals and schools and public buildings, and the company refused to sell any coal to these buildings. One borough in Lackawanna County had to close down the schools for four weeks because we could not get any coal. Interest in Delaware County own all the coal mines town and there are no individual companies in this town. They refuse absolutely to sell any coal to council or the school board to supply the schools, and the hospitals had no coal for several weeks. They had to send out of town for coal. They found it was impossible to compel a company to sell to individuals but that they could be compelled to sell to the hospitals and schools and asylums. The bill does not ask for anything except fairness to the public. It calls for no decreases in price. All we want is something reasonable, and I would like every one here to vote for the bill.

On the question recurring,

Shall the bill pass finolly?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Albert,	Flynn,	Lauver,	Sarig,
Alexander,	Fowler, A. I.,	Little,	Sautter,
Allman,	Fowler, D.,	Long,	Schaeffer,
Armstrong,	Fratt,	Lucas,	Schilling,
Arthur,	Frazier,	Ludlow,	Schleiter,
Aston,	Gelder,	Lynch,	Schoener,
Baker,	Gibbon,	Malie,	Schwartz,
Behney,	Gilchrist,	Mangan,	Shambach,
Berger,	Goehring,	Marcus, J.,	Sheridan,
Bidelspacher,	Gorham,	Marcus, J. C.,	Smith, G. A.,
Blair,	Goss,	Marshall, W. F.,	Smith, H. J.,
Bluett,	Greeby,	McCaig,	Smith, H.,
Blumberg,	Griffith,	McClure,	Smith, J. W.,
Boback,	Guerin,	McCurdy,	Staudenmeier,
Brenneman,	Gundy,	McDermott,	Stavitski,
Brewster,	Haines,	McGowan,	Steedle,
Bromley,	Hall,	McKim,	Sterling,
Brownmiller,	Harer,	Metcalf,	Stevens, A. F.,
Burchinal,	Haslett,	Miller,	Stevens, A. J.,
Burns,	Haws,	Minehart,	Storb,
Bush,	Heffernan,	Moffatt,	Storer,
Chaplin,	Henderson,	Moore,	Thomas, L. D.,
Clutton,	Hetrick,	Munley,	Van Alen,
Coldsmith,	Heyburn,	Myers, G. C.,	Vickerman,
Colville,	Himes,	Myers, P. M.,	Walker,
Conner,	Holcombe,	Nolte,	Weamer,
Coyne,	Hollis,	O'Boyle,	Wells,
Craig,	Hontz,	Ogle,	Wettach,
Diehm,	Hoover,	Orr,	Wheeler,
Dietz,	Howell,	Parkinson,	Whitehouse,
Dilsheimer,	Huber,	Patterson,	Williams, G. W.,
Donahue,	Irvin,	Peelor,	Williams, J. M.,
Driggs,	Johnson,	Posey,	Woner,
Drinkhouse,	Jones, C. B.,	Post,	Wood, N.,
Dunn,	Jones, D. J.,	Price,	Wood, W. P.,
Eaches,	Keene,	Raymond,	Wright,
Earley,	Kelly,	Rhodes,	Zook,
Edmonds,	Kennedy,	Richards,	Goodnough,
Evans, B. P.,	Kohler,	Rinn,	Speaker.
Evans, J.,	Labar,	Rippman,	
Flinchbaugh,	Lafferty,	Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Woner,

The House resumed the consideration on third reading of House Bill No. 45, entitled:

An Act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissioners in cities of the first and second class in relation thereto and providing penalties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken,

Mr. LAFFERTY. Mr. Speaker, I ask for a verification of the roll.

The roll was verified as follows:

YEAS—115

Albert,	Goss,	Marshall, W. F.,	Schwartz,
Alexander,	Griffith,	McCann,	Sheridan,
Armstrong,	Gundy,	McClure,	Smith, G. A.,
Aston,	Haas,	McCurdy,	Stark,
Baker,	Hall,	McDermott,	Staudenmeier,
Beaver,	Haslett,	McKim,	Stavitski,
Behney,	Heffran,	McVicar,	Stevens, A. J.,
Bell, F. A.,	Henderson,	Metcalf,	Storer,
Berger,	Hetrick,	Miller,	Thomas, L. D.,
Betts,	Himes,	Minehart,	Thomas, M. G.,
Bidelspacher,	Holcombe,	Moffat,	Thompson,
Blair,	Hontz,	Moore,	Vickerman,
Boback,	Hoover,	Munley,	Weamer,
Brewster,	Horne,	Ogle,	Walker,
Brown,	Howell,	Parkinson,	Wells,
Brownmiller,	Huber,	Patterson,	Wheeler,

Burchinal,	Irvin,	Peelor,	Whitehouse,
Chaplin,	Jones, C. B.,	Post,	Whiteman,
Clutton,	Jones, D. J.,	Price,	Williams, G. W.,
Coldsmith,	Kelly,	Raymond,	Williams, J. M.,
Dietz,	Kohler,	Rhodes,	Woner,
Donahue,	Labar,	Richards,	Wood, N.,
Driggs,	Lauver,	Rinn,	Wood, W. P.,
Flinchbaugh,	Little,	Rippman,	Wright,
Flynn,	Long,	Sample,	Zook,
Fowler, A. I.,	Ludlow,	Sarig,	Goodnough,
Fowler, D.,	Lynch,	Schaeffer,	Speaker.
Frazier,	Malie,	Schilling,	
Gibbon,	Mangan,	Schleiter,	
Gilchrist,	Marcus, J. C.,	Schoener,	

NAYS—39.

Allman,	Evans, B. P.,	Heyburn,	Nolte,
Arthur,	Evans, J.,	Johnson,	Orr,
Baldi,	Fratt,	Keene,	Posey,
Bluett,	Glasgow,	Kennedy,	Sautter,
Blumberg,	Golder,	Lafferty,	Smith, H.,
Colville,	Gorham,	Lucas,	Smith, J. W.,
Conner,	Greeby,	Marcus, J.,	Sowers,
Dilsheimer,	Guerin,	McGowan,	Stevens, A. F.,
Drinkhouse,	Haws,	Myers, G. C.,	Storb,
Edmonds,	Heffernan,	Myers, P. M.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. HENDERSON.

The House resumed the consideration on third reading of House Bill No. 1256, entitled:

An Act imposing a State tax on Liquid Fuels "including all liquids ordinarily practically and commercially useable in internal combustion engines for the generation of power and all distillates of and condensates from petroleum natural gas coal tar and vegetable ferments" to be paid by distributors as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties

On the question,

Will the House agree to the bill on third reading?

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The amendments were read by the Clerk as follows:

Amend section 2, page 3, line 8, by inserting after the word "if" the word "such"

Amend section 3, page 4, line 1, by striking out after the words "of one" the word "per"

Amend section 3, page 4, line 2, by inserting after the word "State" the words "by such distributor"

Amend section 3, page 4, line 5, by inserting after the words "as herein defined" the following: "and also any person, firm copartnership, association or corporation, who or which resells or offers for resale liquid fuels as herein defined shall state the amount of the tax due or paid thereon separately from the price of the said liquid fuels, and any one failing so to state separately the tax and price of the said liquid fuels shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding two hundred and fifty dollars ($250) for each offense."

The SPEAKER. Will the House give unanimouse consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 694, as follows:

An Act to amend an act approved the twenty-eighth day of March one thousand eight hundred seventy-nine (Pamphlet Laws fourteen) entitled "An Act enabling wives of lunatics to release their right of dower in the real estate of their husbands" extending the provisions of said act to include wives and husbands of habitual drunkards and wives or husbands of epileptics insane weak-minded or feeble-minded persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-eighth day of March one thousand eight hundred and seventy-nine (Pamphlet Laws fourteen) entitled "An Act enabling wives of lunatics to release their right of dower in the real estate of their husbands" is hereby amended to read as follows

Section 1 Be it enacted et cetera That in all cases where deeds conveying titles to real estate situate within this Commonwealth have been or shall hereafter be executed by a committee in lunacy or by the committee of an habitual drunkard or by the guardian of the estate of an epileptic or an insane or a weak-minded or feeble-minded person under an order of any court having jurisdiction of the same it shall be competent for the wife or husband of such lunatic habitual drunkard epileptic insane weak-minded or feeble-minded person to release or divest her dower or his authority right of dower or authority or interest under the intestate laws in such real estate in the same manner as if she or he were a widow or widower and not under coverture or marriage Provided That such release shall have been executed prior to a decree declaring that such lunatic has been restored to a sound state of mind or that such insane epileptic weak-minded or feeble-minded person has regained his or her ability to care for his or her own property

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Albert,	Faches,	Kunkle,	Sarig,
Alexander,	Edmonds,	Labar,	Sautter,
Allman,	Evans, B. P.,	Lafferty,	Schaeffer,
Anderson,	Evans, J.,	Lauver,	Schleiter,
Armstrong,	Fields,	Little,	Schoener,
Arthur,	Flinchbaugh,	Long,	Schwartz,
Aston,	Flynn,	Lucas,	Shambach,
Baker,	Fowler, A. I.,	Ludlow,	Sheridan,
Beaver,	Fratt,	Malie,	Smith, G. A.,
Behney,	Gibbon,	Marcus, J.,	Smith, H.,
Bell, F. A.,	Glasgow,	Marcus, J. C.,	Smith, J. W.,
Bell, W. T.,	Goehring,	Marshall, W. F.,	Stark,
Berger,	Goss,	McClure,	Staudenmeier,
Betts,	Greeby,	McCurdy,	Stavitski,
Bidelspacher,	Griffith,	Metcalf,	Steedle,
Blair,	Gundy,	Miller,	Sterling,
Bluett,	Haas,	Moffatt,	Stevens, A. F.,
Blumberg,	Hall,	Moore,	Stevens, A. J.,
Boback,	Harer,	Morrison,	Stofflet,
Brenneman,	Haslett,	Munley,	Storb,
Brewster,	Heffernan,	Myers, G. C.,	Storer,
Bromley,	Heffran,	Myers, P. M.,	Thomas, L. D.,
Brown,	Henderson,	Nolte,	Thomas, M. G.,
Brownmiller,	Hetrick,	O'Boyle,	Thompson,
Burns,	Heyburn,	Orr,	Vickerman,
Bush,	Himes,	Ogle,	Walker,
Clutton,	Holcombe,	Parkinson,	Weamer,
Coldsmith,	Hollis,	Patterson,	Wells,
Colville,	Hontz,	Peelor,	Wettach,
Conner,	Hoover,	Perry,	Wheeler,

Coyne,	Horne,	Posey,	Whiteman,
Craig,	Huber,	Post,	Williams, G. W.,
Diehm,	Irvin,	Price,	Woner,
Dietz,	Jones, C. B.,	Raymond,	Wood, N.,
Dilsheimer,	Jones, D. J.,	Rhodes,	Wood, W. P.,
Donahue	Jones, E. P.,	Richards,	Wright,
Driggs,	Kelly,	Rinn,	Zook,
Drinkhouse,	Kennedy,	Rippman,	Goodnough,
Dunn,	Kohler,	Sample,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirma-

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 556, as follows:

An Act requiring counties of the third and fourth classes to establish a pension fund for the employes of such counties and providing for the administration of such fund and payments therefrom

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a county employe for the purposes of this act is any person employed by the county at a wage or salary payable at stated intervals that is to say semimonthly monthly quarterly or annually The term does not include any person elected by the vote of the people

Section 2 Each county of the third and fourth class shall provide a pension system for such county and shall establish and regulate a pension fund in connection therewith

Section 3 The pension system shall be under the sole direction of a Pension Board hereinafter designated the Board which shall consist of the county commissioners the treasurer and the controller of the county

Section 4 The county treasurer shall be the treasurer of the Board and shall give such bond for the proper performance of his duties as is required by the Board The premium on said bond shall be paid from the pension fund on warrants of the Board The treasurer shall receive for his services the sum of one hundred dollars ($100.00) per annum from the pension fund payable on warrants of the Board

Section 5 The Board shall keep a register of employes containing the names ages residence nature of employment time of entering the employ of the county and such other information as the Board deems necessary in the performance of its duties The Board may adopt amend revise and abolish in its discretion such regulations not inconsistent with law as it deems necessary in carrying out the intent of this act

Section 6 The head of each department or office of the county shall as soon as practicable after the passage of this act file with the Board a list of all employes of such department or office with the amount of the salary or wage received by each the age of the employe time of entering the county employ and such other information relative to such employes as is required by the Board From time to time and whenever requested by the Board all dismissals appointments resignations transfers changes in salaries or in employment and other information relative to employes shall be furnished to the Board by the head of each such department or office

Section 7 The county commissioners shall annually in January appropriate and pay into the pension fund not less than one-half of one per centum and not more than two per centum of all available moneys received by the county as taxes during the preceeding calendar year All moneys in any pension fund heretobefore established shall be transferred to the pension fund created under this act

Section 8 Each county employe shall each month pay into the pension fund one per centum of the amount received by him as a salary or wages from the county during the preceding calendar month Such amounts shall be collected by the county treasurer and by him paid into the pension fund Such monthly payments by an employe shall cease when such employe is entitled to receive a pension under this act No employe shall be entitled to a pension who does not make the monthly payment herein required

Section 9 The board may in its discretion invest the moneys of the pension fund or any part thereof in obligations of the United States or of this State or of any political division of this State or it may deposit such moneys or any part hereof in one or more banks or trust companies of the county selected by the Board The banks or trust companies offering to pay the highest rate of interest and that have a paid-in capital and surplus of not less than three hundred thousand dollars shall be selected A contract with a depositary shall be for a period covering the term of the county treasurer No moneys shall be paid to a depositary until it shall have executed to the board a bond for the proper safe-guarding of the funds so deposited The bonds shall have such surety as is approved by the court of common pleas No moneys exceeding in the aggregate the amount of the bond shall be paid to any depositary

Section 10 Every person now or hereafter in the employ of the county who has reached the age of sixty years or upwards and who shall have been in the employe of the county during a period of not less than twenty years shall upon application to the Board be retired from service and shall thereafter receive during life a pension under the provisions of this act The time spent in the employ of the county need not necessarily have been continuous

Section 11 Any employe who has been in the county employ for a period of not less than ten years shall be entitled to a pension if he or she becomes totally and permantly disabled even though such employe has not reached the age of fifty years Proof of total and permanant disability shall be by sworn statement of three practicing physicians of the county designated by the Board to the effect that such employe is totally and permanently disabled from performing the duties of his or her position or office

Section 12 The pension paid under the provisions of this act shall equal annually fifty per centum of the average annual amount received by the employe as salary or wages during the two years immediately preceding the date of retirement of the employe receiving the pension No pension shall exceed the sum of one hundred dollars per month Pensions shall be paid in monthly instalments on warrants on the board

Section 13 If any employe after twenty years in the county employ is dismissed or retires voluntarily or is in any other manner deprived of his or her employment before attaining the age of fifty years such employe if he continues to contribute to the pension fund monthly a sum equal to the last monthly contribution paid while in the county employ shall when he or she reaches the age of fifty years be entitled to a pension under this act

Section 14 If any county employe contributing monthly to the pension fund shall for any cause cease to be an employe of the county before the expiration of the twenty year period the total amount of the contributions paid into the pension fund by such employe shall upon demand in writing be repaid to him or her or to his or her personal representative out of the fund

Section 15 Should any county employe who has withdrawn his contributions paid into the pension fund desire to be reinstated and again becomes a beneficiary he or she may do so by the payment in full of the amount withdrawn and by paying the assessments provided for in section eight of this act

Section 16 Any pension herein provided for shall not be subject to execution or to attachment shall be payable only to the beneficiary provided by this act and shall not be subject to assignment or transfer

Section 17 All acts and parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SCHLEITER. Mr. Speaker and members of the House, I would like to make a few remarks in regard to this bill. I am unalterably opposed to its passage. Before considering its provisions I want to state my position in regard to Pensions in general, so that in the event that I should ever be a candidate for office again that any one who cares may know exactly where I stand.

I am unalterably opposed to any form of Pensions except to those who in their service of their country in time

of war suffered injury or impaired health making it impossible to gain a livlihood through honest toil, for all such a grateful people shall see that adequate provision is made. I also favor a plan providing for adjusted compensation to those who served in the World War, this compensation in no way be regarded as a bonus or a Pension, but simply to in a small way compensate those who were compelled to give up their jobs at good wages to serve their country at $30.00 per month, while aliens and native born beyond the draft age were permitted to plunder the government without mercy. Without in many cases giving proper services in return.

I strongly favor the Mother's Assistance Fund, and hope that the welfare department will not be compelled to beg for the necessary funds to enable mothers to rear their children in their own homes, and to properly educate them in order to afford them an oppurtunity for a proper start in life. I do not in any way regard the Mother's Assistance Fund as a pension as the help extended in only temporary and under wise management should yield big dividends in the way of mothers being relieved from worry and to have happy and contented children, besides making for good citizens.

I also favor assistance to the aged and infirm, and while it pains me to be compelled to remark that many who in old age are in destitute circumstances as the result of improvidence in early and middle life, yet it is also true that a great many are dependent in their old age through no fault of their own. In many families sickness, death and periodical unemployment and a wage insufficient under the most favorable conditions to lay anything aside for the inevitable rainy day has brought many aged couples to the evening of life without even a place to lay down their heads. It is for these that I want provision made, so that they may spend the balance of their days in peace and comfort, in their own homes and not be compelled to go to the poor house.

Now let us examine the provisions of this bill. It provides that after service of twenty-five years, and that service need not necessarily be continuous, that such employe shall be pensioned. It provides that they shall pay one per cent, of their salaries per month, and the county pays the balance. Now suppose an employe receives a salary of $125 a month, he pays twenty dollars and fifty cents per year, and after he has served twenty years he may retire at an age of fifty, provided of ccurse that twenty years have been served within that time. In that time the employee will pay in about $650 and will receive in return $12,250 provided that he survives twenty years, after pension has gone into effect If he lives thirty years then he will receive $18,750. Now I submit to you, what more right has an employe of a county or a municipality or a state to be pensioned, at the expense of the taxpayers of the State. It is just as reasonable for any one working in the mines or mills or the factory or in the offices to ask with perfect justice to be pensioned after they arrive at a certain period in life, and yet if a bill like that were presented here in the House it would be laughed to scorn. We have in this State between nineteen and twenty thousand people eligible under what is known as the Retirement Act, which is nothing more or less than a pension, and a great number of these employees are today enjoying the benefits of this act, and I find from the Auditor General's report that there was between a million and a half and two million dollars appropriated for that purpose last year. We have on the statute books of the State an act which provides for the pensioning of judges, a more outrageous act I have never known to have placed on the statute books. When I heard of it I was reminded of the mother goose Rhyme, "Hark, hark, the dogs do bark, the beggars have come to town; some in rags and some in tags and some in silken gowns." Mother Hubbard certainly had some humor when she composed that last line. Isn't it time we called halt on this pension business, isn't it time we are retrenching instead of burdening the people more and more? Does any one believe that if the people of the State had been awake when the retirement bills were placed on the statute books that they would not have arisen in their might and demanded that such bills should not pass? I have talked over these retirement bills with various members of the Legislature and in committees, and the answer I got was that if the people of Beaver County or Philadelphia wanted these pension bills if they wanted to pay these pensions, why don't you assist in passing the bills, it is nothing to us. I was always under the impression that we came here together at the capital city of the State to make laws for the whole State and that the concern of the people of Philadelphia is the concern of the people of Allegheny County as well. If we come here to make laws which will only relate to our own districts, why not remain at home and let the councils and schoolboards pass the laws. It has been said here this evening that we represent our people. I do not know whether we always do or not. Many bills are passed here on the principle of you tickle me and I will tickle you. If I want to get it through I must make a bargain with some body else to get his bill through, and the bills do not often find their way on the statute books on account of the real merits of the bill. I think it is time, my friends, that we call a halt. If the people of the fourth-class counties want their employes pensioned, let us pass a bill enabling them, not compelling them. Instead of that they have nothing to say but are saddled with the bill. Here is a bill that absolutely cannot lose for the employee, no matter when he ceases his employment with the county he can withdraw the amount paid in. Surely a sure thing job. He need not be with the county continuously for twenty years, and if he does withdraw he can be reinstated by paying back to the counties the amount which he drew, plus the assessments he would have been compelled to pay had he remained in his position. I believe the pension system is all wrong unless you pension everybody, the mill worker, the miner and those poor girls who work from early morning to late at night in the factories, and in the textile mills. Some years ago I was up in Massachusetts and I asked one of the foremen the age of the youngest employee, and he said, eleven. I said, "How old is the oldest?" He said seventy-eight years, and it was an old woman. Now they are the ones that ought to be pensioned and not the employees of the counties, boroughs and cities, because it is encumbent upon them unless they want to spend their days in the poorhouse, to provide for the proverbial rainy day. They have just as much right to do that as you and I, and if they think they think they don't receive wages or salary that will enable them to do that, they can resign their position and permit somebody who is more provident to take their places. At the age of fifty, if this bill becomes a law, a man might be in the prime of life, and may take another position, and in time of unemployment, will take the place of someone else who has no pension to fall back on. I hope, my friends, that we will tonight take a definite step upon this infernal pension business and turn our faces in the other direction and say to these people, as was said of old, as it was with our parents and to those of us who are getting along in life,—it was a case, although it might be considered a homely phrase and it may be called vulgar, "Root hog or die," and that is what it ought to be.

Mr. SARIG. Mr. Speaker, this bill affects third and fourth class counties. My county belongs to the fourth class and therefore it affects us. This bill may look all right in theory, but we all know that the old spoils system still prevails in the great majority of the counties of this State. Now the pension system may work out all right where you have civil service or where you have fixed tenure, but as conditions are now, I think this bill is unfair. In my county, for instance, less than twenty-five per cent. of the employess would never get the benefit of this pension condition. The other seventy-five or eighty per cent. are there perhaps four years or eight years or in some cases twelve years. They retain their jobs or lose their jobs according to their political face or political fortunes. Now it does not seem right to me that we should pass a bill here that makes it mandatory on the counties to provide a pension system under which a very small percentage of the employes of these counties are taken care of. I think this bill in its operation would discriminate against perhaps seventy-five or eighty per cent. of the employees while a very small percentage of them would get the benefit of it. If we had a civil service system or a tenure system such as we have along some other lines, this system might work all right. But as I said, as long as we have this old spoils system, as long as men and women can retain their jobs only according to their political faiths and fortunes, I feel that this system is not practical and that it will work an injury to one part of the employees and will only benefit a certain class. I have talked with a number of people in my district and they are of the same opinion. As a member from one of the fourth-class counties, I ask you to vote against this bill.

On the question recurring,
Shall the bill pass finally?

BILLS POSTPONED.

Mr. McDANIELS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. HENDERSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1269, entitled:

An act to amend section three of an act approved the tenth day of April, one thousand eight hundred and sixty-seven, (P. L. 62), entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth," by requiring the drawing of jury panels from the wheel to take place publicly in the court room and in the presence of one of the Judges of the court of common pleas.

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. STAVITSKI. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. POST. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1294, entitled:

An Act authorizing executors and administrators to bring suit and recover judgments against the Commonwealth of Pennsylvania in the counties of which the decedents whose estates they administer were resident, for the recovery of over payments of direct and collateral inheritance transfer taxes.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Albert,	Earley,	Keene,	Raymond,
Alexander,	Edmonds,	Kelly,	Rhodes,
Allman,	Evans, B. P.,	Kennedy,	Richards,
Anderson,	Evans, J.,	Kohler,	Rinn,
Armstrong,	Fields,	Kunkle,	Rippman,
Arthur,	Flinchbaugh,	Labar,	Sarig,
Aston,	Fowler, A. L.,	Lafferty,	Sautter,
Baker,	Fowler, D.,	Lauver,	Schaeffer,
Baldi,	Gelder,	Little,	Schilling,
Beaver,	Gibbon,	Long,	Shambach,
Behney,	Gilchrist,	Lucas,	Smith, G. A.,
Bell, F. A.,	Glasgow,	Ludlow,	Smith, H. J.,
Bell, W. T.,	Goehring,	Lynch,	Smith, H.,
Berger,	Golder,	Malle,	Smith, J. W.,
Betts,	Gorham,	Mangan,	Sowers,
Bidelspacher,	Goss,	Marcus, J.,	Stark,
Blair,	Greeby,	Marshall, W. F.,	Stavitski,
Bluett,	Griffith,	Mathay,	Steedle,
Blumberg,	Guerin,	McBride,	Stevens, A. F.,
Boback,	Gundy,	McCaig,	Stevens, A. J.,
Brenneman,	Haas,	McCann,	Stoner,
Brewster,	Hall,	McClure,	Storer,
Bromley,	Harer,	McCurdy,	Thomas, L. D.,
Brown,	Harter,	McGowan,	Thomas, M. G.,
Burchinal,	Haslett,	McDaniel,	Thompson,
Burns,	Haws,	McDermott,	Vickerman,
Bush,	Heffernan,	McKim,	Walker,
Chaplin,	Heffran,	Metcalf,	Weamer,
Coldsmith,	Henderson,	Miller,	Wells,
Colville,	Hetrick,	Moore,	Wheeler,
Conner,	Heyburn,	Myers, G. C.,	Whitehouse,
Coyne,	Himes,	Myers, P. M.,	Whiteman,
Craig,	Holcombe,	Nolte,	Williams, G. W.,
Diehm,	Hoover,	O'Boyle,	Williams, J. M.,
Dietz,	Horne,	Parkinson,	Wood, N.,
Dilsheimer,	Howell,	Patterson,	Wood, W. P.,
Donahue,	Huber,	Peelor,	Wright,
Drigga,	Irvin,	Perry,	Zook,
Drinkhouse,	Johnson,	Posey,	Goodnough,
Dunn,	Jones, D. J.,	Post,	Speaker.
Eaches,	Jones, E. P.,	Price,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1335, entitled:

An Act relating to certain county officers in counties of the fifth class providing for their salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on the county commissioners county controllers and county auditors requiring the payment into the respective county treasury of the fee of such county officers and providing penalties for violation of this act

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McCURDY. Mr. Speaker, I move that House Bill No. 1335, file folio 1381, be placed upon the postponed calendar.

Mr. WILLISTON P. WOOD. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 668, entitled:

An Act to amend section eight of an act approved the seventh day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred sixty-eight) entitled "An act to restrain and regulate the use of billiard-tables pool-tables and bagatelle-boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth providing for the granting of licenses and providing for punishments for violations of the provisions of this act" by providing for the revocation of the licenses therein provided for when the place licensed shall in the opinion of the Director of the Department of Public Safety be so conducted as to be detrimental to the immediate neighborhood or when the licensee is not a person of good moral character or a fit person to hold such license or when said place is frequented by immoral persons or managed in an improper or disorderly manner

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. EDMONDS. Mr. Speaker, I move that House Bill No. 668, file folio 3391, be placed on the postponed calendar.

Mr. FRATT. Mr. Speaker, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move that this House do now adjourn until 11:00 o'clock tomorrow morning out of respect to the memory of the late Hon. Frank E. Korns, late a member of this House. The motion was agreed to, and at (11:59 o'clock P. M.,) the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1923 — 125th of the General Assembly

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SENATE

TUESDAY, APRIL 17, 1923.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. T. T. Eyre) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer.

O Lord: We bring to Thee our morning tribute of gratitude for all the good things Thou art giving us in life; our health and strength, our food and raiment, our happy homes; all the comforts we enjoy day by day. Continue to watch over us. Bless our families and all who are near and dear unto us. Graciously forgive our shortcomings. We have done may things we ought not to have done, and we have left undone so many things that were needful. Help us to be better men, and worthier of Thy love and goodness. Bless the Senate during this day's session, and in all things may Thy will be done.

We ask it in the Redeemer's name. Amen.

JOURNAL APPROVED.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BALDWIN the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING PASSAGE OF SENATE BILL No. 175.

Mr. DAVIS presented petitions of citizens of Lackawanna and Wyoming Counties favoring passage of Senate Bill No. 175, which were referred to the Committee on Public Roads and Highways.

FAVORING PASSAGE OF SENATE BILL No. 173.

He also presented petitions of citizens of Lackawanna and Susquehanna counties favoring passage of Senate Bill No. 173, which were referred to the Committee on Public Roads and Highways.

PROTESTING AGAINST REPEALING LAW WHICH PROVIDES TWO PER CENT OF PREMIUMS COLLECTED FROM FOREIGN FIRE INSURANCE COMPANIES PAID TO FIREMEN'S RELIEF ASSOCIATION.

He also presented petition of firemen of Jermyn, protesting against the repealing of law which provides two per cent of premiums collected from foreign fire insurance companies paid to Fireman's Relief Association.

Which was referred to the Committee on Insurance.

REGULATING WEIGHT OF AUTO TRUCKS IN PENNSYLVANIA.

He also presented petition of Council of Carbondale, requesting legislation regulating weight of auto trucks in Pennsylvania.

Which was referred to the Committee on Public Roads and Highways.

LEAVES OF ABSENCE.

Mr. BARR asked and obtained leave of absence for the Senator from Philadelphia, Mr. McNichol, for the balance of the week.

Mr. BETTS asked and obtained leave of absence for the Senator from Washington, Mr. Sprowls.

Mr. MILLER asked and obtained leave of absence for the Senator from Dauphin, Mr. Smith.

REPORTS FROM COMMITTEES.

Mr. PHIPPS, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 338, entitled:

An Act to further amend clause four of section three hundred and eighty-six, of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (Pamphlet Laws eight hundred forty), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended, and repealing an additional amendment to said clause, approved the seventeenth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws eight hundred fifty-seven).

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 398 (House Bill No. 494) entitled:

An Act validating certain proceedings of counties, cities, boroughs, townships, school districts, and other incorporated districts, or municipalities, had pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled, "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto and validating bonds, certificates of indebtedness and securities issued in pursuance of such proceedings.

Also from the Committee on Military Affairs, reported as committed, Senate Bill No. 849, (House Bill No. 977) entitled:

An Act to amend an act approved May 17, 1921 (P. L. 894) entitled "An Act to amend an act approved the twenty-fifth day of June, 1913, (P. L. 550) entitled 'An Act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties, boroughs and towns to aid in defraying the expenses of Memorial Day' by

authorizing appropriations to each post of the American Legion Veterans of Foreign Wars and to each Naval Association and each post of the Grand Army of the Republic" to include authorization of appropriations to each organization of ex-service men incorporated under the act of April 29, 1874, and the supplements thereto.

Mr. SCHANTZ from the Committee on Appropriations, reported as amended, Senate Bill No. 826 (House Bill No. 777) entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind.

Mr. MacDADE from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 24, entitled:

An Act providing for an industrial State Highway from the City of Chester to the City of Philadelphia.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 836, (House Bill No. 874) entitled:

An Act validating certain elections of counties, cities, boroughs, townships, school districts and other incorporated districts held pursuant to the provisions of an act approved April 20, 1874 (P. L. 65), entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto, and validating bonds issued or authorized to be issued in pursuance of such elections.

Mr. DAIX from the Committee on Judiciary Special re-reported as amended, Senate Bill No. 551, entitled:

An Act to amend section one of the act approved the first day of July, 1919 (P. L. 710), entitled "An Act relating to fires and fire prevention; imposing duties; and conferring powers heretofore exercised by the State Fire Marshall, upon the Department of State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said department, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires, and the inspection of all and the removal or change of certain buildings; imposing duties on school authorities, and on certain corporations associations, and fire rating agencies; providing for the attendance of witnesses before the department, and the enforcment of its orders; and prescribing penalties;" fixing the powers of the Department of State Police and cities, boroughs and townships relative to the erection and installation of tanks, pumps, drawing off or measuring devices used in connection with inflammable liquids.

Mr. STITES, from the Committee on Judiciary General, reported, as committed Senate Bill No. 496, entitled:

An Act to further amend section two of an act approved the twentieth day of June, one thousand nine hundred and nineteen, (P. L. 521), entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax of the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended.

Mr. JONES from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 781, entitled:

An Act authorizing the State Highway Commissioner to combine State Highways or any part or sections thereof into a route under a common letter, name, number or other marker or designation, or any combination thereof, for the purpose of informing and assisting the traveling public in and through the State.

Mr. CULBERTSON from the Committee on Public Roads and Highways reported as committed, Senate Bill No. 775, entitled:

An Act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners

Also from the Committee on New Counties and County Seats reported as amended, Senate Bill No. 512, entitled:

An Act to amend section one of an act approved the seventeenth day of March, one thousand nine hundred and twenty-one (P. L. 32), entitled, "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors and marines of such counties; providing for an election to determine whether such hall shall be erected; providing for the purchase and condemnation of property for such purposes; regulating the use of such halls and providing for the maintenance and care of the same, by a board of control at the expense of the county;" by providing for second like proceeding, in certain cases and making it the duty of the county commissioners upon favorable result of a second election to erect such hall at some place in the county other than the county seat.

Mr. LONG from the Committee on Judiciary General reported as committed, Senate Bill No. 448, entitled:

An Act providing for the transfer to Pennsylvania of the titles to and liens affecting any lands heretofore regarded as being in the State of Delaware but found to be in Pennsylvania in accordance with the interstate boundary run by the joint commission of said States appointed by virtue of the act of Assembly of Pennsylvania approved the fourth day of May, one thousand eight hundred and eighty-nine, (P. L. 81) entitled, "An Act relative to the boundary lines and boundary line monuments."

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 768, entitled:

An Act providing for the appointment of inspectors of steam engines and steam boilers in counties of the second class of this Commonwealth

Mr. STINEMAN from the Committee on Public Roads and Highways reported as committed, Senate Bill No. 497, entitled:

An Act relating to county bridges; authorizing counties to issue and sell bonds for the erection thereof; and providing for the division of the cost of construction and erection of joint county bridges and the collection of tolls thereon.

Also from the Committee on Forestry, re-reported as committed, Senate Bill No. 677 (House Bill No. 726) entitled:

An Act to amend an act entitled "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an Act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special local or any parts thereof that are or may be inconsistent therewith approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that receipts and proceeds derived in any way from or on account of the forests now or hereafter acquired by this Commonwealth shall belong and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five)" by providing that no receipts from State forests shall become part of the State School Fund of Pennsylvania.

Mr. ARON from the Committee on Judiciary General reported as committed, Senate Bill No. 637, entitled:

An Act authorizing the county controller to bring suit in the name of the county on contracts, upon neglect or refusal of the board of commissioners so to do after notice.

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 241, entitled:

An Act to amend section one of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 807), entitled "An Act relating to municipal improvements and the collecting of assessments therefor."

Mr. SALUS from the Committee on Judiciary General, reported as committed, Senate Bill No. 669, (House Bill No. 701), entitled:

An Act to further amend sections ten and fourteen of the act approved July 12, 1913 (P. L. 711), entitled "An Act establishing a court for the county of Philadelphia, prescribing its jurisdiction and powers, providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia, regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended by requiring all proceedings in civil cases before magistrates that are sought to be reviewed by appeal to be taken only to the Municipal Court transferring original jurisdiction in certain civil cases from the court of common pleas to said court providing that costs in all cases shall follow the judgment and that certain judgments shall be final.

Mr. BUCKMAN from the Committee on Corporations, reported as committed, Senate Bill No. 629, entitled:

An Act to amend part of section three of the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, (P. L. 73), entitled "An Act to provide for the incorporation and regulation of certain corporations;" by authorizing certain corporations of the first class to be incorporated by the Governor.

Also from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 697, (House Bill No. 606), entitled:

An Act to further amend an act approved the third day of June, 1895, (P. L. 130) entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood, fire or other casualty, providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges providing for the rebuilding of decayed and unsafe bridges and certain bridges on State highways.

Also from the Committee on Judiciary Special, reported as amended, Senate Bill No. 661 (House Bill No. 276) entitled:

An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior Acts of Assembly.

Mr. JOYCE from the Committee on Judiciary General, reported as committed, Senate Bill No. 522, (House Bill No. 289), entitled:

An Act to amend part of section forty-one of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; of legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

Mr. CHRISTLEY from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 736, entitled:

An Act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the Act of March tenth, one thousand nine hundred and twenty-one, entitled "An Act making an appropriation to the State Highway Department for the construction of permanent State Highways; for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highways within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department"; for the construction or reconstruction of State highways, and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts, so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof.

Mr. KUTZ from the Committee on Judiciary General, reported as committed, Senate Bill No. 469, (House Bill No. 277), entitled:

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the 24th day of May 1921, under the provisions of an act approved the fourth day of June, 1901, entitled: "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distribution the proceeds of such sales" and its supplements and amendments thereto; and providing for their collection.

Mr. CRAIG from the Committee on Judiciary General, reported as committed, Senate Bill 842, (House Bill No. 912), entitled:

An Act validating the incurring of certain debts or increase of indebtedness of poor districts in counties of the second class by the county commissioners thereof for improvements or alterations of the property of such poor districts and all bonds and other securities issued therefor and

also the assessments of annual taxes for the payment of such indebtedness since the twentieth day of April, one thousand eight hundred and seventy-four

Mr. DAVIS from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 729, (House Bill No. 911), entitled:

An Act to provide for the erection of new or additional buildings for the maintenance care and treatment of the poor indigent insane and indigent persons afflicted with tuberculosis in poor districts in counties of the second class, which now maintain or which shall hereafter maintain a poor house or a hospital or sanitarium for such purposes, authorizing the county commissioners to borrow moneys, issue and negotiate the sale of bonds and to levy taxes for the payment of the same.

Mr. STEELE, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 737, entitled:

An Act authorizing the State Highway Commissioner to take over as State highways certain roads leading from State institutions to State highways or railroad stations.

Mr. SCHANTZ, from the Committee on Appropriations, reported as amended, Senate Bill No. 285, entitled:

An Act making a deficiency appropriation to the Cottage State Hospital, situated in Connellsville, Fayette County, Pennsylvania.

Also from the Committee on Appropriations, re-reported as committed, Senate Bill No. 717, (House Bill No. 727), entitled:

An Act to amend Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto section one thousand and eight regulating civil actions by and on behalf of persons and the Commonwealth suffering damage from forest fires and making an appropriation.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 825, (House Bill No. 773), entitled:

An Act making a deficiency appropriation to the Commission of the Soldiers' Orphans Industrial School at Scotland.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 827, (House Bill No. 783), entitled:

An Act making a deficiency appropriation to the Home for Training in Speech of Deaf Children before they are of School Age at Philadelphia Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 828, (House Bill No. 784), entitled:

An Act making a deficiency appropriation to the Eastern State Penitentiary.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 830, (House Bill No. 788), entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania, located at Blossburg Pennsylvania to cover a deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three.

Mr. STEELE, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 840, (House Bill No. 902), entitled:

An Act to amend section ten hundred and twenty-five of an act approved July, 14, 1917, (P. L. 840) entitled "An act concerning townships and revising amending and consolidating the law relating thereto."

Mr. BALDWIN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 418, (House Bill No. 22), entitled:

An Act concerning additional sales of chattels attached or to be attached to realty and regulating the recording and effect thereof and providing remedies and penalties.

Mr. HOMSHER, from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 59, entitled:

An Act to repeal an Act entitled "An Act to regulate the practice of the profession of engineering and of surveying creating a State Board for the registration of Professional Engineers and Land Surveyors defining its powers and duties imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work and providing penalties."

Mr. SISSON, from the Committee on Education, reported as committed, Senate Bill No. 712, (House Bill No. 657), entitled:

An Act to amend section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the compensation of auditors of the accounts of school districts of the fourth class

Mr. STINEMAN, from the Committee on New Counties and County Seats, reported as amended, Senate Bill No. 82, entitled:

An Act providing for the detachment of territory from a city or borough divided by a county line and its annexation to a city or borough situate in the same county as the detached territory.

BILLS INTRODUCED.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 868, entitled;

An Act authorizing poor directors of county poor districts to provide for the payment for the preparation of plans and specifications heretofore made for public buildings for such poor districts where no legal or valid contract was entered into as required by law.

Which was committed to the Committe on Corporations.

Mr. JONES (By request) read in his place and presented to the Chair Senate Bill No. 869, entitled:

An Act to amend section fourteen of an act approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 505), entitled "An Act relating to and regulating the solicitation of moneys and property for charitable and patriotic purposes."

Which was committed to the Committee on Judiciary General.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 870, entitled:

An Act making an appropriation to the Home for the Aged and Infirm Colored Women, at Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 871, entitled:

An Act authorizing corporations to issue stock at a price in excess of the par value thereof.

Which was committed to the Committee on Corporations.

Mr. HARRIS read in place and presented to the Chair Senate Bill No. 872, entitled:

An Act to amend section three, article seven of the act approved the twenty-seventh day of June, 1913, (P. L. 568), entitled "An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto."

Which was committed to the Committee on Municipal Affairs.

Mr. ARON read in his place and presented to the Chair Senate Bill No. 873, entitled:

An Act making an appropriation to the Penn Asylum for Indigent Widows and Single Women, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. NORTON read in his place and presented to the Chair Senate Bill No. 874, entitled:

An Act making an appropriation to the Berks County Tuberculosis Society, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. DeWITT read in his place and presented to the Chair Senate Bill No. 875, entitled:

An Act making an appropriation to the Nesbit West Side Hospital, Dorranceton, Luzerne County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. HOMSHER (By request of Mr. Berntheizel) read in his place and presented to the Chair Senate Bill No. 876, entitled:

An Act making an appropriation to the Columbia Hospital at Columbia, Lancaster County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 877, entitled:

An Act to amend clause four of section ten, article two, chapter seven, of the act approved May 14, 1915, (P. L. 312) entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs."

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 878, entitled:

An Act to amend section eleven of the act approved June 20, 1919, (P. L. 521), entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal."

Which was committed to the Committee on Judiciary General.

Mr. McCLINTOCK read in his place and presented to the Chair Senate Bill No. 879, entitled:

An Act making an appropriation to the Bethesda Home, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 880, entitled:

An Act making an appropriation to the Coleman Industrial Home for Colored Boys, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 881, entitled:

An Act to amend sections one, two, three, four and eight of the act approved June 19, 1911, (P. L. 1060) entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania; and providing penalties for the violation thereof," by abolishing the Board provided for by said act and transferring its powers and duties to the Commissioner of banking.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 882, entitled:

An Act to amend section four of an act approved July eighteenth, one thousand nine hundred seventeen, (Pamphlet Laws one thousand forty-three), entitled "An Act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judiciary process; and providing penalties;" creating a Bureau of Teachers' Retirement in the Department of Public Instruction.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 883, entitled:

An Act regulating the hours of labor and leaves of absence of employes in the executive departments of the State Government.

Which was committed to the Committee on Fiance.

Also read in his place and presented to the Chair Senate Bill No. 884, entitled:

An Act to amend an act approved June twentieth, one thousand nine hundred one, (Pamphlet Laws five hundred seventy-seven), entitled "An Act providing that no company hereafter formed for the purpose of construction and operation of a passenger railway, either elevated or underground or partly elevated or partly underground with incidental surface rights, shall be incorporated except where the same shall be located upon the streets in thickly populated regions, and until the necessity for such railways shall have been passed upon by a board consisting of the Governor, the Secretary of the Commonwealth and the Attorney General,

after notice;" providing that the necessity for elevated or underground railways shall be passed on by the public service Commission; and abolishing the board provided for that purpose.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 885, entitled:

An Act to amend sections one thousand five hundred and one, one thousand five hundred and three, one thousand five hundred and four, one thousand five hundred and five, as amended and sections one thousand five hundred and six, one thousand five hundred and seven, one thousand five hundred and nine, of the act approved the eighteenth of May, one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by transferring all the functions of the State Department of Health in relation to the medical inspection of schools to the Department of Public Instruction.

Which was committed to the Committee on Finance.

Also read in place and presented to the Chair Senate Bill No. 886, entitled:

An Act authorizing the Chief of the Department of Mines to appoint a Mine Inspectors' Examining Board; defining its powers and duties; providing for the qualifications, examination, appointment, salary, regulation and removal of mine inspectors in the anthracite and bituminous coal regions; and repealing existing legislation.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 887, entitled:

An Act to repeal an act approved May twenty-seventh, one thousand nine hundred twenty-one, (Pamphlet Laws one thousand two hundred) entitled "An Act to authorize the acquisition by purchase or condemnation of lands, with or without buildings thereon, and the erection of buildings, for a State Truancy School, and for the appointment of a commission to acquire the same; and making an appropriation for the purpose of this act; and providing for its operation by the State Board of Education."

Which was committed to the Comimttee on Finance.

Mr. DAVIS read in his place and presented to the Chair Senate Bill No. 888, entitled:

An Act making an appropriation to the Society for the Prevention and Cure of Consumption, of the city of Scranton, popularly known as the West Mountain Sanatorium.

Which was committed to the Committee on Appropriations.

TIME OF NEXT MEETING.

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to.

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day it reconvene on Monday evening, April twenty-third, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, April twenty-third, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECONSIDERATION OF RESOLUTION AUTHORIZING THE APPOINTMENT OF COMMITTEE TO DRAFT RESOLUTIONS ON THE DEATH OF THE HONOABLE BOIES PENROSE AND FIXING TIME FOR MEMORIAL SESSION.

Mr. DAIX. Mr. President, on the evening of April 9th, last Monday night a week ago, I introduced a resolution calling for memorial services for the late Senator Penrose on the 24th of this month. I am going to ask that the vote by which that resolution passed be reconsidered, for the reason that a number of members of the House have requested me to introduce a joint resolution for a meeting that will be joined in both by the Senate and House. Therefore, I move that the vote by which that resolution passed be reconsidered.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the resolution?

Mr. DAIX. Mr. President, I ask permission of the Senate to withdraw the original resolution.

The PRESIDENT. Is there objection? The Chair hears none.

RESOLUTION AUTHORIZING THE APPOINTMENT OF COMMITTEE TO DRAFT RESOLUTIONS ON THE DEATH OF THE HONORABLE BOIES PENROSE AND FIXING TIME FOR MEMORIAL SESSION.

Mr. DAIX offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 17, 1923.

Resolved (if the House of Representatives concur) That the President Pro Tempore of the Senate shall appoint three Senators and the Speaker of the House of Representatives shall appoint five Members of the House who together shall constitute a committee to draft suitable resolutions and arrange for a joint session of the Senate and House of Representatives in memory of the late Honorable Boies Penrose, Senator from Pennsylvania in Congress of the United States. Said committee shall arrange said meeting for Tuesday, May first at two o'clock in the afternoon, and shall issue invitations to such persons as to the committee may seem proper.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 303, entitled:

An Act to amend section three and section four of an act aproved the fifth day of May one thousand nine hundred and twenty-one entitled "An Act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties"

SENATE BILL No. 362 entitled:

An Act regulating the practice of law in Courts not of record

SENATE BILL No. 411 entitled:

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and forty-nine) entitled "An Act to fix the number of senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future elected Senators"

SENATE BILL No. 98 entitled:

An Act to repeal an act approved April ninth one thousand eight hundred and sixty-eight (Pamphlet Laws seventy-three) entitled "A Supplement to an act relating to counties and townships and county and township officers approved April fifteenth one thousand eight hundred and thirty-four relating to public buildings

SENATE BILL No. 129 entitled:

An Act to amend sections five hundred and forty and five hundred and forty-one as amended of an act approved May eighteenth one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

SENATE BILL No. 130 entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight) entitled "An Act prohibiting under certain conditions the commutation encumberance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" by extending the same to the proceeds and income from policies issued by both domestic and foreign companies

SENATE BILL NO 291, entitled:

An Act to amend section one of the act approved the twenty-third day of May one thousand nine hundred and seven (Pamphlet Laws two hundred and twenty-five) entitled "An Act providing for the payment of the premiums on bonds of county city borough school districts and township employes" extending the provisions thereof to officers

SENATE BILL No. 337, entitled:

An Act to amend section sixteen of an act approved May thirty-first one thousand nine hundred and eleven (Pamphlet Lawr four hundred sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners Chief Engineer Chief draftsman superintendents of the highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State Line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking or property or otherwise in the improvement thereof providing for the purchase or acquiring of turnpikes or tollroads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all act or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages

HOUSE BILL No. 325, entitled:

An Act to require counties to cause the graves of honorably discharged soldiers sailors and marines to be decorated with flags on Memorial Day

House Bill No. 362, entitled:

An Act to empower and authorize any schools or college or institution of optometry incorporated under the laws of Pennsylvania organized operated and conducted not for profit which nas a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study

House Bill No. 411, entitled:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the laws relating thereto"

House Bill No. 447, entitled:

An Act to amend secion five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal resideuce at the time of their death"

House Bill No. 471, entitled:

An Act to amend sections one two and three of an act approved the twenty-fourth day of April one thousand eight hundred and eighty-five (Pamphlet Laws nine) entitled "An Act to amend an act entitled 'An Act to provide for the destruction and to prevent the spread of Canada thistles' approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty-two" extending the provisions of said act to cichorium intybus the weed commonly known as chickory or succory

House Bill No. 560, entitled:

An Act to repeal the act approved the twenty-third day of

February one thousand eight hundred and seventy (Pamphlet Laws two hundred twenty-three) entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the boroughs of Troy in said county" and the act approved the nineteenth day of May one thousand eight hundred and seventy-one (Pamphlet Laws nine hundred eighty-three) entitled "A Supplement to an act entitled 'An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county' passed the twenty-third day of February Anno Domini one thousand eight hundred and seventy"

House Bill No. 635, entitled:

An Act to amend section six of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

House Bill No. 697, entitled:

An Act making it unlawful for any county city borough or incorporated town to prohibit the wearing of certain military insignia by its employes upon their uniforms

House Bill No. 760, entitled:

An Act to amend section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' adn authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the same.

HOUSE MESSAGES.

SENATE BILL No. 16 RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 16, entitled:

An Act to amend Clause five of Section three of an Act entitled "An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" approved the thirteenth day of May Anno Domini one thousand nine hundred and nine (Pamphlet Laws five hundred and twenty)

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. CULBERTSON. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Amend section 1, page 2, line 9, by striking out the words "which reads" and inserting in lieu thereof the words "is hereby amended to read"; also by striking out the balance of the page; also by striking out on page 3, lines 1 to 28, inclusive; also page 3 by striking out the word "sulphite" and inserting in lieu thereof the word "sulphites."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	**Harris,**	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the arffimative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 293, RETURNED WITH AMENDMENTS.

He also returned to the Senate, Senate Bill No. 293, entitled:

An act to amend section six of the act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties"

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. JOYCE. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with ,and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Amend section 1, page 2, line 10, by inserting after the word "newspapers", the following: "not exceeding three".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—0.

NAYS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver.

Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

A majority of all the Senators having voted "nay" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from his Excellency, the Governor of the Commonwealth, which were read as follows:

ALDERMAN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 17, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate William P. Nye, of Reading, for appointment as Alderman in and for the Eleventh Ward, City of Reading, Berks County, vice William W. Weber, resigned, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

CHIEF DEPARTMENT OF MINES.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 17, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Joseph J. Walsh, of Wilkes-Barre, to be Chief of the Department of Mines, for a term of four years, to compute from April 16, 1923.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 17, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In comformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Robert A. Foley, Pittsburgh.
Miss Alice Raring, Pittsburgh.

BERKS COUNTY.

Philip J. Auchter, Reading.
Miss Catharine M. Otterbein, Reading.

CAMBRIA COUNTY.

Mrs. Emma E. Swallow, Johnstown.

LACKAWANNA COUNTY.

Miss Maude Morgan, Scranton.

LEHIGH COUNTY.

William C. Jackson, Allentown.

LUZERNE COUNTY.

Frank P. Scrudato, Pittston.

PHILADELPHIA COUNTY.

Miss M. R. Erhard, 402 Lincoln Bldg., Philadelphia.
Henry Kahn, N. W. Cor. 12th & Chestnut, Sts., Philadelphia.
Miss W. G. Wurzler, 615 W. Tioga St., Philadelphia.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 17, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

BERKS COUNTY.

Mrs. Grace E. Corle, Reading, April 28, 1923.

LAWRENCE COUNTY.

Victor Doyno, New Castle, April 15, 1923.

LEHIGH COUNTY.

Earl F. Ritter, Slatington, April 1, 1923.

SCHUYLKILL COUNTY.

S. A. Ramonat, Shenandoah, April 28, 1923.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. NORTON,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. NORTON,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. NORTON. Mr. President, I move that the Executive Session do now rise.

Mr. MacDADE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, In the absence of the sponser, I ask that Senate Bill No. 15, on third reading, entitled:

An Act relating to the retirement of certain officers and employes of the State Government and their compensation, including officers and employes heretofore retired.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 399, as follows:

An Act making an appropriation to reimburse the fund in the Mechanics Trust Company of Harrisburg standing to the credit of the Water Supply Commission for the improvement of French Creek for moneys inadvertently paid into the State treasury

Whereas By an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-one) entitled "An Act providing for the deepening widening and improvement of French Creek in Crawford county vesting certain powers in the Water Commission including the taking of land and materials by eminent domain and making an appropriation of twenty-five thousand dollars ($25,000) was made to the Water Supply Commission for the purpose of deepening widening and improving French Creek in Crawford county and

Whereas Said appropriation was made on condition that citizens corporations the city of Meadville and the county of Crawford should make available for the same purpose a sum of twenty-five thousand dollars and

Whereas Said sum of twenty-five thousand dollars ($25,000) was so made available and paid into the Mechanics Trust Company of Harrisburg and placed to the credit of the Water Supply Commission for the improvement of French Creek and

Whereas The Water Supply Commission has been unable to proceed with said improvement and therefore has not used said moneys and in the meantime said Mechanics Trust Company has paid on said account interest to the amount of ($1916.96) nineteen hundred sixteen dollars and ninety-six cents which interest instead of being credited upon the principal sum has been inadvertently paid into the general fund of the State treasury therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one thousand nine hundred sixteen dollars and ninety-six cents ($1916.96) be and the same is hereby specifically appropriated to be paid by warrant of the Auditor General upon the State treasurer to the Mechanics Trust Company of Harrisburg Pennsylvania and by it to be placed into the account of the Water Supply Commission for the improvement of French Creek and to be credited to the amount in said fund as a part of the principal sum thereof

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 584, as follows:

An Act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every Trust Company and Bank organized and incorporated under the laws of the Commonwealth of Pennsylvania is hereby authorized and empowered to discount buy sell negotiate and assign promissory notes drafts bills of exchange trade and bank acceptances bonds and other evidences of debt and to receive and retain in advance interest on loans and discounts made

Section 2 All acts or parts of acts inconsistent with this act be and the same are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 153, as follows:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to certain aged persons and providing for their burial creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county defining their powers and duties providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators making counties liable for certain expenses providing penalties and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created an Old Age Assistance Commission hereinafter termed "the Commission" which shall be composed of three citizens of the Commonwealth who shall within ninety days of the approval of this act be appointed by the Governor for a term of four years except that of the members first appointed one shall be appointed for a term of two years and one for a term of three years Each member of the commission shall receive as compensation in addition to the necessary expenses incurred in the performance of his duties ten dollars per diem while actually engaged in the business of the commission Vacancies shall be filled for the unexpired term of the vacant position in the same way as the original appointment

Section 2 The commission shall appoint an old age assistance superintendent hereinafter termed the "superintendent" who shall be qualified by character training and experience The commission shall fix the salary of the superintendent which shall not exceed eighteen hundred dollars per annum The superintendent with the approval of the Commission shall appoint the necessary number of assistants and fix their duties and salaries within the appropriation made by the legislature

Section 3 The commission shall have authority to make such rules and regulations as are necessary to carry out the provisions of this act

Section 4 There shall be established in each county a county old age assistance board hereinafter known as "the board" to consist of three persons domiciled in the county who shall be appointed by the Governor for a term of four years except that of the members first appointed one shall be appointed for a term of two years and one for a term of three years Vacancies shall be filled in the same way in which the original appointment was made The members of the board shall serve without pay except that the necessary expenses incurred while in the performance of their duties shall be paid to them upon proper vouchers therefor

Section 5 The board may appoint one or more local investigators at a salary for each of not to exceed nine hundred dollars per annum

Section 6 The commission and the board shall meet at such times and places as may be fixed by the rules of the commission

Section 7 Subject to the provisions and under the restrictions contained in this act every person while residing in the Commonwealth shall be entitled to assistance in old age

Section 8 The amount of assistance shall be fixed with due regard to the condition in each case but in no case shall it be an amount which when added to the income of the applicant from all other sources shall exceed a total of one dollar a day

Section 9 Old age assistance may be granted only to an applicant who

(a) Has attained the age of seventy years or upwards

(b) Has been a citizen of the United States for at least fifteen years before making application for assistance

(c) Resides in the Commonwealth and (1) has so resided continuously for at least fifteen years immediately preceding the date of application but continuous residence in the State shall not be deemed to have been interrupted by periods of absence therefrom if the total of such periods does not exceed three years or (2) has so resided forty years at least five of which have immediately preceded the application Provided That absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the State if a domicile be not acquired outside the State

(d) Is not at the date of making application an inmate of any prison jail workhouse insane asylum or any other public reform or correctional institution

(e) For six months or more during the fifteen years preceding the date of application for relief if a husband has not deserted his wife or without just cause failed to support her and his children under the age of fifteen years if a wife has not deserted her husband or without just cause failed to support such of her children as were under age and she was bound to support

(f) Has not within one year preceding such application for assistance been a professional tramp or beggar

(g) Has no child or other person responsible under the law of this State and found by the board or by the commission able to support him

Section 10 Old age assistance shall not be granted to a person if the value of his property exceeds three thousand dollars or if married and not separated from husband or wife if the value of his or her property together with that of such husband or wife exceeds three thousand dollars

The claimant must not have deprived himself directly or indirectly of any property for the purpose of qualifying for old age relief

Section 11 The annual income of any property which does not produce a reasonable income shall be computed at five per centum of its value as determined by the board

The income of the applicant shall be his income for twelve months preceding the date on which his application was made

The property owned at the date of application for relief shall be taken as property of the applicant for the purposes of this act

Section 12 On the death of a person receiving assistance under this act or of the survivor of a married couple both of whom were so assisted the total amount paid as assistance together with simple interest at three per centum annually shall be allowed and deducted from the estate by the court having jurisdiction to settle the estate and paid into the treasury of the Commonwealth

Section 13 If the commission deems it necessary to protect the interest of the Commonwealth it may require as a condition to the grant of assistance a certificate that all or any part of the property of an applicant for assistance be transferred to the Commission Such property shall be managed by the commission which shall pay the net income to the person or persons entitled thereto The commission shall have power to sell lease or transfer such property or defend and prosecute all suits concerning it and to pay all just claims against it and to do all other things necessary for the protection preservation and management of the property

The Attorney General at the request of the commission shall take the necessary proceedings and represent and advise the commission in respect to any matters arising under this section

Section 14 An applicant for assistance shall deliver his claim in writing to the board of the county in which he resides in the manner and form prescribed by the commission

All statements in the application shall be sworn to or affirmed by the applicant setting forth that all facts are true in every material point

Section 15 Whenever an application is made for old age assistance the board directly or through an investigator shall promptly make investigations and after hearing the applicant if he so request if it approve the applications shall make a recommendation of the amount of the assistance to be allowed or if it disapprove make a recommendation that no assistance be allowed. The board shall send a copy of the application its recommendation and the reasons for its decision to the commission with such supporting papers as the commission may require The commission may thereupon make investigation as it sees fit through the superintendent or through the board making the recommendation and may direct a rehearing before the board of which the applicant shall have at least ten days notice and at which he may appear and offer evidence. The commission shall decide upon the application and fix the amount of the pension if any and its decision shall be final. An applicant whose application for assistance has been rejected may not re-apply for assistance until the expiration of twelve months from the date of the previous application

Section 16 For the purpose of any investigation the commission and the board shall have the power to compel by subpoena the attendance and testimony of witnesses and the production of books and papers All witnesses shall be examined on oath and any member of the commission or of the board may administer said oath If any person fails or refuses to obey such subpoena the commission or board may petition the court of common pleas of the county where the hearing is held whereupon the court shall issue its subpoena and enforce compliance with same as in other cases

Section 17 The commission shall issue to each applicant to whom assistance is allowed a certificate for one year stating the amount of each instalment which may be monthly or quarterly as the commission may decide

Section 18 An assistance certificate shall be required for each subsequent year to be issued by the commission after such investigation as it may deem necessary and the amount of the assistance may be changed if the commission finds that the applicant's circumstances have changed

Section 19 The assistance if allowed shall commence on the date named in the certificate which shall be the first day of the calendar month following that on which the petition was received by the board

Section 20 If at any time during the currency or continuance of an old age assistance certificate the recipient or the wife or husband of the recipient becomes possessed of any property or income in excess of the amount allowed by this act in respect to the amount of assistance granted it shall be the duty of the recipient immediately to notify the board of the receipt and possession of any such property or income and the board may on inquiry and with the approval of the commission either cancel the assistance or vary the amount thereof during the period of the certificate Any excess assistance paid shall be returned to the Commonwealth and recoverable as a debt due the State

Section 21 If on the death of any person receiving assistance it is found that he was possessed of property or income in excess of the amount allowed by this act in respect to the amount of the assistance double the total amount of the assistance in excess of that to which the recipient was entitled may be recovered by the commission as a preferred claim from his estate and paid into the treasury of the Commonwealth

Section 22 On the death of any person receiving old age assistance such reasonable funeral expenses for burial shall be paid to such persons as the board directs Provided such expenses do not exceed one hundred dollars and the estate of the deceased is insufficient to defray the same

Section 23. While any person receiving assistance is an inmate of any charitable benevolent or fraternal institution the amount of assistance shall be paid to the governing authorities of that institution and shall be applied toward defraying the actual expenses of such person in such institution Provided That the commission has approved and that it and its agents are permitted freely to visit and inspect said institution Any moneys remaining after defraying such costs shall be paid to the recipient It shall not be lawful for the authorities of any charitable institution receiving public moneys to refuse admission as an inmate of such institution or to refuse relief on the ground that the person is receiving assistance under this act

Section 24 No person receiving assistance under this act shall at the same time receive any other relief from the Commonwealth or from any political sub-division thereof except for medical and surgical assistance

Section 25 If the person receiving assistance is on the testimony of reputable witnesses found incapable of taking care of himself or his money the board may direct the payment of the instalments of the assistance to any responsible person or corporation for his benefit It shall be within the power of the commission to suspend payment for such period as the board shall recommend

Section 26 All rights to old age assistance shall be absolutely inalienable by any assignment sale execution or otherwise and in case of bankruptcy the assistance shall not pass to or through any trustees or other persons acting on behalf of creditors

Section 27 If at any time the commission has reason to believe that an assistance certificate has been improperly obtained it shall cause special inquiry to be made by the board and may suspend payment of any instalment pending the inquiry It shall also notify the board of such suspension If on inquiry it appears that the certificate was improperly obtained it shall be cancelled by the commission but if it appears that the certificate was properly obtained the suspended instalments shall be payable in due course

Section 28 Any person who by means of a wilfully false statement or representation or by impersonation or other fraudulent device obtains or attempts to obtain or aids or abets any person to obtain (a) an assistance certificate to which he is not entitled (b) a larger amount of assistance than that to which he is justly entitled (c) Payment of any forfeited instalment and any person who buys or aids or abets in buying or in any way disposing of the property of a person receiving assistance without the consent of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment not exceed- one year or both

Section 29 Any person who violates any provisions of this act for which no penalty is specifically provided shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dolars or to undergo imprisonment not exceeding one year or both Where a person receiving assistance is convicted of an offense under this section the commission shall cancel the certificate

Section 30 If any person receiving assistance is convicted of any crime or offense and punished by imprisonment for one month or longer the board shall direct the payments shall not be made during the period of imprisonment

Section 31 All payments for assistance allowed under the provisions of this act and all expenses incurred by the commission and the salaries of the superintendent and his assistants shall be paid by the State Treasurer out of moneys specifically appropriated for that purpose upon orders of the superintendent and warrant of the Auditor General

Section 32 All expenses incurred by the county boards in administration investigation and salaries shall be paid by the county treasurer from the moneys of the county in the same way as other expenses of the county

Section 33 Within ninety days after the close of each calendar year the commission shall make a report for the preceding year stating

(a) The total number of recipients
(b) The amount paid in cash
(c) The total number of applications
(d) The number granted
(e) The number denied
(f) The number cancelled during that year and
(g) Such other information as the commission may deem advisable

Section 34 All methods of procedure in hearings investigations recording registration and accounting pertaining to the old age assistance under this act shall be in accordance with the rules and regulations as laid down from time to time by the commission

Section 35 Every assistance granted under the provisions of this act shall be deemed to be granted and shall be held subject to the provisions of any amending or repealing act that may hereafter be passed and no recipient under this act shall have any claim for compensation or otherwise by reason of his assistance being affected in any way by such amending or repealing act

Section 36 The sum of twenty-five thousand dollars ($25,000.00) or so much thereof as may be necessary is hereby specifically appropriated to the Old Age Assistance Commission hereby created for the two fiscal years commencing June first one thousand nine hundred and twenty-three for the purpose of carrying out the provisions of this act

Section 37 Whenever used in this act the singular shall include the plural and the masculine shall include the feminine

Section 38 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President I would like to say that Senate Bill No. 153 has caused a great deal of comment in my district, and my attention has been called to the following facts in regard to the bill: First, the head of the entire Committee is to get one hundred and fifty dollars a month. No business concern would hand over two million dollars for a State wide purpose of this kind to a person worth to his employer only one hundred and fifty dollars a month. Again the Committees in the counties are supposed to work for nothing and the investigators are to get seventy five dollars a month. The question has been raised, is this going to be a real efficiency bill? The man who particularly called my attention to this has been a student along the lines of sociological work practically all of his life. He is familiar, not only with the pension systems that are now in existence but those that have been proposed in England and France and the working of the system in Germany. In his opinion,—and I base my views of the matter largely on what I have learned of the situation from him,—is that you cannot get a competent person to do this work for seventy five dollars a month and I think there could be nothing more wasteful than to hand over the distribution of two million dollars to a lot of inefficient people. Germany was for a long time an example of the system proposed and investigation shows that it has been inefficient and inadequate, and what has happened in Germany is likely to happen anywhere else where it is adopted. The distribution of these funds becomes more a matter of political friendship than a matter of apportionment to the deserving. Two million dollars distributed by persons familiar with social service work would give vastly better results if handed out some other agency than as provided for by this bill, and further the giving of a dollar a day would seem to be

almost worse than nothing at all. It is like building a bridge that does not quite reach across the stream. It may be considered that it supplements private organizations, but a dollar a day to a really destitute man does not lift the burden from the community, which would still have to supplement his support.

I direct your attention to a second criticism of the bill. It seems to me that the amount given to an aged person is entirely inadequate with prevailing conditions and would only act as a small help in respect to the real need. The bill does not provide enough money in order that the fund could be efficiently administered.

Third, Past history reveals that Government Pension systems are generally most unsatisfactory.

Fourth, All our appropriations to meet such a system would add millions of dollars to an already overcrowded state budget. Any efficiency student of social service work would prefer to see a living wage paid so as to enable a saving and plan for old age, and there are some, because of sickness or other misfortune, who are unable to do this, but it does not seem that such a bill as No. 153 would be a proper one because of its inadequacy. It is always a question in my mind whether government funds being doled out as such is for the benefit of the citizens living under that Government. There have been so called pensions systems, however, which have functioned, but only when an amount was paid monthly or yearly to help make it function, such as the School Teacher's Pension Fund, which is a type of insurance primarily arranged through the savings of the teachers themselves and later paid to them in the form of an old age pension.

Now, in conclusion, I would direct your attention to "England and the English" by Price Collier, April 10, 1923:

"We in America are only just recovering from an epigram which held that labor should not be crucified. The only labor that counts for anything in the world has always been, and always will be, born of pain. That is its glory. The nearer labor comes to being a sacrifice of self, the nearer the laborer comes to being a hero and saint. Labor is dignified only when it ceases to watch the clock, and when duty calls i swilling to bear a cross. Wherever and whenever the individual, or any class in the community, whether rich or poor, balks at labor, at pain, at sacrifice, at the cross in short, you have in that individual and in that class a menace to the community and to the State. And it is this very individual, and this same class, that the professional philanthropist, the political and economic sentimentialist, is doing his best to encourage. There is no surer, no shorter way to murder the State than to keep such as these alive. This new doctrine that at all hazards men must live, is a pagan doctrine, and bad morality and bad economics as well.

"The fundamental philosophy underlying all forms of socialism, disguise it as you will, is the worship of man. The pandering of this new doctrine in the name of Christian socialism is simply loose-mindedness. The pith of Christianity and the pith of socialism are as the poles apart. This diluted Chirstianity, which accepts the doctrines whilst waiving the obligations, is nowadays dubbed manly. Manly merely because it sides with man against God, but could anything be less so. It sugars the penalties, softens the warnings, emasculates the commandments, and all to please the mob; not to harden them, not to inspire them, not to lift them, but to throw their thoughts back upon themselves. Christianity is at least virile enough to crucify its God, and to announce that pain points the way to salvation. This new god is to be fed and educated for nothing as a child; is to work only eight hours a day as an adult; is to be pensioned at seventy, and never to bear a cross, much less to be nailed to one, if by any means it can be avoided.

Mr. President, for these reasons, after studying the situation, I am compelled, much to my regret, on account of my fellow-Senator from Philadelphia introducing the bill, to vote "no".

Mr. DAIX. Mr. President, I should like to ask the Senator from Allegheny if he has any objection to being interrogated?

Mr. BARR. Mr. President, I have not.

Mr. DAIX. Mr. President, I desire to ask the Senator from Allegheny what he was quoting from in his remarks?

Mr. BARR. Mr. President, that was taken from "England and the English" by Price Collier.

Mr. DAIX. Mr. President, and the other was by whom?

Mr. BARR. Mr. President, they were two men of my district whom I consulted, who have had long years of experience, sir, in the distribution of money to the poor.

Mr. DAIX. Mr. President, the reason I asked the question is this: I notice the remark was made it would be far better to have left this with some social worker. Now I was wondering whether it was not the certain social worker himself or herself who had written that letter in the form we have here, along the lines that they would want to be the people that would have that control.

Mr. BARR. Mr. President, I can answer the Senator from Philadelphia by stating that the letter was written to me at my request and I had hard work to get anything in writing of what they said to me verbally.

Mr. VARE. Mr. President, I regret exceedingly that my distinguished colleague from Allegheny, Mr. Barr, has seen fit to raise objections to this bill on the floor of the Senate and it seems to me that he might have better informed himself of the points of the bill before making an attack upon it. In other words he talks of two million dollars about a bill which contains the small sum of twenty-five thousand dollars. It is true that this bill is intended to be the foundation of a great humanitarian project. We are living in the United States of America, not in the foreign countries he refers to. This bill contains an appropriation item of $25,000.00 There has been an omission from one of the Sections which is to be put in allowing the appointment of these local officials to be made by the County Commissioners of each county. As at present worded as the result of the omission of the amendment which was offered by the distinguished Chairman of the Appropriations Committee. I hope that the bill will pass the Senate as it is, with the understanding that the amendment which was adopted here and which was not printed will be inserted in the House. I hope the Senate will pass this bill. It is in line with humanity, it is in line with progress. At present we are spending large sums of money, we are making appropriations to State institutions where these old people are maintained and this bill simply provides that instead of that, those vasts sums of money being appropriated to institutions, where these old people will be permitted to spend their latter days in their helpless condition in the presence of their own families. I am surprised to see the Senator from Allegheny take the position he does to-day, more particularly when he stands behind the statement about the foreign countries. We are living in America. Surely the result of this great war ought to be a final lesson that we are the leading country of the world. We ought not to take our lesson in that respect from foreign countries. I am hoping the Senate will pass the bill.

Mr. BUCKMAN. Mr. President, I should like to interrogate the Senator from Philadelphia, Mr. Vare.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Vare, permit himself to be interrogated?

Mr. VARE. Mr. President, I will.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator if he has any idea what it would cost the state to efficiently carry out the objects of this bill?

Mr. VARE. Mr. President, the Senator from Bucks, Mr. Buckman, himself has served as Chairman of the Appropriations Committee and I am quite sure he would have knowledge of the amount of money which is appropriated to institutions for this purpose and I assume that would simply be a transfer from the institutions over to the individuals who will in the future remain in their homes.

Mr. BUCKMAN. My opposition to this bill has not been caused entirely by the fact that I was Chairman of the Appropriation Committee for two sessions, but partly by reason of that fact. I do not believe that the Senator from Philadelphia, or any other Senator, or any other man, woman or child in the State of Pennsylvania can tell us what it would cost this state to put this bill into effect. A few years ago we passed the Teachers Pension Bill, which is upon an entirely different basis from what this bill is on and even to-day we do not know where we are drifting to in that bill. While it is true there is only an appropriation in this bill of $25,000, I notice it originally called for two million dollars, and I want to serve notice on the floor of this Senate that this is simply the beginning of something we do not know where it will take us to. It is simply the first placing of the head of the camel under the tent and once they get this bill on the statute books then they will come in here and ask for millions and millions of dollars and the creation of new jobs which will necessitate the levying of new taxes to carry this bill properly into effect. I, for one, think it is a mistake for us to put the stamp of approval upon this bill, even though it does call for only twenty-five thousand dollars appropriation.

Mr. DAVIS. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Barr.

The PRESIDENT. Will the Senator from Allegheny, Mr. Barr, permit himself to be interrogated?

Mr. BARR. Mr. President, I will.

Mr. DAVIS. Mr. President, I would like to ask the Senator whether he knows the amount of money that is required for the Mothers Assistance Fund?

Mr. BARR. Mr. President, it required, if I am properly informed by the people at the head of it, if they had money enough to-day to take care of the mothers who have made application in the counties where the Mothers Assistance Pension Fund is functioning, it would cost $3,600,000. The $1,750,000 that has been put in the budget by the Governor is less than one-half of the amount that is necessary, and when I made the statement about $2,000,000, it was based on the Mothers Assistance Pension money, and I think that is a small amount.

Mr. DAVIS. Mr. President, I would like to further interrogate the Senator from Allegheny, Mr. Barr.

The PRESIDENT. Will the Senator from Allegheny, Mr. Barr, permit himself to be further interrogated?

Mr. BARR. Mr. President, I will.

Mr. DAVIS. Mr. President, I would like to ask the Senator if there are any high paid salaries in connection with the functioning of the Mothers Assistance Pension Fund?

Mr. BARR. Mr. President, there are no high paid salaries, but the Mothers Assistance Pension Fund up to date has been run very efficietnly by the women who have given all of their time necessary to make it function, but they are paying, as I understand the head of the Mothers Assistance Pension Fund more than $1800 a year and the Secretary of Allegheny County, I think now is drawing down $2400, if I am correctly informed.

Mr. DAVIS. Mr. President, I am in favor of an old age pension. We have statistics to prove, beyond a doubt, that the saving will pay more than the extra money it takes to provide for those people. It costs as much money to keep those paupers in the poor houses as it will under their own roofs, and I am sure that the State of Pennsylvania has always responded to humanitarian legislation. This, to my mind, is the greatest piece of legislation ever presented to this body and I am sure to-day that a majority of the Senate will vote for this bill. I used this argument in my campaign and I owe it to my people. I belong to an organization is for the benefit of the majority and not the few, and I hope for the benefit of the majority and not the few, and I hope to-day that the Senate will vote unanimously for this bill. There is small opposition here to-day and I feel satisfied if they would take up this matter and study it thoroughly they would all vote for it.

I recall an incident which occurred in Berks County. The Chairman of the Commission investigating the Old Age Pension made a visit to the Berks County Almshouse and walking up the lane he met two old people, husband and wife. They approached the gate of the poor house at the same time. The superintendent asked "What do you desire?". They answered: "We have a permit to enter the poor farm". That is very consoling to every man in the Senate. The superintendent asked "What is your name"? "My name is John". "And your name?" "My name is Mary". The superintendent said "John, you go to the building over there, and Mary you go to that building over there." John said "What! after living under the same roof for fifty years, we are now going to be separated?" "Yes, those are the rules, males on the one side, and the females on the other." And what happened? A tragedy. Three days after John entered that door he passed away with a broken heart and only a few days later his wife passed away with a broken heart.

Mr. President, and gentlemen of the Senate, it is time we take those things into consideration. The amount of money that it takes to keep these people will not be a cent more than it takes to keep them in the poor house. It takes time to work it out. The burden is placed upon the state and county and I hope to-day that the Senate will vote to pass this bill.

Mr. SCHANTZ. Mr. President, I hope this bill will be a lesson to the Senator from Allegheny, Mr. Barr, from which he will learn not to judge bills when they come out of the Committee on Appropriations by the way they went in. This administration stands for economy. We are not now passing any law creating new positions, or fixing a fancy salaries. This is to be a work of charity for the assistance of the old and the needy and those in distress and it is not a bill to create any new salaries, and new offices with high salaries, but is to be a work of charity and I am surprised that anybody should attack a bill on account of too small salaries.

I want also to challenge the statement of my predecessor as Chairman of the Counties on Appropriation some years ago, not my immediate predecessor, but who was Chairman of the Committee on Appropriations when he said that he did not think any member of the Senate was able estimate what the bill would cost. If the Senate desires the information, I do not want to make the statement to harm the bill, I hope the bill will pass, but I am able to tell the Senator

from Bucks what the bill would approximately cost to be carried out in its full measure but that is no reason why this bill should be defeated. Mr. President, we started the old age pension proposition on a small scale and we are not nearly up to the top yet, we are not nearly able to-day to comply with the full requirements of the Mother's Assistance Funds but we started at the bottom and we are climbing up. We had it about six hundred thousand, had the appropriations up to a million and now the recommendation is one million seven hundred and fifty thousand, We do know exactly yet at what figure it will be passed by the legislature but if every person eligible to-day in the State of Pennsylvania were to be provided for in this bill it would cost the State of Pennsylvania approximately seven million of dollars per annum.

I am saying this to remove the insinuation that nobody in the Senate would be able to estimate what it would cost but that should not be a reason for defeating the bill. We are considering this bill with the idea of getting the movement on. It is a hand maid to the Mother's Assistance Pension Fund. That would take approximately nearly four million dollars to handle the bill fully and this being an old age pension bill would almost double that, but the saving, on the other hand, would be so enormous that is is a question whether the savings would not far outweigh the expenses. It would remove almshouses, it would mean that many counties could combine three or four or half dozen counties, and jointly have one almshouse and the saving at the other end would be sufficient to overcome the expense to the State. I trust that the Senate will pass this bill as it stands. Report it out in harmony with the aims of economy of this administration with the small appropriation of twenty-five thousand dollars, modest salaries for the officials and I trust the Senate will pass the bill.

Mr. BARR. Mr. President, I desire first to answer the Senator from Lackawanna, Mr. Davis. The money required for the Mother's Assistance Fund is, State Supervisor of Mother's Assistance Fund, three thousand dollars, Assistant State Supervisor of Mother's Assistance Fund, twenty-two hundred dollars, clerk to the State Supervisor of Mother's Assistance Fund, eighteen hundred dollars.

I admit that the Senator from Lehigh is a master mind, but regardless of that fact I still challenge his judgment because I do not think that he has the knowledge necessary, regardless of the fact that he is a wonderful lawyer, to state to the Senate as an actuary in insurance, whether it will cost this state three million or seventy million dollars, and that was the statement made to me by an actuary in the County of Allegheny, that the two million that I used was enough to take care of the Mother's Assistance Pension Fund, and I still challenge the judgment of the Senator from Lehigh on the disposition of any money of the State under this act.

Mr. LANIUS. Mr. President, this Pension Fund is not a proposition of dollars and cents. Twenty years ago when I became a victim of an industrial accident I was enabled to take advantage of a blind school of Pennsylvania because I had been injured after I had reached the age of sixteen. I think that there was not on the Statute books of this State any provision that gave me the right to claim damages. My accident was an accident that happened, it was not one of those things that I could trace to anybody and consequently there was no compensation for me. It happened, however, that there were people in Pennsylvania that were broad-minded enough and who believed my chances in life should be looked to and those gentlemen saw to it that I was given the advantage of preparing myself to follow a livelihood that I would be able to qualify to stand before the people and say, "I can do this," or, "I can do that." When you go and tell the people of Pensylvania that it is going to cost them this and that for old age pension you are saying that you will not pay it for the old carcass that you wore out in your shop. You are putting your men's lives and all of his works against dollars and cents. Mr. President, I want to say here to-day that we all cannot be clerks, some of us have got to go down into the ditch and some of us are going to be misfits. We go through life until we are sixty or sixty-five years old, we have been scavengers and there must be somebody to do that. Perhaps as a scavenger you have prevented pestilence by working in the ditch for the water way or sewage system. Some one had to do that. Early in life perhaps they lost their parents and were not educated and they could not go to a professor so that they became the lowest stratum of humanity and went on and on, they assumed the responsibilities as best they understood it. They raised, perhaps, a small family on a very small income and now when they are sixty, sixty-five or seventy years of age and because they were unfortunate enough to be ignorant in young days and not skilled mechanics, because they are not able to be members of any profession, that was their experience, and the proper thing for us was to put them in the almshouse.

Mr. President, I am going to tell you something, it is my personal belief that the recipients of charity as a rule are the efficient and not those people that are in those institutions. Many a poor fellow can say that if he had been given half an opportunity in life he might have been able to be self sustaining. The thought of human nature, the thought of creation, is to make everything self sustaining and the central thought is that everything must work for its living and every man that is able is willing to do that. What does it matter to the State of Pennsylvania whether it leaves this man in his own home or marks him charity and puts him in a public institution. That is the whole proposition and now to intervene graft, extravagance and mismanagement in the proposition of twenty-five thousand dollars for an investigation, Mr. President, I submit is absolutely unfair and if it is going to cost millions of dollars in the future I say it can be arranged to be charged to the several counties and surely any county is willing to spend seventy-five thousand dollars or one hundred thousand dollars and not have an almshouse and would be willing to give something to this pension fund. Let us see how we progress in this matter.

Where do we get the idea of the almshouse? We get it from the Elizabethean age. It showed us the policy of taking care of the poor. There we followed England. We followed Europe in its compensation act. We followed them in the child labor. Europe tried this old age pension and I am not prepared to believe that they think it is a failure, I am not prepared to believe that the German people believe it is a failure. As a matter of fact I get reports from Germany, and England, and we are only beginning to investigate and the investigations have shown this, that as a matter of economy, this is a good system and so far as saying it will take away the incentive for men to do something, that they will say some may look forward and say "Oh well, it doesn't matter what I do sixty or seventy-five years from now I will be eligible for a pension," I do not believe that will be the case. Mr. President, that is foolish. I say to you there is enough of Americanism in every American which will make him refuse pension. I will tell you I have been among people who have been injured, I have been through their institutions and penal institutions and I am going to say to you we can well afford, as Pensylvanians to put into practice some of that wonderful service we are always talking about. I tell you when we do not do that we are going to tell you we are not Pennsylvanians at all, because the history of this nation, the history of this world, is written in service and humanity

and kindness, it is not written in oppression, Mr. President, or dollars and cents. Pennsylvania is big enough, Pennsylvania is honest enough and Pennsylvania is just enough to invest $25,000 to investigate this matter for a period of two years.

Mr. LONG. Mr. President and gentlemen of the Senate, I have great sympathy for the man or woman who has grown old in this country of opportunity and who has not gotten a competency for his or her old age, and I am in sympathy with a bill of this kind, but it seems to me that this is not the time to start a matter which means an expenditure of large sums of money in Pennsylvania. We are in a financial morass here at the present time. We do not seem to be able to get sufficient money to carry on the activities that the state has already started. We do not seem to be able to get sufficient money to carry on our public schools as they should be carried on, we do not seem to be able to get sufficient money to carry out the Mothers Assistance Fund and I believe, Mr. President, that that branch of work, that part of the government, is more important perhaps than this matter of old age pension. It seems to me that the mothers and the children who are being reared in Pennsylvania to become the future citizens of the Commonwealth ought to be first provided for and I do not believe that we ought to consider anything at this time that would add to our financial difficulties. If we can arrange and the members of the Senate and House are willing to levy such taxes as are necessary to carry out the work of the public schools and to provide for the Mothers Assistance Fund of those orphans, then I think it would be time sufficient to take up a proposition of this kind. There is no use of us trying to deceive ourselves as to the result. It means the expenditure of very large sums of money and it does not take a man of very far vision to see and realize that fact. Therefore, I will vote against this bill at this time.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Aron,	Davis,	Lanius,	Sisson,
Baldwin,	Harris,	MacDade,	Snyder,
Betts,	Heaton,	Mansfield,	Steele,
Brown,	Homsher,	McClintock,	Stineman,
Christley,	Huffman,	Norton,	Stites,
Clark,	Jones,	Patton,	Vare,
Craig,	Joyce,	Phipps,	Weaver,
Culbertson,	Krause,	Salus,	Eyre,
Daix,	Kutz,	Schantz,	Pres. Pro Tem.

NAYS—8.

Barr,	DeWitt,	Miller,	Sones,
Buckman,	Long,	Quigley,	Woodward,
Derrick,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 168, (House Bill No. 183), entitled:

An Act providing for the establishing and maintenance of uniform building lines in cities of the third class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culbertson,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the the Senate has passed the same without amendments.

BILLS OVER IN ORDER.

Mr. SCHANTZ. Mr. President, I ask that Senate Bill No. 266, on third reading, entitled:

An Act providing for only one assessment of all property for taxation in cities of the third class within this Commonwealth directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such assessors, to perform all other duties now performed by the county assessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes, city, school, county, poor and other taxes to be levied on said assessment.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ. Mr. President, I ask that Senate Bill No. 267, on third reading, entitled:

An Act relating to the collection of city, county, school, poor and other taxes in the several cities of the third class in this Commonwealth, providing that the city treasurer of each of said cities shall be the collector of the said several taxes, prescribing his duties, providing for his compensation, authorizing him to appoint deputy collectors and clerks and providing for their compensation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 268, entitled:

A Joint Resolution proposing an amendment to article four section eight of the Constitution of the Commonwealth of Pennsylvania prohibiting after adjournment the appointment to office of any person whose nomination, the Senate failed to confirm.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Derrick,	MacDade,	Snyder,
Baldwin,	DeWitt,	Mansfield,	Sones,
Barr,	Harris,	McClintock,	Steele,
Betts,	Heaton,	Miller,	Stineman,
Brown,	Homsher,	Norton,	Stites,
Buckman,	Huffman,	Patton,	Vare,
Christley,	Jones,	Phipps,	Weaver,
Clark,	Joyce,	Quigley,	Woodward,
Craig,	Krause,	Salus,	Eyre,
Culberston,	Kutz,	Schantz,	Pres. Pro Tem.
Daix,	Lanius,	Sisson,	
Davis.			

NAYS—1.

Long,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 388, entitled:

An Act relating to the assessment and valuation of property and occupations for the purpose of taxation in counties of the second class; creating a general board of tax appeal and a board of examiners for tax assessors; providing for the appointment of subordinate assessors of personal property and occupations, and for the annual assessment and valuation of personal property and occupations throughout the county and for the annual assessment and valuation of real property except in cities; making assessments and valuations for city purposes the basis for county valuations within such city, and imposing part of the cost of such assessments on the county; imposing certain duties on certain city officers; making certain city officers members of the general board of tax appeal in certain cases; abolishing the board for the assessment and revision of taxes; and providing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,	Davis,	Long,	Sisson,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Betts,	Harris,	Miller,	Steele,
Brown,	Heaton,	Norton,	Stites,
Buckman,	Homsher,	Patton,	Vare,
Christley,	Huffman,	Phipps,	Weaver,
Clark,	Jones,	Quigley,	Woodward,
Craig,	Joyce,	Salus,	Eyre,
Culberston,	Krause,	Schantz,	Pres. Pro Tem.
Daix,	Kutz,		

NAYS—3.

Lanius,	McClintock,	Stineman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 389, as follows:

An Act creating a Department of Real Estate and Assessement in cities of the second class providing for the appointment qualifications compensation and dismissal of a commissioner and deputy commissioners where a county tax assessors' examining board exists and where no such board exists prescribing the powers and duties of such department with regard to valuing real property for any purpose and in valuing and assessing property for the purpose of taxation providing for annual assessments the classification of real property for purposes of taxation into buildings on land and land exclusive of buildings and the assessment of a tax upon the buildings than upon the land exclusive of buildings and abolishing the Department of Assessors

Section \1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created in cities of the second class a department of real estate and assessment under the supervision of a real estate and tax commissioner who shall be appointed by the mayor with the consent of council

At the date of his taking office the commissioner shall be a citizen of the United States and shall have been a resident of said city for at least five years and shall have had at least three years active experience in real estate business either in negotiating sales or purchases of real estate for others in appraising or assessing real estate He shall hold office for a term of four years the first term commencing on the first Monday of Januray One Thousand Nine Hundred and twenty-six The annual salary of the commissioner shall be fixed by the council and shall not be less than Thirty-five hundred dollars ($3500) for the first two hundred thousand inhabitants of said City with an additional Five Hundred Dollars ($500.00) for each additional seventy-five thousand inhabitants according to the last preceding United States decennial census

Section 2 The mayor with the approval of council shall appoint deputy commissioners as follows

He shall appoint not less than four deputies and an additional deputy for each seventy-five thousand inhabitants over two hundred thousand inhabitants as shown by the last preceding United States decennial census all of whom shall be residents of the said City for at least five years and shall not all be of the same political party and the majority of whom shall have had at least three years active experience in real estate business either in negotiating sales or purchases of real estate for others or in appraising or assessing real estate The salary of each such deputy commissioner shall be fixed by council and shall not be less than Fifteen Hundred Dollars ($1500.00) per annum for the first two hundred thousand inhabitants of said City with an additional Five Hundred Dollars ($500.00) per annum for each additional seventy-five thousand inhabitants according to the last preceding United States decennial census They shall hold office for a term of four years except that of the members first appointed at least one-half shall be appointed for two years only No commissioner or deputy shall be dismissed during the term for which he is appointed except for the cause shown after an opportunity to be heard before the mayor and council on charges made in writing against him The commissioner may with the consent and approval of the mayor and council employ such clerks and stenographers as may be necessary

Section 3 The department of real estate and assessment shall make such appraisals of real property as may be required by the mayor council or any of the departments of the government of such city and shall furnish any of the departments of the government of such city with such information as to real estate values as may be necessary or serviceable in the acquisition of any property by the city for any purpose by the right of eminent domain or otherwise

Section 4 The department of real estate and assessment shall annually make a valuation of real estate for all purposes of municipal taxation and shall have the power to administer oaths Any property owners shall have the right to be heard by the commissioner and deputy commissioners sitting as a board of revision on appeal from any valuation The assessment as aforesaid shall remain the lawful assessment for purposes of city taxation until the next assessment

Section 5. The Department of real estate and assessment shall classify all real estate in the city in such manner and upon such testimony as may be adduced before them so as to distinguish between the buildings on land and the land exclusive of the buildings and to certify to the councils of said cities the aggregate valuation of city property subject to taxation

Councils in determining the tax rate for each year shall assess a tax upon the buildings equal to five-tenths of the highest rate of tax required to be assessed for the year so that upon the said classes of real estate of said city there shall in any year be two rates of taxation

Section 6 The councils shall by ordinance make all further needful rules and regulations for the government of this department

Such ordinance may require the said Department to give notice by mail of any change in assessment stating the date when an appeal therefrom may be heard and sent to the address as registered of any property owner if non-resident or to the property in question if of a resident

Section 7 This act shall take effect on the first Monday of January one thousand nine hundred and twenty-six at which time the department of assessors of cities of the second class is hereby abolished

Nothing herein contained shall be construed to repeal the act approved July nine one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and nineteen) entitled "An Act providing for the classification of real estate and other property for purposes of taxation and for the election of assessors and prescribing the duties thereof in cities of the second class" except so far as the same may be inconsistent herewith

All other acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,	Davis,	Long,	Sisson,
Baldwin,	Derrick,	MacDade,	Snyder,
Barr,	DeWitt,	Mansfield,	Sones,
Betts,	Harris,	McClintock,	Steele,
Brown,	Heaton,	Miller,	Stineman,
Buckman,	Homsher,	Norton,	Stites,
Christley,	Huffman,	Patton,	Vare,
Clark,	Jones,	Phipps,	Weaver,
Craig,	Joyce,	Quigley,	Woodward,
Culberston,	Krause,	Salus,	Eyre,
Daix,	Kutz,	Schantz,	Pres. Pro Tem.

NAYS—1.

Lanius,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 390, on third reading, entitled:

An Act creating the "Anthracite Mine Cave Fund" appropriating a portion of the State Tax on anthracite coal to the use of the Pennsylvania State Anthracite Mine Cave Commission and imposing duties upon the State Treasurer and Auditor General

Senate Bill No. 391, on third reading entitled:

An Act creating the "Anthracite Municipalities Fund" appropriating pro rata according to population a portion of the tax on anthracite coal to the use of the Cities Boroughs and Townships from which the anthracite coal taxed was removed in course of mining and imposing duties upon the State Treasurer and Auditor General

be recommitted to the Committee on Appropriations.

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DAVIS. Mr. President, I am not opposed to this motion, I am willing to grant the courtesy to the Chairman of the Appropriations Committee. However, I wish to make the statement that neither one of these bills prohibit or regulate the mining of coal, that we are only asking a portion of the money paid in by the anthracite coal companies to return to the counties six per cent on the amount, so that there will be an understanding in the Senate. The minute that any member of this Senate sees anthracite on the calendar they get excited and I do not want them to get excited about these bills, because we are entitled to a share of the anthracite tax. If the anthracite people are going to be taxed to death, then we want to tax all the mineral in the State of Pennsylvania, including bituminous coal. However, I want to make this statement in order that the members of the Senate know that there is nothing in either one of these bills that prohibits or regulates the mining of coal.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 464, entitled:

An Act providing a means whereby real estate devised upon a trust to divide it among other persons and the trustee has died without performing the trust may be divided amicably by the interested persons with the approval of the Orphans' Court and the legal title be vested in them by judicial decree

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culbertson,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. BARR. Mr. President, I ask that Senate Bill No. 506, on third reading, entitled:

An Act to amend section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from

a decedent who was a resident of this Commonwealth at the time of his death nad of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 528, (House Bill No. 412), entitled:

An Act authorizing any county separately or counties interested jointly to lease for a term of years from a bridge company or corporation any toll bridge spanning a river or stream when such bridge is used solely for highway purposes or jointly for highway railroad or street railway purposes discontinuing tolls on any such bridge during such lease and authorizing counties to appropriate money levy taxes and incur indebtedness for such purposes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate had passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 598, entitled:

An Act authorizing cities of the third class to sell certain real estate and prescribing the procedure to be followed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 649, entitled:

An Act to repeal the act approved the sixth day of June one thousand eight hundred and seventy-three (one thousand eight hundred and seventy-four Pamphlet Laws four hundred ten) entitled "An Act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 653, entitled:

An Act to amend section one thousand four hundred and six as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,

Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culbertson,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 654, entitled:

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. NORTON. Mr. President, I ask that Senate Bill No. 657, on third reading, entitled:

An Act empowering School Districts to employ a Police Force

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 663, (House Bill No. 461), on third reading, entitled:

An Act to better secure all bonds stocks mortgages or other securities deposited with the State Treasurer by providing for their inspection examination and verification and the verification of the books containing a record of such bonds stocks mortgages or other securities by the Auditor General or his agents

be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 685, entitled:

An Act to amend sections one, two, three, five and seven, as amended of an act approved the first day of May, one thonsand nine hundred and nine, (P. L. 321), entitled "An act to provide for State registration of nurses, to establish a State Board of Examiners in connection therewith, and to provide penalties for the violation of certain provisions regarding such registration;" by providing for a change in membership of the Board, for a change in salary of the secretary, treasurer, educational director and of the members of the Board.

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

Mr. BARR. Mr. President, I ask unanimous consent to amend section 1, page 9, line 3, by inserting ( ) before "five" and after "forty-five"; also lines 3 and 4, by striking out the words "which reads" and insert in lieu thereof "is hereby amended to read"; also lines 5 to 20, by striking out entirely lines 5 to 20; also line 24, by inserting before "all" the word "(three)"; also by underscoring the word "all"; also page 10, line 1, by inserting after "graduation" the following: "(The Governor shall also name two physicians as members of said board. They shall be connected in an official capacity with public hospitals where nurses' training schools are maintained, and shall have practiced their profession in the State of Pennsylvania for at least five years immediately preceding the time of their appointment.)" also lines 1, 2 and 3 by underscoring the words "they shall be in good standing in a graduate nurses' association of Pennsylvania"; also line 4, by striking out the word "which"; also line 7, by striking out the word "reads" and inserting in lieu thereof "is hereby amended to read"; also lines 9 to 25, by striking out entirely lines 9 to 25; also line 26, by removing the quotation marks before the word "Section" and elminating them from the bill; also lines 27, 28 and 29, by underscoring all the words in said lines after the word "board" in line 27; also page 11, line 2, by striking out "fr" and inserting in lieu thereof "for"; also lines 5, 6 and 7, by underscoring all the words in said lines after the word "qualifications" in line 5, and to the word "to" in line 7; also line 12, by inserting after "appointment" the following: "The Governor may remove any member for neglect of duty, incompetence, or dishonorable or unprofessional conduct.

Upon the enactment of this amendment, at the time fixed by this act for the appointment of the members of the board by the Governor, the terms of the members of the board now in office shall terminate." also lines 12 and 13, by underscoring all the words in said lines after "appointment" in line 12; also line 14, by inserting after the word this the following: "amendment" also line 14, by underscoring the word "law"; also line 21, by striking out the word "reads" and insert in lieu thereof "is hereby amended to read"; also lines 23 to 29, by striking out all of said lines; also page 12, lines 1 to 19, by striking out all of said lines; also line 20 by removing the quotation marks before the word "Section"; also line 25, by striking out the words "At such organization" and insert in lieu thereof "Three members"; also section 3, page 12, line 28, by underscoring the word "and"; also by inserting after the word "secretary" where it first appears in the line the following: "and an educational director" also page 13, lines 1 and 2, by underscoring all of

said lines after "urer" in line 1; also line 14, by inserting before the word "Governor" the following "State Board of Charities" also line 14, by underscoring the word "Governor"; also line 15, by inserting before "him" the following: "the said board"; also by underscoring the word "him"; also by inserting after the word "of" the following: "its finding or investigations"; also lines 15 and 16, by underscoring the following: "the work of the board"; also line 18, by striking out the figures "5" and inserting in lieu thereof"4"; also by striking out the word "which"; also line 21, by striking out the word "reads" and insert in lieu thereof "is hereby amended to read"; also lines 23 to 28, by striking all of said lines; also page 14, lines 1 to 16, by striking out all of said lines; also line 17, by striking out the quotation marks before the word "Section"; also line 18, by inserting before the word "three" the following: "eighteen hundred"; also by inserting before the word "per" the following "(a)"; also by underscoring the following: "three thousand, ($3,000.00)"; also by underscoring the word "per" also line 21, by inserting after "members" the following: "excepting the educational director whose salary is otherwise provided for herein"; also by inserting before "fifteen" the following: "five dollars ($5.00)"; also line 24, by inserting before "Expenditures" the following "All"; also page 15, line 3, by inserting before the word "sum" the following: "said"; also line 7, by underscoring the words "or the licensed attendant"; also by removing the quotation marks after the word "attendant"; also section 6, page 5, line 8, by striking out the figure "6" and inserting in lieu thereof "5"; also by striking out the word "which"; also line 11, by striking out the word "reads" and insert in lieu thereof "is hereby amended to read"; also lines 12 to 29, by striking out all of said lines; also page 16, lines 1 to 29, by striking out all of said lines. Also line 29, by removing the quotation marks before the word "Section"; also by inserting before the word "No" the following: "on and after August first, one thousand nine hundred and fifteen" also page 17, line 7, by striking out the word "year" and insert in lieu thereof "years"; also by inserting after "course" the following: "of instruction, or has received instruction in different training schools or hospitals for periods of time amounting to at least a two years' course"; also line 26, by inserting after "appointed" the following: "from among its members"; also line 27, by inserting before "Registration" the following: "the"; also by inserting after "Nurses" the following: "of the State of Pennsylvania"; also line 28,, by inserting after the word "have" the following: "all the powers of"; also by underscoring "the same qualifications as"; also page 18, line 1, by inserting after the word "board" the following: "while acting officially as a member of said board, but"; also by underscoring the word "and"; also line 2, by striking out the word "on" and insert in lieu thereof "in"; also line 7, by inserting before the word "three" the following: "twenty-five hundred"; also line 7, by underscoring "three thousand ($3,000.00)"; also line 8 by inserting after the word "mileage" the following: "and"; also line 9, by inserting before "registrar" the following: "additional"; also section 7, page 18, line 11, by striking out the figure "7" and inserting in lieu thereof "6".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 686, entitled:

An Act relating to the registration and re-registration of nurses the State Board of Examiners for Registration of nurses and the issuance of a license to practice nursing

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. BARR. Mr. President, I ask unanimous consent to amend title, line 2, by inserting before "the" the word "by"; also Section 2, page 6, line 15, by striking out the word "or"; also page 8, line 4, by inserting before the word "attendant" the word "licensed"; also line 15 by inserting before the word "attendants" the word "licensed"; also page 9, line 4 by inserting after the word "or" the words "licensed attendant"; also line 9 by inserting before the word "superintendent" the word "a"; also line 12 by striking out the word "practice" and inserting before the word "nurse" the words "licensed attendant"; also Section 3, page 9, line 15 by striking out the word "violate" and insert in lieu thereof the word "violates."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 703, (House Bill No. 87), entitled:

An Act making a deficiency appropriation to carry into effect the provisions of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-five) entitle d"An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeaby to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher.	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps.	Weaver,
Craig,	Krause,	Quigley,	Woodward,

Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 704, (House Bill No. 121), entitled:

An Act making a deficiency appropriation to the State Hospital of Coaldale

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Barr,	Derrick,	Long,	Sisson,
Aron,	DeWitt,	MacDade,	Snyder,
Baldwin,	Harris,	Mansfield,	Sones.
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 707, (House Bill No. 476), as follows:

An Act creating regulating and defining the powers of a County Planning Commission and authorizing the creation of a county plan in counties of the second class requiring the county commissioners to furnish to the commission before passage resolutions relating to county improvements to roads lands buildings or means of communications authorizing the commission to report suggestions to the county commissioners concerning improvements and to appear in court with reference thereto authorizing the making of a county map and plan including territory extending three miles beyond the county limits showing proposed improvements in roads lands buildings and means of communication

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of the second class a department is hereby created to be known as the Department of County Planning which shall be in charge of the County Planning Commission consisting of nine persons who shall be residents of the county four of whom shall be residents of the city or cities therein and five of whom shall be residents of the boroughs and townships therein and who shall have knowledge and experience in respect to one or more of the following subjects finance commerce industry agriculture transportation architecture landscape architecture real estate building engineering social welfare civic administration and law and at least seven of whom shall not be paid county employees to be appointed by the county commissioners three of them shall be designated to serve until the first day of January one thousand nine hundred and twenty-five three of them until the first day of January one thousand nine hundred and twenty-seven and three of them until the first day of January one thousand nine hundred and twenty-nine their successors shall be appointed at the expiration of their respective terms to serve six years an appointment to fill a casual vacancy shall be only for the unexpired portion of the term three shall constitute a quorum they may make and alter rules and regulations for their own organization and procedure consistent with the resolutions of the county commissioners and the rules of the Commonwealth they shall serve without compensation and make annually to the county commissioners a report of their ransactions and recommendations they may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for in the discretion of the county commissioners by proper appropriation and resolution

Section 2 All resolutions of the county commissioners relating to the location of any public building in the county and to the location extension widening enlargement ornamentation or parking of any street boulevard parkway bridge tunnel subway or underground road park playground or other public grounds to the vacation of any highway or portion thereof or to the making or alteration of the county plan of highways or to any surface underground or elevated railway shall be furnished to the County Planning Commission twenty days before their passage and adoption by the county commissioners The said commission may make a report or suggestion in relation thereto if it deems the report necessary or advisable for the consideration of the said commissioners If the said report is made by the commission prior to the expiration of the said twenty days the county commissioners may immediately proceed with the adoption of the said resolution All such reports when delivered to the said commissioners shall be for the information of the public as well as for the commissioners and the commissioners shall furnish to any newspaper of the county on request for publication a copy of any such report

Section 3 The County Planning Commission may appear in any proceeding in the court of quarter sessions of said county with reference to the opening or vacation of any public road or highway bridge tunnel subway or underground road and file a report stating its views with reference thereto and may produce testimony before the said court in connection therewith

Section 4 The County Planning Commission may make or cause to be made and laid before the said county commissioners and in its discretion cause to be published a map or maps of the county and any portion or portions thereof including the territory extending three miles beyond the county limits showing the highways and other public improvements herein before specified and other natural or artificial features and also locations proposed by it for any new highways or other of such improvements or any widening extension or relocation of the same or any change in the county plan by it deemed advisable And it may make recommendations to the said commissioners from time to time concerning any such matters and things aforesaid for action of the county commissioners thereon and in so doing have regard for present conditions and future needs and growth of the county and the distribution and relative location of all the principal streets and railways waterways and all other means of public travel and business communication as well as the distribution and relative location of public buildings public grounds and open spaces devoted to public use and the planning and laying out for dwelling and business purposes of private grounds brought into the market from time to time

Section 5 The County Planning Commission may make recommendations to any public authorities or any corporations or individuals in such counties with reference to the location of any buildings structures or works to be erected or constructed by them

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culbertson,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 711, (House Bill No. 641), entitled:

An Act making a deficiency appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culbertson,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 716, (House Bill No. 721), entitled:

An Act to amend section one hundred and two, clause (j), Article I, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing for co-operation with and receipts of contributions from persons, firms, corporations or associations for forest protection.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 718, (House Bill No. 728), entitled:

An Act to amend article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section one thousand nine providing a penalty for interfering with notices posted by the Department

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 719, (House Bill No. 729), entitled:

An Act to amend sections one thousand one one thousand two one thousand three and one thousand four Article ten of the act approved the third day of June one thousand

nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden refusing to aid a fire warden hindering a forest protection officer in his duties or non-abatement of a nuisance caused by maintaining a special forest fire hazard

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 722, (House Bill No. 789), entitled:

An Act making a deficiency appropriation to the Pennsylvania Industrial Reformatory at Huntingdon Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeaby to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Joyce,	Patton,	Vare,
Craig,	Jones,	Phipps,	Weaver,
Clark,	Krause,	Quigley,	Woodward,
Culbertson,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 723, (House Bill No. 790), entitled:

An Act making a deficiency appropriation to the Pennsylvania Training School at Morganza Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. LONG. Mr. President, I ask that Senate Bill No. 764, on third reading, entitled:

An Act fixing the salary of court criers in counties of the sixth class

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 770, entitled:

An Act fixing the salary of sheriffs in counties of the eighth class; providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 776, entitled:

An Act making an appropriation for the restoration of buildings and property at the State Hospital for the Insane of the Southeastern District of Pennsylvania located at Norristown Pennsylvania damaged and destroyed by a cyclone

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,	Derrick,	Long,	Sisson,
Baldwin,	DeWitt,	MacDade,	Snyder,
Barr,	Harris,	Mansfield,	Sones,
Betts,	Heaton,	McClintock,	Steele,
Brown,	Homsher,	Miller,	Stineman,
Buckman,	Huffman,	Norton,	Stites,
Christley,	Jones,	Patton,	Vare,
Clark,	Joyce,	Phipps,	Weaver,
Craig,	Krause,	Quigley,	Woodward,
Culberston,	Kutz,	Salus,	Eyre,
Daix,	Lanius,	Schantz,	Pres. Pro Tem.
Davis.			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. WEAVER. Mr. President, I am repeating my request of last night, at the instance of Senator Patton, I ask that Senate Bill No. 355, (House Bill No. 206) on second reading, entitled:

An Act to further amend section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before issuing of the writ

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 395, (House Bill No. 283), entitled:

An Act to amend section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as amended providing a pension for employes who have not reached the age of sixty years but who have become permanently disabled after eighteen years of service

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" which was amended by section two of the act approved the fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighty-nine) entitled "An act to amend sections three four five six and eleven of an act approved the twentieth day of May one thousand nine hundred and fifteen entitled 'An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions'" is hereby further amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city or other public employment as aforesaid Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay into the board of pensions monthly an amount equal to two per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled

to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled while in the service after eighteen years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office Provided That in cases where the nature of such disability is such as to disable the employe from performing any work whatsoever either within or without the scope of his regular duties or within or without the service of such city or county the board may upon a recommendation of the three practicing physicians herein provided for retire upon pension such applicant after a service of eighteen years Provided further That the benefits of this amendment shall apply to members of the pension fund who have been contributors to the said fund for five years or more The pension paid to any one employe shall not exceed one hundred dollars per month

On the question,

Will the Senate agree to the section?

Mr. ARON. Mr. President, I move to amend Section 1, page 2, line 29 by striking out the word "twenty" and inserting in lieu thereof the word "fifteen".

Mr. CULBERTSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to further amend section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet laws five hundred and sixty-six) entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as amended providing a pension for employes who have not reached the age of sixty years but who have become permanently disabled after eighteen years of service

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 463, as follows:

An Act to further amend section three of an act approved the twenty-third day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred and seventy-three) entitled "An Act to make the carrying on of the business of detectives without license a misdemeanor and to regulate the licensing and powers of detectives" as amended by providing that detective agencies may employ detective operatives who may serve legal papers in certain cases and be entitled to the legal fees for said service giving a right of action on the bond of the employing licensed detective agencies for injury done by said detective operatives and providing a penalty for wilful offenses of said detective operatives

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the twenty-third day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred and seventy-three) entitled "An Act to make the carrying on of the business of detectives without license a misdemeanor and to regulate the licensing and powers of detectives" which was amended by an act approved the thirty-first day of May one thousand nine hundred and one (Pamphlet Laws three hundred and fifty-five) entitled "An Act amending section three of an act entitled 'An Act to make the carrying on of the business of detectives without license a misdemeanor and to regulate the licensing and powers of detectives' approved the twenty-third day of May Anno Domini one thousand eight hundred and eighty-seven repealing the proviso that the said act shall not apply to agents or employes of business detectives or detective agencies" is hereby further amended to read as follows

Section 3 Any person or persons licensed as aforesaid shall have the power to serve warrants in criminal cases within this Commonwealth Provided That this act shall not apply to county detective or detectives appointed by the Governor of this Commonwealth

Under the provisions of this act detective agencies may employ persons in the capacity of detective operatives and each person so employed shall be empowered to gather information in cases in which their employers are engaged Any person injured by the wrongful act of a detective operative while in the employ of a detective agency may bring action on the bond of said agency to recover damages suffered by reason thereof

Any operative employed by a detective agency who shall wilfully or negligently and with the intent to destroy evidence for which he has been employed to secure or under the color of performing such work shall make a false official report to any detective agency or who shall wilfully or negligently divulge or cause to be divulged information concerning matters in which he has been employed to investigate or divulge information concerning the operations of his associate employes to persons other than those to whom the information rightfully and legally belongs shall be guilty of a misdemeanor and shall upon conviction thereof in the court of quarter sessions of the county wherein the misdemeanor was committed be punished by a fine not exceeding five hundred dollars or imprisonment in the county jail for a period not exceeding one year or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. VARE. Mr. President, I move that Senate Bill No. 463, the bill just read, be recommitted to the Committee on Judiciary Special.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 476, as follows:

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class for the establishment of lines and grades for and the grading paving or repaving of said alleys and the grading of private alleys hereafter laid out and for apportioning the cost and for the filing of liens therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in cities of the first class when the Board of Health shall declare any private alley to be a nuisance by reason of improper grading or defective paving of said alley and shall so certify to the Department of Public Works the said Department of Public Works is hereby empowered to abate said nuisance upon the neglect or refusal of the registered owners of the property abutting on or having the use or actually using such alley to abate said nuisance within ten days after service of notice by the said Depart-

ment of Public Works upon the said registered owners so to do as hereinafter provided

Section 2 The said Department of Public Works shall grade pave or repave the said alleys in accordance with lines and grades established by the surveyor and regulator of the district in which said alleys are situate and the said surveyor anr regulator is hereby empowered to establish such lines and grades

Section 3 Any fence encroaching upon a public or private alley in hereby declared a nuisance and made unlawful and the said Department of Public Works is empowered to remove such fence from within the established lines of said alleys after ten days' notice as set forth in this act It shall be the duty of the registered owner of the premises on which such fence is erected or to which it appertains to remove such encroachment upon being notified his failure so to do shall constitute a violation of this act

Section 4 No alley having an outlet to any public street public highway public alley or to a private alley which has an outlet to any public street highway or alley shall hereafter be laid out or opened unless it shall be in accordance with lines and grades established by the surveyor and regulator for the district in which said alley will be situate

Section 5 The said Department of Public Works is hereby empowered to charge the cost and expense of the grading paving or repaving of said alleys or part or parts of said alleys upon the said owners in proportion to the width of their properties abutting thereon or having the use thereof by deed or otherwise or actually using the alley or in any other proportions as may under the facts and circumstances of the case be deemed just and proper by the said Department of Public Works and also to charge the cost of the removal of any encroaching fence to the owner of the said fence Upon the failure to pay any of the said charges the Department shall cause liens to be filed therefor in the name of the city in the manner and according to the practice prescribed by law with respect to municipal claims

Section 6 Notices requiring compliance with this act shall be served upon the registered owner or his agent or by posting a copy upon the premises which notice shall not be removed or defaced while the condition exists All notices shall be complied with within ten days and upon failure to comply said Department may contract to have the necessary work done and the cost thereof shall be made a lien against the property and collectible as now provided by law Provided however That if there shall be no funds at the disposal of the said Department for the aforesaid purpose then the said Department may contract to have such work done and the lien therefor shall be marked to the use of the contractor doing the work and shall be collectible by the said contractor as is now provided by law in similar cases Said contractor shall have the right to use all the legal processes that cities of the first class now have for the collections of liens but in no case shall they have recourse to the city

Section 7 Any person who shall violate any of the provisions of this act or who shall interfere with any of the employees of the Department of Public Works while enforcing the provisions of this act shall for every such offence upon conviction thereof in a summary proceeding before any magistrate of the said city and county in which the offence was committed be subject to a fine of not less than $5.00 or more than $50.00 or by imprisonment for thirty days either or both at the discretion of the court All fines to be paid into the treasury of the city

Section 8 The act entitled "An Act providing for the abatement of nuisances in private alleys in cities of the first class and for the establishment of grades in and the grading paving and repaving of such private alleys where necessary to abate such nuisances and providing for the filing of liens for the cost thereof" approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred forty-four) is hereby repealed All other acts inconsistent herewith are hereby repealed provided that this act shall not affect any pending proceedings but the same may be completed in the same manner as if this act had not been adopted

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 494, as follows:

An Act to exempt from county city borough township bounty road school and poor taxes real and personal property owned by one or more corporations of purely public charity and used by such owner or owners and other similar associations or corporations exclusively for the purposes of such occupants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all real and personal property owned by one or more corporations of purely public charity and used by such owner or owners and other similar associations or corporations exclusively for the purposes of such occupants be and the same hereby are exempt from all and every county city borough township bounty road school and poor tax

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 495, as follows:

An Act establishing a State employes' retirement system and creating a retirement board for the administration thereof esablishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes and judges serve exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties

Definitions

Section 1 Be it enacted by the Senate and House of Representatives of the Comomnwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

(1) "Retirement System" shall mean the arrangement for the payment of retirement allowances under the provisions of this act

(2) "Retirement Association" shall mean the State employes' retirement association provided for in section three of this act

(3) "Retirement Board" shall mean the State employes' retirement board provided for in section four of this act

(4) "Secretary of State" shall mean the Secretary of State of the Commonwealth of Pennsylvania

(5) "Treasurer" shall mean the Treasurer of the Commonwealth of Pennsylvania

(6) "State employe" shall mean any person holding a State office under the Commonwealth of Pennsylvania or employed by the State government of the Commonwealth of Pennsylvania in any capacity whatsoever But the term "State employe" shall not include judges and it also shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July nineteen hundred seventeen (Pamphlet Laws one thousand forty-three) entitled An Act Establishing a Public School Employes' Retirement System as amended by section one paragraph seven of the act approved the twenty-first day of April nineteen hundred twenty-one (Pamphlet Laws two hundred fifty-five) In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

7 "Head of the department" as applied to State employes shall mean the head of the department or branch of service not a department of the Commonwealth of Pennsylvania of which the State employe is a member

8 "Member" of the retirement association shall mean a State employe who shall be a member of the retirement association established by this Act

9 "Original member" of the retirement association shall mean a State employe who shall have become a member of the retirement association on or before the thirty-first day of December nineteen hundred twenty-four But the retirement board may in its discretion extend the time during which a State employe or judge may become an original member to a period not exceeding two years from the date of the establishment of the retirement system

10 "New member" of the retirement association shall mean a State employe who shall have become a member of the retirement association at a date subsequent to the thirty-first day of December nineteen hundred twenty-four

11 "Contributor" shall mean any person who has an account in the annuity savings fund

12 "Beneficiary" shall mean any person in receipt of a retirement allowance or other benefit as provided in this act

13 "Prior service" shall mean all service completed not later than the thirty-first day of December nineteen hundred twenty-three

14 "Disability Retirement" shall mean retirement as defined in section twelve of this act

15 "Superannuation Retirement" shall mean retirement as defined in section thirteen of this act

16 "Superannuation Retirement Age" shall mean as applied to State employes sixty-two years of age

17 "Final Salary" shall mean the average annual salary earnable by a contributor as a State employe for the ten years of service immediately preceding retirement

18 "Accumulated Deductions" shall mean the total of the amounts deducted from the salary of a contributor and credited to his or her individual account in the annuity savings fund together with the regular interest thereon

19 "Regular Interest" shall mean interest at four per cent per annum compounded annually

20 "State Annuity" shall mean payments for life derived from contributions made by the Commonwealth of Pennsylvania as provided in this act

21 "Member's Annuity" shall mean payments for life derived from contributions made by the contributor as provided in this act

22 "Retirement Allowance" shall mean the State annuity plus the member's annuity

23 "State Annuity Reserve" shall mean the present value computed on the basis of such mortality tables as shall be adopted by the retirement board with regular interest of the future payments to be made on account of any State annuity granted and based on contributions made by the Commonwealth of Pennsylvania

24 "Member's Annuity Reserve" shall mean the present value computed on the basis of such mortality tables as shall be adopted by the retirement board with regular interest of the future payments to be made on account of any member's annuity granted and based on the accumulated deductions of the contributor

25 "Expense Fund" shall mean the fund provided for in paragraph number two in section eight of this act

26 "Contingent Reserve Fund" shall mean the fund provided for in paragraph number three in section eight of this act

27 "State Annuity Reserve Fund" shall mean the fund provided for in paragraph number four in section eight of this act

28 "State Annuity Reserve Fund Number Two" shall mean the fund provided for in paragraph number five in section eight of this act

29 "Member's Annuity Savings Fund" shall mean the fund provided for in paragraph number six in section eight of this act

30 "Member's Annuity Reserve Fund" shall mean the fund provided for in paragraph number seven in section eight of this act

Retirement System

Section 2 The retirement system shall be established on the first day of January nineteen hundred twenty-four

State Employes' and Judges' Retirement Association

Section 3 A State employes' retirement association is hereby organized the membership of which shall consist of all State employes as defined in paragraph six of section one of this act who by written application to the retirement board shall at any time elect to be covered by the retirement system

The Retirement Board

Section 4 (1) Within sixty days following the enactment of this law a retirement board shall be constituted which shall consist of the following

(a) The Secretary of State

(b) The Treasurer of the Commonwealth

(c) One member who shall be appointed by the Governor of the Commonwealth of Pennsylvania who shall serve until his successor is appointed

(d) Two members of the retirement association elected from among their number in a manner to be approved by those persons named in paragraphs (a) (b) and (c) of this section—one to serve for one year one for two years and whose successors shall be elected for a term of three years from among the members of the retirement association in a manner to be approved by the retirement board

A vacancy occuring during a term shall be filled for the unexpired term by the appointment of a successor in the same manner as his or her predecessor Until the establishment of the retirement association and the election of two representatives therefrom the persons named in paragraphs (a) (b) and (c) of this section are empowered to perform the duties of the retirement board

(2) The members of the retirement board shall serve without compensation but shall be reimbursed from the expense fund for any necessary expenditures and no contributor shall loss of salary or wages through serving on the retirement board

(3) The retirement board shall elect from its membership a chairman and shall appoint a secretary an actuary and such medical clerical and other employes as may be necessary

(4) The compensation of all persons employed by the retirement board shall be fixed by said retirement board

(5) Subject to the limitations of this act and of law the retirement board shall from time to time establish rules and regulations for the administration of the funds created by this act and for the transaction of its business

(6) The retirement board shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds created by this act

(7) In the years nineteen hundred twenty-seven and nineteen hundred thirty and in every fifth year thereafter the actuary of the retirement board shall make an actuarial investigation into the mortality and service experience of the contributors and beneficiaries as defined in this act and shall make a valuation of the various funds created by this act and on the basis of such investigations and valuation the retirement board shall—

(a) Adopt for the retirement system one or more mortality tables and such other tables as shall be deemed necessary

(b) Certify the rates of deduction from salary necessary to pay the annuities authorized under the provisions of this act and

(c) Certify the rates of contribution expressed as a percentage of salary of new members at various ages which shall be made by the Commonwealth to the contingent reserve fund

(8) Immediately after the passage of this act the actuary of the retirement board shall make such investigation of the mortality service and salary experience of the State employes as he shall recommend and the retirement board shall authorize for the purpose of determining upon the proper tables to be prepared and submitted to the retirement board for adoption On the basis of such investigation and recommendation the retirement board shall adopt such tables and certify such rates as are required in subsections (a) (b) and (c) of paragraph seven immediately preceding On the basis of such tables the actuary of the retirement board shall immediately after the first day of January nineteen hundred twenty-four make a valuation of the various funds created by this act

(9) The retirement board shall publish annually a report showing the condition of the various funds created by this act and setting forth such other facts recommendations and data as may be of use in the advancement of knowledge concerning employes' pensions and annuities and said retirement board shall submit said report to the Governor of the Commonwealth of Pennsylvania and shall file copies

in the offices of the Secretary of State of the State Insurance Department and of the head of each department for use of the State employes and the public

(10 Each member of the retirement board shall take an oath of office that he or she will so far as it devolves upon him diligently and honestly administer the affairs of said retirement board and that he or she will not knowingly violate or wilfully permit to be vioalted any of the provisions of law applicable to this act Such oath shall be subscribed by the member making it and certified by the officer before whom it is taken and shall be immediately filed in the office of the Secretary of State

(11) The retirement board shall keep a record of all its proceedings which shall be open to inspection by the public

(12) The retirement board shall perform such other functions as are required for the execution of the provisions of this act

Corporate Powers

Section 5 For the purpose of this act the retirement board shall possess the powers and privileges of a corporation The Attorney General of the Commonwealth of Pennsylvania shall be the legal adviser of said retirement board

Management of Funds

Section 6 (1) The members of the retirement board shall be the trustees of the several funds created by this act and shall have exclusive control and management of the said funds and full power to invest the same subject however to all the terms conditions limitations and retrictions imposed by this act upon the making of investments and subject also to the terms conditions limitations and restrictions imposed by law upon savings-banks in the making and disposing of their investments and subject to like terms conditions limitations and restrictions said trustees shall have full power to hold purchase sell assign transfer or dispose of any of the securities and investments in which any of the funds created by this act shall have been invested as well as of the proceeds of said investments and of any moneys belonging to said funds

(2) The retirement board shall annually allow regular interest on the mean amount for the preceding year in each of the funds created in accordance with the provisions of this act with the exception of the expense fund The amount so allowed shall be due and payable to such fund and shall be annually credited thereto by the retirement board

(3) The Treasurer of the Commonwealth shall be the custodian of the several funds created by this act

(4) All payments from the funds created by this act shall be made by the Treasurer of the Commonwealth only upon warrant signed by the chairman of the retirement board and countersigned by the secretary of the retirement board and no warrant shall be drawn except by order of the retirement board duly entered in the record of its proceedings

(5) For the purpose ofmeeting disbursements for annuities and other payments in excess of the reecipts there may be kept an available fund not exceeding ten per centum of the total amount in the several funds created by this act on deposit in any bank or banks in this Commonwealth organized under the laws thereof or under the laws of the United States or with any trust company or companies incorporated by any law of this Commonwealth provided said bank or trust company or companies shall furnish adequate security for said funds and provided that the sum so deposited in any one bank or trust company shall not exceed twenty-five per centum of the paid-up capital and surplus of said bank or trust company

(6) Except as herein provided no trustee or any person connected with the retirement board shall have any interest direct or indirect in the gains or profits of any investments made by the retirement board nor as such directly or indirectly receive any pay or emoluments for his or her services and no trustee or person connected with said retirement board directly or indirectly for himself or herself or as an agent or partner of others shall borrow any of its funds or deposits or in any manner use the same except to make such current and necessary payments as are authorized by the retirement board nor shall any trustee or person connected with said retirement board become an endorser or surety or become in any manner an obligor for moneys loaned by or borrowed of said retirement board

(7) By the name of "The State Employes' Retirement System" all of the business of the system shall be transacted all of its funds invested all warrants for money drawn and payments made and all of its cash and securities and other property shall be held

Duties of Heads of Departments

Section 7 (1) Within four months after this bill becomes a law the head of each department shall submit to the retirement board a statement showing the name sex title compensation duties date of birth and length of service as a State employe of every State employe under his department

(2) The head of each department shall upon the employment or entering into office of any State employe inform such person of the retirement system hereby established and of his opporttunity to become a member of the retirement association

(3) The head of each department shall on the first day of each calendar month notify the retirement board of the employment or the entering into office of new State employes and shall submit to the board a statement showing the name sex title compensation duties and date of birth of each of such new State employes and shall also notify the board at the same time of all removals withdrawals and changes in salary of any members of the retirement association which shall have occurred during the preceding month But this system of monthly notification need not be begun until after the submission by the head of the department of the statement provided for in paragraph one of this section

(4) Under the direction of the retirement board the head of each department shall funrish such other information and shall keep such records as the board may require in the discharge of its duties

(5) The head of each department shall cause to be deducted on each and every pay-roll of a contributor for each and every pay-roll period subsequent to December thirty-first nineteen hundred twenty-three such percentum of the total amount of salary earnable by the contributor in such pay-roll period as shall be certified to the head of each department by the retirement board as proper in accordance with the provisions of this act In determining the amount earnable by a contributor the retirement board may consider the rate of salary payable to such contributor on the first day of each regular pay-roll period and it may omit salary deductions for any period less than a full pay-roll period in cases where the member was not a contributor on the first day of the regular pay-roll period and to facilitate the making of the regular pay-roll period the deduction required of any contributor by such amount as shall not exceed one-tenth of one per centum of the salary upon the basis of which the deduction is to be made The deduction provided herein shall be made notwithstanding that minimum salaries or other compensation provided for by the laws rules or regulations of the Commonwealth shall be thereby reduced The head of each department shall certify to the Treasurer of the Commonwealth on account of each and every pay-roll of a contributor a statement as voucher for the amounts so deducted and shall send a duplicate of such statement to the Secretary of the retirement board

(6) The Treasurer of the Commonwealth on receipt from the heads of the departments of the vouchers for deductions from the salaries of members provided for in paragraph five of this section shall pay each of the amounts so deducted into the members' annunity savings fund and he shall transmit to the secretary of the retirement board monthly or at such less frequent intervals as the retirement board shall designate a detailed statement of all amounts so paid in and credited by him to the members' annuity savings fund The secretary of the retirement board shall cause each of such amounts so deducted to be credited in the members' annuity savings fund together with regular interest to an individual account of the member from whose compensation the deduction was made

Funds

Section 8 (1) The funds created hereby are—the expense fund the contingent reserve fund State annuity reserve fund State annuity reserve fund number two the members' annuity savings fund and the members' annuity reserve fund

(2) The expense fund shall consist of such amounts as shall be paid by the Commonwealth on the basis of estimates submitted by the retirement board to defray the expenses of the administration of this act exclusive of the payment of retirement allowance and of the other benefits provided for in this act

(3) In the month of January nineteen hundred and twenty-six for a period covering the twelve months next preceding and semi-annually thereafter covering the six months next preceding the Commonwealth of Pennsylvania shall pay into a fund to be known as the contingent reserve fund on account of each new member of the retirement association who was a contributor for one or more months of such respective periods such amount as shall be certified by the retirement board as necessary to provide by such method of payment during the prospective service as State employe of such new member the State annuity reserve required at the time of retirement for the disability or superannuation State annuity allowable by the said Commonwealth under the provisions of this act or required at the time of discontinuance of service under paragraph four of section eleven of this act and the sums due from the State to meet payments as provided for in paragraph five of section eleven of this act to widows and minor children of deceased contributors who were new members The amount so certified by the retirement board shall be computed to bear a ratio to the salary earnable by such new member during the period for which the amount is certified which shall remain constant during his or her entire period of prospective active service and shall be based on such mortality and other tables as shall be adopted by the retirement board and on regular interest

(4) Upon the retirement of a new member an amount equal to his or her State annuity reserve shall be transferred from the contingent reserve fund into a fund to be known as State annuity reserve fund His or her State annuity shall be paid from said State annuity reserve fund Should said new member be subsequently restored to active service his or her State annuity reserve shall thereupon be transferred from State annuity reserve fund to the contingent reserve fund Should the State annuity of any such new member be otherwise reduced or discontinued in accordance with the provisions of this act his or her State annuity reserve or such proportionate part of his or her State annuity reserve as corresponds to the amount of the reduction of his or her State annuity shall be transferred from State annuity reserve fund to the contingent reserve fund

(5) The actuary after making the first valuation required shall determine the present value of the liability on account of all State annuities payable to original members and on account of the sums which shall be due from the State to meet payments as provided for in paragraph five of section eleven of this act to widows and minor children of deceased contributors who were original members and the percentage of the total compensation paid to all members during the preceding year which is equivalent to one twenty-fifth of the said liability The Treasurer shall pay into a fund to be known as State annuity reserve fund number two annually beginning with the month of June nineteen hundred twenty-five and until the accumulated reserve equals the present value of said liability the amount as certified to him by the retirement board which shall be equal to the percentum determined in accordance with this section of the total compensation paid to all members for service during the preceding year Each annual payment shall be at least three percentum greater than the preceding annaul payment Provided That in every case the amount shall be sufficient when combined with that in the fund to provide the pensions payable by the Commonwealth during the year then current to original members then retired or to be retired as provided in this act Upon the retirement of an original member his or her State annuity shall be paid from State annuity reserve fund number two

(6) The members' annuity savings fund shall consist of the accumulated deductions from the salaries of contributors made under such rules and regulations as the retirement board shall prescribe as follows

From the salary of each member who is a contributor there shall be deducted such per centum of his or her earnable salary as shall be computed to be sufficient with regular interest to procure for him or her on superannuation retirement a member's annuity equal to one one-hundred-sixtieth (1-160) of his or her final salary for each year of service after the thirty-first day of December nineteen hundred twenty-three except that if the deduction so computed shall exceed five per centum of his or her earnable salary and the member shall so elect there shall be deducted five per centum of his or her earnable salary And further provided That a beneficiary restored to service shall not be required to contribute at a per centum rate of his or her earnable salary which is greater than the per centum thereof which he or she was required to contribute prior to his or her retirement The rate per centum of said deduction from salary shall be based on such mortality and other tables as the retirement board shall adopt together with regular interest and shall be computed to remain constant during the prospective service of the contributor

(7) Upon the retirement of a contributor his or her accumulated deductions shall be transferred from the members' annuity savings fund to a fund to be known as the members' annuity reserve fund His or her member's annuity shall be paid out of said members' annuity reserve fund Should said contributor be subsequently restored to active service his or her member's annuity reserve shall thereupon be transferred from the mmbrs' rserve fund to the members' annuity savings fund

(8) No contributor shal be required to continue to contribute to the members' annuity savings fund after he or she shal have become eligible for superannuation retirement if he or she shall have already completed ten years of service all contributions made thereafter to said fund shall be voluntary

State Guaranty

Section 9 Regular interest charges payable the creation and maintenance of reserves in the contingent reserve fund and the maintenance of members' annuity reserves and State annuity reserves as provided for in this act and the payment of all retirement allowances and other benefits granted by the retirement board under the provisions of this act are hereby made obligations of the Commonwealth of Pennsylvania All income interest and dividends derived from deposits and investments authorized by this act shall be used for the payment of the said obligations of the Commonwealth The retirement board shal prepare and submit to the Legislature on or before the thirty-first day of January in each odd numbered year an itemized estimate of the amounts necessary to be appropriated by the Commonwealth to the various funds to complete the payment of the said obligations of said Commonwealth accruing during the biennium beginning June first of the same year and it shall be the duty of said Legislature to make an appropriation sufficient to provide for such obligations of the Commonwealth and the amounts so appropriated shall be included in the general appropriation bill and shall be paid by the Treasurer of the Commonwealth into the various funds created by this act For the biennium beginning June first nineteen hundred twenty-three there is hereby appropriated to the expense fund created by section eight paragraph two of this act such sum not to exceed fifty thousand dollars as shall be certified to the Treasurer of the Commonwealth by the retirement board as necessary to meet the expense of establishing the retirement system constituted by the provisions of this act

Service Allowance

Section 10 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given to each original member by the retirement board for each year of prior service as a State employe as defined in section one paragraphs fourteen and six of this act As soon as practicable after each original member shall have joined the retirement association the retirement board shall issue to him or her a certificate certifying to the aggregate length of his or her prior service Such certificate shall be final and conclusive as to his or her prior service unless thereafter modified by the retirement board within two years from its issue either upon application by the member or upon its own initiative The time during which a State employe is absent without pay shall not be counted in computing the prior service or the average salary of a contributor unless allowed by the head of the department in which said contributor served at the time said leave of absence was granted and further unless said allowance shall be approved by the retirement board

Withdrawal

Section 11 (1) Should a contributor by resignation or dismissal or for any other reason than death or retirement

upon disability under section twelve or for superannuation under section thirteen cease to be a State employe or should such contributor legally withdraw from the retirement system he or she shall be paid on demand (a) the full amount of the accumulated deductions standing to the credit of his or her individual account in the annuity savings fund or in lieu thereof should he or she so elect (b) an annuity or a deferred annuity which shall be the actuarial equivalent f said accumulated deduction His or her membership in the retirement association shall thereupon cease

(2) A contributor shall be considered as legally withdrawing from the retirement association within the meaning of this act when he shall notify the retirement board by written communication of his intention to withdraw

(3) Should a State employe so separated from his service as State employe return within three years and restore to the annuity savings fund his or her accumulated deductions as they were at the time of his or her separation the annuity rights forfeited by him or her at that time shall be restored and his obligations as a member of the retirement association shall begin again

(4) Should a member be discontinued from service through no fault of his own after having competed ten years of total service he shall be paid as he may elect as follows

(a) The full amount of the accumulated deductions standing to the credit of his or her individual account in the annuity savings fund or

(b) An annuity of equivalent actuarial value to his accumulated contributions and in addition a State annuity beginning immediately having a value equal to the present value of a State annuity beginning at the retirement age of one-eightieth (1-80) of his final salary multiplied by the number of years of prior service plus one-one hundred sixtieth (1-160) of his final salary multiplied by the number of his years of service as a member

(5) Should a contributor die before retirement his or her accumulated deductions shall be paid to his or her estate or to such person as he or she shall have nominated by written designation duly executed and filed with the retirement board If a contributor so dying before retirement shall have completed at least five years of service as State employe the retirement board shall in addition pay to his widow a sum equal to one-half (½) of the salary earnable by the contributor during his final year of service and in addition the retirement board shall pay to the widow an additional sum equal to one-fifth (1-5) of the salary so earnable by the contributor for each of his children under the age of eighteen years If the contributor shall leave no widow an equivalent sum shall be paid to the children under the age of eighteen years But the whole sum so paid to the widow or to the children shall not be greater than the whole salary earnable by the contributor during his final year of service

Disability Retirement

Section 12 Retirement upon disability shall be made and discontinued as follows:

(1) Upon the application of a contributor or of one acting in his or her behalf or upon the application of the head of his department the retirement board shall retire said contributor on a disability allowance if he or she is under the superannuation retirement age and on a superannuation allowance if he or she has attained or passed such age provided the physician or physicians designated by the retirement board after a medical examination of said contributor made at the place of residence of such contributor or at a place mutually agreed upon shall certify to the retirement board that said contributor is physically or mentally incapacitated for the performance of duty and that said contributor ought to be retired and Provided further That said contributor has had five or more years of service as a State employe

(2) Once each year the retirement board may require any disability annuitant while still under the superannuation retirement age to undergo medical examination by a physician or physicians designated by the retirement board said examination to be made at the place of residence of said beneficiary or other place mutually agreed upon Should such physician or physicians thereupon report and certify to the retirement board that such disability beneficiary is no longer physically or mentally incapacitated for the performance of duty or that such disability beneficiary is able to engage in a gainful occupation and should the retirement board concur in such report then the amount of the State annuity shall be discontinued or reduced to an amount that shall not be in excess of the amount by which the amount of last year's salary of the beneficiary as a State employe exceeds his present earning capacity

(3) Should any disability annuitant while under the superannuation retirement age refuse to submit to at least one medical examination in any year by a physician or physicians designated by the retirement board his or her State annuity shall be discontinued until the withdrawal of such refusal and should such refusal continue for one year all his or her rights in and to the State annuity constituted by this act shall be forfeited

(4) Upon the application of any beneficiary under the superannuation retirement age drawing a disability retirement allowance under the provisions of this act said beneficiary may be restored to active service by the head of the department in which he or she served at the time of his or her retirement Upon the restoration of a beneficiary to active service his or her retirement allowance shall cease and he or she shall resume membership in the retirement association

Allowance on Disability Retirement

(5) On retirement for disability a contributor shall receive a retirement allowance which shall consist of

(a) A member's annuity which shall be the actuarial equivalent of his or her accumulated deductions and

(b) A State annuity which together with the member's annuity shall be sufficient to produce a retirement allowance of one-ninetieth (1-90) of his or her final salary multiplied by the number of his or her years of service but in any case where not less than thirty per centum of said final salary shall exceed eight-tenths of the rate of retirement allowance to which the member might have been entitled had retirement been deferred until the superannuation retirement age then the State annuity granted shall be such as to make the rate of the total retirement allowance equal to eight-ninths of the rate of allowance to which the member might have been entitled had retirement been deferred until the superannuation retirement age

(c) In addition thereto if an original member of the retirement association a further State annuity of one-hundred-sixtieth (1-160) of his or her final salary for each year of prior service as certified to said original member in the certificate issued to him or her by the retirement board under the provisions of section ten of this act but in no event shall the total State annuity exceed fifty per centum of his or her final salary

Superannuation Retirement

Section 13 1 Retirement for superannuation shall be as follows

(1) Any contributor who has reached the superannuation retirement age may retire for superannuation by filing with the retirement board a written statement duly attested setting forth at what time subsequent to the execution of said application he or she desires to be retired Said application shall retire said contributor at the time so specified or in the discretion of the retirement board at the end of the year in which the time so specified occurs

(2) Each and every contributor who is a State employe who has attained or shall attain the age of seventy years shall be retired by the retirement board for superannuation forthwith or at the end of the year during which said age of seventy years is attained

Allowance on Superannuation Retirement

(3) On retirement for superannuation a contributor shall receive a retirement allowance which shall consist of

(a) An annuity which shall be the actuarial equivalent to his or her accumulated deductions and

(b) A State annuity of one one-hundred-sixtieth (1/160) of his or her salary for each year of total service and

(c) In addition thereto if an original member of the retirement association a further State annuity of one-hundred-sixtieth (1/160) of his or her final salary for each year of prior service as certified to said original member in the certificate issued to him or her by the retirement board under the provisions of section ten of this act but in no event shall the total State annuity exceed fifty per centum of his or her final salary

Options

Section 14 At the time of his or her retirement any contributor may elect to receive his or her benefits in a re-

tirement allowance payable throughout life or he or she may on retirement elect to receive the actuarial equivilent at that time of his or her member's annuity State annuity or retirement allowance in a lesser member's annuity or a lesser State annuity or a lesser retirement allowance payable throughout life with the provisions that

Option 1 If he or she die before receiving in payments the present value of his or her member's annuity State annuity or retirement allowance as it was at the time of his or her retirement the balance shall be paid to his or her legal representatives or to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 2 Upon his or her death his or her member's annuity State annuity or retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 3 Upon his or her death one half of his or her member's annuity State annuity or retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 4 Some other benefit or benefits shall be paid to either the contributor or such other person or persons as he or she shall nominate provided such other benefit or benefits shall together with such lesser member's annuity or lesser State annuity or lesser retirement allowance be certified by the actuary of the retirement board to be of equivalent actuarial value and shall be approved by the retirement board

Monthly Payments

Section 15 A member's annuity a State annuity or a retirement allowance granted under the provisions of this act shall be paid in equal monthly instalments and shall not be increased decreased revoked or repealed except as otherwise provided in this act

State Supervision

Section 16 The various funds created by this act shall be subject to the supervision of the State Department of Insurance

Exemption from Execution

Section 17 The right of a person to a member's annuity a State annuity or retirement allowance to the return of contributions any benefits or right accrued or accruing to any person under the provisions of this act and the moneys in the various funds created under this act are hereby exempt from any State or municipal tax and exempt from levy and sale garnishment attachment or any other process whatsoever and shall be unassignable except as in this act specifically otherwise provided

Protection Against Fraud

Section 18 Any person who shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of this retirement system in any attempt to defraud such system as a result of such act shall be guilty of a misdemeanor and shall be punishable therefor under the laws of the Commonwealth of Pennsylvania Should any such change in records or any mistake in records result in any member or beneficiary receiving from the retirement system more or less than he or she would have been entitled to receive had the records been correct then on the discovery of any such error the retirement board shall correct such error and so far as practicable shall adjust the payments which may be made for and to such person in such a manner that the actuarial equivalent of the benefit to which he or she was correctly entitled shall be paid

Section 20 Any State employe who at the date of the enactment of this law shall be receiving benefits under the provisions of the act approved the fourteenth day of June nineteen hundred fifteen (Pamphlet Laws nine hundred seventy-three) as amended by the act approved the seventh day of June nineteen hundred seventeen (Pamphlet Laws five hundred fifty-nine) and the act approved the twenty-first day of April nineteen hundred twenty-one (Pamphlet Laws one thousand ninety-seven) shall not and his rights to those benefits shall not be in any way affected by the provisions of this act But any State employe who at the date of the enactment of this law shall not be receiving such benefits shall hereafter be ineligible to receive them

Section 21 The several provisions of this act are hereby declared to be severable and if any provisions of this act shall be held by any court to be unconstitutional it is the legislative intent that such judgment shall not affect any other section or provision thereof

Section 22 This act shall take effect immediately

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 557, as follows:

An Act authorizing Council in cities of the first class by Ordinance to require the installation of standpipes and sprinkler systems in certain buildings in such cities to prescribe the kind and character thereof and regulations therefor and to provide for the enforcement of such Ordinance

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for better fire protection in cities of the first class of this Commonwealth the City Council is authorized and empowered to provide by Ordinance for the installation of stand pipes in all buildings hereafter erected or altered of eighty-five feet or six stories or more in height

Section 2 The Council in said cities is authorized and empowered to require the installation of sprinkler systems in the basements of buildings hereafter erected or altered to be used for stores factories or warehouses in which the City Council may determine such Sprinkler systems to be necessary

Section 3 The City Council may prescribe the kind and character of such stand pipes and sprinkler systems and the details of their installation and may provide for carrying into effect and enforcing the provisions of such Ordinance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 565, as follows:

An Act creating a Department of Game and Fish charging the department with the enforcement administration and execution of laws heretofore enforced administered and executed by or through the Department of Fisheries and the Board of Game Commissioners defining the powers and duties of the department and prescribing penalties abolishing certain departments boards commissions and offices providing for the disposition of certain moneys now held by or hereafter paid to the State Treasurer under any statute the enforcement of which is by this act imposed on the department and making appropriations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a Department of Game and Fish is hereby created to consist of an advisory board and a Game and Fish Commissioner

Section 2 The Game and Fish Commissioner shall be appointed by the Governor by and with the advice and consent of the Senate for a term of four years Before entering upon the duties of his office he shall give a bond to the Commonwealth in the sum of twenty-five thousand dollars ($25,000) to be approved by the Governor conditioned for

the faithful performance of the duties of his office and shall take and subscribe the oath of office prescribed by the Constitution

Section 3 The Game and Fish Commissioner shall receive an annual salary of seven thousand five hundred ($7,500) dollars and shall be allowed all expenses necessarily incurred in the discharge of his duties

Section 4 The advisory board shall consist of five members to be appointed by the Governor with the advice and consent of the Senate Before January one thousand nine hundred twenty-four the Governor shall appoint two members of said advisory board to serve for two years and three members to serve for a period of four years Theerafter all members shall be appointed to serve for periods of four years The members of such board shall serve without compensation but shall be allowed the expenses necessarily incurred in the performance of their duties

Section 5 The Game and Fish Commissioner shall with the consent of the Governor appoint a director of fisheries and a director of game at annual salary of five thousand dollars ($5,000) each He shall also appoint a secretary at an annual salary of three thousand dollars ($3,000)

Section 6 The Game and Fish Commissioner shall appoint such number of game protectors who shall also be fish wardens as may be deemed necessary not exceeding however one hundred All foresters and forest rangers shall continue to have and possess the powers of game protectors and fish wardens as is now provided by law and all game protectors and fish wardens shall enforce the laws relating to forests as is now provided by law In addition the Game and Fish Commissioner may also appoint such number of special deputy game protectors and deputy fish wardens as he may deem necessary who shall not receive any salary but shall be entitled to such fees as are now provided by law for such officers The various commissions or appointments issued to such officers by the several departments and commissioners whether or not abolished by this act shall remain in full force and effect until recalled by the Game and Fish Commissioner Persons so appointed shall perform the duties and exercise the powers now attached to such offices and places by law The persons appointed by the Game and Fish Commissioner or continuing as game protectors and also fish wardens shall receive such compensation as the commissioner shall prescribe The Game and Fish Commissioner may appoint and remove such other officers employes stenographers and assistants as the work of the department may require who shall receive such salary as the Commissioner shall fix

Section 7 The advisory board shall meet at the State Capitol at least once every three months on the call of the Game and Fish Commissioner Special meetings may be held elsewhere when in the opinion of the board the interests of the Commonwealth may thereby be better subserved It shall be the duty of the advisory board to advise the commissioner on such matters as he may bring before it It shall have general supervision and control of the policies of the department and the commissioner shall carry out such policies as it may agree and determine upon

Section 8 The Department of Game and Fish shall

(a) Protect and preserve and aid in propagating the game animal game fowl song birds and insectivorous birds in Pennsylvania and collect classify preserve and make available to the public information conducive to such protection preservation and propagation

(b) Acquire establish and maintain game preserves within the State forest reserves and elsewhere

(c) Encourage and promote the development of the fishery interests of the State

(d) Protect and preserve and aid in propagating fish in Pennsylvania and collect classify preserve and make available to the public information conducive to such preservation and propagation

(e) Devise and provide for the practical application of methods for purifying the waters of the Commonwealth for the protection of fish life

(f) Adopt and enforce regulations for the proper performance of any duty imposed on the department by law Any rule or regulation heretofore adopted by any department commission or board abolished by this act shall continue in force until changed or abolished

Section 9 The department is charged with the administration enforcement and execution of and the performance of duties imposed by the statutes of this Commonwealth relating to

(a) Prohibiting the capture or killing of beaver in Pennsylvania

(b) Requiring resident and non-resident hunters and fishermen to procure a license before hunting or fishing

(c) Giving protection to the game of the state and wild birds within the limits of game preserves

(d) Prohibiting the use of automatic guns for the killing of game or wild birds

(e) Providing for the protection and preservation of game animals and game birds and song and insectivorous and other wild birds

(f) Prohibiting the hunting for or capture or killing of wild birds or animals or game by unnaturalized foreign-born residents and forbidding the ownership or possession of firearms or dogs by any unnaturalized foreign-born resident

(g) Providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years

(h) Providing for the establishment regulation and maintenance of State game preserves and auxiliary State game preserves and the protection of game and wild birds therein

(i) Relating to rewards or bounties for the destruction of obnoxious animals

(j) Prohibiting the fishing for or capture or killing of fish by unnaturalized foreign-born residents

(k) Revising amending and consolidating the law relating to fish

(l) For the protection of fish by prohibiting the pollution of streams

(m) Regulating the catching or taking of bullfrogs tadpoles and terrapin

(n) Classifying fish and regulating the taking propagation distribution and sale thereof and prohibiting the sale of unlawful fishing devices

(o) Encouraging the propagation and regulating the taking of fish in the Delaware River above and below Trenton Falls within the jurisdiction respectively of the Commonwealth of Pennsylvania the State of New Jersey and the State of New York

(p) Forbidding the use of certain gill nets in boundary lakes of more than five thousand acres

(q) Authorizing the use of haul-seins in certain tidewater streams for the capture of carp suckers mullets and catfish

(r) Classifying and providing for the maintenance and regulating the taking of fish in boundary lakes of more than five thousand acres and in the waters of any peninsula or baq adjacent to or connected with such lakes

(s) Relating to the acquisition management control and operation of fish hatching stations and fish cultural establishments

(t) All other acts relating to the propagation preservation and protection of game and fish wherein or whereby any powers were conferred or duties imposed upon the departments boards commissions or offices hereby abolished

Section 10 The Department of Game and Fish may

(a) Issue transfer or revoke any license certificate permit special device permit or license authorized by any law the administration and enforcement of which is a duty of the Department the form of such licenses certificates and permits shall be prescribed by the Department all moneys received by the Department as fees shall be paid into the State Treasury there to be set aside and used in accordance with the laws governing the disposition of such moneys

(b) Make such rules and regulations for the administration of the laws the enforcement of which is imposed on the department as are not inconsistent with the provisions of any statute of this Commonwealth

(c) Declare a closed season as provided for by law for elk deer wild turkey ruffed grouse quail ring-necked pheasants Hungarian quail and squirrels or any of them

(d) Establish State game preserves or auxiliary State game preserves

(e) Set aside small streams as nursery streams wherein fishing may be prohibited at all times of the year

(f) Acquire manage control and operate fish hatching stations and fish cultural establishments

(g) Acquire lands and materials in the name of the Commonwealth by purchase on condemnation wherever necessary in the enforcement of any law the administration and execu-

tion of which is a duty of the Department in cases of condemnation damages shall be assessed in the manner provided by law in the case of acquiring land for municipal improvements

(h) Exercise all other powers conferred on any Department Board Commission or office abolished by this act

Section 11 In the exercise of any power conferred by section ten of this act any restriction condition method or course of procedure now prescribed by law shall be observed followed and adhered to

Section 12 The officers and employes of the department may institute proceedings for the recovery of fines and penalties and may enter prosecution for the violation of any law the administration or enforcement of which is a duty of the department all fines and penalties imposed under any law the enforcement of which is a duty of the department and heretofore payable to any commission board or department abolished by this act shall be paid to the Department of Game and Fish and by it covered into the State Treasury there to be set aside or used in accordance with the statutes governing the disposition of said fines and penalties

Section 13 The department shall issue a receipt to any person accused of violating any law relating to game or fish the enforcement of which law is a duty of the department upon such person paying to the department or its employe the amount of the penalty with costs such receipt shall bear the imprint of the seal of the department and the signature of the commissioner and shall be evidence of full satisfaction of the offense committed

Section 14 A person who being duly subpoenaed refuses to appear at any hearing or investigation held by the department or who appears but refuses to be sworn or being sworn shall refuse to give testimony or produce any documentary evidence in his possession or custody at such hearing or investigation is guilty of a misdemeanor Upon conviction such person shall be sentenced to pay a fine not exceeding five hundred dollars or undergo an imprisonment not exceeding one year or both

Section 15 In the enforcement of any laws the administration and execution of which is a duty of the department the officers and employes of the department may enter upon any land or premises and have free access to the works buildings or grounds of any person copartnership association corporation municipality or township and may make any survey of measurement and collect any data or information which the department may deem necessary

Section 16 Any person who shall prevent or obstruct or attempt to prevent or obstruct the exercise of the right of entry access or examination by any officer or employe of the department shall upon conviction thereof in a summary proceeding before any magistrate alderman or justice of the peace be sentenced to pay a fine of not less than fifty dollars nor more than one hundred dollars or to undergo imprisonment in the county jail for a period not exceeding thirty days or both

Section 17 All reports heretofore made to any department commission or board or any bureau or officer thereof abolished by this act shall be made to the department hereby created All moneys heretofore paid to such department commission board bureau or officer shall be paid to the department hereby created and by it covered into the State Treasury there to be set aside and used in accordance with the statutes governing the disposition of such moneys

Section 18 The officers and employes of the department may arrest without warrant any person violating any law or regulation the enforcement of which it is the duty of the department and may seize and confiscate any device contrary to any law the enforcement of which is a duty of the department Such confiscated devices shall be disposed by the Commissioner and any moneys received therefor shall be covered into the State Treasury there to be set aside or used in accordance with the statutes governing such seizure

Section 19 All license fees fines penalties and other moneys collected and received by the department or any officer employee or agent thereof or by any county treasurer or other officer and paid into the State Treasury shall be paid into the general fund but the Auditor General and State Treasurer shall keep a record of all such moneys in an account to be known as the "Game and Fish Fund Account" All moneys now held in the State Treasury in any special funds for use by the Board of Game Commissioners or the Department of Fisheries or the Fisheries Commission for any purpose whatsoever are hereby transferred to the general fund and shall be likewise credited in said account All moneys in the general fund from time to time credited to the Game and Fish Fund Account may be under the direction of the Department of Game and Fish for the payment of the salaries and expenses of the advisory board the officers secretary employes clerks and stenographers of the department for the employment of labor for the purchase of necessary motor vehicles machinery and implements for the purchase and acquisition of lands and game preserves for the purchase and acquisition of water supplies for the purchase protection propagation and feeding of game for the payment of bounties for the payment or counsel fees and court expenses for traveling and contingent expenses for the propagation protection distribution and transferring of fish for the stocking of waters of the Commonwealth for field work stream investigations and inspections for gathering spawn for the operation maintenance erection and construction of fish hatcheries and other necessary buildings for the purchase of ponds and other extensions incidental to fish hatcheries for the maintenance and operation of a boat on Lake Erie and the Cruiser Anna on the Delaware River and for dredging the approach to the fish hatchery at Erie

All moneys in the general fund from time to time credited to the Game and Fish Fund Account are hereby specifically appropriated to the Department of Game and Fish to be expended for the purposes hereinbefore enumerated The Auditor General shall upon requisition from time to time of the Game and Fish Commissioner draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount credited in such account at the time of the requisition

All moneys necessary for the proper administration of said department shall be appropriated to said department by the General Assembly from time to time

Section 20 The department shall make a biennial report in writing to the Governor The report shall contain a complete summary of the work of the department upon the subjects under its jurisdiction and such other matters as the Governor may require

Section 21 The commissioner shall from time to time publish such bulletins pamphlets and circulars containing information collected or obtained as the department may deem of interest or advantage to the citizens of Pennsylvania

Section 22 The department shall have and use a seal which shall be furnished as other supplies are furnished to the Department

Section 23 The proper executive department shall provide for the department in the State Capitol building or elsewhere such offices rooms and quarters as the board may need in conducting the affairs of the department

Section 24 The proper executive department shall upon requisition of the commissioner furnish to the department such books stationery furniture supplies et cetera as may be needed to conduct properly the affairs of the department

Section 25 The printing and binding necessary for the proper performance of the duties of the department or for the proper preservation of the material therein shall be done by the State Printer upon order of the head of the department having administration over printing and binding

Section 26 The Board of Game Commissioners the Fishery Commission the Department of Fisheries and the offices of Chief Game Protector and Commissioner of Fisheries are hereby abolished

Section 27 All books documents records papers paraphernalia and property now owned possessed or under the control of any department or commission hereby abolished shall be immediately transferred to the ownership possession and control of the Department of Game and Fish

Section 28 The provisions of this act are severable and should any part hereof be declared unconstitutional the decision shall not affect the remaining provisions of this act It is hereby declared as a legislative intent that the remainder of this act would have been enacted had such unconstitutional provision not been included therein

Section 29 This act shall take effect on the first day of January one thousand nine hundred and twenty-four

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 570, as follows:

An Act providing for the merging of moneys held in certain special funds in the State Treasury with moneys in the general fund providing for the use of all moneys in the general fund for the payment of appropriations and for the payment from the general fund of moneys appropriated and dedicated for special purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all moneys paid into the State Treasury from whatsoever source derived and to whatsoever purpose dedicated by the laws of the Commonwealth except moneys belonging to the sinking fund the Workmen's Compensation Insurance Fund the State bond road fund the county gasoline tax fund and fund derived from the tax upon the premiums of foreign fire insurance companies the Federal Vocational Education Fund the Industrial Rehabilitation Fund all funds under the control of the retirement board shall be paid into the general fund of the State Treasury All moneys in such special funds in the State Treasury at the date of the approval of this act other than those hereinbefore excepted shall be forthwith paid into the general fund of the State Treasury All moneys hereafter in the general fund of the State Treasury shall be available for the payment of appropriations made by the General Assembly from time to time for any purpose whatsoever and payable from the general fund

Section 2 The State Treasurer and Auditor General shall keep an accurate record upon their books of the amount of money belong to each special fund which has been heretofore or shall hereafter be dedicated for the purposes for which such special fund was created and in all cases where moneys belonging to such special funds have been heretofore or shall hereafter be appropriated for any of the purposes for which such special fund was created such moneys shall be payable from the general fund of the State Treasury in the same manner as they were heretofore payable from such special funds It is not the intent of this act to abolish any special fund now existing in accordance with law but only to make available the moneys held in certain special funds for the payment of appropriations payable from the general fund

Section 3 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 583, as follows:

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities and providing for the division of the assets and liabilities of said townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter any city that entirely surrounds a portion of a township the area of which is not greater than one hundred acres may annex said portion of said township to said city by ordinance

Section 2 The assets and liablities of said township shall be divided between it and the annexing city in the proportion that the assessed valuation of the territory annexed bears to the total last preceding assessed valuation of the entire township

Section 3 The Courts of Quarter Sessions of the respective counties are hereby authorized upon petition of either the annexing city or the township to ascertain and determine the said assets liabilities and division of them between the annexing city and the township In ascertaining the indebtedness neither pending actions nor claims against such townships founded upon tort shall be included unless the same shall in the meantime have been prosecuted to final judgment

Section 4 All acts and portions of acts conflicting with the provisions of this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. BALDWIN. Mr. President, I ask that Senate Bill No. 613, on second reading, entitled:

An Act amending sections one, two and eleven of an act approved the twenty-third day of April, one thousand nine hundred and three, (P. L. 274), entitled "An act defining the powers of the several courts of quarter sessions of the peace, within this Commonwealth, with reference to the care, treatment and control of dependent, neglected, incorrigible and delinquent children, under the age of sixteen years, and providing for the means in which such power may be exercised;" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 628, as follows:

An Act regulating the mining of anthracite coal underneath cities boroughs and first class townships within the Commonwealth of Pennsylvania

Whereas The anthracite coal industry or the mining and removing of anthracite coal is being carried on in populous communities within this Commonwealth in such manner and to such an extent as to result in wrecked and dangerous streets and highways collapsed public buildings churches schools factories stores and private dwellings broken gas water and sewer systems the loss of human life and in general so as to threaten and seriously endanger the lives and safety of large numbers of the people of the Commonwealth therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any owner operator director or general manager superintendent or other person in charge of or having supervision over any anthracite coal mine or mining operation to mine or remove any anthracite coal underneath any city borough or first class township of this Commonwealth without first having secured from the chief of the Department of Mines of the Commonwealth of Pennsylvania his certificate to the effect that such coal lying underneath said city borough or first class township can be mined and removed without endangering the lives and safety of the people inhabiting or residing in said cities boroughs and first class townships

Section 2 That the Department of Mines through and by the Chief of said department shall have power to make such investigation and prescribe such regulations for the mining and removal of any anthracite coal lying underneath cities boroughs and first class townships in this Commonwealth as in his judgment may be necessary to protect the lives and safety of the people inhabiting or residing in said cities boroughs and first class townships and that said Chief shall issue his certificate authorizing the mining and removing of anthracite coal from under and beneath the aforesaid municipalities when and only when in his judgment such anthracite coal may be mined and removed without endangering the lives and safety of the people of the Commonwealth as aforesaid

Section 3 Any owner operator lessor lessee or general contractor engaged in the mining of anthracite coal or any president director general manager superintendent or other person in charge of or having supervision over any anthracite coal mine or mining operation who shall violate any of the provisions of this act or any regulations prescribed by the Chief of the Department of Mines shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five thousand dollars ($5,000.-

00) or undergo imprisonment for not more than one year or both at the discretion of the court

Section 4 In addition to the remedies hereinbefore provided the courts of common pleas of this Commonwealth shall have the power to award injunctions to restrain violations of this act

Section 5 This act is intended as remdial legislation designed to cure existing evils and abuses and each and every provision thereof is intended to receive a liberal construction such as will best effectuate that purpose

Section 6 This act shall go into effect sixty days after final approval

Section 7 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. VARE. Mr. President, I move that Senate Bill No. 628, the bill just read, be recommitted to the Committee on Mines and Mining.

Mr. Weaver. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 690, as follows:

An Act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields providing for the procedure in case of condemnation and the extent of title acquired authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields where such city is authorized to establish and maintain the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any county in this Commonwealth is hereby authorized and empowered to acquire by lease purchase or condemnation proceedings any land within the limits of the county for the purpose of establishing and maintaining thereon airdromes or aviation landing fields whenever the county commissioners of the county by resolution duly adopted deem it advisable so to do

Section 2 Proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed thereby shall be conducted in the same manner as now provided by law for the condemnation of lands for buildings for county purposes in said county The title acquired by virtue of any such condemnation shall be a title in fee simple

Section 3 Any county acquiring land hereunder is authorized and empowered to lease the same or part thereof to any individual or corporation desiring to use the same for the purpose of landing or starting aeroplanes or other aviation purposes upon such terms and conditions and subject to such regulations as the county commissioners thereof may provide and any such county may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for the use by said Government of such land for aviation mail service or other aviation purposes upon nominal rental or without consideration

Section 4 Any such county shall have the right and authority to use any land within the county now owned by it for any of the purposes provided in this act when in the judgment of the county commissioners thereof such use may be necessary for such purposes

Section 5 Any county acquiring land hereunder is authorized and empowered to enter into a contract with any city within the limits of said county where such city is authorized to establish and maintain a municipal airdrome or aviation landing field for the operation of any land acquired by the county or owned by it as a joint city and county aviation field or airdrome upon such terms and conditions as may be agreed upon in writing between the corporate authorities of the city and the county commissioners of the county and such land may be leased as herein provided by the joint action of the corporate authorities of the city and the said county commissioners

Section 6 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 691, as follows:

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any land within or without the limits of said cities for the purpose of establishing and maintaining municipal airdromes or aviation landing fields providing for the procedure in case of condemnation and the extent of title acquired authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United State upon nominal rental and empowering said cities to operate and maintain said fields jointly with any county within which said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it hereby enacted by the authority of the same That all cities of the second class within this Commonwealth are hereby authorized and empowered to acquire by lease purchase or condemnation proceedings any land lying either within or without the limitations of said city which in the judgment of the corporate authorities thereof may be necessary and desirable for the purpose of establishing and maintaining municipal airdromes or aviation landing fields

Section 2 The proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be conducted in the manner provided by an act entitled "An act authorizing and empowering the several cities of this Commonwealth to purchase or acquire by condemnation proceedings such real estate within the city limits as they may need upon which to erect or construct municipal buildings fire engine houses gas and electric light works and within or without the city limits upon which to erect hospitals water works and poor houses and for the purposes of a poor farm" approved twenty-sixth day of March Anno Domini one thousand nine hundred and three (Pamphlet Laws sixty-three) as amended by the act approved the fourteenth day of March one thousand nine hundred and seven (Pamphlet Laws twelve) The title acquired by the city exercising the power of condemnation shall be a title in fee simple

Section 3 Any city acquiring land under the provisions of this act may lease the same or part thereof to any individual or corporation desiring to use the same for the purpose of landing or starting an aeroplane therefrom or for other aviation purposes on such terms and subject to such conditions and regulations as may be provided and any such city may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for the use by said Government of said land for aviation mail delivery or other aviation purposes upon nominal rental or without consideration

Section 4 Any city acquiring land thereunder may operate and maintain said municipal airdrome or aviation landing field jointly with any county within which such city is located whenever said county under the authority of any

law has the power to use county land or to acquire land ofr the purpose of maintaing an airdrome or aviation landing field upon such terms and conditions as may be agreed upon between the corporate authorities of the city and the county commissioners of the county

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 694, (House Bill No. 515), entitled:

An Act limiting rent as a preferred claim

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 696, (House Bill No. 600), entitled:

An Act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic the United-Spanish War Veterans and American Legion a part of the public records of the State and providing for their publication and distribution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 710, (House Bill No. 638), entitled:

An Act supplementing an act entitled "An Act amending an act entitled 'A Supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof' approved the twenty-first day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy)" providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities establishing the procedure upon said appeals authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties and authorizing said appeals to be advanced

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 733, (House Bill No. 999), entitled:

An Act providing for the refunding of liquor license fees and additional taxes to holders of licenses to manufacture or sell vinous spirituous malt or brewed liquors or any admixture thereof intoxicating liquor or ethyl alcohol where the Act of Assembly under the authority of which such licenses were granted has been repealed by the General Assembly of one thousand nine hundred and twenty-three prior to the expiration of the license year for which such licenses were issued providing for the payment of such refund in certain cases by the county in which such license was granted and the repayment to such county by the city borough township and State of their respective share of such refund and for the payment of such refund in certain cases by the State alone providing the procedure in such cases and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 769, as follows:

A Supplement to an act approved the tenth day of March one thousand nine hundred and twenty-one (appropriation acts page eleven) entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share in the expenses of constructing State-aid highways for the maintenance and repair of State Highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townships of the second class for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department" by extending the date for the apportionment of State-aid appropriations made by said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners may by formal action at any time before June first one thousand nine hundred and twenty-three take up State-aid applications on file with the State Highway Department for the amount of the appropriation made by the act approved the tenth day of March one thousand nine hundred and twenty-one- (appropriation acts page eleven) entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share in the expenses of constructing State-aid highways for the maintenance and repair of State Highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townships of the second class for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department" for the payment of the Commonwealth's share in the expenses of constructing State-aid highways and which has been ratably apportioned by the State Highway Commissioner among the several counties in accordance with existing law and the unused balances of said appropriation shall not revert to the State-aid fund for redistribution among the several counties which have filed with the State Highway Department formal indication of preference for taking up applications requiring the expenditure of such sums greater than the amount of their apportionment until after said first day of June one thousand nine hundred and twenty-three

Section 2 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 780, as follows:

An Act providing that the county treasurers in counties of the second class of this Commonwealth shall add a penalty of five per centum on all taxes in each district of said counties which shall have been assessed against any person or persons or their property in any of the districts of the said county and which shall remain due and unpaid for a period of four months after the date fixed for the payment in the proper district and requiring the county treasurer to receive the whole amount of taxes assessed against any person or persons or their property in any of the districts of the said county with the added penalty of five per centum as provided herein without any other increases or deductions providing that the said penalty of five per centum shall accrue to the revenues of said county and repealing all acts or parts of acts inconsistent herewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That county treasurers in counties of the second class of this Commonwealth shall add a penalty of five per centum on all taxes in each district of their respective counties which shall have been assessed against any person or persons or their property in any of the districts of the said county and which shall remain due and unpaid for a period of four months after the date fixed for the payment in the proper district of the said county

Section 2 The county treasurer shall be required to demand and receive from the persons the sum charged or assessed against them or their property in any of the districts of said county together with five per centum in addition thereto without any other additions or deductions

Section 3 The penalty of five per centum collected from any person or persons in payment of assessment of taxes against them or their property in any of the districts of said county shall accrue to the revenues of the said county

Section 4 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 787, as follows:

An Act creating a Legislative Reference Bureau providing for the election of a Director by the General Assembly designating the officers and employees of such Bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a Legislative Reference Bureau is hereby created for the use and information of the Members of the General Assembly the Governor and the heads of the departments of the State Government and such citizens of the Commonwealth as may desire to consult the same The Bureau shall be located in the State Library Building The Legislative Reference Bureau as now existing is hereby abolished

Section 2 The Legislative Reference Bureau shall be in charge of a Director who shall be elected as soon as may be after the passage of this act and biennially thereafter before the first day of February each odd-numbered year by the Senate and House of Representatives in joint session The Director of the present Legislative Reference Bureau in office at the time of the approval of this act shall until an election is held under this act hold the office of Director of the Legislative Reference Bureau created by this act subject to removal by the General Assembly

Section 3 The Director of the Legislative Reference Bureau shall be qualified by experience knowledge and ability to conduct the work of the Bureau He shall be well versed in legislative procedure and parliamentary practice and shall in such matters when called upon be ex-officio adviser to the General Assembly He shall give bond in the sum of ten thousand dollars for the faithful performance of his duties and he shall devote his whole time and attention to the duties of his office He shall have access to the Law Library and the publications therein of the various State Governments and the United States Government which may be generally classed as legislative documents He shall receive a salary of six thousand dollars per annum

Section 4 The Director shall appoint an Assistant Director learned in the law who shall be a skilled bill drafter and who shall receive a salary of six thousand dollars per annum The Assistant Director shall perform the duties of the Director in the case of a vacancy in said office or in case of the absence or inability of the Director to act and he shall also perform such other duties as may be assigned to him by the Director

Section 5 The Director shall also appoint a chief compiler learned in the law who shall be a skilled drafter and who shall receive a salary of thirty-six hundred dollars per annum a compiler and bill drafter learned in the law at an annual salary of three thousand dollars a compiler and bill reading clerk learned in the law at an annual salary of three thousand dollars a search clerk learned in the law at an annual salary of three thousand dollars a messenger and file clark at an annual salary of eighteen hundred dollars a chief clerk who shall be a stenographer at an annual salary of fifteen hundred dollars a skilled reference librarian at an annual salary of eighteen hundred dollars and three stenographers at an annual salary of thirteen hundred and twenty dollars each The Director may for a period commencing one month prior to and ending one month after each session of the General Assembly appoint one bill book clerk at a salary of one hundred and seventy-five dollars per month and an assistant bill book clerk at a salary of one hundred and fifty dollars per month and such stenographers as may be necessary at a salary of one hundred dollers per month each

Section 6 The Bureau shall continue to occupy the rooms in the State Library building now occupied by the Legislative Reference Bureau abolished by this act so as to give it ready access to the volumes catalogues documents and other papers in the State Library and where the Bureau will be convenient to the Members of the General Assembly and other persons having official business with the Bureau The Bureau shall be kept open on business days from nine ante meridian to four post meridian during the entire year and when the General Assembly is in session at such hours day and night as are most convenient to its Members

Section 7 The Director shall prepare and have available for use indices of Pennsylvania laws digests of such public laws of this and other states as may be of use for legislative information records and files of all bills and resolutions presented in either branch of the General Assembly loose leaf files of acts of Assembly catalogue files of such reports of departments boards and commissions and other public documents of this State as well as general books and pamphlets as pertain to the work and service of the Bureau files of newspaper and periodical clippings and of such other printed matter as may be proper for the purposes of the Bureau The Director shall also when requested by Members of the General Assembly or the Governor or heads of departments promptly procure available information not on file in the Bureau relating to legislation of other states and investigate the manner in which laws have operated He shall establish a system of exchanges with such other states as is expedient and practicable He shall from time to time prepare and publish such bulletins pamphlets and circulars containing information collected by the Bureau and such compilations of this or other states as he shall deem to be of service to the Governor the several departments of the State Government the Members of the General Assmbly and the citizens of the Commonwealth From time to time he shall cause to be prepared for adoption or rejection by the General Assembly codes by topics of the existing general statutes arranged by chapters or articles and sections under suitable headings and he shall add thereto lists of statutes of the existing law to be repealed He shall assist in or supervise when called upon by any proper authority or when directed by the General Assembly so to do the compilation and preparation of any

general revision and codifications of the existing laws of the Commonwealth

Section 8 The Director and his assistants shall neither oppose nor urge legislation but shall upon request aid and assist the Members of the General Assembly the Governor and the heads of departments by advising as to bills and resolutions and by drafting the same into proper form and by furnishing to them the fullest information upon all matters within the scope of the Bureau relating to their public duties No officer or employee of the Bureau shall reveal to any person outside of the Bureau the contents or nature of any matter not yet published without the consent of the person bringing such matters before the Bureau

Section 9 The Bureau shall be available for consultation freely by citizens of the Commonwealth as to such general information as it may be able to furnish and as to the statutory laws of this or any other state on particular subjects and shall furnish to citizens upon request copies of such laws as are available for distribution but in no case and under no circumstances shall any officer or employee in his official capacity furnish any opinion on any legal matter to any private citizen

Section 10 The printing and binding necessary for the proper performance of the duties of the Bureau or the proper preservation of material shall be done by the State Printer upon the order of the Superintendent of Public Printing and Binding upon requisition of the Director The Board of Commissioners of Public Grounds and Buildings shall upon request of the Director furnish the Bureau with such books stationery supplies furniture et cetera as may be needed for the proper conduct of the affairs of the Bureau

Section 11 The sum of seventy-two thousand dollars or so much thereof as may be necessary is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred and twenty-three to the Director of the Legislative Reference Bureau for the payment of the salaries of the Director Assistant Director and the employees of the Bureau as provided in this act for the payment of emergency clerk and stenographic assistance and for contingent expenses

Section 12 The act approved the thirty-first day of March one thousand nine hundred and twenty-one (Pamphlet Laws eighty-one) entitled "An act creating a Legislative Reference Bureau designating the officers and employes of such Bureau defining their duties and fixing their salaries" is hereby repealed

All other acts and parts of acts inconsistent with this act are repealed

Agreeably to order,

The rule requiring bill to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 793, as follows:

An Act to repeal the act approved the tenth day of May one thousand eight hundred and seventy-one (Pamphlet Laws six hundred sixty-seven) entitled "An act to empower the school directors of Tuscarora and Spruce Hill township in the county of Juniata to annex certain lands in Spruce Hill Township and Tuscarora township in the county of Juniata for school purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the tenth day of May one thousand eight hundred and seventy-one (Pamphlet Laws six hundred sixty-seven) entitled "An act to empower the school directors of Tuscarora and Spruce Hill townships in the county of Juniata to annex certain lands in Spruce Hill township and Tuscarora township in the county of Juniata for school purposes" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bill to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 798, as follows:

An Act to amend sections two and twenty of an act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and eighty-eight) entitled "An act regulating through the Commissioner of Labor and Industry the business of assisting employers to obtain employes and persons to secure employment including the business of collecting information to the same end and prescribing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Comonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and eighty-eight) entitled "An act regulating through the Commissioner of Labor and Industry the business of assisting employers to obtain employes and persons to secure employment including the business of collecting information to the same end and prescribing penalties" is hereby amended to read as follows

Section 2 The term "employment agent" as used in this act shall mean every person co-partnership association or corporation engaged in the business of assisting employers to secure employes and persons to secure employment or of collecting and furnishing information regarding employers seeking employes and persons seeking employment Provided That no provision of any section of this act shall be construed as applying to departments or bureaus which are maintained solely by and for persons firms corporations or associations of this Commonwealth for the purpose of obtaining employes for themselves and which charge no fee to applicants for employment nor to agencies procuring employment for school teachers or registered nurses

The term "employment office" shall mean every office or place where the business of an employment agent is carried on

The term "commissioner" shall mean the Commissioner of Labor and Industry

Section 2 That section twenty of the said act is hereby amended to read as follows

Section 20 The Commissioner or his representative shall have the power of a constable of this Commonwealth and police officer of a first class city and may arrest on view any person detected in violating this act and may take him or her before a magistrate alderman or justice of the peace They shall also have power to issue subpoenas administer oaths take affidavits and testimony in all matters relating to the duties and powers herein prescribed He shall have power to subpoena any witness or any person to examine all books contracts records and documents of any person or corporation and by subpoena duces tecum to compel production thereof

All subpoenas shall be issued in the name of the commissioner under the seal of the Commonwealth

All hearings held before the Commissioner or his deputy duly authorized shall be governed by rules prescribed by the commissioner who shall not be bound by the technical rules of evidence in the examination of witnesses or in the conduct of such hearings

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 817 (House Bill No. 532), entitled:

An Act to provide for the registration and protection of artificial assumed trade or association names titles or designations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 846 (House Bill No. 928), entitled:

An Act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents reports bulletins and other publications for the use of the Commonwealth the several departments boards commissions and other agencies engaged in the legislative judicial and administrative work of the State government the sale of waste paper the appointment of a Director and other employees and repealing inconsistent and conflicting legislation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS.

Mr. VARE. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 17, 1923.

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day it reconvene on Monday evening, April twenty-third, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, April twenty-third, at nine o'clock.

HOUSE CONCURS IN RESOLUTION AUTHORIZING THE APPOINTMENT OF COMMITTEE TO DRAFT RESOLUTIONS ON THE DEATH OF THE HONORABLE BOIES PENROSE AND FIXING TIME FOR MEMORIAL SESSIONS.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, April 17, 1923.

Resolved (if the House of Representatives concur) That the President Pro Tempore of the Senate shall appoint three Senators and the Speaker of the House of Representatives shall appoint five Members of the House who together shall constitute a committee to draft suitable resolutions and arrange for a joint session of the Senate and House of Representatives in memory of the late Honorable Boies Penrose, Senator from Pennsylvania in Congress of the United States. Said committee shall arrange said meeting for Tuesday, May first at two o'clock in the afternoon, and shall issue invitations to such persons as to the committee may seem proper.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 1, (Senate Bill No. 889), entitled:

An Act fixing the pay of election officers and clerks in cities of the first class

Which was committed to the Committee on Elections.

House Bill No. 45, (Senate Bill No. 890), entitled:

An Act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissioners in cities of the first and second class in relation thereto and providing penalties.

Which was committed to the Committee on Elections.

House Bill No. 395, (Senate Bill No. 891), entitled

An Act to regulate the sale of caustic acid or caustic alkali preparations intended for household use and providing penalties for the violation thereof

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 617, (Senate Bill No. 892), entitled:

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents;" so as to permit the orphans' court in its discretion to permit a corporation appointed as trustee in the place of an executor or executors, trustee or trustees, dying, renouncing, dismissed or refusing to act, to give its own bond without surety.

Which was committed to the Committee on Judiciary General.

House Bill No. 678, (Senate Bill No. 893), entitled:

An Act to amend clause three, section two, article two of chapter seven of the act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312) entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 694, (Senate Bill No. 894), entitled:

An Act to amend an act approved the twenty-eighth day of March one thousand eight hundred seventy-nine (Pamphlet Laws fourteen) entitled "An act enabling wives of lunatics to release their right of dower in the real estate of their husbands" extending the provisions of said act to include wives and husbands of habitual drunkards and wives or husbands of epileptics insane weak-minded or feeble-minded persons

Which was committed to the Committee on Judiciary General.

House Bill No. 1086, (Senate Bill No. 895), entitled:

An Act providing for the public health safety and welfare requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of Hospitals poor houses or other charitable institutions school churches and buildings of municipal or quasi municipal character and providing penalties for the violation of this act

Which was committed to the Committee on Mines and Mining.

House Bill No. 1229, (Senate Bill No. 896), entitled:

An Act to further amend section one thousand two hundred ten as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

House Bill No. 1294,(Senate Bill No. 897), entitled:

An Act authorizing executors and administrators to bring suit and recover judgments against the Commonwealth of Pennsylvania in the counties of which the decedents whose estates they administer were residents for the recovery of overpayments of direct and collateral inheritance transfer taxes

Which was committed to the Committee on Judiciary General.

House Bill No. 1320, (Senate Bill No. 898), entitled:

An Act to amend an act approved May second one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred eighty-four) entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax" as amended

Which was committed to the Committee on Finance.

House Bill No. 1360, (Senate Bill No. 899), entitled:

An Act to amend section six of the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-five) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries"

Which was committed to the Committee on Judiciary General.

House Bill No. 957, (Senate Bill No. 900), entitled:

An Act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge on said road

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 975, (Senate Bill No. 901), entitled:

An Act to amend section six as amended and section eight of the act approved the twenty fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred sixty-five) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" changing the legal weight of certain commodities and providing for the disposition of certain funds

Which was committed to the Committee on Agriculture.

House Bill No. 1033, (Senate Bill No. 902), entitled:

An Act providing that any person who was engaged in the military or naval service of the United States during any war in which the United States was engaged and having an honorable discharge therefrom shall receive credit for the experience and training derived from such service in civil service examinations

Which was committed to the Committee on Military Affairs.

House Bill No. 1305, (Senate Bill No. 903) entitled:

An act to confer upon the courts of Quarter Sessions of the several counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds which have or shall become unsightly and unsuitable places for interment

Which was committed to the Committee on Judiciary General.

House Bill No. 134, (Senate Bill No. 904), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen

Which was committed to the Committee on Forestry.

House Bill No. 820, (Senate Bill No. 905), entitled:

An Act authorizing the sale of real estate held by entireties by husband and wife when an order of support has been secured against the husband who has neglected to comply with the same or whose whereabouts is unknown or who has absented himself from this Commonwealth prescribing the procedure to be followed permitting husband and wife to testify providing for the disposition of the proceeds of such sale and granting a divorced woman the same rights under this act as a wife

Which was committed to the Committee on Judiciary General.

House Bill No. 849, (Senate Bill No. 906), entitled:

An Act to amend section one of an act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation"

Which was committed to the Committee on Finance.

House Bill No. 851, (Senate Bill No. 907), entitled:

An Act to amend an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective title liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies"

Which was committed to the Committee on Finance.

House Bill No. 1012, (Senate Bill No. 908), entitled:

An Act validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways and validating municipal liens therefor

Which was committed to the Committee on Judiciary General.

The PRESIDENT PRO TEMPORE (Mr. T. L. EYRE) announced that the Chief Clerk having reported that the following bills passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 52, entitled:

An act to amend an act entitled "An act to prohibit the speeding and racing of certain motor vehicles to fires, the parking of motor vehicles in the vicinity of fires, and the driving of motor vehicles over lines of hose", approved the 31st day of March, A. D. 1921.

House Bill No. 460, entitled:

A supplement to the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and sixty-two) entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes or subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof" providing for the auditing of the State Workmen's Insurance Fund and the payment of costs thereof

House Bill No. 524, entitled:

An act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

House Bill No. 702, entitled:

An act to amend section three and section four of an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seventy-four entitled "An Act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments on contributions to be held or used in any plan of accumulation or investment or of issuing regulating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or installment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payment being made upon installments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties."

House Bill No. 723, entitled:

An Act authorizing counties cities boroughs and townships to appropriate moneys for Forest work

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the same.

MOTION TO READ BILLS THE FIRST TIME.

Mr. SCHANTZ. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. SISSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 24, entitled:

An act providing for an industrial State Highway from the City of Chester to the City of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 82, entitled:

An act providing for the detachment of territory from a city or borough divided by a county line and its annexation to a city or borough situate in the same county as the detached territory.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 241, entitled:

An act to amend section one of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 807), entitled "An act relating to municipal improvements and the collecting of assessments therefore."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 285, entitled:

An act making a deficiency appropriation to the Cottage State Hospital, situated in Connellsville, Fayette County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 338, entitled:

An Act to further amend clause four of section three hundred and eighty-six, of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended, and repealing an additional amendment to said clause, approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 857).

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 398, (House Bill No. 494), entitled:

An Act validating certain proceedings of counties cities boroughs townships school districts and other incorporated districts or municipalities had pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds certificates of indebtedness and securities issued in pursuance of such proceedings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 418, (House Bill No. 22), entitled:

An act concerning conditional sales of chattels attached or to be attached to realty and regulating the recording and effect thereof and providing remedies and penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 448, entitled:

An act providing for the transfer to Pennsylvania of the titles to and liens affecting any lands heretofore regarded as being in the State of Delaware but found to be in Pennsylvania in accordance with the interstate boundary line of the joint commission of said States appointed by virtue of the act of Assembly of Pennsylvania approved the fourth day of May, one thousand eight hundred and eighty-nine, (P. L. 81) entitled, "An act relative to the boundary lines and boundary line monuments."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 469, (House Bill No. 277), entitled:

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one, under the provisions of an act approved the fourth day of June, one thousand nine hundred and one, entitled: "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distributing the proceeds of such sales," and its supplements and amendments thereto; and providing for their collection.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 496, entitled:

An Act to further amend section two of an act approved the twentieth day of June, one thousand nine hundred and nineteen, (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax and the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 497, entitled:

An Act relating to county bridges; authorizing counties to issue and sell bonds for the erection thereof; and providing for the division of the cost of construction and erection of joint county bridges and the collection of tolls thereon.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 512, entitled:

An Act to amend section one of an act approved the seventeenth day of March, one thousand nine hundred and twenty-one (P. L. 32) entitled, "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors and marines of such counties; providing for an election to determine whether such hall shall be erected; providing for the purchase and condemnation of property for such purposes; regulating the use of such halls; and providing for the maintenance and care of the same, by a board of control at the expense of the county;" by providing for second like proceeding, in certain cases and making it the duty of the county commissioners upon favorable result of a second election to erect such hall at some place in the county other than the county seat.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 522, entitled:

An Act to amend part of section forty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An act relating to the administration and distribution of the estate of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemption debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof, judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the orsubstitution of executors and administrators therein and ganization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 629, entitled:

An Act to amend part of section three of the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations" by authorizing certain corporations of the first class to be incorporated by the Governor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 637, entitled:

An Act authorizing the county controller to bring suit in the name of the county on contracts, upon neglect or refusal of the board of commissioners so to do after notice.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 661, (House Bill No. 276), entitled:

An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior Acts of Assembly.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 669, (House Bill No. 701), entitled:

An Act to further amend sections ten and fourteen of the act approved July 12, 1913, (P. L. 711) entitled "An act establishing a court for the county of Philadelphia, prescribing its jurisdiction and powers, providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia, regulating the precedure therein and anpeals therefrom and providing for the expenses thereof" as amended by requiring all proceedings in civil cases before magistrates that are sought to be reviewed by appeal to be taken only to the Municipal Court transferring original pleas to said court providing that costs in all cases shall follow the judgment and that certain judgments shall be final.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 697, (House Bill No. 606), entitled:

An Act to further amend an act approved the third day of June, one thousand eight hundred and ninety-five (Pamphlet Laws, one hundred thirty), entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers, and other streams which have been declared public highways by act of Assembly, where such bridges have been destroyed by flood, fire or other casualty; providing for the appointment of viewers and inspectors, and the payment of the cost of rebuilding such bridges;" providing for the rebuilding of decayed and unsafe bridges, and certain bridges on State highways.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 712, (House Bill No. 657), entitled:

An Act to amend section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May, 1911 (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith" by changing the compensation of auditors of the accounts of school districts of the fourth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 729, (House Bill No. 911), entitled:

An Act to provide for the erection of new or additional buildings for the maintenance care and treatment of the poor indigent insane and indigent persons afflicted with tuberculosis in poor districts in counties of the second class which now maintain or which shall hereafter maintain a poor house or a hospital or sanitarium for such purposes authorizing the county commissioners to borrow moneys issue and negotiate the sale of bonds and to levy taxes for the payment of the same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 736, entitled:

An act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the Act of March tenth, one thousand nine hundred and twenty-one, entitled "An Act making an appropriation to the State Highway Department for the construction of permanent State Highways; for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highways within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department"; for the construction of State highways, and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts, so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 737, entitled:

An act authorizing the State Highway Commission to take over as State highways certain roads leading from State institutions to State highways or railroads stations

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 768, entitled:

An act providing for the appointment of inspectors of steam engines and steam boilers in counties of the second class of this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 775, entitled:

An act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 781, entitled:

An Act authorizing the State Highway Commissioner to combine certain State Highways or any part or sections thereof into a route under a common letter, name, number or other marker or designation, or any combination thereof, for the purpose of informing and assisting the traveling public in and through the State

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 825, (House Bill No. 773), entitled:

An Act making a deficiency appropriation to the Commission of the Soldiers' Orphans Industrial School at Scotland.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 826, (House Bill No. 777), entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 827, (House Bill No. 783), entitled:

An Act making a deficiency appropriation to the Home for Training in Speech of Deaf Children before they are of School Age at Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 828, (House Bill No. 784), entitled:

An Act making a deficiency appropriation to the Eastern State Penitentiary.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 830, (House Bill No. 788), entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania, located at Blossburg, Pennsylvania to cover a deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 836, (House Bill No. 874), entitled:

An Act validating certain elections of counties, cities, borough, townships, school districts and other incorporated districts held pursuant to the provisions of an act approved April 20, 1874 (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto, and validating bonds issued or authorized to be issued in pursuance of such elections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 840, (House Bill No. 902), entitled:

An Act to amend section ten hundred and twenty-five of an act approved July 14, 1917, (P. L. 840) entitled "An act concerning townships and revising, amending and consolidating the law relating thereto."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 842, (House Bill No. 912), entitled:

An Act validating the incurring of certain debts or increase of indebtedness of poor districts in counties of the second class by the county commissioners thereof for improvements or alterations of the property of such poor districts and all bonds and other securities issued therefor and also the assessments of annual taxes for the payment of such indebtedness since the twentieth day of April, one thousand eight hundred and seventy-four.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 849, (House Bill No. 977), entitled:

An Act to amend an act approved May 17, 1921 (P. L. 894) entitled "An act to amend an act approved the twenty-fifth day of June, 1913, (P. L. 550) entitled 'An act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of of Foreign Service in the respective counties, boroughs and towns to aid in defraying the expenses of Memorial Day' by authorizing appropriations to each post of the American Legion Veterans of Foreign Wars and to each Naval Association and each post of the Grand Army of the Republic" to include authorization of appropriations to each organization of ex-service men incorporated under the act of April 29, 1874, and the supplements thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. SCHANTZ. Mr. President, I move that the Senate do now adjourn until Monday Evening, April 23, 1923, at nine o'clock.

Mr. McCLINTOCK. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:14 P. M., until Monday Evening, April 23, 1923, at nine o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 17, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Lord, God, our Heavenly Father, how excellent is Thy name in all the earth. We give Thee thanks for this day and all its blessings, invoking Thy divine blessings upon the members of this House. We pray that Thou wouldst di-

vest their minds of all things not relative to the business here in hand, that they may approach their tasks with that orderly-mindedness, so that they may enact such legislation that will be for the best interests of the citizenry of this State. Bless the Speaker of this House and his assistants, the Governor of the Commonwealth and all who have to do with the welfare of our country.

We ask it in the name of Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Stofflett, the further reading was dispensed with and the Journal approved.

PETITION.

FAVORING DAYLIGHT SAVING.

The SPEAKER presented a petition from the Philadelphia Produce Exchange, favoring daylight saving, and protesting against any action that would hinder its adoption locally.

Referred to the Committee on Judiciary General.

REPORTS FROM COMMITTEES.

Mr. NORMAN WOOD, from the Committee on Forestry, reported as committed House Bill No. 1238, entitled:

An Act authorizing the Department of Forestry to lease, for periods of not more than fifty years, on terms, conditions and stipulations expressed in each lease, any portions of the State Forests for dams, reservoirs, canals, pipe lines and other water conduits, power houses and transmission lines for the development of water power, for steam raising and condensation and for the generation and transmission of electric energy.

Miss MARTHA G. THOMAS, from the Committee on Education, reported as committed House Bill No. 1226, entitled:

An Act to amend section three hundred and three of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Mr. IRVIN, from the Committee on Forestry, reported as committed House Bill No. 1236, entitled:

An Act providing for a giant power survey: creating a Giant Power Survey Board; defining the powers and duties thereof; requiring officers, Departments, Commissions, and other agencies of the Commonwealth to give information thereto; and making an appropriation.

Mr. WILLISTON P. WOOD, from the Committee on Law and Order, reported as committed House Bill No. 1252, entitled:

An Act providing for the licensing of certain stills and other distilling apparatus; imposing certain duties upon the Secretary of the Commonwealth; providing for the search for, and seizure and destruction of, unlicensed stills and distilling apparatus; and providing penalties.

Mr. HETRICK, from the Committee on Forestry, reported as committed, House Bill No. 1235, entitled:

An Act authorizing the Department of Forestry to grant on terms, conditions and stipulations rights to occupy and use any portion of the State Forests for dams, reservoirs, canals, pipe lines and other water conduits for water supply purposes; and providing for forfeiture and other remedies for breach of such terms, conditions and stipulations.

Mr. WELLS, from the Committee on Forestry, reported as committed, House Bill No. 1234, entitled:

An Act authorizing the creation of a commission to negotiate with the duly constituted agents of the states of New York and New Jersey for the regularization of the flow of the Delaware River, the conservation, apportionment, and utilization of the water resources thereof; providing the method for ratification of such compact by this Commonwealth; and prescribing the conditions of its being in full force and effect.

Mr. HASLETT, from the Committee on Forestry, reported as committed, House Bill No. 1237, entitled:

An Act subjecting to terms, conditions and stipulations permits by the Water Supply Commission for the construction of dams and other water obstructions for the supplying of water for certain purposes; authorizing the condemnation of lands and waters; prescribing the condemnation procedure; and providing for revocation and other remedies for breach of such terms, conditions and stipulations.

Mr. JOSEPH C. MARCUS, from the Committee on Banks and Banking, reported as committed, House Bill No. 1330, entitled:

An Act authorizing the establishment and maintenance of branches by banks, savings banks and trust companies, either within or outside the State; providing penalties and remedies in case of violation; and repealing existing laws.

Mr. JOHN G. MARSHALL, from the Committee on Law and Order, reported as amended, House Bill No. 831, entitled:

An Act providing punishment for the selling and furnishing of intoxicating liquors or liquids represented as intoxicating liquors, contrary to law, thereby causing the death of persons drinking the same.

Mr. KOHLER, from the Committee on Pensions and Gratuities, reported as amended House Bill No. 428, entitled:

An Act to amend section one of the act approved the twenty-first day of April, one thousand nine hundred and twenty-one, (P. L. 268), entitled "An Act relating to police pension funds in cities of the third class, and directing such cities to appropriate certain moneys thereto."

Mr. BURD P. EVANS, from the Committee on Education, reported as committed House Bill No. 1341, entitled:

An Act to amend section one thousand six hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Mr. McVICAR, from the Committee on Law and Order, reported with a negative recommendation House Bill No. 1250, entitled:

An Act permitting, licensing, regulating and controlling horse racing and betting and wagering on the result of such races; creating a racing commission with jurisdiction over the same.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 975, as follows:

An Act to amend section six as amended and section eight of the act approved the twenty-fourth day of July one

thousand nine hundred and thirteen (Pamphlet Laws nine hundred and sixty-five) entitled "An Act defining commodities regulating the sale thereof and providing penalties for violations hereof" changing the legal weight of certain commodities and providing for the disposition of certain fines

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and sixty-five) entitled "An Act defining commodities regulating the sale thereof and providing penalties for violation thereof" which was amended by the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and fifty-three) entitled "An Act to amend section six of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred sixty-five) entitled 'An Act defining commodities regulating the sale thereof and providing penalties for violation hereof' as amended" is hererby further amended to read as follows

"Section 6 Whenever any commodity named in this section shall be sold by the bushel the bushel shall consist of the number of pounds herein stated and wherever sold in the subdivisions of the bushel the number of pounds shall consist of the fractional part of the number of pounds as are herein set forth for the bushel namely

Alfalfa seed sixty pounds
Apples (forty-five) forty-eight pounds
Apples dried twenty-five pounds
Barley (forty-seven) forty-eight pounds
Beans dried sixty pounds
Beans castor (shelled) forty-six pounds
Beets fifty-six pounds
Blue-grass seed fourteen pounds
Bran twenty pounds
Broom-corn seed fifty pounds
Buckwheat forty-eight pounds
Cabbage fifty pounds
Carrots fifty pounds
Cement one hundred pounds
Charcoal twenty pounds
Cherries with stems fifty-six pounds
Cherries stemmed sixty-four pounds
Chestnuts hulled fifty pounds
Clover-seed sixty pounds
Coal anthracite seventy-five pounds
Coal bituminous seventy-six pounds
Coal stone eighty pounds
Coke forty pounds
Corn shelled fifty-six pounds
Corn ear (husked) seventy pounds
Corn-meal fifty pounds
Cranberries (forty) thirty-two pounds
Cucumbers (fifty) forty-eight pounds
Currants forty pounds
Flaxseed fifty-six pounds
Gooseberries forty pounds
Grapes forty-eight pounds
Hair (plastering) eight pounds
Hemp-seed forty-four pounds
Herd's grass forty-five pounds
Hickory-nuts fifty pounds
Hominy sixty pounds
Horseradish fifty pounds
Hungarian grass seed fifty pounds
Kaffir corn fifty-six pounds
Lentils sixty pounds
Lime eighty pounds
Linseed fifty-six pounds
Malt thirty-eight pounds
Millet fifty pounds
Oats thirty-two pounds
Onions (fifty) fifty-seven pounds
Onion sets twenty-eight pounds
Orchard grass seed fourteen pounds
Parsnips fifty pounds
Peaches forty-eight pounds
Peaches dried (peeled) thirty-eight pounds
Peaches dried (unpeeled) thirty-three pounds
Peanuts twenty-two pounds
Pears fifty pounds
Peas green (unshelled (fifty-six) twenty-eight pounds
Peas dried sixty pounds
Plums sixty-four pounds
Potatoes sixty pounds
Potatoes sweet fifty-four pounds
Quinces forty-eight pounds
Raspberries forty-eight pounds
Rape-seed fifty pounds
Redtop grass seed fourteen pounds
Rice rough forty-five pounds
Rutabagas sixty pounds
Rye fifty-six pounds
Rye-meal fifty pounds
Salt (course) eighty-five pounds
Salt (ground) sixty-two pounds
Sand one hundred pounds
Shorts twenty pounds
Sorghum-seed fifty pounds
Spelt forty pounds
Spinach twelve pounds
Strawberries forty-eight pounds
Timothy-grass seed forty-five pounds
Tomatoes (sixty) fifty-six pounds
Turnips (sixty) fifty-six pounds
Walnuts (common) fifty pounds
Wheat sixty pounds

Provided That when any fruits or vegetables named in this section are sold in Pennsylvania standard containers which are the original packages and are filled in accordance with good commercial practices such fruits and vegetables shall be exempt from the provisions of the section

Section 2 That section eight of said act is hereby amended to read as follows

Section 8 Each person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper county for first offense shall be fined not more than twenty-five dollars upon conviction for the second offense such person firm or corporation shall be fined not less than twenty-five dollars nor more than one hundred dollars and upon conviction for the third and each subsequent offense such person firm or corporation shall be fined not less than one hundred dollars nor more than two hundred and fifty dollars All fines collected under the provisions of this act shall be for the use of and shall be paid to the treasurer of the respective city or county in which the offense was committed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHN G. MARSHALL. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. McCaig, permit himself to be interrogated.

Mr. McCAIG. Yes, Mr. Speaker

Mr. JOHN G. MARSHALL. I should like to ask the sponsor of the bill if the last paragraph of the bill is not somewhat indefinite in the way it is worded. It says: "All fines collected under the provisions of this act shall be for the use of and shall be paid to the treasurer of the respective city or county in which the offense was committed." How are we to determine which shall receive the fine?

Mr. McCAIG. This is a department bill. If a man is sued in a local community, the fine goes to that particular community. For instance, if a man is sued in the City of Pittsburgh, the fine would go to the city, but when he is sued by the county, then the fine goes to the county.

Mr. JOHN G. MARSHALL. Then in any county having a city of the first, second, third or fourth class the fines would go the City Treasurer, and if any other district of the county, they would go to the County Treasurer.

It is just a matter of interrogation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Albert,	Frazier,	Malie,	Schilling,
Alexander,	Gelder,	Marcus, J.,	Schoener,
Allman,	Gibbon,	Marcus, J. C.,	Schwartz,
Anderson,	Gilchrist,	Marshall, W. F.	Sheridan,
Aston,	Glasgow,	McCaig,	Smith, G. A.,
Bell, F. A.,	Goehring,	McCurdy,	Smith, H. J.,
Bell, W. T.,	Golder,	McDaniel,	Smith, H.,
Berger,	Gorham,	McDermott,	Smith, J. W.,
Betts,	Greeby,	McGowan,	Sowers,
Bidelspacher,	Guerin,	McKim,	Stark,
Blair,	Gundy,	McVicar,	Staudenmeier,
Bluett,	Haas,	Metcalf,	Stavitski,
Blumberg,	Hall,	Miller,	Steedle,
Brenneman,	Harter,	Minehart,	Sterling,
Brewster,	Haslett,	Moffat,	Stevens, A. J.,
Bromley,	Haws,	Moore,	Stevens, A. F.,
Brown,	Heffernan,	Morrison,	Storer,
Brownmiller,	Heffran,	Munley,	Thomas, L. D.,
Burns,	Henderson,	Myers, G. C.,	Thomas, M. G.,
Bush,	Hetrick,	Myers, P. M.,	Thompson,
Chaplin,	Himes,	Nolte,	Van Alen,
Clutton,	Holcombe,	O'Boyle,	Vickerman,
Coldsmith,	Hontz,	Ogle,	Walker,
Colville,	Horne,	Orr,	Weamer,
Craig,	Howell,	Parkinson,	Wells,
Diehm,	Huber,	Patterson,	Wettach,
Dietz,	Irvin,	Peelor,	Wheeler,
Dilsheimer,	Jones, C. B.,	Perry,	Whitehouse,
Driggs,	Jones, D. J.,	Posey,	Whiteman,
Dunn,	Jones, E. P.,	Post,	Williams, G. W.
Eaches,	Keene,	Price,	Williams, J. M.,
Earley,	Kennedy,	Raymond,	Woner,
Edmonds,	Kunkle,	Rhodes,	Wood, N.,
Evans, B. F.,	Lauver,	Richards,	Wood, W. P.,
Evans, J.,	Little,	Rinn,	Wright,
Flinchbaugh,	Long,	Rippman,	Zook,
Fowler, A. I.,	Lucas,	Sample,	Goodnough,
Fowler, D.,	Ludlow,	Sautter,	Speaker.
Fratt,	Lynch,	Schaeffer,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING

The SPEAKER. If there are no objections, the Chair at this time will take up the second reading calendar. Are there objections? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 936, entitled:

An Act for the repression of prostitution and assignation making it unlawful to solicit aid or permit prostitution or to use or permit the use of any place for the purpose of prostitution or assignation making certain evidence admissible in proceedings under this act authorizing the commitment of prostitutes to private institution providing for their parole and prescribing penalties

The first and second section were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

(a) The word "prostitution" as used in this act shall mean the offering or receiving of the body for sexual intercourse for hire

(b) The word "assignation" as used in this act shall mean the making of an appointment or engagement for prostitution or any act in the futherance of such appointment or engagement

(c) The word "faith" as used in this act shall mean religious belief or connections according to the following classifications Jewish Roman Catholic Protestant

Section 2 It is unlawful

(a) To keep set up maintain or operate any place structure or building for the purpose of prostitution or assignation

(b) To occupy any place structure building or conveyance for the purpose of prostitution or assignation or for any person knowing or having reasonable cause to know ing owned by him or under his control to be used for the purthat same is so used to permit any place structure or buildpose of prostitution or assignation

(c) To commit or offer to commit prostitutin or assignation or to aid or abet prostitution or assignation by any means whatsoever

The third section was read as follows:

Section 3 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars and to undergo imprisonment for a period not exceeding one year In the case of prostitutes said imprisonment may at the discretion of the Court be by commitment to a private institution in the Commonwealth adapted to the proper control of women of this class and approved by the State Department of Health and State Department of Public Welfare No person shall be committed to any such institution without the consent of the authorities of the same In no case shall the accused be committed to a religious institution other than of her own faith if any faith is professed All institutions accepting persons for commitment under the provisions of this act shall at all times be open to State inspection

On the question,

Will the House agree to the section?

Mr. VICKERMAN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 3, page 2, lines 25, 26, and 27, by striking out after word "Welfare" the words: "no person shall be committed to any such institution without the consent of the authorities of the same"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read and agreed to as follows:

Section 4 In the trial of any person charged with the violation of any of the provisions this act testimony concerning the reputation of any place structure or building and of the person or persons who reside in or frequent the same and of the defendant shall be admissible in evidence in support of the charge

The fifth section was read as follows:

Section 5 Any person committed under the provisions of this act ay be released on parole at the discretion of the committing court after completion of not less than one-half of the sentence and shall be placed in charge and under the supervision of a designated probation officer Such parole shall continue until the time for the expiration of the sentence The court shall have the power to recommit for any violation of the parole shown by the probation officer

On the question,

Will the House agree to the section?

Mr. VICKERMAN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 5, page 3, lines 11 and 12, by striking out ter word "court" the words: "after completion of not less an one-half of the sentence"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The sixth section was read as follows:

Section 6 All acts or parts of acts inconsistent herewith e hereby repealed

On the question,
Will the House agree to the section?
Mr. VICKERMAN. Mr. Speaker, I desire to offer the llowing amendment.
The SPEAKER. The amendment will be read by the lerk.
The amendment was read by the Clerk as follows:

Amend sec. 6, page 3, by adding at the end thereof in ne 19, the following: "but nothing in this act shall be conrued to repeal any of the provisions of an act approved ie twelfth day of July, one thousand nine hundred and irteen, entitled "An act establishing a court for the County Philadelphia; prescribing its jurisdiction and powers; coviding for the service of its writs, process, or warrants the proper officers of the county or city of Philadelphia; gulating the procedure therein, and appeals therefrom, and coviding for the expenses thereof," its supplements or the nendments thereto."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An Act for the repression of prostitution and assignaon making it unlawful to solicit aid or permit prostituon or to use or permit the use of any place for the purpose prostitution or assignation making certain evidence admisble in proceedings under this act authorizing the commitent of prostitutes to private institutions providing for eir parole and prescribing penalties

And said bill having been read at length the second time id agreed to as amended.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of e Whole being in this case dispensed with,
The House proceeded to the second reading and considera-on of House Bill No. 366, as follows:

n Act to amend section two of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and seventy-nine) entitled "An act relating to the time and manner of taking exception in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case"
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Law two hundred and seventy-nine) entitled "An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taking upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exception need not be taken where the decisions of the court appears in the proceedings of a case" is hereby amended to read as follows
Section 2 A general exception may be taken to the charge without allowance by the trial judge and without the assignment of any reason therefore at any time before the verdict is rendered or thereafter by leave of the court and it shall be thereupon noted by the official stenographer and shall have all the effect of exceptions duly written out signed and sealed by the trial judge at the time of the trial
Such exception shall operate and be construed to be an exception to the charge as a whole and to each and every part thereof and to the answer of the court to each and every point where requests for charge are filed and to the failure or refusal of the court to answer any requests filed but it shall not operate or be construed to be an exception to any matters of fact inadvertently misstated by the court unless the court's attention is called to the alleged misstatement prior to the taking of such exception
When an exception is so taken the charge note of testimony points and answers shall be filed and become part of the record for the purpose of assignment of errors without any requests that the charge and notes of testimony be reduced to writing and filed of record and without any request that the points and answers be filed of record with the charge

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 455 entitled:

An Act providing for the examination of the Locust Mountain Memorial Hospital of Shenandoah Pennsylvania providing for the transfer thereof to the Commonwealth and for its management thereafter and making an appropriation

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is hereby authorized and directed to appoint five citizens to serve without compensation who shall investigate and examine the Locust Mountain memorial Hospital of Shenandoah Pennsylvania and the grounds and equipment and the affairs and accounts thereof If the said persons shall ascertain that said hospital has no outstanding indebtedness and that there are no liens of record against said hospital and that there are no persons firms or corporations which have any claims against said hospital and that said hospital is in good repair then such citizens are hereby authorized to accept said hospital including all buildings equipment and grounds in the name of the Commonwealth
Section 2 After any such acceptance the trustees of said hospital are authorized to make a deed for said hospital to the Commonwealth which shall be deposited with the Secretary of Internal Affairs Thenceforth said hospital shall be known as the Locust Mountain State Hospital at Shenandoah

The third section was read as follows:

Section 3 The Governor shall immediately appoint a Board of Trustees of seven citizens to manage the affairs of said hospital Said trustees shall be appointed for the following terms one for one year two for two years two for four years and two for six years Thereafter as the respective terms expire trustees shall be appointed for six

year terms or until their successors are duly appointed Vacancies shall be filled by the Governor for the unexpired term

On the question,
Will the House agree to the section?

Mr. SCHAFFER, Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 2, line 14, by striking out the word "respectives" and inserting in lieu thereof: "respective"

On the question,
Will the House agree to the amendment?

It was agreed to.

On the question,
Will the House agree to the section as amended?

It was agreed to.

The fourth and fifth sections and title were separately read and agreed to as follows:

Section 4 said Board of Trustees shall have full charge and supervision of the said hospital and its affairs and shall appoint a superintendent and such physicians nurses clerks and employes as may be necessary and fix their compensation The board subject to the approval of the Commissioner of Public Welfare shall adopt and amend such rules and regulations for the government of the hospital and the admission of patients as it may deem necessary The board shall make a biennial report to the Governor

Section 5 The sum of two hundred dollars or so much thereof as may be necessary is hereby appropriated to pay the expenses of the persons appointed to accept said hospital pursuant to this act

An Act providing for the examination of the Locust Mountain Memorial Hospital of Shenandoah Pennsylvania providing for the transfer thereof to the Commonwealth and for its management thereafter and making an appropriation

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 18, as follows:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any Penitentiary or County Prison in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person confined in any prison or penitentiary (whether such persons be tried or untried prisoners) shall be deprived at any time of the right to the use of tobacco for a longer period than two weeks in any form and no Warden Board of Prison Managers Prison Inspectors or any other person in authority in charge of any prison or penitentiary shall pass or enforce any rule or regulation depriving any person confined therein of the right to the use of tobacco for a longer period than two weeks

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 16, as follows:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary or county prison in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person confined in any penitentiary or county prison (whether such person to be a tried or untried prisoner) shall for any infraction of such prison rules and regulations be punished by being placed in solitary confinement or by having silence enforced upon him or her for a period longer than one week and no Warden Board of Prison Managers Prison Inspectors or any other person in authority in charge of any prison or penitentiary shall pass any regulation or enforce any regulation in violation of this act except as to certain persons whom it is necessary to so confine

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 19, as follows:

An Act to provide for the physical welfare of all persons confined (whether such persons be tried or untried Prisoners) in any Penitentiary or County Prison in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every Warden Board of Prison Managers Prison Inspectors or any other person in authority in charge of any prison or penitentiary who may or shall have in charge any person confined therein whether such person be a tried or an untried prisoner shall provide that such person shall have at least two hours daily physical exercise in the open weather permitting and upon such days on which the weather is inclement such person shall have two hours daily of physical exercise indoors of such prison or penitentiary

Section 2 Such physical exercise is not under this act to be taken by any person confined as hereinbefore defined within the confines of his cell or room in which he shall be confined

Section 3 This act is not to apply to persons confined who are not physically able to take such physical exercise as provided for

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1007, as follows:

An Act to amend an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of the moneys due the Commonwealth thereof and for proceedings relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of this Commonwealth fixing liability for their support providing for the collection of the moneys due the Commonwealth there-

for and for proceedings relating thereto" is hereby amended to read as follows

Section 7 Where there is a claim against the estate of any person maintained in any home hospital asylum or other institution both on behalf of the Commonwealth and on behalf of any county or poor district and there is not sufficient in the estate to pay the claims in full the same shall be paid pro rata to the State and the county or poor district in the proportion of the amount of maintenance legally recoverable by each and the State shall not be permitted to object to the claim of the county or of the poor district on the ground that the same or any part thereof is barred by the Statute of Limitations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1197, as follows:

An Act to amend section one of an act approved the twenty-eighth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws sixty-three) entitled "An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon" by changing the name of said institution

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-eightn day of April one thousand eight hundred and eighty-seven (Pamphlet Laws sixty-three) entitled "An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon" is hereby amended to read as follows:

Section 1 Be it enacted et cetera That whenever the grounds shall be fitted and the buildings made ready for furniture and industrial equipments as contemplated by the act of the General Assembly approved on the eighth day of June one thousand eight hundred and eighty-one entitled "A supplement to an act entitled 'An act to create a middle penitentiary district in this State and to provide for the erection of a State penitentiary for the same'" approved the twelfth day of June Anno Domini one thousand eight hundred and seventy-eight the commissioners constituted by said act shall make and transmit a certificate thereof under their hands and seals to the Governor of this Commonwealth The Governor shall thereupon appoint five persons who shall act as a board of managers of said institution which shall be known as the "Huntingdon Training School" The managers shall perform the duties required of them by this act and shall hold meetings once a month or oftener if necessary and shall be paid for traveling expenses ten cents per mile computed circular They shall hold their offices respectively for the term of ten years except on the first organization of the board it shall be provided by lot that the terms of members shall terminate respectively at the end of two four six eight and ten years and they shall be so classified that the terms of the original appointees shall expire every second year Whenever vacancies shall occur in the said board of managers such vacancies for unexpired terms thereof shall be filled by the appointment of the Governor in such manner that the principle of rotation as aforesaid shall be maintained The Governor may remove any of the managers for misconduct incompetency or neglect of duty after opportunity shall be given him or them to be heard upon written charges

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 837, as follows:

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by the Superior Court imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act giving the Superior Court jurisdiction in all prosecutions arising out of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any criminal prosecution shall have been instituted or any warrant of arrest shall have been issued or any arrest shall have been made or attempted with the purpose and intent of criminal prosecution in the courts of any county against any person within the jurisdiction of the county whether he be a citizen of the United States or not and such person shall appeal as hereinafter provided for protection of the government upon the ground that he has reasonable cause to apprehend that he will be denied the equal protection of the laws by the county within whose jurisdiction he is or by any officers or inhabitant of such county such person shall be entitled to the protection of the courts and officers of the State to the end that the protection guaranteed by the Constitution of this State may be given

Section 2 That any person within the jurisdiction of any county charged with a felony or other crime who shall file with the prothonotary of the Superior Court of this Commonwealth a duly verified petition showing (1) that he is charged with or has been arrested for the alleged commission of or participation in some felonious or criminal act the nature of which shall be set out in his petition (2) that he has reason to apprehend that because of his race nationality or religion which shall be specifically stated in his petition the petitioner is likely to be denied the equal protection of the laws either by the courts the officers of the law or other inhabitants of the county within whose jurisdiction he is and (3) that some other person or persons of his race color nationality or religion within the jurisdiction of such county charged with an offense similar to that with which the petition is charged have been put to death without trial or brutally assaulted or otherwise maltreated or have been denied trial by due course of law in the courts of such county upon similar charges because of the race color nationality or religion of such person or persons he shall be entitled to and shall receive the protection of all officers of the Commonwealth The duly verified petition above described may be verified and filed either by the person in jeopardy as above described or by another person in his behalf Upon the filing of such petition with the prothonotary of such court it shall be the duty of such prothonotary to issue forthwith to a member of the State Police a warrant commanding him to bring the body of such petitioner into court for hearing upon such petition

Section 3 That it shall be the duty of such State Policeman upon receipt of such warrant to arrest and detain the petitioner and to protect him from assault or injury and in case such petitioner is in the custody of any officer or person upon a warrant to hold petitioner for prosecution in any county court for felony or other crime such State Policeman shall take such petitioner from such official receipting to him for the body of the petitioner

Section 4 That when said petitioner shall have been brought into court he shall be entitled to a summary hearing upon his petition and in case he has been taken from the custody of any officer he shall in event his petition is not sustained be surrendered by the State Policeman to the officer whom he had been taken and if he has not been taken from the custody of any officer he shall in the event his petition is not sustained be set at liberty and the costs of the proceedings shall be taxed against him in case the petition is sustained by the court the petitioner shall be remanded to the custody of the Superintendent of State Police for protection until petitioner may be tried in the Superior Court upon such indictment information or other charge as may have been or may be made or returned against him and for the purpose of such trial such court shall have and possess jurisdiction to try and determine any and all proceedings upon indictment or information which may be removed from any county court under this act

Section 5 Whoever shall knowingly and wilfully obstruct resist or oppose any officer of the Commonwealth or other person duly authorized in serving or attempting to serve or execute the warrant herein provided for or shall assault beat or wound any officer or other person duly authorized to serve the same knowing or having reason to believe him to be such officer or other person so duly authorized or any person lawfully in the custody if such officer or other person so duly authorized in serving or executing any such warrant shall be fined not more than ten thousand dollars and imprisonment not more than ten years

Section 6 Whoever shall rescue or attempt to rescue take or abduct from the custody of any officer or person lawfully assisting him any person taken upon a warrant under the provisions of this act or shall directly or indirectly aid abet or assist any person so arrested to escape or to be taken or abducted from the custody of such officer or other person or shall harbor or conceal any person for whose arrest such a warrant has been issued so as to prevent his discovery and arrest after notice or knowledge of the fact that a warrant or process has been issued for the apprehension of such person shall be fined not more than one thousand dollars or imprisoned not more than six months or both and in case the taking or rescue of any such person in custody as aforesaid shall be followed by the killing of the person so taken from custody all persons engaged in such taking or abduction or killing or in any way contributing thereto shall be guilty of murder and any such person may be indicted for murder and tried in the Superior Court

Section 7 That the putting to death within any county of any person within the jurisdiction of the county by mob or riotous assemblage of three or more persons openly acting in concert in violation of law and in default of protection of such person by such county or the officers thereof shall be deemed a denial to such person by such county of the equal protection of the laws and a violation of the peace of the Commonwealth and an offense against the same

Section 8 That every person participating in such mob or riotous assemblage by such person is put to death as described in the section immediately preceding shall be guilty of murder and shall be liable to prosecution and upon conviction to punishment thereof according to law in the Superior Court

Section 9 That every county in which such unlawful putting to death occurs shall be subject to a forfeiture of ten thousand dollars which may be recovered by action therefor in the name of the Commonwealth against such county for the use of the dependent family if any of the person so put to death and if none for the use of the Commonwealth which action shall be brought and prosecuted by the Attorney General If such forfeiture is not paid upon recovery of judgment therefor the Superior Court shall have jurisdiction to enforce payment thereof by extent of levy of execution upon any property of the county or may compel the levy and collection of a tax therefore or otherwise compel payment thereof by mandamus or other appropriate process and every officer of such county and every other person who disobeys or fails to comply with any lawful order of the court in the premises shall be liable to punishment according to law as for contempt and to any other penalty provided by law therefor

Section 10 That in the event any person so put to death who shall have been taken from an officer in one county by a mob or riotous assemblage of three or more persons shall have been taken in one county and transported to another before such killing shall have taken place each and every county through which such murderd person shall have been transported during the time intervening between his capture by such mob or riotous assemblage shall be jointly and severally liable to the forefeiture hereinabove provided

Section 11 That every officer having the duty or power of preservation or conservation of the peace at the time and place of any such putting to death as described in section seven hereof who having reasonable cause to beleive that the same is being or is to be attempted neglects or omits to make all reasonable efforts to prevent the same and every officer having the duty or power of prosecuting criminal offenses at such time and place who neglects or omits to make all reasonable efforts to prevent the same and every officer having the duty or power of prosecuting criminal offenses at such time and place who neglects or omits to make all reasonable efforts to prosecute to judgment under the laws of this State all persons participating in such mob or assemblage as herein above described except such if any as have been or are held to answer therefor in the Superior Court as hereinabove provided shall be deemed guilty of an offense against the Commonwealth and shall be liable to prosecution therefor in the Superior Court and upon conviction thereof shall be punished by imprisonment not exceeding five years or by fine not exceeding five thousand dollars or by both such fine and imprisonment

Section 12 That every officer having the custody within a county of any person charged with or held to answer for any crime or offense who suffers such person to be taken from his custody by a mob or riotous assemblage of three or more persons openly acting in concert in violation of law with the purpose of putting such person to death or inflicting bodily violence upon him in default of protection of such person by such county or the officers thereof shall be deemed guilty of an offense against the Commonwealth and shall be liable to prosecution therefor in the Superior Court and upon conviction thereof shall be punished by imprisonment not exceeding five years or by fine not exceeding five thousand dollars or by both such fine and imprisonment

Section 13 That in any prosecution for any of the offenses defined herein and in any action for forfeiture imposed as herein provided every person who has participated in lynching or in putting to death of or of the infliction of great bodily violence upon any person without authority of law and every person who entertains or has expressed any opinion in favor of lynching or in justification or excuse thereof or whose character conduct or opinions have been or are such as in the judgment of the court may tend to dsqualify him for the impartial and unprejudiced trial of the cause shall be disqualified to serve as a juror and the Attorney General in such action or prosecution shall be entitled to make full inquiry thereof and to produce evidence thereon and every person who refuses to answer any inquiry touching his qualifications on the ground that he may thereby criminate himself shall be disqualified as aforesaid

Section 14 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1079, entitled:

An Act relating to the satisfaction of mortgages the determination of the amount due and unpaid on the same and to whom payable in certain cases Including all cases where a mortgage is given to secure a bond or bonds and the mortgage is claimed by one claimant and the bond or bonds by another all cases where a mortgage is made to a trustee without naming or designating the cestui que trust or imposing any duties on the trustee to be performed on behalf of the bond holder or bond holders and the bonds or the judgments confessed on the same are assigned to a claimant or claimants other than the trustee and all cases where there is a dispute as to what bond or bonds are secured by such mortgage providing procedure for determining the issues involved in such cases and the satisfaction of such mortgages the payment of costs in such cases with the right of appeal without affecting the validity of the bonds as personal obligations or as liens on land other than as they claim priority as the bonds secured by such mortgage and providing for scire facias execution and sale on such mortgage

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania n General Assembly met and it is hereby enacted by the authority of the same That this act shall apply

A To every case where the record of a mortgage now or hereafter shows the same to belong to some person or persons firm or corporation and the bond or bonds secured by such mortgage or the judgment or judgments confessed on the same are claimed by some other person or person firm or corporation

B To every case where the record of a mortgage now or hereafter shows the same to belong to a trustee without naming or otherwise designating the cestui que trust or imposing any duties upon the trustee to be performed on behalf of the bond holder or bond holders and the bond or bonds accompanying such mortgage or the judgment or judgments confessed thereon are have been or shall be assigned to some person or persons firm or corporation other than the trustee

C To every case where a mortgage has been given to secure the payment of a bond or bonds and there is a dispute as to what particular bond or bonds are secured thereby

Section 2 In every case mentioned in the first section of this act it shall be lawful for the owner of the land covered by said mortgage the mortgagor the holder of one or more of said bonds or the trustee if any to present a petition to the Court of Common Pleas of the county wherein the said mortgage is recorded setting forth the facts and praying for appropriate relief or satisfaction of said mortgage Whereupon the court shall direct that notice of said petition be given to the owners of the land covered by said mortgage the mortgagor all the holders of bonds that claim that said mortgage was given to secure the bond or bonds which they hold and the trustee if any or to the personal representatives of the same if any of them are dead requiring them to answer said petition on a day certain to be fixed by the court which shall not be less than fifteen days after the day that the petition is presented to the court and the court may for cause shown enlarge the time On motion of any of the parties in interest the court shall fix a time for hearing on said petition and the answers thereto and shall determine what if any amount of money remains due and unpaid on account of said mortgage and to whom the same is payable and what bond or bonds said mortgage was given to secure and if the court finds that said mortgage has been paid in full or if the money is paid into court in accordance with the decree of the court fixing the amount thereof and the decree so made is not appealed from and the appeal made as supersedeas within three weeks from the entry the said court after three weeks from the entry of said decree or any time after the decree is affirmed if affirmed by the appellate court shall issue an order and decree to the Recorder of Deeds in and for the county where the mortgage is recorded to enter satisfaction upon the record of the same and the Recorder of Deeds shall record said decree and mark the mortgage satisfied and if said mortgage is recorded in more than one county said order shall issue to the Recorder of Deeds in and for each county in which said mortgage is recorded and each Recorder of Deeds shall record the same and mark the mortgage satisfied and the petition herein provided for may be presented in the Court of Common Pleas of any county wherein any of the land lies which is covered by said mortgage and the said Court of Common Pleas wherein said petition is first presented shall have exclusive jurisdiction to hear and determine the same Provided nevertheless That if any issues of fact are raised in the petition and answers and any of the parties to the proceeding shall demand in said petition or answers that it be done the Court shall frame an issue to be submitted to a jury to determine said issues of fact and the pleadings in said issues shall be said petition and the answers thereto and after the verdict of the jury on said issue the Court shall issue its decree to the Recorder of Deeds for the satisfaction of said mortgage as hereinbefore provided on compliance with the decree of Court and the verdict of the jury The entry of satisfaction on the record of a mortgage under the terms of this act shall bar any other recovery on the same and upon the bond or bonds which said mortgage was given to secure as determined by the decree of the Court by authority of this act

Section 3 In all cases where the money is paid into Court under the provisions of section one or section two of this act the same shall be paid out in accordance with the decree of the Court directing to whom it shall be paid

The fourth section was read as follows:

Section 4 In all cases where personal service cannot be had upon the persons required to have notice under the provisions of this act notice may be served upon them by publication in one newspaper in the county where the proceeding is had once a week for three successive weeks the last publication of which shall be published at least five days before the day on which the answer is to be filed but persons who have not filed an answer to the said petition shall not be entitled to notice of the time fixed for hearing on the same or to notice of any other proceeding in the case The Court shall have authority to prescribe the form of the notice and shall make same as brief as the nature of the case will permit and said notice may contain the date of the hearing on said petition and answers

On the question,

Will the House agree to the section?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 4, by inserting after the words "notice may be served upon them by publication in one newspaper" the following words: "And in the legal periodical, if any, published in the county in which said proceedings are brought, and designated by Rules of Court for the publication of legal notices."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth, sixth, seventh, eighth, and ninth sections and title were separately read and agreed to as follows:

Section 5 Any petitioner or respondent or the legal representatives of any of them shall have the right of appeal from any final decree of the Court of Common Pleas provided for in this act to the Supreme or the Superior Court of Pennsylvania as in other cases and for the purposes of said appeal a decree fixing the amount due on the mortgage and the person to whom the same is payable either with or without a verdict of jury shall be a final decree and may be appealed from without awaiting any further action by the Court of Common Pleas and if an appeal from a decree fixing the amount due on a mortgage and to whom the same is payable is made a supersedeas by any of the methods now provided by law no further action shall be taken by the Court of Common Pleas in the matter until the appellate court disposes of said appeal

Section 6 The determination by the Court as to what bond or bonds are secured by a mortgage under the provisions of this act or the direction that the money found to be due on said mortgage shall be paid to any of the claimants shall not affect the validity of the bond or bonds held by any claimant or claimants under said proceeding in so far as said bonds are the personal obligations of the makers thereof or in so far as they may be liens upon lands except that the determination of these matters by the Court of Common Pleas under the provisions of this act shall determine whether or not said bonds are entitled to the priority of lien which they would be entitled to as the bonds secured by said mortgage

Section 7 In all cases where the court has decreed the amount due and unpaid on any such mortgage and the person or persons to whom the same is payable either with or without the verdict of a jury and said decree has become final and said money has not been paid into court the person or persons to whom said money is decreed to be payable after ten days from the date on which such decree became final may proceed by scire facias execution and sale on said mortgage in the name of the mortgagee or his executors or administrators if the mortgage is dead to his her or their use and upon collection of the debt secured by said mortgage the use plaintiff or plaintiffs is said scire facias may direct the satisfaction of said mortgage with like force and effect as though the said mortgage had originally been made payable to said use plaintiff or plaintiffs But

in the trial of said scire facias the amount decreed by the Court to be due and unpaid on said mortgage and the person or persons to whom the same is payable under the second section of this act shall be conclusive as to the same as of the date when said decree was made

Section 8 The petitioner shall be liable primarily for the costs in the Court of Common Pleas except the fees and mileage of the witnesses and the persons calling a witness shall be liable primarily for the fees and mileage of the witness but the court of common pleas may make such order as to the payment of the costs as said court may decree just The costs of an appeal shall be paid as the appellate court shall direct

Section 9 In fixing the amount due on a mortgage under the terms of this act the court shall include whatever attorney fees or commissions are provided for in the mortgage or the bond or bonds secured by the same

An Act relating to the satisfaction of mortgages the determination of the amount due and unpaid on the same and to whom payable in certain cases Including all cases where a mortgage is given to secure a bond or bonds and the mortgage is claimed by one claimant and the bond or bonds by another all cases where a mortgage is made to a trustee without naming or designating the cestui que trust or imposing any duties on the trustee to be performed on behalf of the bond holder or bond holders and the bonds or the judgments confessed on the same are assigned to a claimant or claimants other than the trustee and all cases where there is a dispute as to what bond or bonds are secured by such mortgage providing procedure for determining the issues involved in such cases and the satisfaction of such mortgages the payment of costs in such cases with the right of appeal without affecting the validity of the bonds as personal obligations or as liens on land other than as they claim priority as the bonds secured by such mortgage and providing for scire facias execution and sale on such mortgage

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1025, as follows:

An Act to provide a method of relieving real estate of the charge of a life interest imposed thereon by any order judgment or decree of any court in this Commonwealth in any partition proceedings

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever in any proceeding for the partition of real estate now pending or hereafter brought in any court of this Commonwealth a certain sum of money is charged upon the land the subject matter of the said proceeding or any part thereof the interest whereof is to be paid to any person or persons for and during his or their natural lives the court having jurisdiction of the said cause may on petition of the person entitled to receive such interest or of the purchaser of the said land or of the person to whom such land may be warded in such proceeding or of the persons entitled to receive the principal sum at the termination of the life estate and after such notice to all parties in interest as it may prescribe direct the purchaser or person to whom the said land is awarded to pay such principal sum to a suitable person or corporation who shall be appointed by the court as trustee to receive and hold such principal sum invest it in securities authorized by law pay the income thereon after deducting all legal charges to the person entitled thereto and upon the death of such person pay over such principal sum to the persons thereunto legally entitled after deducting all charges thereon

Section 2 Any trustee so appointed shall enter such security as the court may direct He shall not be an insurer of the trust fund and shall be liable to the persons interested in the income or corpus of the trust fund only for such care prudence and diligence in the execution of the trust as other trustees are liable for

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 715, as follows:

An Act to amend section eighteen of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns the the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring that parents be notified of the registration of birth certificates

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That section eighteen of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" is hereby amended to read as follows

"Section 18 That the State Registrar shall prepare print and supply to all registrars all blanks and forms used in registering recording and preserving the returns or in otherwise carrying out the purposes of this act and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration And no other blanks shall be used than those supplied by the State Registrar He shall carefully examine the certificates received monthly from the local registrars and if any such are incomplete or unsatisfactory he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory and all physicians midwives informants or undertakers connected with any case and all other persons having knowledge of the facts are hereby required to furnish such information as they may possess regarding any birth or death upon demand of the State Registrar in person by mail or through the local registrar He shall further arrange bind and permanently preserve the certificates in a systematic manner and shall prepare and maintain a comprehensive and continuous index of all births and deaths registered the cards to show the name of child or deceased place and date of birth or death number of certificate and the volume in which it is contained" Within ten days after receipt of a certificate of the birth of a living child he shall send to the parent of such child a notice of the registry of the child's birth Such notice

shall state the following facts as contained in the birth certificate

1 Name of child
2 Place and date of birth
3 Given name of father
4 Given name of mother
5 Permanent file number of certificate

This notice may be accepted by school authorities as evidence of child's age for all purposes connected with employment or school attendance and may contain such other matter as the State Registrar deems desirable "He shall inform all registrars what diseases are to be considered as infectious contagious or communicable and dangerous to the pubilc health as provided by law and by the regulations of the State Department of Health in order that when deaths occur from such diseases proper precautions may be taken to prevent the spreading of dangerous diseases It shall also be the duty of the State Registrar to collect preserve and tabulate records of all marriages performed within the State and to tabulate and compile statistics of morbidity reports received by the Department of Health after such necessary methods and forms as shall be from time to time directed by the Commissioner of Health"

Section 2 This act shall take effect on the first day of July Anno Domini one thousand nine hundred and twenty-three

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1230, entitled:

An Act to amend section one of the act approved the twenty-seventh day of March one thousand eight hundred and seventy-three (Pamphlet Laws fifty-four) entitled "An Act to organize the State Hospital for the insane at Danville and provide for the government and management of the same" as amended by changing the corporate name of the said hospital

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-seventh day of March one thousand eight hundred and seventy-three (Pamphlet Laws fifty-four) entitled "An act to organize the State Hospital for the insane at Danville and provide for the government and management of the same" which was amended by the act approved the seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred and sixty) entitled "An act to amend an act entitled 'An act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same' approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three so as to change the term of the superintendent of said hospital and extend the powers of the trustees of said institution" reads as follows

"Section 1 Be enacted et cetera That the Governor shall nominate and by and with the consent of the Senate appoint nine persons to be trustees of the said institution who shall be a body politic or corporate by the name and style of the Trustees of the State Hospital for the Insane at Danville Pennsylvania and shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the constitution and laws of the Commonwealth and shall have power to receive hold dispose of and convey any real and personal property conveyed to them by gift devise or otherwise for the use of said institution and shall serve without compensation of those first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by appointment for three years and should any vacancy occur by death or resignation of any trustee such vacancy shall be filled by appointment for the unexpired term of such trustee the said trustees shall have entire charge of the management government and control of the institution they shall appoint the superintendent who shall be a skillful physician familiar with the treatment of the insane subject to removal or reelection no oftener than in periods of three years except for infidelity to the trust reposed in him or for incompetency said physician shall reside in the hospital and if he be a married man his family may reside with him at the expense of the hospital the trustees shall also appoint a treasurer who shall give bonds to the Commonwealth for the faithful discharge of his duties they shall determine his compensation for services also the salaries of other officers and assistants who may be necessary for the just and economical administration of the affairs of said hospital" is hereby further amended to read as follows:

Section 1 Be it enacted et cetera That the Governor shall nominate and by and with the consent of the Senate appoint nine persons to be trustees of the said institution who shall be a body politic or corporate by the name and style of the Trustees of the Danville State Hospital at Danville Pennsylvania and shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the constitution and laws of the Commonwealth and shall have power to receive hold dispose of and convey any real and personal property conveyed to them by gift devise or otherwise for the use of said institution and shall serve without compensation of those first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by appointment for three years should any vacancy occur by death or resignation of any trustee such vacancy shall be filled by appointment for the unexpired term of such trustee the said trustees shall have entire charge of the management government and control of the institution they shall appoint the superintendent who shall be a skillful physician familiar with the treatment of the insane subject to removal or reelection no oftener than in periods of three years except for infidelity to the trust reposed in him or for incompetency said physician shall reside in the hospital and if he be a married man his family may reside with him at the expense of the hospital the trustees shall also appoint a treasurer who shall give bonds to the Commonwealth for the faithful discharge of his duties they shall determine his compensation for services also the salaries of other officers and assistants who may be necessary for the just and economical administration of the affairs of said hospital

On the question,

Will the House agree to the section?

Mr. DIETZ. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1 page 1 line 9 by striking out the word "which"

Amend Sec. 1 page 2 line 6 by striking out the word "reads" and inserting in lieu thereof: "is hereby amended to read"

Amend Sec. 1 page 2 lines 7 to 28 by striking out lines 7 to 28 both inclusive and eliminating them from the bill

Amend Sec. 1 page 3 lines 1 to 13 by striking out lines 1 to 13 both inclusive and eliminating them from the bill

Amed Sec. 1 page 3 line 19 by inserting after "Hospital" the following: "for the Insane"

Amend Sec. 1 page 3 line 19 by placing a parenthesis before "at" and after the word "Pennsylvania"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the amendments?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of the act approved the twenty-seventh day of March one thousand eight hundred and

seventy-three (Pamphlet Laws fifty-four) entitled "An act to organize the State Hospital for the insane at Danville and provide for the government and management of the same" as amended by changing the corporate name of the said hospital

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 229, as follows:

An Act to amend section twelve of article five of the act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilitiees prescribing defining and limiting their powers and regulating their incorporation and to a lmited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby teakn injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin county exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloading within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That part of section twelve of article five of the act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a public Service commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alternation relocation or abolition of the crossings or railroad corporations street railways corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such case providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial reviews of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin county exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carries by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" which as amended by the act approved the seventeenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and twenty-five) entitled "A act to amend section twelve of article five of an act known as the Public Service Company Law approved the twenty-sixth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) so as to authorize the Public Service Commission of the Commonwealth of Pennsylvania to establish lay out and open public highways in boroughs or townships in order to provide access to crossings which may be established relocated or constructed in accordance with the orders of said commission and to authorize said commission to abandon

and vacate public highways which may become necessary and to assess and apportion the cost and damages connected therewith" reads as follows

"Section 12 Except in cases in which grade crossings are in process of abolition at the time of the passage of this act under agreement or contract with a municipality as set forth in the proviso of section five or article three of this act the commission shall have exclusive power to determine order and prescribe in accordance with plans and specifications to be approved by it the just and reasonable manner including the particular point of crossing in which the tracks or other facilities of any public service company may be constructed across the tracks or other facilities of any other public service company at grade or above or below grade or at the same or different levels or in which the tracks or other facilities of any railroad corporation or street railway corporation may be constructed across the tracks or other facilities of any other railroad corporation or street railway corporation or across any public highway at grade or above or below grade or in which any public highway may be constructed across the tracks or other facilities of any railroad corporation or street railway corporation at grade or above or below grade and to determine order and prescribe the terms and conditions of installation operation maintenance and protection of all such crossings which may now or hereafter be constructed including the stationing of watchmen thereat or the installation and regulation of lights block or other system of signal ing safety appliances devices or such other means or instrumentalities as may to the commission appear reasonable and necessary—to the end intent and purpose that accidents may be prevented and the safety of the public promoted No such crossing shall be constructed without the approval of the commission evidenced by its 'Certificate of Public Convenience' as provided in section five of article three of this act but in no case shall the approval or consent of any court board or other commission or officer or of any municipality be necessary therefor It shall be proper however for the commission by general rule or order whenever the same can be properly regulated by suitable general rule to prescribe the terms and conditions under which such crossing may be constructed operated maintained or protected without the particular approval of the commission

The commission shall also have exclusive power upon its own motion or upon complaint and after hearing as hereinafter provided (of which all the parties in interest including the owners of adjacent property shall have due notice) to order any crossing aforesaid now existing or hereafter constructed at grade or at the same or different levels to be relocated or altered or to be abolished according to plans and specifications to be approved and upon just and reasonable terms and conditions to be prescribed by the commission" is hereby further amended to read as follows:

Section 12 Except in cases in which grade crossings are in process of abolition at the time of the passage of this act under agreement or contract with a municipality as set forth in the proviso of section five of article three of this act the commission shall have exclusive power to determine order and prescribe in accordance with plans and specifications to be approved by it the just and reasonable manner including the particular point of crossing in which the tracks or other facilities of any public service company may be constructed across the tracks or other facilities of any other public service company at grade or above or below grade or at the same or different levels or in which the tracks or other facilities of any railroad corporation or street railway corporation may be constructed across the tracks or other facilities of any other railroad corporation or street railway corporation or across any public highway at grade or above or below grade or in which any public highway may be constructed across the tracks or other facilities of any railroad corporation or street railway corporation at grade or above or below grade and to determine order and prescribe the terms and conditions of installation and operation maintenance and protection of all such crossings which may now or hereafter be constructed including the stationing of watchmen thereat or the installation and regulation of lights block or other system of signalling safety appliances or such other means or instrumentalities as may to the commission appear reasonable and necessary to the end intent and purpose that accidents may be prevented and the safety of the public promoted No future crossing by a railroad of a highway or by a highway of a railroad at grade shall be permitted by the Commission unless the Commission deems a crossing above or below grade impracticable or impossible No crossing shall be constructed without the approval of the commission evidenced by its "Certificate of Public Convenience" as provided in section five of article three of this act but in no case shall the approval or consent of any court board or other commission or officer or of any municipality be necessary therefor It shall be proper however for the commission by general rule or order whenever the same can be properly regulated by suitable general rule to prescribe the terms and conditions under which such crossing may be constructed operated maintained or protected without the particular approval of the commission

The commission shall also have exclusive power upon its own motion or upon complaint and after hearing as hereinafter provided (of which all the parties in interest including the owners of adjacent property shall have due notice) to order any crossing aforesaid now existing or hereafter constructed at grade or at the same or different levels to be relocated or altered or to be abolished according to plans and specifications to be approved and upon just and reasonable terms and conditions to be prescribed by the commission and the commission shall require the abolition of at least two percentum of the total number of grade crossings upon the main lines of all railroads operating within this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 187, as follows:

An Act relating to pistols and revolvers regulating the sale possession and use thereof defining "pistol or revolver" imposing additional penalties for crimes committed while unlawfully armed prohibiting the ownership or possession of a pistol or revolver by any unnaturalized foreign-born person and by persons convicted of certain felonies providing for licenses to carry and licenses to sell pistols and revolvers prohibiting the disposing thereof to minors or to persons not entitled to own or possess the same and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That DEFINITION "pistol or revolver" as used in this act shall mean any firearm with barrel less than twelve inches in length except antique firearms incapable of use as such

Section 2 COMMITTING CRIME WHEN ARMED Any person committing or attempting to commit a crime when armed with a pistol or revolver and having no permit to carry the same shall upon conviction thereof in addition to the punishment provided for the crime be sentenced to undergo imprisonment for not less than five years nor more than ten years and for a second or third offense to double and triple such penalty and for a fourth offense the person so convicted may be sentenced to imprisonment for life

Section 3 BEING ARMED PRIMA FACIA EVIDENCE OF INTENTION In the trial of a person for the commission of any felony against the person of another the fact that he was armed with a pistol or revolver and had no permit to carry the same shall be prima facie evidence of his intention to commit said felony

Section 4 ALIENS AND CRIMINALS MUST NOT POSSESS ARMS No unnaturalized foreign born person and no person who has been convicted of a felony against the person or property of another shall own or have a pistol or revolver in his possession or under his control Any person violating the provisions of this section shall be guilty of a misdemeanor and on conviction be sentenced to undergo imprisonment for not less than five years nor more than ten years

Section 5 CARRYING PISTOL CONCEALED No person shall carry a pistol or revolver concealed in any vehicle or upon his person except in his dwelling house or

place of business without a license therefor as hereinafter provided Any person violating the provisions of this section shall be guilty of a misdemeanor and on conviction be sentenced to undergo imprisonment for not less than one year nor more than five years

The provisions of this section shall not apply to marshals sheriffs policemen or other duly appointed peace officers nor to the regular and ordinary transportation of pistols or revolvers as merchandise nor to members of the Army Navy or Marine Corps of the United States or the National Guard when on duty or organizations by law authorized to purchase or receive such weapons from the United States or the State of Pennsylvania nor to duly authorize military or civil organizations when parading nor to the members thereof when at or going to or from their customary places of assembly

Section 6 ISSUE OF LICENSES TO CARRY Any judge of the court of common pleas shall upon application of any person having a bona fide residence or place of business within the State of Pennsylvania or of any person having a bona fide residence or place of business within the United States and a permit to carry a firearm concealed upon his person issued by the authorities of any State or subdivision of the United States issue a license to such person to carry a pistol or revolver within the state of Pennsylvania for not more than one year from date of issue if it appears that the applicant has good reasons to fear an inquiry to his person or property or for any other proper purpose and that he is a suitable person to be licensed The license shall be in triplicate in form to be prescribed by the Superintendent of the Department of State Police and shall bear the name address description and signature of the licensee and the reason given for desiring a license The original thereof shall be delivered to the licensee the duplicate within seven days be sent by registered mail to the Superintendent of the Department of State Police and the triplicate shall be preserved for six years by the judge of the Common Pleas Court issuing the same

Section 7 DEALERS TO BE LICENSED Any person who sells advertises or exposes for sale or has in his possession with intent to sell pistols or revolvers without being licensed as hereinafter provided shall be guilty of a misdemeanor and on conviction shall be sentenced to undergo imprisonment for not less than two years nor more than five years

Section 8 DEALERS' LICENSES BY WHOM GRANTED AND CONDITIONS THEREOF The superintendent of the Department of State Police may grant licenses and may prescribe the form thereof effective for not more than one year from date of issue permitting the licensee to sell pistols and revolvers at retail subject to the following conditions

1 The business shall be carried on only in the building designated in the license

2 The license or a copy thereof certificate by the issuing authority shall be displayed on the premises where it can easily be read

3 No pistol or revolver or imitation thereof or placard advertising the sale thereof shall be displayed in any part of said premises where it can readily be seen from the outside

Section 9 SELLING TO MINORS Any person or persons who shall sell barter hire lend or give any pistol or revolver to any minor under the age of twenty-one years shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not more than one hundred dollars or to be imprisoned not more than three months or both

Section 10 SALES REGULATED No person shall sell deliver or otherwise transfer a pistol or revolver to a person who he has reasonable cause to believe either is an unnaturalized foreign-born person or has been convicted of a felony against the person or property of another No person shall deliver a pistol or revolver on the day of the application for the purchase thereof nor unless when delivered said pistol or revolver is unloaded and securely wrapped Before a delivery is made the purchaser shall sign in duplicate and deliver to the seller a statement containing his full name address and nationality the date of sale the caliber make model and manufacturer's number of the weapon The seller shall within seven days sign and forward by registered mail to the Superintendent of the Department of State Police one copy thereof and shall retain the other copy for six years This section shall not apply to sales at wholesale Where neither party to the transaction holds a dealer's license no person shall sell or otherwise transfer a pistol or revolver to any person not personally known to him Any person violating any of the provisions of this section shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine of not more than five hundred dollars or less than one hundred dollars or to undergo imprisonment for not more than five years or less than one year or both

Section 11 PENALTY FOR FALSE INFORMATION If any person in purchasing or otherwise securing delivery of a pistol or revolver shall give false information or offer false evidence of his identity he shall be guilty of a misdemeanor and on conviction shall be sentenced to undergo imprisonment for not less than five years nor more than ten years

Section 12 ALTERATION OF IDENTIFYING MARKS PROHIBITED No person shall change alter remove or obliterate the name of the maker model manufacturer's number or other mark of identification on any pistol or revolver Possession of any such firearms upon which the same have been changed altered removed or obliterated shall be presumptive evidence that such possessor has changed altered removed or obliterated the same Violations of this section shall be guilty of a misdemeanor and on conviction shall be sentenced to undergo imprisonment for not less than one year nor more than five years

Section 13 CONFISCATION REVOCATION OF LICENSES AND PERMITS In all cases of violations of any of the provisions of this act all pistols or revolvers involved shall be confiscated and destroyed If any such violation is by a person holding a license or permit under the provisions of this act such license or permit shall be revoked

Section 14 CONSTITUTIONALITY The provisions of this act shall be servable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provision not been included therein

Section 15 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 922, as follows:

An Act providing for the regulation and supervision and for the approval by the Department of Public Welfare of certain maternity homes and maternity hospitals and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "maternity home or hospital" as used in this act shall mean any building or part thereof where more than one woman during a period of six months is received for care and treatment during pregnancy or during delivery or immediately after delivery excepting women related by blood or marriage to the person maintaining or residing in such building or part thereof The term does not include any general or maternity hospital already under the supervision of the Department of Public Welfare

The word "person" shall include individuals associations partnerships and corporations

The singular shall include the plural the masculine shall include the feminine and neuter

Section 2 No maternity home or hospital shall receive a woman for care therein without first obtaining a certificate of approval to conduct such hospital from the Department of Public Welfare which may grant such certificates to any reputable and responsible person where such home or hospital is for the public good No such certificate shall

be issued unless the premises are in fit sanitary condition The certificate of approval shall state the name of the person securing the certificate designate the premises in which the business may be carried on and the number of women that may be properly treated or cared for therein at any one time Such certificate of approval shall be kept posted in a conspicuous place on the approved premises No greater number of women shall be kept at any one time on the premises for which the certificate is issued than is authorized by the certificate and no woman shall be kept in a building or place not designated in the certificate of approval A record of the certificate so issued shall be kept by the Department of Public Welfare which shall forthwith give notice to the State Department of Health and to the local Board of Health of the city borough town or township in which the holder of the certificate resides of the granting of such certificate and the conditions thereof The certificate shall be valid for one year from the date of the issuance thereof

Section 3 The Department of Public Welfare may after due notice and hearing revoke any certificate of approval in case the person to whom the same is issued violates any of the provisions of this act or when in the opinion of said Department such maternity home or hospital is maintained without due regard to sanitation and hygiene or to health comfort or well-being of the inmates or infants born to such inmates or in case of violation of any law of the State involving moral turpitude or that any such home or hospital is conducted by a person of ill repute or bad moral character or unfit to maintain such home or hospital

Written charges against the holder of the certificate shall be served upon him at least three days before hearing shall be had thereon and a written copy of the findings and decision of the board upon hearing shall be served upon the holder of the certificate by registered mail or by leaving a copy thereof with a person of suitable age and discretion living upon the premises

Any holder of a certificate feeling himself aggrieved by any decision of the Department of Public Welfare may appeal to the court of common pleas

No revocation of any certificate shall become effective until all appeals shall have been determined In case of the revocation of a certificate the Department shall make a nomination thereof upon its records and give a written notice of such revocation to the State Department of Health and to the local Board of Health of the city borough town or township in which the home or hospital is situated Such notice shall be given to the holder of the certificate either by registered mail or by leaving a copy thereof with a person of suitable age and discretion living upon the premises Any maternity home or hospital which has had its certificate revoked a second time shall not again be granted a certificate

Section 4 No person as an inducement to a woman to go to any maternity home or hospital during confinement shall in any way offer to dispose of any child or advertise that he will give children for adoption or hold himself out as being able to dispose of children in any manner

Section 5 The Department of Public Welfare shall prescribe such general regulations and rules for the conduct of all maternity homes and hospitals as shall be necessary ot effect the purposes of this act and all other laws of the State relating to children so far as the same are applicable and to safeguard the well-being of all infants born therein and the health morality and best interests of the inmates thereof

Section 6 The Department of Public Welfare may prescribe forms for the registration and record of persons cared for in any maternity home or hospital The holder of a certificate shall be entitled to receive gratuitously from the Department of Public Welfare a book of forms for such registration and record Each book shall contain a printed copy of this act

Section 7 The holder of a certificate for a maternity home or hospital shall keep a record in the form to be prescribed by said Department wherein shall be entered the true name of every patient together with all her places of residence during the year preceding admission to said hospital the name of the father or putative father if obtainable the name and address of the physician who attended at each birth taking place at such hospital or who attended any sick infant therein and the name and address of the mother of such child the name and age of each child who is given out adopted or taken away to or by any person together with the name and residence of the person so adopting or taking away such child and such other information as will be within the knowledge of the holder of the certificate and as the Department shall prescribe

Section 8 Every birth occurring in a maternity home or hospital shall be attended by a legally qualified physician or other qualified person under the direction of a physician

Section 9 The officers and authorized agents of the Department of Public Welfare and of the State Department of Health and the local Board of Health of the city borough town or township in which a certified maternity home or hospital is located may inspect such home or hospital at any time and examine every part thereof The officers and agents of the Department of Public Welfare may call for and examine the records required by the provisions of this act and inquire into all matters concerning such home or hospital and patients and infants therein Such officers and authorized agents of the Department of Public Welfare shall visit and inspect such hospitals at least once every year and shall preserve reports of the conditions found therein The holder of the certificate shall give all reasonable information to such inspectors and afford them every reasonable facility for viewing the premises and seeing the patients therein

Section 10 No officer or authorized agent of the Department of Public Welfare State Department of Health or the local Board of Health of the city borough town or township where such certified home or hospital is located or the holder of a certificate for such a home or hospital or any of its agents or any person shall directly or indirectly disclose the contents of the records herein provided for or the particulars entered therein or facts learned about such home or hospital or the inmates thereof except upon inquiry before a justice of the peace alderman or magistrate a grand jury or a court of law or a coroner's inquest or for the information of the Department of Public Welfare State Department of Health or the local Board of Health of the city borough town or township in which said home or hospital is located Nothing herein shall prohibit the Department of Public Welfare with the consent of any patient in such hospital from disclosing such fact to such proper persons as may be in the interest of such patient or the infant born to her

Section 11 In a prosecution under the provisions of this act or any penal law relating thereto a defendant who relies for defense upon the relationship of any woman or infant to himself shall have the burden of proof

Section 12 Every person who violates any of the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than fifty dollars ($50.00) or more than one hundred dollars ($100.00)

Section 13 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1395 (Senate Bill No. 297), entitled:

An Act to quiet the title to real estate and to enable citizens of the United State and corporations authorized to hold real estate within this Comonwealth to hold and convey title to real estate which has formerly been held or conveyed by to or for corporations not authorized by law to hold the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreebly to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1394 (Senate Bill No. 291), entitled:

An Act to amend section two of the act approved the twentieth day of May one thousand nine hundred and

twenty-one (Pamphlet Laws nine hundred and forty-four) entitled "An act authorizing the establishment by counties of hospitals for the treatment of persons afflicted with tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor" by empowering the county commissioners and county controller where such office exists to take by eminent domain proceedings land necessary for the establishment of such hospitals giving the board of trustees powers concurrent with the county commissioners and county controller in reference to the planning and construction of such hospitals

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreebly to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 320, entitled:

An Act to prevent fraud at elections providing a system of authenticating and marking ballots and of locking ballot boxes providing for the purchase by counties of certain mechanical equipment and for the use and custody thereof providing for the appointment by the Governor of a commission to select and approve such equipment and fixing penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be provided for each polling place in this Commonwealth to be used at every general municipal primary and special election a time controlled recording Seal Press a series of time controlled Seal Presses and a time controlled Key-less Lock The time controlled recording Seal Press shall be used to impress an official seal of the particular voting precinct upon the head of each ballot before it is given to the voter thereby authenticating and indentifying it as a legally voted ballot The series of time controlled Seal Presses shall be used by the voters in the booths for impressing the ballots with a special seal of the particular voting precinct opposite the name of any particular candidate voted for The time controlled Key-less Lock shall be used to lock the ballot box in addition to fastenings now used during legal hours for voting All ballots cast at any election shall be so stamped by said Seal Presses and no ballot not so stamped shall be so counted or be regarded as a vote legally cast

On the question,

Will the House agree to the section?

Mr. BLAIR. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 1, page 1, end of line 3, after the word "That" add "after September 1, 1923".

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to,

Will the House agree to the section as amended?

The second section was read as follows:

Section 2 Such time controlled recording Seal Presses shall comply with the following requirements

There shall be placed upon said time controlled recording Seal Press a die which shall emboss upon the head of each ballot to be voted or cast an embossed impression one inch in diameter and circular in shape which embossed impression shall contain the name of this State the name of the county city borough town or township the number of the ward and the number of precinct or election district Such Seal Press shall be adapted to be actuated by hand and shall be encased and adapted to be locked in said casing in a manner hereinafter described There shall be a counting device connected with said Seal Press Such counting device shall be of the set back type counting up to nine hundred ninety-nine The counting device shall be enclosed within said casing There shall be a sure acting positive and unfailing connection means between the Seal Press and the Counting Device whereby each complete actuation of the Seal Press shall be registered on the counting device The counting device shall be protected by the lock of said casing The dial of said counting device shall be visible at all times through a suitable window and shall be placed in such a position as will be most conspicuous to the voters while waiting to have the official seal placed upon their ballots

The Seal Press shall be provided with mechanism in cooperation therewith whereby but a single ballot may be embossed at any one actuation of the Seal Press The Seal Press shall be provided with mechanism inside said casing so that the Seal Press cannot be operated at any time until and unless a ballot is inserted The Seal Press shall also be provided with means in connection with said counting device whereby each actuation of the press must be completed before the said Seal Press can return for another operation or the ballot being operated upon released or before said operation shall have effected registration on the counting device

There shall also be enclosed in the said casing which houses the Seal Press and counting device an approved make of time clock which time clock shall be adapted to restrict the use or operation of said Seal Press to the legal hours set aside for voting or casting of ballots Said time clock shall have a dial visible at all times through said casings Upon said dial shall be a time scale in effect the same as an ordinary watch or clock dial but in addition thereto two smaller inner dials or indicators one of which shall be adapted to indicate the time at which the time clock will permit the operation of the Seal Press and the other of which shall indicate the time that the time clock will stop operation of the Seal Press Such time shall be the time of the opening and closing of the polling places On the inner dial or indicator showing the opening time of the polling places or the time that the Seal Presses will first be operable shall be the word "open" and on the inner dial or indicator showing the time of the closing of the polling places or the time at which the operation of the Seal Presses will stop shall be the word "close" These indicators shall be variable so that they may be changed to correspond with any newly established time of the opening and closing of the polls Such variations however shall be possible only when the case is unlocked The construction and arrangements of the said Time Clock in conjunction with the said Seal Press and the Indicators on said dial of said Time Clock shall be such that the Seal Presses will be operable at all times during the legal hours for voting or casting ballots but shall not be operable at any time or period other than said legal voting period Said time clock shall have suitable winding and setting keys and the construction of said time clock shall be such that it must be wound completely up before it can run and before it can permit operation of the said Seal Press The construction and arrangement shall also be such that the process of winding said clock will automatically lock the casing by a time clock within said casing so that said casing which houses the Seal Press the Counter and the time clock cannot be opened or access gained thereto in any way whatsoever without destroying same until a period of seven to ten days after the time of the closing of the polls has passed The construction of said casing and the position and arrangement of the Seal Press Counting Device and Time Clock and locks shall be such that it will be impossible to remove any one of them from said casing or to remove any part of said casing during the seven to ten day period after the said time controlled recording Seal press is wound up by the winding key without breaking or destroying said device or part thereof

The construction shall also be such that no parts can be disassembled until after the lid is unlocked by the

key hereinafter described which shall be kept in care of the county Commissioners at all times

The arrangements in connection with the time clock and the casing shall be such that before the Seal Press can be operated regardless of the time shown by said time clock all keys must be withdrawn and openings for same automatically locked so that they cannot be unlocked until said casing is opened

The said casing shall have a lid and said lid shall be adapted to be locked by a key The lock operated by said key shall be inside of said casing when locked Said key shall at all times be kept in possession of the county commissioners city election board or other authorities of jurisdiction over the supplies of election

On the question,

Will the House agree to the section?

Mr. BLAIR. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 2, page 4, line 29, by striking out the word "clock" and inserting the word "lock".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third, fourth and fifth sections were separately read and agreed to as follows:

Section 3 The series of Seal Presses in the booths shall be adapted to operate upon any paper ballot of reasonable dimensions and shall punch a small hole through the ballot and around this hole they shall emboss the same words letters or figures as the case may be as is embossed upon the head of the ballot by the time controlled recording Seal Press belonging to the same voting precinct Said impression shall be circular in shape and not greater than nine-sixteenths of an inch in diameter Said Seal Presses for the booths shall be time controlled to the exact effect as the time controlled recording seal press heretofore provided for but shall not have any counting device connected therewith

Section 4 All seal presses mentioned in this Act shall be adapted to be operated by hand

Section 5 The time controlled key-less lock shall be adapted to lock the ballot box in addition to the regular fastenings during the legal hours for casting ballots but shall automatically unlock at the legal time for the closing of the polls for casting ballots

The sixth section was read as follows:

Section 6 In the interest of economy the time controlled recording seal press the time controlled seal presses in the booths and the time controlled key-less lock for locking the ballot box may be connected together in an approved manner so that one time clock in the time controlled recording seal press which would thereby become the master device can control the entire equipment of a voting precinct In such cases the construction shall be such that no parts can be disassembled until the lid is unlocked by the casting key after the expiration of the seven or ten day period after the closing of the polls

On the question,

Will the House agree to the section?

Mr. BLAIR. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 6, page 7, line 3, by striking out the word "casting" and inserting the word "casing".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh section was read as follows:

Section 7 Immediately upon the passage of this act the Governor shall appoint a commission of three men of good reputation one of whom shall be a lawyer one a business man and one a mechanic of proven ability It shall be the duty of said commission to investigate and inspect any equipment being manufactured which will meet requirements of this act They shall select and approve such make of equipment as in their good judgment is best suited for the purposes of this act They shall not however examine or inspect any equipment unless the manufacturers thereof own or control the United States patent covering same As soon as they have approved a make of equipment that will comply with this act they shall report the fact immediately to the Secretary of the Commonwealth

The members of this commission shall serve without compensation and may be appointed from the salaried officers and employees of the Commonwealth

On the question,

Will the House agree to the section?

Mr. BLAIR. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 7, page 7, line 13, after "is" insert the following "properly constructed, most economical and".

Amend Section 7, page 7, line 13, after "act" insert the following "And they shall have the right, to refuse to approve any equipment for installation under this Act, but in case of such refusal, they shall make a report in writing to the committees on election in the General Assembly of 1925, setting forth their reasons for such refusal."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to,

The eighth section was read as follows:

Section 8 Within sixty days from the passage of this act the county commissioners of the various counties of this State shall furnish to the Secretary of the Commonwealth a complete list of the voting precincts in respective counties with the number of booths in each precinct and the proper lettering of the dies in accordance with this act The county commissioners of the various counties of the State shall purchase the equipmtnt provided for in this act and approved by the commission appointed by the Governor as soon as they are notified by the Secretary of the Commonwealth where and how they can purchase same Such orders shall be a duplicate of the list of voting precincts and booths above mentioned to be furnished to the Secretary of the Commonwealth

On the question,

Will the House agree to the section?

Mr. BLAIR. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 8, page 8, line 5, by striking out the word "purchase" and inserting the word "procure".

Amend Section 8, page 8, line 5, by striking out the word "purchase" and inserting the word "procure".

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The ninth section was read and agreed to as follows:

Section 9 It shall be the duty of the Secretary of the Commonwealth to notify the county commissioners of the various counties of the selection and approval of said equipment by said commission appointment by the Governor for that purpose and he shall see that the type of equipment designated by said commission is procured throughout the several counties of this State

He shall also take such action as is necessary to insure proper inspection of all equipment before delivered

The tenth section was read as follows:

Section 10 Each county shall also purchase at least three complete extra sets (or more if necessary) of such equipment The dies on such extra equipment shall be lettered to read and emboss the name of the State the name of the county or city and "Special No. 1" "Special No. 2" et cetera In case any one of the regular sets of equipment is out of order or in case a new voting precinct has been established and the regular equipment for such newly established voting precinct has not been obtained then the county commissioner shall asign one of the extra sets of equipment to such precinct until such time as the regular set is secured or repaired as the case may be In such cases the extra equipment so assigned shall be the official equipment of such voting precinct until such time as the regular set of esuipment is supplied or repaired

On the question,
Will the House agree to the section?

Mr. BLAIR. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 10, page 8, line 18, by striking out the word "purchase" and inserting the word "provide".

On the question,
Will the House agree to the amendment?
It was agreed to,
On the question,
Will the House agree to the section as amended?
It was agreed to.

The eleventh section was read as follows:

Section 11 There shall be printed at the head of every ballot used at any election a circle one and one-eights inches in diameter with the words "Official Seal" printed under such circle The position of such circle on the ballot shall be such a distance from the top margin of the ballot as will be best suited for seal presses purchased under this act and not less than three inches from the left hand margin of the ballot and in no case to the right of the center of the ballot

On the question,
Will the House agree to the section?

Mr. BLAIR. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 11, page 9, line 11, by striking out the word "purchased" and inserting the word "provided".

On the question,
Will the House agree to the amendment?
It was agreed to.

On the question,
Will the House agree to the section as amended?
It was agreed to.

The twelfth, thirteenth, fourteenth, fifteenth, sixteenth and seventeenth sections were separately read and agreed to as follows:

Section 12 Each set of equipment shall be provided with a name plate in some conspicuous place inscribed with letterings identifying the precinct to which the respective equipment belongs

Section 13 It shall be the duty of the county commisisoner to keep all equipment provided for in this act in repair and working order to provide a place of safe-keeping for the same under lock and key and away from dampness and dust and to keep the case key in a place of security under lock to set the indicators on the dials to properly indicate and regulate the time of the opening and closing of the voting places and to see that they are so set and the casing lid locked with the case key before permitting them to be taken away from their offices to the polling places to deliver said equipment to the various boards of election with other supplies of elections to receive them back with other returnable supplies of elections to examine and report to the proper authorities any discrepancies in the usage of the said equipment to take note of the number of ballots registered on the counting device as being stamped and to check with the number of ballots cast and to safety keep said equipment until such time as it is required for another election at which time the county commissioner shall unlock the casing lid with the case key turn the counter back to zero see that the indicators are properly set as to the opening and closing of the polling places and that they are in order

Section 14 The various Boards of Election shall not tamper with or allow others to tamper with said equipment until such time as it is desired to open the polling places for voting at which time they shall wind the clock set it at the proper time of the day and withdraw the keys It shall be the duty of the judge of elections at each polling place to operate the time controlled recording seal press and to place its impression upon the head of each and every ballot in the space provided for such impression before giving it to the voter and to keep the equipment constantly under surveillance until the closing of the polling places

No such impression shall be placed upon any ballot until a qualified elector is ready to receive it

Section 15 The Judge of elections or any other member of the board of election or any person whatsoever shall not place an impression upon any ballot for which there is no legal voter or upon another paper or substance The boards of election shall care for and return to the county commissioners all equipment entrusted to their care together with each and every ballot impressed with said equipment whether marked or placed in the ballot box by a qualified voter whether spoiled or whether for any other reason or cause whatsoever the ballot is not placed in the ballot box It shall also be the duty of the boards of election to guard and keep intact the said equipment and ballots until so returned

Section 16 Any person wilfully or neglectfully failing to carry out any of the provisions of this act or any person violating any of the provisions of this act or any person having in his possession without authority any seal press part of a seal press or any die or image exactly or nearly duplicating the impression of any seal press provided for in this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not less than one thousand dollars nor more than five thousand dollars or to undergo an imprisonment for a term not less than one year nor more than ten years or both

Section 17 All acts and parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act to prevent fraud at elections providing a system of authenticating and marking ballots and of locking ballot boxes providing for the purchase by counties of certain mechanical equipment and for the use and custody thereof providing for the appointment by the Governor of a commission to select and approve such equipment and fixing penalties

On the question,
Will the House agree to the title?

Mr. BLAIR. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, line 3, by striking out the word "purchase" and inserting the word "installation."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1312, entitled:

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An Act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the following words and phrases as used in this act shall unless a different meaning is plainly required by the context have the following meanings

1 "Consolidation of schools" is the act of uniting two or more public elementary schools which prior to such union were maintained in separate buildings and which after such union are housed in one school plant and taught by two or more teachers

2 A "consolidated school" is a public elementary school formed by uniting two or more public elementary schools which prior to such union were maintained in separate buildings and which after said union is housed in one school plant and taught by two or more teachers

3 "A joint consolidated school" is a consolidated school maintained by the joint action of two or more school districts

4 When pupils of a public school are transported from one school to another for the purpose of better gradation or classification or other reasons and the reason for such transportation together with the provisions therefor are approved by the State Council of Education for reimbursement prior to the opening of the school term the State shall be liable for such cost of transportation to the same extent as is now or may hereafter be provided for in the case of consolidated schools

Section 2 That section two of said act is hereby amended to read as follows

Section 2 The State Council of Education is hereby authorized and directed to investigate and to aid in the establishment of consolidated and joint consolidated schools and to inspect and approve such schools as hereafter provided The State Council of Education shall make a report annually to the Governor and Legislature describing the conditions and progress of consolidation of schools throughout the Commonwealth and making such recommendations as the Council may deem advisable

Section 3 That section three of said act is hereby amended to read as follows

Section 3 Any school district may through its board of directors establish equip furnish and maintain consolidated schools and may transport pupils to and from such schools as already provided for by law

Two or more districts may be provided in article eighteen sections one thousand eight hundred and one to one thousand eight hundred and eight inclusive of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenues to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" through a joint school committee establish equip furnish and maintain joint consolidated schools

The fourth section was read as follows:

Section 4 That section four of said act is hereby amended to read as follows

Section 4 Consolidated or joint consolidated schools shall so long as they are approved by the State Council of Education as to organization control location equipment courses of study qualifications of teachers methods of instruction condition of admission expenditures of money methods and means of transportation and the contracts providing thereof constitute approved local or joint consolidated schools School districts maintaining or transporting pupils to and from such approved local or joint consolidated school shall receive reimbursement as hereinafter provided

The Commonwealth in order to aid in the establishment and maintenance of approved local or joint consolidated schools shall as provided in this act pay annually from the treasury to school districts and unions of school districts maintaining or transporting pupils to and from such schools an amount equal to one-half the sum expended during the previous school year by such a school district or districts for transporting pupils of said schools to and from said schools Provided That said sum shall not include amount paid for the purchase and repair of the vehicle or vehicles used for transporting those pupils And provided further that no one school district shall receive more than three thousand dollars ($3,000) in any one year from the funds porvided in this act

On or before the third Wednesday of January of any year in which the regular session of the Legislature is held the State Council of Education shall present to the Legislature an estimate of the amount of money necessary to meet the expenditures to be incurred in the administration of this act for the two school years beginning with the first day of the ensuing July and of the amount necessary to meet the claims of school districts and unions of school districts maintaining or transporting pupils to and from approved local or joint consolidated schools under the provisions of this act for the two school years beginning with the first day of the ensuing July On the basis of such statement the Legislature shall make an appropriation of such amounts as may be necessary to meet the expense of carrying this act into effect and of reimbursing such school districts and unions of school districts for such school years as herein provided

On or before the tenth day of July of each year the school board of each district maintaining transporting pupils to and from a local or joint consolidated school shall present to the State Superintendent of Public Instruction a sworn statement of the amount expended during the school year previous to such first day of July for transporting pupils to and from said schools as herein provided On the basis of such a statement the State Superintendent of Public Instruction shall by requisition upon the State Treasury pay such school district or districts and unions of school districts such reimbursement for the previous school year as is provided for in this act

On the question,

Will the House agree to the section?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 4, page 4, line 23, by striking out the word "and" and inserting in lieu thereof "an."

Amend sec. 4, page 4, line 27, by striking out the word "amount" and inserting in lieu thereof "amounts.'

Amend sec. 4, page 5, line 2, by inserting before "year" the word "school."

Amend sec. 4, page 5, line 22, by inserting after the word "maintaining" the following "(a) or."

Amend sec. 4, page 5, lines 22 and 23, by underscoring the following: "transporting pupils to and from a local or joint."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An Act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 448, entitled:

An Act requiring the display of the United States flag at all polling places providing for its purchase by the county commissioners and its care between elections

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of commissioners of each county shall when they are not otherwise provided purchase a United States flag, flag staff and the necessary appliances therefore for each election district within the county which flag shall be displayed by the election officers upon or near the polling place in each district or every general municipal primary and special election day during the hours the said polls are open

On the question,

Will the House agree to the section?

Mr. GIBBON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 1, line 5, by striking out the word "State" and inserting in lieu thereof "States"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections and title were separately read and agreed to as follows:

Section 2 After the closing of the polls at each election the said flag shall be delivered by the judge of elections with the ballot box to the place provided by law for the keeping of the said ballot box and shall be there safely kept until the next election when it shall be delivered by the person charged with the delivery of said ballot box to the proper polling place

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

An Act requiring the display of the United States flag at all polling places providing for its purchase by the county commissioners and its care between elections

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1208, as follows:

An Act making an appropriation to the Pennsylvania State College to reimburse the said college for loss of interest on a bond of the Commonwealth for the benefit of said college which bond has matured

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty thousand dollars ($40,000) is hereby specifically appropriated to the Pennsylvania State College for a deficiency in the payment of interest due from February first one thousand nine hundred and twenty-two to May thirty-first one thousand nine hundred and twenty-three on the principal sum of five hundred thousand dollars ($500,000) of a bond executed by the Commonwealth of Pennsylvania to the Agricultural College Land Script Fund of Pennsylvania which bond matured on February first one thousand nine hundred and twenty-two and the principal sum of which has not been reinvested for the benefit of said fund or the benefit of said college for which said principal sum was created but remains uninvested in the Treasury of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1223, entitled:

An Act to amend section eight of the act approved the eleventh day of May one thousand nine hundred and five (Pamphlet Laws four hundred) entitled "An Act to provide for the selection of a site and the erection of a State Hospital for the treatment and care of the criminal insane to be called the State Hospital for the Criminal Insane and making an appropriation therefor" as amended changing the name of said hospital

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of the act pproved the eleventh day of May one thousand nine hundred and five (Pamphlet Laws four hundred) entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment and care of the criminal insane to be called the State Hospital for the Criminal Insane and making an appropriation therefor" which as amended by section two of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws eight hundred fifty-seven) entitled "A supplement to an act en-

titled 'An act to provide for the selection of a site and the erection of a State hospital for the treatment and care of the criminal insane to be called the State Hospital for the Criminal Insane and making an appropriation therefor' approved the eleventh day of May Anno Domini one thousand nine hundred and five directing the commissioners for the erection of said State Hospital for the Criminal Insane to surrender their trust to a board of trustees to be appointed by the Governor authorizing the said board of trustees to continue the erection and completion of the buildings of said State Hospital for the Criminal Insane and authorizing said board of trustees to receive at any time such numbers of criminal insane patients as can be accommodated in the buildings before the completion of the entire institution and further defining the powers and duties of said board of trustees" which as further amended by section two of the act approved the thirteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred seven) reads as follows

"The said commissioners shall surrender their trust including all buildings constructed on the site of the State Hospital for the Criminal Insane or in course of erection and all property rights claims contracts books papers and whatsoever pertains to said trust on the first day of June one thousand nine hundred and twelve to a board of trustees to consist of nine members who shall serve without compensation and shall be appointed by the Governor by and with the advice and consent of the Senate the terms of office of said trustees to begin June first one thousand nine hundred and twelve The said board of trustees shall assume the management direction and charge of said State Hospital for the Criminal Insane and is authorized to complete all unfinished buildings and to erect all buildings remaining unconstructed as provided by the plans and specifications adopted by the Board of Public Charities carrying out any contracts that may be unfinished at the time of said transfer with full power to draw upon any unused appropriation therefor said unused appropriations being hereby appropriated to the said board of trustees The said trustees shall have power to employ an architect a superintendent of construction a secretary and a stenographer and fix and pay their salaries and fix and pay salaries of such other persons as they may think necessary to employ in order to secure the proper and economical completion of the buildings under construction and the erection of all other buildings authorized in accordance with the plans and specifications approved by the Board of Public Charities or in accordance with such plans and specifications as may hereafter be approved by said Board of Public Charities and are also hereby authorized and empowered to receive at any time such numbers of criminal insane patients as can be accommodated in the buildings before the completion of the entire institution Said trustees shall be a body corporate by the name and style of the State Hospital for the Criminal Insane They shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Commonwealth Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of such trustee" is hereby further amended to read as follows

Section 8 The said commissioner shall surrender their trust including all buildings constructed on the site of the State Hospital for the Criminal Insane or in course of erection and all property rights claims contracts books papers and whatsoever pertains to said trust on the first day of June one thousand nine hundred and twelve to a board of trustees to consist of nine members who shall serve without compensation and shall be appointed by the Governor by and with the advice and consent of the Senate the terms of office of said trustees to begin June first one thousand nine hundred and twelve The said board of trustees shall assume the management direction and charge of said State Hospital for the Criminal Insane and is authorized to complete all unfinished buildings and to erect all buildings remaining unconstructed as provided by the plans and specifications adopted by the Board of Public Charities carrying out any contracts that may be unfinished at the time of said transfer with full power to draw upon any unused appropriation therefor said unused appropriation being hereby appropriated to the said board of trustees The said trustees shall have power to employ an architect a superintendent of construction a secretary and a stenographer and fix and pay their salaries and fix and pay the salaries of such other persons as they may think necessary to employ in order to secure the proper and economical completion of the buildings under construction and the erection of all other buildings authorized in accordance with the plans and specifications approved by the Board of Public Charities or in accordance with such plans and specifications as may hereafter be approved by said Board of Public Charities and are also hereby authorized and empowered to receive at any time such numbers of criminal insane patients as can be accommodated in the buildings before the completion of the entire institution Said trustees shall be a body corporate by the name and style of the Farview State Hospital They shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Commonwealth Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of such trustee

On the question,

Will the House agree to the section?

Mr. GILCHRIST. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 10, by striking out the word "as" and inserting in lieu thereof: "was"

Amend section 1, page 2, line 1, by striking out the word "ninth" and inserting in lieu thereof the following: "thirteenth"

Amend section 1, page 2, lines 2 and 3, by striking out the words "eight hundred and fifty-seven" and inserting in lieu thereof: "nine hundred and seven"

Amend section 1, page 2, line 20, by striking out beginning with the word "which" and ending on page 4, line 13, with the word "trustee"

Amend section 1, page 4, line 15, by underscoring the following: "Section 8"

Amend section 1, page 5, line 22, by inserting before the word "Fairview" the following: "State Hospital for the Criminal Insane"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section eight of the act approved the eleventh day of May one thousand nine hundred and five (Pamphlet Laws four hundred) entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment and care of the criminal insane to be called the State Hospital for the Criminal Insane and making an appropriation therefor" as amended changing the name of said hospital

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1297, as follows:

An Act to amend section three hundred and three of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred and three of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and seventy-two) entitled "An act to amend section three hundred and three of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby further amended to read as follows

Section 303 A permanent organization shall then be effected for the ensuing year as follows:

In all school districts of the first class the school directors shall elect a president and vice-president from their members and a secretary who is not a member They shall elect the treasurer of the city constituting such school district of the first class as the school treasurer for such school district for the ensuing fiscal year In each school district of the second third and fourth class the school directors shall elect from their members a president and a vice-president and shall annually on the first Monday of July elect a treasurer each to serve for one year and shall on the first Monday of July one thousand nine hundred and twenyt-one and every four years thereafter elect a secretary for a term of four years Vacancies in the office of secretary shall be filled for the unexpired term In school districts of the second class the secretary and treasurer shall not be members of the board In districts of the third and fourth class they may be members of the board The same person shall not be secretary and treasurer of any board of school directors

No superintendent assistant superintendent supervising principal or teacher shall serve either temporarily or permanently as an officer of the school board by which he is employed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 377, entitled:

An Act to amend sections one and three and section six as amended and sections nine and ten on an act approved the seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and sixty-seven) entitled "An act to provide for the better protection of life and health by diminishing the danger from infectious and contagious diseases through the creation of a State Board of Undertakers in the cities of the first second and third classes with systematic examinations registration and licenses for all entering the business of burying the dead and penalties for violation of the provisions thereof" by prescribing the qualifications and compensation of members of the State Board of Undertakers providing for employes of the board requiring applicants for undertakers' license to have a common school education providing for the auditing of its books and the disposition of funds remaining in its treasury

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and seixty-seven) entitled "An act to provide for the better protection of life and health by diminishing the danger from infectious and contagious diseases through the creation of a State Board of Undertakers in the cities of the first second and third classes with systematic examinations registrations and licenses for all entering the business of burying the dead and penalties for violation of the provisions thereof" which reads as follows

"Section 1 Be it enacted et cetera That the Governor by and with the advice and consent of the Senate shall as soon as practicable after the passage of this act appoint five persons who shall be practicing undertakers and such appointees shall constitute a State Board of Undertakers one of the persons so appointed shall hold office for one year one for two years one for three years et cetera unless sooner removed appointments to fill vacancies caused by death resignation or removal before the expiration of terms shall be made for the residue of such terms by the Governor subject to the consent of the Senate and all appointments to fill vacancies caused by expirations of terms shall be made in the same manner and shall be for a period of three years each" is hereby amended to read as follows

On the question,

Will the House agree to the section?

Mr. PARKINSON. Mr. Speaker, I desire to offer the the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 2, line 14, by striking out the words "which reads" and inserting in lieu thereof the following "is hereby amended to read"

Amend sec. 1, page 2, lines 18 and 19, by placing in ( ) the words "who shall be practising undertakers."

Amend sec. 1, page 2, line 19, by inserting after the word "undertakers" the following "from a list of names submitted by The Funeral Directors' Association of the State of Pennsylvania the said names submitted must be members of the association in good standing and must be actively engaged in the practice of undertaking and embalming with continuous experience of at least ten years."

Amend sec. 1, page 3, line 1, by striking out the word "expirations" and inserting in lieu thereof "the expiration."

Amend sec. 1, page 3, line 3, by striking out the words "is hereby amended to read as follows."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Amend bill, page 3 by inserting after line 4 the following section:

Section 2 That section three of said act is hereby amended to read as follows:

Section 3 The members of the (said) board shall receive (no salary as such except the secretary who shall receive a salary of five hundred dollars per annum which together with the actual traveling and necessary expenses of the board and its members shall be paid out of the receipts as hereinafter directed) for their services two hundred dollars ($200) per year in addition to their railway fares and hotel expenses while attending meetings of the board

The secretary shall receive a salary of one thousand dollars ($1,000) per year in addition to his salary as a member of the Board

The Board shall have power to appoint a clerk who shall be a notary public at a salary of one thousand dollars ($1,000) per year and also to appoint a stenographer at a salary of five hundred dollars per year The clerk shall take the affidavits of applicants to their applications free of charge

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section six of said act which as amended by section two of the act approved the twenty-fourth day of April one thousand nine hundred and five (Pamphlet Laws two hundred and thirty-nine) entitled "An act to amend section five and six of an act entitled 'An act to provide for the better protection of life and health by diminishing the danger from infectious and contagious diseases through the creation of a State Board of Undertakers in cities of the first second and third classes with the systematic examinations registration and licenses for all entering the business of burying the dead and penalties for violation of the provisions thereof' approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five by extending the provisions of the said act throughout this Commonwealth and providing for the payment of expenses thereof" reads as follows

"Section 6 Before any person persons or corporation shall hereafter engage in the business of undertaking or the care preparation disposition and the burial of the bodies of deceased persons in their own name and on their own account in this Commonwealth and before any person persons or corporations now so engaged in said business who shall have failed to register with said board in accordance with section five of this act shall continue in said business such person or person or persons comprising or representing such corporations shall apply to said board for a license to practice the same and shall accompany such application with a fee of ten dollars whereupon the applicant as aforesaid shall present himself or herself before said board at a time and place to be fixed by said board If the board shall find upon due examination that the applicant or applicants are of good moral character possessed of skill and knowledge of the said business of undertaking and have a reasonable knowledge of sanitation preservation of the dead disinfecting the body of deceased persons the apartment clothing and bedding in cases of death from infection or contagious diseases and have had practical experience in the business of undertaking for two years continuously with an undertaker or undertakers the board shall issue to said applictant or applicants upon payment of a fee of twenty-five dollars a license to practice said business of undertaking and shall register such applicants or applicant as duly licensed undertakers

Said board shall have full power at any time to revoke any licenses heretofore granted on proper cause and after full hearing of all the parties in interest

Such license shall be signed by a majority of the boards and attested by its seal all persons receiving such license who shall register before said board as provided in section five of this act shall also register the fact at the office of the board of health at the city or at the office of the board of health nearest to the place in which it is proposed to carry on said business and any person or persons or corporation obtaining a license under this section shall register that fact at the office of the board of health of the city or at the office of the board of health nearest to the place in which it is proposed to carry on said business and shall display said license in a conspicuous place in the office of the place of such licensee" is hereby further amended to read as follows

On the question,

Will the House agree to the section?

Mr. PARKINSON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend original section 2, page 3, line 5, by striking out the numeral "2" and inserting in lieu thereof "3"

Amend original section 2, page 3, line 20 by striking out beginning with the words "reads as follows" and ending page 5, line 10 with the word "licensee"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 Before any person persons or corporation shall hereafter engage in the business of undertaking or the care preparation disposition and the burial of the bodies of deceased persons in their own name and on their own account in this Commonwealth and before any person persons or corporations now so engaged in said business such person or persons comprising or representing such corporations shall apply to said board for a license to practice the same and shall accompany such application with a fee of ten dollars whereupon the applicant as aforesaid shall present himself or herself before said board at a time and place to be fixed by said board if the board shall find upon due examination that the applicant or applicants are of good moral character shall have a good common school education possessed of skill and knowledge of the said business of undertaking and have a reasonable knowledge of sanitation preservation of the dead disinfecting body of deceased persons the apartment clothing and bedding in cases of death from infection or contagious diseases and have had practical experience in the business of undertaking for two years continuously with an undertaker or undertakers the board shall issue to said applicant or applicants upon payment of a fee of twenty-five dollars a license to practice such business of undertaking and shall register such applicants or applicant as duly licensed undertakers

All undertakers who are regular assistants must be registered with the board and pay a fee of one dollar per year The secretary of the board shall keep a separate register for assistants giving name age residence and where they attended school When any assistant leaves his employer the employer shall report such fact to the board Every licensed undertaker and embalmer shall report to the board whenever he employes a new assistant and shall attend to having him registered Any licensed undertaker and embalmer who fails to comply with the requirement may be summoned before the board and if found guilty he may be fined and his license may be revoked at the option of the Board

Said board shall have full power at any time to revoke any licenses theretofore granted on proper cause and after full hearings of all the parties in interest

Such license shall be signed by a majority of the board and attested by its seal All persons receiving such license who shall register before said board as provided in section five of this act shall also register the fact at the office of the board of health at the city or at the office of the board of health nearest to the place in which it is proposed to carry on said business and any person persons or corporation obtaining a license under this section shall register that fact at the office of the board of health of the city or at the office of the board of health nearest to the place in which it is proposed to carry on said business and shall display said

license in a conspicuous place in the office of the place of such license

On the question,

Will the House agree to the section?

Mr. PARKINSON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend original section 3, page 5, line 12, by striking out the numeral "3" and inserting in lieu thereof "6."

Amend original section 3, page 5, line 18, by inserting after the word "business" the following: "(who shall have failed to register with said board in accordance with section five of this act shall continue in said business)."

Amend original section 3, page 5, line 18, by inserting after the word "such" the following: "(person or)"

Amend original section 3, page 5, lines 26 and 27, by underscoring the words "shall have a good common school education".

Amend original section 3, page 6, line 8, by striking out the word "such" and inserting in lieu thereof "said."

Amend original section 3, page 7, line 13, by striking out the word "license" and inserting in lieu thereof "licensee."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

Amend bill, page 7, by inserting after line 13, the following section:

Section 4. That section nine of said act is hereby amended to read as follows:—

Section 9. (All fees collected and all fines paid under the provisions of this act shall go to and be used for the purpose of the said Board of Undertakers to defray its necessary expenses) The expenses of the Board of Undertakers shall be paid out of the receipts of the Board.

The fourth section was read as follows:

Section 4 That section ten of said act which reads as follows

"Section 10 It shall be the duty of said board on or before the first Monday of January of each and every year to make a report in writing to the Governor of this State containing a detailed statement of the nature of the receipts and the manner of expenditures and any balance of money remaining at the end of the year after the payment of the necessary expenses including the salary of the secretary and the traveling and other necessary expenses of the members of the board incurred in the dicharge of their duties as such shall be reserved by the treasurer of said board to meet the necessary expenses of ensuing years" is hereby amended to read as follows

Section 10 It shall be the duty of said board on or before the first Monday of January of each and every year to make a report in writing to the Governor of this State containing a detailed statement of the nature of the receipts and the manner of expenditures That board shall have its books audited before the first Monday of December in every year by the Auditor General of the State and whatever funds are remaining in its treasury after defraying all the necessary expenses shall be turned over to the State Treasurer

On the question,

Will the House agree to the section?

Mr. PARKINSON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend original section 4, page 7, line 14, by striking out the numeral "4" and inserting in lieu thereof "5."

Amend original section 4, page 7, line 14, by striking out beginning with the words "which reads" and ending in line 27, with the word "years."

Amend original section 4, page 8, line 4 by inserting after the word "expenditures" the following: "(and any balance of money remaining at the end of the year after the payment of the necessary expenses including the salary of the secretary and the traveling and other necessary expenses of the members of the board incurred in the discharge of their duties as such shall be reserved by the treasurer of said board to meet the necessary expenses of the ensuing years)."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend sections one and three and section six as amended and sections nine and ten of an act approved the seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and sixty-seven) entitled "An act to provide for the better protection of life and health by diminishing the danger from infectious and contagious diseases through the creation of a State Board of Undertakers in the cities of the first second and third classes with systematic examinations registration and licenses for all entering the business of burying the dead and penalties for violation of the provisions thereof" by prescribing the qualifications and compensation of members of the State Board of Undertakers providing for employes of the board requiring applicants for undertakers' license to have a common school education providing for the auditing of its books and the disposition of funds remaining in its treasury

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1047, as follows:

An Act authorizing the commissioners of the various counties to appropriate money to volunteer fire companies within their respective counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the boards of county commissioners of the several counties of the Commonwealth may appropriate annually to each volunteer fire company within their respective counties a sum not to exceed one hundred dollars to aid in the support and maintenance of such volunteer fire companies

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 598, as follows:

An Act declaring the construction to be given deeds wills and other instruments in writing in which real and personal property is donated granted devised or bequeathed either directly or in trust for the benefit of one or more persons for years or for life or upon condition with remainder over to the heirs or next of kin or to the persons

thereunto entitled under the intestate laws or other similar or equivalent phrase

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter when in and by the provisions of any deed or will or other instrument in writing property either real or personal or both shall be donated granted devised or bequeathed either directly or in trust for the use and benefit of any person charity or other use for years or for life or upon condition and which shall provided therein that upon the termination of the estate for years or for life or upon breach of condition or other cause the remainder over shall vest in the donor's or testator's heirs or next of kin or the persons thereunto entitled under the intestate laws or other similar or equivalent phrase the same shall be construed as meaning the person or persons thereunto entitled at the time of the termination of the estate for years or for life or upon condition under the interstate laws of the Commonwealth as they shall exist at the time of such termination and such phrase shall not be construed as meaning the person or persons who were the heirs or next of kin of the donor at the time the grant or donation was made or at the time the testator died Provided however that nothing herein contained shall be construed to prevent any donor or testator from expressly or by necessary implication directing otherwise and provided further that the provisions of this Act shall not apply to any case now pending

Section 2 This act shall take effect on the thirty-first day of December one thousand nine hundred and twenty-three and shall apply to the deeds delivered and to the wills of all persons dying on or after said day as to the deeds delivered and to the wills of all persons dying before that day the existing laws shall remain in full force and effect

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 135, as follows:

An Act regulating the hours of labor of policemen in cities of the third class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania of General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any city of the third class to employ or to require any police officer to remain on duty for more than eight hours in any twenty-four consecutive hours or more than fifty-six hours in any one week unless in emergency cases for the suppression of riots or tumults or the preservation of the public peace Nothing contained herein shall however prevent any such city from requiring any such police officer to remain on duty or to work sixteen hours in any twenty-four consecutive hours not more than one day each week if required by a change in working hours or a change of shifts

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreebly to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 898, as follows:

An Act to amend route number sixty-three of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commisioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for the purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of townships or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement or roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That route number sixty-three of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said township or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turn-pikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township

or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that exiting contracts are not affected by provisions of this act" which was amended by the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and twenty) is hereby further amended to read as follows

Route sixty-three From Indiana to Brookville Commencing in Indiana and running by way of Gilpin Home Marion Center Marchand and Covode to a point on the dividing line between Indiana and Jefferson counties thence by way of Punxsutawney leaving by way of North Main Street Oliveburg Markton Coolspring Stanton into Brookville Jefferson county

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1217, entitled:

An Act to amend Route Number Ninety-three of section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendants of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improe or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Route Number Ninety-three of section six of the act approved the thirty-first day of May one housand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percenage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" is hereby amended to read as follows

Route Ninety-three From Tionesta to Warren—Commencing in Tionesta and running by way of Hickory to a point on the dividing line between Forest and Warren counties thence along the Allegheny River into Warren Warren County

The title was read as follows:

An act to amend Route number ninety-three of section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superin-

tendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State Highway solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense or improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county borough or incorporated town petitions providing for contracts townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of material to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating of certain acts relating to Highway Department and improvement of roads an of all acts or parts of acts inconsisent herewith and providing that existing contracts are not effected by provisions of this act"

On the question,

Will the House agree to the title?

Mr. WHEELER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 8, by striking out the word "Superintendants" and inserting in lieu thereof: "Superintendents"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1103, entitled:

An Act to amend an Act approved June twentieth one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporations or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved June twentieth one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" which was amended by an Act approved May fourth one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and forty-one) entitled "An Act to amend section two of an act approved the twentieth day of June one thousand nine nundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is hereby further amended to read as follows

Section 2 All taxes imposed by this act shall be at the rate of two per centum upon the clear value of the property subject to such tax passing to or for the use of father mother husband wife children lineal descendants born in lawful wedlock legally adopted children children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and also on the clear value of such property passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such child his wife or widow and passing from an illegitimate child to his mother and at the rate of ten per centum upon the clear value of the property subject to such tax passing to or for the use of any other person or persons bodies corporate or politic to be paid for the use of the Commonwealth In ascertaining the clear value of such estates the only deductions to be allowed from the gross values of such estates shall be the debts of the decedents reasonable and customary funeral expenses bequests or devises in trust the entire interest or income from which is to be perpetually applied to the care and preservation of the family burial lot or lots reasonable expenses for the erection of monuments or grave stones grave and lot markers and the expenses of the administration of such estates and no deduction whatsoever shall be allowed for or on account of any taxes paid on such estates to the Government of the United States or to any other State or Territory

The second section was read as follows:

Section 2 That section fourteen of said Act approved June twentieth one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) is hereby amended to read as follows

Section 14 The register of wills shall enter in a book to be provided at the expense of the Commonwealth which

shall be a public record the returns made by all appraisers appointed by him under the provisions of this act opening an account in favor of the Commonwealth against each decedent's estate The register may give certificates of payment of such tax from such record The register shall transmit to the Auditor General on the first day of each month a statement of all returns made by appraisers during the preceding month upon which the taxes have been paid or remain unpaid which statement shall be entered by the Auditor General in a book to be kept for that purpose

On the question,
Will the House agree to the section?

Mr. JOSEPH C. MARCUS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendment will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 2, page 4, line 27 by striking out the word "and" preceding the word, "and".

Amend Sec. 2, page 5, line 1 by inserting after the word "given" the word, "to".

On the question,
Will the House agree to the amendments?
They were agreed to,
On the question,
Will the House agree to the section as amended?
It was agreed to.

The third section was read as follows:

Section 3 That section fifteen of said act approved June twentieth one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) is hereby amended to read as follows

Section 15 Every executor administrator legatee devisee trustee grantee or other person or corporation in possession or enjoyment of any property subject to the tax whether real or personal of a resident decedent shall file under oath or affirmation an inventory or schedule of such property giving its location in the office of the register of wills of the proper county within three months after the death of such resident decedent or within three months after acquiring such interest in any property subject to the tax herein provided for and in the case of executors and administrators such inventory or schedule shall include all real estate belonging to such decedent of which such executors or administrator have knowledge

Whenever said inventory or schedule is not filed in the register of wills office of the proper county within three months after the death of such resident decedent the register of wills shall apply to the orphans' court of the respective county by bill or petition citing the executors administrators legatees devisees trustees grantees or other persons or corporations in possession or enjoyment of said property to file said inventory or schedule whereupon the court having caused notice to be given to such executors administrators legatees devisees trustees grantees or other persons or corporations in possession or enjoyment of said property shall proceed according to equity to make such decrees or orders in the premises as the facts warrant

If any tax shall remain due and unpaid for one year after decedent's death the register of wills shall apply to the orphans' court by bill or petition to enforce payment of the same whereupon in the case of personal property the orphans' court may cite the executors or administrators of the decedent whose estate is subject to the tax or any other person in possession of personal property belonging to such decedent's estate or derived from such estate and which is subject to the tax to file an account or to appear on a certain day and show cause why the tax should not be paid and where real estate is charged with the tax the court having first caused notice to be given to the trustee devisee grantee or other person or corporation acquiring or possessing such real estate and to such other persons as may be interested shall proceed according to equity to make such decrees or orders for the payment of the tax out of such real estate as shall be just and proper

When personal service cannot be had notice shall be given for four weeks once a week in at least one newspaper published in the County and in the legal periodical designated by the rules of the court of the County for the publication of legal notices

If the tax shall be found due the delinquent shall pay the tax and costs

For the purpose of securing any needed information in the appraisement of property belonging to a resident decedent or in the collection of any tax due the register of wills of his deputy upon the application of the appraiser or parties in interest is hereby given the power to issue subpoenas to compel the production of books papers or documents by any person possessing the same as well as to compel the attendance of witnesses before the appraiser not earlier than three days from the service of such subpoena at a convenient place to be selected by the appraiser and for the purpose of such hearing the register of wills or his deputy is given the power to administer oaths or affirmations If any person being subpoenaed as aforesaid shall refuse or neglect to appear as commanded the register shall have the power to issue an attachment against said witness to compel his or her appearance according to the practice of the courts directed to the Sheriff or any Constable of the proper county for execution Witnesses appearing before the appraiser in obedience to subpoena aforesaid shall be entitled to the same fees and mileage as are allowed by law to witnesses in the orphans' court

In the event the register of wills fails within the time herein mentioned to take the necessary proceedings as above outlined to secure the filing of the inventory or schedule of the property of a resident decedent or to collect the tax due then the Auditor General SHALL have all the powers herein vested in the Register of Wills and at his option may institute such proceedings and shall charge to said register of wills and deduct from any commissioners or fees othewise due him all costs expenses and attorney's fees incurred by the Auditor General in connection with such proceedings

The Auditor General in the settlement of accounts of any register may allow him costs of advertising and other reasonable fees and expenses incurred in the collection of the tax

On the question,
Will the House agree to the section?

Mr. JOSEPH C. MARCUS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendment will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 3, page 6, line 22 by removing the underscoring from word "should".

Amend Sec. 3, page 7, line 8, by inserting after the word "found" the following: "to be".

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fourth and fifth sections and title were separately read and agreed to as follows:

Section 4 That section sixteen of said Act approved June twentieth one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) is hereby amended to read as follows

Section 16 The executor or administrator or other trustees paying any legacy or share in the distribution of any estate of a resident decedent subject to the said tax shall deduct therefrom at the rate of two per centum upon the whole legacy or sum paid to or for the use of father mother husband wife children lineal descendants born in lawful wedlock legally adopted children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and upon the whole legacy from the mother of an illegitimate child or from any person of

whom the mother is a lineal descendant to such illegitimate child his wife or widow or from an illegitimate child to his mother and at the rate of ten per centum upon the whole legacy or sum to be paid to or for the use of any other person or persons or bodies corporate or politic or if not money he shall demand payment of a sum to be computed at the same rate upon the appraised value thereof No executor or administrator shall be compelled to pay or deliver any specific legacy or article to be distributed subject to tax except on the payment into his hands of a sum computed on its value as aforesaid In case of neglect or refusal on the part of such legatee to pay the same such specific legacy or article or so much thereof as shall be necessary shall be sold by such executor or administrator at public sale after notice to such legatee and the balance that may be left in the hands of the executor or administrator shall be distributed as is or may be directed by law Every sum of money retained by any executor or adminstrator or paid into his hands on account of any legacy or distributive share for the use of the Commonwealth shall be paid by him without delay

Section 5 That section thirty-two of said Act approved June twentieth one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) is hereby amended to read as follows

Section 32 On the transfer of property in this Commonwealth of a non-resident decedent if all or any part of the estate of such decedent wherever situated shall pass to persons or corporations who would have been taxable under this act if such decedent had been a resident of this Commonwealth such property located within this Commonwealth shall be subject to a tax which said tax shall bear the same ratio to the entire tax which the said estate of such decedent would have been subjected to under this act if such non-resident decedent had been a resident of this Commonwealth and all his property real and personal had been located within this Commonwealth as such property located in this Commonwealth bears to the entire estate of such non-resident decedent wherever situated Provided That nothing in this clause contained shall apply to any specific bequest or devise of property in this Commonwealth

The title was read and agreed to as follows:

An act to amend an Act approved June 20, 1919, (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal" as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 696, as follows:

An Act providing for the maintenance by the Commonwealth of State-aid roads and highways in townships of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any road or highway in any township of the second class which has heretofore or shall hereafter be improved as a State-aid road or highway shall after the passage of this act be maintained solely by the Commonwealth in the same manner as State Highways are maintained under the laws of the Commonwealth

Section 2 All act and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1203, entitled:

An Act providing a method through which the Commonwealth may co-operate with indiviuals in building fences to protect farm crops and fruit orchards against damage from wild deer and making an appropriation

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in sections of the Commonwealth where wild deer are present in excessive numbers and are injuring or destroying farm crops or fruit orchards in a material way the owners or lessees of the farms or fruit orchards where such damage is occuring may petition the Board of Game Commisisoners for assistance in the erection of a deer-proof woven wire fence whereupon said Board or its representatives shall investigate the conditions prevailing on the property of the petitioners and adjacent territory after investigation the Board may enter into an agreement with the petitioners and such others in the vicinity similarly affected as in the opinion of the Board may be deemed advisable for the erection of a deer-proof woven wire fence of such height design and materials as the Board may specify to cost not to exceed twelve hundred ($1,200.00) per mile under the conditions hereinafter set forth The provisions of this act shall not be construed to apply to gardens or truck patches

On the question,

Will the House agree to the section?

Mr. ALLEN J. STEVENS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 13, by striking out the word "after" and inserting in lieu thereof the following word: "After"

Amend section 1, page 2, line 1, by inserting before the word "property" the following: [

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third, fourth, fifth and sixth section and title were seperately read and agreed to as follows:

Section 2 Before the Board may enter into an agreement for the erection of a fence as hereinbefore provided the Board shall decide the amount of continuous fence that may be necessary to prevent deer from committing serious damage on the lands of the petitioners or adjacent landowners at that time or subsequently and shall agree with the petitioners or said land owners as to the location of said fence After such agreement has been reached the petitioners and adjacent landowners decided upon by the Board shall give to the Board a surety bond or an individual bond endorsed by two property owners in double the amount of the pro rata share of the entire estimated cost of such fence or shall deposit the estimated cost in cash on the basis of fifty per centum of the costs if such fence to be paid by the petitioners or adjacent landowners and fifty percentum to be paid by the Board of Game Commissioners from funds hereinafter provided The fifty per centum to be paid by petitioners or adjacent landowners shall be prorated in proportion to the amount of fence required to protect each property against deer If any landowner or lessee shall refuse to participate in the cost of such fence but is willing to have the fence erected in the location agreed upon his share may be assumed by any other landowner individually or by a number of other interested persons jointly The cost of any

special gates desired shall be borne by the person desiring same All such fences after erection shall be maintained by the individuals interested and the Board of Game Commissioners shall bear no part of such future maintenance Replacement of fences when worn out shall be on the same basis as the erection of the original fence the Board to decide when such shall be necessary

Section 3 In case the Board of Game Commissioners and the petitioners or adjacent landowners are unable to agree upon the necessity for a fence or the amount of continuous fence necessary or the location thereof the Board may select a board of viewers from the county in which the fence is to be erected to consist of three reputable citizens one of which shall be a farmer or a horticulturist one a sportsman regularly hunting for deer and the third a businessman from any walk of life who together shall make an examination and decide upon and report under oath to the Board the result of their deliberation concerning the various questions involved If either the petitioners and adjacent landowners or the Board of Game Commissioners shall be dissatisfied with the finding of the Board of viewers so appointed a petition shall be presented to the Court of Quarter Sessions of the County wherein said relief is desired which Court shall select a similar board of viewers Such second board of viewers shall disregard all findings or reports made by the first board and shall carefully examine into the questions involved and make a sworn report to said court with a copy to the Board of Game Commissioners and a copy to the representative of the petitioners The findings of the second board of viewers shall be binding upon all parties concerned unless reversed upon trial in a court of record

Section 4 Viewers appointed under the provisions of this act and all witnesses examined by them shall be sworn by a person authorized to administer oaths or by the Secretary of the Board of Game Commissioners who is hereby empowered to administer oaths to both viewers and witnesses Such oath shall in all ways be binding and of like effect as oaths administered in any court of this Commonwealth The viewers appointed shall make an impartial investigation and sworn report and viewers and witnesses examined by them shall be paid for services and expenses at the same rate as jurors and witnesses in the Courts of Quarter Sesions are now compensated such payment to be made from the funds hereinafter provided

Section 5 The Board of Game Commissioners may also enter into an agreement with any of the petitioners or adjacent landowners for the erection of special traps or enclosures in any part of any fence erected under the provisions of this act for the purpose of trapping and removing surplus deer at such rate of pay per deer trapped as the Board may decide

Section 6 For the purpose of carrying into effect the provisions of this act the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby appropriated for the biennium beginning June first one thousand nine hundred and twenty-three to be paid upon requisition of the Secretary of the Board of Game Commissioners from funds in the State Treasury collected from hunters' licenses and held separate and apart for the use of said Board

An Act providing a method through which the Commonwealth may co-operate with individuals in building fences to protect farm crops and fruit orchards against damage from wild deer and making an appropriation

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 117, entitled:

An Act to amend section twenty-three as amended and section twenty-six of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and nineteen) entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" relating to paid watchers at elections by abolishing the office of watchers at elections and changing the method of furnishing assistance to voters providing a penalty for violation thereof

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-three of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" which as amended by the act approved the sixteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred and thirteen) entitled "An act amending section twenty-three of the act of June tenth one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and thirty) relating to watchers at elections and providing that they must be residents of the district or division within which they act" reads as follows

"Section 23 No voter shall be allowed to occupy a voting shelf or compartment already occupied by another except when giving the help allowed by section twenty-six of this act nor to remain within said compartment more than three minutes in case all of such compartments are in use and other voters are waiting to occupy the same no voter not an election officer shall be allowed to re-enter the enclosed space after he has once left it except to give help as hereinafter described Each voter's name shall be checked on the voting check-list by the officer having charge thereof as soon as he has cast his vote in the manner provided by law It shall be the duty of the judge of election to secure the observance of the provision of this section to keep order in the room in which the voting is held and to see that no more persons are admitted within the enclosed space than are allowed by this act Each party which has by its primary meeting caucus convention or board sent to the proper office a certificate of nomination and each group of citizens which has sent to the proper office a nomination paper as provided in sections two and three of this act shall be allowed to appoint three qualified electors who must be three electors residents of the division in which they are authorized to act as watchers in each voting place without expense to the county one of whom shall be allowed to remain in the room outside of the enclosed space Each watcher shall be provided with a certificate from the county commissioners stating his name the names of the persons who have appointed him and the party or policy he represents and no party or policy shall be represented by more than one watcher in the same voting room at any one time Watchers shall be required to show their certificates when required to do so Until the polls are closed no person shall be allowed in the room outside of the said enclosed space except the watchers voters not exceding ten at any one time who are awaiting their turn to prepare their ballots and peace officers when necessary for the preservation of the peace No person when within the voting room shall electioneer or solicit votes for any party or candidate nor shall any written or printed matter be posted up within the said room except as required by law When the hour for closing the polls shall arrive all persons within the enclosed space who have received ballots but have not yet deposited them shall be required to mark and deposited their ballots forthwith but no other person shall be allowed to vote" is hereby further amended to read as follows

Section 23 No voter not an election officer shall be allowed to occupy a voting shelf or compartment already occupied by another nor to remain within said compartment more than three minutes in case all of such compartments are in use and other voters are waiting to occupy the same No voter not an election officer shall be allowed to re-enter he enclosed space after he has once left it Each voter's name shall be checked on the voting check list by the officer having charge thereof as soon as he has cast his vote in the manner provided by law It shall be the duty of the judge of election to secure the observance of the provision of this section to keep order in the room in which the voting is held and to see that no more persons are admitted within

the enclosed space than are allowed by this act Until the polls are closed no persons shall be allowed in the room outside of the said enclosed space except voters not exceeding ten at any one time who are awaiting their turn to prepare their ballots and peace officers when necessary for the preservation of the peace No person when within the voting room shall electioneer or solicit votes for any party or candidate nor shall any written or printed matter be posted up within the said room except as required by law When the hour for closing the polls shall arrive all persons within the enclosed space who have received ballots but have not yet deposited them shall be required to mark and deposit their ballots forthwith but no other person shall be allowed to vote

On the question,

Will the House agree to the section?

Mr. VICKERMAN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 12, by striking out the word "reads" and inserting in lieu thereof: "is hereby further amended to read"

Amend section 1, page 2, line 13, by inserting after the word "voter" the following: "is not an election officer"

Amend section 1, page 2, line 15, by placing in ( ) beginning with the word "except" and ending in line 16 with the word "act"

Amend section 1, page 2, line 19, by striking out the word "no" and inserting in lieu thereof: "No"

Amend section 1, page 2, line 21, by placing in ( ) ("except to give help as hereinafter described")

Amend section 1, page 2, line 29, by placing in ( ) the words: ("Each party which")

Amend section 1, page 3, line 1, by placing in ( ) beginning with the word "has" and ending in line 17 with the word "so"

Amend section 1, page 3, line 19, by placing in ( ) the following: ("the watchers")

Amend section 1, page 4, line 3, by striking out beginning with the words "is hereby" and ending on page 5, line 4, with the word "vote"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section twenty-six of said act which read as follows

"Section 26 If any voter declares to the judge of election that by reason of any disability he desires assistance in the preparation of his ballot he shall be permitted by the judge of election to select a qualified voter of the election district to aid him in the preparation of his ballot such preparation being made in the voting compartment" is hereby amended to read as follows

Secton 26 No voter shall be permitted to have assistance in the marking of his ballot unless he shall make affidavit upon a form to be provided by the county commissioners that by reason of physical disability which he shall specify in the affidavit he is physically unable to mark his ballot If any such person shall make such affidavit he shall be permitted by the judge of election to select a member of the election board to aid him in the preparation of his ballot such preparation being made in the voting compartment Such affidavit shall be preserved with the ballots and other records of the election in the manner provided by law Any person making a false affidavit under the provisions of this section shall be guilty of perjury and subject to the penalties in such case made and provided

On the question,

Will the House agree to the section?

Mr. VICKERMAN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 5, line 5, by striking out beginning with the word "which" and ending in line 13 with the word "compartment"

Amend section 2, page 5, line 14, by inserting after the numeral "26" the following: "(If any voter declares to the judge of election that by reason of any disability he desires assistance in the preparation of his ballot)"

Amend section 2, page 5, line 21, by inserting before the word "member" the following: "(qualified voter of the election district)"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third and fourth sections and title were separately read and agreed to as follows:

Section 3 The office of paid watcher is hereby abolished

Section 4 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

An Act to amend section twenty-three as amended and section twenty-six of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and nineteen) entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offienses in regard to such elections" relating to paid watchers at elections by abolishing the office of watchers at elections and changing the method of furnishing assistance to voters providing a penalty for violation thereof

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 939, as follows:

An Act providing for the payment of certain claims for damages done to livestock poultry or bees by bear providing a method for the ascertainment of such damage and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all damage done to livestock poultry or bees upon lands open to hunting by bear shall be paid from a fund semi-annually set apart for such purpose by appropriation from the fund in the State Treasury known as the Game Fund The Secretary of the Board of Game Commissioners is hereby authorized if necessary to draw upon said fund in amount equal to the full amount set apart for this purpose in payment of claims presented under oath or that may be assessed under the provisions of this act All claims for damages incurred to become payable under the provisiins of this act shall be presented in writing under oath to the Secretary of the Board of Game Commissioners at Harrisburg within a period of two weeks from the time such damage is alleged to have been incurred

Section 2 The Secretary as soon as possible after a claim of this kind has been received by him shall send two officers of the Department to interview the complainant and inspect the property reported as injured to collect such additional eidence as to them may appear necessary to a clear understanding of the case in question and to effect a settlement of the claim when possible

Section 3 In all cases where an agreement between such officers and the claimant can be obtained regarding the true value of damage sustained and the Secretary is satisfied that

such claim is reasonable and fair a voucher shall be drawn upon said fund for the amount named in such finding

In all cases where the officers and the claimants cannot agree upon the amount of damage sustained or the cause of such damage the Secretary of the Board of Game Commissioners shall call together a jury of not less than three disinterested persons one of whom shall be a sportsman one a farmer and the third a business man from any walk of life Such jury shall if they desire view the property injured and shall hear such evidence as may be deemed necessary to give a fair understanding of the claim made and the finding of a majority of the jury shall be binding insofar as the claim upon the fund in question is concerned

Section 4 For the purposes of this act the Secretary of the Board of Game Commissioners is empowered to administer oaths to both jurors and witnesses and such oath shall in all ways be binding and of like effect as oaths administered in any court of this Commonwealth

Section 5 All jurors and witnesses necessary to such proceedings shall receive the same pay for services as is paid to jurors and witnesses in the courts of quarter sessions The Secretary of the Game Commission is authorized to draw his voucher upon the fund appropriated for this purpose for the amount named in any such award and all other expenses connected with such investigation

Section 6 The sum of six thousand dollars or so much thereof as may be needed is hereby specifically appropriated for two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid out of the receipts from Resident Hunter's Licenses and such other moneys as may accumulate or are now held in the State Treasury as a fund separate and apart to be applied to the protection and propagation of game Claims for damages done shall be paid upon sufficient proof if damage and claim presented to the proper authority

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1125, entitled:

An Act to amend sections seven twenty-six twenty-nine and thirty-two of an act approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and forty-two) entitled "An act to amend revise and consolidate the law relating to the State Library and Museum including the law relating to the Free Library Commission and Division of Public Records abolishing the Board of Trustees of the State Library the Advisory Commission of Public Records and the Free Library Commission and the repealing existing laws in relation thereto" fixing fees for certain services and making an appropriation thereof

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of an act approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and forty-two) entitled "An act to amend revise and consolidate the law relating to the State Library and Museum including the law relating to the Free Library Commission and the Division of Public Records abolishing the Board of Trustees of the State Library the Advisory Commission of Public Records and the Free Library Commission and repealing existing laws in relation thereto" is hereby amended to read as follows

Section 7 The State Librarian and Director of the Museum shall receive and disburse all moneys that are or may hereafter be appropriated for the State Library and Museum or for any division thereof and shall keep regular and accurate accounts thereof which shall at all times be open to the inspection of the fiscal officers of the Commonwealth All such accounts shall be settled annually by the accounting officers of the Commonwealth in the same manner that accounts of other public officers are settled

He shall maintain a system of exchanges foreign and domestic of all publications which may be subject to his disposal for such purposes He shall annually in the month of December make a report to the Governor submitting such information as it may be proper to present together with a report of the number of volumes in the library and the number of publications and volumes received through exchange by donation purchase or otherwise He shall append to his report a statement of his accounts

All fees and other moneys which the State Librarian shall collect under the provisions of this act shall be paid into the State Treasury and shall be set aside into a separate fund to be known as "The Library Fund" All moneys in the library fund from time to time are hereby specifically appropriated to the State Librarian and Director of the Museum to be used for the payment of the salaries and expenses of the officers and employes of the State Library and Museum and the several divisions thereof and for contingent purposes

The second section was read as follows:

Section 2 That section twenty-six of said act is hereby amended to read as follows

Section 26 The custodian of Public records in the State Library is hereby authorized to make the following charge for certificates and copies furnished to persons other than members of the General Assembly and officials of the State Government

For each certificate of a record the sum of two dollars

For each typewritten copy of a record the sum of one dollar ($1.00) up to five hundred words and beyond that number of words twenty-five ($.25) for each two hundred and fifty words or portion thereof

All moneys received by the custodian under the provisions of this act shall be by him turned over to the State Librarian and Director of the Museum and by him be paid into the State Treasury as hereinbefore provided

On the question,

Will the House agree to the section?

Mr. WELLS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 3, line 20, by inserting after the word "words" and within the bracket the following: "or part thereof"

Amend section 2, page 3, line 22, by inserting after the word "twenty-five" the word: "cents"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 That section twenty-nine of the said act is hereby amended to read as follows

Section 29 The Library Extension Divison shall give advice and counsel to all free libraries in the State and to all communities which may propose to establish free libraries in the selection of books catalouging and other details of library management and as to the best means of establishing and administering such libraries The Library Extension Division shall have general powers of supervision and the inspection over free libraries and the right of requiring reports in such manner as it may deem proper The division shall also establish and maintain a system of traveling libraries as far as possible throughout the Commonwealth

The chief of the Library Extension Division shall charge and collect one dollar ($1.00) for each shipment of books made in connection with the system of traveling libraries and all moneys so received and collected shall be by him turned over to the State Librarian and Director of the Museum and by him be paid into the State Treasury as hereinbefore provided

On the question,

Will the House agree to the section?

Mr. WELLS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 4, line 12, by striking out the word "throughtout" and inserting in lieu thereof: "throughout"

Amend section 3, page 4, line 15, by striking out the word "travell-" and inserting in lieu thereof: "travel-"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 That section thirty-two of the said act is hereby amended to read as follows

Section 32 It shall be the duty of the Museum Division to preserve objects illustrating the flora and fauna of the State and its mineralogy geology archaeology arts history and education and whenever deemed necessary to illustrate the same with lantern slides or films which may be circulated throughout the Commonwealth under such rules and regulations as the State Librarian and Director of the Museum may adopt

The Curator of the Museum Division shall charge and collect the following fees

For each shipment of lantern slides one dollar ($1.00)

For photostat copies fourteen by eighteen inches seventy-five cents ($.75) each for the first four copies if more than four copies then sixty-five cents ($.65) each for any number less than ten fifty-five cents ($.55) each for any number less than twenty fifty cents ($.50) each for any number less than thirty and forty-seven cents ($.47) each for thirty or more copies

For photographic copies five by seven inches one dollar and fifty cents ($1.50) each six and one-half by eight and one-half inches two dollars and fifty cents ($2.50) each and eight by ten inches three dollars ($3.00) each

All moneys received by the Curator shall be by him turned over to the State Librarian and Director of the Museum and by him be paid into the State Treasury as hereinbefore provided

On the question,

Will the House agree to the section?

Mr. WELLS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 4, page 5, line 23, by underscoring the entire line.

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend sections seven; twenty-six, twenty-nine and thirty-two of an act approved the twenty-third day of May, one thousand nine hundred and nineteen, (P. L. 242), entitled "An Act to amend, revise, and consolidate the law relating to the State Library and Museum, including the law relating to the Free Library Commission and the Division of Public Records; abolishing the Board of Trustees of the State Library, the Advisory Commission of Public Records, and the Free Library Commission; and repealing existing laws in relation thereto;" fixing fees for certain services; and making an appropriation thereof.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 120, as follows:

An Act providing that at the close of each general municipal primary and special election in the several counties within this State excepting counties of the first class the contents of the ballot box in each district shall be deposited as a court record with the prothonotary of the county and providing for its preservation and inspection and repealing acts inconsistent herewith

Section 1 Be it enacted by the Senate and House of Representativee of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every general municipal primary and special election held within the several counties of this State except counties of the first class as soon as the election shall be finished the tickets listed taxables one of the list of voters tally papers one of the certificates of the oath or affirmation taken and subscribed by the inspectors judges and clerks and other papers heretofore under the provisions of law deposited in the ballot box shall all be carefully collected and deposited in a stout fiber envelope or envelopes or other suitable container to be selected and supplied by the county commissioners and such envelopes or containers shall be closely bound round with tape shall be sealed by the inspectors and judges of the election and shall be delivered to the prothonotary of the county by the officer bringing in the return The prothonotary shall index in a suitable record the sealed containers so brought in and shall deposit them in a safe depository to be provided by the county commissioners and retain the same as court records He shall permit no access to such records excepting upon order of court

Section 2 Any elector of the county may at any time present his petition to the court requesting leave to examine the contents of any such files from any particular election district or districts enumerated Upon the presentation of such petition the court shall as of course enter an order directing the prothonotary after giving five days' notice to all persons who were candidates at the election held in the election district or districts enumerated in the petition shall permit the inspection of the records prayed for by the petitioner with the assistance if desired by petitioner of one attorney and one clerk upon the payment to the prothonotary of fifteen ($15.00) dollars for each district the records of which are to be inspected The prothonotary shall in person or by deputy specially appointed by him be present at such inspection which shall be completed with reasonable expedition shall carefully watch and guard the papers inspected to prevent abstraction of alteration and at the close of such inspection shall bind up and seal the papers in the form in which they were prior to the inspection under the seal of the prothonotary

Section 3 The records so deposited shall be destroyed by the prothonotary at the expiration of six months from the date following the same unless the court shall otherwise order with respect to any particular record or records

Section 4 The empty ballot boxes after each election shall be deposited and cared for in the manner hereinbefore provided by law

Section 5 All acts and parts of acts inconsistent with the provisions of this statute are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1345, entitled:

An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital and to provide for the regulation and management thereof

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of trustees of any State owned hospital specifically devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital is hereby authorized to enter into negotiations with an incorporated hospital association representing the people of the community in which any such hospital is situate looking to the transfer by lease or sale of the property of any such hospital to such incorporated hospital association

Section 2 Whenever such negotiations have been concluded on conditions approved by the Department of Public Welfare and the Governor the board of trustees of any such State hospital shall enter into an agreement in writing embodying the terms and conditions upon which the transfer of the property of such State hospital to the incorporated hospital association is effected Said agreement shall be submitted to the Department of Public Welfare and if approved in writing by the Commissioner of Public Welfare and the Governor of the Commonwealth said agreement shall thereupon become binding and effective

The third section was read as follows:

Section 3 Immediately upon the transfer of the property of any State hospital as hereinbefore provided there shall be appointed to manage such hospital a board of nine trustees three to be appointed by the Governor and six by the incorporated hospital association Of the trustees first appointed by the Governor one shall serve for one year one for two years one for three years and upon the expiration of the respective periods and thereafter the vacancy shall be filled by the Governor for a term of three years Of the trustees appointed by the incorporated hospital association two shall serve for one year two for two years three for three years and upon the expiration of the respective periods vacancies shall be filled by the incorporated hospital association for a term of three years Should any vacancy occur by the death resignation or incapacity of any trustees such vacancy shall be filled by appointment for the unexpired term of such trustee The board of trustees shall manage and direct the affairs of such hospital and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Commonwealth

On the question,

Will the House agree to the section?

Mr. HENDERSON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 3, line 3, by striking out the word "insonsistent" and inserting in lieu thereof: "inconsistent"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth, fifth and sixth sections and title were separately read and agreed to as follows:

Section 4 Whenever a State hospital is transferred to an incorporated hospital association as hereinbefore provided facilities of such hospital shall be extended to include all classes of medical and surgical work (except contagious disease) both for private and public charges provided that no patient in need of medical or surgical treatment shall be refused admission to such hospital solely by reason of such patient's inability to pay for it

Section 5 The Board of Trustees of any such hospital as may be transferred to an incorporated hospital association under the provisions of this act is hereby authorized to collect funds for and extend the facilities of such hospital either by alteration of an existing hospital building and equipment or by the erection and equipment of new buildings suitable to the needs of the community and subject to the approval of the Department of Public Welfare as now provided by law

Section 6 The Board of Trustees of any such medical and surgical hospital transferred to an incroporated hospital association under the provisions of this act shall receive compensation from the State for services rendered to such and indigent patients upon the same terms as it now or shall hereafter compensate medical and surgical hospitals not under the exclusive control of the Commonwealth

An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital, specially devoted to the reception, care and treatment of injured persons, or of any State owned general medical and surgical hospital; and to provide for the regulation and maintenance thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 974, entitled:

An Act to amend section two of the act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and eighty-nine) entitled "An Act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" authorizing the Bureau of Standards to pass upon types of ice cream and oyster containers and fixing standards thereof

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and eighty-nine) entitled "An Act to regulate and control the manufacture and sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" which reads as follows

"Section 2 The Bureau of Standards of the Department of Internal Affairs is authorized to pass upon each type of weight and measure and weighing and measuring device manufactured offered or exposed for sale or sold or given away for the use in trade or commerce in the Commonwealth of Pennsylvania and to approve or disapprove of said type The said bureau shall approve each type of weight and measure and weighing and measuring device submitted to it for approval by any person if such type is so designed and constructed that it conforms to or gives correct results in terms of standard weight or measures or in terms of values derived thereform and is reasonably permanent in its indication and adjustment and does not faciliate the perpetuation of fraud othewise the bureau shall disapprove the same" is hereby amended to read as follows

On the question,

Will the House agree to the section?

Mr. McCAIG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 5, by striking out beginning with the words "which reads" and ending in line 20 with the word "same"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The second section was read and agreed to as follows:

Section 2 The Bureau of Standards of the Department of Internal Affairs is authorized to pass upon each type of weight and measure and weighing and measuring device including paper or fiber containers used for the distribution and sale of ice cream and oysters manufactuerd offered or exposed for sale or sold or given away for the use in trade or commerce or used in trade or commerce in the Commonwealth of Pennsylvania and to approve or disapprove of said type The Bureau shall not approve any types of containers unless the same shall be so constructed as to contain one gill one-half pint one pint one quart or any multiple of the quart United States Liquid Measure and the types approved shall be legal measure only for ice cream and oysters as are designated by the Bureau The said bureau shall approve each type of weight and measure and weighing and measuring device submitted to it for approval by any person if such type is so designed and constructed that it conforms to or gives correct results in terms of standard weights or measures or in terms of values derived therefrom and is reasonably permanent in its indication and adjustment and does not facilitate the perpetration of fraud otherwise the bureau shall disapprove the same

The title was read as follows:

An Act to amend section two of the act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred eighty-nine) entitled "An Act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" authorizing the Bureau of Standards to pass upon types of ice cream and oyster containers and fixing standards thereof

On the question,
Will the House agree to the title?
Mr. McCAIG. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:
Amend Title page 1, lines 3 and 4, by striking out the word "entiteld" and inserting in lieu thereof the following: "entitled"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question.
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 818, as follows:

An Act to amend an act approved the twentieth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and forty-three) entitled "An Act relating to free public non-sectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public non-sectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-two of the act approved the twentieth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and forty-three) entitled "An Act relating to free public non-sectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public non-sectarian as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" is hereby amended to read as follows

Section 22 Any municipality is hereby authorized to purchase or set apart lands and buildings or parts of buildings already owned by it or both or to erect or lease buildings to be used for free library work or to alter buildings already erected so as to make them suitable for such use and it is hereby authorized to provide for the cost of the same as in the case of other buildings to be used for municipal purposes and whenever in any such municipality a tax levy has been or may hereafter be authorized for the purpose of maintaining a free public library therein as provided by this act and out of the moneys realized from such levy a surplus or excess has been or may hereafter be accumulated above the necessary cost of maintaining such library it shall and may be lawful for the directors of such library to pay over such excess or surplus to the municipal authorities of such municipality to be used by them for any of the purposes provided in this section

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 378, entitled:

An Act to amend route number one hundred eleven as amended and route one hundred twelve of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies deputies and other appointees providing for taking over from the counties or townships of the Commonwealth

certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth relieving the several townships or counties from any further obligations and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commisioner providing for he payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by the State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injury or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Route One Hundred and Eleven of section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State High Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highwav Department and improvement of roads and all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which was amended by the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and twenty is hereby further amended to read as follows

Route One Hundred and Eleven From Waynesburg to the West Virginia State Line Commencing in Waynesburg and running by way of Rogersville Holbrook Woodruff Nettlehill and New Freeport to the West Virginia State line and from New Freeport by spur by way of Deep Valley to the West Virginia State line

On the question,

Will the House agree to the section?

Mr. PARKINSON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section one, page 5, line 25, by inserting after the word "line" the words "by way of Garrison."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 That Route One Hundred and Twelve of section six of said act is hereby amended to read as follows

Route One Hundred and Twelve From Waynesburg to Uniontown Commencing in Waynesburg and running by way of Jefferson to Dry Tavern and from thence to Carmichaels to a point on the dividing line between Greene and Fayette counties thence by way of East Riverside and New Salem into Uniontown Fayette county

An Act to amend route number one hundred eleven, as amended, and route one hundred twelve of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the pay-

ment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State-aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with the Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts and parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act."

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 941, entitled:

An Act providing for the payment by counties of expenses incurred by the district attorney and making such expenses a part of the costs of the case where the defendant is convicted

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all necessary expenses incurred by the district attorneys of any county of this Commonwealth or his assistants or any officer directed by him in the investigation of crime and the apprehension and prosecution of persons charged with or suspected of the commission of crime shall be paid by the respective counties out of moneys in the county treasury upon the approval of the bill of expense by the district attorney and the court of their respective counties And in cases where a defendant is convicted and sentenced to pay the costs of prosecution and trial the expenses of the district attorney in connection with such prosecution shall be considered a part of the costs of the cases and be paid by the defendant

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1358, as follows:

An Act to amend the twelfth clause of section three hundred and eighty-one chapter seven of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the twelfth clause of section three hundred and eighty-one chapter seven of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" is amended to read as follows

"XII To provide by contract with any person or corporation for a period not exceeding three years for the collection and removal of ashes and garbage"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 933, as follows:

An Act authorizing county commissioners to appropriate money from the funds of the county to aid in the planting of trees and the establishment of tree nurseries in aid of the reforestration of wood lots of farms or any other lands denuded of timber trees which it is desired to reforest

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the board of county Commissioners of the respective counties of this Commonwealth may at its discretion appropriate and pay out of county funds and upon proper vouchers being given to aid in the planting of trees and the establishment of county tree nurseries in aid of the reforestration of wood lots of farms or other lands denuded of timber trees which it is desired to reforest

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1334, entitled:

An Act to amend section one of an act approved the seventeenth day of March one thousand nine hundred twenty-one (Pamphlet Laws thirty-two) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Comomnwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such halls shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by the board of control at the expense of the county" Which reads as follows "Section one Be it enacted et cetera That in any county of the Commonwealth where the petition of at least fifty citizens thereof to the county commissioners of any county for the erection or completion and maintenance of a memorial or monumuent in honor of the soldiers sailors and marines for such county who served in the Army and Navy of the United States in the War of the Rebellion the Spanish-American War the Philippine Insurrection the War with Germany and Austria

and all other wars in which the United States has been or may hereafter be engaged has been or may be laid before two successive grand juries and approved by them it shall be the duty of the county commissioners to submit the question of the erection of a memorial hall to the electors of the county at the next general or municipal election and if a majority of the persons voting at such election shall vote in favor of the same it shall be the duty of the county commissioners to erect at the county-seat a memorial hall as such memorial or monument and for such purpose to acquire by purchase donation or by condemnation under the right of eminent domain the necessary site and to erect and maintain thereon a suitable and proper memorial hall or building in memory of the soldiers sailors and marines of such wars All proceedings for the condemnation of any property under the provisions of this act shall be in the same manner as now provided by law for the condemnation of property for other county purposes

If the site so secured has a hall or building already erected thereon which can be altered and improved so as to be made suitable for such memorial hall it shall be lawful for such county commissioners to acquire such site in manner aforesaid for the purpose of memorial hall" be and the same is hereby amended to read as follows

"Section 1 Be it enacted et cetera That in any county of the Commonwealth where the petition of at least fifty citizens thereof to the county commisioners of any county for the erection or completion and maintenance of a memorial or monument in honor of the soldiers sailors or marines for each county who served in the Army and Navy of the United States in the War of the Rebellion the Spanish-American War the Philippine Insurrection the War with Germany and Austria and all other wars in which the United States has been or may hereafter be engaged has been or may be laid before two successive grand juries and approved by them it shall be the duty of the county commissioners to submit the question of the erection of a memorial hall to the electors of the county at the next general or municipal election and if a majority of the votes cast on the question of the erection of a memorial hall shall be in favor of the same it shall be the duty of the county commisioners to erect at the county-seat a memorial hall as such memorial or monument and for such purpose to acquire by purchase donation or by condemnation under the right of eminent domain the necessary site and to erect and maintain thereon a suitable and proper memorial hall or buildings in memory of the soldiers sailors and marines of such wars All proceedings for the condemnation of any property under the provisions of this act shall be in the same manner as now provided by law for the condemnation of property for other county purposes

If the site so secured has a hall or building already erected thereon which can be altered and improved so as to be made suitable for such memorial hall it shall be lawful for such county commissioners to acquire such site in manner aforesaid for the purpose of a memorial hall

On the question,

Will the House agree to the Section?

Mr. ALLEN J. STEVENS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 5, by striking out beginning with the words "which reads" and ending page 3, line 11, with the word "same"

Amend section 1, page3, line 17, by striking out the word "each" and inserting in lieu thereof the followiug: "such"

Amend section 1, page 3, line 27, by inserting before the word "votes" the following: (persons voting at such election shall vote)

Amend section 1, page 3, lines 26 and 27, by removing the underscoring from "and if a majority of the"

Amend section 1, page 3, line 28, by removing the underscoring from the following "in favor of the"

Amend section 1, page 4, line 1, by removing the underscoring from the following: "same it shall be"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of an act approved this seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty-two) entitled "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county"

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeaby to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1389, (Senate Bill No. 457), as follows:

An Act to amend section twenty-two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" authorizing the Governor to confer brevet rank upon certain officers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That section twenty-two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" is hereby amended to read as follows

RETIREMENT OF OFFICERS

Section 22 Commissioned officers who shall have served forty years either as an officer or enlisted man or both in the Pennsylvania National Guard shall upon application made to the Adjutant General be retired from active service and placed upon the retired list as of the next higher grade except a major general whose grade upon the retired list shall remain the same and when any commissioned officer is sixty-four years of age he shall be retired from active service and may be placed upon the retired list as of the next higher grade except a major general whose grade on the retired list shall remain the same Provided That service in the volunteer forces of the United States or in the Army Navy or Marine Corps thereof during the war with Spain in Mexican border service or in any other Federal service may be included as of twice its actual length in computing the forty years of service required for retirement commissioned officers who shall have served as such in the Pennsylvania National Guard or the Pennsylvania Reserve Militia or both may upon application to the Adjutant General be placed upon the retired list as of the highest grade of such officers may have held in their service Provided That he shall have held a Commission as an officer of the Pennsylvania National Guard or the Pennsylvania Reserve Militia or both for a period of at least ten years in the aggregate Provided further That service in the volunteer forces in the United States Army in the war with Spain in Mexican border service in the World War or in any other Federal service may be computed as of twice its actual length the Governor as Commander-in-Chief shall have power and is hereby authorized to relieve from active service and place

upon the retired list as of the next higher grade any commissioned officer who has served continuously in any one grade for fifteen years the commission of any officer so relieved from active duty and placed upon the retired list shall be considered terminated and the office held by him as vacated when an officer has become incapable from any cause of performing the duties of his office he may be ordered before an efficiency board created as herein provided and sitting as a retiring board if he is found disqualified by reason of physical disability incurred in the line of duty he may be retired as of the next higher grade but if he is found disqualified for any other reason he shall be retired without increase in grade the action of every such board shall be subject to the approval of the Governor as Commander-in-Chief all retired officers shall be entitled to wear the uniform of their grade as retired officers of the Pennsylvania National Guard on all proper military or semi-military occasions And provided further That the Governor may confer upon any citizen who has been connected with any military college located within and incorporated under the laws of the Commonwealth and who has had a commission as an officer for a period of thirty years or more granted by the Governor in accordance with the laws of this Commonwealth brevet rank of not more than one grade higher than the highest rank held by him during the term he was so commissioned

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1398, (Senate Bill No. 432), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 863, (Senate Bill No. 84), entitled:

An Act relating to the acquisition of land for park purposes by any city in this Commonwealth in sections not entirely built up limiting time for condemnation by councils or condemnation or purchase by park commissioners after same has been placed on city plan for park purposes by ordinance of councils or action of park commissioners and providing for removal from city plan upon failure to condemn or purchase within time specified herein

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1400, (Senate Bill No. 513), entitled:

An Act to amend section three of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 912), entitled, "An Act to regulate the drilling operating, and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1380, (Senate Bill No. 422), entitled:

An Act fixing the compensation of jury commissioners in counties of the seventh class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 205, as follows:

An Act making an appropriation providing for a deficiency in the maintenance of the Glen Mills Schools Glen Mills Delaware County Pennsylvania

Section 1 Be it enacted b ythe Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Seven thousand and fourteen dollars and thirty cents ($7,014.30) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Glen Mills Schools Delaware County Pennsylvania to cover deficiencies in maintenance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 787, as follows:

An Act making a deficiency appropriation to the Cottage State Hospital of Philipsburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand ($15,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Board of Trustees of the Cottage State Hospital at Philipsburg Pennsylvania for the purpose of covering a deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1258, entitled:

An Act to amend section one hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylva-

nia in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by an act approved the seventeenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand twenty-three) entitled "An Act to amend sections one hundred six and one hundred seven of an act approved the eighteenth day of May one thousand nine hundred eleven entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as amended" is hereby further amended to read as follows

Section 106 The last United States census as set forth in the official report thereof shall be the basis on which the population of the several school districts shall be computed no change shall be made from one class of school districts to another except after the taking of a United States census showing the population of any school district to be such as to entitle it to be changed from one class of school districts to another or except where the population of the two districts combined subsequent to the taking of the census and ascertained by such census is such as to entitle the new or combined district to be in a class different from the class of either of the districts so combined or except also in any case where since the last preceding census of the United States any territory has been annexed to any city borough town or township whereby the population of such city borough town or township has been increased and the population of such annexed territory cannot be ascertained from the last preceding census of the United States in which case it shall be lawful for the directors of the school districts affected by such annexation to apply to the court of common pleas for the appointment of a commissioner to make an enumeration of the population of such annexed territory The court shall certify the population of the annexed territory so ascertained together with the population of the city borough town or township as shown by the last preceding census of the United States to the Superintendent of Public Instruction The cost of the proceeding including reasonable compensation for the commissioner to be fixed by the court shall be paid by the school district Provided however That when a district which at a decennial census had sufficient population to entitle it to an advance to another class of districts has since suffered a large decrease in population a census of the district may be authorized by the board of school directors of the district and if it shall appear that said district has not the required population to remain in the class in which the same then is the Superintendent of Public Instruction upon the receipt of the facts disclosed by said census may issue his proclamation declaring such district to be of the class to which it properly belongs as disclosed by the census of the school board

On the question.

Will the House agree to the section?

Mr. HAINES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 25, by striking out the word "no" and inserting in lieu thereof the following: "No"

On the question.

Will the House agree to the amendments?

It was agreed to.

On the question.

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one hundred and six of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, or any parts thereof, that are or may be inconsistent therewith" as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1090, as follows:

An Act to amend sections one thousand one hundred five and one thousand one hundred thirty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public schools system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pensylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand one hundred five of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 1105 The school directors of each county of this Commonwealth in which a county superintendent is to be elected shall meet in convention at the county-seat of their county in the court-house or some other suitable place to be furnished by the county commissioners at the expense of the county on the second Tuesday of April one thousand nine hundred and eighteen (1918) and on the same day of every fourth year thereafter and by a majority vote of those present elect as herein provided one duly qualified person as county superintendent to serve for four years from the first day of July next following

Section 2 That section one thousand one hundred thirty-four of said act is hereby amended to read as follows

Section 1134 The boards of school directors of each district of the second or third class electing a district superintendent shall meet in convention at its regular place of meeting on the second Tuesday of April one thousand nine hundred and eighteen (1918) and every four years thereaftr at an hour previously fixed by said board and the secretary shall mail to each member thereof at least five days beforehand a notice of the time place and purpose of such convention Such convention shall in the manner as a county superintendent is elected and certified elect and certify a properly qualified district superintendent to serve for four years from the first day of July next following his election

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. HORNE. Mr. Speaker, I move that House Bill No. 1090, file folio 4593, be recommitted to the Committee on Education for a hearing.

Mr. VICKERMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1376 (Senate Bill No. 96), as follows:

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the deaf at Scranton Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-eight thousand dollars ($28,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the trustees of the Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania for the payment of any deficiency in the maintenance account of said school for the fiscal year ending May thirty-first one thousand nine hundred and twenty-one and the fiscal year ending May thirty-first one thousand nine hundred and twenty-three

The said appropiration to be paid on the warrant of the Auditor General on a settlement made by him and the State Treasurer but no warrant shall be drawn until the trustees of said school have made underoath to the Auditor General a report containing specifically itemized statement of the receipts from all sources and the expenses of said school for the period for which said appropriation is made

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

JOINT SESSION IN MEMORY OF THE LATE HONORABLE BOIES PENROSE.

In the Senate, April 17, 1923.

Resolved (If the House of Representatives concur) That the President Pro Tempore of the Senate shall appoint three Senators and the Speaker of the House of Representatives shall appoint five Members of the House who together shall constitute a committee to draft suitable resolutions and arrange for a joint session of the Senate and House of Representatives in memory of the late Honorable Boies Penrose, Senator from Pennsylvania in Congress of the United States. Said committee shall arrange said meeting for Tuesday, May first, at two o'clock in the afternoon, and issue invitations to such persons as to the committee may seem proper.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

TIME OF NEXT MEETING.

In the Senate, April 17, 1923.

Resolved (If the House of Representatives concur) That when the Senate adjourns today it reconvene on Monday evening, April twenty-third, at nine o'clock; and when the House of Representatives adjourns this week it reconvenes on Monday evening, April twenty-third at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 11, 1923.

Resolved, (if the Senate concur), That House Bill No. 411, Printer's No. 108, File Folio 447, entitled "An act to amend section one thousand one hundred and five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty), entitled 'An act concerning townships, and revising, amending and consolidating the laws relating thereto,'" be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows, viz:

HOUSE BILL No. 52.

An Act to amend an act entitled "An Act to prohibit the speeding and racing of certain motor vehicles to fires, the parking of motor vehicles in the vicinity of fires, and the driving of motor vehicles over lines of hose" by extending the provisions thereof to all vehicles

HOUSE BILL No. 524.

An Act to amend part of section one of an act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 455), entitled, "An Act to fix the number of representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution."

HOUSE BILL No. 702.

An Act to amend section 3 and section 4 of an act approved the fifth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws 374) entitled "An act providing for the licensing and regulation or corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing, negotiating offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or installment plan, or of assuming fixed obligations, or issuing, in connection therewith a contract based upon payments, being made upon installments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties."

HOUSE BILL No. 416.

An Act to amend section three hundred and four of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and

eighty-two) entitled "An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws."

HOUSE BILL No. 720.

An Act to amend section seven hundred three Article VII of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for comepensation for forest fire fighting or private lands listed with the Department of Forestry for forest protection.

HOUSE BILL No. 723.

An Act authorizing countis cities boroughs and townships to appropriate moneys for forest work

With information that the Senate has passed the same without amendment.

BILLS SIGNED BY THE SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 325.

An Act to require counties to cause the graves of honorably discharged soldiers sailors and marines to be decorated with flags on Memorial Day

HOUSE BILL No. 362.

An Act to empower and authorize any school or college or institution of optometry incorporated under the laws of Pennsylvania organized operated and conducted not for profit which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study

HOUSE BILL No. 411.

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the laws relating thereto"

HOUSE BILL No. 447.

An Act to amend section five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service men' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

HOUSE BILL No. 471.

An Act to amend sections one and two as amended and three of an act approved the twenty-fourth day of April, one thousand eight hundred and eighty-five, (P. L. 9), entitled "An Act to amend an act, entitled 'An Act to provide for the destruction, and to prevent the spread of Canada thistles,' approved the twenty-second day of March, Anno Domoni one thousand eight hundred and sixty-two," extending the provisions of said act to cichorium intybus the weed commonly know as chickory or succory or blue daisy.

HOUSE BILL No. 560.

An Act to repeal the act approved the twenty-third day of February one thousand eight hundred and seventy (Pamphlet Laws two hundred and twenty-three) entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county" and the act approved the nineteenth day of May one thousand eight eighty-three) entitled "A Supplement to an act entitled 'An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county' passed the twenty-third day of February Anno Domini one thousand eight hundred and seventy"

HOUSE BILL No. 635.

An Act to amend section six of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated "as deceased service men" defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

HOUSE BILL No. 697.

An Act making it unlawful for any county city borough or incorporated town to prohibit the wearing of certain military insignia by its employees upon their uniforms

HOUSE BILL No. 760.

An Act to amend section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

MOTION TO PLACE BILL ON CALENDAR.

Mr. DAVID I. FOWLER. Mr. Speaker, I move that notwithstanding the negative recommendation of the Committee on Education, that House Bill No. 273, file folio 4597, entitled:

An Act establishing a pension fund for public school employes of the Commonwealth of Pennsylvania, except such employes as are classified as teachers by the State Department of Public Instruction, and regulating the administration and payment of such pensions.

be placed upon the calendar.

Mr. GOSS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker declared the "noes" appear to have it.

Whereupon a division was called for, and seventy-two members having voted in the affirmative, and eighty-one having voted in the negative, the question was determined in the negative and the motion was not agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. DUNN.

The House resumed the consideration on final passage of House Bill No. 1033, entitled:

An Act providing that any person who was engaged in the military or naval service of the United States during any war in which the United States was engaged, and having an honorable discharge therefrom, shall receive credit for the experience and training derived from such service, in civil service examinations.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Albert,	Gallaher,	Lynch,	Sautter,
Alexander,	Gelder,	Malle,	Schaeffer,
Allman,	Gibbon,	Mangan,	Schilling,
Anderson,	Glasgow,	Marcus, J.,	Schleiter,
Armstrong,	Goehring,	Marcus, J. C.,	Schoener,
Arthur,	Golder,	Marshall, W. F.,	Schwartz,
Baldi,	Gorham,	Mathay,	Sheridan,
Bell, F. A.,	Goss,	McCann,	Smith, G. A.,
Bell, W. T.,	Greeby,	McCaig,	Smith, H. J.,
Bentley,	Griffith,	McClure,	Smith, H.,
Berger,	Grimes,	McCurdy,	Smith, J. W.,
Betts,	Guerin,	McDaniel,	Sowers,
Bidelspacher,	Gundy,	McGowan,	Spangler,
Blair,	Haas,	McKim,	Stark,
Bluett,	Hall,	McVicar,	Staudenmeier,
Blumberg,	Harer,	Metcalf,	Stavitski,
Boback,	Harter,	Millar,	Steedle,
Brewster,	Haslett,	Miller,	Sterling,
Bromley,	Haws,	Minehart,	Stevens, A. J.,
Brown,	Heffran,	Moffatt,	Stevens, A. F.,
Brownmiller,	Henderson,	Moore,	Storer,
Burchinal,	Hetrick,	Morrison,	Thomas, L. D.,
Burns,	Heyburn,	Munley,	Thomas, M. G.,
Bush,	Himes,	Myers, G. C.,	Thompson,
Clutton,	Hollis,	Myers, P. M.,	Van Alen,
Coldsmith,	Hontz,	Nolte,	Vickerman,
Conner,	Hoover,	O'Boyle,	Walker,
Craig,	Horne,	Ogle,	Weamer,
Diehm,	Howell,	Orr,	Wells,
Dietz,	Huber,	Patterson,	Wettach,
Dilsheimer,	Irvin,	Peelor,	Wheeler,
Donahue,	Johnson,	Perry,	Whitehouse,
Driggs,	Jones, D. J.,	Pitts,	Whiteman,
Drinkhouse,	Jones, E. P.,	Posey,	Williams, G. W.,
Dunn,	Keene,	Post,	Williams, J. M.
Eaches,	Kelly,	Price,	Woner,
Earley,	Kennedy,	Raymond,	Wood, N.,
Edmonds,	Kunkle,	Rhodes,	Wood, W. P.,
Eshelman,	Lauver,	Richards,	Wright,
Evans, J.,	Little,	Rinn,	Goodnough,
Fowler, D.,	Long,	Rippman,	Speaker.
Fratt,	Lucas,	Sample,	
Frazier,	Ludlow,	Sarig,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE.

Mr. GOSS. Mr. Speaker, I move that the vote by which House Bill No. 358, file folio 2947, entitled:

An Act to amend sections one and eighteen of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws five hundred and fifty-nine), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received;" changing the age limit of persons required to procure licenses; and providing for the purchase with surplus moneys of lands and waters, and the impounding of waters.

was defeated on final passage, on April 9th, be reconsidered.

Mr. MOORE. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker declared the noes appear to have it.

Whereupon a division was called for, eighty-five members having voted in the affirmative, and forty having voted in the negative, the motion was agreed to.

Mr. HORNE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. LUDLOW. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. HORNE. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend sec. 1, line 20, page 2, by striking out the word "sixteen" and inserting in lieu thereof, "eighteen."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. STAVITSKI.

The House resumed the consideration on third reading of House Bill No. 1269, entitled:

An Act to amend section three of an act approved the tenth day of April one thousand eight hundred and sixty-seven (Pamphlet Laws sixty-two) entitled "An Act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" by requiring the drawing of jury panely from the wheel to take place publicly in the court room and in the presence of one of the judges of the court of common pleas

On the question,

Will the House agree to the bill on third reading?

Mr. STAVITSKI. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 15, by striking out the words "in the court room in the pres-"

Amend section 1, page 2, lines 16 and 17, by striking out all the words in lines 16 and 17.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. SPANGLER,

The House resumed the consideration on third reading of House Bill No. 1305, entitled:

An Act to confer upon the courts of Quarter Sessions of the several counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds, which have or shall become unsightly and unsuitable places for interment.

On the question,

Will the House agree to the bill on third reading?

Mr. SPANGLER. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend Sec. 1, page 1, line 6, by striking out the words "or from any other cause"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

The SPEAKER. The amendment being a strikeout, the bill is before the House for consideration.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitutions, the yeas and nays were taken and were as follows, viz:

YEAS—121.

Allman,	Eaches,	**Long,**	**Schwartz,**
Anderson,	Eshelman,	**Lucas,**	**Sheridan,**
Armstrong,	**Evans, B. P.,**	Ludlow,	Smith, G. A.,
Arthur,	Gallaher,	Lynch,	**Smith, J. W.,**
Baldi,	Gibbon,	**Malie,**	**Spangler,**
Beaver,	Gilchrist,	Marcus, J.,	Stark,
Behney,	Glasgow,	**Marcus, J. C.,**	Staudenmeier,
Bell, F. A.,	Goehring,	Marshall, W. F.	Steedle,
Bell, W. T.,	**Gorham,**	McCann,	Stevens, A. J.,
Bentley,	Greeby,	**McCurdy,**	**Stevens, A. F.,**
Berger,	Griffith,	McDermott,	Storb,
Betts,	Grimes,	**McVicar,**	Storer,
Bidelspacher,	Gundy,	Miller,	Thomas, L. D.,
Blair,	**Haslett,**	**Minehart,**	Thomas, M. G.,
Bluett,	**Heffran,**	Moore,	Thompson,
Brenneman,	Henderson,	Morrison,	Vickerman,
Brewster,	Hetrick,	**Munley,**	Walker,
Bromley,	Heyburn,	Myers, P. M.,	Weamer,
Brown,	**Himes,**	**Nolte,**	Wheeler,
Brownmiller,	Hoover,	O'Boyle,	Whiteman,
Burchinal,	Horne,	Orr,	Williams, G. W.,
Burns,	**Howell,**	Peelor,	Williams, J. M.
Bush.	**Johnson,**	Pitts,	Woner,
Chaplin,	Jones, C. B.,	Posey,	Wood, N.,
Clutton,	Jones, D. J.,	**Post,**	Wood, W. P.,
Coldsmith,	Jones, E. P.,	Raymond,	Wright,
Craig,	Keene,	Richards,	**Zook,**
Diehm,	Kelly,	**Sample,**	**Goodnough,**
Dietz,	**Kohler,**	**Sautter,**	**Speaker.**
Dilsheimer,	**Kunkle,**	Schaeffer,	
Driggs,	**Lauver,**	Schilling,	
Dunn,	**Little,**	**Schoener,**	

NAYS—6.

Hollis,	Irvin,	Mack,	**Myers, G. C.,**
Hontz,	Kohler,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GEORGE W. WILLIAMS,

The House resumed the consideration on third reading of House Bill No. 882, entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating election in this Commonwealth" as amended by authorizing the members of the board of receiving computing and certifying election returns to act when a majority of the members thereof are not qualified

On the question,

Will the House agree to the bill on third reading?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend section 13, page 4, line 27, by striking out the word "inquiring" and inserting in lieu thereof: "inquiry."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. KUNKLE.

The House resumed the consideration on third reading of House Bill No. 957, entitled:

An Act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge on said road

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitutions, the yeas and nays were taken and were as follows, viz:

YEAS— 145.

Albert,	Evans, B. P.,	Lauver,	Schleiter,
Alexander,	Evans, J.,	Little,	Schoener,
Allman,	Fowler, D.,	Long,	Schwartz,
Anderson,	**Frazier,**	Lucas,	Sheridan,
Armstrong,	Gallaher,	Lynch,	Smith, G. A.,
Aston,	Gibbon,	Mack,	Smith, H.,
Behney,	Goehring,	**Malie,**	Smith, J. W.,
Bell, F. A.,	**Gorham,**	Marcus, J.,	Spangler,
Bell, W. T.,	**Goss,**	Marcus, J. C.,	Speiser,
Bentley,	Greeby,	Marshall, W. F.,	Stark,
Berger,	**Griffith,**	**McCann,**	**Staudenmeier,**
Betts,	Grimes,	McClure,	**Stavitski,**
Bluett,	Gundy,	McCurdy,	Sterling,
Boback,	Hall,	McGowan,	**Storer,**
Brewster,	Harer,	McKim,	**Thomas, L. D.,**
Bromley,	**Harter,**	Metcalf,	**Thomas, M. G.,**
Brown,	**Haslett,**	**Minehart,**	**Van Alen,**
Brownmiller,	Heffran,	Moffatt,	**Vickerman,**

Burchinal,	Hetrick,	Morrison,	Weamer,
Bush,	Heyburn,	Myers, G. C.,	Wells,
Chaplin,	Himes,	Myers, P. M.,	Wettach,
Clutton,	Hollis,	Nolte,	Wheeler,
Coldsmith,	Hontz,	O'Boyle,	Whitehouse,
Colville,	Hoover,	Ogle,	Williams, G. W.
Conner,	Horne,	Orr,	Williams, J. M.,
Craig,	Howell,	Peelor,	Woner,
de Young,	Huber,	Pitts,	Wood, N.,
Diehm,	Irvin,	Posey,	Wood, W. P.,
Dietz,	Johnson,	Raymond,	Wright,
Dilsheimer,	Jones, C. B.,	Richards,	Zook,
Driggs,	Jones, D. J.,	Rinn,	Goodnough,
Dunn,	Kennedy,	Sample,	Speaker.
Eaches,	Kunkle,	Sautter,	
Earley,	Labar,	Schaeffer,	
Edmonds,	Lafferty,	Schilling,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Stark,

The House resumed the consideration on final passage of House Bill No. 134, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen

On the question,

Shall the bill pass finally?

Mr. WELLS. Mr. Speaker and members of the House, so that there may be no misunderstanding as to my position on this bill, I want to state to you that I am in favor of the Commonwealth of Pennsylvania owning the waste lands for forestry purposes, but I am not in favor of the Commonwealth of Pennsylvania borrowing $25,000,000 to accomplish this purpose, when I believe that it can be accomplished without the borrowing of a single dollar. If this bill should become a law, and the Commonwealth is going with an open pocket to borrow this money, it could not be borrowed for less than a rate of 4% per year, and probably it would be nearer 5%, that in itself would provide a fund for interest alone of $1,000,000 per year. I take the position that if we have an appropriation of $1,000,000 per year that all the waste lands of Pennsylvania could be purchased out of that fund without the incurring of a single bit of indebtedness for the purpose. I am told by Major Stewart that the average costs of forest lands that have been purchased by this Department up to the present time is $2.28 per acre. It may be from now on we will have to pay a little more, and possibly take the valuation of $2.50 an acre, for which you can buy a good deal of this land, and what land we want. With $1,000,000 per year you could acquire 400,000 acres of this stripped or waste land for forestry purposes, but Major Stewart has also told the committee that the overhead cost of surveying, the cost of title searching, and so forth, has averaged about 25% of the cost of the land. Deducting that amount, it would still give us a fund which would purchase for the state of Pennsylvania 300,000 acres of land each year for forestry purposes. I say to you, gentlemen, that if the Department of Forestry can buy 300,000 acres of land per year, that all that they could reasonably expect to have surveyed, or have the title searched, in any one year. Another feature of this bill, that it seems to me would be objectionable, is that it would increase or advance the price that the land owners would ask for their stripped land, if this bill should pass. In other words, the lumber companies of the state have thousands and thousands of acres of stripped land to get rid of. I say to you that in my county, in the past, until the State of Pennsylvania began acquiring lands for forestry purposes, thousands of acres were sold at tax sales because the lumber companies had no use for them, but since the Forestry Department has been acquiring these lands, of course, they take care of them because they now have a purchaser, but if we have a fund of $25,000,000 the timber companies having these stripped lands will naturally say, "Why, there is a large fund for us, and we will ask more for these lands because the money is available to buy it". But if a million dollars only were available, you would find one lumber company bidding against the other to get a portion of that million dollars, because I say to you that they have no use for it, and that they would not go on and reforest this land if they didn't consider it to be a good proposition. Now, gentlemen, I am making these remarks not with any idea of trying to defeat the bill but for the purpose of registering my protest against what I deem to be an unnecessary and extravagant method of procuring these lands, and to voice my reasons for voting against this measure.

Mr. ALEXANDER. Mr. Speaker and members of the House, I agree with my friend, Mr. Wells, on everything he says with the exception that I am going to give my reasons why I am going to vote for this bill at this time. This is the first time that this resolution has been submitted to this House, and to the Legislature. Of course, we all know that it has to be submitted two years hence, and then referred to the people for their vote. It is a question in my mind whether it is a proper thing to do, and I have grave doubts about it, however, I feel that the people of Pennsylvania on a question as important as this is, and as new as it is at the present time to us, this forestry program, that I think it will not hurt at this time that we should pass this resolution, and for that reason I am going to vote for it. If two years hence the thought crystallizes on the subject, the next Legislature can either defeat it or pass it on to the people. That is the reason I am going to vote for this bill.

Mr. MINEHART. Mr. Speaker, I would like to give my reason for voting for this bill. I feel that I have helped to destroy as many acres of forest land, probably, as any man in the House. I look upon this bill as a very worthy one. In 1909 I sold to the state a tract of land of 2400 acres for $2.00 an acre. They have taken care of that land, in the way of protecting it from fires and today I would be glad to buy it back at a price of $15.00 an acre. I claim that the state can do no better than to re-forest lands. It is going to be one of the great assets in the future for the state.

Mr. SARIG. Mr. Speaker and members of the House, This, as we all understand, is simply to put this proposition squarely before the people. Now, I cannot see why we should dally on this proposition at this time, for it will have to go through two sessions of the Legislature before it can be submitted to the people. Now, I feel that we should not simply look ahead, say one, two, three, or half a dozen years, but I believe the time is ripe now when we should take action on this measure and pass it so that it can be through two sessions of the Legislature and be put to the people of Pennsylvania. Why not let the people themselves say whether they want this conservation measure or not? I think that at the rate at which we have been going our timber supply will be pretty well exhausted in a few years, and unless we now get on the job and do something, unless

we look ahead and provide for the future, and our children will face a Commonwealth that has been devastated to a large extent of its natural wealth. We all know that we are depleting it at a very rapid rate, and here is one point where we can come back and try to restore the damage to that we have been doing in years past. I feel that we owe it to our children and to posterity to see to it that all of this large acreage of waste land which we now have, which is not producing anything, should be made to produce something, and I cannot see why any of us should be afraid to submit this proposition to the people of Pennsylvania and let them pass judgment on it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Albert,	Frazier,	Little,	Sautter,
Alexander,	Gallaher,	Long,	Schaeffer,
Allman,	Gibbon,	Ludlow,	Schilling,
Anderson,	Goehring,	Lynch,	Schleiter,
Armstrong,	Golder,	Mack,	Schoener,
Arthur,	Goss	Malie,	Schwartz,
Aston,	Greeby,	Marcus, J.,	Sheridan,
Beaver,	Griffith,	Marcus, J. C.,	Smith, G. A.,
Behney,	Grimes,	Marshall, W. F.,	Smith, H. J.,
Bell, F. A.,	Guerin,	Mathay,	Spangler,
Bell, W. T.,	Gundy,	McClure,	Speiser,
Bentley,	Haines,	McCurdy,	Stark,
Berger,	Hall,	McDaniel,	Staudenmeier,
Bidelspacher,	Harer,	McDermott,	Sterling,
Brenneman,	Harter,	McKim,	Stevens, A. F.,
Brewster,	Haslett,	McVicar,	Stevens, A. J.,
Bromley,	Heffernan,	Metcalf,	Stofflet,
Brown,	Heffran,	Miller,	Thomas, L. D.,
Brownmiller,	Hetrick,	[illegible]rt,	Thomas, M. G.,
Burns,	Heyburn,	Moffatt,	Thompson,
Bush,	Himes,	Moore,	Van Alen,
Chaplin,	Hollis,	Munley,	Vickerman,
Clutton,	Hoover,	Myers, G. C.,	Weamer,
Coldsmith,	Horne,	Myers, P. M.,	Wettach,
Conner,	Howell,	Nolte,	Wheeler,
Coyne,	Huber,	Ogle,	Whitehouse,
Craig,	Irvin,	Parkinson,	Whiteman,
de Young,	Johnson,	Patterson,	Williams, G. W.
Diehm,	Jones, C. B.,	Peelor,	Williams, J. M.,
Dietz,	Jones, D. J.,	Pitts,	Woner,
Driggs,	Jones, E. P.,	Posey,	Wood, N.,
Eaches,	Keene,	Post,	Wood, W. P.,
Earley,	Kelly,	Raymond,	Wright,
Edmonds,	Kennedy,	Rhodes,	Zook,
Eshelman,	Kohler,	Richards,	Goodnough,
Flinchbaugh,	Kunkle,	Rippman,	Speaker.
Flynn,	Labar,	Sample,	
Fratt,	Lauver,	Sarig,	

NAYS—8.

Betts,	Boback,	Evans, J.,	Lucas,
Bluett,	Dilsheimer,	Gorham,	Wells,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Ludlow,

The House resumed the consideration on final passage of House Bill No. 632, entitled:

An Act to amend an act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 991), entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department," by exempting certain corporations from the provisions thereof.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. LUDLOW. Mr. Speaker, I move that the vote by which House Bill No. 632, passed on third reading be reconsidered.

Mr. STORB. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 21 by adding after the word "void" the following: "Provided, however, That a corporation organized and doing business under the laws of any State of the United States of America, other than Pennsylvania, duly authorized by its charter or by law so to act may be appointed by any last Will or Testament or Codicil, or other testamentary writing as executor, guardian, trustee or other fiduciary when and to the extent that the laws of such other State confer like powers upon corporations organized and doing business under the laws of the Commonwealth of Pennsylvania."

Amend section 2, page 3, line 12 by inserting after the word "void" the following: "Provided, however, that a corporation organized and doing business under the laws of any State of the United States of America, other than Pennsylvania, duly authorized by its charter or by law so to act, may be appointed as administrator, trustee, guardian, receiver, committee, or other fiduciary by any court or register of Wills of this Commonwealth when and to the extent that the laws of such other State confer like powers upon corporations organized and doing business under the laws of the Commonwealth of Pennsylvania."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 820, entitled:

An Act authorizing the sale of real estate held by entireties by husband and wife when an order of support has been secured against the husband who has neglected to comply with the same or whose whereabouts is unknown or who has absented himself from this Commonwealth prescribing the procedure to be followed permitting husband and wife to testify providing for the disposition of the proceeds of such sale and granting a divorced woman the same rights under this act as a wife

On the question,

Will the House agree to the bill on third reading.

It was agreed to.

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Clarion, Mr. Marshall, permit himself to be interrogated?

Mr. WILLIAM F. MARSHALL. Yes sir, Mr. Speaker.

Mr. ALEXANDER. What is the purpose of this bill?

Mr. WILLIAM F. MARSHALL. The object and purpose of this bill was to cover a particular case in Clarion county. There was a husband and wife, who owned property jointly in Westmoreland county, and they moved to Clarion county, and after moving there he left his wife and in due course of time, she brought action for support. The Court granted the order, but in the meantime he had departed out of the state to parts unknown. Therefore, the object and purpose of this bill is to cover that case particularly so that the property can be sold and his share of it used to cover the order granted by the Court. The wife in the case was left without any support whatever, having some seven or eight small children. I am not the author of the bill, it was proposed by an attorney in Clarion after a conference with Mr. Fertig, and he agreed with him that there was nothing on the records to cover a case of that kind.

Mr. ALEXANDER. Is the gentleman aware of the fact that there was an act of Assembly providing now that where the wife has brought suit for the support of a wife that the Courts may collect that from any real estate which the husband may have, notwithstanding the fact that he had fled the jurisdiction.

Mr. WILLIAM F. MARSHALL. I cannot answer that question, and I am not an attorney, but the gentleman who suggested this bill Mr. Geary, had a conference with Mr. Fertig and Mr. Fertig told him there was no existing act to cover this particular case.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—151.

Albert,	Earley,	Little,	Rippman,
Alexander,	Edmonds,	Long,	Sample,
Allman,	Evans, B. P.,	Lucas,	Sarig,
Anderson,	Evans, J.,	Ludlow,	Sautter,
Armstrong,	Gallaher,	Lynch,	Schaeffer,
Arthur,	Gibbon,	Malie,	Schilling,
Aston,	Gilchrist,	Marcus, J.,	Schleiter,
Beaver,	Goehring,	Marcus, J. C.,	Schoener,
Bell, F. A.,	Gorham,	Marshall, W. F.,	Schwartz,
Bell, W. T.,	Goss,	McClure,	Smith, G. A.,
Bentley,	Greeby,	McCurdy,	Smith, H. J.,
Berger,	Griffith,	McDaniel,	Smith, J. W.,
Betts,	Grimes,	McDermott,	Soffel,
Blair,	Guerin,	McGowan,	Spangler,
Bluett,	Haines,	Metcalf,	Speiser,
Boback,	Hall,	Millar,	Stark,
Brenneman,	Harer,	Minehart,	Staudenmeier,
Brewster,	Haslett,	Moffat,	Stavitski,
Bromley,	Heffernan,	Moore,	Stevens, A. F.,
Brown,	Heffran,	Morrison,	Stevens, A. J.,
Brownmiller,	Hetrick,	Munley,	Thomas, M. G.,
Bush,	Heyburn,	Myers, G. C.,	Thompson,
Chaplin,	Himes,	Myers, P. M.,	Van Alen,
Clutton,	Hollis,	Nolte,	Vickerman,
Coldsmith,	Hontz,	O'Boyle,	Walker,
Colville,	Horne,	Ogle,	Weamer,
Conner,	Huber,	Orr,	Wells,
Coyne,	Irvin,	Patterson,	Wettach,
Craig,	Johnson,	Peelor,	Wheeler,
de Young,	Jones, C. B.,	Pitts,	Williams, G. W.,
Diehm,	Jones, D. J.,	Posey,	Williams, J. M.,
Dietz,	Jones, E. P.,	Post,	Woner,
Dilsheimer,	Keene,	Price,	Wood, W. P.,
Donahue,	Kennedy,	Raymond,	Wright,
Driggs,	Kohler,	Rhodes,	Zook,
Dunn,	Kunkle,	Richards,	Goodnough,
Eaches,	Labar,	Rinn,	Speaker.

NAYS—2.

Whitehouse,	Wood, N.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 46, as follows:

An Act to amend section two hundred and seventy-one of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and seventy-one of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" is hereby amended to read as follows:

Section 271 The township treasurer shall receive for his duties as treasurer and tax collector for the township a sum equal to three five per centum of all township taxes received or collected by him and in addition thereto a sum equal to one per centum on all other moneys received or collected by him for the township unless a different rate be fixed by ordinance of the township commissioners passed thirty days prior to his election

The compensation herein provided shall not be construed to change or decrease the compensation of any township treasurer in office at the date of the approval of this act

On the question.

Will the House agree to the bill on third reading?

Mr. EDMONDS. Mr. Speaker, may I call to the attention of the sponsor of this bill on page 2, line 16, what is obviously a misprint, where it says the sum set aside for taxation is three five per cent. That might be thirty-five per cent., which is obviously not the intention of the bill.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WONER. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend section 1, page 2, line 12, by striking out the underscoring under the word "five" and enclose the word "five" in ( )

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question.

Will the House agree to the bill on third reading as as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 849, entitled:

An Act to amend section one of an act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and ninety-two) entitled "An Act to provide Revenue by Taxation"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Alexander,	Fowler, A. I.,	Lucas,	Schleiter,
Allman,	Fratt,	Ludlow,	Schoener,
Anderson,	Frazier,	Mack,	Schwartz,
Armstrong,	Gallaher,	Malie,	Smith, G. A.,
Arthur,	Gibbon,	Marcus, J.,	Smith, H. J.,
Aston,	Gilchrist,	Marshall, W. F.,	Smith, H.,
Beaver,	Goehring,	McCaig,	Smith, J. W.,
Behney,	Goss.	McCann,	Spangler,
Bell, F. A.,	Greeby.	McCurdy,	Speiser,
Bell, W. T.,	Griffith,	McDaniel,	Stark,
Bentley,	Grimes,	McDermott,	Staudenmeier,
Bidelspacher,	Guerin,	McKim,	Stavitski,
Blair,	Gundy,	Metcalf,	Steedle,
Bluett,	Harer,	Miller,	Stevens, A. F.,
Brenneman,	Harter,	Minehart,	Storer,
Brewster,	Haslett,	Moffatt,	Thomas, L. D.,
Bromley,	Haws,	Moore,	Thomas, M. G.,
Brown,	Heffran,	Munley,	Thompson,
Brownmiller,	Hetrick,	Myers, G. C.,	Van Alen,
Burchinal,	Himes,	Myers, P. M.,	Vickerman,
Bush,	Holcombe,	Nolte,	Weamer,
Clutton,	Hollis,	Ogle,	Wettach,
Coldsmith,	Hoover,	Orr.	Wheeler,
Colville,	Howell,	Patterson,	Whitehouse,
Coyne,	Huber,	Peelor,	Whiteman,
Craig,	Irvin,	Perry,	Williams, G. W.,
de Young,	Jones, C. B.,	Pitts,	Williams, J. M.,
Diehm,	Jones, D. J.,	Posey,	Woner,
Dietz,	Keene,	Post,	Wood, N.,
Dilsheimer,	Kelly,	Raymond,	Wood, W. P.,
Driggs,	Kennedy,	Rhodes,	Wright,
Eaches,	Kohler,	Richards,	Zook,
Earley,	Kunkle,	Rippman,	Goodnough,
Edmonds,	Labar,		Speaker.
Evans, B. P.,	Lauver,	Sample, Saris.	
Flinchbaugh,	Little,		
Flynn,	Long,	Sautter,	
		Schilling,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 851, as follows:

An Act to amend an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven (Pamphlet Laws six hundred and forty) entitled "An Act to provide revenue by levying a tax upon the shares of companies incorporated under the provisions of section twenty-nine of an act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled "An Act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust ocmpanies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven (Pamphlet Laws six hundred and forty) entitled "An Act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An Act to provide for the incorporation and regulation of certain corporation" approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled "An Act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred seventy-four and of the supplements thereto approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements for the insurance of owners of real estate mortgages and others interested in real estate from the loss by reason of defective titles liens and incumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An Act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies shall on or before the last day of February in each and every year make to the Auditor General a report in writing verified by the oath or affirmation of the president secretary or treasurer setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Auditor General to assess such shares for taxation at the rate of five mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits without making any deductions or allowances for any investments in the shares of stock of other corporations or investments of any other kind whatsoever and dividing this amount by the number of shares The Auditor General shall have the power and it shall be his duty in case he shall not be satisfied with the correctness of the report as made by the officers of any such company to summon the officers of said company to appear before him upon notice to do so on a day to be fixed by him and to bring with them the books of said company for his examination and he shall have the right to have further evidence to satisfy himself of the correctness of the report made to him on the question of the value of the shares of stock of such company according to the rule hereinbefore stated After the Auditor General shall have fixed the value of the shares of stock in any such company by the method hereinbefore provided and settled an account according to law he shall thereupon transmit to the president secretary or treasurer of such company a copy of such settlement showing the valuation and assessment so made by him and the amount of tax due the Commonwealth on all such

shares And it shall be the duty of the president secretary or treasurer of any such company immediately upon the receipt of said settlement to post the same in a conspicuous place in such company's place of business so as to give notice to the shareholders of such valuation and it shall be the duty of the Auditor General to hear any shareholder upon the subject of the valuation of such shares of stock at the Auditor General's office within a period of thirty days from the date of said settlement It shall be the duty of every such company within a period of sixty days after the date of such settlement by the Auditor General at its option to pay the amount of said tax to the State Treasurer from its general fund or collect the same from its shareholders and pay over to the State Treasurer Provided That if any such company shall fail or refuse to make such report or to pay such tax at the time hereinbefore specified or shall make any false statement in such report or shall fail or refuse by its officers to appear before the Auditor General upon notice as aforesaid or shall fail or refuse to produce its books for examination when required to do so by the Auditor General he shall after having ascertained the actual value of each share of the capital stock of such company from the best information he can obtain add thereto ten per centum as a penalty assess the tax as aforesaid and proceed according to law to collect the same from such company Provided further That if the president secretary or treasurer of any such company shall neglect or refuse to post a copy of the settlement in a conspicuous place in such company's place of business immediately upon the receipt of the same so as to give notice to the shareholders such president secretary or treasurer shall be adjudged to be in default and as a penalty for such default such company shall be responsible to the Commonwealth for the amount of the tax assessed against the shareholders of such company And provided further That in case any such company shall collect annually from the shareholders thereof or from the general fund of said company said tax of five mills on the dollar upon the value of all the shares of stock of said company the value of each share of stock to be ascertained and fixed as hereinbefore provided and pay said tax into the State Treasury as hereinbefore provided the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all taxation for county or other local purposes under the laws of this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137.

Alexander,	Evans, J.,	Little,	Sarig,
Allman,	Flynn,	Long,	Sautter,
Anderson,	Fratt,	Lucas,	Schaeffer,
Armstrong,	Frazier,	Ludlow,	Schleiter,
Arthur,	Gallaher,	Lynch,	Smith, G. A.,
Aston,	Gilchrist,	Marcus, J.,	Smith, H. J.,
Beaver,	Goehring,	Marshall, W. F.,	Smith, H.,
Behney,	Golder,	McCaig,	Smith, J. W.,
Bell, F. A.,	Gorham,	McClure,	Spangler,
Bell, W. T.,	Goss,	McCurdy,	Speiser,
Bentley,	Greeby,	McDaniel,	Stark,
Betts,	Griffith,	McDermott,	Staudenmeier,
Bidelspacher,	Grimes,	McGowan,	Stavitski,
Blair,	Guerin,	McKim,	Steedle,
Bluett,	Gundy,	Metcalf,	Stevens, A. F.,
Blumberg,	Haslett,	Miller,	Storer,
Brenneman,	Heffran,	Minehart,	Thomas, L. D.,
Bromley,	Henderson,	Moffatt,	Thompson,
Brownmiller,	Hetrick,	Moore,	Van Alen,
Bush,	Heyburn,	Morrison,	Vickerman,
Chaplin,	Himes,	Munley,	Wells,
Clutton,	Holcombe,	Myers, G. C.,	Wettach,
Coldsmith,	Hollis,	Ogle,	Wheeler,
Conner,	Hontz,	Orr,	Williams, G. W.,
Craig,	Hoover,	Peelor,	Williams, J. M.,
de Young,	Irvin,	Perry,	Woner,
Diehm,	Johnson,	Pitts,	Wood, N.,
Dietz,	Jones, C. B.,	Posey,	Wood, W. P.,
Driggs,	Jones, D. J.,	Post,	Wright,
Dunn,	Keene,	Price,	Zook,
Eaches,	Kennedy,	Raymond,	Goodnough,
Earley,	Kohler,	Rhodes,	Speaker.
Edmonds,	Kunkle,	Richards,	
Eshelman,	Lafferty,	Rinn,	
Evans, B. P.,	Lauver,	Sample.	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1012, entitled:

An Act validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways and validating municipal liens therefor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—141.

Albert,	Earley,	Lauver,	Rippman,
Alexander,	Edmonds,	Little,	Sample,
Allman,	Eshelman,	Long,	Sarig,
Anderson,	Evans, B. P.,	Lucas,	Sautter,
Armstrong,	Evans, J.,	Ludlow,	Schaeffer,
Arthur,	Flinchbaugh,	Marcus, J.,	Schilling,
Aston,	Frazier,	Marshall, J. G.,	Schoener,
Behney,	Gallaher,	Marshall, W. F.,	Smith, G. A.,
Bell, F. A.,	Gelder,	Mathay,	Smith, H. J.,
Bell, W. T.,	Goehring,	McCaig,	Smith, H.,
Bentley,	Gorham,	McClure,	Smith, J. W.,
Betts,	Greeby,	McCurdy,	Spangler,
Blair,	Griffith,	McDaniel,	Speiser,
Bluett,	Grimes,	McKim,	Stark,
Blumberg,	Guerin,	McVicar,	Staudenmeier,
Boback,	Gundy,	Metcalf,	Stavitski,
Brenneman,	Hall,	Miller,	Stevens, A. F.,
Brewster,	Harter,	Minehart,	Stevens, A. J.,
Bromley,	Haslett,	Moffat,	Storer,
Brownmiller,	Haws,	Moore,	Thomas, L. D.,
Burchinal,	Heffran,	Morrison,	Van Alen,
Bush,	Hetrick,	Munley,	Vickerman,
Chaplin,	Himes,	Myers, G. C.,	Walker,
Clutton,	Holcombe,	Myers, P. M.,	Weamer,
Coldsmith,	Hollis,	Nolte,	Wells,
Colville,	Howell,	O'Boyle,	Wettach,
Coyne,	Huber,	Ogle,	Whitehouse,
Craig,	Irvin,	Orr,	Whiteman,
de Young,	Jones, C. B.,	Peelor,	Williams, G. W.,
Diehm,	Jones, D. J.,	Perry,	Williams, J. M.,
Dietz,	Keene,	Pitts,	Wood, N.,
Dilsheimer,	Kelly,	Posey,	Wright,
Driggs,	Kennedy,	Post,	Zook,
Drinkhouse,	Kohler,	Price,	Goodnough,
Dunn,	Kunkle,	Raymond,	Speaker.
Eaches,	Labar,	Richards,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

AMENDMENTS TO SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendment made by the

House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 16.

An Act to amend Clause 5 of Section 3 of an act entitled, "An Act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," approved the 13th day of May A. D. 1909, P. L. 520.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 98.

An Act to repeal an act approved the ninth day of April one thousand eight hundred and sixty-eight (Pamphlet Laws seventy three) entitled "A supplement to an act relating to counties and townships and county and townships officers approved April fifteenth one thousand eight hundred and thirty-four relating to public buildings"

SENATE BILL No. 129.

An Act to amend sections five hundred and forty and five hundred and forty-one as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

SENATE BILL No. 130.

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight) entitled 'An act prohibiting under certain conditions the commutation encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" by extending the name to the proceeds and income from policies issued by both domestic and foreign companies

SENATE BILL No. 291.

An Act to amend section one of the act approved the twenty-third day of May, one thousand nine hundred and seven, (P. L. 225), entitled "An Act providing for the payment of the premiums on bonds of county, city, borough, school-district, and township employes;" extending the provisions thereof to officers.

SENATE BILL No. 303.

An Act to amend section three and section four of an act approved the fifth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seventy-four), entitled "An Act providing for the licensing and regulation of corporations, co-partnerships, associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates, securities, contracts or other choses in action evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid some future time with or without profits, and imposing penalties."

SENATE BILL No. 362.

An Act regulating the practice of law in Courts not of record

SENATE BILL No. 411.

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws, four hundred and forty-nine) entitled "An Act to fix the number of Senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future elected Senators."

SENATE BILL No. 337.

An Act to amend section sixteen of an act approved May 31, 1911, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two deputy State Highway Commissioners, Chief Engineer, Chief draftsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State Line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads, defining highways and State aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended; by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 533. (HOUSE BILL No. 1412).

An Act for the appointment of a commission to study conditions relating to blind persons in Pennsylvania and make recommendations and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 558. (HOUSE BILL No. 1413).

An Act to amend section six hundred and three of an act approved the seventeenth day of May nineteen hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund and providing penalties and repealing existing laws."

Referred to the Committee on Insurance.

SENATE BILL No. 587. (HOUSE BILL No. 1414).

An Act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers on the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity.

Referred to the Committee on Judiciary General.

SENATE BILL No. 589. (HOUSE BILL No. 1415).

An Act authorizing sheriffs in counties of the fourth class to appoint a solicitor prescribing the duties of said solicitor and fixing his salary.

Referred to the Committee on Judiciary General.

SENATE BILL No. 634. (HOUSE BILL No. 1416).

An Act to amend section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and three) entitled "An Act regulating the fees of notaries public".

Referred to the Committee on Judiciary General.

SENATE BILL No. 645. (HOUSE BILL No. 1417).

A supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (Appropriation Acts, page 142) entitled, "An act making an appropriation to the State Industrial Home for Women at Muncy," reappropriating certain appropriations heretofore made to the State Industrial Home for Women at Muncy.

Referred to the Committee on Appropriations.

SENATE BILL No. 153. (HOUSE BILL No. 1418).

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to certain aged persons; and providing for their burial; creating an Old Age Assistance Commission of this Commonwealth and Old Age Assistance Board in each county; defining their powers and duties; providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators; making counties liable for certain expenses; providing penalties; and making an appropriation.

Referred to the Committee on Appropriations.

RECESS.

The SPEAKER. If there are no objections, the Chair will declare a recess until 8:00 o'clock this evening.

Whereupon at 1:45 o'clock, P. M. the House took a recess until 8:00 o'clock, P. M.

AFTER RECESS.

The House reconvened at 8:00 o'clock P. M.

The SPEAKER, (C. J. Goodnough) in the Chair.

BILL RE-REFERRED.

Mr. HARER, returned from the Committee on Appropriations, with the recommendation that it be re-referred to the Committee on Public Buildings, House Bill No. 673, entitled:

An Act to amend section two of the act approved the twenty-fifth day of July, one thousand nine hundred and seventeen, (P. L. 1180), entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River, and making an appropriation therefor."

The SPEAKER. The bill is now re-referred to the Committee on Public Buildings.

REPORTS FROM COMMITTEES.

Mr. LUCAS, from the Committee on Banks and Banking, reported as committed House Bill No. 885, entitled:

An Act limiting the power of State banks, banking companies, trust companies, savings banks, and unincorporated banks to become surety on bonds.

Mr. HEFFERNAN, from the Committee on Ways and Means, reported as committed, House Bill No. 1120, entitled:

An Act to amend section one of an act, approved the seventeenth day of June, Anno Domini, one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes, and in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended.

Mr. HEFFERNAN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 704, entitled:

An Act requiring the filing of plans and specifications for buildings, public works, highways or improvements undertaken by boroughs, townships, poor districts or school districts; in the office of the clerk of the court of quarter sessions, and requiring copies to be furnished by the secretary, architect or engineer of the municipality to applicants therefor.

Mr. GELDER, from the Committee on Public Roads, reported as committed, House Bill No. 197, entitled:

An Act to amend section two of an act approved the twenty-third day of March, one thousand nine hundred and twenty-one, (P. L. 42), entitled "An Act appropriating to the State Highway Department, for the purpose of assisting in the construction, maintenance, improvement, and repair of State highways and State-aid highways, all moneys derived from registrations and from license fees, for the year one thousand nine hundred and twenty-one and subsequent years, under the provisions of the act of Assembly, approved June thirtieth, one thousand nine hundred and nineteen, re-

lating to and regulating motor vehicles, and amendments thereto; and providing for salaries and other expenses of the department."

Mr. GIBBON, from the Committee on Municipal Corporations, reported as committed, House Bill No. 967, entitled:

An Act to amend an act approved the twentieth day of April, one thousand nine hundred and five, (P. L. 237), entitled "An Act to provide for the repair and maintenance or improvement, by the proper county, city, borough, of turnpikes heretofore or hereafter appropriated or condemned, or any part thereof for public use free of tolls," as amended, providing for the maintenance and repair of abandoned turnpikes and turnpikes of dissolved companies by the several townships, cities and boroughs.

Mr. FRAZIER, from the Committee on Constitutional Reform, reported as committed, House Bill No. 991, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section thirty-four.

Mr. STAVITSKI, from the Committee on Public Roads, reported as committed, House Bill No. 230, entitled:

An Act to amend Route Three Hundred and Thirty-eight of the act approved the twenty-second day of July, one thousand nine hundred and thirteen, (P. L. 948), entitled "An Act establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth.

Mr. CLUTTON, from the Committee on Public Roads, reported as committed, House Bill No. 980, entitled:

An act to amend section eleven of an act, approved the eighth day of July, one thousand nine hundred and nineteen, (P. L. 770) entitled, "An act creating a Division of Township Highways in the State Highway Department, conferring powers and imposing duties upon officers of the State Highway Department, requiring certain duties of clerks of the courts of quarter session, and providing penalties," requiring clerks of the court to certify lists of township auditors to the State Highway Commissioner.

Mr. KOHLER, from the Committee on Judiciary General, reported as committed, House Bill No. 1323, entitled:

An Act prescribing the manner in which certain persons, municipalities, partnerships, associations, or corporations may intervene in appeals to the Superior Court from findings, determinations or orders of the Public Service Commission of the Commonwealth of Pennsylvania.

Mr. McCLURE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1058, entitled:

An Act authorizing cities and boroughs to appropriate moneys to organizations of veterans to assist in paying rent.

Mr. CRAIG, from the Committee on Municipal Corporations, reported as committed, House Bill No. 705, entitled:

An Act to amend articles one, four and five, as amended of chapter seven, and sections four and six of article six of chapter seven of an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising amending and consolidating the law relating to boroughs."

Mr. HEFFRAN, from the Committee on Mines and Mining, reported as committed, House Bill No. 1306, entitled:

An Act to amend section seven of an act, entitled "An act to establish a Department of Mines, in Pennsylvania; defining its purposes and authority; providing for the appointment of a chief of said Department, and assistants, and fixing their salaries and expenses;" approved the fourteenth day of April, Anno Domini one thousand nine hundred and three (Pamphlet Laws one hundred and eighty); increasing fees paid by applicants for certificates of qualification as mine foremen and assistant mine foremen in the anthracite mines; providing for the disposition of fees received, and providing for copies of lost or destroyed certificates.

Mr. HEFFRAN, from the Committee on Mines and Mining, reported as committed, House Bill No. 1308, entitled:

An Act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualification, defining the powers and duties, and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualifications to successful applicants; fixing the fees to be paid by applicants and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foremen and fire bosses; providing a penalty for forgoing or making false statements regarding certificates.

Mr. HEFFRAN, from the Committee on Mines and Mining, reported as committed, House Bill No. 2308, entitled:

An Act to amend section two and section six of article three; section nine, section fourteen and section twenty-two of article four; section four of article five; article ten; rule thirty-eight of section three of article eleven; section two of article thirteen; rule twenty-five of article twenty-five; section two of article twenty-six; and article twenty-eight, of an act approved June nine, one thousand nine hundred and eleven (Pamphlet Laws, page seven hundred fifty-six), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith;" and to further amend section one of article five of the said act, said section one of article five having previously been amended by an act approved June one, thousand nine hundred and fifteen (Pamphlet Laws, page seven hundred sixteen); repealing all acts or parts of acts inconsistent with this act, and providing when this act shall go into effect.

Mr. HEFFRAN, from the Committee on Mines and Mining, reported as committed, House Bill No. 1309, entitled:

An Act to amend Rule Thirty-four of Article XXV of an Act, approved the ninth day of June, one thousand nine hundred and eleven (Pamphlet Laws, seven hundred and fifty-six), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith;" by requiring mine operators to pay the Department of Mines for certain report and record books.

Mr. HEFFRAN, from the Committee on Mines and Mining, reported as committed, House Bill No. 1310, entitled:

An Act to amend Article II of an Act, approved the second day of June, one thousand eight hundred and ninety-one (Pamphlet Laws, one hundred and seventy-six), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," as amended by an Act, approved the eighth day of June, one thousand nine hundred and one (Pamphlet Laws, five hundred and thirty-five), by making it the duty of the mine inspector to prosecute for violations of the mining law.

Mr. SCHWARTZ, from the Committee on Constitutional Reform, reported as committed, House Bill No. 992, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-five.

Mr. HORNE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1315, entitled:

An Act to amend chapter six, article seventeen of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Mr. EDMONDS, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1034, entitled:

An Act to promote the health and efficiency of firemen in cities of the first class by providing for a two-platoon system for the certain officers of the uniformed fire force of the Department of Public Safety of such cities.

Mr. GOLDER, from the Committee on Appropriations, reported as committed, House Bill No. 955, entitled:

An Act making an appropriation to the legal representative of the estate of Honorable Samuel A. Whitaker, deceased, elected a Representative in the General Assembly of the Commonwealth, from Chester County.

Mr. McKIM, from the Committee on Ways and Means, reported as amended, House Bill No. 1024, entitled:

An Act to amend section one of an act approved the seventeenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, one thousand twenty-one), entitled, "An act to exempt from taxation public property used for public purposes, actual places of religious worship, places of burial not used or held for private or corporate profit, and institutions of purely public charity, and repealing prior acts relating thereto," as amended.

Mr. JOSEPH MARCUS, from the Committee on Judiciary General, reported as amended, House Bill No. 973, entitled:

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred and eleven, (P. L. 275), entitled "An Act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof," as amended; providing for the disposition of certain fines and imposing additional penalties.

Mr. HARER, from the Committee on Appropriations, reported as committed, House Bill No. 1399, (Senate Bill No. 500), entitled:

An Act to amend section one of the act approved the twenty-second day of April, one thousand nine hundred and fifteen, (P. L. 167), entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry; fixing their duties and salaries, and increasing the salaries of the chief medical inspector, chief of the bureau of statistics and information, and the chief clerk;" by providing for additional supervising inspectors.

Mr. BLUETT, from the Committee on Appropriations, reported as committed, House Bill No. 1417, (Senate Bill No. 645), entitled:

A Supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (Appropriation Acts page one hundred and forty-two) entitled "An Act making an appropriation to the State Industrial Home for Women at Muncy," reappropriating certain appropriations heretofore made to the State Industrial Home for Women at Muncy.

Mr. SCHILLING, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1390, (Senate Bill No. 461), entitled:

An Act defining and regulating the business of dry cleaning and dyeing, providing for the maintenance, construction and inspection of dry cleaning and dyeing buildings and establishments, providing for enforcing the act and penalties for violation thereof.

Mr. SCHOENER, from the Committee on Insurance, reported as amended, House Bill No. 846, entitled:

An Act to amend clause (e) and (f) of section three hundred and six and clause seven of section three hundred and seven of the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An Act defining the inability of an employer to pay damages for injuries received by an employe in the course of employment, establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder," as amended, and providing when the same shall become effective.

Mr. McCAIG, from the Committee on Appropriations, reported as committed, House Bill No. 1418, (Senate Bill No. 153), entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to certain aged persons and providing for their burial creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county defining their powers and duties providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators making counties liable for certain expenses providing penalties and making an appropriation.

Mr. EARLEY, from the Committee on Ways and Means, reported with a negative recommendation, House Bill No. 1296, entitled:

An Act requiring a permit to take coal, clay, sand, gravel and other material from the beds of streams; imposing a State tax on materials so taken; providing for the assessment and collection of such tax; and providing penalties.

BILL ON FIRST READING.

Mr. McCAIG asked and obtained unanimous consent to have House Bill No. 1418 (Senate Bill No. 153) read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1418 (Senate Bill No. 153), entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to certain aged persons and providing for their burial creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county defining their powers and duties providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators making counties liable for certain expenses providing penalties and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 868, as follows:

An Act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating taxes received for monument and memorial purposes and prescribing penalties

Section 1 STATE ATHLETIC COMMISSION ESTABLISHED TERMS SALARIES OFFICES Be it enacted by

the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor shall with the advice and consent of the Senate appoint three persons who shall constitute a State Athletic Commission One of such commissioners shall hold office for a term to expire January first one thousand nine hundred and twenty-five one for a term to expire January first one thousand nine hundred and twenty-six and one for a term to expire January first one thousand nine hundred and twenty-seven Their successors shall be appointed for a term of two years Each member of the commission shall receive an annual salary of five thousand dollars and his actual and necessary traveling and other expenses incurred by him in the performance of his official duties The commission shall maintain in the City of Harrisburg general offices for the transaction of its business

Section 2 ORGANIZATION QUORUM The members of the commission shall at their first meeting after their appointment elect one of their number chairman of the commission shall adopt a seal for the commission and shall make and adopt such rules and regulations for the administration of their office not inconsistent herewith as they may deem expedient and they may thereafter amend or abrogate such rules and regulations Two of the members of the commission shall constitute a quorum to do business and the concurrence of at least two commissioners shall be necessary to render a detemination by the commission

Section 3 DEPUTIES SECRETARY SALARIES AND EXPENSES CLERKS BIENNIAL REPORT The commission may appoint and at pleasure remove not to exceed three deputies who shall be paid a per diem compensation not to exceed ten dollars for each day engaged in the discharge of their duties and all necessary traveling and hotel expenses expended outside the City of Harrisburg The commission shall when it deems the same advisable direct a deputy to be present at any place where sparring boxing or wrestling matches or exhibitions are to be held pursuant to the provisions of this act Such deputy shall ascertain the exact conditions surrounding such match or exhibition and make a written report of the same in the manner and form prescribed by the commission The commission may appoint and at pleasure remove a secretary to the commission whose duty it shall be to keep a full and true record of all its proceedings preserve at its general office all its books documents and papers prepare for service such notices and other papers as may be required of him by the commission and perform such other duties as the commission may prescribe The commission may employ only such clerical employees as may be actually necessary and fix their salaries within the amount appropriated therefor by the Legislature The secretary of the commission shall receive an annual salary to be fixed by the commission and not to exceed three thousand dollars The salaries traveling and other necessary expenses of the members of the commission and the salary of its deputies and secretary shall be paid semi-monthly by the State Treasurer on warrant of the Auditor General and upon requisition of the chairman of the commission out of the money appropriated to be used therefor The commission shall biennially make a full report of its proceedings to the General Assembly and may submit with such report such recommendations pertaining to its affairs as it shall deem desirable

Section 4 BOXING AND WRESTLING EXHIBITIONS AUTHORIZED JURISDICTION OF COMMISSION PERMITS TO PERSONS AND CORPORATIONS Boxing sparring and wrestling matches or exhibitions for purses or where an admission fee is received are hereby allowed except on Sundays The commission shall have and hereby is vested with the sole direction management control and jurisdiction over all such boxing sparring and wrestling matches or exhibitions to be conducted held or given within this Commonwealth and it is hereby authorized to issue licenses therefor No such boxing sparring or wrestling match or exhibition shall be conducted held or given within the Commonwealth except in accordance with the provisions of this act The commission shall issue under its hand and seal annual permits in writing for holding such boxing sparring or wrestling matches or exhibitions but only to persons or corporations duly licensed as hereinafter provided by said commission which permits may be revoked upon violation of any of the provisions of this act or any rule regulation or order of the commission The commission is hereby further given the sole control authority and jurisdiction over all licenses to hold boxing sparring or wrestling matches or exhibitions for purses or where any admission fee is received and over all licenses to any and all persons who participate in such boxing sparring or wrestling matches or exhibitions as hereinafter provided

Section 5 LICENSE TO PERSON AND CORPORATIONS The commission may in its discretion issue a license to conduct hold or give boxing sparring or wrestling matches or exhibitions subject to the provisions of this act to any corporation duly incorporated under the laws of this Commonwealth or to any person or persons but not otherwise Such corporation person or persons must hold a lease of a term of at least three months for the premises in which such match or exhibition is to be held

Section 6 CORPORATIONS AND PERSONS REQUIRED TO PROCURE LICENSES DEFINITIONS All corporations or persons physicians referees judges timekeepers professional boxers professional wrestlers their managers trainers and seconds shall be licensed by the said commission and no such corporation or person shall be permitted to participate either directly or indirectly in any such boxing sparring or wrestling match or exhibition or the holding thereof unless such corporation and all such persons shall have first procured a license from the commission For the purpose of this act a "professional boxer" or a "professional wrestler" is deemed to be one who competes for money or teaches or pursues or assists in the practice of boxing or wrestling as a means of obtaining a livelihood or pecuniary gain and any contest conforming to the rules regulations and requirements of this act shall be deemed to be a boxing match and no a prize fight

Section 7 APPLICATION FOR LICENSE Every application for a license shall be in writing shall be addressed to the commission shall be verified by the applicant and shall set forth such facts as the provisions of this act and the rules and regulations of the commission may require The commission shall keep proper records with the names and addresses of all persons and corporations receiving licenses

Section 8 SUBPOENAS BY COMMISSIONS OATHS The commission shall have the authority to issue under the hand of its chairman and the seal of the commission subpoenas for the attendance of witnesses and the production of books papers and documents before the commission If any person shall refuse to obey any such subpoena or to testify or to produce any books papers and documents then any member of the commission may apply to the court of common pleas of the county in which he or the commission may be sitting and thereupon the court shall issue its subpoena requiring such person to appear and to testify or to produce such books papers and documents Any person failing or refusing to obey a subpoena of the court shall be held for contempt Any member of the commission shall have power to administer oaths Any person who shall swear falsely to any matter before the Commission shall be guilty of perjury and be punished accordingly

Section 9 BUILDINGS FOR EXHIBITIONS All buildings or structures used or intended to be used for the purpose of holding or giving therein boxing sparring or wrestling matches or exhibitions shall be properly ventilated and provided with fire exits and escapes Where such match or exhibition is authorized to be held in State or municipal armory the provisions of the military law in respect thereto must be complied with No such match or exhibition be held in a building partly used for dwelling purposes or for religious services except that a keeper or caretaker and his family may reside in such building

Section 10 REGULATIONS OF CONDUCT OF MATCHES OR EXHIBITIONS No boxing or sparring match or exhibition shall be of more than ten rounds in length nor shall such rounds be more than three minutes each No boxer shall be allowed to participate in more than ten rounds within twenty-four consecutive hours The commission may in respect to any bout or in respect to and class of contestants limit the number of rounds of a bout within the maximum of ten rounds At each boxing or sparring match or exhibition there shall be in attendance at the expense of the corporation or person a duly licensed referee who shall direct and control the same Before starting such contest the referee shall ascertain from each contestant the name of his chief second and shall hold such chief second responsible for the conduct of his assistant seconds during the progress of the contest The referee shall have power in his discretion to declare forfeited any remuneration or purse or any part thereof belonging to the contestants or one of them if in his judgment such contestants are not

honestly competing There also be in attendance at the expense of the corporation or person two duly licensed judges who shall at the termination of each such boxing or sparring match or exhibition render their decisions If they are unable to agree to the decision shall be rendered by the referee Each contestant shall wear during such contest gloves weighing not less than five ounces if such contestant is a light weight or in a class of less weight and six ounces if such contestant is in a class heavier than the light weight class

Section 11 PHYSICIAN TO BE IN ATTENDANCE It shall be the duty of every corporation or person at its own expense to have in attendance at every boxing sparring or wrestling match or exhibition a physician who has had not less than three years' medical practice whose duty it shall be to observe the physical condition of the boxers and wreslers and advise the referee or judges with regard thereto All boxers and wrestlers must be examined by such physician within three hours before entering the ring and any boxer or wrestler who is in the opinion of the physician physically unfit to enter such match or exhibition shall be excluded from such match or exhibition Every corporation or person shall file with the commission a report of medical examinations not later than twenty-four hours after termination of a match or exhibition

Section 12 AGE OF PARTICIPANT AND SPECTATORS No person under the age of eighteen years shall participate in any boxing sparring or wrestling match or exhibition and no children under sixteen years of age shall be permitted to attend as spectators

Section 13 FINANCIAL INTEREST IN BOXER PROHIBITED No corporation or person shall have either directly or indirectly any financial interest in any boxer or wrestler competing on premises owned or leased by the corporation or person or in which such corporation or person is otherwise interested

Section 14 SHAM OR COLLUSIVE EXHIBITIONS Every corporation and the officers thereof and any person or persons physician referee judge timekeeper professional boxer manager trainer and second who shall conduct give or participate in any sham or collusive boxing sparring or wrestling match or exhibition shall be deprived of his license by the commission

Section 15 REVOCATION OR SUSPENSION OF LICENSES Any license herein provided for may be revoked or suspended by the commission for the reason therein stated that the licensee has in the judgment of the said commission been guilty of an act detrimental to the interests of boxing or wrestling

Section 16 BOND Before a license shall be granted to a corporation or person such corporation or person shall execute and file the commission a bond in the sum of one thousand dollars to be approved as to form and sufficiency of sureties thereupon by said commission conditioned for the faithful performance by said corporation or of the provisions of this act and the rules and regulations of the commission No such license shall be issued until such bond is approved and filed In case of default in the performance of any conditions prescribed by this act by the rules and regulations of the commission the commission shall impose upon the delinquent corporation or person a penalty in the sum of not more than one thousand dollars for each offense which shall be recovered by the Attorney General in the name of the Commonwealth in the same manner as other penalties are recovered by law Any amount so recovered shall paid by the State Treasurer

Section 17 LICENSE FEES Each applicant for a license shall before a license is issued by the commission and annually thereafter during the life of such license pay to the commission a license fee as follows corporations or persons in cities of the first class two hundred and fifty dollars in cities of the second class one hundred dollars in cities of the third class and elsewhere twenty-five dollars physicians ten dollars referees twenty-five dollars judges five dollars timekeepers five dollars professional boxers five dollars professional wrestlers five dollars managers twenty-five dollars trainers five dollars seconds five dollars

Section 18 WEIGHTS CLASSES AND RULES The weights and classes of boxers and the rules and regulations of boxing shall be determined by the boxing commission

Section 19 LIMITATIONS ON DIFFERENCE IN WEIGHT No contest shall be allowed in which the difference in weight of the respective contestants shall exceed ten pounds This provision shall not apply to boxers in the heavy and light-heavy weight classes as determined by the commission

Section 20 PAYMENTS REGULATED No contestant shall be paid for services before the contest and should it be determined by the judges and referee that such contestant did not give an honest exhibition of his skill such services shall not be paid for

Section 21 PAYMENTS TO STATE Every corporation or person holding any boxing sparring or wrestling match or exhibition under this act for which an admission is charged and received shall pay to the State Treasury five per centum of the total gross receipts exclusive of any Federal taxes paid thereon Such payment shall be made within seventy-two hours after the holding of the contest All monies received from such taxes shall be set aside in a separate fund in the State Treasury and shall be used for the payment of the cost of the erection and construction of monuments and memorials on the battle field of France and Belgium in accordance with the law authorizing such erection and construction and for such purposes said monies are hereby appropriated to the commission authorized by law to provide for the erection and construction thereof After such monuments and memorials have been erected and constructed and the cost thereof has been fully paid the monies received from said taxes shall be paid into the general fund of the State Treasury

Section 22 TICKETS TO INDICATE PURCHASE PRICE ADMISSION NOT TO EXCEED SEATING CAPACITY All tickets of admission to any such boxing sparring or wrestling match or exhibition shall bear upon the face thereof the purchase price of same and no such tickets shall be sold for more than such price as printed thereon It shall be unlawful for any such corporation or person to admit to such contest a number of people greater than the seating capacity of the place where such contest is held

Section 23 PENALTY Any person or persons association or corporation directly or indirectly holding any boxing sparring or wrestling match or exhibition except where all contestants are amateurs without first having procured a license as hereinbefore prescribed shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five thousand dollars

Section 24 PENALTY-BETTING Whosoever shall bet or wager any money or valuable thing on the result of any such boxing sparring or wrestling match or exhibition shall be guilty of a misdemeanor and on conviction thereof shall be fined in a sum not exceeding one thousand dollars and imprisoned in the penitentiary or the jail of the proper county for a period not exceeding two years or either or both at the discretion of the court

Section 25 SPECIAL FUND APPROPRIATION All license fees collected under the provisions of this act shall be paid monthly by the secretary of the commission to the State Treasurer who shall keep the moneys thus collected as a fund separate and apart from the payment under the supervision of the commission of the salaries and actual and necessary expenses of the officers and employes of the commision All moneys in such fund from time to time are hereby specifically appropriated for the use of the commission provided that no expense shall be created to exceed the income of fees as herein provided The secretary of the commission shall give a surety bond to this Commonwealth in such sum as the commission may determine The premium on such bond shall be regarded as a proper and necessary expense of the commission and shall be paid out of the fund herein created

Section 26 REPEALS CERTAIN PROVISIONS OF PENAL LAW INAPPLICABLE The provisions of the act approved the twenty-second day of March one thousand eight hundred and sixty-seven (Pamphlet Laws thirty-nine) entitled "An Act to prevent and punish prize fighting" are repealed as to any boxing sparring or wrestling match or exhibition conducted held or given pursuant to the provisions of this act and as to any boxing or sparring match or exhibition in which all the contestants are amateurs

All other acts and parts of acts inconsistent with this act are repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. JOSEPH C. MARCUS. Mr. Speaker, due to the absence of the sponsor, I move that this bill be placed upon the postponed calendar.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1373, (Senate Bill No. 5), entitled:

An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—141.

Alexander,	Eaches,	Kunkle,	Rippman,
Allman,	Earley,	Lauver,	Sarig,
Arthur,	Edmonds,	Little,	Schaeffer,
Baker,	Evans, B. P.,	Long,	Schilling,
Beaver,	Fowler, D.,	Ludlow,	Schwartz,
Behney,	Fratt,	Lynch,	Smith, H. J.,
Bell, F. A.,	Frazier,	Mangan,	Smith, H.,
Bell, W. T.,	Gallaher,	Marshall, W. F.,	Smith, J. W.,
Bentley,	Gibbon,	McCann,	Speiser,
Berger,	Glasgow,	McClure,	Stavitski,
Betts,	Goehring,	McCurdy,	Steedle,
Bidelspacher,	Gorham,	McDaniel,	Stevens, A. F.,
Blair,	Goss,	McKim,	Stevens, A. J.,
Bluett,	Greeby,	McVicar,	Storer,
Blumberg,	Griffith,	Metcalf,	Thomas, L. D.,
Boback,	Grimes,	Miller,	Thomas, M. G.,
Brenneman,	Gundy,	Minehart,	Van Alen,
Brewster,	Haas,	Moffatt,	Vickerman,
Brown,	Haines,	Moore,	Walker,
Brownmiller,	Harer,	Morrison,	Weamer,
Burchinal,	Harter,	Munley,	Wells,
Burns,	Haws,	Myers, G. C.,	Wettach,
Bush,	Heffran,	Myers, P. M.,	Wheeler,
Chaplin,	Henderson,	Nolte,	Whitehouse,
Clutton,	Hetrick,	O'Boyle,	Whiteman,
Coldsmith,	Heyburn,	Orr,	Williams, G. W.,
Colville,	Himes,	Parkinson,	Williams, J. M.,
Coyne,	Holcombe,	Patterson,	Woner,
Craig,	Huber,	Peelor,	Wood, N.,
de Young,	Irvin,	Perry,	Wood, W. P.,
Diehm,	Johnson,	Pitts,	Wright,
Dietz,	Jones, C. B.,	Posey,	Zook,
Dilsheimer,	Keene,	Post,	Goodnough,
Donahue,	Kelly,	Price,	Speaker.
Drinkhouse,	Kennedy,	Raymond,	
Dunn,	Kohler,	Rhodes,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1385, (Senate Bill No. 438), entitled:

An Act making a deficiency appropriation to the Commissioners of Fairmount Park

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—159.

Allman,	Frazier,	Ludlow,	Sautter,
Anderson,	Gallaher,	Lynch,	Schaeffer,
Arthur,	Gibbon,	Malie,	Schilling,
Baldi,	Gilchrist,	Mangan,	Schoener,
Behney,	Goehring,	Marshall, J. G.,	Schwartz,
Bell, F. A.,	Golder,	Marshall, W. F.,	Smith, G. A.,
Bell, W. T.,	Goss,	McCaig,	Smith, H. J.,
Bentley,	Greeby,	McCann,	Smith, H.,
Betts,	Griffith,	McClure,	Speiser,
Bidelspacher,	Grimes,	McCurdy,	Stark,
Blair,	Guerin,	McDaniel,	Staudenmeier,
Bluett,	Gundy,	McGowan,	Stavitski,
Blumberg,	Haines,	McKim,	Steedle,
Brenneman,	Hall,	Metcalf,	Sterling,
Brewster,	Harer,	Miller,	Stevens, A. F.,
Bromley,	Haslett,	Minehart,	Stevens, A. J.,
Brown,	Haws,	Moffatt,	Storb,
Brownmiller,	Heffernan,	Moore,	Storer,
Burchinal,	Heffran,	Morrison,	Thomas, L. D.,
Burns,	Henderson,	Munley,	Thomas, M. G.,
Bush,	Hetrick,	Myers, G. C.,	Thompson,
Chaplin,	Heyburn,	Myers, P. M.,	Van Alen,
Clutton,	Himes,	Nolte,	Vickerman,
Coldsmith,	Holcombe,	O'Boyle,	Walker,
Conner,	Huber,	Ogle,	Weamer,
Craig,	Irvin,	Orr,	Wells,
de Young,	Johnson,	Parkinson,	Wettach,
Diehm,	Jones, C. B.,	Patterson,	Wheeler,
Dietz,	Jones, D. J.,	Peelor,	Whitehouse,
Dilsheimer,	Jones, E. P.,	Perry,	Whiteman,
Driggs,	Keene,	Pitts,	Williams, G. W.,
Drinkhouse,	Kelly,	Posey,	Williams, J. M.,
Dunn,	Kennedy,	Post,	Woner,
Eaches,	Kohler,	Price,	Wood, N.,
Earley,	Kunkle,	Raymond,	Wood, W. P.,
Edmonds,	Lafferty,	Rhodes,	Wright,
Evans, B. P.,	Lauver,	Richards,	Zook,
Evans, J.,	Little,	Rippman,	Goodnough,
Fowler, D.,	Long,	Sample,	Speaker.
Fratt,	Lucas,	Sarig,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1367, (Senate Bill No. 502), entitled:

An Act prohibiting the location by cities of the third class of city prisons or lock-ups close to public school buildings

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—132.

Albert,	Evans, B. P.,	Lucas,	Schilling,
Allman,	Evans, J.,	Ludlow,	Schoener,
Anderson,	Flinchbaugh,	Lynch,	Schwartz,
Armstrong,	Frazier,	Mangan,	Shambach,
Arthur,	Gallaher,	Marshall, W. F.,	Sheridan,
Baker,	Gibbon,	McCaig,	Smith, G. A.,
Beaver,	Glasgow,	McCann,	Smith, H. J.,
Behney,	Goss,	McCurdy,	Smith, H.,
Bell, F. A.,	Greeby,	McDaniel,	Soffel,
Bell, W. T.,	Griffith,	McVicar,	Spangler,
Bentley,	Grimes,	Miller,	Speiser,
Berger,	Gundy,	Minehart,	Sprowls,
Betts,	Haas,	Moffatt,	Stark,
Bidelspacher,	Harter,	Moore,	Staudenmeier,

Bluett,	Haslett,	Morrison,	Stavitski,
Boback,	Haws,	Munley,	Sterling,
Brenneman,	Heffran,	Myers, G. C.,	Stevens, A. F.,
Brewster,	Henderson,	Myers, P. M.,	Storb,
Bromley,	Hetrick,	Nolte,	Storer,
Brown,	Himes,	O'Boyle,	Thomas, L. D.,
Brownmiller,	Holcombe,	Ogle,	Thomas, M. G.,
Burns,	Hollis,	Orr,	Van Alen,
Bush,	Hontz,	Patterson,	Vickerman,
Chaplin,	Howell,	Peelor,	Walker,
Clutton,	Huber,	Perry,	Wheeler,
Coldsmith,	Irvin,	Pitts,	Whitehouse,
Colville,	Johnson,	Posey,	Williams, G. W.,
Craig,	Jones, C. B.,	Post,	Williams, J. M.,
de Young,	Jones, D. J.,	Price,	Woner,
Diehm,	Keene,	Raymond,	Wood, N.,
Dietz,	Kelly,	Richards,	Wood, W. P.,
Dilsheimer,	Kennedy,	Rippman,	Wright,
Donahue,	Kohler,	Sample,	Zook,
Driggs,	Lauver,	Sarig,	Goodnough,
Dunn,	Little,	Sautter,	Speaker.
Eaches,	Long,	Schaeffer,	

NAYS—3.

Alexander,	Edmonds,	Wettach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 183.

An Act providing for the establishment and maintenance of uniform building lines in cities of the third class

HOUSE BILL No. 412.

An Act authorizing any county separately or counties interested jointly to lease for a term of years, from a bridge company or corporation, any toll bridge spanning a river or stream when such bridge is used solely for highway purposes or jointly for highway, railroad, or street railway purposes; discontinuing tolls on any such bridge during such lease; and authorizing counties to appropriate money, levy taxes and incur indebtedness for such purposes.

HOUSE BILL No. 87.

An Act making a deficiency appropriation to carry into effect the provisions of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-five) entitled "An Act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof

HOUSE BILL No. 121.

An Act making a deficiency appropriation to the State Hospital of Coaldale

HOUSE BILL No. 721.

An Act to amend section one hundred and two clause (j) Article I of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act "By providing for co-operation with and receipts of contributions from persons firms corporations or associations for forest protection

HOUSE BILL No. 728.

An Act to amend Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" adding thereto a section to be section one thousand nine providing a penalty for interfering with notices posted by the Department

HOUSE BIL No. 729.

An Act to amend sections one thousand one one thousand two one thousand three and one thousand four Article ten of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden refusing to aid a fire warden hindering a forest protection officer in his duties or non-abatement of a nuisance caused by maintaining a special forest fire hazard

HOUSE BILL No. 789.

An Act making a deficiency appropriation to the Pennsylvania Industrial Reformatory at Huntingdon Pennsylvania

HOUSE BILL No. 790.

An Act making a deficiency appropriation to the Pennsylvania Training School at Morganza Pennsylvania

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 52.

An Act to amend an act approved the thirty-first day of March one thousand nine hundred and twenty-one (Pamphlet Laws seventy-eight) entitled "An act to prohibit the speeding and racing of certain motor vehicles to fires the parking of motor vehicles in the vicinity of fires and the driving of motor vehicles over lines of hose" by extending the provisions thereof to all vehicles

HOUSE BILL No. 416.

An Act to amend section three hundred and four of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws"

HOUSE BILL No. 524.

An Act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

HOUSE BILL No. 702.

An Act to amend section three and section four of an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seventy-four) entitled "An act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or installment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon installments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties

HOUSE BILL No. 723.

An Act authorizing counties cities boroughs and townships to appropirate moneys for forest work

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 17, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor House Bill No. 411, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE.

Mr. McVICAR. Mr. Speaker, I move that the vote by which House Bill No. 411, entitled:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the laws relating thereto"

passed finally, be reconsidered.

Mr. VICKERMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. McVICAR. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. VICKERMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. McVICAR. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend at page two, line fifteen, by striking out the words following the word "than" and inserting in lieu thereof the following: "its proportion aforesaid of the entire cost and expense of such construction".

Amend on page two, line twenty, after the word "ascertaining" by inserting the following: "and the rights of tax payers are conferred".

Amend on page two, line twenty-one, by striking out the words "sixty-four" and inserting in lieu thereof the words "sixty-five".

Amend on page two by striking out lines twenty-four, twenty-five, twenty-six, and twenty-seven.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1397 (Senate Bill No. 321), as follows:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class' is hereby amended to read as follows:

ARTICLE I

Section 1 In cities of the second class the executive power shall be vested in (a city recorder) the mayor and in the departments authorized by this act (the office of mayor in said cities is hereby abolished)

The mayor (city recorder) shall be the chief executive officer of the city and shall be at least twenty-five years of age and have been a citizen and inhabitant of the State five years and an inhabitant of the city for which he may be elected (city recorder) mayor five years next before his election unless absent on the public business of the United States or of this State and shall reside in said city during his term of service The mayor (city recorder) whether appointed or elected shall have all the powers and jurisdiction of justices of the peace under existing laws of this Commonwealth He shall give bond in such sum as shall be determined by council

The (city recorder) mayor shall be chosen by a plurality of the votes cast at the municipal election and shall hold his office for the term of (three) four years from the first Monday of (April) January next ensuing his election and serve until his successor is duly (but he shall not be eligible to the office of city recorder for the next succeeding term or to any other office or position in the city during the period of two years next succeeding the expiration of his term of office) elected and qualified Election to said office of mayor shall not subsequently render anyone ineligible to that or any other office or position in said cities any general local or special law to the contrary notwithstanding

If two or more candidates be equal and highest in votes one of them shall be chosen (city recorder) mayor by a vote of the majority of all the members of the incoming council in joint convention assembled immediately upon their organization

When a vacancy shall take place in the office of the (city recorder) mayor a successor shall be elected for the unexpired term at the next municipal election occurring more than thirty days after the commencement of such vacancy

unless such election shall occur in the last year of said term in which case a (city recorder) mayor pro tempore shall be chosen by council in convention by votes of the majority of the members elected and the person elected (city recorder) mayor shall hold office until the expiration of said term and until his successor shall be duly elected and qualified and it shall be the duty of the president of the (select) council to issue a proclamation for such joint convention to be held not less than ten days nor more than twenty days after such vacancy shall take place

Until the vacancy is filled the president of council shall act as (city recorder) mayor

It shall be the duty of the (city recorder) mayor

I To cause the ordinances of the city and the laws of the State to be executed and enforced

II To communicate to (councils) council at least once a year a statement of the finances and general condition of the affairs of the city and also such information in relation to the same as (either branch of) council may from time to time require

III To recommend by message in writing to the (councils) council all such measures connected with the affairs of the city and the protection and improvement of its general government and finances as he shall deem expedient

IV To call special meetings of (councils) council (or either of them) when required by public necessity

V To perform such duties as may be prescribed by law or ordinance and he shall be responsible for the good order and efficient government of the city

The (city recorder) mayor shall call together the heads of departments for consultation and advice upon the affairs of the city at least once a month and at such meetings he may call on the heads of departments for such reports as to the subject-matters under their control and management as he may deem proper which it shall be their duty to prepare and submit at once to the (city recorder) mayor Records shall be kept of such meetings and rules and regulations shall be adopted thereat for the administration of the affairs of the city departments not inconsistent with any law or ordinance which regulations shall prescribe a common and systematic method of ascertaining the comparative fitness of applicants for office position and promotion and of selecting appointing and promoting those found to be the best fitted

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153.

Albert,	Fowler, D.,	Lucas,	Sarig,
Alexander,	Frazier,	Mack,	Sautter,
Allman,	Gelder,	Malie,	Schaeffer,
Anderson,	Gibbon,	Mangan,	Schilling,
Armstrong,	Glasgow,	Marcus, J. C.,	Schleiter,
Arthur,	Goehring,	Marshall, W. F.,	Schoener,
Baker,	Golder,	Mathay,	Shambach,
Baldi,	Goss,	McBride,	Sheridan,
Beaver,	Greeby,	McCaig,	Smith, G. A.,
Behney,	Griffith,	McCann,	Smith, H. J.,
Bell, F. A.,	Grimes,	McClure,	Smith, H.,
Bell, W. T.,	Guerin,	McDaniel,	Smith, J. W.,
Bentley,	Gundy,	McDermott,	Sowers,
Bidelspacher,	Haas,	McGowan,	Spangler,
Blair,	Hall,	McVicar,	Speiser,
Bluett,	Harer,	Metcalf,	Sprowls,
Blumberg,	Harter,	Miller,	Staudenmeier,
Brenneman,	Haslett,	Minehart,	Steedle,
Brewster,	Heffernan,	Moffatt,	Stevens, A. J.,
Bromley,	Heffran,	Morrison,	Stofflet,
Brownmiller,	Hetrick,	Munley,	Stob,
Burns,	Heyburn,	Myers, G. C.,	Thomas, L. D.,
Chaplin,	Himes,	Myers, P. M.,	Thompson,
Clutton,	Holcombe,	Nolte,	Vickerman,
Coldsmith,	Hoover,	O'Boyle,	Walker,
Colville,	Howell,	Ogle,	Wells,
Conner,	Irvin,	Parkinson,	Wheeler,
Coyne,	Johnson,	Patterson,	Whitehouse,
Craig,	Jones, C. B.,	Peelor,	Whiteman,
de Young,	Jones, D. J.,	Perry,	Williams, G. W.,
Dilsheimer,	Jones, E. P.,	Pitts,	Williams, J. M.,
Driggs,	Keene,	Posey,	Wood, N.,
Drinkhouse,	Kennedy,	Post,	Wood, W. P.,
Dunn,	Kohler,	Price,	Wright,
Earley,	Kunkle,	Raymond,	Zook,
Evans, B. P.,	Labar,	Rhodes,	Goodnough,
Evans, J.,	Lafferty,	Richards,	Speaker.
Flynn,	Little,	Rinn,	
Fowler, A. I.,	Long,	Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1387 (Senate Bill No. 449), entitled:

An Act to amend so much of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455) entitled "An Act to fix the number of Representatives in the General Assembly of the State, and to proportion the State into representative districts as provided by the constitution."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Albert,	Edmonds,	Lafferty,	Sarig,
Alexander,	Evans, B. P.,	Little,	Schaeffer,
Allman,	Evans, J.,	Long,	Schilling,
Anderson,	Fowler, A. I.,	Lucas,	Schleiter,
Armstrong,	Frazier,	Ludlow,	Schoener,
Arthur,	Gallaher,	Lynch,	Schwartz,
Baker,	Gelder,	Mangan,	Sheridan,
Baldi,	Gilchrist,	Marcus, J. C.,	Smith, G. A.,
Beaver,	Glasgow,	Marshall, W. F.,	Smith, H. J.,
Behney,	Goehring,	Mathay,	Smith, H.,
Bell, F. A.,	Gorham,	McCaig,	Smith, J. W.,
Bell, W. T.,	Goss,	McCann,	Sowers,
Bentley,	Greeby,	McClure,	Spangler,
Berger,	Griffith,	McCurdy,	Speiser,
Betts,	Grimes,	McDaniel,	Stark,
Bidelspacher,	Guerin,	McGowan,	Staudenmeier,
Blair,	Haas,	McVicar,	Steedle,
Bluett,	Haines,	Metcalf,	Sterling,
Blumberg,	Hall,	Miller,	Stevens, A. F.,
Brenneman,	Harer,	Minehart,	Stevens, A. J.,
Brewster,	Haslett,	Moffatt,	Storb,
Bromley,	Haws,	Moore,	Storer,
Brown,	Heffernan,	Morrison,	Thomas, L. D.,
Burchinal,	Heffran,	Munley,	Thomas, M. G.,
Burns,	Henderson,	Myers, G. C.,	Thompson,
Bush,	Hetrick,	Myers, P. M.,	Van Alen,
Chaplin,	Heyburn,	Nolte,	Vickerman,
Clutton,	Himes,	O'Boyle,	Walker,
Coldsmith,	Holcombe,	Orr,	Weamer,
Colville,	Hoover,	Parkinson,	Wells,
Coyne,	Howell,	Patterson,	Wettach,
Craig,	Huber,	Peelor,	Wheeler,
de Young,	Irvin,	Perry,	Whitehouse,
Diehm,	Johnson,	Pitts,	Whiteman,
Dietz,	Jones, C. B.,	Posey,	Williams, G. W.,
Dilsheimer,	Jones, D. J.,	Post,	Williams, J. M.,
Donahue,	Keene,	Price,	Wood, N.,
Driggs,	Kelly,	Raymond,	Wood, W. P.,
Drinkhouse,	Kennedy,	Richards,	Wright,
Dunn,	Kohler,	Rinn,	Zook,
Eaches,	Kunkle,	Rippman,	Goodnough,
Earley,	Labar,	Sample,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 756, as follows:

An Act to amend sections one and two of the act approved the eighth day of April one thousand eight hundred and sixty-one (Pamphlet Laws two hundred and seventy) entitled "An Act for the Suppression of Fortune Telling and similar purposes"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the eighth day of April one thousand eight hundred and sixty-one (Pamphlet Laws two hundred and seventy) entitled "An Act for the Suppression of Fortune Telling and similar purposes" is hereby amended to read as follows

Section 2 That whosoever shall pretend for lucre or gain to tell fortunes or fortell future events by other means than those aforesaid shall be guilty of a misdemeanor to be prosecuted as offenses against public law are now prosecuted in this Commonwealth and to be punished as is provided in section first of this act Provided however That the provisions of this section shall not apply to any person who is a certified or licensed minister missionary or medium of an association or denomination which being opposed to fortune telling teaches a belief in an Infinite Intelligence or God the Universal Brotherhood of Man and that death is but birth to a higher life and that the conscious spirit of man lives after death in a state of progression and which association or denomination is incorporated in the Commonwealth of Pennsylvania for promoting mutual aid and cooperation in benevolent charitable educational literary musical scientific religious and missionary purposes and enterprises and who without fraud falsehood or deceit fully conform to the rites practices and doctrines of such association or denomination as are prescribed by a supreme convention convocation conference association assembly or synod thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LORENZO D. THOMAS. Mr. Speaker and members of the House, I would like at this time to register my protest against this bill. I think it is a pernicious measure. I think that it has no foundation in fact, and instead of doing the things it purports to do, it is an instrument that will give folks license to destroy the faith that was once permitted to the saints. I have no desire to clutter the calendar, or to fill the Journal, but I believe I am within my right, and I stand here tonight and enter a most solemn protest against this bill. It is not my fault, neither will I regard it as my misfortune, that I have been returned to this House at this session because of the fact that I am a minister of the gospel. We have lawyers in this House to whom we are glad to look for elucidation on a point affecting us in our deliberations. We are glad to listen to the men of science, and the representatives of the many professions. We are glad to take the advice of a practical road builder when we come to consider the question of road building, and I believe that the hour has struck when it behooves us, as intelligent men and women, to know what we are doing and to know whereon we are acting. We have during this very session of the legislature, enacted laws which compel people to put a label marked "Poison" on a bottle containing a deadly drug, and we would not stand it for a moment in any of our road building projects to have a bed of sand and loose stones. Neither am I willing to submit my right and that something should be put over on us on an occasion such as this, and we are using the argument of no one but the friends and the proponents of this bill to refute their very argument and give men something upon which they may base their hope of eternal life. We have, as we look to yonder ceiling, a motto there, inspired and glowing with letters of light, in which we are given to understand that , "Ye shall know the truth and the truth shall make ye free."

It is my purpose tonight to explain some of the things that have been given to us by the friends of this measure, and to use God's word, that word which we all reverence, it matters not what our creed, it matters not what our profession, we have this word upon which the vast majority of the members of this House swore their allegiance not only to this Commonwealth, but also to the God who made it possible for them to stand forth in the courage of their convictions, and it is from that word that I would answer the arguments that have been advanced.

I hold in my hand here a small slip of paper. I have no reason to doubt but that everyone of you members received the same thing. It came in a communication from the friends of this bill, and I stand here before you tonight as a man who understands one thing, and I care not how much knowledge of the world I may possess, I know enough of those things to enable me to get through the world and successfully subdue any evil influence which may confront me, and I need not tell of the mediumistic methods of those who would traduce the faith and those who would trample it under their feet have they got the element of righteousness, morality and strict veracity. On this list which I hold before me at this time I have carefully analyzed every quotation. I have gone further than that and I have written them out, and I will tell you my friends if it were not so serious a matter, it would be perfectly laughable the arguments that seemingly intelligent people would try to foist on a credulous people.

There is not one scriptural quotation given on this list that holds any substantiation for this, or would foster such a measure as this. I have that list completely made out and for those of you who think it not too much bother to look over this list, it is yours for the reading. However, we turn to that same book and we find something different; we find something that is more real; we find something more direct, and as the Apostle Paul, he who is the friend of everyone of us no matter what our creed, a man who stood forth as he stood forth is entitled to the earnest consideration of the best minds in this and every other Commonwealth under the sun today, and that man who tells us in regard to the way that he defended the faith as we have it in the epistle to the Phillipians, the first chapter and the 17th verse, "I am set for the defense of the gospel". I have no reason for renouncing many of the things in this life, but I do know what it means to count the things which tend for the excellency of the knowledge of God, that makes me a better man and enables me to stand in this cavelling world and to defend this same faith that the apostle Paul undertook to defend, and I could give you this list which was given to us in God's word, the things not in ambigious terms, the things that we need not hide our face and blush at the mention of, and you can find here from this same word, it is told just as it is taken from the twentieth chapter of Leviticus, the twenty-seventh verse, "A man also or woman that hath a familiar spirit, or that is a wizard, shall surely be put to death," that is the exact wording. We will say that that is too far in the past. I tell you to my mind there is not a Hebrew among you, there is not a Roman catholic among you, there is not a so-called Protestant among you, that does not base his hope of eternal life on the law that is found in the book of Leviticus. It

stands forth as the basis and foundation of all the jurisprudence that this world has ever known; and another thing it tells us here that even King Saul, that man who was given the privilege, the paramount privilege, even the first king, the man who had been selected by your God and mine, to bring a democracy, if you please, out of a chaotic population of the world at that time, no better than slaves, of no higher social type than the serf, as they had been in Egypt, the first time that God responded to their cry for a king and ruler he picked out a man, that walked in His way. Now, that you have become a man, that you have become so big that you have even followed the teachings of the Devil himself, as did our parents in Eden, when the devil said they shall not surely die, in the face of what God has told you, Saul followed that advice and he goes to the Endorian witch, one that had been privileged from the beginning of the world by God and God alone to bring up that man of all others, Samuel, the first one of whom we read in, God's word that had dealings with the ethereal world, the psychic, as men are pleased to call it this day, and we know that the three times that the spirit entered into the life of that man, every one of them had a definite purpose. Even his mother, when she was told that she was to bear that child and to bring him into the world, even then the purpose of God was manifest, and I tell you it is nothing short of blasphemy, nothing short of sacrilege to combine the name of Samuel with the nefarious teachings of this cult before us tonight. What do we find here? We find just this, that that man because of the fact that he went to that Endorian witch, God told him through the witch of that resurrected Samuel, that vision of the Samuel who was always speaking the word of God, as God gave him to do, He said, "Because you have done this your kingdom will be taken from you and given to a man that will walk in my ways," and such must be the end of any people or any nation, or any thickly populated country on the face of the earth which goes in the way of the people who are following after these things here. Who are these folks here? Who are these folks who are asking us for so much protection? If we want to class ourselves among them, let us go with them. In Berlin there are probably 10,000 spiritualists, many of them exalted and great personages. This was before the war, and there are lots more since the war, 400 mediums and from 15 to 20 societies. In North America there are said to be 16,000,000. While in the whole world it is computed that in 1894, there were 60 million modern spiritualists with two hundred journals exclusively devoted to the propaganda of this evil system. The number has grown considerably since. Add to this the humanized races of the heathen world, China, Japan and India, the ignorant tribes of Africa, the savage hordes of the Sedan, the cannibals of the South Sea islands and there we have it.

They have before us at this time a protest that is given by the Pennsylvania Spiritualist Association, and it is rot, the most contemptible rot that was ever put in the mails and sent to an intelligent constituency, and there is not one thing in it that would stand the test of sound resaoning. There is no one thing in it that we would like to teach our children, there is not one thing in it that we would like to have our children turn to and deny their faith in the kind and loving God who has promised to take care of us when we pass out of this world of sense, this world of sin, and as we read the testimony of the Apostle Paul, as you can read it in the 8th chapter of his epistle to the Romans, you can find out that there is absolutely no connection between the things that these, our friends, are advocating, and the things that make for eternal glory. These are the things that we must regard as the facts. I woud ask you to consider this for a moment. In this protest it says, "Whereas the founders of the Roman Catholic Church endorsed spirit communication," I would like to ask the friends, any of the friends of this measure, if they can stand up before an intelligent body of people such as we are and tell us who the founders of the Roman Catholic Church were, then we will tell them whether they were spiritualists or not. They tell us about John Wesley, founder of the great Methodist Church, that had conference with the invisible intelligence. I tell you, my dear friends, the Methodist Church would not be what it is today all over the world, if John Wesley had permitted himself to be carried away with this belief that is not founded on fact. This thing they would prove to you. Then with such an illustrious list of the distinguished scientists, philosophers, and statesmen, among whom were Swedenborg, Victor Hugo, and as you go down the list as you have access to here, I tell you men it is nothing more or less than a travesty on the integrity, and the intellectual development and the mental efficiency of those men to place them with those of this sect. I read here "that we do not want to be classified as fortune tellers." If they don't want to be classified with the fortune tellers, let them get out of the circle, for they tell us here, even in the amended bill as it is before us, they tell us that they are mediums and the word of God expressly tells us that we are to have absolutely nothing to do with mediums, and they have no standing in the sight of God, and they ought to have no standing where intelligence enters into consideration of the things of eternal life. I thank you.

Mr. BURD P. EVANS. Mr. Speaker and members of this House. "And ye shall know the truth and the truth shall make you free". I hope that whatever I may say to you will have no malice, for when I felt once that my life was ebbing away, on one side of me was a Jew holding my right hand, and on the either side of me a Catholic was holding my left hand and God knows I loved them both then and I love them now, and never will I have in my heart either contempt or malice against someone who feels differently from what I do toward his Maker and his God. I hope I shall never again see any trace of it in any human heart, or hear any trace of it from any human voice.

This bill now before you is House Bill No. 756. It is intended to amend an act dated April 8, 1861. The amendment in this bill is asked for because, under the Act of 1861, the ministers and members of a religious body, known as the "Spiritualist Association", are arrested, fined, imprisoned and persecuted, while engaged in their religious worship, by over-zealous, irresponsible officers of the law and others, without reason or moral justice. This bill is not an effort to enact special legislation, but is intended to insure to a religious body and to all just inalienable rights under the Constitution of the United States and the Commonwealth of Pennsylvania; the rights that you and I enjoy. The Universities dictionary of 1922 defines "Religion" as "Any system of faith or Worship." The very first amendment to the Constitution of the United States provides that "Congress shall make no law respecting establishment of religion or prohibiting the free exercise thereof." The Constitution of Pennsylvania, Art. 1, Sect. 3, provides that "All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience," and further provides "No human authority can, in any case, whatever, control or interfere with the rights of conscience."

The Spiritualist Association is a religious body, and the

"rights of conscience" of its members cannot be abridged. It is recognized as a religious body by the national and state governments in that it and its churches are exempt from income tax; ticket receipts for its entertainments are not taxed; its Church property is not subject to state or county tax.

During 1854, President Pierce was handed a memorial signed by 15,000 persons, asking that spiritualists be investigated by the national government. This was referred to the national House of Representatives, wherein there functioned a latent humorist, who offered a resolution to refer the memorial to the Committee on Foreign Relations. But, be it remembered, that this huromist later became an ardent spiritualist. He "went to scoff but remained to pray". It is an unfortunate habit to scoff and laugh at persons and principles with whom and which we do not agree. This habit is often born of prejudice and should be discouraged.

Spiritualists are loyal, patriotic citizens; their religion teaches the purest of morals; the highest ideals; is of so broad and beneficent a character that it may include any good man or woman of any faith; its object is to promote religion and morality, and it solemnly affirmes that the door of reformation is never closed to any human soul. It numbers thousands of adherents, among whom are all stations and occupations, and whom you and I might trust and call by the sacred name of friend.

This bill was referred back to the committee for amendment at the suggestion of the Spiritualist Association's representatives who desire that, when this bill becomes a law, it will protect the public against the fortune teller, fakir, and the rogue, as well as protect the Spiritualist Association, and all people in their constitutional religious rights.

This, I believe has been done to the satisfaction of all persons interested, and the amended, corrected bill is before you in satisfactory form.

I am not a spiritualist, but, no matter what I am, nor what you are, we are all jealous of our constitutional right to be what we are, and we have no right to deny these spiritualists the same religious freedom, under the law, that we enjoy.

We have not the constitutional right, and before high Heaven, we have not the moral right to deny these people the blessings provided by the Constitution. In our hearts there should be no prejudice. In our minds should glow the light of reason; the love of religious liberty for all.

We should pass this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—45.

Alexander,	Evans, J.,	Howell,	Posey,
Allman,	Fowler, D.,	Huber,	Sautter,
Aston,	Fratt,	Jones, D. J.,	Schleiter,
Bidelspacher,	Gallaher,	Kohler,	Smith, J. W.,
Bluett,	Gelder,	Lucas,	Sowers,
Brown,	Glasgow,	Ludlow,	Spangler,
Burns,	Golder,	Malie,	Speiser,
Dilsheimer,	Grimes,	Marcus, J.,	Thomas, M. G.,
Dunn,	Haines,	Metcalf,	Weamer,
Eaches,	Haslett,	Miller,	
Edmonds,	Haws,	Nolte,	
Evans, B. P.,	Heyburn,	O'Boyle,	

NAYS—132.

Albert,	Flinchbaugh,	Marcus, J. C.,	Shambach,
Anderson,	Frazier,	Marshall, J. G.,	Sheridan,
Armstrong,	Gilchrist,	Marshall, W. F.,	Smith, G. A.,
Arthur,	Goehring,	Mathay,	Smith, H. J.,
Baker,	Gorham,	McCaig,	Stark,
Baldi,	Goss,	McCann,	Staudenmeier,
Beaver,	Greeby,	McClure,	Stavitski,
Behney,	Griffith,	McCurdy,	Steedle,
Bell, F. A.,	Hall,	McDaniel,	Sterling,
Bell, W. T.,	Harer,	McDermott,	Stevens, A. F.,
Bentley,	Harter,	McKim,	Stevens, A. J.,
Berger,	Heffernan,	McVicar,	Storer,
Betts,	Heffran,	Minehart,	Thomas, L. D.,
Blair,	Henderson,	Moffatt,	Thompson,
Boback,	Hetrick,	Moore,	Van Alen,
Brenneman,	Himes,	Myers, G. C.,	Vickerman,
Brewster,	Holcombe,	Myers, P. M.,	Walker,
Brownmiller,	Hollis,	Parkinson,	Wells,
Burchinal,	Hontz,	Patterson,	Wettach,
Bush,	Hoover,	Peelor,	Wheeler,
Chaplin,	Horne,	Perry,	Whitehouse,
Clutton,	Irvin,	Pitts,	Whiteman,
Coldsmith,	Jones, E. P.,	Post,	Williams, G. W.,
Colville,	Jones, C. B.,	Price,	Williams, J. M.,
Conner,	Keene,	Raymond,	Woner,
Coyne,	Kelly,	Rhodes,	Wood, N.,
Craig,	Kennedy,	Richards,	Wood, W. P.,
de Young,	Kunkle,	Rinn,	Wright,
Diehm,	Labar,	Sample,	Zook,
Dietz,	Lafferty,	Sarig,	Goodnough,
Donahue,	Little,	Schaeffer,	Speaker.
Driggs,	Long,	Schilling,	
Earley,	Lynch,	Schoener,	
Eshelman,	Mack,	Schwartz,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 921, entitled:

An Act requiring persons and agencies engaged in child caring, child placing and child protection work to secure a certificate of approval from the Commissioner of Public Welfare; and regulating the placing out and care of children.

On the question,

Will the House agree to the bill on third reading?

Mrs. deYOUNG. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend section 2, page 2, line 12,—After the word "Welfare" insert the following: "Provided that nothing in this act shall be construed to interfere in any way with the placement of any child or children by any court of record sitting as a Juvenile Court or otherwise"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 916, as follows:

An Act to amend sections eighteen twenty-six thirty-two thirty-four thirty-eight fifty-four fifty-six fifty-seven fifty-nine and sixty-one of an act entitled "An act providing for the organization governemnt discipline maintenance and regulation of the armed land forces of this Commonwealth" approved the seventeenth day of May one thousand nine hundred and sixty-nine)

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General

Assembly met and it is hereby enacted by the authority of the same That section eighteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" is hereby amended to read as follows

Section 18 The term of every general field and line officer and department officer other than those provided for in section nineteen shall be permanent or until removed for cause or other reasons provided in this act Provided That commissions now in force and which have been issued for a period of five years shall continue until termination of such period unless such commission be otherwise lawfully determined and annulled

When authorized by the Federal Government warrant officers may be appointed by the Governor under such regulations as may be prescribed by the Federal Government Any person commissioned or warranted as an officer of the Pennsylvania National Guard shall hold his position until he shall have reached the age of sixty-four years unless retired prior to that time by reason of resignation or other (legal) cause

Section 2 That section twenty-six of said act is hereby amended to read as follows

Section 26 An enlisted man discharged from service in the Pennsylvania National Guard shall receive a discharge in writing in such form and with such classification as is or shall be prescribed for the Regular Army and in time of peace discharges may be given prior to the expiration of terms of enlistment under such regulations as the Governor may prescribe subject to the restrictions of the National Defense Act or amendments thereto

On termination of an emergency in which the officers and enlisted men of the Pennsylvania National Guard shall have been drafted into the Federal Service by the President of the United States in accordance with the provisions of the National Defense act such drafted officers and enlisted men shall continue to serve in the National Guard until the dates upon which their commission or enlistment entered into prior to their draft into the Federal service would have expired if interrupted

Section 3 That section thirty-two of said act is hereby amended to read as follows

Pay of Officers and Men on Active Duty in State Service

Section 32 When the Pennsylvania National Guard or any part thereof is ordered on active duty by the Governor as Commander-in-Chief and pay is authorized for such duty under the order prescribing the performance thereof the commissioned officers and warrant officers so ordered shall be entitled to the same pay and allowance as officers of like grade and length of service in the Regular Army of the United States Provided That no officer shall receive less than the base pay of his grade as provided by Federal statute The grades of enlisted men shall be such as the Governor as Commander-in-Chief may from time to time direct and shall conform to the grades authorized in tables of organization for the National Guard published by the War Department When enlisted men are ordered on active duty as above prescribed their per diem pay shall be as follows First grade three dollars and fifty cents second grade three dollars third grade three dollars fourth grade two dollars and fifty cents fifth grade two dollars sixth grade one dollar and seventy-five cents seventh grade one dollar and fifty cents Under such regulations as the Governor as Commander-in-Chief may prescribe and conform with tables of organization authorized for the National Guard by the War Department enlisted men of the sixth and seventh grades may be rated as specialists and receive extra pay per diem as follows First class one dollar and twenty-five cents second class one dollar third class seventy-five cents fourth class fifty cents fifth class forty cents sixth class fifteen cents Hereafter enlisted men shall receive an increase of ten per centum of their base pay for every five years of service in the National Guard or in the United States Army Navy or Marine Corps or for any two or more of these services combined Provided That such increase shall not exceed forty per centum of their base pay All payments of per diem pay and service pay shall be made by the Adjutant General in the usual manner No deductions shall be made from the pay of officers or enlisted men in active service for dues or other financial obligations imposed by any by-laws rules or regulations of a civic character

Section 4 That section thirty-four of said act is hereby amended to read as follows

Annual Appropriations

Section 34 Organizations of the Pennsylvania National Guard found upon examination of the reports made by an inspecting officer duly detailed for that purpose to be up to the standard required in strength drill discipline and efficiency shall receive in annual allowance the following money per annum which shall be used and expended solely for military purposes and for the use and benefit of the organization For dismounted troops at the rate of ten dollars ($10) per man per year Provided That no organization shall receive less than a minimum sum of five hundred dollars or more than a maximum sum of seven hundred and fifty dollars per year for mounted or motorized troops at the rate of fifteen dollars ($15) per man per year Provided That no such mounted or motorized organization shall receive less per year than a mimimum sum of seven hundred and fifty dollars and more than a maximum sum of one thousand dollars per year Such allowances shall be computed by the Adjutant General from the strength of the unit as reported on May thirty-first of each year Newly organized units shall receive a pro rata share of the above named allowance for the portion of the fiscal year in which they are in service Provided That such allowance be based on the actual strength of the organization at the time of its entrance into the service the said allowances to be paid by the Adjutant General in the usual manner to the commanding officer of the respective organization but it shall be the duty of the Adjutant General before paying any of the said allowance in money to procure by purchase or otheriwse and issue for each enlisted man not already provided therewith such articles of dress uniform and such articles of service uniform and equipment as are required for field service and also such mess tents kitchen tents and military stores required by the respective organizations not furnished and paid for out of Federal funds and charge the cost of same to the said annual allowance and the balance if any to be paid and disbursed as hereinafter provided Provided however any regiment battalion squadron or company mav at its own expense provide itself with other uniforms of such style and pattern as a majority of its officers may select and the Governor as Commander-in-Chief approve which uniform shall be the property of the organization or the individual members thereof No portion of any allowance made by the State to any organization shall be expended in procuring such special uniforms or in repairing or caring for the same No part of the annual allowances paid under the provisions of this act to the several organizations of the Pennsylvania National Guard shall be used in the purchase erection or construction of any armory unless the title thereto be vested in the Commonwealth The commanding officer of each organization shall at such time as the Governor as Commander-in-Chief may direct make a return to the Adjutant General containing an itemized account and statement of all disbursements of the money appropriated and paid to said organization and not previously accounted for which account and statement shall be verified by the proper original vouchers for such disbursements this accounting to be made under and in accordance with such regulations as may be prescribed by the Commander-in-Chief

Section 5 That section thirty-eight of said act is hereby amended to read as follows

Necessary Expenses of Headquarters

Section 38 The necessary military expenses of general division brigade regimental and separate battalion headquarters including clerk hire and other actual outlays shall be paid by the Adjutant General in the usual manner on the usual lawful vouchers to that effect duly sworn to or affirmed to by the commanding officer or the officer charged with the payment of the same such expenses in no event to exceed four thousand dollars ($4,000) per annum for the division five hundred ($500) dollars for each brigade headquarters fifteen hundred dollars ($1,500) for eacn regimental headquarters five hundred dollars ($500) for each battalion headquarters and headquarters of trains

Section 6 That section fifty-four of said act is hereby amended to read as follows

Section 54 General courts-martial in the Pennsylvania National Guard may be convened by order of the Governor or the Division Commander and such courts shall have the power to impose fines not exceeding two hundred dollars ($200) and such reasonable costs as they may assess to sentence to forfeiture of pay and allowances to reprimand to dismissal or dishonorable discharge from the service to a reduction of non-commissioned officers to the ranks or any two or more of such punishments may be combined in the sentences imposed by such courts Provided That sentence shall not become operative until after the approval thereof by the appointing power

Section 7 That section fifty-five of the said act is hereby amended to read as follows

Section 55 When not in the active service of the United State the commanding officer of each garrison fort post camp or other place brigade detached regiment or separate battalion or other detached or separate command may appoint special courts-martial for his command but such special courts-martial may in any case be appointed by superior authority when by the latter deemed desirable Special courts-martial shall have power to try any person subject to military law except a commissioned officer for any crime or offense made punishable by the military laws of the United States or of the Commonwealth of Pennsylvania and such special courts-martial shall have the same powers of punishment as do general courts-martial except that fines imposed by such special courts-martial shall not exceed one hundred dollars ($100) and such reasonable costs as they may assess Provided That sentence shall not become operative until after the approval thereof by the appointing power

Section 8 That section fifty-six of the said act is hereby amended to read as follows

Section 56 When not in the active service of the United States the commanding officer of each garrison fort post or other place regiment detached or separate battalion or company or other detachment of the Pennsylvania National Guard may appoint for such place or command summary courts-martial to consist of one officer who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violations of the laws governing such organizations except civic by-laws and said court when satisfied of the guilt of such soldier may impose fines not exceeding twenty-five dollars ($25.00) and such reasonable costs as they may assess for any single offense may sentence non-commissioned officers to reduction to the ranks may sentence to forfeiture of pay and allowances The proceedings of such summary court shall be informal and the minutes thereof shall be so for as practicable the same as prescribed for summary courts of the Army of the United States Provided That the sentence shall not become operative until after the approval thereof by the appointing power Such summary courts-martial may in any case be appointed by superior authority when by the latter deemed desirable

Section 9 That section fifty-seven of the said act is hereby amended to read as follows

Section 57 All courts-martial of the Pennsylvania National Guard when not in the active service of the United States shall have power to sentence to confinement in lieu of fines and costs or any part thereof authorized to be imposed Provided That such sentence of confinement shall not exceed one day for each dollar of fine authorized and imposed Provided further That the sentence shall not become operative until after approval thereof by the appointing power

Section 10 That section fifty-nine of said act is hereby amended to read as follows

Section 59 When not in active service of the United States presidents of courts-martial and summary court officers shall have power to issue warrants directed to the sheriff of the proper county or any constable to arrest accused persons and to bring them before the court for trial Whenever such persons shall have disobeyed an order in writing from the convening authority to appear before such court a copy of the charge or charges having been delivered to the accused with such order in the manner provided by law for service of civil process and to issue subpoenas and subpoenas duces tecum and to enforce by attachment attendance of witnesses and the production of books and papers and to sentence for a refusal to be sworn or to answer as provided in actions before civil courts And provided That a president of a court-martial or a summary court officer may issue a proper certificate of commitment to the sheriff of a county or to any constable who may commit such person to any county prison pending trial In all cases the party accused of any crime or misdemeanor against military law shall be admitted to bail by one or more sufficient sureties to be taken before the President of a court martial or before a summary court officer before whom the charges have been preferred and to whom the charges have been referred by higher military authorities The amount of bail will be fixed by the officer before whom the accused is brought for trial or for commitment pending trial

Section 11 That section sixty-one of said act is hereby amended to read as follows

Duties of Jailers

Section 61 The keepers and wardens of all county jails are required to receive and confine all military offenders when delivered by such sheriff or constable under the proper certificate of commitment of a general special or summary court-martial pending trial and for and during the term of sentence as set forth in said commitment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albert,	Evans, J.,	Ludlow,	Schleiter,
Alexander,	Fowler, D.,	Lynch,	Schwartz,
Allman,	Frazier,	Malie,	Shambach,
Anderson,	Gallaher,	Marcus, J. C.,	Sheridan,
Armstrong,	Gilchrist,	Marshall, W. F.,	Smith, H. J.,
Arthur,	Goehring,	Mathay,	Smith, H.,
Aston,	Gorham,	McClure,	Smith, J. W.,
Baker,	Greeby,	McCurdy,	Soffel,
Baldi,	Griffith,	McDaniel,	Sowers,
Beaver,	Grimes,	McDermott,	Spangler,
Behney,	Guerin,	McKim,	Speiser,
Bell, F. A.,	Haines,	McVicar,	Stark,
Bell, W. T.,	Hall,	Metcalf,	Staudenmeier,
Bentley,	Harer,	Millar,	Steedle,
Betts,	Haslett,	Miller,	Sterling,
Blair,	Haws,	Minehart,	Stevens, A. F.,
Bluett,	Heffernan,	Moffatt,	Stevens, A. J.,
Blumberg,	Heffran,	Moore,	Storb,
Boback,	Henderson,	Morrison,	Storer,
Brenneman,	Hetrick,	Myers, G. C.,	Thomas, L. D.,
Brewster,	Heyburn,	Myers, P. M.,	Thomas, M. G.,
Bromley,	Himes,	Nolte,	Thompson,
Brown,	Holcombe,	Ogle,	Van Alen,
Brownmiller,	Hollis,	Orr,	Vickerman,
Burchinal,	Hontz,	Parkinson,	Walker,
Bush,	Horne,	Peelor,	Weamer,
Chaplin,	Howell,	Perry,	Wettach,
Clutton,	Huber,	Pitts,	Wheeler,
Coldsmith,	Irvin,	Posey,	Whitehouse,
Colville,	Johnson,	Post,	Whiteman,
Craig,	Jones, D. J.,	Price,	Williams, G. W.,
de Young,	Jones, E. P.,	Raymond,	Williams, J. M.,
Diehm,	Keene,	Rhodes,	Woner,
Dietz,	Kelly,	Richards,	Wood, N.,
Dilsheimer,	Kennedy,	Rinn,	Wood, W. P.,
Donahue,	Labar,	Rippman,	Wright,
Dunn,	Lafferty,	Sample,	Zook,
Eaches,	Lauver,	Sarig,	Goodnough,
Earley,	Little,	Sautter,	Speaker.
Edmonds,	Long,	Schaeffer,	
Eshelman,	Lucas,	Schilling,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1080, entitled:

An Act to make reinstatements in the civil service of persons honorably released from the active military or naval service of the United States after service in any of the wars in which the United States has been engaged

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albert,	Frazier,	Lucas,	Schleiter,
Allman,	Gallaher,	Ludlow,	Schwartz,
Anderson,	Gelder,	Lynch,	Shambach,
Armstrong,	Gibbon,	Mack,	Sheridan,
Arthur,	Glasgow,	Mangan,	Smith, G. A.,
Aston,	Goehring,	Marcus, J.,	Smith, H. J.,
Beaver,	Gorham,	Marshall, W. F.,	Smith, H.,
Bell, F. A.,	Goss,	Mathay,	Smith, J. W.,
Bell, W. T.,	Greeby,	McCaig,	Sowers,
Bentley,	Griffith,	McClure,	Spangler,
Blair,	Grimes,	McCurdy,	Speiser,
Bluett,	Guerin,	McDaniel,	Stark,
Blumberg,	Haas,	McDermott,	Staudenmeier,
Boback,	Haines,	McGowan,	Stavitski,
Brenneman,	Hall,	Metcalf,	Steedle,
Brewster,	Harter,	Miller,	Sterling,
Bromley,	Haslett,	Minehart,	Stevens, A. F.,
Brown,	Haws,	Moffatt,	Storb,
Brownmiller,	Heffernan,	Moore,	Storer,
Burchinal,	Heffran,	Morrison,	Thomas, L. D.,
Burns,	Henderson,	Munley,	Thomas, M. G.,
Chaplin,	Hetrick,	Myers, G. C.,	Thompson,
Clutton,	Heyburn,	Myers, P. M.,	Van Alen,
Coldsmith,	Himes,	Nolte,	Vickerman,
Conner,	Holcombe,	O'Boyle,	Walker,
Coyne,	Hollis,	Orr,	Weamer,
Craig,	Horne,	Parkinson,	Wettach,
de Young,	Howell,	Patterson,	Wheeler,
Diehm,	Huber,	Peelor,	Whitehouse,
Dietz,	Irvin,	Perry,	Whiteman,
Dilsheimer,	Johnson,	Pitts,	Williams, G. W.,
Donahue,	Jones, D. J.,	Posey,	Williams, J. M.,
Driggs,	Jones, E. P.,	Post,	Woner,
Drinkhouse,	Keene,	Price,	Wood, N.,
Dunn,	Kelly,	Rhodes,	Wood, W. P.,
Eaches,	Kennedy,	Richards,	Wright,
Earley,	Kohler,	Rinn,	Zook,
Edmonds,	Kunkle,	Rippman,	Goodnough,
Eshelman,	Labar,	Sample,	Speaker.
Evans, B. P.,	Lafferty,	Sautter,	
Evans, J.,	Little,	Schaeffer,	
Fowler, D.,	Long,	Schilling,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1224, entitled:

An Act regulating service of process and authorizing the service of writs of summons and other process in any county of the Commonwealth

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. KUNKLE. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

Mr. COLDSMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 167, as follows:

An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended by providing that qualified electors charging fraud or mistake in any election district need not be residents of the said territory affected by the election

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" which was last amended by the act approved the sixth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and twenty-five) entitled "An Act to amend section thirteen of an act entitled 'A further supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four as amended by the act of April twenty-eight one thousand eight hundred and ninety-nine so as to reduce from three to two the minimum number of judges to be designated in the counties of Philadelphia and Allegheny to receive compute and certify the election returns required by said section to be presented by the prothonotary to the courts of common pleas thus assimilating the practice of said counties to that in the other counties of the Commonwealth" is hereby amended to read as follows

Section 13 As soon as the polls shall close the officer of election shall proceed to count all votes cast for each candidate voted for and make a full return of the same in triplicate with a return sheet in addition in all of which the votes received by each condidate shall be given after his or her name first in words and again in figures and shall be signed by all of said officers and certified by overseers if any or if not so certified the overseers and any officers refusing to sign or certify or either of them shall write upon each of the returns his or their reason for not signing or certifying them The vote as soon as counted shall also be publicly and fully declared from the window to the citizens present and a brief statement showing the votes received by each candidate shall be made and signed by the election officers as soon as the vote is counted and the same shall be immediately posted upon the door of the election house for information of the public The triplicate returns shall be enclosed in envelopes and sealed in presence of the officers and one envelope with the unsealed return sheet given to the judge which shall contain one list of voters tally paper and oaths of officers and another of said envelopes shall be given to the minority inspector All judges living within twelve miles of the prothonotary's office or within twenty-four miles if their residence be in a town village or city upon the line of a railroad leading to the county seat shall before two o'clock post meridian of the day after the election and all other judges shall before twelve o'clock meridian of the second day after the election deliver said return together with return sheet to the prothonotary of the court of common pleas of the county which said return sheet shall be filed and the day and hour of filing marked thereon and shall be preserved by the prothonotary for public inspection At twelve o'clock on the said second day following any election the prothonotary of common pleas shall present the said returns to the said court In counties where there is no resident president judge the associate judges shall perform the duties imposed upon the court of common pleas which convene for said purpose the returns presented by the prothonotary shall be opened by said court and computed by such of its officers and such sworn assistants as the court shall appoint in the presence of the judge or judges of said court and the returns certified and certificates of election issued under the seal of the court as is now required to be done by return judges and the vote as so computed and certified shall be made a matter of record in said court The sessions of the said court shall be open to the public And in case the returns of any election district shall be missing when the returns are presented or in case of complaint of a qualified elector of the territory affected by the election under oath charging palpable fraud or mistake and particularly specifying the alleged fraud or mistake or where fraud or mistake is apparent on the return the court shall

examine the return and if in the judgment of the court it shall be necessary to a just said court shall issue summary process against the election officers and overseers if any of the election districts complained of to bring them forthwith into court with all election papers in their possession and if palpable mistake or fraud shall be discovered it shall upon such hearing as may be deemed necessary to enlighten the court be corrected by the court and so certified but all allegations of palpable fraud or mistake shall be decided by the said court within three days after the day the returns are brought into court for computation and the said inquiry shall be directed only to palpable fraud or mistake and shall not be deemed a judicial adjudication to conclude any contest now or hereafter to be provided by law and the other of said triplicate returns shall be placed in the box and sealed up with the ballots Nothing in this act shall require the return of election of township or borough officers to be made to the court as directed in this section but all returns of the election of township and borough officers shall be enclosed in a sealed cover directed to the prothonotary of the court of common pleas of the proper county and shall by some one of them be delivered into his office within three days after every such collection and filed therein In counties where there are three or more judges of said court learned in the law at least two judges shall sit to compute and certify returns unless unavoidably prevented If any of the said judges shall himself be a candidate for any office at any election he shall not sit with the court or act in counting the returns of such election and in such cases the other judges if any shall act and if in any county there shall be no judge qualified to hold the said court under the provisions of this act present and able to act then and in every such case the register of wills the sheriff and the county commissioners of the proper county shall be and constitute a board who or a majority of whom shall have and exercise all the powers and perform all the duties vested in or required to be performed by the court of common pleas of such county by and under the provisions of this section but none of the said officers shall act as a member of such board when himself a canddate for any office at the election the returns of which the said board is required to county under the provisions of this section The returns required by this act to be presented to the prothonotary of the courts of common pleas of Philadelphia and Allegheny respectively shall be persented to such three or more of the judges of the sevral courts of common pleas of said counties respectively as the judges of said courts or a majority of them may designate to perform the duty of receiving computing and certifying said returns When two or more counties or parts of two or more counties counties or parts of counties comprising the district shall each appoint a return judge resident within such distrct to meet within seven days after the day of election of such officer at such place as is required by law or if no place of meeting is designated by law at such place within such district where the returns of the election of such officer shall by law be directed to be filed to compute and certify the vote of such district and it shall be the duty of the return judges in such case to transmit to the person elected as such officer's certificate of his election within five days after the day of making up such return All officers provided for by this act shall be compensated as like officers are paid by existing laws Whenever a place has been or shall be provided by the authorities of any city county township or borough for the safekeeping of ballot boxes the judge and minority inspector after the election shall be finished and the ballot box or boxes containing the tickets list of voters and other papers have been securely bound with tape and sealed and the signatures of the judge and inspectors affixed thereto forthwith deliver the same together with the remaining boxes to the mayor and recorder of such city or in counties townships or boroughs to such person or persons as the court or common pleas of the proper county may designate at the place provided as aforesaid who shall then deposit the said boxes and keep the same to answer the call of any court or tribunal authorized to try the merits of such election Whenever the election officers of any election district shall require the election boxes of such district to hold any election which by law they are or shall be required to hold they shall keep the same securely in their possession without opening until the morning of such election and until they shall severally be sworn or affirmed not to disclose how any elector shall have voted and after being so sworn or affirmed they shall open the said boxes and burn and totally destroy all the ballots and other papers which they shall find therein before proceeding to hold such election

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 919, entitled:

An Act to repeal section twenty-three of the act approved the first day of May one thousand eight hundred and sixty-one (Pamphlet Laws four hundred and fifty) entitled "An act relating to Allegheny County"

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 576, as follows:

An Act to amend section eleven and fifteen as amended and repealing section twenty-one of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expense of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" by limiting the right of assistance to voters extending the power of the court to open ballot boxes and abolishing the office of watchers at primary elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the

punishment of certain offenses provided for herein and repealing inconsistent legislation" is hereby amended to read as follows

Section 11 The primaries shall be conducted by the regular election boards duly elected under existing or future laws who shall receive the same compensation for their services as they receive at elections Inspectors of elections shall have the right to appoint clerks to assist them as at elections who shall receive the same compensation that clerks receive for such services at elections Vacancies in election boards shall be filled in the manner now provided by law Before entering upon their duties the election officers and clerks shall be sworn and execute written oaths as is now required by law

The polls shall be open between the hours of seven o'clock ante meridian and seven o'clock post meridian All persons licensed to sell liquors either at wholesale or retail or as bottlers shall be compelled to keep their places of business closed on said days for holding said primary only between the hours of six o'clock ante meridian and eight o'clock post meridian

Primaries shall be conducted in conformity with the laws governing the conduct of general elections in so far as the same are not modified by the provisions of this act or are not inconsistent with its terms Privided No voter shall be permitted to have assistance in the marking of his ballot unless he shall make affidavit upon a form to be provided by the county commissioners that by reason of physical disability which he shall specify in the affidavit he is physically unable to mark his ballot If any such person shall make such affidavit he shall be permitted by the judge of election to select a member of the election board to aid him in the preparation of his ballot such preparation being made in the voting compartment Such affidavit shall be preserved with the ballots and other records of the election in the manner provided by law Any person making a false affidavit under the provisions of this section shall be guilty of perjury and subject to the penalties in such case made and provided

Section 2 That section fifteen of said act which was amended by the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and twenty-five) entitled "An act to further amend section fifteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reinbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' by empowering the court of common pleas instead of the return board to open ballot-boxes when fraud or error not manifest on the general return is alleged" is hereby further amended to read as follows

Section 15 Any election officer or clerk of election or clerk of the county commissioners or other person who knowingly inserts or knowingly permits to be inserted any fictitious name false figure or other fraudulent entry on or in any assessor's list register list of voters affidavit tally paper return sheet statement certificate or oath voucher or other record or document authorized or required to be made used signed returned or preserved for any public purpose in connection with any primary or who materially alters or intentionally destroys any entry which has been lawfully made therein except by public order of the county commissioners prothonotary or of the court of common pleas or who takes or removes any such book affidavit return ballot or other document or record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as required or permitted by law or who neglects or refuses to deliver the same into the custody of the officials who are or hereafter may be required by law to use or keep the same shall be guilty of a misdemeanor and upon cenviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for a period not exceeding three years or both in the discretion of the court

Upon petition and the sworn affidavit of three qualified electors of the territory affected by the primary election that upon information which they consider reliable they believe an act of fraud or error although not manifest upon the general return of votes made therefrom has been committed in any one or more election precincts divisions or districts in said territory affected by the primary election the court of common pleas may at any time prior to the completion of the computation and canvassing of all the returns of all the returns for the county open the ballot-box of such election district or districts and cause the entire vote thereof to be recounted in manner aforesaid and if the court discovers any fraud or material error it shall correct compute and certify the votes of such election district or districts justly regardless of any fraudulent or erroneous returns made by the election officers thereof and correct any entries previously made in the papers being prepared by the return board accordingly

Any person being an elector of the territory affected by said primary election aggrieved by any order or decision of any return board not consisting of a judge or judges of the court of common pleas regarding the computation or canvassing of the returns may appeal therefrom within two days thereafter to the court of common pleas of the proper county setting forth why he feels that an injustice has been done and praying for such order as will give him relief and upon the payment to the prothonotary of a fee of three dollars for filing such appeal a judge of the said court shall fix a time and place for hearing the matter in dispute within three days thereafter of which due notice shall be served with a copy of said appeal by the appellant upon one of the return board whose action is complained of and upon every attorney who opposed the contention of the appellant before such return board and upon any other person that said judge shall direct at least two days before said matter shall be reviewed by the court and proof of such notice or the waiver thereof must be filed therein before any appeal is sustained The court on such appeal and upon the opening of any ballot-box shall have full power and authority to hear and determine all matters pertaining to any fraud or error committed in any election district to which such appeal or petition to open a ballot-box relates and to make such decree as right and justice may require and pending such appeal or the opening of any ballot-box the return board shall suspend any official certification of the votes cast in such election district but none of the orders or decisions of either the return board or any judge or judges acting as a return board or the court of common pleas on any appeal or the opening of any ballot-box shall be deemed a final adjudication regarding the results of any primary election so as to preclude any contest thereof Contests of primaries shall originate and be conducted as in cases of elections No appeal shall be allowed from any decision of any judge or judges acting as a return board or from any order or decree of the court of common pleas made in pursuance of this section and the said court may compel the appellant or any opposing party other than the commissioners or prothonotary to pay all the witness fees if any and other legal costs of rehearing any matter in dispute which costs may be taxed by the prothonotary in the usual manner

Section 3 That section twenty-one of said act be and the same is hereby repealed

Section 4 The office of watchers at primary elections is hereby abolished

Section 5 All acts and parts of acts inconsistent with parts of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 469, entitled:

An Act to amend section three of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and considerationof House Bill No. 1183, entitled:

An Act reappropriating the unexpended balance of an appropriation made by the General Assembly of one thousand nine hundred and twenty-one to the State Fair Commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Albert,	Evans, J.,	Labar,	Sarig,
Allman,	Fowler, A. I.,	Lafferty,	Sautter,
Anderson,	Fowler, D.,	Little,	Schaeffer,
Armstrong,	Fratt,	Long,	Schilling,
Arthur,	Gallaher,	Lucas,	Schleiter,
Aston,	Gibbon,	Ludlow,	Schoener,
Baldi,	Gilchrist,	Lynch,	Schwartz,
Beaver,	Goehring,	Mangan,	Sheridan,
Behney,	Golder,	Marcus, J. C.,	Smith, G. A.,
Bell, F. A.,	Gorham,	Marshall, W. F.,	Smith, H. J.,
Bell, W. T.,	Goss,	Mathay,	Smith, H.,
Bentley,	Greeby,	McCann,	Smith, J. W.,
Betts,	Grimes,	McCaig,	Spangler,
Blair,	Guerin,	McClure,	Speiser,
Bluett,	Haas,	McCurdy,	Stark,
Blumberg,	Haines,	McDaniel,	Staudenmeier,
Boback,	Hall,	McDermott,	Stavitski,
Brenneman,	Harer,	McKim,	Sterling,
Brewster,	Haslett,	McVicar,	Stevens, A. F.,
Bromley,	Haws,	Metcalf,	Stevens, A. J.,
Brown,	Heffernan,	Millar,	Storb,
Brownmiller,	Heffran,	Miller,	Storer,
Burchinal,	Henderson,	Minehart,	Thomas, L. D.,
Burns,	Hetrick,	Moffatt,	Thomas, M. G.,
Bush,	Heyburn,	Moore,	Thompson,
Chaplin,	Himes,	Morrison,	Van Alen,
Clutton,	Holcombe,	Munley,	Vickerman,
Coldsmith,	Hollis,	Myers, G. C.,	Walker,
Conner,	Hontz,	Myers, P. M.,	Weamer,
Craig,	Horne,	Nolte,	Wells,
de Young,	Howell,	Orr,	Wettach,
Diehm,	Huber,	Parkinson,	Wheeler,
Dietz,	Irvin,	Patterson,	Whitehouse,
Dilsheimer,	Johnson,	Peelor,	Williams, G. W.,
Donahue,	Jones, C. B.,	Perry,	Williams, J. M.
Driggs,	Jones, D. J.,	Pitts,	Woner,
Dunn,	Jones, E. P.,	Posey,	Wood, N.,
Eaches,	Keene,	Post,	Wood, W. P.,
Earley,	Kelly,	Price,	Wright,
Edmonds,	Kennedy,	Raymond,	Zook,
Eshelman,	Kohler,	Rinn,	Goodnough,
Evans, B. P.,	Kunkle,	Sample,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1289, entitled:

An Act empowering the Board of Commissioners of Public Grounds and Buildings to procure bonds for State officers and employes and providing for the payment of the cost of said bonds and the custody thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—141.

Albert,	Flinchbaugh,	Labar,	Sample,
Alexander,	Fowler, A. I.,	Lauver,	Sarig,
Allman,	Fowler, D.,	Little,	Sautter,
Anderson,	Frazier,	Long,	Schaeffer,
Armstrong,	Gallaher,	Lucas,	Schilling,
Arthur,	Gelder,	Ludlow,	Schleiter,
Aston,	Gibbon,	Malie,	Schwartz,
Baker,	Goss.	Marcus, J. C.,	Smith, G. A.,
Baldi,	Greeby,	Marshall, W. F.,	Speiser,
Beaver,	Griffith,	McClure,	Stark,
Bell, F. A.,	Grimes,	McCurdy,	Staudenmeier,
Bell, W. T.,	Gundy,	McDermott,	Stevens, A. J.,
Bentley,	Haas,	McGowan,	Stevens, A. F.,
Blair,	Haines,	McKim,	Storb,
Blumberg,	Hall,	McVicar,	Storer,
Brenneman,	Harer,	Metcalf,	Thomas, L. D.,
Brewster,	Harter,	Minehart,	Thomas, M. G.,
Bromley,	Haslett,	Moffatt,	Thompson,
Brown,	Haws,	Moore,	Van Alen,
Brownmiller,	Heffran,	Morrison,	Vickerman,
Burchinal,	Henderson,	Myers, G. C.,	Walker,
Bush,	Hetrick,	Myers, P. M.,	Weamer,
Chaplin,	Heyburn,	Nolte,	Wells,
Clutton,	Himes,	Ogle,	Wettach,
Coldsmith,	Holcombe,	Orr,	Wheeler,
Conner,	Hollis,	Parkinson,	Whitehouse,
Craig,	Horne,	Peelor,	Williams, G. W.,
de Young,	Howell,	Perry,	Williams, J. M.,
Diehm,	Irvin,	Pitts,	Woner,
Dietz,	Johnson,	Posey,	Wood, N.,
Eaches,	Jones, C. B.,	Price,	Wood, W. P.,
Earley,	Jones, E. P.,	Raymond,	Wright,
Eshelman,	Keene,	Rhodes,	Zook,
Evans, B. P.,	Kennedy,	Rinn,	Goodnough,
Evans, J.,	Kohler,	Rippman,	Speaker.

NAYS—5.

Boback,	Miller,	Sheridan,	Stavitski,
Gorham,	O'Boyle,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1216, entitled:

An Act authorizing certain corporations to create and issue and convert their authorized and outstanding capital stock into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof

On the question,

Will the House agree to the bill on third reading?

Mr. BROMLEY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title page 1, line 2, by striking out word "and" and inserting in lieu thereof the word: "or".

Amend Section 1, page 1, lines 6 and 7, by striking out the words "prescribed in its certificate of incorporation or by subsequent increase to."

Amend Section 1, page 1, line 7, by striking out the word "consist" and inserting in lieu thereof: "consisting."

Amend Section 1, page 1, line 10, by striking out the word "and" and inserting in lieu thereof: "or."

Amend Section 1, page 1, line 11, by striking out the words "either Common or Preferred or both."

Amend Section 1, page 2, line 1, by striking out the word "and."

Amend Section 1. page 2, line 2, by inserting after the word "kind" the following: "by a majority vote of the outstanding Common capital stock."

Amend Section 1, page 2, line 3, by inserting after the word "may" the following: "now or may hereafter."

Amend Section 1, page 2, lines 3 and 4, by striking out the words "its authorized" and inserting in lieu thereof: "the."

Amend Section 1, page 2, line 4, by inserting after the word "stock" the following: "of corporations. Provided, however, that in any case where shares without nominal or par value shall be provided for, a stated capital shall be fixed, the amount of which shall be set forth in such proceedings, which stated capital shall be governed by and be subject to the provisions of the Acts of Assembly relating thereto, now in force or which may hereafter be enacted. And provided further that any shares of capital stock without nominal or par value created under the provisions of this act shall be subject to all of the provisions contained in the Act of July twelfth, one thousand nine hundred and nineteen (P. L. 914) entitled, "An Act authorizing stock corporations, other than building and loan associations and corporations authorized by law to transact a banking or insurance business, to make provision, upon formation, reorganization, merger, or consolidation, for the issue of either or both preferred or common shares without nominal or par value; regulating the same and such corporations; and prescribing the method of determining the number of shares and capital of corporations issuing shares in such manner."

Amend Section 3, page 2, line 19, by striking out the word "issued" and inserting in lieu thereof: "issuance."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1254, entitled:

An Act making an appropriation to carry out the provisions of the Act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws eleven hundred ninety) entitled "An Act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers' licenses which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim and making an appropriation for such refunds"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—171.

Albert,	Evans, B. P.,	Little,	Rippman,
Alexander,	Fowler, D.,	Long,	Sample,
Allman,	Fratt,	Lucas,	Sarig,
Anderson,	Frazier,	Ludlow,	Sautter,
Armstrong,	Gallaher,	Lynch,	Schaeffer,
Arthur,	Gelder,	Malie,	Schilling,
Aston,	Gibbon,	Mangan,	Schleiter,
Baker,	Glasgow,	Marcus, J.,	Schoener,
Baldi,	Goehring,	Marcus, J. C.,	Schwartz,
Beaver,	Golder,	Marshall, J. G.,	Shambach,
Behney,	Gorham,	Marshall, W. F.,	Smith, H. J.,
Bell, F. A.,	Greeby,	Mathay,	Smith, H.,
Bell, W. T.,	Griffith,	McCaig,	Smith, J. W.,
Bentley,	Grimes,	McCann,	Sowers,
Berger,	Guerin,	McClure,	Spangler,
Betts,	Gundy,	McCurdy,	Speiser,
Bidelspacher,	Haas,	McDermott,	Stark,
Blair,	Haines,	McDaniel,	Staudenmeier,
Bluett,	Hall,	McGowan,	Stavitski,
Blumberg,	Harer,	McKim,	Steedle,
Boback,	Haslett,	McVicar,	Sterling,
Brenneman,	Haws,	Metcalf,	Stevens, A. J.,
Brewster,	Heffernan,	Millar,	Stevens, A. F.,
Bromley,	Heffran,	Miller,	Storer,
Burchinal,	Henderson,	Minehart,	Thomas, L. D.,
Burns,	Hetrick,	Moffatt,	Thomas, M. G.,
Bush,	Heyburn,	Moore,	Thompson,
Chaplin,	Himes,	Morrison,	Van Alen,
Clutton,	Holcombe,	Munley,	Vickerman,
Coldsmith,	Hollis,	Myers, G. C.,	Walker,
Colville,	Hontz,	Myers, P. M.,	Weamer,
Conner,	Hoover,	Nolte,	Wells,
Coyne,	Horne,	Ogle,	Wettach,
Craig,	Howell,	Orr,	Wheeler,
de Young,	Huber,	Parkinson,	Whitehouse,
Diehm,	Irvin,	Patterson,	Whiteman,
Dietz,	Johnson,	Peelor,	Williams, G. W.,
Dilsheimer,	Jones, D. J.,	Perry,	Williams, J. M.,
Driggs,	Jones, E. P.,	Pitts,	Woner,
Drinkhouse,	Keene,	Posey,	Wood, N.,
Dunn,	Kelly,	Post,	Wood, W. P.,
Eaches,	Kennedy,	Price,	Wright,
Earley,	Kohler,	Raymond,	Zook,
Edmonds,	Kunkle,	Rhodes,	Goodnough,
Eshelman,	Labar,	Richards,	Speaker.
Evans, J.,	Lafferty,	Rinn,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 350, as follows:

An Act to repeal an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service

companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such Commission and upon appeal and judicial review of its orders and determination by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and section one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" and its amendments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such Commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" and its amendments are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. HOLLIS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. IRWIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GOLDER,

The House resumed the consideration on final passage of House Bill No. 460, entitled:

A Supplement to the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and sixty-two) entitled "An Act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by subscribers to be misdemeanors and providing penalties for the violation thereof" providing for the auditing of the State Workmen's Insurance Fund and the payment of the costs thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Alexander,	Evans, J.,	Kunkle,	Sample,
Allman,	Flynn,	Labar,	Sarig,
Anderson,	Fowler, D.,	Lauver,	Sautter,
Armstrong,	Fratt,	Long,	Schaeffer,
Arthur,	Frazier,	Lucas,	Schilling,
Aston,	Gallaher,	Ludlow,	Schleiter,

Baker,	Gelder,	Lynch,	Schwartz,
Baldi,	Gilchrist,	Marcus, J.,	Shambach,
Beaver,	Glasgow,	Marcus, J. C.,	Sheridan,
Behney,	Golder,	Marshall, W. F.,	Smith, G. A.,
Bell, F. A.,	Gorham,	Mathay,	Smith, H.,
Bell, W. T.,	Goss,	McCaig,	Smith, H. J.,
Bentley,	Greeby,	McCann,	Smith, J. W.,
Berger,	Griffith,	McClure,	Spangler,
Betts,	Grimes,	McCurdy,	Speiser,
Blair,	Gundy,	McDaniel,	Stark,
Bluett,	Haas,	McDermott,	Staudenmeier,
Boback,	Haines,	McKim,	Stavitski,
Brenneman,	Hall,	McVicar,	Steedle,
Brewster,	Harer,	Metcalf,	Stevens, A. J.,
Bromley,	Harter,	Miller,	Stevens, A. F.,
Brownmiller,	Haslett,	Minehart,	Storer,
Burchinal,	Haws,	Moffatt,	Thomas, L. D.,
Burns,	Heffernan,	Moore,	Thomas, M. G.,
Bush,	Heffran,	Morrison,	Thompson,
Chaplin,	Hetrick,	Munley,	Van Alen,
Clutton,	Heyburn,	Myers, G. C.,	Vickerman,
Coldsmith,	Himes,	Myers, P. M.,	Walker,
Colville,	Holcombe,	Nolte,	Weamer,
Conner,	Hollis,	O'Boyle,	Wells,
Coyne,	Hontz,	Orr,	Wettach,
Craig,	Hoover,	Parkinson,	Wheeler,
de Young,	Horne,	Patterson,	Whitehouse,
Diehm,	Howell,	Peelor,	Williams, G. W.
Dietz,	Huber,	Perry,	Williams, J. M.,
Dilsheimer,	Irvin,	Pitts,	Woner,
Driggs,	Johnson,	Posey,	Wood, N.,
Drinkhouse,	Jones, D. J.,	Post,	Wood, W. P.,
Dunn,	Jones, E. P.,	Price,	Wright,
Eaches,	Keene,	Rhodes,	Zook,
Earley,	Kelly,	Richards,	Goodnough,
Edmonds,	Kennedy,	Rinn,	Speaker.
Evans, B. P.,	Kohler,	Rippman,	

NAYS—1.

Albert,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GOLDER.

The House resumed the consideration on third reading of House Bill No. 1095, entitled:

An Act relating to debts of municipalities

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Alexander,	Fowler, A. I.,	Lauver,	Sautter,
Allman,	Fowler, D.,	Little,	Schaeffer,
Anderson,	Frazier,	Long,	Schilling,
Armstrong,	Gallaher,	Lucas,	Schleiter,
Arthur,	Gibbon,	Ludlow,	Schwartz,
Aston,	Gilchrist,	Mack,	Shambach,
Baker,	Glasgow,	Mangan,	Sheridan,
Baldi,	Goehring,	Marcus, J.,	Smith, G. A.,
Beaver,	Golder,	Marcus, J. C.,	Smith, H. J.,
Behney,	Goss,	Marshall, W. F.,	Smith, H.,
Bell, F. A.,	Greeby,	Mathay,	Smith, J. W.,
Bell, W. T.,	Griffith,	McCann,	Sowers,
Bentley,	Grimes,	McCaig,	Spangler,
Betts,	Guerin,	McClure,	Speiser,
Bidelspacher,	Gundy,	McCurdy,	Stark,
Blair,	Haines,	McDaniel,	Staudenmeier,
Bluett,	Hall,	McGowan,	Steedle,
Blumberg,	Harer,	McKim,	Sterling,
Boback,	Harter,	Metcalf,	Stevens, A. J.,
Brenneman,	Haslett,	Millar,	Stevens, A. F.,
Brewster,	Heffernan,	Miller,	Storb,
Bromley,	Heffran,	Minehart,	Storer,
Brownmiller,	Henderson,	Moffatt,	Thomas, L. D.,
Burchinal,	Hetrick,	Moore,	Thomas, M. G.,
Burns,	Heyburn,	Morrison,	Thompson,
Bush,	Himes,	Munley,	Vickerman,
Chaplin,	Holcombe,	Myers, G. C.,	Walker,
Clutton,	Hollis,	Myers, P. M.,	Weamer,
Coldsmith,	Hontz,	Nolte,	Wells,
Conner,	Hoover,	O'Boyle,	Wettach,
Coyne,	Horne,	Ogle,	Wheeler,
Craig,	Howell,	Orr,	Whitehouse,
de Young,	Huber,	Patterson,	Whiteman,
Diehm,	Irvin,	Peelor,	Williams, G. W.,
Dietz,	Johnson,	Perry,	Williams, J. M.,
Donahue	Jones, D. J.,	Pitts,	Woner,
Driggs,	Jones, E. P.,	Posey,	Wood, N.,
Drinkhouse,	Keene,	Post,	Wood, W. P.,
Dunn,	Kelly,	Raymond,	Wright,
Eaches,	Kennedy,	Rhodes,	Zook,
Earley,	Kohler,	Richards,	Goodnough,
Edmonds,	Kunkle,	Rinn,	Speaker.
Evans, B. P.,	Labar,	Rippman,	
Evans, J.,	Lafferty,	Sarig,	

NAYS—1.

Albert.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 346, as follows:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" which was amended by the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and fifty-five) entitled "An Act amending section seventeen of an act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled 'An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes'" is hereby further amended to read as follows

Section 17 That all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other State or of the United States and doing business in this Commonwealth and all scrip bonds certificates and evidences of indebtedness issued and all scrip

bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable in the year one thousand nine hundred and nineteen and annually thereafter for State purpose at the rate of four mills on each dollar of the nominal value thereof Provided That whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it by it assured or on which it shall pay interest it shall be the duty of such corporation not later than ten days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidences of indebtedness under the provisions of the first section of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) to which this a further amendment that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of section one of said act of June seventeen one thousand nine hundred and thirteen upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year and for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in section one of the act of June seventeen one thousand nine hundred and thirteen Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deduction from interest due as hereinbefore provided

Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company and Provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said saving institution having no capital stock and Provided further That the provisions of this act shall not apply to fire-companies fireman's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions and Provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals and Provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all scrip bonds certificates and evidence of indebtedness made taxable under this section are not taxable under section one (1) of the act to which this is an amendment and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under section one (1) of said act

Provided That in cases where under the provisions of this section any private corporation shall become liable for such taxes upon evidence of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation if such indebtedness is assumed or the corporation become liable to pay the interest thereon prior to the first day of October in any year to notify any person who may or may theretofore have been liable to the payment of any taxes upon such evidence of indebtedness that the corporation has asumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed by this section for the ensuing year and thereupon the liability of such person for the payment of any taxes for said ensuing year upon such evidence of indebtedness shall cease and in case any such taxes shall have been assessed against such person the same shall be exonerated by the proper authorities Where any such evidence of indebtedness shall be so assumed or the corporation become lible to pay the interest thereon prior to the first day of October in any year and the corporation shall fail or neglect to notify the person liable to taxation upon such evidence of indebtedness of the fact that it has assumed such indebtedness or has become liable to pay the interest thereon and is required to deduct and pay the taxes due thereon for the ensuing year the corporation shall nevertheless become liable for such taxes and shall not be permitted to deduct such taxes from the interest due upon such evidence of indebtedness In any case where any such evidence of indebtedness shall be assumed or the corporation become liable to pay the interest thereon on the first day of October or a day subsequent thereto in any year the corporation shall not become liable for any taxes for the year in which such evidence of indebtedness was assumed or the corporation became liable to pay such interest but shall become liable for the taxes of the ensuing year and shall not be permitted to deduct the taxes for the said ensuing year from the interest due upon said evidence of indebtedness but in all such cases said notice shall be given before the first day of October of the year following and any notice so given shall relieve the holders of the obligation from the payment of any taxes for the year subsequent thereto Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deduction from interest due as hereinbefore provided

On the question,

Will the House agree to the bill on third reading?

amended before its consideration by the House, I move that

BILL POSTPONED.

Mr. EDMONDS. Mr. Speaker, as there are so many mistakes in the printing of the bill that it will have to be it be placed upon the postponed calendar.

Mr. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GEORGE W. WILLIAMS.

The House resumed the consideration on third reading of House Bill No. 978, entitled:

An Act to amend section one hundred and ninety-six as amended, section one hundred and ninety-seven as amended, section one hundred and ninety-eight, section four hundred and twenty-seven, section four hundred and thirty-four as amended, and section one thousand and forty of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Albert,	Evans, B. P.,	Little,	Sarig,
Alexander,	Fowler, D.,	Long,	Sautter,
Allman,	Frazier,	Lucas,	Schaeffer,
Anderson,	Gallaher,	Ludlow,	Schilling,
Armstrong,	Gelder,	Lynch,	Schleiter,
Arthur,	Gibbon,	Malie,	Schwartz,
Aston,	Gilchrist,	Mangan,	Shambach,
Baker,	Goehring,	Marcus, J.,	Smith, G. A.,
Baldi,	Golder,	Marcus, J. C.,	Smith, H. J.,
Beaver,	Gorham,	Marshall, W. F.,	Smith, H.,
Behney,	Goss,	Mathay,	Smith, J. W.,
Bell, F. A.,	Greeby,	McCaig,	Sowers,
Bell, W. T.,	Griffith,	McCann,	Spangler,
Bentley,	Grimes,	McClure,	Speiser,
Betts,	Guerin,	McCurdy,	Stark,
Bidelspacher,	Gundy,	McDaniel,	Staudenmeier,
Blair,	Haas,	McDermott,	Stavitski,
Bluett,	Haines,	McGowan,	Steedle,
Blumberg,	Hall,	McKim,	Sterling,
Brenneman,	Harer,	McVicar,	Stevens, A. J.,
Brewster,	Harter,	Metcalf,	Stevens, A. F.,
Bromley,	Haslett,	Miller,	Storb,
Brown,	Haws,	Minehart,	Storer,
Brownmiller,	Heffernan,	Moffatt,	Thomas, L. D.,
Burchinal,	Heffran,	Moore,	Thomas, M. G.,
Burns,	Henderson,	Morrison,	Thompson,
Bush,	Hetrick,	Munley,	Van Alen,
Chaplin,	Heyburn,	Myers, G. C.,	Vickerman,
Clutton,	Himes,	Myers, P. M.,	Walker,
Coldsmith,	Holcombe,	Nolte,	Weamer,
Colville,	Hollis,	O'Boyle,	Wells,
Conner,	Hontz,	Orr,	Wettach,
Coyne,	Hoover,	Patterson,	Wheeler,
Craig,	Horne,	Peelor,	Whitehouse,
de Young,	Huber,	Perry,	Whiteman,
Diehm,	Irvin,	Pitts,	Williams, G. W.
Dietz,	Johnson,	Posey,	Williams, J. M.,
Dilsheimer,	Jones, C. B.,	Post,	Woner,
Donahue,	Jones, D. J.,	Price,	Wood, N.,
Driggs,	Keene,	Raymond,	Wood, W. P.,
Drinkhouse,	Kelly,	Rhodes,	Wright,
Dunn,	Kennedy,	Richards,	Zook,
Eaches,	Kohler,	Rinn,	Goodnough,
Earley,	Kunkle,	Rippman,	Speaker.
Edmonds,	Labar,	Sample,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreebly to order,

The bill having been called up from the postponed calendar by Mr. GEORGE W. WILLIAMS.

The House resumed the consideration on third reading of House Bill No. 979, entitled:

An act to amend section two of an act aproved the fifth day of May, one thousand nine hundred and twenty-one, (P. L. 397) entitled, "An act authorizing a State association of township supervisors and township commissioners, and providing for the payment of the expenses thereof by the respective counties."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Albert,	Eaches,	Keene,	Rinn,
Alexander,	Earley,	Kelly,	Rippman,
Allman,	Edmonds,	Kennedy,	Sample,
Anderson,	Evans, B. P.,	Kohler,	Sarig,
Armstrong,	Evans, J.,	Kunkle,	Schaeffer,
Arthur,	Flinchbaugh,	Lafferty,	Schilling,
Aston,	Fowler, A. I.,	Long,	Schoener,
Baker,	Fowler, D.,	Lucas,	Schwartz,
Baldi,	Frazier,	Ludlow,	Sheridan,
Beaver,	Gallaher,	Lynch,	Smith, G. A.,
Behney,	Gelder,	Mangan,	Smith, H. J.,
Bell, F. A.,	Gilchrist,	Marcus, J.,	Smith, H.,
Bell, W. T.,	Glasgow,	Marcus, J. C.,	Smith, J. W.,
Bentley,	Goehring,	McCann,	Spangler,
Berger,	Golder,	McCaig,	Speiser,
Betts,	Gorham,	McClure,	Stark,
Bidelspacher,	Goss,	McCurdy,	Staudenmeier,
Blair,	Greeby,	McDaniel,	Stavitski,
Bluett,	Griffith,	McKim,	Stevens, A. J.,
Blumberg,	Grimes,	McVicar,	Stevens, A. F.,
Boback,	Guerin,	Metcalf,	Storb,
Brenneman,	Gundy,	Millar,	Storer,
Brewster,	Haines,	Minehart,	Thomas, L. D.,
Bromley,	Hall,	Moffatt,	Thomas, M. G.,
Brown,	Harer,	Moore,	Thompson,
Brownmiller,	Haslett,	Morrison,	Van Alen,
Burchinal,	Haws,	Munley,	Vickerman,
Burns,	Heffernan,	Myers, G. C.,	Walker,
Bush,	Heffran,	Myers, P. M.,	Weamer,
Chaplin,	Henderson,	Nolte,	Wells,
Clutton,	Hetrick,	O'Boyle,	Wettach,
Coldsmith,	Heyburn,	Ogle,	Whitehouse,
Colville,	Himes,	Orr,	Whiteman,
Conner,	Hollis,	Patterson,	Williams, G. W.,
Craig,	Hontz,	Peelor,	Williams, J. M.
de Young,	Hoover,	Perry,	Woner,
Diehm,	Horne,	Pitts,	Wood, N.,
Dietz,	Howell,	Posey,	Wood, W. P.,
Dilsheimer,	Huber,	Price,	Wright,
Driggs,	Irvin,	Raymond,	Zook,
Drinkhouse,	Jones, C. B.,	Rhodes,	Goodnough,
Dunn,	Jones, D. J.,	Richards,	Speaker.

NAYS—1.

Post,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. EDMONDS.

The House resumed the consideration on third reading of House Bill No. 112, entitled:

An Act to amend section five of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorder in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing for the assessment of property and the collection of taxes interest and penalties in cases of the refusal or failure of taxables to make return and in the case of false or incomplete returns

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker and members of the House, I would like to say just a few words in explanation of House Bill No. 112. While it is a tax bill, it does not create any tax, nor does it raise any tax rate. It proposes merely to put some men in the personal property tax law. As it is well known to the members of the House at the present time taxables are called upon to make a return of their personal property, subject to taxation. If they don't make the return, then the assessor makes a return for them, in which he guesses the amount. Now, this bill provides that when the assessor makes such a return it shall not stop the city or the local government in afterwards assessing the new tax against the taxable, with a penalty of fifty per cent and the interest; and, also, that this real tax shall be assessed, notwithstanding the fact that a year or so may have elapsed. In other words, this is one of the bills that intends to make the collection of this tax efficient. As it is now, the honest man makes this return and the man who wants to dodge the tax doesn't make his return; and after the assessor has once assessed the return against him, that ends the matter so far as he is concerned. If this bill should become a law, it would certainly make the people more careful to make a complete return and a true return to the tax assessors. For that reason the bill is introduced.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Albert,	Evans, B. P.,	Little,	Sautter,
Alexander,	Flynn,	Long,	Schaeffer,
Allman,	Fowler, D.,	Lucas,	Schilling,
Anderson,	Fratt,	Ludlow,	Schleiter,
Armstrong,	Frazier,	Lynch,	Schwartz,
Aston,	Gallaher,	Malle,	Shambach,
Baker,	Gibbon,	Marcus, J.,	Sheridan,
Baldi,	Glasgow,	Marcus, J. C.,	Smith, H.,
Beaver,	Goehring,	Marshall, W. F.	Smith, H. J.,
Behney,	Golder,	Mathay,	Smith, J. W.,
Bell, F. A.,	Gorham,	McCaig,	Sowers,
Bell, W. T.,	Goss,	McCann,	Spangler,
Bentley,	Greeby,	McClure,	Speiser,
Berger,	Griffith,	McCurdy,	Stark,
Betts,	Grimes,	McDaniel,	Staudenmeier,
Blair,	Guerin,	McDermott,	Stavitski,
Bluett,	Haines,	McGowan,	Steedle,
Blumberg,	Hall,	McVicar,	Sterling,
Brenneman,	Harer,	Metcalf,	Stevens, A.
Brewster,	Haslett,	Miller,	Stevens, A. F.,
Bromley,	Haws,	Minehart,	Storb,
Brown,	Heffernan,	Moffat,	Storer,
Brownmiller,	Heffran,	Moore,	Thomas, L. D.,
Burchinal,	Henderson,	Morrison,	Thomas, M. G.,
Burns,	Hetrick,	Munley,	Thompson,
Chaplin,	Heyburn,	Myers, G. C.,	Vickerman,
Clutton,	Himes,	Myers, P. M.,	Walker,
Coldsmith,	Holcombe,	O'Boyle,	Weamer,
Colville,	Horne,	Orr,	Wettach,
Conner,	Howell,	Parkinson,	Wheeler,
Coyne,	Huber,	Peelor,	Whitehouse,
Craig,	Irvin,	Perry,	Whiteman,
de Young,	Johnson,	Pitts,	Williams, G. W.,
Diehm,	Jones, C. B.,	Posey,	Williams, J. M.,
Dilsheimer,	Jones, D. J.,	Price,	Woner,
Driggs,	Jones, E. P.,	Raymond,	Wood, N.,
Drinkhouse,	Keene,	Rhodes,	Wood, W. P.,
Dunn,	Kelly,	Richards,	Wright,
Eaches,	Kennedy,	Rinn,	Zook,
Earley,	Kunkle,	Rippman,	Goodnough,
Edmonds,	Labar,	Sample,	Speaker.
Eshelman,	Lauver,	Sarig,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. EDMONDS.

The House resumed the consideration on third reading of House Bill No. 663, entitled:

An Act to amend sections five and six of an act approved the sixteenth day of May, one thousand nine hundred and nineteen, (P. L. 193), entitled "An Act to provide for the licensing and regulation of public dance halls and ball rooms, and for the regulation, supervision of public dances and balls in cities of the first, second and third class;" by making it the duty of the Mayor to investigate the character of applicants for dance hall and ball room licenses; and providing that no such license shall issue to any person of immoral character or who is an unfit person to hold such license, or who has been convicted of any crime.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Albert,	Evans, B. P.,	Lauver,	Sample,
Alexander,	Flinchbaugh,	Little,	Sarig,
Allman,	Flynn,	Long,	Sautter,
Armstrong,	Fowler, D.,	Lucas,	Schaeffer,
Arthur,	Fratt,	Ludlow,	Schilling,
Aston,	Frazier,	Lynch,	Schleiter,
Baker,	Gelder,	Mangan,	Schoener,
Baldi,	Gibbon,	Marcus, J.,	Schwartz,
Beaver,	Glasgow,	Marcus, J. C.,	Shambach,
Behney,	Gilchrist,	Marshall, W. F.,	Sheridan,
Bell, F. A.,	Golder,	Mathay,	Smith, H. J.,
Bell, W. T.,	Gorham,	McCaig,	Smith, H.,
Bentley,	Goss,	McCann,	Smith, J. W.,
Betts,	Greeby,	McClure,	Sowers,
Bidelspacher,	Griffith,	McCurdy,	Spangler,
Blair,	Grimes,	McDaniel,	Speiser,
Bluett,	Guerin,	McDermott,	Stark,
Boback,	Haas,	McGowan,	Staudenmeier,
Brenneman,	Haines,	McKim,	Stavitski,
Brewster,	Hall,	McVicar,	Steedle,
Bromley,	Haslett,	Metcalf,	Sterling,
Brown,	Haws,	Millar,	Stevens, A. F.,
Brownmiller,	Heffernan,	Miller,	Storb,
Burchinal,	Heffran,	Minehart,	Storer,
Burns,	Henderson,	Moffatt,	Thomas, L. D.,
Bush,	Hetrick,	Moore,	Thomas, M. G.,
Chaplin,	Heyburn,	Morrison,	Thompson,
Clutton,	Himes,	Munley,	Van Alen,
Coldsmith,	Holcombe,	Myers, G. C.,	Vickerman,
Colville,	Hollis,	Myers, P. M.,	Walker,
Conner,	Hoover,	Orr,	Weamer,
Coyne,	Horne,	Parkinson,	Wettach,
Craig,	Howell,	Patterson,	Wheeler,
de Young,	Huber,	Peelor,	Whitehouse,
Diehm,	Irvin,	Perry,	Whiteman,
Dietz,	Johnson,	Pitts,	Williams, G. W.,
Dilsheimer,	Jones, C. B.,	Posey,	Williams, J. M.,
Driggs,	Jones, D. J.,	Post,	Woner,
Drinkhouse,	Jones, E. P.,	Price,	Wood, N.,
Dunn,	Kelly,	Raymond,	Wood, W. P.,
Eaches,	Kennedy,	Rhodes,	Wright,
Earley,	Kohler,	Richards,	Zook,
Edmonds,	Kunkle,	Rinn,	Goodnough,
Eshelman,	Labar,	Rippman,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Miss GRIMES. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The lady will state her question of personal privilege.

Miss GRIMES. Mr. Speaker, a number of the members of the House, as well as the women members, have asked me to tell something of the trip we took to Washington last night upon a leave of absence granted by this House. We were invited to Washington by Hon. Clyde Kelly, Congressman from Allegheny County and president of the Pennsylvania Society, to be the guest of the Pennsylvania Society on Pennsylania Night at the annual meeting in connection with the Pennsylvania Night of the D. A. R. We arrived in Washington about 5:00 o'clock yesterday afternoon and went to the Shoreham Hotel, where the Hon. Mr. Kelly had arranged for a suite for us, and we proceeded to doll ourselves for the occasion. We used everything from real lace to rouge to make ourselves presentable, and believe me, when we started from the Shoreham Hotel, Solomon in all his glory and the queen of Sheba had nothing on us. We arrived at the Williard Hotel and Westmoreland County got into the game. We were beautifully entertained at dinner by Mrs. Wyant and Congressman Wyant of Westmoreland County at a beautiful dinner of fourteen covers, and we were the honor guests. After that we went to the ballroom, where we stood in the receiving line and shook hands with hundreds of people, Pennsylvanians, visiting in Washington, who were all very much honored and pleased to meet the Representatives from Pennsylvania. After that, we were marched across the hall to the assembly room. We thought we were going to sit in the boxes and watch the performance, but we found that we were not going to be allowed to sit in the boxes, in fact, we were the performers. When some of the women were told by Mr. Kelly that they were to make a five-minute speech, and they all said that they were not able to make a speech. I said, "Alright, but don't tell Mr. Kelly: I know he likes to make a speech himself, and he will take up all the time: Just look pleasant and don't say anything about it." Mr. Kelly said, when we told him that, "Nothing doing, you are on my program, and you just have to make the speeches." He said, "I will throw you into the breach because I know you like to talk," that is I, and the rest of you ladies will have to follow." I began the program and I thought of a very wonderful subject, and you will never guess what it was, so I will tell you. I talked about you, you wonderful men of the Pennsylvania Legislature. I told them that in spite of the things that were published in the papers about corrupt politics and gangs and machines and ignorance, the Pennsylvania Legislature on the contrary, that the men were on the job, they were reading the bills, they were enthusiastic about their own bills and interested in every other bill, and were interested in making good laws for the State of Pennsylvania, and I told them that the most delightful experience I ever had in my life was being a member of this House and that the men of this Assembly were the finest body of men I had ever met in my life. So after this, the other women followed along with similar speeches. Miss Bentley made a splendid speech, and Miss Gallaher and Mrs. De Young and Mrs. Speiser, and Miss Pitts, after having implored Mr. Kelly with tears in her eyes, not to call on her and after Mr. Kelly had with tears in his eyes insisted that she do so, until she almost made you think that she was deaf and dumb, didn't she get up and make a perfectly speech. After that, we danced a little bit and then we went home in the car of my own congressman, the Hon. Guy Campbell, and when we got back to the hotel, it surely was the end of a perfect day. Mr. Speaker, we seriously wish to express our appreciation of the privilege granted by this House. We tried to honorably represent this honorable body, and although I do say it myself, I think we made a hit.

The SPEAKER. The remarks of the lady from Allegheny under her question of personal privilege, will be spread upon the Journal.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. BURD P. EVANS,

The House resumed the consideration on third reading of House Bill No. 139, entitled:

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468) entitled, "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act," as amended.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BURD P. EVANS. Mr. Speaker, this bill was before this House on a previous occasion, and is simply an amendment to the present highway law. The amendment is to

the effect that upon written request by the borough or town council, the Highway Department shall improve or reconstruct unimproved sections of the State highway which extend through the borough. My object in having this bill placed on the postponed calendar was in order that if any objections did occur, and I understood there were some objections in the State Highway Department, that those objections could be removed. The Commissioner of Highways sent his messenger to my desk and requested that I should come and see him. I did so, and all objections have been removed, so far as I know, with the State Highway Department. The Commissioner stated to me that he would be glad if this bill should pass and become a law.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Albert,	Eshelman,	Kennedy,	Rinn,
Allman,	Evans, B. P.,	Kohler,	Rippman,
Anderson,	Fowler, D.,	Kunkle,	Sample,
Armstrong,	Fratt,	Labar,	Sarig,
Arthur,	Frazier,	Lafferty,	Sautter,
Baker,	Gallaher,	Lauver,	Schaeffer,
Baldi,	Gibbon,	Little,	Schleiter,
Beaver,	Glasgow,	Ludlow,	Schoener,
Behney,	Goehring,	Lynch,	Schwartz,
Bell, F. A.,	Golder,	Marcus, J.,	Shambach,
Bell, W. T.,	Gorham,	Marcus, J. C.,	Smith, H. J.,
Bentley,	Greeby,	Marshall, W. F.,	Smith, H.,
Berger,	Griffith,	Mathay,	Smith, J. W.,
Betts,	Grimes,	McCaig,	Spangler,
Bluett,	Gundy,	McCann,	Speiser,
Boback,	Haines,	McClure,	Stavitski,
Brenneman,	Hall,	McCurdy,	Steedle,
Brewster,	Harter,	McDaniel,	Stevens, A. F.,
Bromley,	Haslett,	McGowan,	Storb,
Brown,	Haws,	McKim,	Storer,
Brownmiller,	Heffran,	Miller,	Thomas, L. D.,
Burchinal,	Henderson,	Minehart,	Thomas, M. G.,
Bush,	Hetrick,	Moffatt,	Thompson,
Chaplin,	Heyburn,	Moore,	Van Alen,
Clutton,	Himes,	Morrison,	Vickerman,
Coldsmith,	Holcombe,	Munley,	Wells,
Coyne,	Hollis,	Myers, G. C.,	Wettach,
Craig,	Hontz,	Myers, P. M.,	Wheeler,
de Young,	Hoover,	Nolte,	Whitehouse,
Diehm,	Horne,	Orr,	Whiteman,
Dietz,	Howell,	Parkinson,	Williams, G. W.,
Dilsheimer,	Huber,	Patterson,	Williams, J. M.,
Donahue	Irvin,	Peelor,	Wood, N.,
Driggs,	Johnson,	Perry,	Wood, W. P.,
Drinkhouse,	Jones, C. B.,	Pitts,	Wright,
Dunn,	Jones, D. J.,	Posey,	Zook,
Eaches,	Jones, E. P.,	Price,	Goodnough,
Earley,	Keene,	Raymond,	Speaker.
Edmonds,	Kelly,	Richards,	

NAYS—2.

Alexander,	McDermott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 170, as follows:

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of article three of the Constitution of Pennsylvania which reads as follows

"The General Assembly shall not pass any local or special law

Authorizing the creation extension or impairing of liens

Regulating the affairs of counties cities townships wards boroughs or school districts

Changing the names of persons or places

Changing the venue in civil or criminal cases

Authorizing the laying out opening altering or maintaining roads highways streets or alleys

Relating to ferries or bridges or incorporating ferry or bridge companies except for the erection of bridges crossing streams which form boundries between this and any other state

Vacating roads town plats streets or alleys

Relating to cemeteries graveyards or public grounds not of the State

Authorizing the adoption or legitimation of children

Locating or changing county seats erecting new counties or changing county lines

Incorporating cities towns or villages or changing their charters

For the opening and conducting of elections or fixing or changing the place of voting

Granting divorces

Erecting new townships or boroughs changing township lines borough limits or school districts

Creating offices or prescribing the powers and duties of officers in counties cities boroughs townships election or school districts

Changing the law of descent or succession

Regulating the practice or jurisdiction of or changing the rules of evidence in any judicial proceeding or inquiry before courts aldermen justices of the peace sheriffs commissioners arbitrators auditors masters in chancery or other tribunals or providing or changing methods for the collection of debts or the enforcing of judgments or prescribing the effect of judicial sales of real estate

Regulating the fees or extending the powers and duties of aldermen justices of the peace magistrates or constables

Regulating the management of public schools the building or repairing of school houses and the raising of money for such purposes

Fixing the rate of interest

Affecting the estates of minors or persons under disability except after due notice to all parties in interest to be recited in the special enactment

Remitting fines penalties and forfeitures or refunding moneys legally paid into the treasury

Exempting property from taxation

Regulating labor trade mining or manufacturing

Creating corporations or amending renewing or extending the charters thereof

Granting to any corporation association or individual any special or exclusive privilege or immunity or to any corporation association or individual the right to lay down a railroad track

Nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law but laws repealing local or special acts may be passed

Nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been provided for by general law nor where the courts have jurisdiction to grant the same or give the relief asked for"

is hereby amended to read as follows

The General Assembly shall not pass any local or special law

Authorizing the creation extension or impairing of liens

Regulating the affairs of counties cities townships wards boroughs or school districts

Changing the names of persons or places

Changing the venue in civil or criminal cases

Authorizing the laying ont opening altering or maintaining roads highways streets or alleys

Relating to ferries or bridges or incorporating ferry or bridge companies except for the erection of bridges crossing streams which form boundaries between this and any other State

Vacating roads town plats streets or alleys

Relating to cemeteries graveyards or public grounds not of the State

Authorizing the adoption or legitimation of children

Locating or changing county seats erecting new counties or changing county lines

Incorporating cities towns or villages or changing their charters

For the opening and conducting of elections or fixing or changing the place of voting Provided however That the General Assembly may pass legislation providing for the installation and use of voting machines at any election or primary providing for their optional installation and use as well as installation and use by classification in such manner as the General Assembly shall from time to time direct

Granting divorces

Erecting new townships or boroughs changing township lines borough limits or school districts

Creating offices or prescribing the powers and duties of offices in counties cities boroughs townships election or school districts

Changing the law of descent or succession

Regulating the practice or jurisdiction of or changing the rules of evidence in any judicial proceeding or inquiry before courts aldermen justices of the peace sheriffs commissioners arbitrators auditors masters in chancery or other tribunals or providing or changing methods for the collection of debts or the enforcing of judgments or prescribing the effect of judicial sales of real estate

Regulating the fees or extending the powers and duties of aldermen justices of the peace magistrates or constables

Regulating the management of public schools the building or repairing of school houses and the raising of money for such purposes

Fixing the rate of interest

Affecting the estates of minors or persons under disability except after due notice to all parties in interest to be recited in the special enactment

Remitting fines penalties and forfeitures or refunding moneys legally paid into the treasury

Exempting property from taxation

Regulating labor trade mining or maunfacturing

Creating corporations or amending renewing or extending the charters thereof

Granting to any corporation association or individual any special or exclusive privilege or immunity or to any corporation association or individual the right to lay down a railroad track

Nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law but laws repealing local or special acts may be passed

Nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been provided for by general law nor where the courts have jurisdiction to grant the same or give the relief asked for

On the question,

Will the House agree to the bill on third reading?

It was agreed to .

On the question,

Shall the bill pass finally?

Mr. VICKERMAN. Mr Speaker, the bill we have before us, No. 170, is one of a series of bills that have been on the calendar for some weeks. I do not desire at this time to take up your time in explaining this bill, because it is so simple that everybody understands it fully. There are three or four bills following this that may come up at this time, and I want to say a word in connection with all of these bills. This bill is a constitutional amendment for the purpose of allowing us to use voting machines in Pennsylvania. This bill, if it becomes a law, will not compel any district to use voting machines unless they desire to have them. It simply makes it optional. It simply provides an amendment to the Constitution, making it possible for the use of voting machines in Pennsylvania. This bill has been brought forward at the request of a great many people in Pennsylvania who believe our Commonwealth will be served very materially by the use of these machines. I, likewise, as the lady said when she represented us in Washington, have nothing but the best to say of the men here. I make no charges against anybody, but I believe you will agree that we want to be in the forefront in everything worthwhile in our Commonwealth, and therefore, there is a strong desire by the people of Pennsylvania to have the apportunity if they see fit, to use the voting machine. This bill makes it possible for them to do that, but it does not compel them to have them. It is a local option matter with reference to these voting machines, therefore I do not see any reason why anybody should oppose this amendment. It is an amendment to the Constitution that will have to come before another Assembly in two years and then go before the people for their expression. I believe that the people of Pennsylvania are entirely able to decide for themselves whether their districts should have these voting machines or not. I, therefore, ask you to vote for the amendment.

Mr. JOSEPH C. MARCUS. Mr. Speaker and members of this House, I fully appreciate the remarks of the gentleman from Allegheny county that he has the interest at heart of the Commonwealth of Pennsylvania, and I believe that every woman, and every member of this House has the same views as the gentleman from Allegheny. The voting machine, whether it has been successful in the past, is a very much mooted question, and with my little knowledge upon the subject, and whatever little efforts I have made to determine whether voting machines were successful, yet the fact remains that in the states of Minnesota, Nebraska, New Jersey, Utah and Colorado they have been very unsuccessful. I do know from the reading of this bill whether it dispenses with election boards or not, but whether it does dispense with election boards or not, I believe that the laws already on the statute books are sufficient, adequate, and fully capable of supplying the rightful protection to the citizens who desire to exercise their right to vote.

This House has many bills on its calendar of an experimental character, and I believe it is the wish of those I know, and with whom I come into contact, that there is no occasion for legislation of this kind. Now even if they are successful, where is the money to come from to pay for them, where is the money to come from to experiment with them. Therefore I believe that under circumstances of this kind, this bill is still in its infancy and we have time to determine whether we want voting machines or not. I believe it would be for the best interest of those who have the interests of the Commonwealth at heart to vote this bill down.

Miss THOMAS. Mr. Speaker and members of the House, many women in Pennsylvania, and I think many men, and I am speaking now for the association of six groups of organized women, are interested in this bill. The Women's Legislative Council, which compose these State wide organizations put this subject on their program, and while I am not speaking in their behalf, I do want to call your attention to the fact that these six groups of women are interested in this bill and would like to see it become a law. These six groups include the Pennsylvania Federation of Women's Clubs, the Women's Christian Temperance Union, the State League of Women Voters, the Democratic women and the Republican women of Pennsylvania.

Mr. GOLDER. Mr. Speaker and members of the House, I have so much respect for the judgment of the lady from Chester that it is with some hesitation that I rise at this time to speak against the bill which she favors. It has been my experience in coming in contact with ladies who are members of certain organizations that when I tell them of the many bills which those organizations favor, they marvel themselves; they never heard of them. I believe that much good can be accomplished by women's organizations, the same as men's organizations. From my own experience I find,

however, that so many of these so-called up-lift organizations and women's political organizations, take unto themselves to support measures which they have not analyzed and have not considered. So far as the particular bill which we now have under discussion is concerned, and the bills which follow, mentioned by my colleague, Mr. Vickerman, as constitutional amendments, it seems that very often the excuse that is put forth for constitutional amendments when it lacks real merits, when it lacks fundamental support, is that this bill must again come before the next Legislature, and must again come before the people at large before it can become a law. In voting upon legislation, I believe that now is always the appointed time. We must consider whether voting machines meet with our approval or do not meet with our approval, for ultimately that is the final question on this bill. If we favor voting machines, then I say we should vote aye on this bill, but if we are opposed to voting machines then we should vote this bill down, and not bring it before another session of the Legislature and not expend the money required to put it before the people.

Now there are several reasons why voting machines are not to be countenanced, and some of these reasons are plain to view if you walk into the corridor of the building here, and if you walk into the corridor opposite the Senate. If any one of you men or women has gone into one of these machines and has attempted to manipulate it and you feel that such machines in your own election districts, in the cosmopolitan election districts in Pennsylvania are practical, if you feel that you can put these machines in your own election district and send men and women in to vote and they can operate these things and vote intelligently, then I say that your judgment on these machines entirely differs from mine. I stood before one of these machines for fifteen minutes and the machine was explained to me by a man whom I have learned to like,—he has been in the corridors here for some time and I do not want to interfere with his business,—he explained the things to me, and I believe it is not practical as I also believe that I have the ordinary amount of intelligence. I saw the ballow machine on the other side, and that was difficult to operate. Every time you take a machine of the kind and as complacated as this machine is and put it into the hands of people who have never before operated it, one of two things is going to happen, either the judge of election, who might possibly know the operation of the machine will be called upon to go in and vote for every person who wishes to vote, or someone will go in and cast the first ballot, and not knowing how to operate, will put the machine out of order, and in fact your election is out of order. The serious proposition is whether we are going to spend the millions of dollars required to put the machines into operation, but before that time you are going to spend the time and money to bring to another session of the Legislature this same bill and then submit it to the people. I say that isn't a sufficient excuse to pass a bill, without merit otherwise, to say that it must come before another session of the Legislature and after that must come before the people. As I said before, now is the appointed time. I do not think the voting machine is a practical proposition. I do not think it is a good thing, but I do think in the interests of time and better election and in the interests of more speedy elections, we should vote down this bill.

Mr. ALEXANDER. Mr. Speaker, and members of this House when we vote on this bill, we are not voting at the present time whether the Commonwealth of Pennsylvania shall have voting machines, that is not the purpose of this. This is the first time the Legislature has acted upon this bill, two years from now it will be obliged to come before this Legislature again, and then it will come before the people of the Commonwealth to say whether or not they want the Constitution amended, not for the voting machine perhaps, but in some time in the distance, two, four or years after that if they have found out that the voting machine is the proper thing to have they can then come before the Legislature and ask the Legislature to pass a law that will give us a voting machine but that is away off in the distance; that is not clearing the deck and taking away the obstruction whereby the Legislature in the future may act. Now I have no doubt that the legislature in the next two, or four, or six, or eight years will be just as sensible as this Legislature is; will have just as good judgment as this Legislature, and if they do not think at that time that it is right to have a voting machine, as I do not think it is right at this time, I see no reason for taking away the objection. Let the people decide whether they want to remove this objection from the Constitution so that members of the Legislature may in the future sometime vote for them to have a voting machine. Now this is all that it is, and it seems to me we are doing a wrong thing when we say on a matter of this kind, when the people of Pennsylvania are just as equal, and just as intelligent and can vote just as intelligently as we can. Why on this question—why should we turn around and say to our constituents, "Now, we are going to act for you, and we are not going to give you the right to say by your ballot whether or not you want the constitution amended"?

Mr. ARMSTRONG. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Golder.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. GOLDER. Yes, Mr. Speaker.

Mr. ARMSTRONG. You speak of a voting machine in the hall of the Senate on the other side, have you reference to the one in the Senate?

Mr. GOLDER. Yes, that is a ballot machine.

Mr. ARMSTRONG. A voting machine you called it?

Mr. GOLDER. Yes, it is a voting machine, that is the machine that is being used to mark the ballot; it is in the reception room on the outside of the Senate chamber.

Mr. ARMSTRONG. You cannot term it a voting machine.

Mr. GOLDER. I would, yes, Mr. Armstrong. That is the machine that would be used in the polls in connection with the general voting. It is the machine, in which the ballot is placed and by the manipulation of handles you punch a hole through the small block next to the name of the candidate for whom you vote. It is to be used only in voting, voting in the general elections or any elections.

Mr. ARMSTRONG. That is correct, the manipulation as you say stated is correct, but that is not a voting machine. It is known as Sealpress, simply to mark the ballot so that that ballot and none other can be used for counting except the seal of the district is upon it, and also upon the punch that you punch the name out with, making it absolutely a valid ballot. It is not to be known as a voting machine under any circumstances.

Mr. GOLDER. Mr. Armstrong, call it whatever you will. It is a machine which is to be used in the marking of ballots in elections. Am I correct in that?

Mr. ARMSTRONG. Yes, you are correct in that, but you are not correct in calling it a voting machine.

Mr. GOLDER. Is it not such a machine as is contemplated in this constitutional amendment?

Mr. ARMSTRONG. No sir, not necessarily.

Mr. GOLDER. Whether necessarily or not, is it not such a machine as is within the contemplation of this constitutional amendment?

Mr. ARMSTRONG. It is a machine for the purpose of protecting the ballot.

Mr. GOLDER. In elections?

Mr. ARMSTRONG. In elections.

Mr. EDMONDS. Mr. Speaker and members of the House, it seems to me that the gentleman from Delaware, Mr. Alexander, has stated precisely the question that is before us. The question is not shall we use voting machines in Pennsylvania; the question is, shall we clear the deck so that in case in the future some community or group of communities want voting machines, the way is clear so that the legislature may authorize it. Now, it seems to me that it is a perfectly clear cut proposition. The argument against it is that is complicated, that the average citizen will not be able to vote intelligently on that sort of machine. I can remember when those arguments were used in the establishment and substitution of the Australian ballot. There were a great many people that said the average voter is so unintelligent that you must give him a vest pocket ballot that he can put in his pocket when he goes to the polls to vote, at least if you didn't do that he would not know how to vote. Under the more complicated method which was adopted at the time Australian ballot went into use, or the blanket ballot went into use. My feeling is that the time will come that there will be such a mechanical device as will commend itself to the common sense of the people as a very quick and accurate method of recording votes. Now, when that time comes why should we put ourselves in the position of preventing a group of communities from experimenting with it? When that time comes some communities will want to first experiment with it and if they want to do it, why should not they be given the chance? As I understand the amendment, it merely clears the way to allow communities to use the voting machine when a voting machine comes along that they want.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—91.

Albert,	Gallaher,	Kennedy,	Sample,
Alexander,	Gelder,	Kunkle,	Sarig,
Anderson,	Gilchrist,	Labar,	Schleiter,
Armstrong,	Goss,	Lauver,	Schoener,
Aston,	Griffith,	Little,	Smith, G. A.,
Bell, F. A.,	Grimes,	Ludlow,	Steedle,
Betts,	Gundy,	Marshall, J. G.,	Stevens, A. J.,
Bidelspacher,	Harter,	Marshall, W. F.,	Storer,
Brenneman,	Haslett,	McCurdy,	Thomas, L. D.,
Brewster,	Heffran,	McDermott,	Thomas, M. G.,
Brownmiller,	Henderson,	McKim,	Thompson,
Burchinal,	Himes,	McVicar,	Vickerman,
Bush,	Holcombe,	Metcalf,	Walker,
Clutten,	Hollis,	Moffatt,	Weamer,
Coldsmith,	Hoover,	Moore,	Wells,
Coyne,	Horne,	Myers, G. C.,	Whiteman,
Dietz,	Howell,	Parkinson,	Williams, G. W.,
Driggs,	Huber,	Peelor,	Woner,
Edmonds,	Irvin,	Post,	Wood, W. P.,
Eshelman,	Jones, C. B.,	Price,	Wright,
Flinchbaugh,	Jones, D. J.,	Raymond,	Zook,
Fowler, D.,	Jones, E. P.,	Rhodes,	Goodnough,
Frazier,	Kelly,	Richards,	Speaker.

NAYS—84.

Allman,	Drinkhouse,	Lucas,	Sautter,
Arthur,	Dunn,	Lynch,	Schaeffer,
Baker,	Eaches,	Mack,	Schilling,
Baldi,	Earley,	Malie,	Schwartz,
Beaver,	Evans, J.,	Mangan,	Shambach,
Behney,	Gibbon,	Marcus, J.,	Smith, H. J.,
Bell, W. T.,	Glasgow,	Marcus, J. C.,	Smith, H.,
Berger,	Goehring,	McCann,	Smith, J. W.,
Bluett,	Golder,	McCaig,	Sowers,
Boback,	Gorham,	McClure,	Speiser,
Bromley,	Greeby,	McDaniel,	Staudenmeier,
Brown,	Haas,	Miller,	Stavitski,
Burns,	Hall,	Myers, P. M.,	Sterling,
Chaplin,	Harer,	Nolte,	Stevens, A. F.,
Colville,	Heffernan,	Orr,	Storb,
Conner,	Hetrick,	Patterson,	Wettach,
Craig,	Heyburn,	Perry,	Whitehouse,
de Young,	Johnson,	Pitts,	Williams, J. M.,
Diehm,	Keene,	Posey,	Wood, N.,
Dilsheimer,	Kohler,	Rinn,	
Donahue	Lafferty,	Rippman,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 476.

An Act creating, regulating and defining the powers of a county Planning Commission and authorizing the creation of a county plan in counties of the second class requiring the county commissioners to furnish to the commission before passage; resolutions relating to county improvements to roads, lands, buildings or means of communications; authorizing the commission to report suggestions to the county commissioners concerning improvements and to appear in court with reference thereto; authorizing the making of a county map and plan, including territory extending three miles beyond the county limits, showing proposed improvements in roads, lands, buildings and means of communication.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title pages 1 and 2, by striking out in line 12, after the word "communication" the following: "making it unlawful to record plans of land with streets or highways intended for dedication to public use except in boroughs or cities without first securing approval from the commission and making disapproval of a plan by the commission a refusal of proposed dedication."

Amend section 1, page 2, line 8, by inserting after the word "county" the following: "four of whom shall be residents of the city or cities therein and five of whom shall be residents of the boroughs and townships therein"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161.

Albert,	Fratt,	Little,	Schaeffer,
Alexander,	Gallaher,	Lucas,	Schilling,
Allman,	Gibbon,	Ludlow,	Schleiter,
Armstrong,	Gilchrist,	Lynch,	Schoener,
Arthur,	Glasgow,	Malie,	Schwartz,
Aston,	Goehring,	Marcus, J.,	Sheridan,
Baker,	Golder,	Marcus, J. C.,	Smith, G. A.,
Baldi,	Goss,	Marshall, W. F.,	Smith, H. J.,
Beaver,	Greeby,	McCaig,	Smith, H.,
Behney,	Griffith,	McCann,	Smith, J. W.,
Bell, F. A.,	Grimes,	McClure,	Sowers,
Bell, W. T.,	Gundy,	McCurdy,	Spangler,
Bentley,	Haas,	McGowan,	Speiser,
Betts,	Haines,	McDaniel,	Staudenmeier,
Bidelspacher,	Hall,	McDermott,	Stavitski,

Bluett,	Harer,	McKim,	Steedle,
Boback,	Haslett,	McVicar,	Sterling,
Brenneman,	Haws,	Miller,	Stevens, A. F.,
Brewster,	Heffernan,	Minehart,	Stevens, A. J.,
Bromley,	Heffran,	Moffatt,	Storer,
Brownmiller,	Henderson,	Moore,	Thomas, L. D.,
Burchinal,	Hetrick,	Morrison,	Thomas, M. G.,
Burns,	Heyburn,	Munley,	Thompson,
Bush,	Himes,	Myers, G. C.,	Vickerman,
Chaplin,	Holcombe,	Myers, P. M.,	Walker,
Clutton,	Hontz,	O'Boyle,	Wells,
Coldsmith,	Hoover,	Ogle,	Wettach,
Conner,	Horne,	Orr,	Wheeler,
Coyne,	Howell,	Parkinson,	Whitehouse,
Craig,	Huber,	Peelor,	Whiteman,
de Young,	Irvin,	Perry,	Williams, G. W.,
Dietz,	Johnson,	Pitts,	Williams, J. M.,
Dilsheimer,	Jones, D. J.,	Posey,	Wood, N.,
Donahue,	Jones, E. P.,	Price,	Wood, W. P.,
Driggs,	Keene,	Raymond,	Wright,
Dunn,	Kelly,	Richards,	Zook,
Eaches,	Kennedy,	Rinn,	Goodnough,
Earley,	Kohler,	Rippman,	Speaker.
Edmonds,	Kunkle,	Sample,	
Evans, B. P.,	Lafferty,	Sarig,	
Evans, J.,	Lauver,	Sautter,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 641.

An Act making a deficiency appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, by striking out at the beginning of line 10, the following: "on account of a debt incurred", and inserting in lieu thereof the following: "to cover a deficiency".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145.

Albert,	Flynn,	Lafferty,	Sample,
Alexander,	Fowler, D.,	Little,	Sautter,
Anderson,	Frazier,	Lucas,	Schaeffer,
Armstrong,	Gelder,	Lynch,	Schleiter,
Arthur,	Gibbon,	Mangan,	Schoener,
Asbury,	Gilchrist,	Marcus, J.,	Shambach,
Aston,	Goehring,	Marcus, J. C.,	Sheridan,
Baldi,	Golder,	Marshall, J. G.,	Smith, H. J.,
Beaver,	Gorham,	Mathay,	Smith, H.,
Behney,	Goss,	McCann,	Smith, J. W.,
Bell, W. T.,	Greeby,	McClure,	Soffel,
Berger,	Griffith,	McCurdy,	Spangler,
Bidelspacher,	Grimes,	McDaniel,	Staudenmeier,
Bluett,	Guerin,	McDermott,	Stavitski,
Blumberg,	Gundy,	McGowan,	Steedle,
Brenneman,	Haas,	McKim,	Sterling,
Bromley,	Hall,	McVicar,	Stevens, A. F.,
Brown,	Harer,	Metcalf,	Storer,
Brownmiller,	Haslett,	Millar,	Thomas, L. D.,
Burchinal,	Haws,	Miller,	Thompson,
Burns,	Heffernan,	Moffat,	Vickerman,
Chaplin,	Henderson,	Moore,	Walker,
Clutton,	Hetrick,	Morrison,	Wells,
Coldsmith,	Heyburn,	Munley,	Wettach,
Colville,	Himes,	Myers, G. C.,	Wheeler,
Conner,	Holcombe,	Myers, P. M.,	Whiteman,
Craig,	Hoover,	O'Boyle,	Williams, G. W.,
de Young,	Horne,	Ogle,	Woner,
Diehm,	Howell,	Orr,	Wood, N.,
Dilsheimer,	Huber,	Parkinson,	Wood, W. P.,
Donahue,	Johnson,	Patterson,	Wright,
Drinkhouse,	Jones, D. J.,	Perry,	Zook,
Dunn,	Jones, E. P.,	Posey,	Goodnough,
Earley,	Keene,	Price,	Speaker.
Edmonds,	Kelly,	Rhodes,	
Eshelman,	Kunkle,	Rinn,	
Evans, J.,	Labar,	Rippman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, that the Clerk inform the Senate accordingly.

ADJOURNMENT.

Mr. FLYNN. Mr. Speaker, I move that this House do now adjourn until 11:00 o'clock tomorrow morning.

The motion was agreed to, and (at 11:15 o'clock P. M.) the House adjourned until 11:00 o'clock tomorrow morning.

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